City of Bloomington
Common Council

Legislative Packet

05 February 2014
Regular Session

All background material and legislation contained herein.

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402
812.349.3409
council@bloomington.in.gov
http://www.bloomington.in.gov/council

City of Bloomington Indiana

City Hall
401 N. Morton St.
Post Office Box 100
Bloomington, Indiana 47402

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

To: **Council Members**
From: **Council Office**
Re: **Weekly Packet Memo**
Date: **January 31, 2014**

Packet Related Material

Memo
Agenda
Calendar
Notices and Agendas:

None

Legislation for Second Reading:

None

Legislation and Background Material for First Reading:

- **Ord 14-01** To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish Local Historic Designation of a "Conservation District" - Re: Matlock Heights Conservation District (Bloomington Historic Preservation Commission, Petitioner)
  - Map of District; Map of Zoning; Memo to Council from Nancy Hiestand, Program Manager, Historic Preservation; Report to Council with Depictions of Housing Styles and Lot Configurations; Cover Letter and Example of Signed Neighborhood Letter Supporting Pursuit of Conservation District; Guidelines (Available in the Council Office)

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

Minutes from Regular Session:

None

Memo

One Ordinance Ready for Introduction at the Regular Session on Wednesday, February 5th

There is one ordinance ready for introduction and no items ready for second reading at the Regular Session scheduled for next Wednesday. That one item is included in this packet and summarized herein.

First Readings:

Sole Item – Ord 14-01 – Amending Title 8 (Historic Preservation and Protection) to Establish the Matlock Heights Conservation District

Ord 14-01 establishes the Matlock Heights (Historic) Conservation District, which will be the first conservation district considered by the Council after it amended the underlying provisions of Title 8 of the BMC (Historic Preservation and Protection) in October of 2013 to conform with State law.[1] After a reinterpretation of State law, previous conservation districts which have elevated into full historic districts include McDoel and Prospect Hill. A third conservation district, Garden Hill, is in the process of determining whether it will remain a conservation district or elevate to a full historic district.

Like prior initiatives, the Matlock Heights Neighborhood Association approached the City looking for ways to preserve neighborhood character in the face of encroaching, incompatible development. Regulations for historic preservation require that certain changes to the exterior of properties be compatible with the historic aspects of the underlying district. This has helped stabilize neighborhoods and preserve their character. The paragraphs below offer a brief overview of Title 8, regarding Historic Preservation and Protection, and the grounds under which the Historic Preservation Commission (Commission) made its recommendation for this designation.

Overall Purpose and Effect of the Title 8 (Historic Preservation and Protection)

The provisions of Title 8 (Historic Preservation and Protection) 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

[1] See Ordinance 13-21.

heritage;
- ensure the harmonious and orderly growth and development of the City;
- maintain established residential neighborhoods in danger of having their distinctiveness destroyed;
- 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. It also promulgates rules and procedures for reviewing changes to the external appearance of properties within these districts. Those reviews occur in the context of either granting or denying Certificates of Appropriateness for the proposed changes. Persons who fail to comply with the Certificate of Appropriateness or other aspects of Title 8 are subject to fines and other actions set forth in BMC Chapter 8.16 (Administration and Enforcement).

Districts, Areas, and Ratings

Statute and local code offer gradations of districts, areas, and ratings that, in general, tie the level of historic/architectural significance to a level of regulation and protection. In that regard, there are two levels of historic districts, two levels of areas, and four levels of ratings, which are briefly noted below:

Districts. Districts may include a "single building, structure, object, or site or a concentration (of the foregoing) designated by ordinance" and come in two forms: a conservation district and a permanent historic district.

The conservation district, as is being proposed by this ordinance, is a phased designation. It requires the Commission to review the:
- moving,
- demolishing, or
- constructing of any principal building or most accessory buildings that can be seen from a public way.

According to IC 36-7-11-19, the conservation district will elevate to a full historic district at the third anniversary of adoption of the designating ordinance, unless a majority of property owners submit objections in writing to the Commission within 60 - 180 days before that date. Please note that the ordinance calls for property

owners to be given an opportunity to object to the elevations within this time frame and that, under local practice, the HAND staff facilitate this process.

The full historic district is the ultimate designation that, along with those restrictions noted in regard to conservation districts, also authorizes the Commission to review:

- any addition, reconstruction, or alteration that conspicuously changes the external appearance of *historic* structures, and appurtenances to those structures, viewable from a public way in what are classified as "primary" and "secondary" areas; as well as
- any addition, reconstruction, or alteration that conspicuously changes the external appearance of a *non-historic* structure viewable from a public way or any change to or construction of any wall or fence along the public way in what are classified as "primary" areas. *Please see below for the distinction between "primary" and "secondary" areas.*

Areas. Within each district, the City may distinguish between primary or secondary areas.

- The primary area is the principle area of historic/architectural significance; and
- the secondary area is an adjacent space whose appearance could affect the preservation of the primary area and is needed to assure the integrity of the primary area. *Please note that the Commission to date has not sought to establish districts with "secondary" areas.*

Ratings. Each property within a district may be rated as outstanding, notable, contributing, or noncontributing, according to its level of significance as elaborated below (per BMC 8.02.020):

- "Outstanding" is the highest rating and is applied to properties that are listed or are eligible for listing on the National Register of Historic Places and "can be of local, state, or national importance";
- "Notable" is the second-highest rating and applies to properties that are of above average, but not outstanding importance, and "may be eligible for the National Register";
- "Contributing" is the third-highest rating and applies to properties that are at least 40 years old and are important to the "density or continuity of the area's historic fabric" and "can be listed on the National Register only as part of an historic district"; and
- "Non-contributing" is the lowest rating and applies to properties that are "not included in the inventory unless (they are) located within the boundaries of an historic district." These properties are ineligible for listing on the National

Register and may involve structures that are either less than fifty years old, older than that but "have been altered in such a way that they have lost their historic character," or "are otherwise incompatible with their historic surroundings."

Designation Procedures

According to the BMC, in order to bring forward a historic designation, the Historic Preservation Commission must hold a public hearing and submit a map and report to the Council. The map identifies the district and classifies properties, and the report explains these actions in terms of the historic and architectural criteria set forth in the ordinance.

As is true with this petition, the Commission may impose interim protection on the district that prevents any exterior alteration of the property until the Council acts on the designation. It also has an opportunity to consider historic designation of properties listed on the Bloomington Survey of Historic Sites and Structures which are slated for demolition.

The ordinance typically:

- Describes the district and classifies the properties;
- Attaches the map and the report;
- Approves the map;
- Establishes the district and amends the local code to insert the newly established district into BMC 8.20; and
- In the case of conservation districts, addresses their elevation to a full historic district at the third anniversary of the adoption of the ordinance, unless a majority of the property owners object to the Commission in writing in a timely manner.

Genesis, Boundaries, and Zoning of the Matlock Heights Conservation District

In her memo to the Council and the Staff Report, Nancy Hiestand, Program Manager - Historic Preservation, describes the beginnings of this designation. At the request of the Matlock Heights Neighborhood Association, staff of the HAND department met with residents in late 2010 and early 2011 to talk about conservation districts.

In November of 2011, the association president, Carol Darling, submitted 45 letters in support of the district signed by 56 owners of property. This constituted over half of the property owners in the district. The cover letter (attached) and accompanying signed letter (example attached) indicate the neighborhood's desire to preserve the character of this neighborhood and indicate knowledge of the conservation district requirements and procedures.

At the time, Matlock Heights Neighborhood Association was one of a few neighborhoods interested in conservation districts, all of which needed surveys to proceed.[2] In September 2012, the surveys were completed and adopted by the Commission which, at its meeting in October, selected Matlock Heights "as the next neighborhood to seek an application" based upon its "neighborhood capacity and significance of architecture."

After the creation of a neighborhood subcommittee, mention in numerous neighborhood newsletters, three locally required public information meetings (on November 19, 2012, December 11, 2012, and January 15, 2013), a series of neighborhood discussions regarding guidelines, the Commission held a public hearing and recommended designation of the district February 28, 2013.

This district is zoned Residential Single Family (RS), visually distinct from its surroundings, and roughly bounded:

- on the north by the backyard property lines of parcels on the north side of the 300-block of Fritz Drive and the 300 and 400 block of Glendora,
- on the east by North Dunn Street,
- on the south by SR 45/46, and
- on the west by North Walnut (except the commercial properties along it).

[2] These neighborhoods included Garden Hill, Maple Heights, and Bryan Park.

Statistical Overview of the District

Addresses:	80
Ratings:	1 outstanding, 8 notable, 67 contributing, and 4 non-contributing properties
Registered rentals	~ 25%
RS zoned properties:	100%

Historic and Architectural Criteria for this Designation

The Commission granted this designation based upon both the historic and architectural significance of the neighborhood and its buildings. The Commission found that the neighborhood has historic significance because it:

- "has significant character … as part of the development, heritage, or cultural characteristics of the City; (and) is associated with a person who played as significant role in local history;" and
- exemplifies "the cultural, political, economic, social or historic heritage of the community."

In support of these findings, the Report states that Matlock Heights is "Bloomington's and possibly Indiana's first mid-century district application." It was "carved out of a large farm" and built with "typical speculative construction on cleared tracts" over a decade (1952-1961) to meet the post WWII demand for housing in the age of the automobile. Laid out on curvilinear streets and large, irregular lots with mostly ranch-style homes, it has all the "elements of the modern suburban dream … the romance of open spaces, independence, natural landscaping, backyard privacy and informality." As those of the Boomer generation know, the suburban dream was a backdrop for "television, radio, and the movies," celebrated in various "shelter magazines" of the time, and remained the dominant housing ideal and pattern for the decades to come.

At a local level, Matlock Heights was one of the first such housing subdivisions "illustrat(ing) the development of mid-century housing at the perimeter of Bloomington: without sidewalks on uniquely shaped lots." The report concludes that "(its) consistency of age, form, and materials …make Matlock Heights an outstanding and eminently preserve-able example of this era."

Please note that tucked away on Fritz Drive is the original Matlock farm house dating to the 1850s.

The Commission also found that the district is architecturally worthy because it:

- Embodies distinguishing characteristics of an architectural or engineering type;
- Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood of the city; and
- Exemplifies the built environment in an era of history characterized by a distinctive architectural style.

The Report describes four housing forms in the district. Three of those forms are a variant of the Ranch design. The Ranch homes in this district are typically on one level, incorporate limestone on the exterior (often in novel ways – e.g. on knee walls and stoops), account for 84% of the buildings, and give the district a "very uniform appearance from the street." The fourth form is the split-level, which differs from the Ranch not only in its form, but also in the use of brick on the exterior. These four forms are briefly described below:

- Minimal Traditional Ranch – which has a rectangular footprint with roof sloping to the street, and a carport or attached garage, but no other additions;

- Massed Ranch – which has a “squarer footprint” with hipped, low-pitched roofs and deep boxed eaves, and “knee walls of stone or carefully designed banks of windows;”
- Populist Modern (Ranch) – which has “low sloping roofs and deep eaves” and was “reinvented (as a form) after WWII,” borrowing from the “international style of the 1920s” and “influenced by Frank Lloyd Wright’s ‘Usonian’ designs;” and
- Split Level – which is in two or three levels, with each level typically serving a different set of uses.

According to the Report, the “mid-century template of development radically changed the landscape of the community.” It offered larger lots and curvy streets in place of the tight urban grid, horizontal in place of vertical construction, a greater diversity in window designs, and in sum, a distinctive architectural style.

In addition, the internal consistency and distinct boundaries of the district (i.e. right-of-ways, lot sizes, and commercial zoning), identify it as an “established and familiar feature of the … city.”

The Report also mentions that one property was designed by a California architect and another was featured in the magazine, “Better Homes and Gardens.”

Guidelines – Review of Demolishing, Moving, and Constructing Buildings

The neighborhood subcommittee has created draft guidelines that are expected to be approved by the Commission in February. The goal of the guidelines “is to harmonize new buildings with the historic fabric that remains.” Please note that under State and local code, these regulations apply to requests to move, demolish, or construct buildings, but will not apply to typical work done on the exterior of the properties, including window replacements, siding, and additions to the principle structures.

The four housing forms mentioned previously provide the main context for determining whether the construction, moving or demolition of buildings in the district comports with the guidelines by being compatible with the neighborhood. The mass, elevation, materials, windows and doors, patios and porches, and other architectural details of these housing forms establish that context. In addition, their placement on large, irregular lots provides a second and equally valuable context for making that determination.

Construction of New Buildings. The guidelines regulate the construction of primary buildings (i.e. single family dwellings) and accessory structures with footprints in excess of 80 square feet. The goal is for the new construction to "react sensitively to the existing context." Here, the context starts with what is in place on a developed site, extends to adjacent contributing properties for a vacant single lot, and much further for an aggregation of vacant lots. Along with conforming to one of the mid-century housing forms, applicable projects must also conform to contiguous contributing buildings. Criteria, in that regard, include: setback, orientation on the parcel, entrance way, spacing, height, and building outline. Matters like location of parking, utilities and equipment are also addressed.

Moving of Historic Buildings. The guidelines apply to the moving of all buildings within the district except small accessory buildings located in backyards. Under the guidelines, "the moving of a historic structure should only be done as a last resort to save the building" and "may be considered when necessary to maintain (the district's) historical context." When moved, the building should be compatible with the style, scale, and era of the buildings along side the new site.

Demolition. The guidelines indicate that the "complete or substantial removal of any structure" within the district shall be reviewed by the Commission. The Commission will grant the request for demolition and apply guidelines for new construction only if it finds one or more of the following:

- the structure poses an immediate and substantial threat to public safety unless due to the neglect of the owner;
- the historic or architectural significance is deemed, upon further consideration, not to contribute to the historic character of the district;
- the demolition is necessary for development that is more valuable to the preservation of the district than the retention of the demolished structure;
- the building or property cannot be put to any reasonable economic beneficial use without demolition; and
- the structure is accidentally damaged. *(Note: in these circumstances, the building may be rebuilt as it was before and not as required by the guidelines for new construction if the work is commenced within 6 months of the accident.)*

Future Revisions to Guidelines. Once approved, the Guidelines may be revised. Those revisions must be drafted by the Matlock Heights Neighborhood

Association, advertised through emails and newsletters, approved by 60% of the property owners, and ratified by the Commission after a public hearing.

Opposition

One property owner, Derk Brewer, has contacted the Council Office in opposition to this designation. He owns properties next to East SR 45/46 and the commercial properties to the west and believes his properties are incompatible with the district and should be excluded from the district.

Procedures for Determining Status of the District after Three Years

As mentioned previously, the Conservation District has an initial term of three years and will elevate to a full historic district at that time, unless a majority of the property owners object in writing to the Commission within 60 – 180 of the third anniversary of adoption of the ordinance. The Memo from Hiestand indicates that the Matlock Neighborhood Association is aware of this requirement and believes there will be sufficient response to maintain its status as a Conservation District.

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, FEBRUARY 5, 2014
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: *None*

IV. REPORTS (A maximum of twenty minutes is set aside for each part of this section.)

1. **Councilmembers**
2. **The Mayor and City Offices**
3. **Council Committees**
4. **Public ***

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

None

VII. LEGISLATION FOR FIRST READING

1. Ordinance 14-01 To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish Local Historic Designation of a "Conservation District" - Re: Matlock Heights Conservation District (Bloomington Historic Preservation Commission, Petitioner)

VIII. ADDITIONAL PUBLIC COMMENT * (A maximum of twenty-five minutes is set aside for this section.)

IX. COUNCIL SCHEDULE

X. ADJOURNMENT

* Members of the public may speak on matters of community concern not listed on the agenda at one of the two *Reports from the Public* opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

Posted and Distributed: Friday, 31 January 2014

City of Bloomington
Office of the Common Council

To Council Members
From Council Office
Re Weekly Calendar – 03 – 07 February 2014

Monday, 03 February

5:00 pm Black History Month Kick-Off & Reception, Council Chambers
5:00 pm Redevelopment Commission, McCloskey
5:30 pm Bicycle & Pedestrian Safety Commission Work Session, Hooker Room

Tuesday, 04 February

7:30 pm Telecommunications Council, Council Chambers

Wednesday, 05 February

12:00 pm Bloomington Urban Enterprise Association, McCloskey
2:00 pm Hearing Officer, Kelly
5:30 pm Commission on Hispanic & Latino Affairs, McCloskey
7:30 pm Common Council Regular Session, Council Chambers

Thursday, 06 February

4:00 pm Bloomington Digital Underground Advisory Council, McCloskey
5:30 pm Commission on the Status of Women, McCloskey

Friday, 07 February

12:00 pm Council-Staff Internal Work Session, Council Library
1:30 pm Metropolitan Planning Organization Policy Committee, Council Chambers

Posted and Distributed: Friday, 31 January 2014

401 N. Morton Street • Bloomington, IN 47404 **City Hall** **Phone: (812) 349-3409 • Fax: (812) 349-3570**
www.bloomington.in.gov/council
council@bloomington.in.gov

ORDINANCE 14-01

TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED "HISTORIC PRESERVATION AND PROTECTION" TO ESTABLISH LOCAL HISTORIC DESIGNATION OF A "CONSERVATION DISTRICT" - Re: Matlock Heights Conservation District (Bloomington Historic Preservation Commission, Petitioner)

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

WHEREAS, the Commission held public hearings on February 28, 2013 for the purpose of allowing discussion and public comment on the proposed historic district designation of Matlock Heights Conservation District; and

WHEREAS, at the February 28, 2013 public hearing, the Commission held that the proposed Matlock Heights district has historic and architectural significance that merits the protection of the property as a conservation district and imposed interim protection on the properties within the proposed district (which will terminate upon adoption or rejection of this ordinance by the Council); 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 as a conservation district;

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 for the site is hereby approved by the Common Council, and the Matlock Heights Conservation District is hereby established. A copy of the map and report submitted by the 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 Matlock Heights Conservation District shall consist of the following addresses:

East Glendora Drive:	201, 211, 221, 301, 311, 321, 331, 401, 411, 200, 220, 400, 444;
East Gilbert Drive:	201, 211, 210, 220, 300, 310;
East Saville Avenue:	411, 410, 420;
East Vernon Avenue:	409, 410;
E. SR 45/46 Bypass:	201, 211, 221, 231, 401, 411;
North Fritz Drive:	2521, 2511, 2431, 2421, 2411, 2321, 2303, 2301, 2201, 2530, 2520, 2510, 2500, 2440, 2430, 2420, 2410, 2400, 2330, 2320, 2310, 2300, 2210, 2206;
North Martha Street:	2230, 2244, 2300, 2305, 2301, 2243, 2231;
North Laverne Drive:	2411, 2410, 2400;
North Barbara Drive:	2431, 2421, 2411, 2407, 2420, 2410, 2400;
North Dunn Street:	2421, 2411, 2401, 2341, 2331, 2321, 2311, 2301, 2211.

The boundaries of the district are further described as follows:

The area is roughly bounded on the north by the backyard property lines of parcels on north side of the 300-block of Fritz Drive and the 300 & 400 blocks of Glendora Drive, on the east by North Dunn Street, on the south by the East SR 45/46 Bypass, and on the west by North Walnut Street (with the exception of some commercially-zoned parcels at the intersection with SR 45/46).

SECTION 2. The properties within the Matlock Heights Conservation District shall be classified as indicated below:

The following properties are classified as outstanding

North Fritz Drive:	2301

The following properties are classified as Notable:

East Glendora Drive:	201
East Gilbert:	201
North Fritz Drive:	2431, 2303;
North Martha Street:	2244, 2230;
North Barbara Drive:	2431.
North Dunn Street:	2401

The following properties are classified as Contributing:

East Glendora Drive:	211, 221, 301, 311, 321, 331, 401, 411, 200, 220, 400, 444;
East Gilbert Drive:	211, 210, 300, 310;
East Saville Avenue:	411, 420;
East Vernon Avenue:	409, 410;
East SR 45/46 Bypass:	201, 211, 221, 231, 401, 411;
North Fritz Drive:	2521, 2511, 2421, 2411, 2321, 2201, 2530, 2520, 2510, 2500, 2440, 2430, 2420, 2410, 2400, 2330, 2320, 2310, 2300, 2210, 2206;
North Martha Street:	2243, 2231, 2300;
North Laverne Drive:	2411, 2410, 2400;
North Barbara Drive:	2421, 2411, 2407, 2420, 2410, 2400;
North Dunn Street:	2421, 2411, 2341, 2331, 2321, 2311, 2301; 2211.

The following properties are classified as Non-contributing:

East Gilbert Drive:	220
East Saville Avenue:	410
North Martha Street:	2305, 2301

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code entitled “List of Designated Historic Districts," is hereby amended to include the “Matlock Heights Conservation District” which shall read as follows:

Matlock Heights Conservation District (80 properties)

SECTION 4. In accordance with IC 36-7-11-19, no earlier than 180 days before the three year anniversary date of the adoption of this Ordinance, but no later than 60 days before the three year anniversary date of the adoption of this Ordinance, property owners in the Matlock Heights Conservation District shall be given the opportunity to object, in writing, to the elevation of the district to a full Historic District. If a majority of the property owners in the Matlock Heights Conservation District do not object, in writing, to said elevation, then Matlock Heights shall automatically elevate to a full historic district on the third anniversary date of the adoption of this Ordinance.

SECTION 5. 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 6. 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 _____, 2014.

_____
DARRYL NEHER, 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 _____, 2014

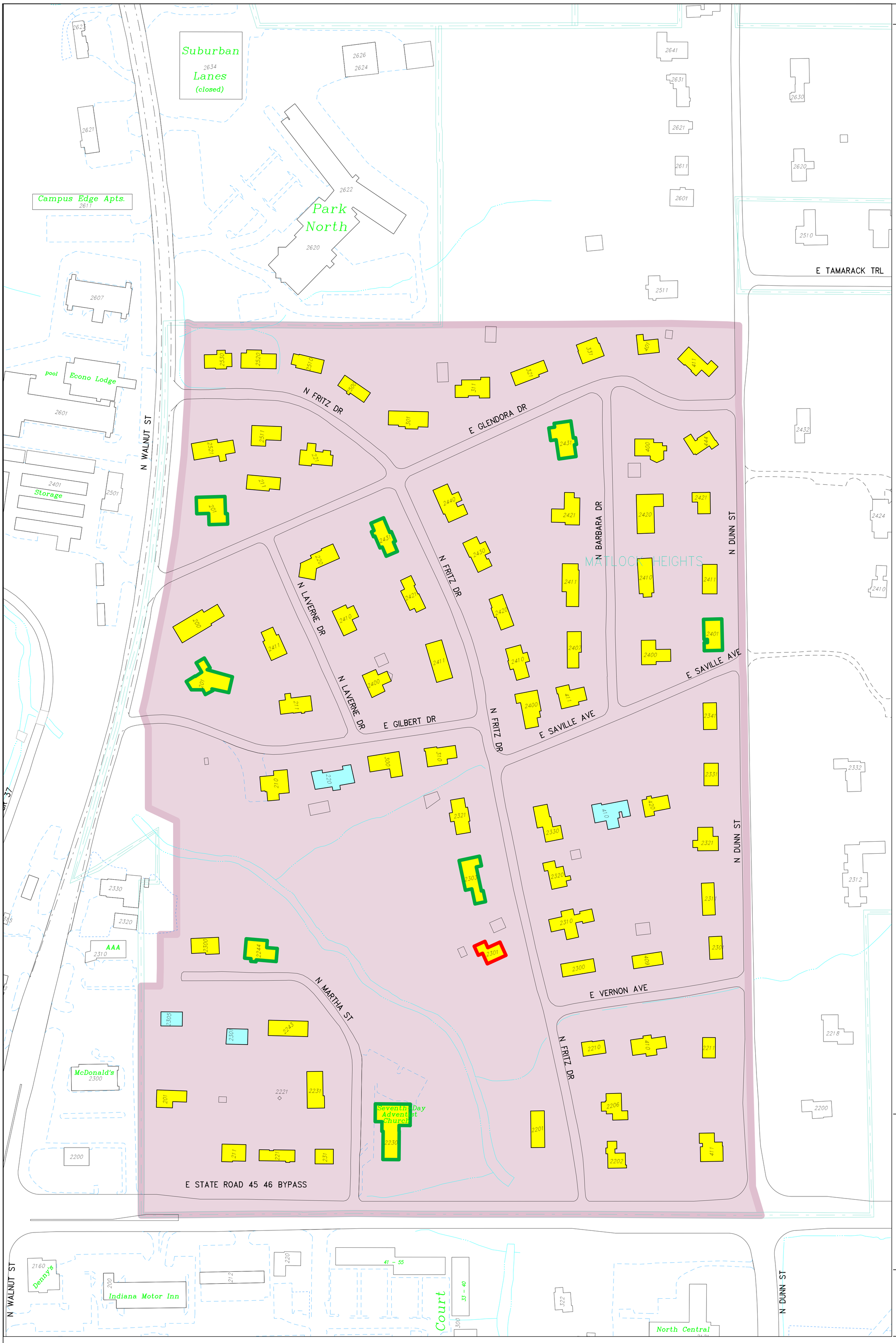
_____
REGINA MOORE, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this ____day of_____, 2014.

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the List of Designated Historic Districts in the City of Bloomington by establishing the Matlock Heights Conservation District. In recommending this designation, the Bloomington Historic Preservation Commission (Commission): conducted a survey; held public hearings; and submitted a map and accompanying report to the Council. The map describes the boundaries of the district, classifies the total number of properties within the district, and is approved by the ordinance. The report demonstrates how this district meets the necessary criteria. A conservation district is, in general, less restrictive than a full historic district, and requires only the review of proposals to demolish or move buildings, or construct new principal or accessory buildings. At end of three years after adoption of this ordinance, this conservation district will elevate into a full historic district, unless within 180 and 60 days before that date, a majority of the property owners provide the Commission with written objections to the elevation.



Legend

Base Map

- Railroad
- Drainage basin divide
- Drain.basin major-divide
- Drain.basin minor-divide
- Creek
- Intermittent stream
- 812.7 Spot elevation
- Contour line
- 760 Index contour line with elevation
- 1024 Building with address
- Fence
- 100-year flood plain
- PLS sect, 1/4-sect lines
- 1000-foot grid line
- Edge of pavement
- Edge of travelled lane
- Edge of alley
- Street centerline
- Alley centerline
- Private road centerline
- Parking area
- Municipal boundary ticks on city side
- Zoning boundary
- Township boundary

Neighborhood Association Boundary

Proposed Conservation District

- Contributing
- Non-Contributing
- Notable
- Outstanding

TmathtcdDP

Jan 2, 2014

stierm

City of Bloomington
HAND Department
Geographic Information System

Scale: 1" = 100'

100 50 0 100 200 300 400 500 600 700 800 900 1000

City of Bloomington, Indiana
Geographic Information System

This map was produced by the City of Bloomington GIS, for use by the City and general public as map information. The topographic and planimetric information is based on aerial photography flown in March 1991 and March 1992. Updates from aerial orthophotography took place in April 1998, April 2005, March 2006, and April 2010. Information is updated by GIS technicians from development drawings, plats, and other sources. The accuracy of information contained in this document is based on National Mapping Standards, however it is NOT warranted.

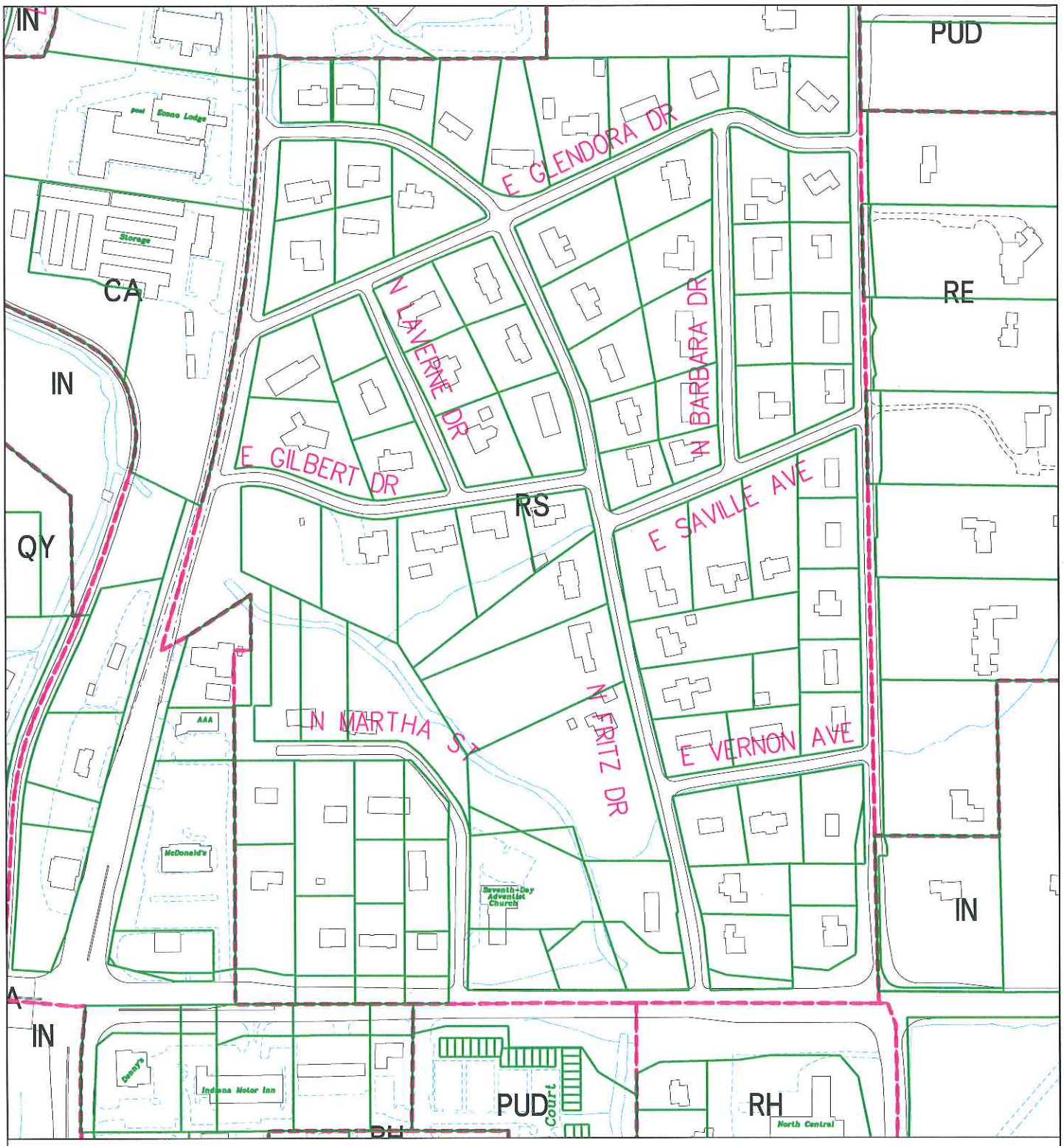
The Corporation boundary reflects annexations effective January 1, 2012.

Information and Technology Services Department
9 January 2013

Housing and Neighborhood Development

Matlock Heights Proposed Conservation District

& Historic Survey Rating



Ord 14-01 – Zoning and Parcels

By: shermand
30 Jan 14

300 0 300 600 900

N

City of Bloomington
Clerk & Council

Scale: 1" = 300'

For reference only; map information NOT warranted.

MEMO TO THE COMMON COUNCIL

Re: Matlock Heights Conservation District Memo

Date: January 24, 2014

From: Nancy Hiestand

The Bloomington Historic Preservation Commission ("Commission") recommends conservation district status to a mid-century subdivision known as Matlock Heights.

In 1974 the City's first Historic Preservation and Protection Ordinance (Title 8) was adopted. With the adoption of said ordinance the City has been able to locally designate structures and neighborhoods within the City. In 1995, Title 8 was updated to allow for local designation of phased districts, called "Conservation Districts" in Bloomington. With the 1995 update of Title 8, the Commission was given the authority to place any district it recommended for local protection under interim protection until the Common Council could render a decision on designation. As of today's date, Garden Hill is the only conservation district in Bloomington, although said district is currently undergoing a period of referendum to determine if it will remain a conservation district or elevate to a full historic district.

In November of 2011, the Matlock Heights Neighborhood Association ("MHNA") presented 46 letters signed by 56 individual property owners, requesting consideration of a conservation district in their neighborhood. The last survey of Bloomington was completed over ten years ago, at that time mid-century homes were not widely appreciated and the area north of the Bypass was not surveyed for more modern resources. As a result of the MHNA's petition, the Commission funded a survey of the proposed district, which may become Bloomington's (and Indiana's first) mid-century district. The survey was conducted in 2012 and found that of the 80 structures in the proposed district: 1 structure is outstanding; 8 structures are notable; and 67 structures are contributing. Additionally, Bloomington Restorations held a successful house tour in Matlock Heights (October 2012), and later Indiana Landmarks hosted an additional mid-century tour in the City of Bloomington (June 2013), Landmarks' tour included Matlock Heights.

MHNA leadership held the required three public information sessions regarding the petition to be classified as a conservation district, with said public sessions occurring on: November 11, 2012; December 19th, 2012; and January 15th 2013. The public hearing, held on February 28, 2013, by the Commission, was duly noticed by individual letter to all property owners within and adjacent to the proposed district as well as a legal notice in the Herald Times. The Commission's vote to recommend designation was unanimous (6-0-0). Interim protection was placed upon the proposed district, classifications of individual properties approved, and a map was adopted as part of the report. A subcommittee composed of City staff, commissioners and neighborhood property owners

developed the Matlock Heights design guidelines which are under review and should be ready for the Council meeting.

The boundaries of the proposed Matlock Heights district were established first by a historic survey and then refined with public comment during the three required public information sessions. The contributing properties are uniformly residential single family forms including several styles of mid-century ranches and split levels almost all of which were built within the decade of the 1950s, giving it a unique consistency. The boundaries are created by high speed corridors on three sides and a clear natural boundary to the north. One of the virtues of this district is its isolation and lack of intrusions. It creates a small window into the ethos and atmosphere of midcentury America.

The MHNA has been advised that if the Common Council designates their neighborhood as a conservation district, said district could potentially elevate to a full historic district on the three-year anniversary date of the designation. MHNA leadership was advised by City staff that during a set statutory period of time prior to the anniversary date a majority of property owners in the district will have to object, in writing, to the elevation to a full historic district in order to avoid such an elevation. The MHNA believes that their membership is active and participatory and they anticipate being able to achieve their goals to retain conservation district status in the future. They have already proven that they can motivate a majority of property owners in their petition for the district.

Attached to this memo please find:
the ordinance;
the map of the district;
draft design guidelines; and
the report.

(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.

The Matlock Heights Neighborhood Association initiated consideration of a Conservation District in discussions in September of 2010. At that time, staff was asked to speak about the district process at a neighborhood meeting. In October of 2010 more information about conservation districts was shared at a picnic. In April of the following year a member of Council addressed the group about conservation district designation. In November of 2011 Carol Darling submitted 45 letters signed by owners in support of the district. It represented over half of the owners in Matlock Heights. At the time, the Commission was still processing a request by Elm Heights for a full historic district and had to defer work on Matlock Heights as well as other potential districts.

Like Garden Hill, Bryan Park, and Maple Heights, Matlock Heights needed an updated survey to proceed. It had been over a decade since the last survey. The potential district

was duly surveyed by a hired consultant. This work was completed and adopted in September of 2012.

In 2012, because of the number of neighborhoods interested in historic districting, the Commission worked on a process to assess an area's readiness to proceed on historic designation. The idea was to allow neighborhoods to present a case for application, then assessing both neighborhood capacity and significance of the architecture. At the October 1st special meeting of the BHPC, Matlock Heights was selected as the next neighborhood to seek an application.

Over the ensuing months, a subcommittee was formed and three required public information meetings were held on : November 19, 2012, December 11, 2012 and January 15, 2013. The Neighborhood Association mailed two letters to owners: one providing general information about application (October 15, 2011) and one announcing the required public information meetings (November 2012). In addition there were a series of discussions about the development of design guidelines attended by a subcommittee including members of the commission and a council person representing the district. The neighborhood also distributed several newsletters (October 2010, April 2011, October 2011, April 2012, September 2012) explaining what a conservation district is and advising residents of the pending application. These were hand delivered to those living in the district.

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 to decide whether to retain the conservation district based upon a vote by owners.

The boundaries of the Matlock Heights district were set by the official survey of historically significant buildings in the neighborhood. The boundaries were also influenced by the location of nearby commercial zoning on the east side of Walnut Street (all of the properties included in the proposed district are zoned RC) and the presence of high speed and major corridors which form a natural boundary to this residential district.

The final accounting of structures is 80 houses within the district. Of these, one is rated outstanding, eight are notable, and four are non-contributing, sixty seven contributing.

This is Bloomington's and possibly Indiana's first mid-century district application. The platting, sites and form of the houses in the neighborhood contrast with all other Bloomington districts that have been listed. Curvilinear streets, wedge shaped lots, and single story ranch houses are characteristic of the mid-century era and it is immediately evident when one enters the boundaries of the district. Just across 17th Street, in Garden Hill, the simple rectilinear lots and gridded streets of an urban neighborhood become the rule. Matlock Heights is particularly distinguished by the short amount of time in which the district developed. Construction was concentrated into a single decade from 1952 and 1961. Neighbors provided early photographs of the area during its development. It shows typical speculative construction on cleared tracts. Today Matlock Heights streetscape features mature trees on its rolling topography. The neighborhood was built without sidewalks, and still has no sidewalks, but most would characterize it as a walking community in a park-like setting. Traffic within the district is light though Matlock Heights was one of Bloomington's early communities designed for automobile traffic and the new commuter culture.

Development History

Reflecting a national trend in housing development, Matlock Heights was carved out of a large farm and still boasts the original farmhouse on North Fritz Drive. Built c. 1850 in the Greek Revival style, it is the district's only "outstanding" property. A classic I-house, the home has a classical entry with sidelights and transoms, corner pilasters and full gable returns. Since it remains, the story of mid-century development, on open fields, at the outskirts of town is still evident.

Waldron Fritz, the owner of the farmstead at the time, also developed Fritz Terrace on the west side of the city. It is fortunate and rare that the original farmhouse in this neighborhood still stands.

The background history of this report references Alan Hess's book, The Ranch House (2005) .The design of the balance of Matlock Heights homes reflect the change in the values of that era. Rambling floor plans, expanses of windows, and curvilinear streets express the aspirations of a generation who sought to live in nature rather than in the increasingly congested cities. Development In Matlock Heights was highly concentrated: all but ten houses were constructed within a decade of the recorded plat. The romance of open spaces, independence, natural landscaping, backyard privacy and informality were elements of the modern suburban dream. Modernism played out differently in Europe where architecture of this era was comprised of urban and high density apartment living. In America, the fusion of the western ideal of the ranch home and the concept of leisure inspired the form of the mid-century neighborhood. Fully 67 of the homes in Matlock Heights are ranch style. It is the consistency of age, form and materials that make Matlock Heights an outstanding and eminently preserve-able example of its era.

Historic Housing Forms

The architecture of the Matlock Heights is largely composed of traditional ranch forms with a few split levels. Limestone veneer is heavily featured, either as a siding material or a small feature, like a knee wall, across the primary façade. In order to analyze this district the Indiana Landmarks reference "Architectural Movements of the Recent Past" by Alan Higgins was used. There are subgroups of the ranch form defined here:

MINIMAL TRADITIONAL RANCH

This form is frequently mass-produced and typically side-gabled. At least one large picture window is present on the front façade. It often is developed on smaller lots. It may have a carport or attached garage but originally had no other additions or secondary rooms outside its rectangular footprint.

MASSED RANCH

The massed ranch features a squarer footprint that is almost always topped with a hipped roof. Deep boxed eaves and a low pitched roofs emphasize the horizontal plan. There may be knee walls of stone or carefully designed banks of windows that elongate the appearance of the structure.

POPULIST MODERN

This example evolved from the

International Style of the 1920s as it was reinvented after World War II. The style is influenced by Frank Lloyd Wright's "Usonian" designs and particularly identifiable by its low sweeping roofs and deep eaves.

SPLIT LEVEL

Sometimes referred to as the tri-level, the plan of the split-level was intended to be an alternative to the one level ranch. The two forms are often found together. The design includes a single level home split into two levels at the mid section of the house. The levels were defined by uses: bedrooms on top, kitchen and living areas in the middle and service areas and garages in the basement. Brick is the most common exterior material, however, the levels are often defined by a change in materials to frame or vertical board.

Criteria
Historic Significance

<u>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</u>

Matlock Heights illustrates a national pattern of idealized midcentury development on curvilinear streets with larger irregularly shaped lots. These subdivisions were usually carved from farmland at the perimeter of town. Housing developed in the 1950s continued an aesthetic which started in the 19th century. An ideal of semi-rural isolation was first set by public spaces reflected in the design of cemeteries and parks. Developers and architects adapted it to suburban housing, capitalizing on the desirability of individual ownership of a parcel of land and a single family house isolated from the congestion of urban centers and high rise apartments. So-called "street-car suburbs" in the 1880s preceded the evolution of the modern suburbs that were oriented to the automobile.

Another catalyst was the return of WWII veterans which produced unprecedented demand for housing, the construction of which had lagged since the crash of 1929. The houses were quickly built, marketed and purchased to meet the demand of growing families. Matlock Heights illustrates this. Seventy of the eighty houses were built between 1952 and 1961.

Matlock Heights also reflects the use of national marketing strategies supported by print media, advertising and television. The suburban ideal was disseminated

through more diverse media than in the early twentieth century: Television, radio, and movies all enforced an image of a middle class that was inextricably bound to an image of independent single family housing. From situation comedies to a group of magazines called "Shelter magazines" such as Sunset Magazine (1898) Better Homes and Gardens (1922) House and Garden (1901), House Beautiful (1896), the image was fixed. One of these magazine, Better Homes and Gardens featured the house located at 2421 Barbara Drive (Five Star Home No. 2001)

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

Matlock Heights was one of the first mid century suburbs developed locally and aside from the way it reflects national trends it also illustrates the development of mid century housing at the perimeter of Bloomington: without sidewalks on uniquely shaped lots. Because the original farmstead is preserved within this subdivision, it shows the evolution of local living patterns. The original owner of the farmstead on Fritz Drive, George Matlock, was one of the settling residents of Monroe County. He died in 1877 and is buried in Bethel Church graveyard. The subdivision of Matlock's farm land which created Matlock Heights (again named for an elevation like the Hills, Prospects, and Views characteristic of more

urban neighborhoods) occurred on November 8, 1952 and was signed by Waldron and Martha Fritz. Other comparable suburbs (Cascades 1956) (Fritz Terrace 1958) (Manor Woods 1957) were either less architecturally consistent or developed over a broader range of time.

Architectural Significance

A.**Embodies distinguishing characteristics of an architectural or engineering type; or**

Matlock Heights is a compelling portrait of early mid century development which features the local building material, limestone, in most of its resources. The designs of individual houses are creative in their selection of limestone features. Some may have a planter, stoop or knee wall with the rest of the property being sided with frame. This contrasts with similarly dated development which features a greater variety of building materials or more common examples. Masonry details and walls are present on 85% of the properties within the boundaries.

221 Glendora full facade

400 Glendora (knee wall entry)

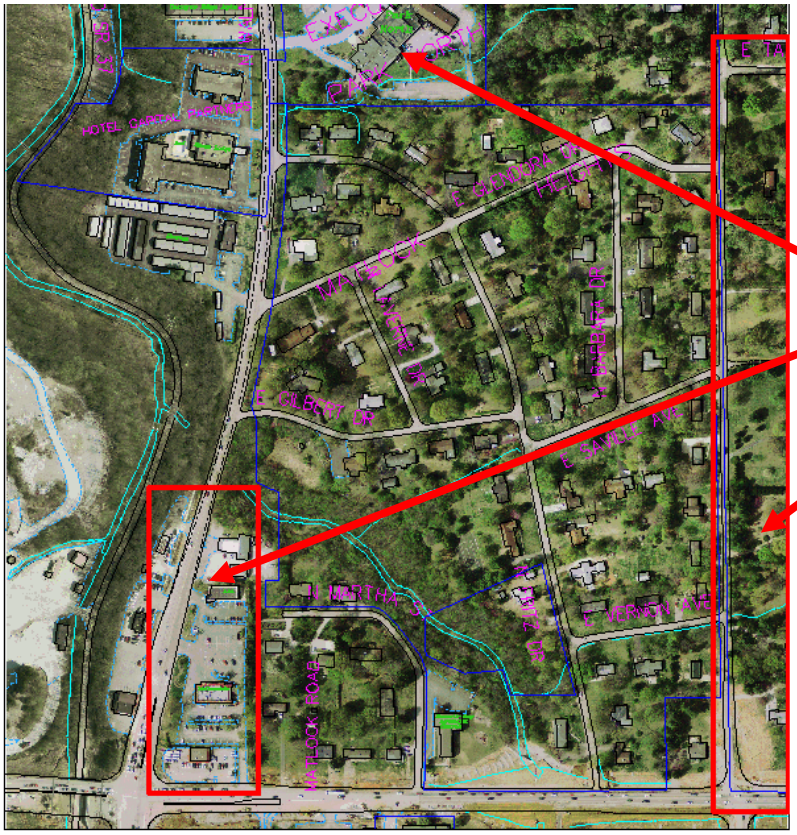
Front-facing limestone chimney

The ranch form comprises 67 of the buildings in the district. Of these there are three discernable types: populist modern, minimal traditional ranch and massed plan. Some of these are non-contributing. There is an amazing amount of consistency within the boundaries of the district, 84% of the houses are ranch forms and are a single story in height, above grade. Because of the hilly topography many houses actually have two

floors for living space. The districts strength is its very uniform appearance from the street.

F. <u>Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood of the city; or</u>

Because the district is surrounded by larger throughfares where the uses are intensified and the zoning is different, Matlock has been able to maintain its basic integrity as a single story large lot subdivision while change happened around it. The visual appearance of the district is dramatically different from the building fabric that surrounds it, some of which has evolved into strip commercial uses. North of the district is a geographic break and also a break in the lot patterns. The houses facing Dunn are on extremely deep rectilinear lots. Executive Park north begins a pattern of large foot print commercial on Walnut just north of the district. South of the district the newly improved SR 45/46 Bypass forms a hard edge. Across the highway are several large footprints apartments. Having demonstrated before that the district has interior consistency, the edges are also easy to discern.



G. <u>Exemplifies the built environment in an era of history characterized by a distinctive architectural style.</u>

The mid-century template of development radically changed the landscape of the community. Neighborhoods changed from a simple grid to irregular individual parcels. Houses went from primarily vertical elevations to long low single story buildings.. Imagine the contrast between the Queen Anne's on North Washington Street and the

collection of houses on Fritz. Also intrinsic to the ranch form were the diversity of window designs. On one structure there might be a large multi-light picture window, an entry portal and several sizes of other window groupings. In our traditional residential architecture there is far less diversity in window forms on a single structure. Front doors also had characteristic designs based on a planer geometry, but no less distinctive than the doors on North Washington. The district contains the quintessential mail order mid-century design from Better Homes and Gardens Magazine. The house at 247 Barbara Drive is built from its most popular plan, which wa reintroduced in the 90s and was again a best seller.

201 E Gilbert Drive Judson Rogers architect 2431 Barbara Drive Better Homes Design

The property at 201 E Gilbert was design by a California architect, Alvah Judson Rogers (1894-1972) who moved to Brown County in the late 1940s and worked in Bloomington. While in California he joined his brother in the firm of Rogers and Rogers.

Staff recommends:

1. approval of the Matlock Heights Conservation District
2. that interim protection be placed on the district until the action of Common Council
3. That the properties be classified as follows with a request that 201 E Gilbert be changed to 'notable"

Of these the following properties are classified as outstanding

North Fritz Drive: 2301

The following properties are classified as Notable:

East Glendora Drive: 201
North Fritz Drive: 2431, 2303;
North Martha Street: 2244, 2230;
North Barbara Drive: 2431.
North Dunn Street: 2401

The following properties are classified as Contributing:

East Glendora Drive: 211, 221, 301, 311, 321, 331, 401, 411, 200, 220, 400, 444;
East Gilbert Drive: 201, 211, 210, 300, 310;
East Saville Avenue: 411, 420;
East Vernon Avenue: 409, 410;
East SR 45/46 Bypass: 201, 211, 221, 231, 401, 411;
North Fritz Drive: 2521, 2511, 2421, 2411, 2321, 2201, 2530, 2520, 2510, 2500, 2440, 2430, 2420, 2410, 2400, 2330, 2320, 2310, 2300, 2210, 2206;
North Martha Street: 2243, 2231, 2300;
North Laverne Drive: 2411, 2410, 2400;
North Barbara Drive: 2421, 2411, 2407, 2420, 2410, 2400;
North Dunn Street: 2421, 2411, 2341, 2331, 2321, 2311, 2301; 2211.

The following properties are classified as Non-contributing:

East Gilbert Drive: 220
East Saville Avenue: 410
North Martha Street: 2305, 2301

Matlock Heights Neighborhood Association

400 E. Glendora Drive, Bloomington, IN 47408

Nancy Hiestand, Historic Commission
Housing and Neighborhood Development
Box 100
Bloomington, IN 47402

11-29-2011

Dear Nancy,

The Matlock Heights Neighborhood has been identified as a Mid-Century Modern neighborhood. It was created out of the Matlock family farm property, this property having been in that family since the early 19th Century. The properties here were platted by Waldron and Martha Fritz in the early 1950's, encompassing the area between Walnut Street on the west, Blue Ridge on the north, the 45/46 Bypass on the south, and Dunn Street on the east.

Our Neighborhood Covenant, signed by the Board of Monroe County Commissioners in November of 1952, outlines building identity of no more than one dwelling house designed for a single family to be erected on one lot. We would, as a neighborhood, like to have this covenant made permanent in present language as would be outlined in Conservancy District language.

Those of us living in core neighborhoods such as ours, are concerned that the quality of life that we now enjoy will be continued. Because of our proximity to Indiana University properties and student rentals, we are dedicated to preserving the family-oriented nature of Matlock Heights. We are a small neighborhood of working families, many with children, retirees, single adults and some rental properties. We would like to feel certain that our quality of life here will continue as experienced. We feel , that as an older core neighborhood , we are a resource in terms of locational choice and we are dedicated to maintaining the single family residential fabric and architectural character of this place. We are vigilant in discouraging drastic changes in this place and we stress proper housing maintenance, owner occupancy and good neighbor relations. We feel that this has strengthened our neighborhood.

With the aforementioned information, we would respectfully apply for consideration as a Conservancy District in the City of Bloomington.

Respectfully submitted, Carol E. Darling

Robin Halpin Young, President, 323-7759 robin.young@homefinders.org
Carol E. Darling, Secretary, 332-4920 rdarling@indiana.edu
Mark Wiedenmayer, Treasurer, 333-0854 Mark_wiedenmayer@comcast.net

As a property owner in the Matlock Heights Neighborhood, I agree to the Matlock Heights Neighborhood Association's proposal to apply to Housing and Neighborhood Development, City of Bloomington, for consideration as a designated Conservation District.

I understand that the intent of a Conservation District is to regulate large scale changes in a neighborhood. The Bloomington Historic Preservation Committee with H.A.N.D. and the Bloomington City Council reviews only three areas within a Conservation District: demolition of existing structures, new construction and moving an existing structure. Modifications to existing houses and other structure are permissible, but would be monitored to keep them in line with what is presently in the neighborhood.

This is a lengthy process: our neighborhood would be surveyed and structures photographed. Guidelines will be adopted by our neighborhood association with owner input. The intent of these guidelines will be to preserve the appearance and character of our place, We are zoned Residential Core which permits only single family homes. Current homes are primarily of 1950's and 1960's ranch and bi-level design. Thus the designation would protect this architectural fabric of the neighborhood.

The designation is not necessarily permanent. A majority of the property owners may petition for changes to the guidelines, or removal of the designation, at any time.

By signing this proposal I agree to requesting consideration as a designated Conservation District:

Owner name, address and date- Richard A. Darling Carol E. Darling
400 E GLENDORA DR.
BLOOMINGTON IN 47408

Additional Information 10-20-2011

1. 51% of property owners must sign the application request.

2. This is an application. It does not presume acceptance by H.A.N.D.!

3. Updates and additional information will be made available by e-mail, newsletter, monthly small group meetings and regular Matlock Heights Neighborhood Association meetings.

4. Questions and concerns should be addressed to Carol Darling, 332-4920 or rdarling@indiana.edu. These will be shared with Nancy Hiestand, Project Director for H.A.N.D., and answers will be shared with the questioner and the neighborhood.

ORDINANCE 14-01

TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED "HISTORIC PRESERVATION AND PROTECTION" TO ESTABLISH LOCAL HISTORIC DESIGNATION OF A "CONSERVATION DISTRICT" - Re: Matlock Heights Conservation District (Bloomington Historic Preservation Commission, Petitioner)

MATERIALS AVAILABLE IN THE COUNCIL OFFICE

Draft Guidelines