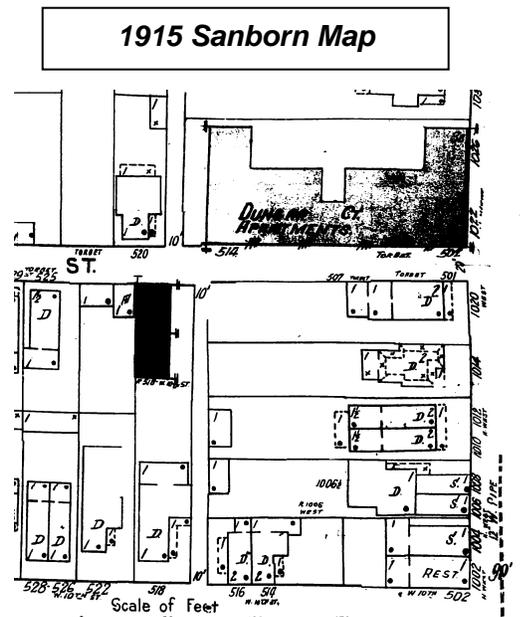


COA # 2009-COA-629 (RP)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date AUG. 4, 2010
1010 Dr Martin Luther King Jr Street RANSOM PLACE		Continued from: July 7, 2010 June 2, 2010 May 5, 2010 April 7, 2010 Center Township Council District: 9 Jackie Nytes
Applicant Feroze and Sons LLC, Mo Hanif mailing address: 441 E Ohio Street Indianapolis, IN 46204		
Owner: same		
CASE		
IHPC COA: 2009-COA-629 (RP) <ul style="list-style-type: none"> • Construct new structure, gas pump island and canopy • Site Improvements/landscaping 		
STAFF RECOMMENDATION: Approval with stipulations		

STAFF COMMENTS

Background of the Property

This vacant site was originally made up of five parcels and was occupied by dwellings and shops (see 1915 Sanborn Map). By 1956, the site had been cleared. By 1962, a commercial gas station had been built on the site (see photo in attachments). This gas station was demolished with IHPC approval in 2005 by a previous owner, who then allowed the lot to be used for parking even though parking is not permitted. The present owner acquired the property recently and is requesting to use the site once again for a gas station with a convenience store and gas pump island/canopy.



Site Plan

The new convenience store/gas station will be located at the northwest corner of the site. The tank location from the previous gas station (see site plan for location of tanks) will be reused for the new tanks. The location of the tanks was a major driving force for the siting of the new structure, because the expense in relocating the tanks would have been cost prohibitive.

Landscaped areas are shown along 10th Street and along Dr. Martin Luther King Jr. Street (color landscape rendering will be available at the Commission hearing). Vehicles will access the site from existing curb cuts on 10th Street and Dr. Martin Luther King Jr. Street. Staff has raised a question about whether or not the Department of Public Works will be able to approve this site plan when they eventually review it during the permitting process. Therefore, we have asked for DPW to comment on the site plan. DPW has indicated that the south curb cut might be required to have reversed entrance/exit aisles to prevent cross-over traffic on 10th Street, which is one-way eastbound. Also, an island may be required at Dr. Martin Luther King Jr Street to prevent northbound traffic from turning left into the gas station. Staff did not recommend siting the building on this very busy corner, as we often do in historic commercial areas. To do so would require a variance of

the clear site triangle, which would probably not be justified in this situation with such high traffic volumes. However, staff has heard concerns from surrounding property owners that the maneuverability on the site will be difficult with five pumps as they have shown. After further review of the site plan and the planning division, staff believes that five pumps might be too tight. The commercial zoning ordinance references the Eighth Edition of the Architectural Graphics Standards. Staff is recommending that the final site plan be consistent with these standards:

Minimum parking lot and parking space dimensions.

The interior access drives, interior access driveways, drives, driveways, entrances, exits, aisles, bays and traffic circulation for parking lots and parking garages shall be designed and constructed at not less than the recommended specifications contained in Architectural Graphic Standards, Eighth Edition, Ramsey/Sleeper, John Wiley and Sons, Inc., New York, New York (a copy of which is on file in the office of the division of planning and is hereby incorporated by reference and made a part hereof).

Design of New Convenience Store/Gas Station Building and Canopy

Building:

The building will be one-story with a slightly taller central tower. It will be clad in brick and CMU with fiber cement. The drawings currently show fiber cement siding in the tower gable, but staff suggests this be modified to fiber cement panels instead. A dumpster enclosure will be located at the southwest corner of the building.

Canopy:

The canopy will be completely visible. A gas station at this location may warrant having the canopy in front of the building because of the extremely busy traffic pattern at this intersection. Staff does not believe that a building would be safe if it were in front of the canopy and set at the corner, like is often recommended for commercial corner buildings. In addition, the area around this site has changed dramatically from its historic layout and the context of the area is no longer that of a typical commercial corridor in a historic district. Since the canopy would be facing the street, staff recommended that upgraded materials be used. Therefore, the architect is showing columns wrapped with brick to better tie them into the design of the brick building. Staff does not have specs on the canopy roof, but has stipulated that the cornice be constructed in accordance with the photograph attached to this staff report.

The Ransom Place Conservation District Plan provides the following guidance considering new construction:

1. *“Building materials, whether natural or man-made, should be visually compatible with surrounding historic buildings.”* The historic building closest to this site is the Dunbar Court Apartments. The applicant is proposing brick to match the color of brick on the apartment building.
2. *“A new buildings setback should relate to the setback pattern established by the existing block context. If the development standards for the particular zoning district don’t allow appropriate setbacks, a variance may be needed.”* In this case, the location of the tanks and the difficulty in justifying variances for setbacks due to the clear sight triangle requirement at the corner of the site have dictated where the building can be safely located on the site.

Signage

The applicant has indicated that they intend to install wall signs and Citgo-branded signage on the canopy. They do not intend to install any ground or pole signs nor does staff believe such signage would be appropriate for this site. Staff is recommending a stipulation be added requiring specifications of the design and location of all signage before installation so that staff can review the final designs of each sign to be installed. Staff is also adding that no internally illuminated box signs are permitted.

Lighting

The applicant has not provided details of the lighting being proposed. However, staff believes the lighting could be reviewed at the preconstruction meeting that the applicant is required to attend. Staff is recommending that the following stipulations be included in the recommendation:

1. All lighting must be approved by IHPC staff prior to construction and a final lighting plan must be submitted for final approval.
2. All lighting must be controlled by timers and/or dimmers after regular business hours to avoid unnecessary light pollution affecting surrounding properties.
3. Lighting shall be limited to wall mounted lighting on the building and canopy lighting.
4. All lighting in the canopy ceiling must be recessed fixtures.
5. No internally illuminated sign boxes are to be permitted.

Zoning

The site is zoned C-3, which permits gas stations and convenience stores. Therefore, the IHPC is not being asked to approve the use.

Recommendation for Approval with Stipulations

Staff is recommending approval for the proposed design with the following changes:

1. Fiber cement siding should be changed to smooth fiber-cement board panels.
2. Concrete block on rear of building shall be painted a color to blend in with the proposed brick.
3. Storefront windows shall have awnings mounted above each window and the final design and material is to be reviewed and approved by IHPC staff.
4. Canopy cornice is to be built to match photo in staff’s report.

With the above changes, the proposed design could be considered consistent with the Conservation District Plan and generally appropriate.

STAFF RECOMMENDED MOTION

COA #2009-COA-629 (RP):

To approve a Certificate of Appropriateness to construct a new gas station and convenience store structure, a canopy-covered gas pump island, and site improvements; all per submitted documentation and subject to the following stipulations:

- 1) **Construction must not commence prior to approval by IHPC staff of final construction drawings and include changes per staff comments. *Approved:_____ Date:_____***
- 2) **A pre-construction meeting between IHPC staff, the designer, the owner, and the contractor/construction manager must be held prior to commencement of construction. *Approved:_____ Date:_____***
- 3) **The construction site must be field-staked with no offsets and reviewed by IHPC staff prior to commencement of construction. *Approved:_____ Date:_____***
- 4) **The final site plan must be approved by IHPC staff and must be consistent with the recommendations set forth in the Architectural Graphics Standards, Eighth Edition. *Approved_____ Date_____***
- 5) **The applicant is responsible for compliance with all traffic and traffic and engineering requirements and codes. *Any changes to the site plan or other plans may require further approval by the IHPC.***
- 6) **All fiber-cement must be panels and must have a smooth texture free of embossed woodgrain textures and major imperfections. No rough-sawn or embossed woodgrain finishes are permitted.**

- 7) A durable marker indicating the date of construction must be incorporated into the front foundation of the building and approved by IHPC staff prior to installation.
- 8) All utility wires and cables must be relocated underground. No installation of utilities or meter and mechanical placement shall commence prior to IHPC staff approval.
- 9) Work on exterior details must not commence prior to the approval by IHPC staff of each element. These may include, but are not limited to all finish material: doors, windows, foundations, exterior lighting, colors, roofing, landscape materials, etc.
- 10) Canopy cornice is to be detailed and constructed as per the canopy cornice photograph in this report.
- 11) No outdoor storage or displays are permitted.

12) **Signs**

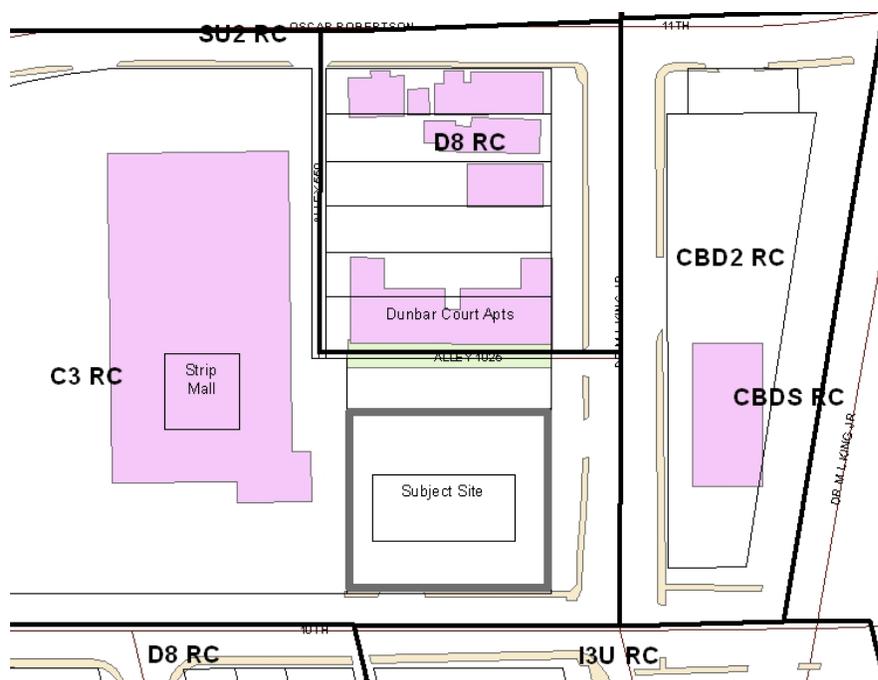
- a) No pole sign or ground sign may be installed without separate approval by the IHPC at a public hearing.
- b) Final drawings of signage must be approved by IHPC staff prior to installation.
Approved _____ *Date* _____
- c) No internally illuminated box signs are permitted.

13) **Lighting**

- a) All lighting must be approved by IHPC staff prior to construction and a final lighting plan must be submitted for final approval. *Approval* _____ *Date* _____
 - b) All lighting must be controlled by timers and/or dimmers after regular business hours to avoid unnecessary light pollution affecting surrounding properties.
 - c) Lighting shall be limited to wall mounted lighting on the building and canopy lighting.
 - d) All canopy ceiling lighting must be recessed.
- 14) Any changes to the approved design shall be approved by IHPC staff prior to starting work.

Note: Stipulations 1, 2, and 3 must be completed prior to the issuance of any building permits.

Staff Reviewer: Meg Purnsley



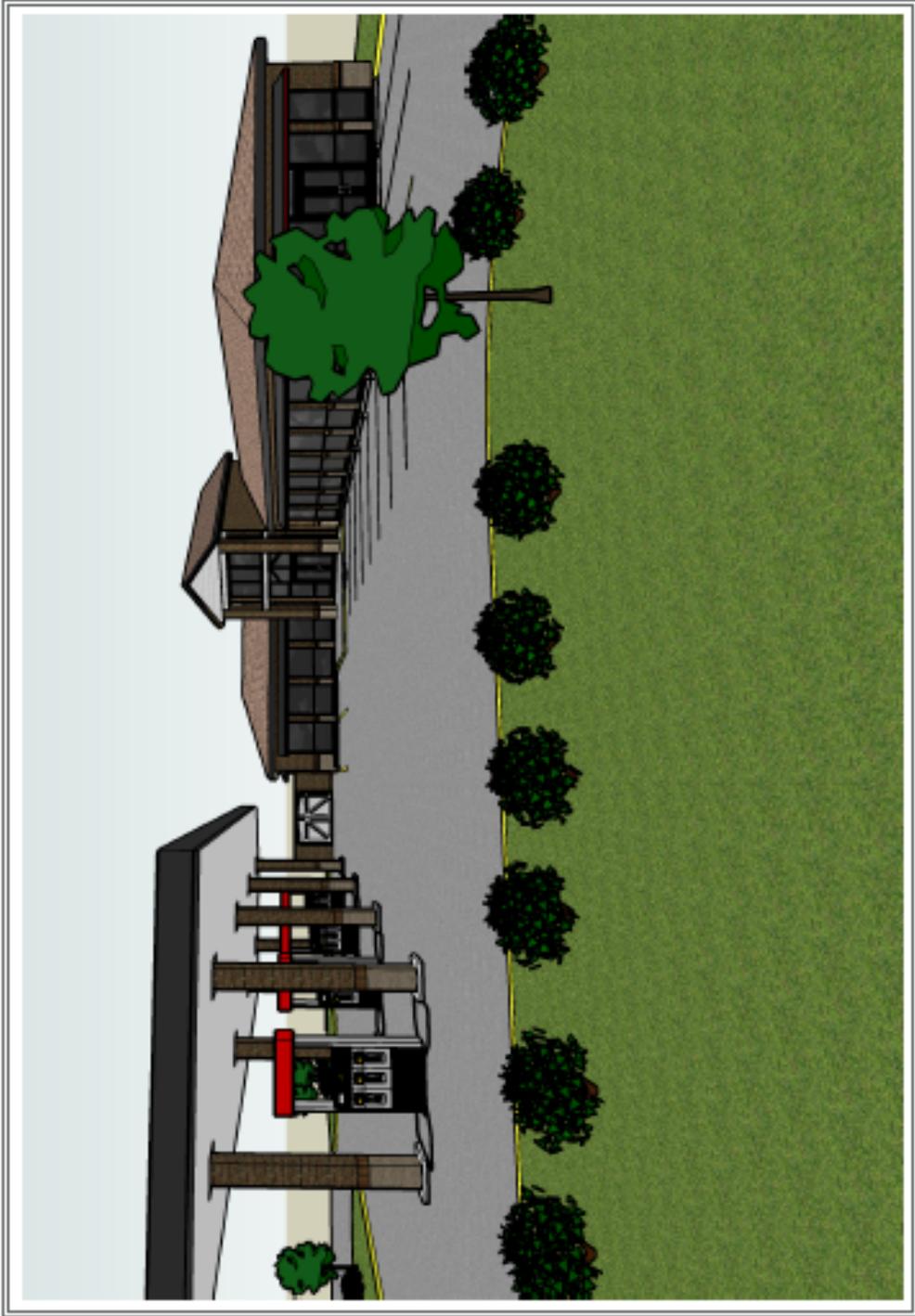


VIEW OF PROPOSED SITE

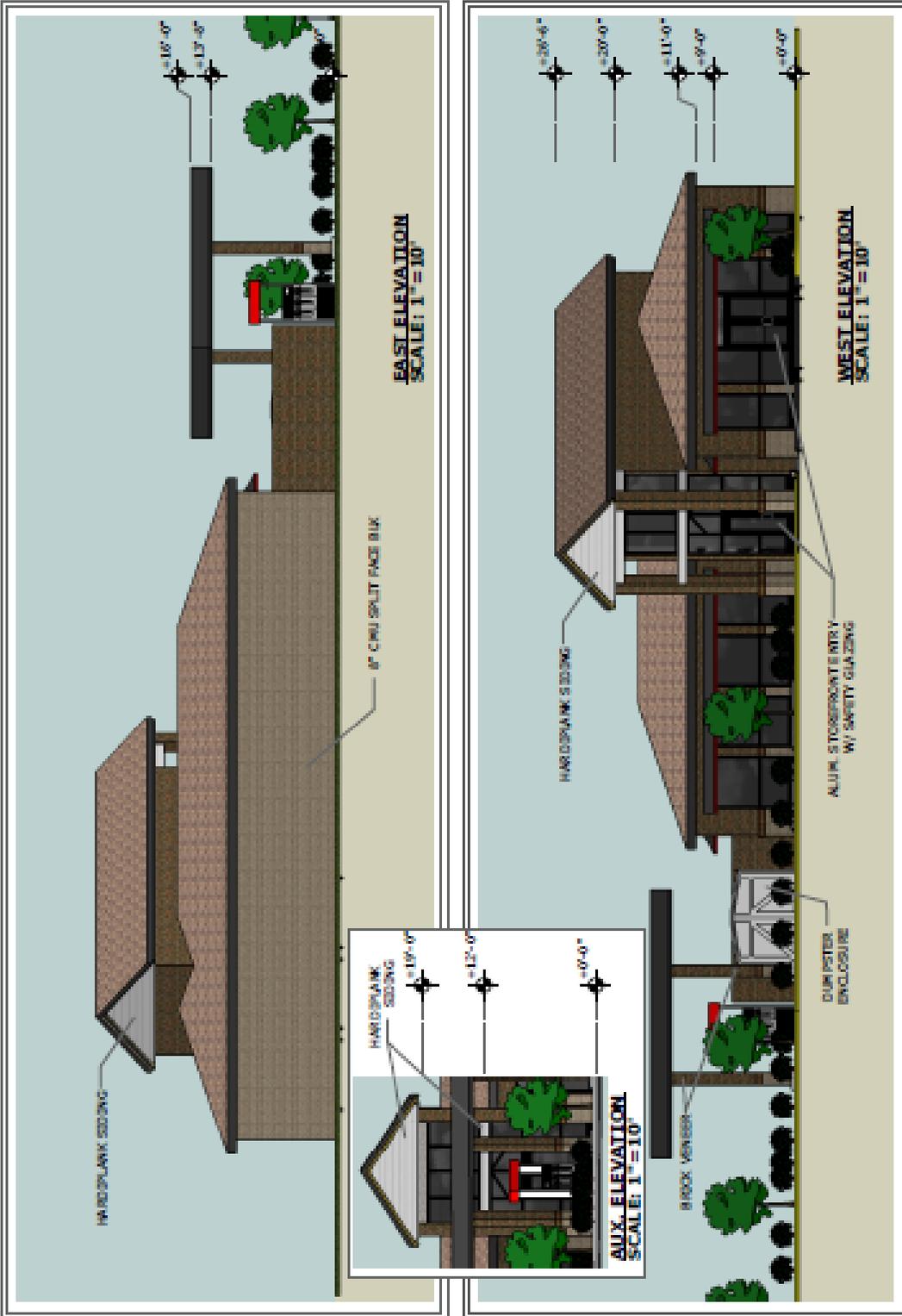
MILK C-STORE

OVERALL PERSPECTIVE

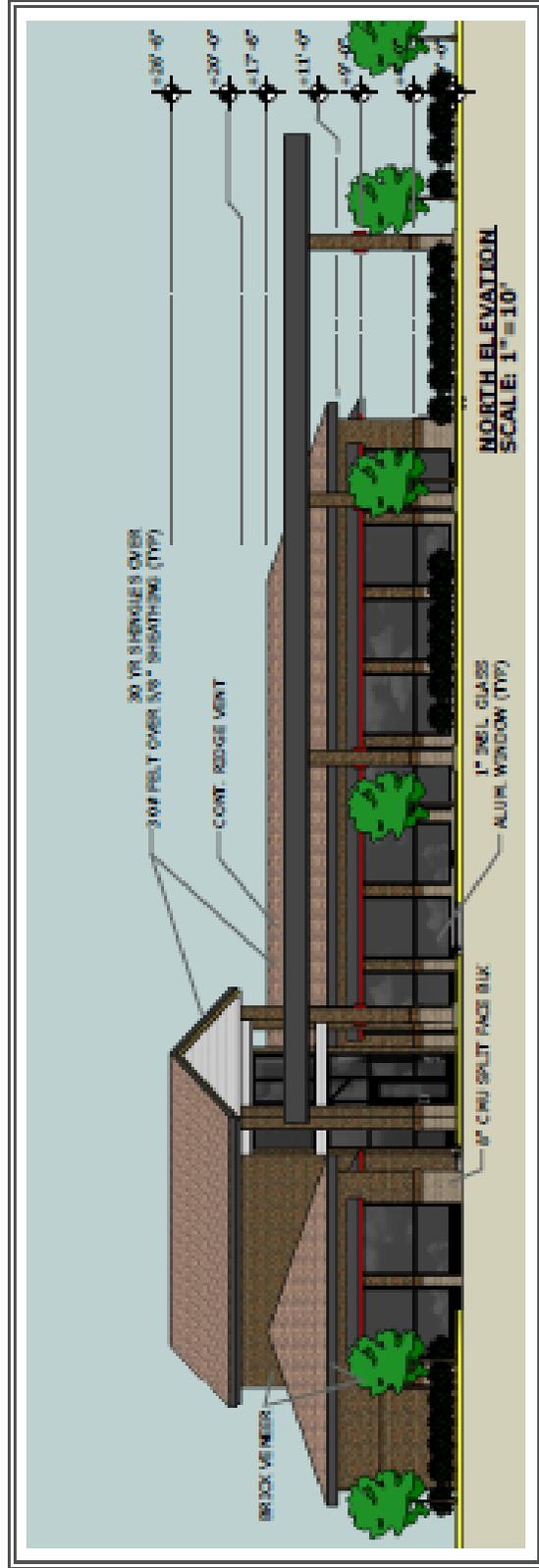
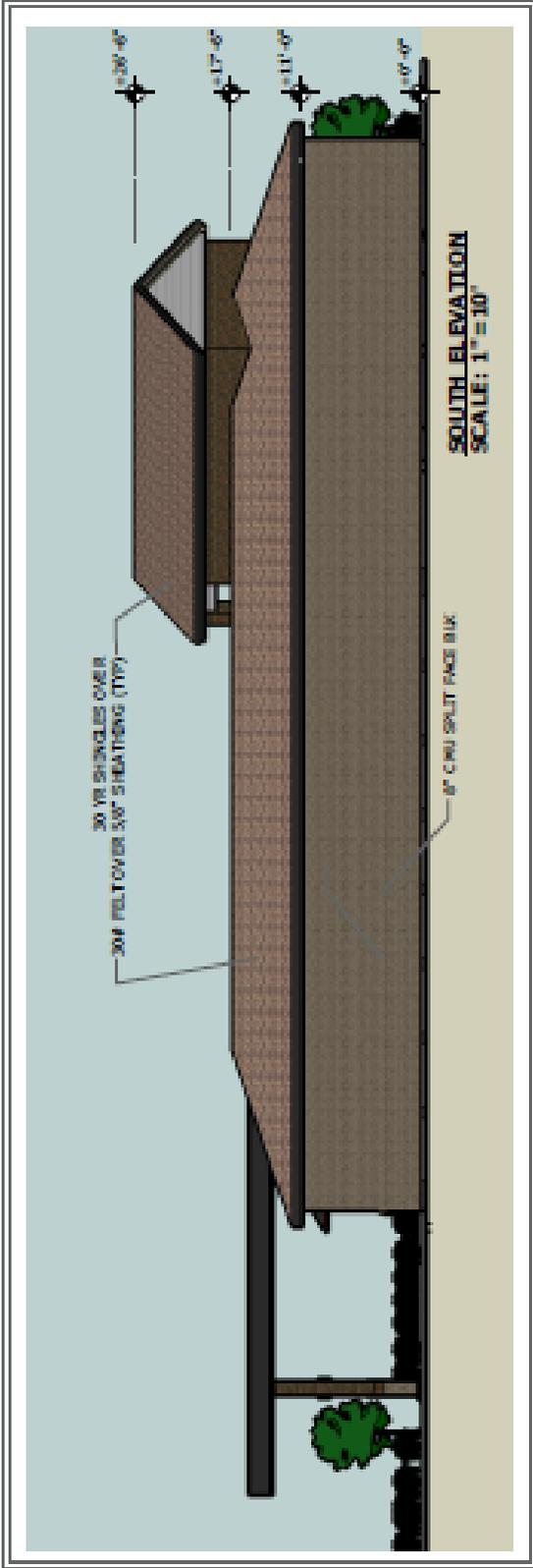
Drawn by: River Group Architecture | March 03, 2010



MILK C-STORE
ELEVATIONS



MK-C-STORE
ELEVATIONS





Above: Photo of previous gas station on the site

Below: Photo of canopy cornice to be used for design of proposed canopy Cornice, as noted in the recommended stipulations.





Above: View of site

Below: Traffic on 10th Street (site on the left)





Above: Sidewalk area along 10th St. (site on the right)

Below: Sidewalk along Dr. MLK Jr. St and Dunbar Court Apartments (site on the left)



— OPPOSITION LETTER —

Midtown Economic Development and Industrial
Corporation
(M.E.D.I.C.)
Historic Flanner Homes
Historic Ransom Place
Historic Fayette Street
Upper Canal

5/4/2010

James T. Kienle, President
Indianapolis Historic Preservation Commission
City-County Building
200 E. Washington Street
Suite 1801
Indianapolis, IN 46204

RE: IHPC COA: 2009-COA-629 (RP)
***"Feroze and Sons LLC , Mo Hanif"
Convenience Store /Gas Station"***

Dear Mr. Kienle:

As the umbrella community association for Historic Flanner Homes, Historic Ransom Place, Historic Fayette Street and Upper Canal neighborhoods, we strongly oppose the development of a gas station at 10th & Martin Luther King.

First, the developers of this project did not feel it was necessary to approach the neighborhood to even discuss their project. No one involved in this project has contacted M.E.D.I.C. or the other associations concerning their project. This is a "slap in our face". It makes a statement that they do not want to be part of this community; they just want to put something there that will eventually affect the area negatively. Too much work has been put in this area to let it revert back to its past conditions.

Secondly, the traffic at that intersection has given it the title of the "3rd most dangerous intersection in Indianapolis". Putting a gas station there will only help that intersection to become #1. There is no way to exit quickly and safely from that corner. There has not been a working gas station in this location for nearly

40 years. And the current traffic flow no longer warrants or can handle a gas station.

Lastly, it is our understanding that the existing gas storage tanks underground would not be replaced with new ones. Our area already has a problem with underground water contamination. Using the existing tanks could pose and even larger problem for underground contaminates, since they are so old.

We are asking that you, as commission President, advise your directors to deny this project. This is not something that the community wants near its neighborhoods. Before BOS CDC was dissolved, there were several workshops held during the summer to see what developments or businesses the community wanted to see as part of their area; and, what businesses or developments they did **NOT** want. A gas station and liquor store were the first two on the top of the list for business that were **NOT** wanted in the community.

Please listen to the residents who live here and would have to deal with this unwanted business on a daily basis.

Thank you for you time and consideration, I look forward to hearing the project has been denied.

Sincerely,

Disa Watson-Summers

Disa Watson-Summers
M.E.D.I.C., President
617 N Indiana Avenue, #315
Indianapolis, IN 46202
317-925-1877
317-229-6430(fax)

— SUPPORT LETTER —
2009-COA-629

Paula Brooks
948 Camp Street
Indianapolis, IN 46202

July 14th, 2010

Indianapolis Historical Preservation Commission
City-County Building
200 E. Washington St.
Suite 1801
Indianapolis, IN 46204

Dear Commissioners:

I am writing to voice support for the Feroze & Sons, LLC application - 2009-COA-629 (RP) to build a new gas/convenience store at 1010 Dr. Martin Luther King Jr. Street. My mother Violet Brooks and I own the property in this block. We are very happy Feroze & Sons, LLC is willing to invest in a block with many so challenges.

At present, the block is a highly visible yet invisible block. Most people including many Ransom Place residents don't realize it's part of Ransom Place. This block was not listed as part of the Ransom Place District on the Urban Times or the Unsung Indy website nor in an fairly recent Indianapolis Monthly magazine advertising supplement.

A new commercial business on this block is a win-win situation for the entire area including the nearby neighborhoods of Flanner House Homes, Fayette Street, and Lockfield Gardens. The lack of basic neighborhood amenities is one of the primary reasons property values are significantly lower in Ransom Place than in comparable downtown historical neighborhoods. The only retail store to buy anything other than fast food or office supplies is Family Dollar.

This business would have a positive impact on surrounding property values as well as provide a new source of tax revenue for the area and the city. This particular block has always been zoned for mixed-use. Up until the interstate was built, several businesses had operated on this block including a gas station, dry cleaners, and a grocery store. Moreover, 1010 ML King Street was specifically designated for commercial use in the Ransom Place Preservation Plan.

Opponents point to the heavy volume of commuter traffic as a major reason to kill this project. The effect on the traffic flow is an issue, of course. However, restricting new development is not going to solve the problem of the traffic. The area's streets will always be a primary gateway to the interstate. The solution lies in better planning and more dialog among neighboring large employers, the city's traffic planners, and area residents - not in restricting investment in this particular or another block within the district.

If the alleyway is utilized as outlined in the development plan, there should be little negative effect on the traffic flow since most of the vehicles using 10th or 11th Streets are commuters. Currently eighteen-wheeled tractor trailers carrying all types of goods including gasoline use on a daily basis without any restrictions the alleyway as well as 10th, 11th, ML King Streets. Delivery times can be coordinated as not to impede rush-hour traffic flow.

Customers will also have the option of entering/exiting from ML King Street and the alleyway which will have little effect on the rush-hour traffic flow on 10th or on 11th Streets. In fact, Feroze & Sons is proposing to pay for improvements of the alleyway which is currently unsightly and unsafe for cars especially when packed with ice and snow in the winter - it's basically one long drainage ditch. Improvements and maintenance the City of Indianapolis has been unwilling to tackle.

Other issues like building design can be worked out to meet neighborhood and IHPC standards. Feroze & Sons have also agreed to sign a "Good Neighbor Agreement" and to hire people from the neighborhood. Their current operations are clean and well maintained. Also just the presence of the store will discourage panhandlers from soliciting for money from commuters and using the alleyway as a "rest stop".

Feroze & Sons are willing to invest in a moribund block that has not seen any new building in at least 40 years. If this project is approved, it will definitely bring new life onto the street and into the neighborhood - something this block and Ransom Place is in desperate need of.

We urge the Commission to approve this project. We believe once operational this project will act as a catalyst encouraging new development that will ultimately transform the 1000 block of ML King Street from a "dead block" into an inviting, energetic block.

Thank you for your consideration.

Sincerely,
Paula Brooks