

COA # 2010-COA-588 (FS) 2010-VHP-019	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date MAR. 2, 2011
1110 S. SHELBY STREET FOUNTAIN SQUARE		<i>Continued from:</i> <i>Feb. 2, 2011</i>
Applicant	NDZA, INC	Center Township Council District: 16 Brian T. Mahern
mailing address:	618 E. Market Street Indianapolis, IN 46202	
Owner:	MOGC, LLC % Phillip McNeal 4608 Elmhurst Dr Indianapolis, IN 46226	
COMBINED CASES		
IHPC COA: 2010-COA-588 (FS)	<ul style="list-style-type: none"> • Restore/remodel existing commercial structure • Site improvements • Construct a two-story structure (theater) at south side of existing building (connected on the interior) • Variances 	
BZA Variance: 2010-VHP-019	<ul style="list-style-type: none"> • Variance of Development Standards to reduce required off- street parking from 145 to 36 spaces. • Variance of Development Standards to reduce front yard setback to 0 ft. 	
STAFF RECOMMENDATION: Approval of a Certificate of Appropriateness		

STAFF COMMENTS

Background

The subject site consists of three lots. The north lot contains an historic commercial structure that was built in 1900. The other two lots are vacant (south of the building). The two vacant lots each contained a commercial structure that has since been demolished. The lot that contains the existing structure also had two houses on the rear portion of the lot, which have also been demolished. The existing structure was built with a clipped corner (otherwise known as a “cutaway-corner”) at the northeast corner of the building and contains three storefronts. The building has been a mixed-use structure since it was constructed, most recently a restaurant with apartments above.

Restoration of Historic Structure

The applicant is proposing to restore the existing building including:

1. Replace the double-hung windows (non-historic) with new wood windows (insulated)
2. Replace non-historic entry doors with new wood doors on east and north elevations and two metal doors on the rear service entrances
3. Install canvas awnings over storefront
4. Tuckpoint and clean masonry
5. Replace steel headers where necessary
6. Restore one original wood storefront and replace two non-historic wood storefronts at front elevation to match the original storefront being restored

7. Add two new windows openings on the north elevation
8. Infill openings on rear elevation

Items 1-8 are typically reviewed and approved by staff or the Hearing Officer. However, the applicant included the proposed work along with the new construction application. Staff has no concerns with items 1-7. In item #8, the applicant is proposing to remove three doors on the second floor of the rear elevation and infill them with windows that do not fit the openings. However, because the threshold of the doors would be too low for a window to meet code requirements, the door openings are shown infilled. Staff believes that as long as the sills of the doors remain in place and the infill is installed with a slight recess, the openings original configuration will be obvious. Staff is not concerned about the one window opening on the rear elevation being infilled. This opening is currently boarded with no window unit intact and is not an alteration that would adversely affect the character of the building. If the opening is also infilled appropriately leaving the sill and header intact with a slight recess to the infill brick, the alteration should have no negative impact.

New Construction

A new two-story commercial structure to be used as a music venue is proposed to be attached to the existing historic structure on the site. The two buildings would be connected on the interior. The design consists of brick and standing seam metal siding. The applicant has provided a photo of the style of metal siding they intend to use (see image in staff report). Details include rusticated cast stone banding and metal panels at the “mast” on the front elevation. The rusticated stone mimics the stone found on the existing structure. The front elevation features a balcony at the second level as well as a marquee-style canopy. Staff believes the newly proposed building is a product of its own time and creates a good architectural transition between the historic brick commercial structures to the north and the mid-century modern commercial structures to the south. It is also consistent with the history of the site since there was once a building attached to the south side of the existing structure.

Signage/Lighting

Details on lighting and signage are not finalized. Staff has stipulated that the final details of the signs and light fixtures be submitted and approved as part of the preconstruction meeting.

Site Plan

The rear of the site will include 36 on-site parking spaces. The parking lot currently exists on the back of the site, so the applicant is only planning to restripe at this time. The proposed dumpster location is not shown, but will be located at the back kitchen entrance of the existing building. The final construction drawings will have this detail included.

Variances

The applicant is not able to provide the required 145 parking spaces necessary and can only fit 36 on-site. A study of the parking available in the area is included as a supplemental document with this report. The plan shows the parking that would be available near the property. The parking in the area is both private and public as well as on-street parking. Although the private parking lots shown on the plan are not officially available to the applicant, staff believes that the combination of off-street parking, bus stops, public parking and on-site parking on the project site are enough to offset the required on-site parking demanded by the ordinance. There is a 90 space public parking lot immediately to the south of the site. Staff believes this significantly offsets the lack of on-site parking for this project.

In addition to the parking variance, the applicant is asking for a zero front setback variance as well. Staff believes the applicant's Findings of Fact explain the justification by arguing that setting the proposed building back so it conforms with the C-4 zoning requirement of 15 feet is inconsistent with the historic nature of the area. The "mast" of the front elevation will be directly on the property line. There will be a slight recess at the front entrance as well as a 6" recess at the north end and a 12 inch recess at the south end of the façade. The architect is providing variation in the elevation to showcase the "mast" feature while creating some variation in the elevation.

Fountain Square Plan

The Plan states the following about new construction:

- Use typical façade component in new designs such as storefront framing, storefront components, upper portion of the façade components, signage, awnings.
- Use typical storefront components in new design: kickplate, transom, display windows, entrance area.
- Use materials similar to the existing fabric found, mainly brick, limestone and terra cotta.
- Use new materials which are similar in texture and color to the existing materials.

Staff believes the proposed new construction complies with these guidelines. The design has many of the features found on a historic storefront, however, the expression of the features is executed in a contemporary way without being incompatible with the historic area.

STAFF RECOMMENDED MOTION

2010-COA-588 (FS):

Approval of a Certificate of Appropriateness for the following scope of work:

Restoration of existing two-story brick commercial structure

- 1. Replace the double-hung windows (non-historic) with new wood windows (insulated)**
- 2. Replace entry doors with new wood doors (non-historic) on east and north elevations and two metal doors on the rear service entrances**
- 3. Install canvas awnings at storefront**
- 4. Tuckpoint and clean masonry**
- 5. Replace steel headers where necessary with new steel headers**
- 6. Restore one original wood storefront and replace two non-historic wood storefronts at front elevation to match the original storefront being restored**
- 7. Add two new windows openings at the north elevation**
- 8. Infill openings on rear elevation**

All other work on the site

- 9. Construct two-story building (theatre) at south side of existing two-story brick structure on-site**
- 10. Site improvements**
- 11. Variances**

All as per submitted documentation and subject to the following stipulations:

New Construction

- 1. Construction must not commence prior to approval by IHPC staff of final construction drawings. 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. 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.
5. 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.
6. 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 light fixtures, paint colors, roof shingles, landscape materials, etc.
7. All signage and lighting must be approved by IHPC staff prior to installation.
Approved _____ Date _____

8. Any changes to the approved design must be approved by IHPC staff prior to starting work.

Restoration of Existing Building and Site Improvements

9. The contractor responsible for doing the scope of work approved under this certificate must meet with IHPC staff for a preconstruction meeting prior to commencement of work.
Completed _____ Date _____.
10. New mortar shall match the existing in size, color, pattern and joint profile.
11. No abrasive cleaning methods shall be used, only a chemical or low-pressure (less than 400 psi) water wash shall be permitted. Sandblasting is NOT permitted.
12. No changes to the proposed design, location, configuration, or method of installation are permitted without prior consultation with IHPC staff.
13. Any deviation from this approach shall be approved by IHPC staff prior to construction.
14. All replacement materials shall match the original materials for which they replace. All new materials shall have the same color, surface texture, and method of construction.
15. Mortar joints to be repaired should be raked clean using hand tools. Power tools and grinders can damage historic brick and should NOT be used.
16. The use of Quikcrete for mortar is not permitted under this certificate and is not appropriate for use with historic masonry.
17. Notify IHPC staff prior to making unexpected repairs.
18. All brick repairs must be made to match original configuration, coursing, and pattern.
19. All repaired and rebuilt items shall replicate the documented historic appearance of the originals.
20. Replacement of original materials may occur only if deteriorated beyond repair. Every attempt must be made to salvage as much historic material as possible with epoxy, Dutch patch repairs, or other similar techniques.
21. A mortar test patch shall be prepared and approved by IHPC staff prior to commencement of construction. Approved: _____ Date: _____
22. All salvageable brick shall be reused in the repair/reconstruction.
23. Glass shall be clear; any addition of beveling, frosting, etching, caming, or stained glass is NOT permitted under this approval.
24. Exterior trim shall not be altered when new windows are installed.
25. New windows must fit the existing openings; altering existing openings is NOT permitted
26. All new, repaired, and/or rebuilt elements shall replicate the documented historic appearance as per IHPC photographs.
27. A catalogue cut sheet or drawings documenting the appearance and material of new windows must be provided to the IHPC prior to purchase or installation of the windows. Approved: _____ Date: _____
28. New materials shall have a smooth finish and contain minimal knots or other imperfections. Any knots or surface imperfections shall be filled to achieve a smooth appearance.
29. All new, repaired, and/or rebuilt windows/doors shall match the dimensions, style, profile, and material of the originals; this includes components such as stiles, rails, muntins, casings, jambs, and sills.

- 30. New windows shall be of solid wood construction.
- 31. Infilled openings on rear elevation shall be done by recessing brick into openings (approximately 1-2 inches). All headers and sills shall remain intact.
- 32. Any changes to the site plan must be approved by IHPC staff prior to commencement of work. Site plan must include location of required dumpster and dumpster enclosure.
- 33. New awnings must be approved by IHPC staff prior to installation.
Approved _____ Date _____
- 34. All new doors must be approved by IHPC staff prior to installation. Doors on front of and north elevation of building must be wood. Door on rear entry may be metal as per plans.
Approved _____ Date _____

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

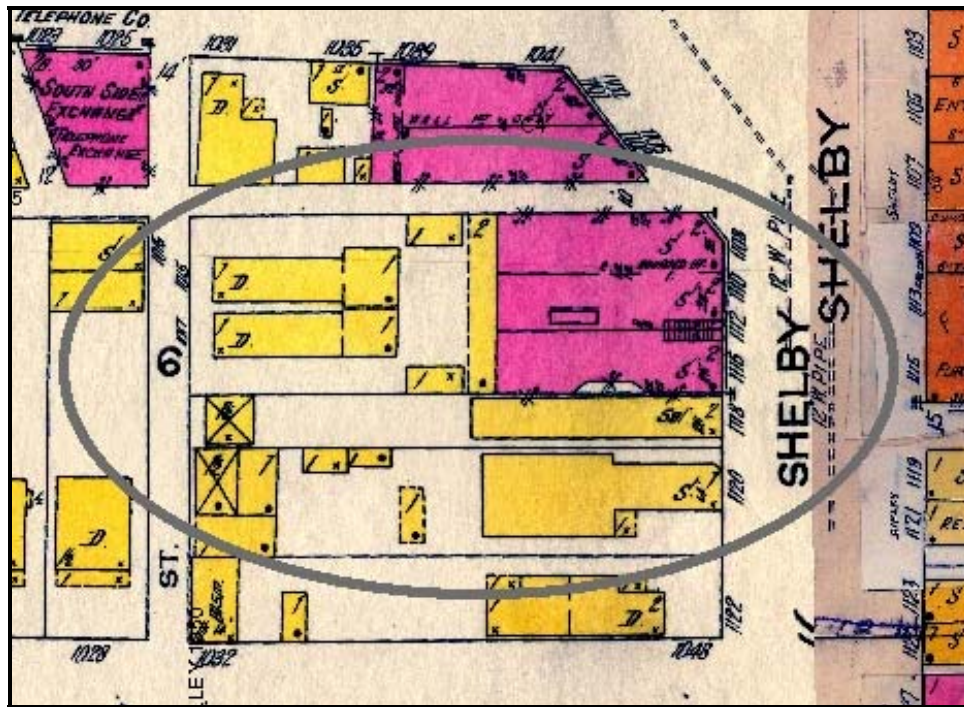
VARIANCE PETITION #2010-VHP-019:

To Approve a Variance of Development Standards of the C-4 Zoning Ordinance to:

- 1. Reduce required off- street parking from 145 to 36 spaces.
- 2. Reduce the front yard setback to 0 ft (15 feet required).

Staff Reviewer: Meg Purnsley





Above: 1915 Sanborn Map.

Below: Photo of sample metal siding material.





Above: Front of building

Below: Front and south side of the building





Above: Back of building

Below: North side of the building





Above: Neighboring building south of the site (not on subject lot)

Below: View of south side of the building



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA
FINDINGS OF FACT**

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE:

Many of the commercial properties in the Ft. Square area are not able to provide off street parking on site and yet both on street parking and parking in publicly owned parking lots nearby provide adequate parking for the commercial district. The reduced front setback to zero (0) is more in keeping with the character of the Ft Square Commercial Arts District core.

2. THE USE OR VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The area will be enhanced with this additional commercial use that will attract a variety of patrons to the area and since many of the adjoining uses or nearby uses are not able to provide off street parking either, this use will have a positive affect on this commercial district. In addition there are public parking lots, on street parking and privately owned parking lots for lease on nearby properties. The reduction of the front setback to zero will further enhance this commercial district as it will remove a surface parking lot from the frontage of one of the primary arterials in the commercial arts district.

3. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE:

The strict application of the number of required parking spaces would create a hardship for this owner, when adjacent and other nearby owners are not also able to provide the required off street parking. The fact that under used public parking is nearby, with available on street parking further demonstrates the practical difficulties in the use of this property with the same use as adjoining properties. The strict application of the commercial zoning ordinance would also require that the petitioner set back the addition further than what is characteristic in the core of the Ft. square Commercial Arts District.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ Day of _____, 20 ____
