

INDIANAPOLIS HISTORIC PRESERVATION COMMISSION
DEPARTMENT OF METROPOLITAN DEVELOPMENT

Agenda

Wednesday, April 6, 2016

5:30 P.M.

2nd Floor, Public Assembly Room, City-County Building
200 E. Washington St., Indianapolis, Indiana

BUSINESS

I. CALL TO ORDER

II. APPROVAL OF MINUTES

- March 2, 2016 Pre-Meeting
- March 2, 2016 Regular Meeting

III. OLD BUSINESS – NO PUBLIC HEARING

2013-COA-419 (CAMA) 747 N. COLLEGE AVENUE – EXTENSION OF COA
721 MASS AVENUE PROPERTY, LLC.
Construction of mixed-use building.

Page 5

2015-COA-294 (HMP) 1623 N. NEW JERSEY STREET – CONFIRMATION OF HEIGHT

Page 9

IV. NEW BUSINESS

Election of Officers for 2016 Slate: **Bill Browne – President**
Bruce Stauffer – Vice President
Joann Green – Secretary
Alex White – Treasurer

PUBLIC HEARING

V. REQUEST TO WITHDRAW OR CONTINUE APPLICATIONS

2015-COA-636 (SJ) 1102 N. ALABAMA STREET (CONTINUED TO MAY 4, 2016)
2015-VHP-060 NEIGHBORHOOD DOWNTOWN ZONING ASSISTANCE, INC.
2015-ZON-112 Preliminary review for proposed mixed use development at approximate addresses of 1102, 1104 and 1108 N. Alabama St. Variance at 1118 N. Alabama St. and approximate addresses of 1102, 1104 and 1108 N. Alabama St; Rezone from D8 to CBD 2.

Page 15

Variance of Development Standards to reduce/increase side yard setback to 8 feet on the west and north when side yard setback in CBD 2 are required to either zero or 10 feet;

Variance of Development Standards to reduce required on-site parking to 19 spaces when 39 spaces are required.

Variance of Use of the C4 zoning ordinance to allow a portion of the existing parking lot at 1118 N. Alabama St. (State Owned Property) to be used for residential parking for the CBD 2 uses located at the approximate addresses of 1102, 1104 and 1108 N. Alabama St. (residential parking not permitted in C4.)

2016-COA-022 (ONS) **648 E. 13TH STREET (CONTINUED TO MAY 4, 2016)** Page 17
MICHAEL J. & ALICIA N. KINSEY
Build a single-family house with a detached 3-car garage.

2016-COA-076 (HMP) **1801 N. PENNSYLVANIA STREET (CONTINUED TO MAY 4, 2016)** Page 19
BOBBY JENNINGS
Build a single-family house and detached 2-car garage.

VI. EXPEDITED CASES-NO DISCUSSION (Unless Requested)

2016-COA-035 (MCD) **41 E. WASHINGTON STREET** Page 21
MORTON STEAKHOUSE
Install a new blade sign, a marquee-awning sign on Pennsylvania St. and a marquee awning with three signs (one on the front and one on each side) on Washington St.; add one menu board on Washington Street for a total of six signs; replace existing awnings, blade and menu board.

2016-COA-002 (HMP) **1960 CENTRAL AVENUE** Page 33
PATRICK STROUP
Build a single-family house and detached 3-car garage.

2016-COA-056 (CAMA) **310 MASSACHUSETTS AVENUE** Page 43
MASS AVE REALTY LLC
Build enclosure around existing outdoor covered patio.

2016-COA-060 (CAMA) **648 E. ARCH STREET** Page 49
MARK DEMERLY
Build new second floor addition on rear of house.

2016-COA-064 (HMP) **2115 N. NEW JERSEY STREET** Page 57
PETER HANDLEY
Remove 2 existing historic garages and construct new 4-car garage.

2016-COA-068 (HMP) **1615 N. NEW JERSEY STREET** Page 67
RANDY J. McGLOTHIN
Build a new single-family house and detached 2-car garage.

2016-COA-070 (HMP)	1639 N. NEW JERSEY STREET DEMERY ARCHITECTS Build a single-family house and detached 2.5-car garage.	Page 85
2016-COA-077 (HMP)	2132 N. DELAWARE STREET CRAIG RAPP Build a single-family house and detached 3-car garage.	Page 93
2016-COA-078 (HMP)	2134 N. DELAWARE STREET CRAIG RAPP Build a single-family house and detached 3-car garage.	Page 101
2016-COA-080 (HMP)	2141 N. TALBOTT STREET R AND B ARCHITECTS Close window openings on north elevation of house.	Page 109

VII. APPLICATIONS TO BE HEARD (CONTINUED)

2014-COA-109 (CAMA) AMENDED	610 E. 10TH STREET 10TH AND BROADWAY, LLC Amend plans for new multi-family building.	Page 115
2015-COA-344B (CAMA) 2015-VHP-035	501 N. NEW JERSEY STREET NEIGHBORHOOD DOWNTOWN ZONING ASSISTANCE, INC Installation of Digital Canvas; Variance of Development Standards for off-premises advertising.	Page 123
2015-COA-627 (CH) 2015-VHP-059	941 STILLWELL STREET URSULA DAVID Build a single-family house and detached 2-car garage; Variance of Development Standards to allow construction in required clear sight triangle.	Page 149

VIII. APPLICATIONS TO BE HEARD – NEW

2015-COA-297 (CAMA) AMENDED	720 N. COLLEGE AVENUE PHANOMEN DESIGN Amend previously approved plans including revise exterior stair; add new door; revise clerestory design; add proposed awning structure at roof dining area; add mural; repaint building and add cooler.	Page 169
2016-COA-030 (CAMA)	ALLEY (MYRON ST) BETWEEN 9TH AND 10TH STREET BETWEEN PARK AVENUE AND BROADWAY STREET - DEPARTMENT OF PUBLIC WORKS Remove existing historic brick pavers; re-lay alley using historic pavers and new brick pavers in a new pattern.	Page 185

2016-COA-063 (HMP)
2016-VHP-004

1925 N. NEW JERSEY STREET
TRADE DESIGN STUDIO

Build single-family house and detached 3-car carriage house with apartment above.
Variance of Development Standards to exceed the maximum square footage allowed for a dwelling unit in an accessory structure.

Page 195

2016-COA-071 (ONS)

1460 N. ALABAMA STREET
KENT H. BURROW

Demolish existing historic garage.

Page 205

2016-COA-072 (MCD)

50 N. ILLINOIS STREET

Install signage on top of existing canopy at Market St. entrance.

Page 213

IX. APPLICATIONS TO BE HEARD- WORK STARTED WITHOUT APPROVAL

None

X. PRELIMINARY REVIEW

None

XI. CLOSING BUSINESS

None

XII. ADJOURNMENT

COA # 2014-COA-123(CAMA) EXTENSION	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
705 E. WALNUT (AKA 747 N. College Ave) CHATHAM-ARCH/ MASSACHUSETTS AVE		Originally approved: August 12, 2014
Applicant & mailing address:	Milhaus Development, LLC 530 E. Ohio, Suite A Indianapolis, IN 46204	
Owner:	same	Center Twp. Council District: 9 Joseph Simpson
OLD BUSINESS		
IHPC COA:	2014-COA-123 (CAMA)	Extension of COA for construction of a five-story mixed-use structure with internal parking
STAFF RECOMMENDATION: Approve COA Expiration date of April 6, 2017		

STAFF COMMENTS

Background of the Request

On August 12, 2014, the IHPC granted a COA to Milhaus Development, LLC to build a 5-story, mixed use building at the corner of N. College Ave. and E. Walnut St. The expiration date was August 13, 2015

The start of the project was delayed due to a disputed property line between this project and a neighbor, which has been resolved.

On August 4, 2015, final plans were approved and the pre-construction conference was held. Milhaus then obtained structural permits. This all occurred before the COA expiration date.

IHPC Expiration Date Policy

A COA "...shall expire and be void after one year unless...construction has begun and is substantially completed (80%).

Construction has begun, but is nowhere near 80% complete.

The Administrator is authorized to grant an extension, but not for longer than one year past the original expiration date. In this case, Milhaus may not be 80% complete and would prefer to have its COA extended for a year from now. Therefore, we have placed it on the IHPC's Old Business agenda.

Staff Recommendation

Extend the COA expiration date to April 6, 2017 for the following reasons:

1. Construction has already begun.
2. Final plans were approved by staff and include all changes suggested by the IHPC.
3. The applicant is not asking for any changed to the approved plans.
4. No changes to the original stipulations are being requested or are needed.
5. The applicant and owner has remained the same.

Staff Reviewer: Meg Purnsley



Location in Chatham-Arch & Mass. Ave.



Construction Progress to-date



Project Rendering

INDIANAPOLIS HISTORIC PRESERVATION COMMISSION

CERTIFICATE OF APPROPRIATENESS

APPROVED

AUG 13 2014

INDIANAPOLIS HISTORIC PRESERVATION COMMISSION

FILE NUMBER: 2014COA123

DATE APPROVED: August 13, 2014

HISTORIC AREA: Chatham-Arch & Massachusetts Avenue

FOR WORK TO BE DONE AT: 705 E. WALNUT ST (aka 747 College)

APPLICANT: Milhaus Development, LLC

ADDRESS: 530 E Ohio Suite A

CITY/STATE: Indianapolis, IN

ZIP CODE: 46204

TYPE OF WORK APPROVED UNDER THIS CERTIFICATE:

2014-COA-123 (CAMA):

To approve a Certificate of Appropriateness for construction of a five-story mixed-use structure with underground parking as per submitted documentation and subject to the following stipulations:

PERMITS MAY NOT BE ISSUED until stipulations number 1, 2, and 3 are fulfilled.

- 1. Construction must not commence prior to approval by the IHPC staff of final construction drawings. Approved [Signature] Date 8/14/15
2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction. Approved [Signature] Date 8/14/15
3. The site shall be field staked with no offsets and approved by IHPC staff prior to construction. Approved [Signature] Date 8/14/15
4. Wood and/or fiber-cement shall have a smooth texture and be free of major imperfections. Rough-sawn finishes are not permitted.
5. Brick shall be approved by staff before being laid. Approved _____ Date _____
6. A durable marker indicating the date of construction must be incorporated into the front foundation of the house (not the porch) and approved by IHPC staff prior to installation.
7. All utility wires and cables must be located underground. No installation of utilities or meter and mechanical placement shall commence prior to IHPC staff approval.
8. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, etc.
9. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.
10. Entry doors shall not extend past face of concrete support columns.

General Note: Permits are required for some work. Please contact the Permits office at 1200 Madison Ave, (317) 327-8700, to acquire all applicable permits prior to starting any project.

BY: [Signature] Diana M. H. Brenner, FAIA, IHPC Secretary

[X] IHPC HEARING

[] ADMINISTRATIVE HEARING

[] STAFF APPROVAL

NOTICE: THIS CERTIFICATE WILL BECOME VOID AFTER: 8/13/2015.

COA # 2015-COA-294 (HMP)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
1623 N. NEW JERSEY STREET HERRON-MORTON PLACE		<i>Originally approved: August 5, 2015</i> Center Twp. Council District 11 Vop Osili
Applicant PATRICK MIKUSKY mailing address: 909 Broadway Street Indianapolis, IN 46202		
Owner: SAME AS ABOVE		
OLD BUSINESS		
IHPC COA: 2015-COA-294 (HMP) • Confirmation of height		
STAFF RECOMMENDATION: Confirm		
STAFF COMMENTS		

Status of this Case

At the August 5, 2015 IHPC hearing, the IHPC granted a COA to construct a 3-story, single family house and 2-car carriage house with one living unit. The commission made several suggestions and left it to staff to work them out with the applicant

Mr. Mikusky has closed on the property and the construction loan. He is ready start construction.

Mr. Mikusky is an architect and is doing his own plans. In accordance with the commission’s direction, he first consulted with staff about the commission’s comments and then revised the plans accordingly.

Staff has reviewed the revised plans and found them to be responsive to the commission’s concerns. In addition to some revisions in details, he also addressed the commission’s three major concerns:

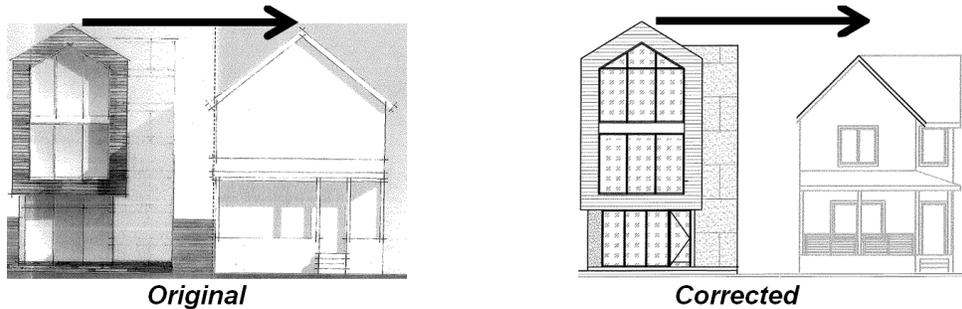
- The carriage house has been reduced in size by 25%
- The carriage house has been moved back from the alley.
- The alignment of the house and carriage house has been improved.

The next step is for staff to formally approve the final plans and conduct the pre-construction meeting.

Why is this case coming back?

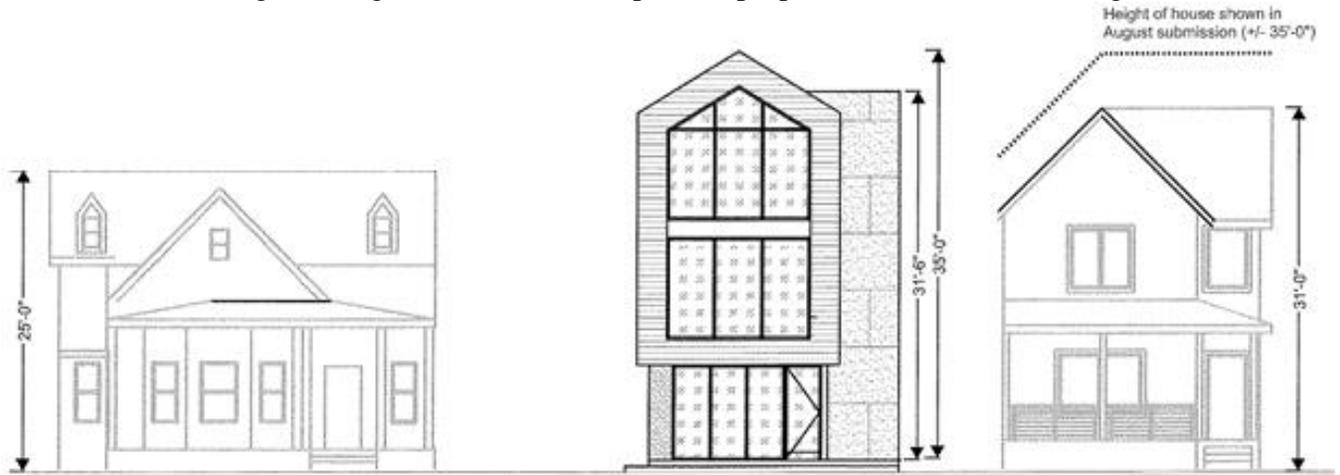
After reviewing Mr. Mikusky’s revised plans, staff discovered that there may have been an error in the way he drew the streetscape drawing that was presented to the commission in the staff report. Specifically, staff became suspicious that the heights of surrounding buildings may not have been accurately depicted. Consequently, staff asked Mr. Mikusky to re-draw the streetscape before we approve the final plans.

Indeed, the original streetscape drawing was not correct. While the original streetscape depicted Mr. Mikusky’s house as being roughly equal in height to the house next door, it is in fact quite a bit higher.

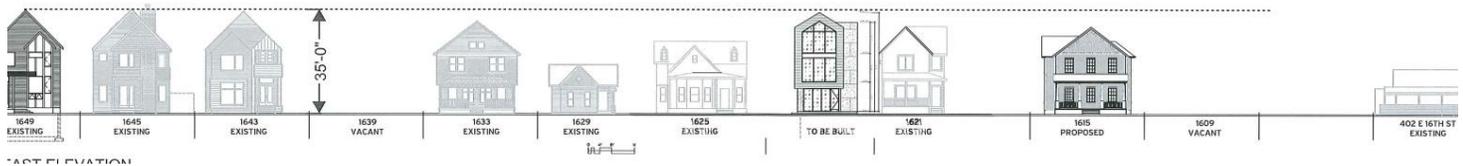


Mr. Mikusky confirmed that the house next door, 1621 N. New Jersey, is actually 31 ft. tall. He had originally drawn it as 35 ft. tall. He submitted two revised drawings:

1. A corrected drawing showing the true relationship of his proposed house to its two neighbors



2. A corrected streetscape that shows his proposed house in relationship to the entire block.



Staff believes the error in the streetscape dimensions was great enough to have affected the commission’s decision, even though:

- the actual height of Mr. Mikusky’s house was accurately given at the August 2015 hearing, and
- the actual height of his house has not increased, and
- Mr. Mikusky has reduced the size of the boxy stair enclosure on the south side of the house by 1 ft. 6 in., improving the relationship to 1621 N. New Jersey.

Therefore, staff decided the commission should have a chance to re-confirm its approval of the 35 ft. height in light of accurate documentation.

STAFF RECOMMENDATION

A motion to allow staff to approve the final plans with an overall building height not to exceed 35 feet for the following reasons:

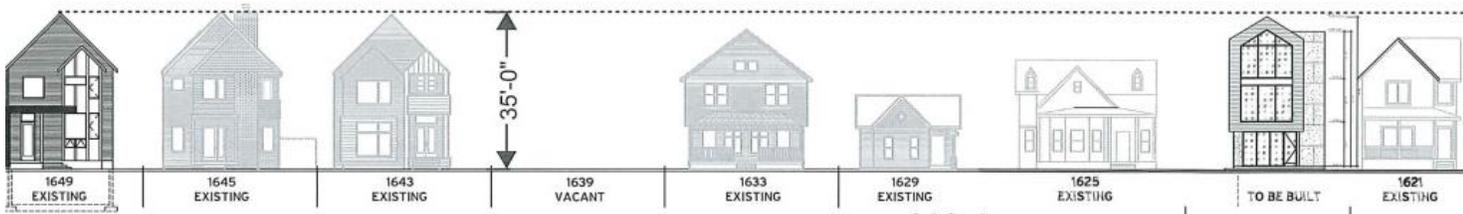
1. The record clearly shows that the plans approved by the IHPC are for a house that is 35 ft. tall.
2. The 35 ft. height of this house was clearly known by the commission when it approved the COA.
3. The height of the house has not increased from what was approved in August and the stairwell height has actually been reduced, which improves the situation.
4. While the new house is taller than the historic house next door at 1621 N. New Jersey, it is not an inappropriate height for this block for the following reasons:
 - a. Significant disparities in height between adjoining houses was one of the historic characteristics of this block, as evidenced by the 1-story house at 1629 N. New Jersey and the 1½ -story house at 1625.
 - b. Most of the houses on the block (both sides of the street) are new and most are 35 ft. tall.
 - c. The revised streetscape still demonstrates that the height is consistent with the block, even with the adjustments.
5. Because of all of the above, staff believes it would have recommended approval even with the accurate streetscape in August 2015.



Location in Herron-Morton Place



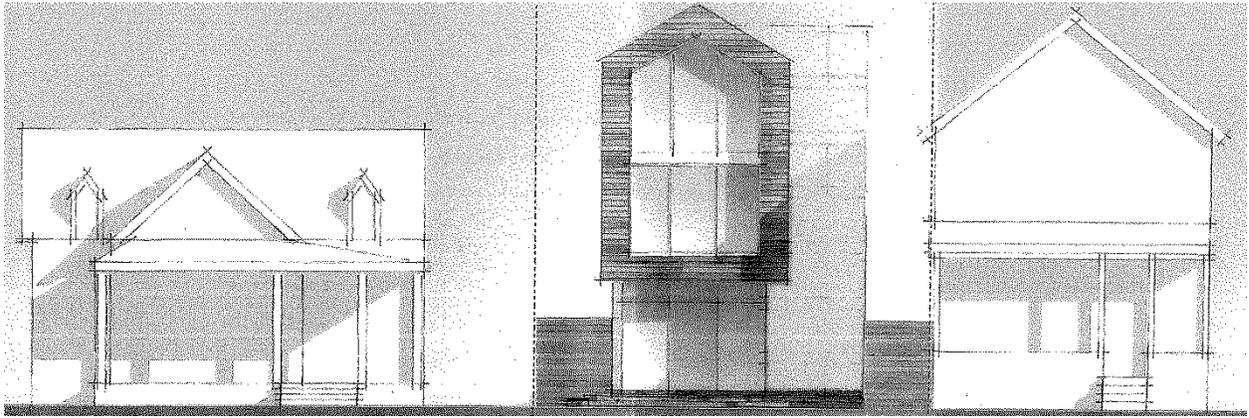
Aerial view of site



New Streetscape, showing most of east side of the block
(This broad of a streetscape was not provided at the August 2015 hearing)



New Streetscape of opposite side of the block
(showing that most of the houses are 35 ft. tall or close to that)



Streetscape submitted with August 2015 packet

ELEVATION



Revised streetscape



Mr. Mikusky's lot (with houses on each side)



Houses across the Street



New Houses at North End of Block (all about 35 ft. tall) – Same Side



New Houses at North End of Block (all about 35 ft. tall) – Opposite Side



Historic houses 2 and 3 lots north of Mr. Mikusky's lot (showing the historic disparity in house size on the same block)

COA # 2015-COA-636 (SJ) 2015-VHP-060 2015-ZON-112	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
1102-08 N. Alabama St. (and 1118 N. Alabama St. approx.) ST. JOSEPH		Preliminary Review <i>Continued from:</i> <i>March 2, 2016</i>
Applicant: Neighborhood Downtown Zoning Assistance, Inc. 618 East Market St. Mailing address: Indianapolis IN 46202 Owner: A3 Develop, LLC 5150 Delaware St Indianapolis, IN 46205		Center Township Council District: 11 Vop Osili
PRELIMINARY REVIEW		
IHPC COA: 2015-COA-636 (SJ)	Preliminary Review for construction of a 4-story mixed use building, Variances of Use and Development Standards and Rezoning	
Variances: 2015-VHP-060	A Variance of Development Standards for: <ul style="list-style-type: none"> • A reduction in required off-street parking from 128 to 53 spaces. Permitting a maximum of 12 on-site spaces to be spaces deficient in size (9ft x 20ft is required.) 	
Zoning: 2015-ZON-112	<ul style="list-style-type: none"> • Rezone site from D8 to CBD2 	
STAFF RECOMMENDATION: Continue to May 4, 2016		

STAFF COMMENTS

The applicant has requested a continuance to the May 4, 2016 IHPC Hearing.

Staff Reviewer: Meg Purnsley

COA # 2016-COA-022 (ONS)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
648 E. 13th STREET OLD NORTHSIDE		Continued from: March 2, 2016 Center Township Council District: 11 Vop Osili
Applicant MICHAEL & ALICIA KINSEY mailing address: 1019 Central Avenue Indianapolis, IN 46202		
Owner: SAME AS ABOVE		
NEW CASE		
IHPC COA: 2016-COA-022 (ONS) Construct single family residence and detached 3-car garage		
STAFF RECOMMENDATION: Continue to May 4, 2016		

STAFF COMMENTS

The applicant has requested a continuance to the May 4, 2016 IHPC Hearing while continuing to update the proposed plans.

Staff Reviewer: Meg Purnsley

COA # 2016-COA-076 (HMP)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
1801 N. PENNSYLVANIA HERRON-MORTON PLACE		New Case
Applicant mailing address:	JENNINGS DESIGN, LLC 4005 Boulevard Place Indianapolis, IN 46208	Center Township Council District: 11 Vop Osili
Owner:	Bobby Jennings 4005 Boulevard Place Indianapolis, IN 46208	
NEW CASE		
IHPC COA: 2016-COA-076 (HMP) • Construct a 2-story house with 2-car detached garage		
STAFF RECOMMENDATION:		Continue to the May 4, 2016 IHPC Hearing

STAFF COMMENTS

The applicant has requested to continue the above request to allow time to revise the proposed plans.

Staff Reviewer: Meg Purnsley

COA # 2016-COA-035 (MCD)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
41 E. WASHINGTON STREET MONUMENT CIRCLE DISTRICT		Continued from: March 1, 2016 Administrative Hearing
Applicant & mailing address:	Polisano Construction Services, LLC by Clark, Quinn, Moses, Scott and Grahn, LLP 320 N. Meridian Street, #1100 Indianapolis, IN 46204	
Owner: mailing address:	Echo II, LLC 41 E. Washington Street Indianapolis, IN 46204	Center Township Council District: 11 Vop Osili
EXPEDITED CASE		
IHPC COA: 2016-COA-035 (MCD)	<ol style="list-style-type: none"> 1. Replace projecting blade sign at NE corner of building with new projecting blade sign. 2. Replace menu board on Washington St. with new menu board. 3. Replace fabric awning over Washington St. entry with new metal canopy with 3 three signs. 4. Replace fabric awing with metal box sign over window on Pennsylvania St. 	
STAFF RECOMMENDATION: Approval		
STAFF COMMENTS		

Background of the Property

This building was built in 1923 for S.S. Kresge, which occupied it until 1947. Wm. H. Block Co. then used it as its budget store. It has been offices of the Indianapolis Business Journal since 1982. When the building was renovated in 1982, an entirely new first floor brick storefront was added to the Washington St. façade and two bays along Pennsylvania St. The original first floor façade can be seen in the historic photos at the end of this report.

Continued from Hearing Officer

IHPC policies allow all of these requests to be approved by staff or Hearing Officer. Largely due to the new entry canopy, this case was scheduled for a public hearing with the Hearing Officer on March 22, 2016. It was continued to an IHPC hearing at the request of an IHPC commission member. Reasons given:

1. Concern that in the new Monument Circle District, the commission should establish a track record for staff to follow.
2. The number of requested signs seems to be “overkill” for one building, especially when they are mostly on the Washington St. elevation.
3. The application does not show the blade sign at the opposite corner and does not say if it is coming down.
4. Two blade signs on a short elevation seem like visual clutter, especially when the tenant is not the primary one in the building.

Requests

Morton’s Steakhouse is located in the basement of this building and is asking to replace existing signage and non-historic awnings with updated versions. The IBJ projecting blade sign at the northwest corner of the building was installed in 1997 and is not part of this application.

Sign A – Morton’s Blade Sign:

The existing Morton’s blade sign at the northeast corner of the building will be removed and replaced with a new metal projecting sign. The new sign will also be black with white push-through lettering. It will be anchored by a metal bracket into the existing masonry reusing holes where possible. The background is opaque black but the lettering will be illuminated. It will be very similar to the existing sign in size, location and appearance.

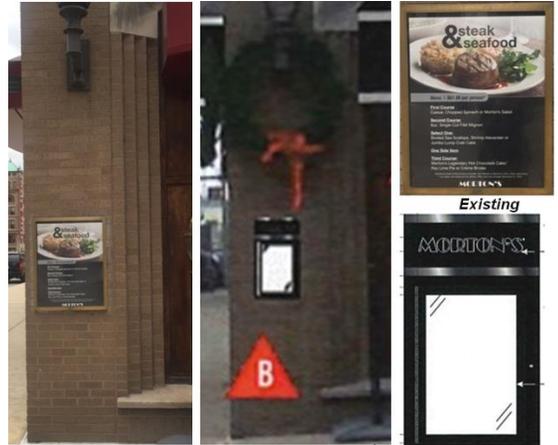


Existing Sign

Proposed Sign

Sign B – Morton’s Menu Board:

One menu board will be installed at the Washington Street façade, replacing an existing menu board. The menu board will be a black aluminum cabinet with silver aluminum detailing. It will have a Lexan door on the front of it that is see-through to read the menu. The interior of the menu board will be illuminated. The top of the cabinet will have one sign and will be white push-through letters to match the other signs.



Existing

Proposed

Proposed

Sign C – Canopy over Washington St. Entrance

The existing fabric awning with sign will be replaced with a 60 in. deep aluminum canopy. The background of the canopy will be opaque black with silver aluminum detailing. It will have a Morton’s sign on the front and a large “M” on each side. The push-through letters will be illuminated white. The underside of the canopy will have an opaque panel but will have two 5 ½ inch LED down-light fixtures coming out of the panel. A black flat aluminum filler piece will be installed above the canopy to fill in the opening made by the shallow arch.



Existing Entry Awning



Proposed Entry Canopy

Sign D – Box sign on Pennsylvania St.

Both existing fabric awnings will be removed. A 24 in. deep, aluminum box sign will be placed in one opening. It will be similar in appearance and construction to the entry canopy (Sign C), just shallower. Its sign will have white push-through letters. The underside of the canopy will be enclosed, but not illuminated. A black flat aluminum filler piece will be installed above the canopy to fill in the opening made by the shallow arch.



Existing Fabric Awning



Proposed Box Sign

Monument Circle District Plan

The MCD Plan gives preservation objectives and directives to assess how a project impacts an individual building.

Preservation Objectives:

Does the action . . .

- *Protect and preserve character-defining features of architecturally or historically significant buildings or landscapes which represent the district's era of significance?*
- *Contribute to the context in which work is proposed?*
- *Promote the use of high quality design and using durable materials?*
- *Enhance and improve the design quality and character of the streetscapes?*

Preservation Directives:

Accommodate new signs responsive to the building's sign history. Their installation should not unnecessarily obscure significant original material, should minimize damage to original materials, and should be compatible with the building design in size, shape, illumination, content and material.

Staff Response to Commissioner Concerns

1. Establish a track record for staff.
No response.
2. Too many signs for one building, especially on Washington St.
The "M" on both sides of the entry canopy are technically separate signs, but will not be perceived as a "sign" in any traditional sense. If all requests are approved, there will appear to be no more signs than there are today and have been for many years.
3. The blade sign at the opposite corner.
The blade sign at the northwest corner of the building is for the IBJ. It is not included in this application and is not being removed.
4. Two blade signs seem like visual clutter.
There have been two blade signs on the building since 1997. This request will not change that. The new blade sign is almost identical to the one being replaced in color, scale, size and general appearance. It is doubtful that many people will even notice the change.

Reasons to Approve

1. The number and placement of signs is not changing.
2. The color, design, scale and size of signs, canopy and menu board are all appropriate for their locations on this building.
3. None of the requested items obscure or damage any significant original material.
4. The first floor storefronts are historically inappropriate renovations from 1982, but the addition of the entry canopy and window "box" sign fit appropriately into this 1980's storefront.

STAFF RECOMMENDED MOTION

2016-COA-035 (MCD)

To approve a Certificate of Appropriateness to:

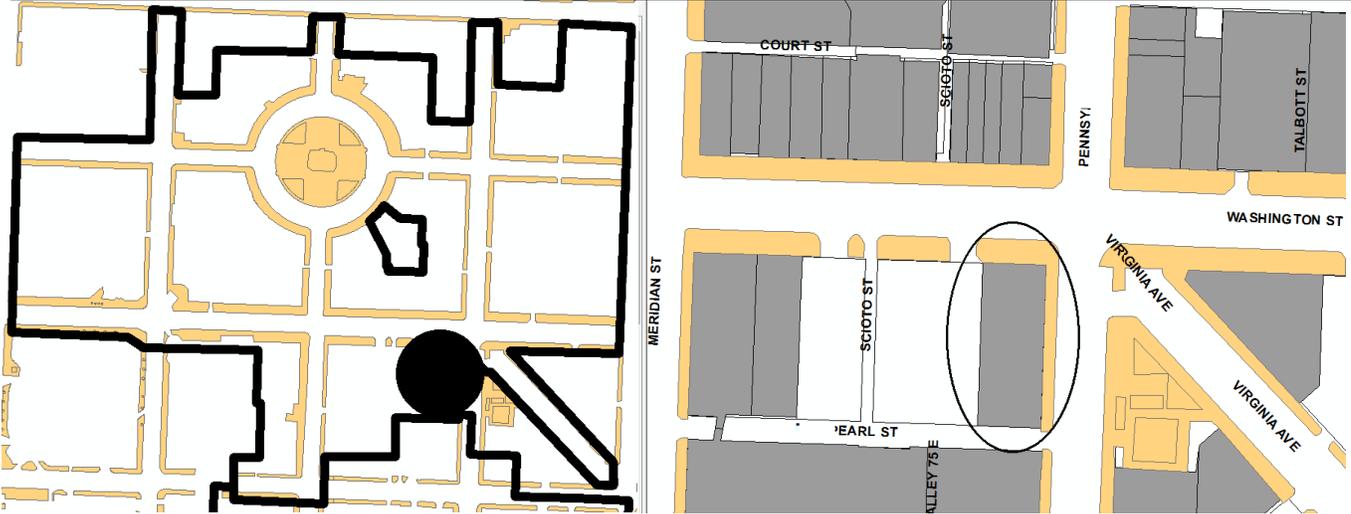
1. **Replace projecting blade sign at NE corner of building with new projecting blade sign.**
2. **Replace menu board on Washington St. with new menu board.**
3. **Replace fabric awning over Washington St. entry with new metal canopy with 3 three signs.**
4. **Replace fabric awning over window on Pennsylvania St. with new metal box sign.**

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

DCE: Stipulation #1 must be fulfilled prior to issuance of permits.

1. Installation must not commence prior to approval by the IHPC staff of final drawings of all signage and awnings/canopies. *Approved _____ Date _____*
2. Any changes must be approved by IHPC staff prior to commencement of work.

Staff Reviewer: Meg Purnsley



Location in the Monument Circle District



2015



1931



1935



2015

APPLICANT'S SUBMITTED DOCUMENTATION



Existing

RECEIVED
FEB 05 2016
INDIANAPOLIS DEVELOPMENT
COMMUNITY DEVELOPMENT DEPARTMENT



Proposed

Flat Alum Filler Piece Painted Black



Existing

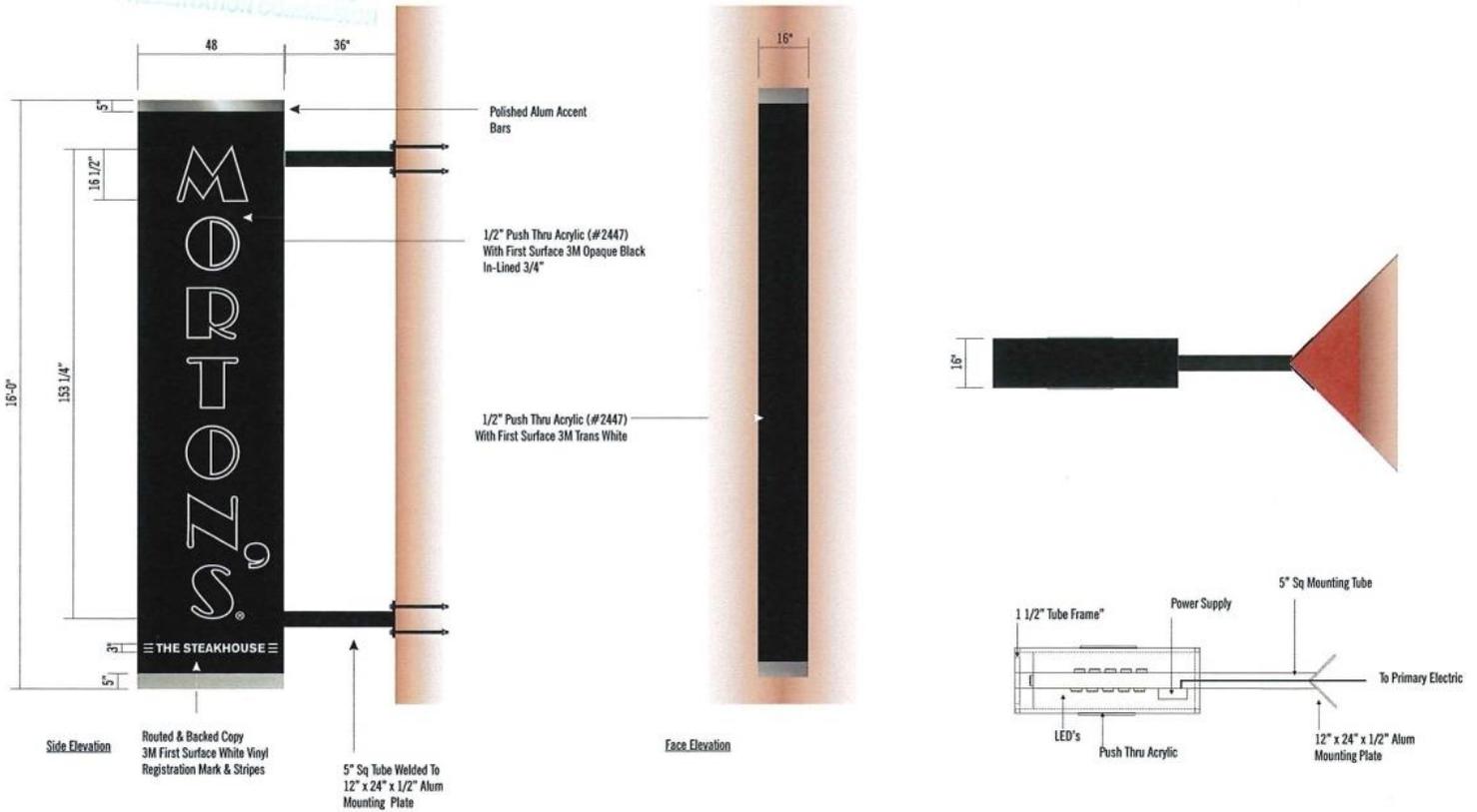
RECEIVED
FEB 05 2016
INDIANAPOLIS DEVELOPMENT
COMMUNITY DEVELOPMENT DEPARTMENT



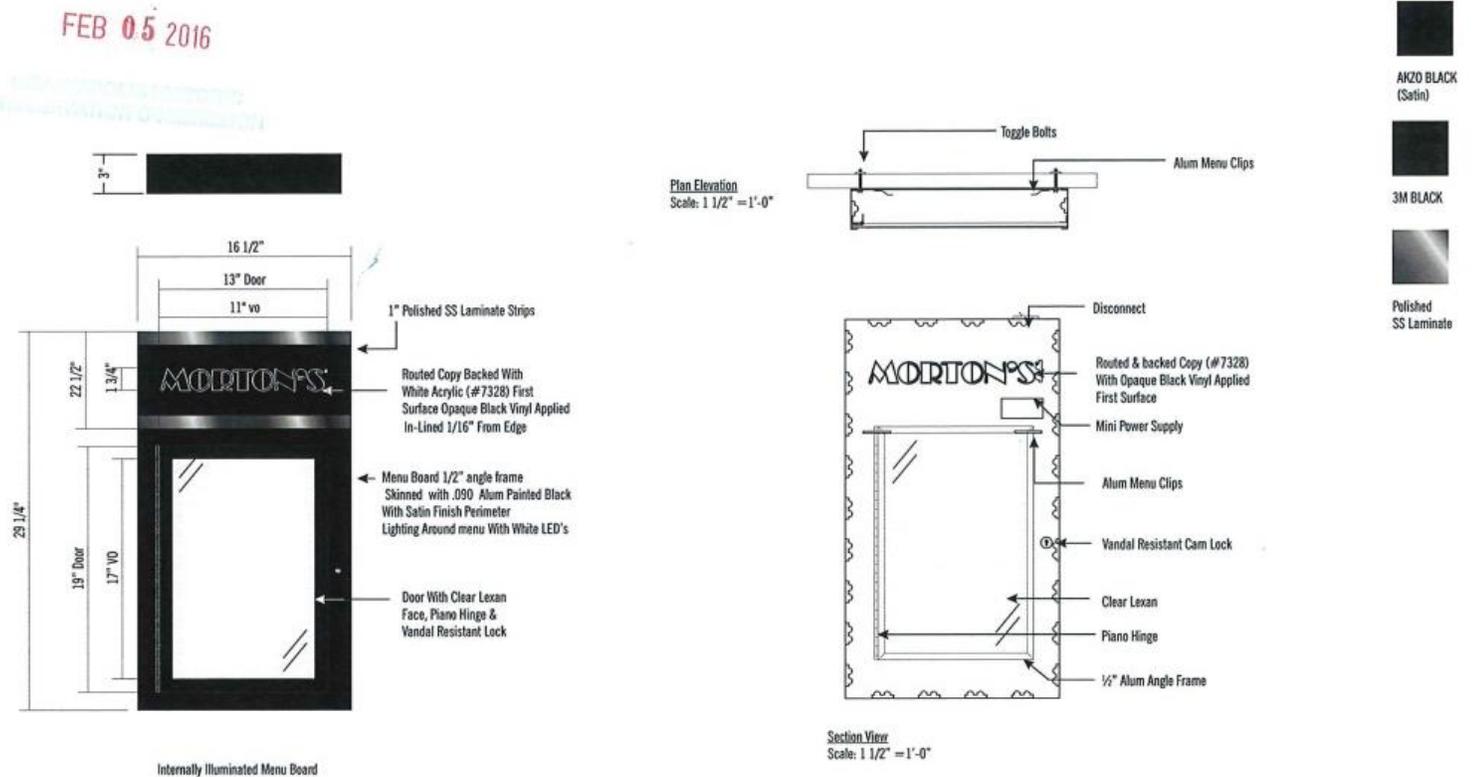
Proposed

Pennsylvania Ave

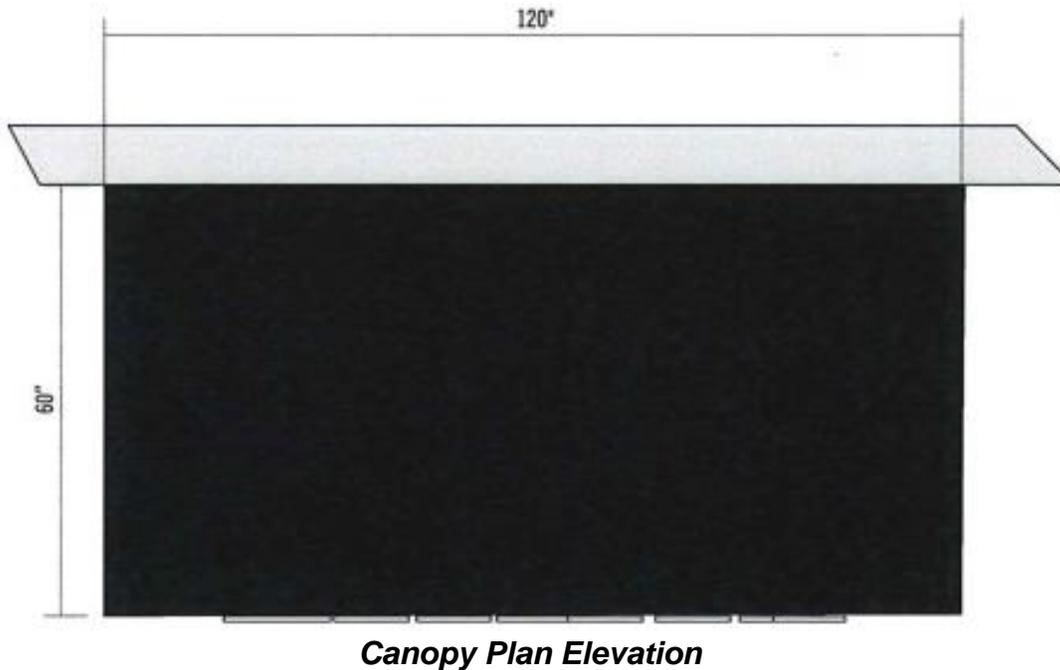
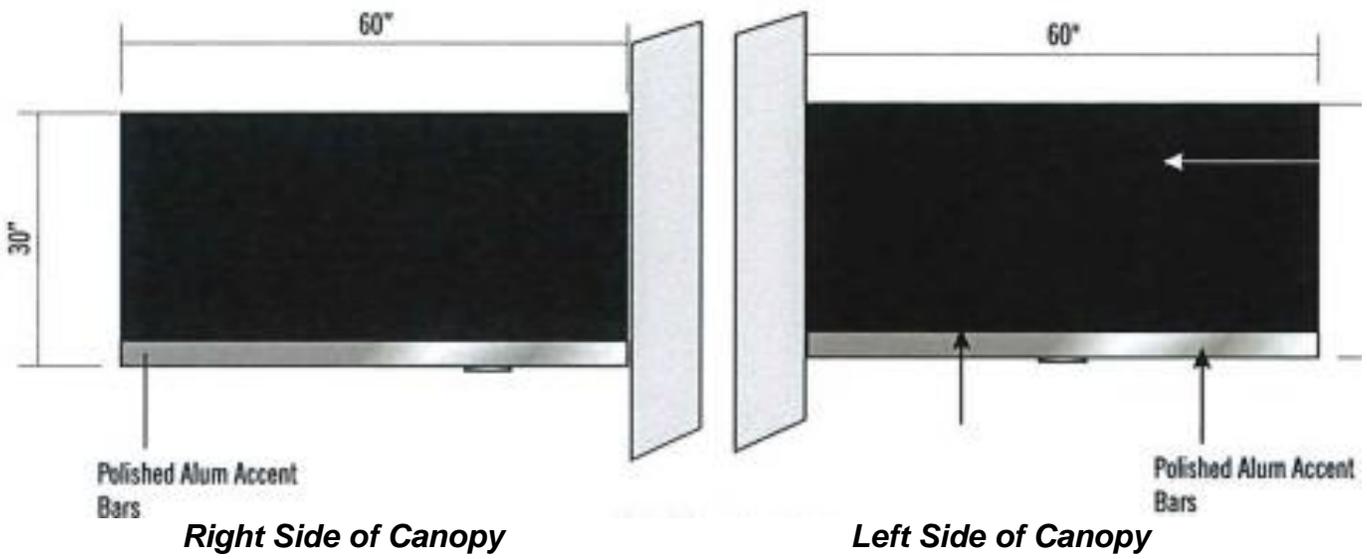
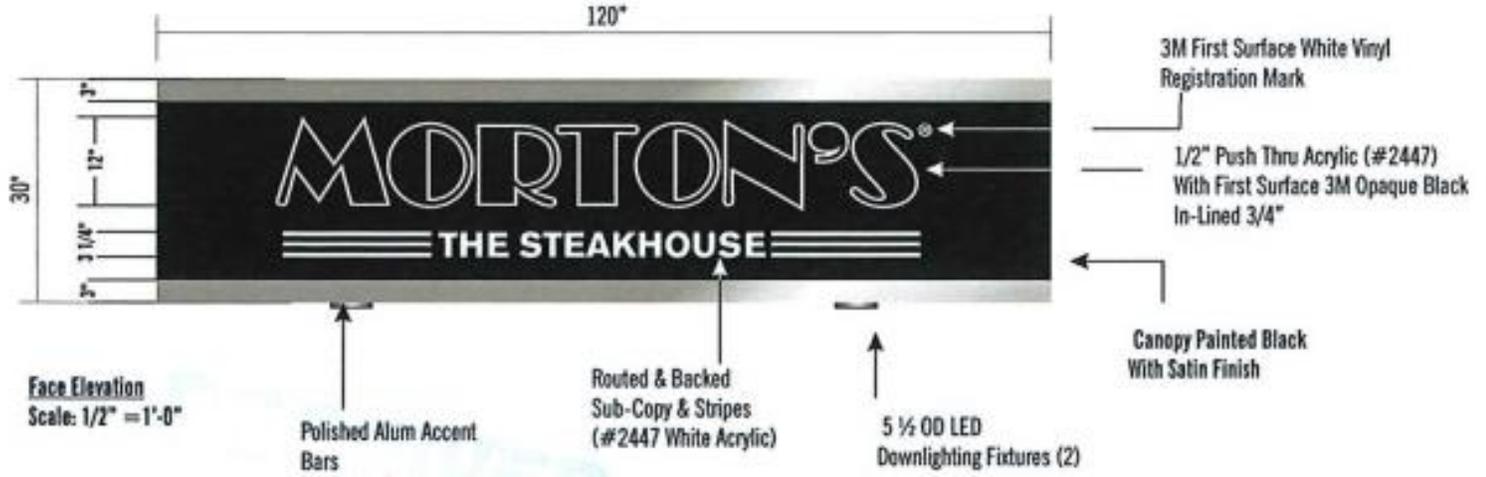
SIGN A – REPLACEMENT BLADE SIGN



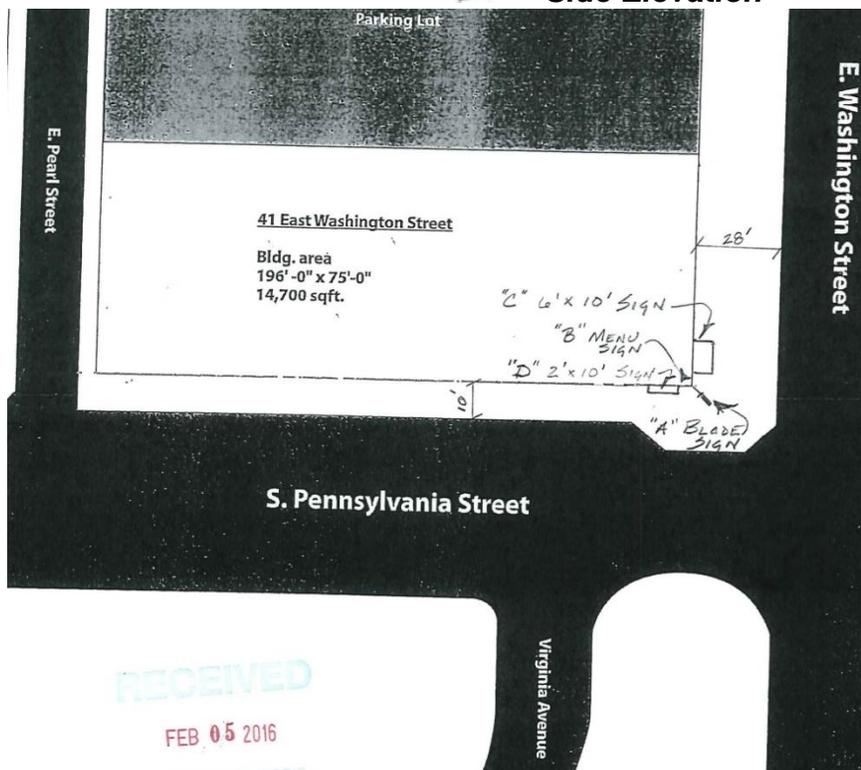
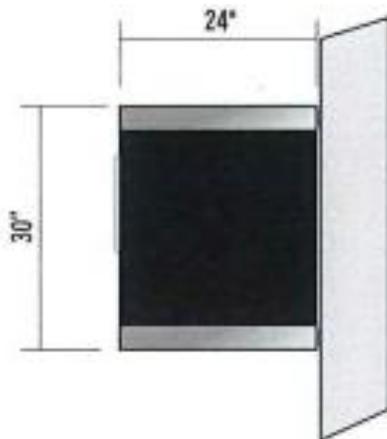
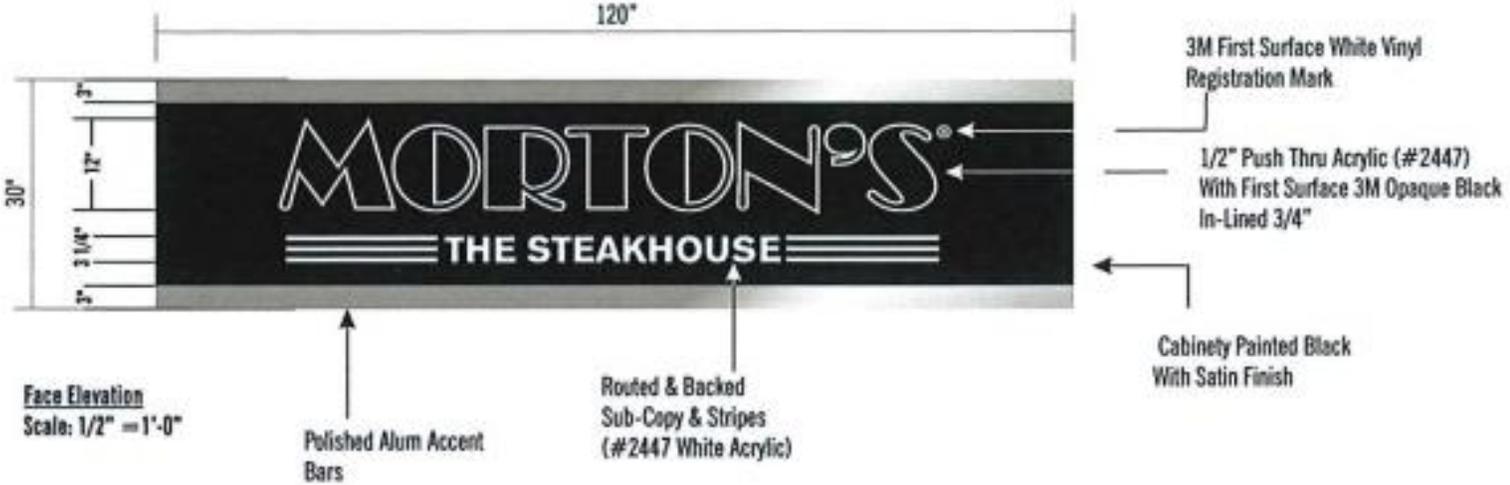
SIGN B – REPLACEMENT MENU SIGN



**SIGN C – REPLACEMENT ENTRY CANOPY
(on Washington St.)**



**SIGN D – REPLACEMENT BOX SIGN
(on Pennsylvania St.)**





Pennsylvania St.



Entry to Morton's



IBJ Blade Sign (to remain)

Washington St.

COA # 2016-COA-002 (HMP)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
1960 CENTRAL AVENUE HERRON-MORTON PLACE		<i>Continued from:</i> February 3, 2016 March 2, 2016 Center Township Council District 11 Vop Osili
Applicant	PATRICK STROUP, ZMC URBAN HOMES	
mailing address:	649 E. 9 th Street Indianapolis, IN 46202	
Owner:	BRAD & APRIL GOOD	
	450 E. Ohio Street, #316 Indianapolis, IN 46204	
EXPEDITED CASE		
IHPC COA: 2016-COA-002 (HMP) • Construct single-family house with detached 3-car garage		
STAFF RECOMMENDATION:		Approval

Update from March hearing

At the March hearing, commission members offered the following suggestions:

- The house needed to align better with the foundation and window lines of the large house to the south.
- The square windows need to be larger.
- Something should happen in that gable to reflect the house next door.
- Consider connecting the porch roof and the window bay roof to create a more prominent porch element.
- Give more design attention to the elevation facing the side street.

REASON TO EXPEDITE

The applicant has made every change staff suggested and staff believes the drawings reveal the successful outcome.

Design changes

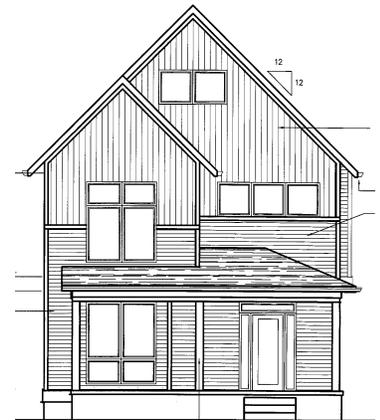
Mr. Stroup, the builder, asked staff for advice on addressing the commission’s concerns. Since he does not use the services of an architect, staff felt the most expedient way to help was to draw up the changes that we believe addressed the concerns and suggestions. Mr. Stroup agreed to incorporate all of staff’s changes:

Front Elevation:

- Front porch is extended across the window bay to make it a more prominent feature, as is the porch next door.
- 2nd floor windows in projecting bay are wider and taller. A transom is added to provide window height and to reduce the gable area above.
- Large square windows replace the small vertical windows previously shown above the door and in the front gable.
- The house is now set on a foundation that is to be the same height as the house next door. This will require the addition of an extra step.
- The traditional paneled front door is now a simplified style, like the other openings.

North Side Elevation (facing 19th St.):

- The three small square stair windows have been made much larger.
- The two oddly spaced windows in the 2nd floor projecting bay are ganged together into a double window that is a better proportion for the bay.



- The two separated windows below the bay are also ganged together to line up with the bay above.
- The first floor window styles have been changed to match the front. Rather than the single, vacant-looking casement window style, they now are segmented with a smaller awning window at the bottom, which gives them better proportion and interest.

South Side Elevation (not very visible):

- The two tall windows on the first floor have been segmented with a smaller awning window at the bottom, which gives them better proportion and interest.

Rear Elevation

- Two large square windows replace two small square windows previously shown in the rear gable.
- The 2nd floor window that awkwardly abutted the southwest corner has been moved away from the corner to match the location of the “corner window” on the south elevation.

Staff believes the changes have given the elevations, especially the two street elevations, a much better sense of proportion and scale. The increase in height is relatively small, but when taken with the changes in window and porch proportion, is successful in aligning the house properly with its larger neighbor.

The rest of the report remains the same as March, except for new drawings inserted below.

Background of the Property

A 2 ½ story house appears on this property on the 1898 Sanborn map. Sometime after 1915, the house was either modified or replaced with a back-to-back duplex. The building was demolished between 1972 and 1979. The lot is currently vacant.

Design of the New House

The design was developed by Palladian Custom Design. The house is rooted in a traditional form, but provides some contemporary lines and details. The house features horizontal smooth-finish fiber-cement siding on the first floor, and board and batten siding on the second floor. The windows are single light casements, awning, or fixed units.

The house has a dual gable front. There is a hipped roof entry porch and a projecting bay with board and batten siding. The rear façade has a shed roof porch overhang, which also covers a small bay with a grouping of 3 square windows. The windows on the second story are laid out to accept bedroom furnishings, and a corner window creates a bright corner on the south elevation that provides a view of downtown. The north elevation, which fronts 20th Street, has a projecting second story bay. The south elevation has the same mixture of sidings as the rest of the house, and rectangular windows grouped toward the rear and a triple window towards the front façade.

The lot has an existing masonry retaining wall along the north and east property lines. This wall will be retained and reused, as will the existing stairway opening in that wall.

Design of the Garage

There is a 3-car garage at the rear of the lot. It is a side gable design, and reflects the house’s architecture. There is lap siding on the bottom, and board and batten siding under the eaves and in the gable ends. On the alley are a 2-car overhead door and a single overhead door. The rear elevation has a pedestrian door and three small, square windows.

Setbacks

The house has a 25 ft. front yard setback. The body of the house lines up with the body of the house to the south. The house has 7 ft. side yard setbacks on the north and south.

The garage has 5 ft. side yard setbacks and a 10 ft. setback off the alley.

Context

There are 10 lots on this side of the street, and 6 houses (two under construction). The house next door is a large historic frame house with a hipped roof. There is a vacant lot to the south of that, and a contemporary house approved in 2015 under construction at the 1948 lot. The remaining 3 historic houses are all on the south half of the block. Across the street is out of the district. There is a vacant lot on the corner directly across the street from this proposal. There is also a long, ca. 1960 1-story buff brick commercial building with a parking lot that utilizes roughly 4 parcels.

Herron-Morton Place Plan

The New Construction Guidelines provide some direction for reviewing this project:

Basic Principle: *“New construction should reflect the design trends and concepts of the period in which it is created. New structures should be in harmony with the old and at the same time be distinguishable from the old so the evolution of Herron-Morton Place can be interpreted properly.”*

Style and Design: *“Creativity and original design are encouraged. A wide range is theoretically possible, from modern to revivals, from simple to decorated.”* Also, *“Look for characteristic ways in which buildings are roofed, entered, divided into stories and set on foundations.”*

Fenestration: *“Creative expression with fenestration is not precluded, provided the result does not conflict with or draw attention from surrounding historic buildings.”*

Materials: Visual compatibility between historic building materials and new materials *“...can often be accomplished with some flexibility since building materials... have less impact on visual compatibility than larger scale visual elements.”*

Staff believes that the massing and design of the building respects the historic and new construction buildings that surround it, and is consistent with the design guidelines in the Plan. The Herron-Morton Place Land Use Committee has expressed support for the application and design.

STAFF RECOMMENDED MOTION

COA #2016-COA-002 (HMP):

To approve a Certificate of Appropriateness to construct a single family house and detached 3-car garage, as per submitted documentation and subject to the following stipulations:

DCE: Stipulations number 1, 2, and 3 must be fulfilled prior to issuance of permits.

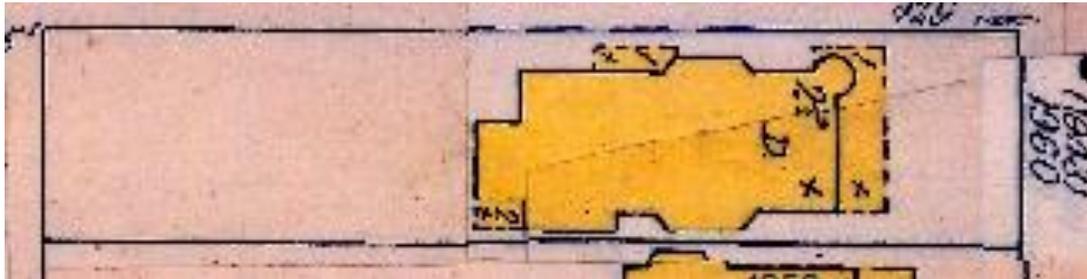
- 1. Construction must not commence prior to approval by the IHPC staff of final construction drawings. *Approved _____ Date _____***
- 2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction. *Approved _____ Date _____***
- 3. The site shall be field staked with no offsets and approved by IHPC staff prior to construction. *Approved _____ Date _____***
- 4. Boxed soffits (“bird boxes”) are not permitted. Rafter tails may be left exposed or sheathed with sloping soffit board parallel to pitch of roof.**
- 5. A durable marker indicating the date of construction must be incorporated into the front foundation of the house (not the porch) and approved by IHPC staff prior to installation.**

6. All utility wires and cables must be located underground. No installation of utilities or meter and mechanical placement shall commence prior to IHPC staff approval.
7. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, etc.
8. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.

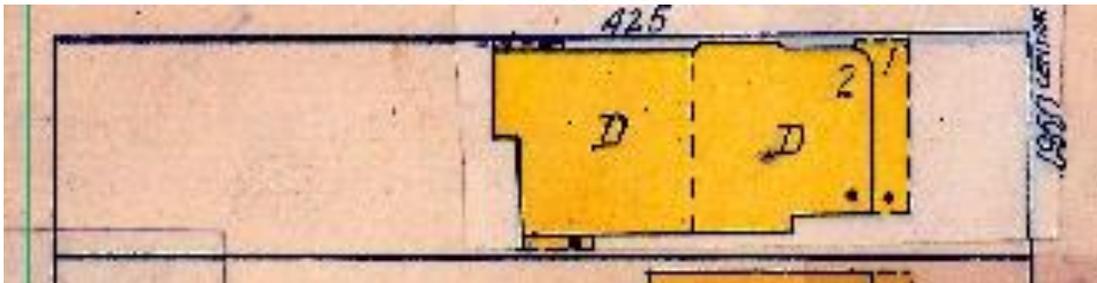
Staff Reviewer: Emily Jarzen



Location in Herron-Morton Place



1898 Sanborn



1915 Sanborn



Aerial view of site



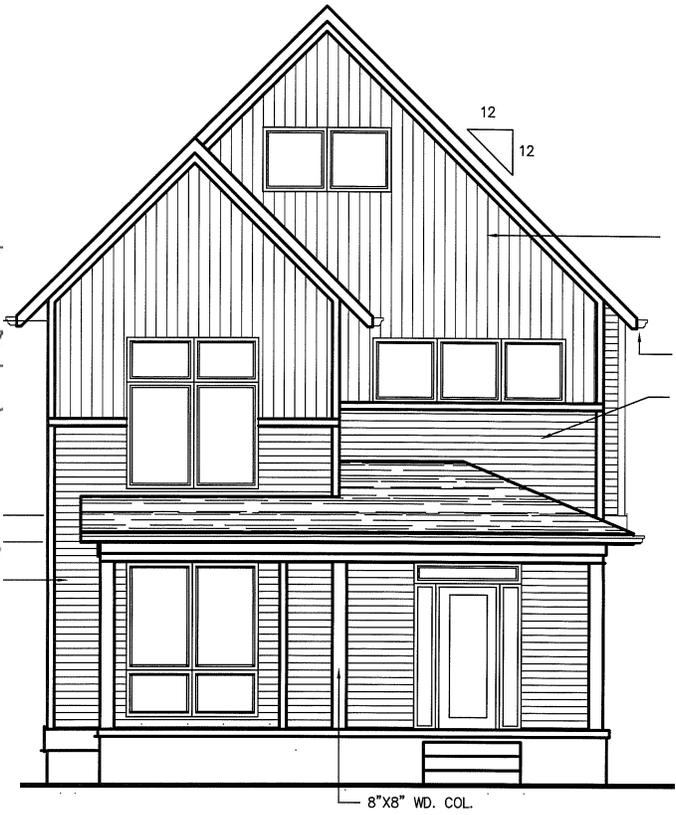
Subject lot



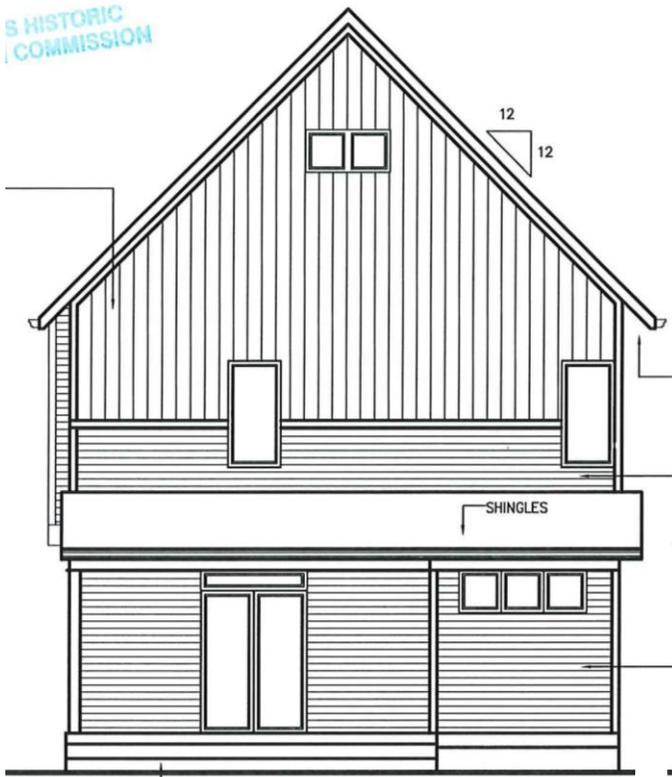
Context across the street



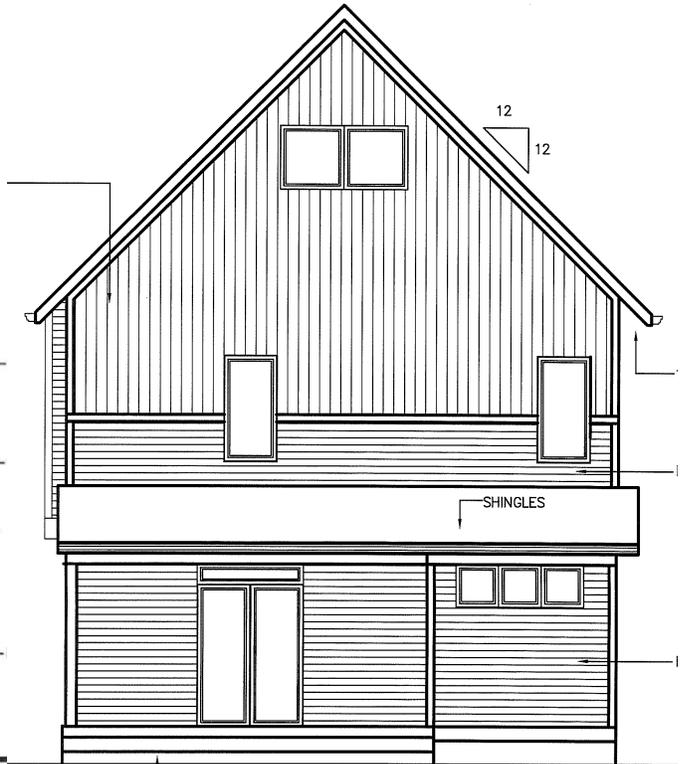
Previous Front Elevation



REVISED FRONT ELEVATION



Previous Rear Elevation

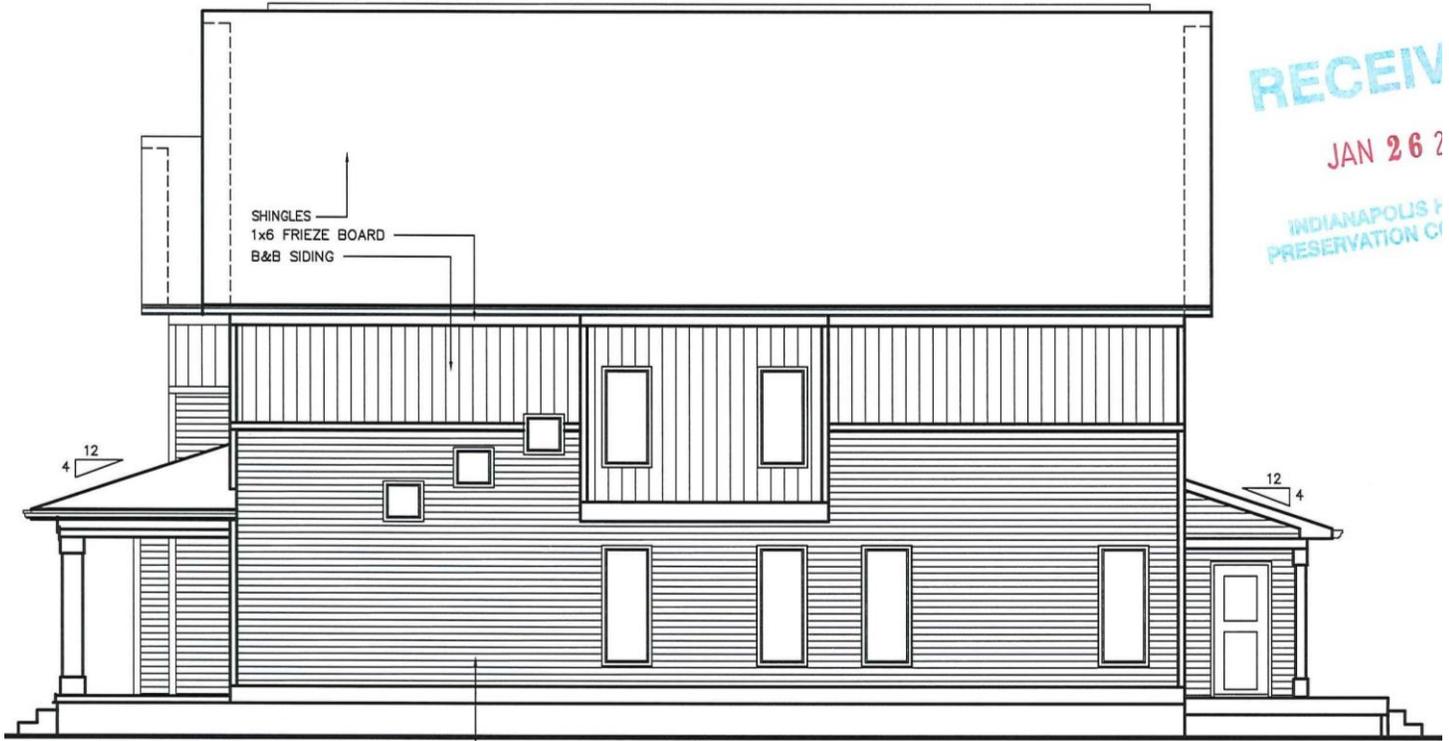


REVISED REAR ELEVATION

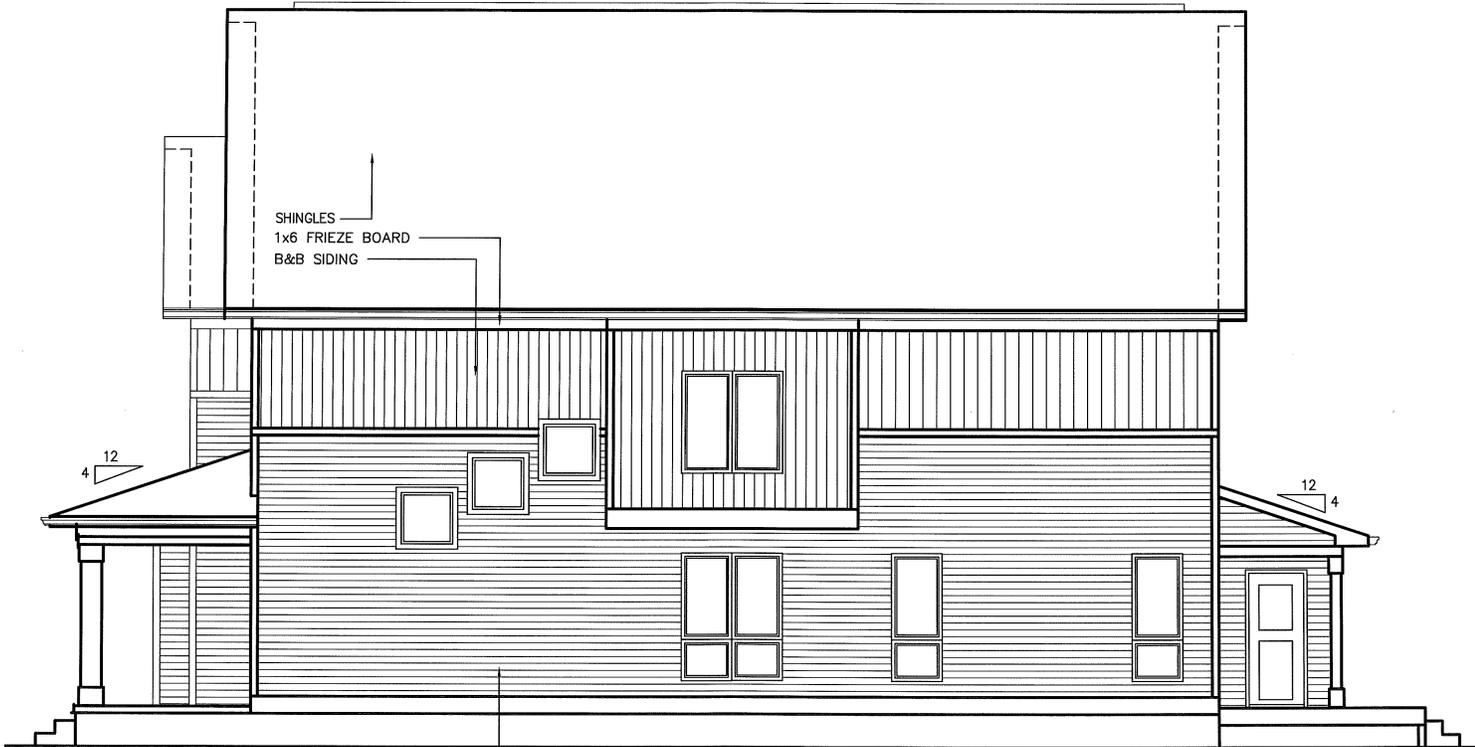
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JAN 26 2022

INDIANAPOLIS HISTORIC PRESERVATION COMMISSION



Previous North Elevation (Facing 19th St.)

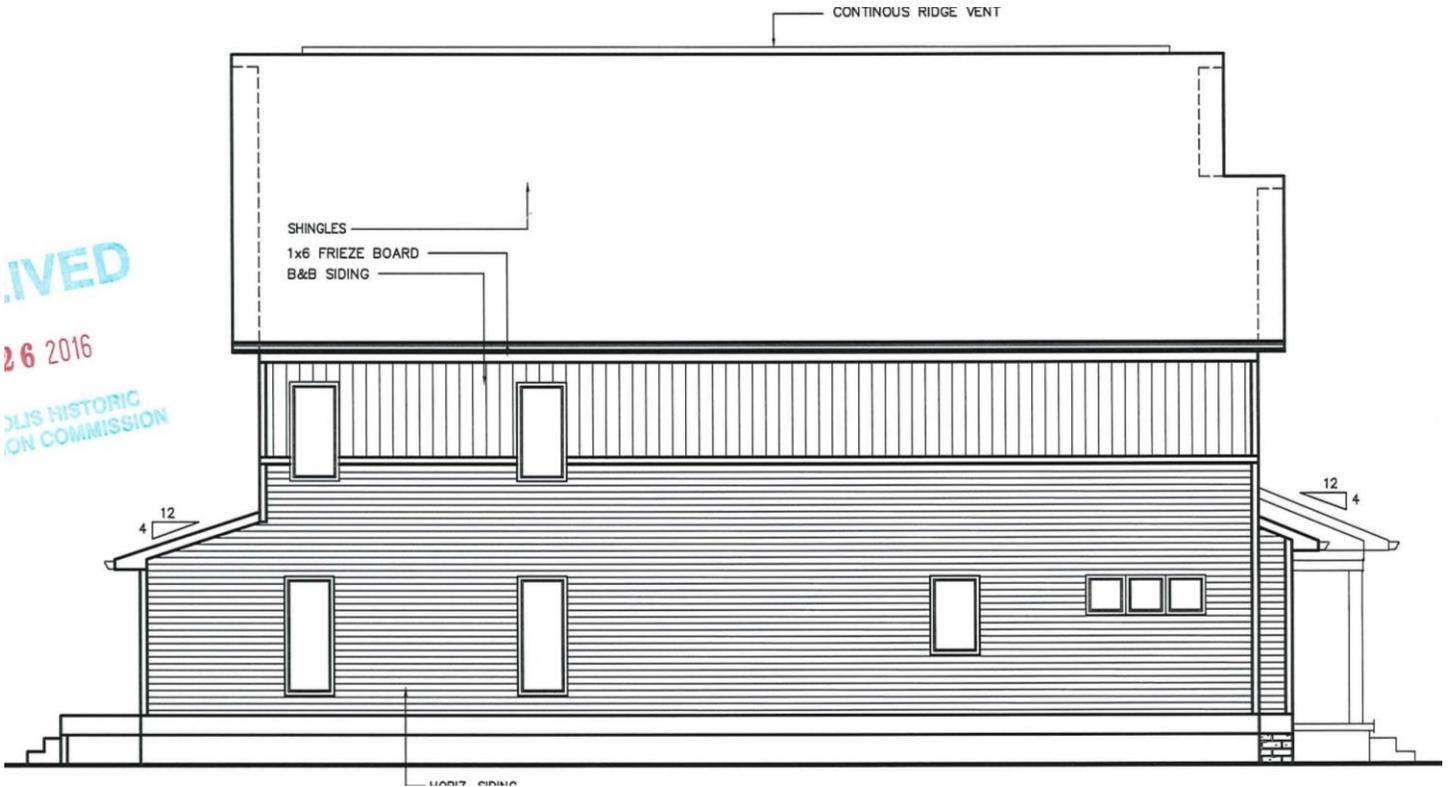


REVISED NORTH SIDE ELEVATION (Facing 19th St.)

REVISED

26 2016

THIS HISTORIC
ON COMMISSION

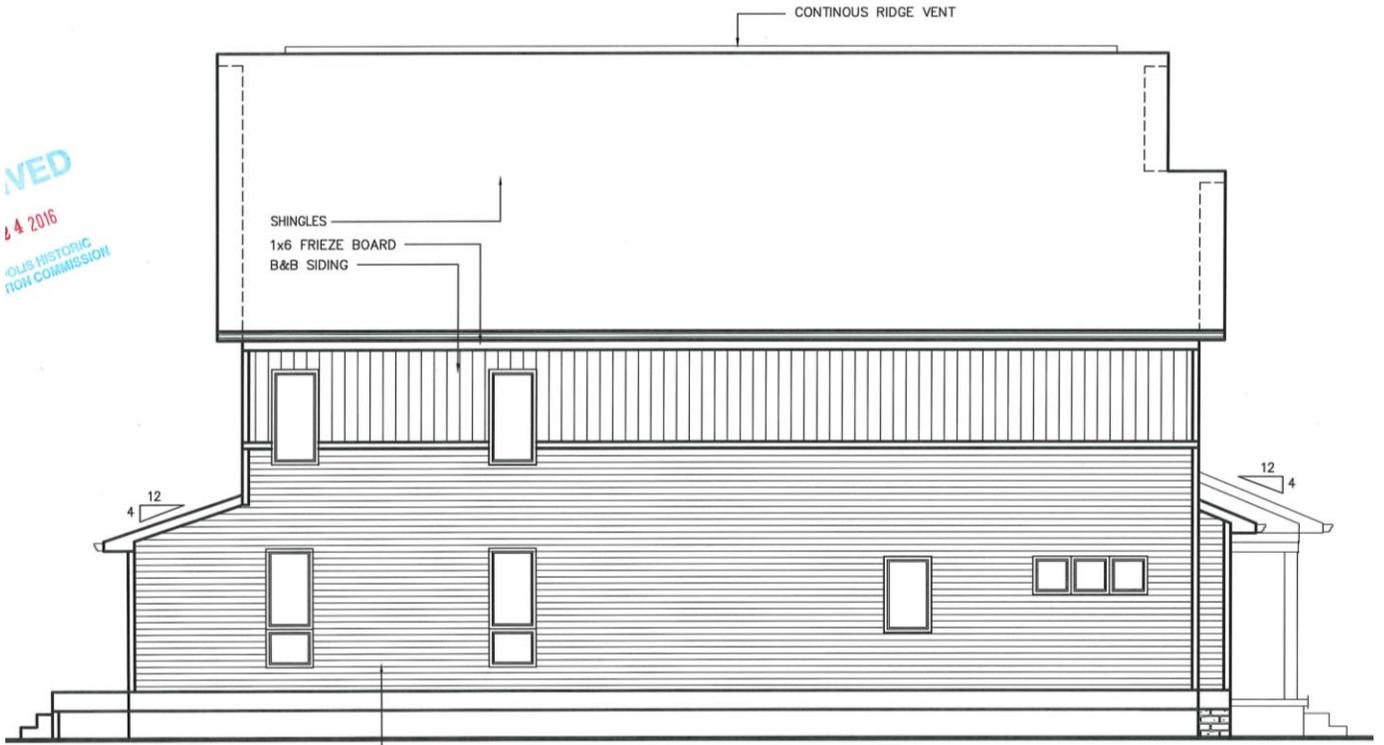


Previous South Side Elevation

REVISED

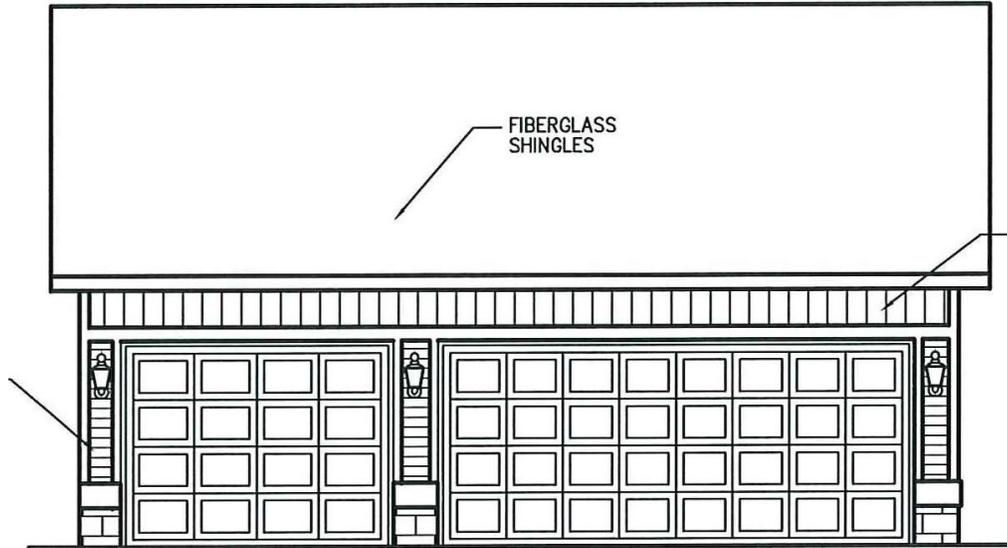
24 2016

THIS HISTORIC
ON COMMISSION

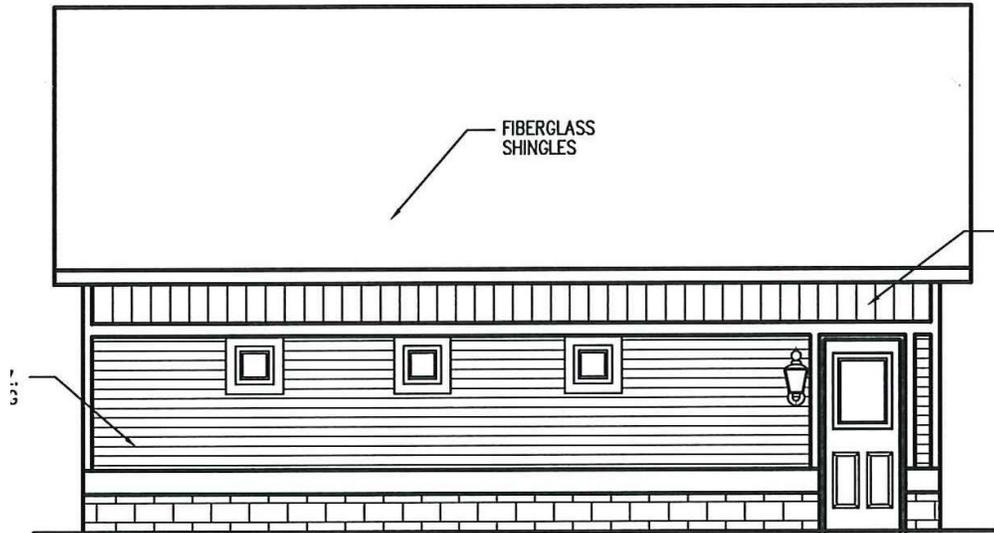


REVISED SOUTH SIDE ELEVATION

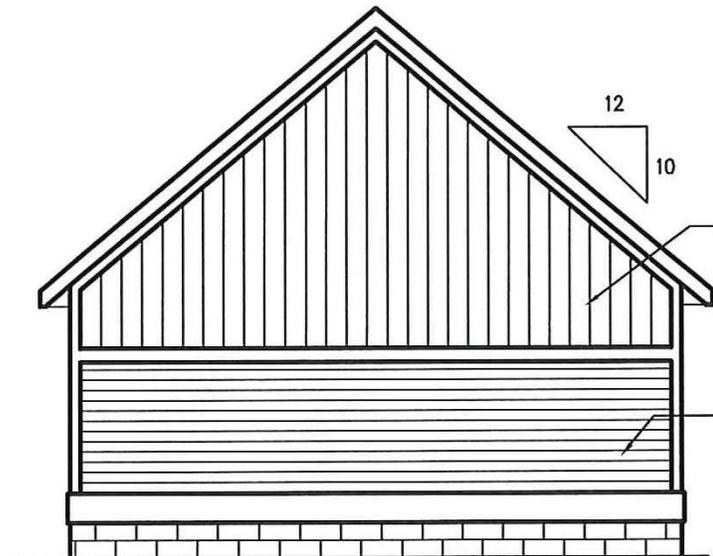
GARAGE PLANS (No changes)



West Elevation



East Elevation

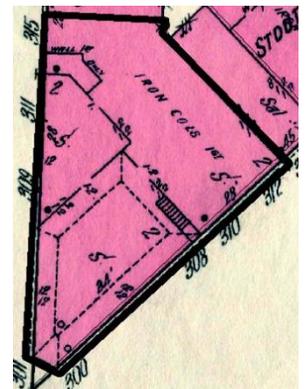


North and South Elevations

COA # 2016-COA-056(CAMA)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
310 Massachusetts Ave. CHATHAM-ARCH/ MASSACHUSETTS AVE.		<i>New Case</i>
Applicant & mailing address:	Eagle Mass Ave 310 Massachusetts Ave Indianapolis, IN 46204	Center Twp. Council District: 11 Vop Osili
Owner:	Alex Blust 188 N. Brookwood Ave Suite 100 Cincinnati, OH 45013	
EXPEDITED CASE		
IHPC COA: 2016-COA-056 (CAMA) Enclose existing patio structure covering bar area.		
STAFF RECOMMENDATION: Approval		

Background

The building at 310 Massachusetts Ave. is a late 19th century brick commercial building. For many years it was occupied by the Front Page Sports Bar and Grill. The first floor façades (one facing Massachusetts Ave. and one facing N. Delaware St.) were inappropriately altered many years ago. The property also includes an open area at the point formed by Massachusetts Ave. and Delaware St., which was once the site of two 2-story brick commercial buildings (see 1915 Sanborn at right). It has been vacant since sometime before 1956.



Last year the Front Page closed and the property was bought by Mr. Alex Blust. On October 1, 2015, the IHPC Hearing Officer approved exterior renovations and a covered outdoor bar area for the The Eagle Food and Beer Hall, which has recently opened.

Reason for Request

The intent was for the covered bar to be open to the outdoor dining area. However, when seeking a liquor license, the owner discovered that the Alcoholic Beverage Commission (ABC) allows consumption of alcohol on an outdoor patio, but not drink preparation. Therefore, the covered bar area needs to be enclosed. IHPC policy allows the Hearing Officer to approve an open porch structure, but enclosing it makes it an “addition,” which requires IHPC approval.

Design of Enclosure

The doors and windows will be black aluminum with applied grids, which is consistent with the new storefront design. The enclosure will consist of floor to ceiling fixed window panels and a set of double French doors on all three sides. The doors will provide access the outdoor patio. ABC regulations permit the enclosure to have doors, provided the openings are no more than 6 feet wide.

Reasons to Expedite and Approve the Request

1. The majority of this project has already had a hearing and been approved by the Hearing Officer.
2. The materials, colors and design of the enclosure are consistent with the already-approved renovations.
3. The enclosure will be an improvement to the design of the covered bar area giving it a more “finished” appearance, especially at times of the year when the patio area is not in use.
4. The enclosure will help to “fill in” this previously blank corner.

STAFF RECOMMENDED MOTION

2016-COA-056(CAMA):

To approve a Certificate of Appropriateness to enclose existing patio structure covering bar area: as per submitted documentation and subject to the following stipulations:

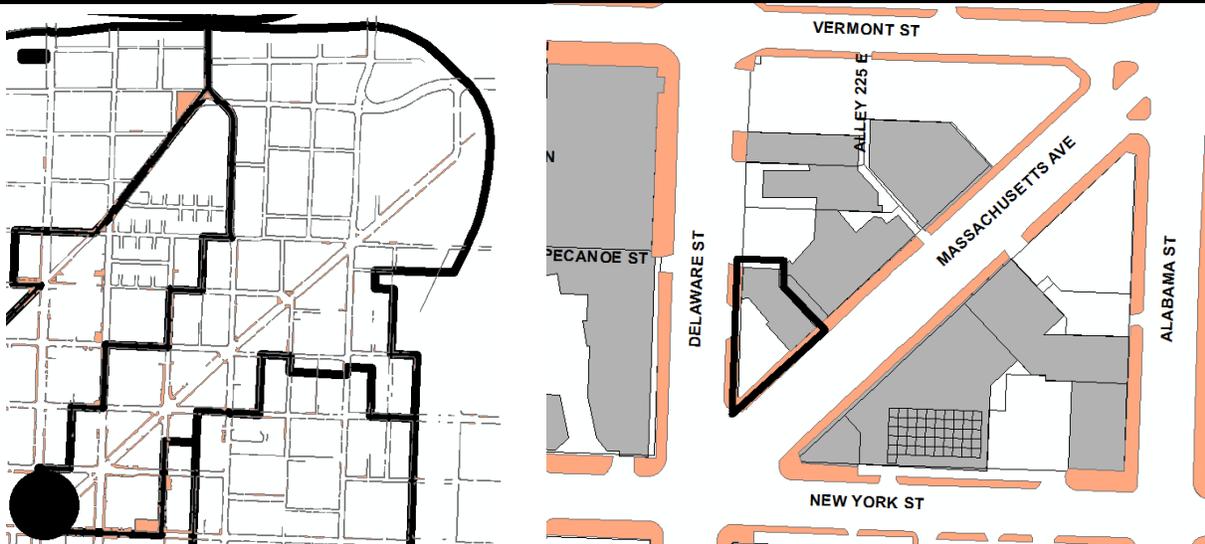
DCE: Stipulation number 1 must be fulfilled prior to issuance of permits.

- 1. Installation must not commence prior to approval by the IHPC staff of final drawings.**

Approved _____ Date _____

- 2. Any changes must be approved by IHPC staff prior to commencement of work.**
- 3. Finish must be black and must have exterior applied grids to match the existing storefront windows.**

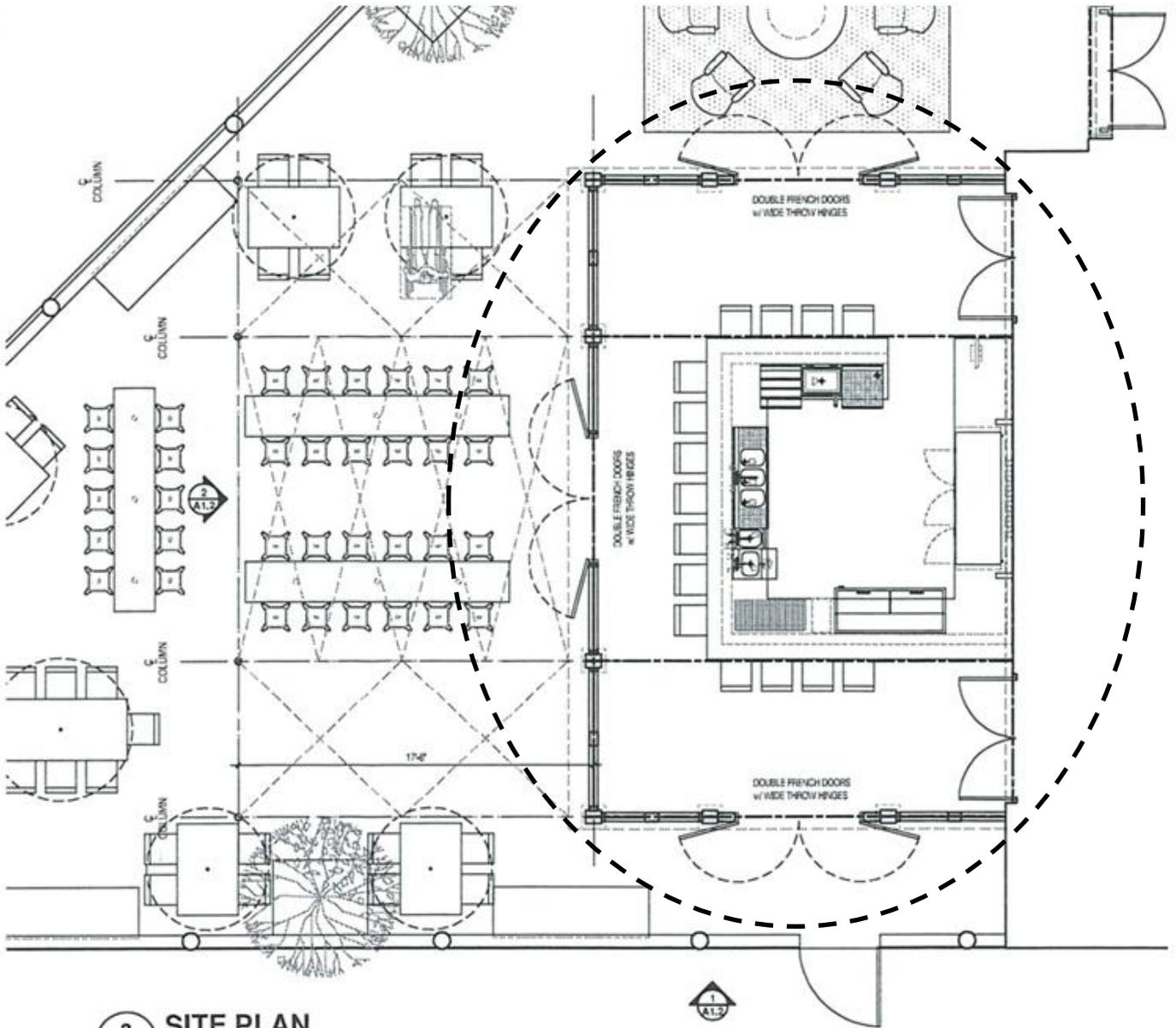
Staff Reviewer: Meg Purnsley



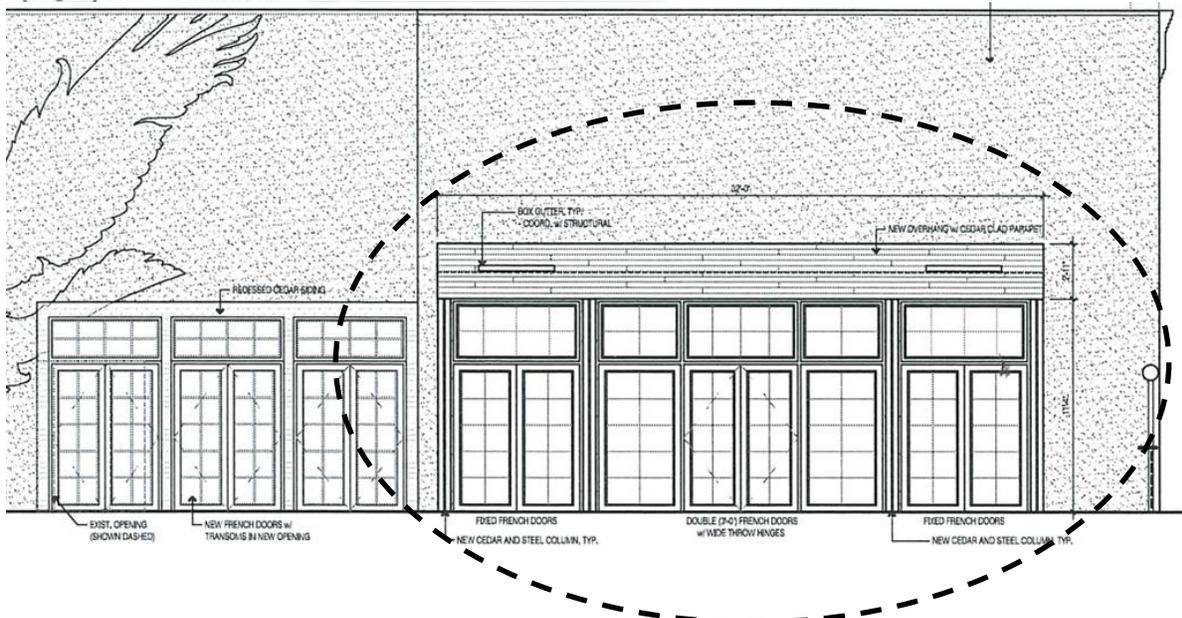
Location in Chatham-Arch and Massachusetts Ave.



Open Bar to be Enclosed

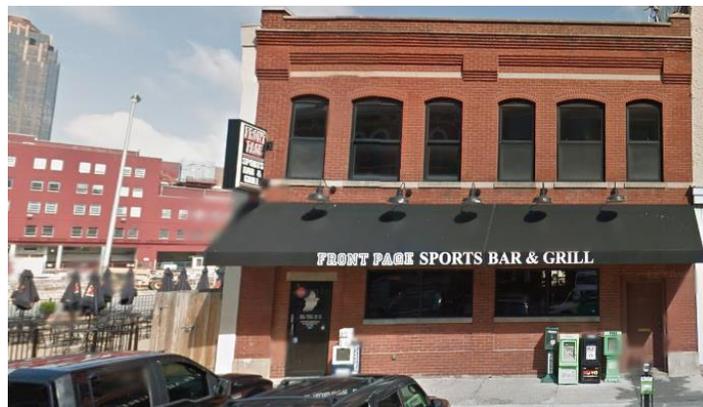


3 SITE PLAN





1 SOUTHEAST ELEVATION (mass ave) french doors



**Before Storefront renovation
And addition of open covered bar
Before and After Photos**



CASE# 2016-COA-060 (CAMA)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
		NEW CASE Center Township Council District: 17 Zach Adamson
648 E. ARCH STREET CHATHAM-ARCH/MASSACHUSETTS AVENUE		
Applicant MARK DEMERLY, Demerly Architects mailing address: 6500 Westfield Blvd. Indianapolis, IN 46220		Center Township Council District: 17 Zach Adamson
Owner: ROBERT & TOM HARTON 908 Broadway Street Indianapolis, IN 46202		
EXPEDITED CASE		
IHPC COA: 2016-COA-060 (CAMA) Build a 2-story rear addition.		
STAFF RECOMMENDATION: Approval		

STAFF COMMENTS

Background of the Property

This is a 1 ½ story c. 1874 frame cottage. It has decorative brackets in the gable end, a full-width front porch with decorative detail and flat, cut-out patterned porch railing. In 1992, the IHPC approved the 2-car garage with additional living space connected to the house by a narrow one-story connector.

The Applicant’s Proposal

The house had been in bank ownership after the death of the owner in 2010. In the meantime, it fell into disrepair. The new owners intend to enlarge the house with a rear, 312 square foot second story addition. The proposed addition will create a master suite.

Design of the Addition

Demerly Architects has designed this addition, which will form a cross-gable roof at the rear. The addition bumps up the existing rear shed-roof one-story addition. It is simple in form, with a small dormer on the west elevation and lap siding to match the rest of the house. The siding will be wood lap to match the house. The west elevation has a single fixed window in the dormer, and a double-hung in the gable end. The east elevation has two double-hung windows. The rear (north) side simply has lap siding. The addition will have little-to-no visibility on the west and north sides due to the proximity and size of the house to the west, and the size and location of the garage at the alley.

CAMA Plan

- *Additions should be located away from the front façade and at the rear.*
- *The scale, height, size, and mass of an addition should relate to the existing building and not overpower it. The mass and form of the original building should be discernable, even after an addition has been constructed.*
- *Additions and accessory buildings should be discernable as a product of their own time.*

Staff recommends approval of the application. The massing, location and details of the addition are respectful of the original building, and show a regard to the guidance in the CAMA Plan.

STAFF RECOMMENDED MOTION

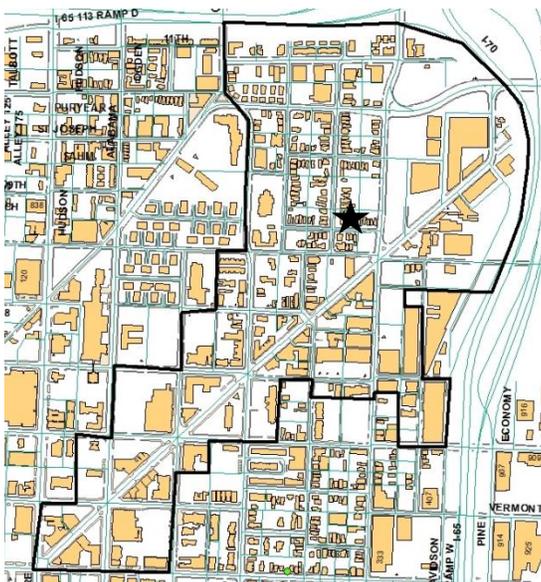
COA #2016-COA-060 (CAMA):

To approve a Certificate of Appropriateness to construct a 2 story rear addition, per the submitted documentation and subject to the following stipulations:

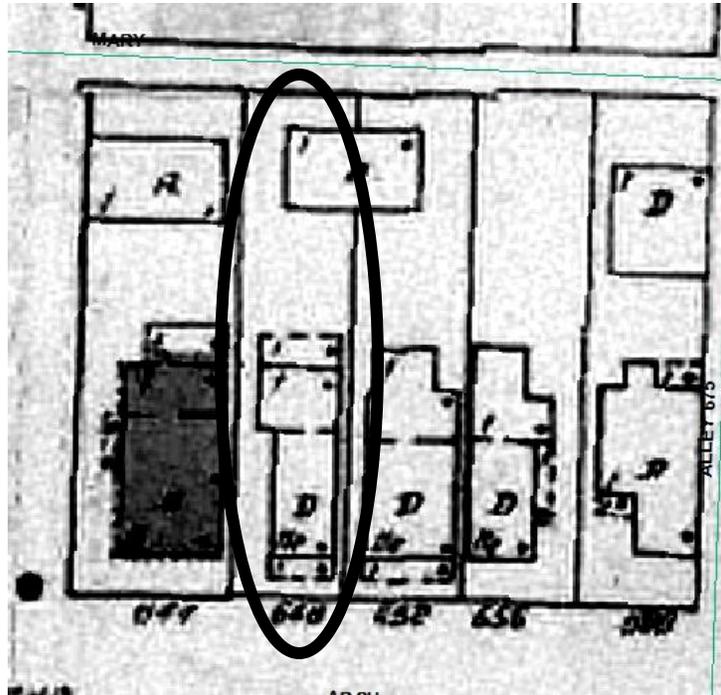
DCE: Stipulations number 1 and 2 must be fulfilled prior to issuance of permits.

- 1. Construction shall not commence prior to approval by the IHPC staff of final construction drawings. *Approved _____ Date _____***
 - 2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager shall be held prior to the commencement of any construction. *Approved _____ Date _____***
- 3. Boxed soffits (“bird boxes”) are not permitted. Rafter tails may be left exposed or sheathed with sloping soffit board parallel to pitch of roof.**
 - 4. Trim and siding shall be wood. All siding and trim shall have a smooth texture and be free of major imperfections. Rough-sawn finishes are not permitted. Siding reveal shall match existing house.**
 - 5. All exposed siding and trim shall be pre-finished or painted to match the paint scheme of the house.**
 - 6. Window units shall be all wood, and shall be approved by IHPC staff prior to purchase or installation. *Approved: _____ Date: _____***
 - 7. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, etc.**
 - 8. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.**

Staff Reviewer: Emily Jarzen



Location of subject property



1956 Sanborn map



Aerial view of subject property



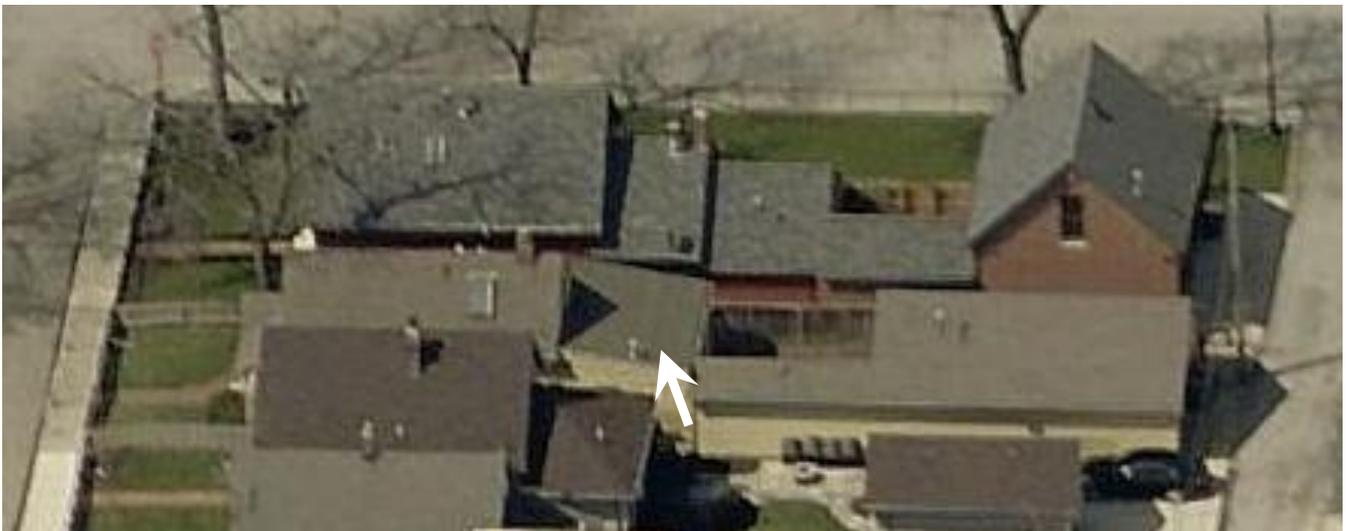
Aerial view Facing North



View Facing South



Facing East



Facing West



View from E. Arch St. (shed roofed addition visible at rear)

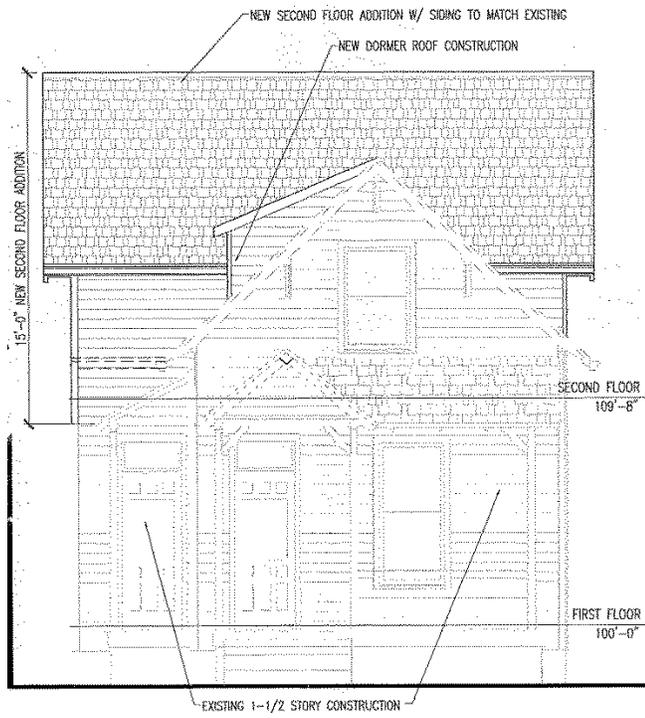


View with east façade visible

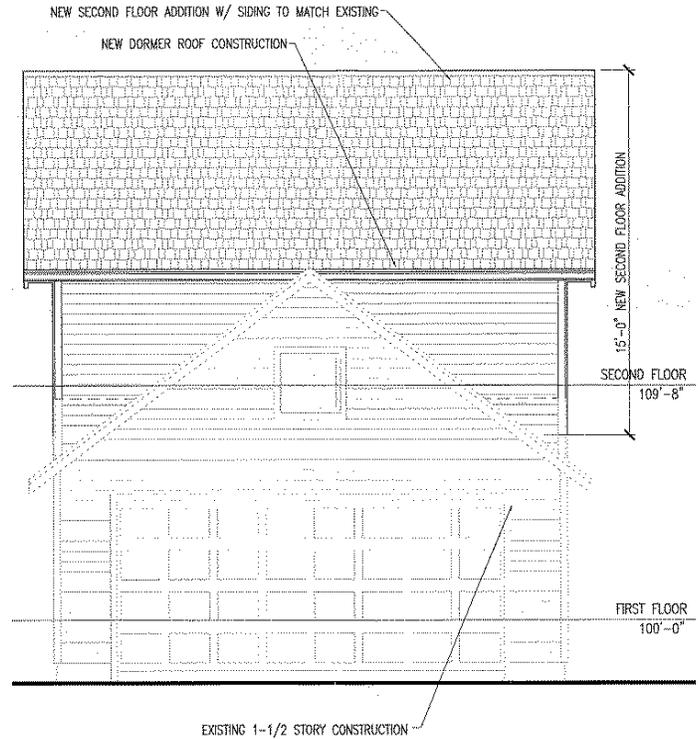


View from Alley

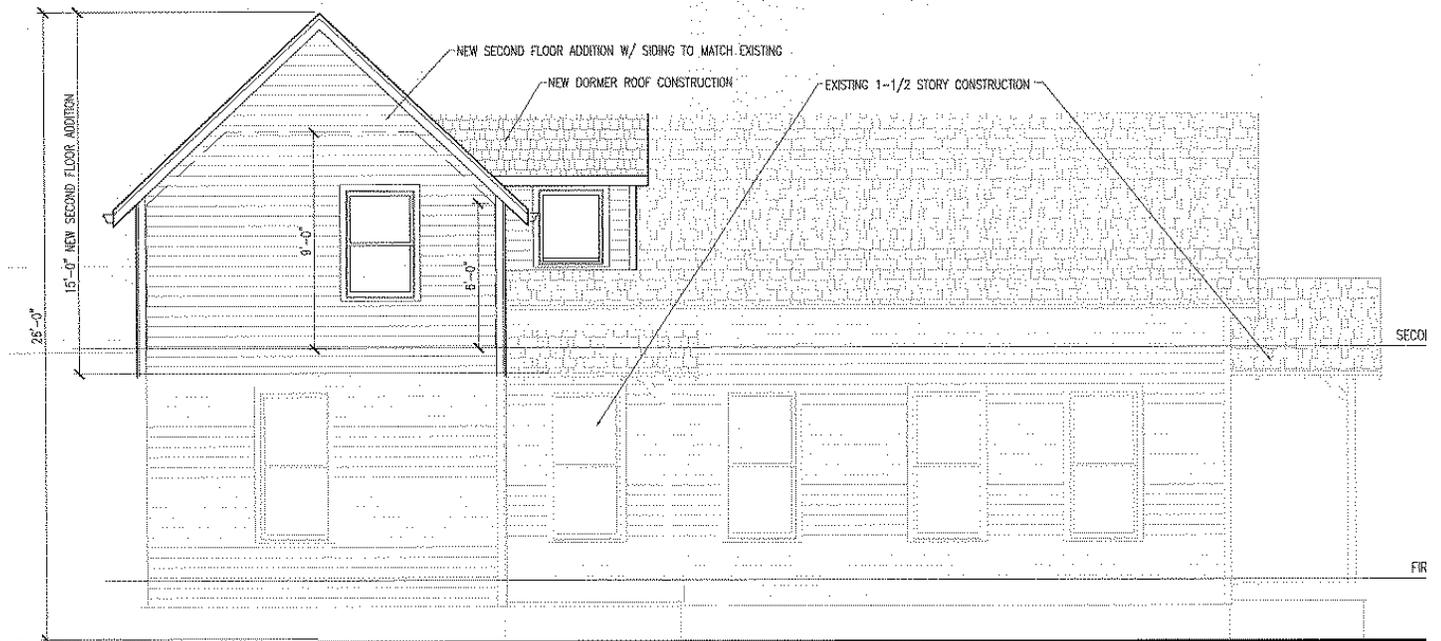
NOTE: Staff was unable to scan a darker copy. Commission members will receive a full set of plans.



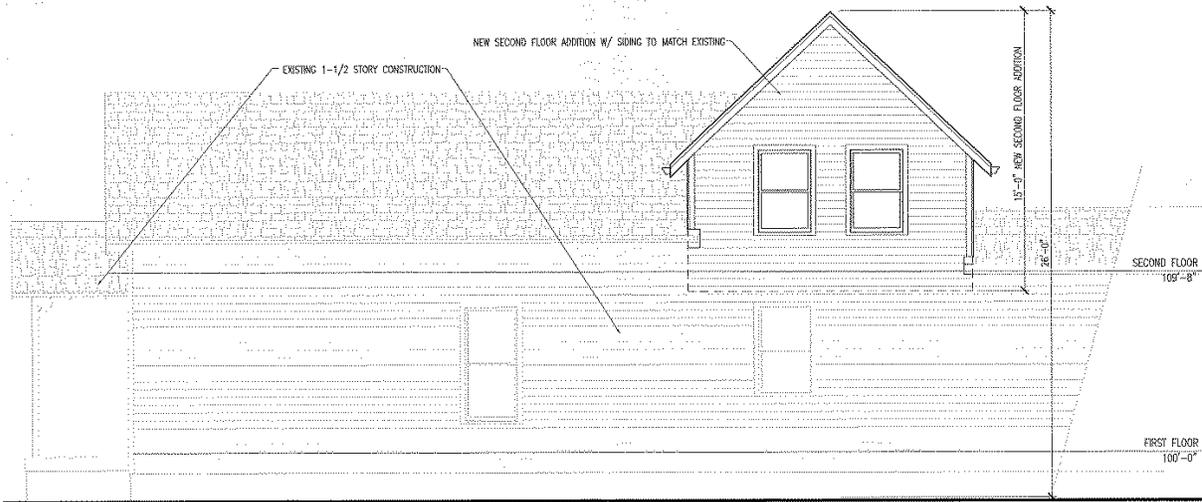
Front (South) Elevation



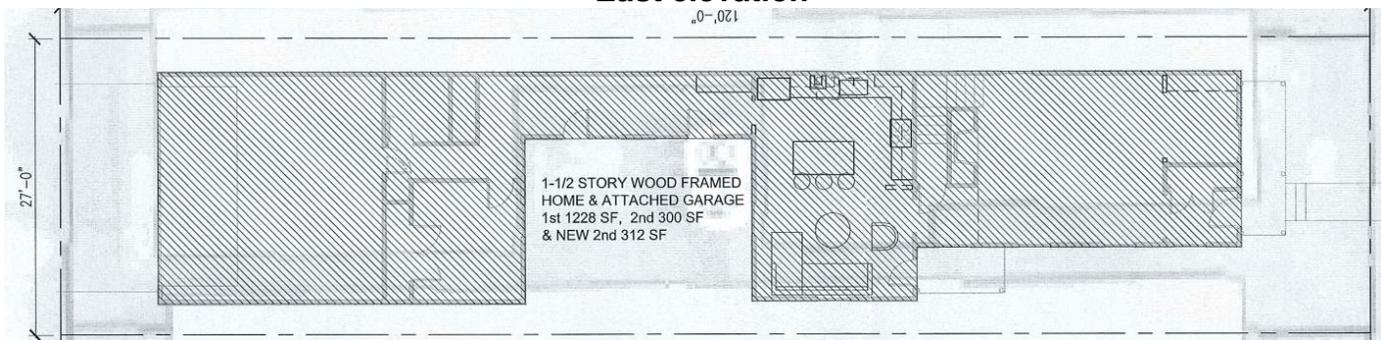
Rear (North) Elevation



West elevation



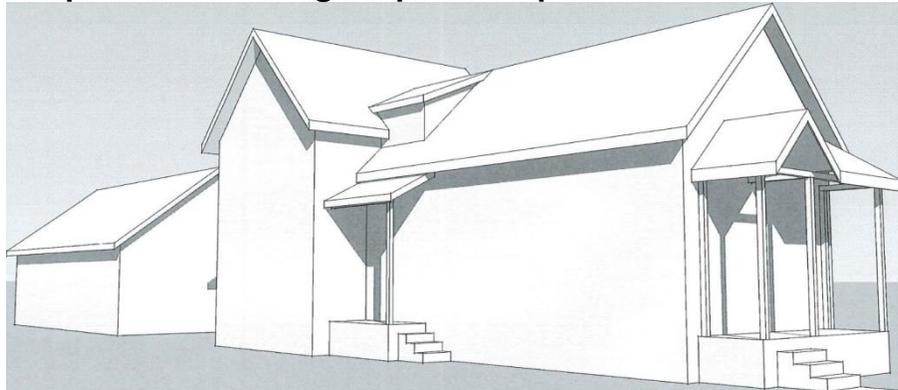
East elevation



Existing (and proposed) site plan



Perspectives Showing Proposed Expansion of Rear Addition



COA # 2016-COA-064 (HMP)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
2113-2115 N. NEW JERSEY STREET HERRON-MORTON PLACE		<i>New Case</i>
Applicant Peter Handley mailing address: 2115 N. New Jersey Street Indianapolis, IN 46202	Neil Handley 2346 N. Delaware St Indianapolis, IN 46205	Center Twp. Council District 11 Vop Osili
EXPEDITED CASE		
IHPC COA: 2015-COA-064 (HMP)	<ul style="list-style-type: none"> Demolish two garages and build one 4-car garage in their place 	
STAFF RECOMMENDATION: Approval		

STAFF COMMENTS

Background

The property has had a two-family residential structure on the site since 1898. Two, two-car garages were added to the property by 1915, presumably one for each residence. In 1984, IHPC approved the addition of a 2-car bay that connected the two garages in the middle. By this time, the house had four units in it. In 2016, IHPC staff issued a COA to remove this middle bay and restore the two historic garages. The applicant was planning on removing the existing wood siding and installing new wood siding to match, and purchased custom wood siding to do the job. However, upon inspection of the framing of the north garage after removing the siding, and upon further inspection of the south garage, both garages had extensive framing insufficiencies and significant termite damage. The applicant is now requesting to remove the two garages entirely, one of which is stripped down to the framing, and build a new 4-car garage in their place.

Design of the Garage

The new garage will be a hipped roof garage with two overhead steel garage doors and two steel man-doors. The siding will be smooth fiber cement lap siding with a reveal to match the lap siding on the house. The trim will be smooth wood trim and will be on a poured concrete slab.

Setbacks

The side setbacks on the garage are to both be 12 feet. There will be a 10 foot setback from the alley with a concrete apron.

Herron-Morton Place Plan

The New Construction Guidelines provide some direction for reviewing this project (there is no mention of connectors or attached garages):

Basic Principle: *“New construction should reflect the design trends and concepts of the period in which it is created. New structures should be in harmony with the old and at the same time be distinguishable from the old so the evolution of Herron-Morton Place can be interpreted properly.”*

Style and Design: *“Creativity and original design are encouraged. A wide range is theoretically possible, from modern to revivals, from simple to decorated.”* Also, *“Look for characteristic ways in which buildings are roofed, entered, divided into stories and set on foundations.”*

Fenestration: *“Creative expression with fenestration is not precluded, provided the result does not conflict with or draw attention from surrounding historic buildings.”*

Materials: Visual compatibility between historic building materials and new materials “...can often be accomplished with some flexibility since building materials... have less impact on visual compatibility than larger scale visual elements.”

Conclusion

Staff believes the applicant made a good-faith effort to try and restore the garages, however, in this case, the garages have proven to be in far worse condition than expected. To restore both structures would require complete reconstruction of them, which would mean the end product would essentially be two new garages. Staff believes that in this case, the removal of the two garages and replacement with a new one is warranted.

STAFF RECOMMENDED MOTION

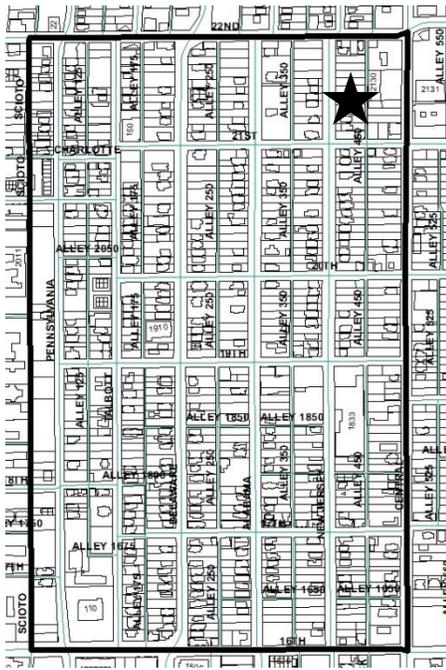
COA #2016-COA-064 (HMP):

To approve a Certificate of Appropriateness to demolish two historic two-car garages on the site and construct a new four-car garage in its place as per submitted documentation and subject to the following stipulations:

DCE: Stipulations number 1, 2, and 3 must be fulfilled prior to issuance of permits.

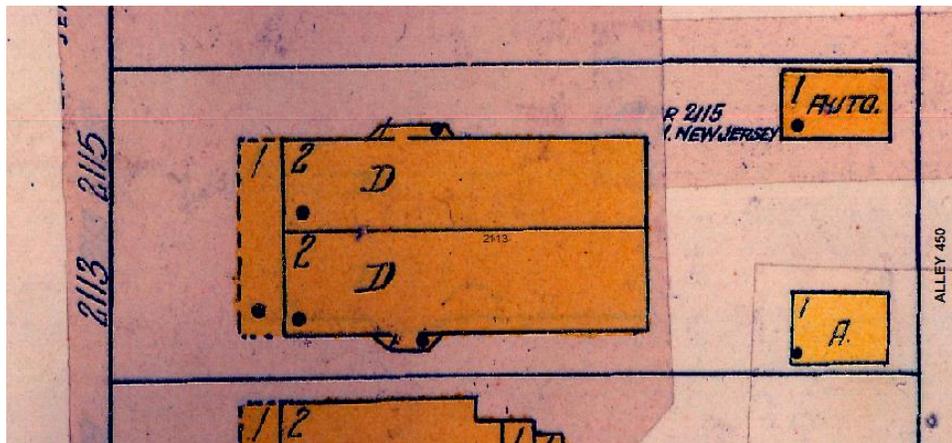
- 1. Construction must not commence prior to approval by the IHPC staff of final construction drawings. *Approved _____ Date _____***
- 2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction. *Approved _____ Date _____***
- 3. The site shall be field staked with no offsets and approved by IHPC staff prior to construction. *Approved _____ Date _____***
- 4. All utility wires and cables must be located underground. No installation of utilities and mechanical placement shall commence prior to IHPC staff approval.**
- 5. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, roof shingles, etc.**
- 6. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.**

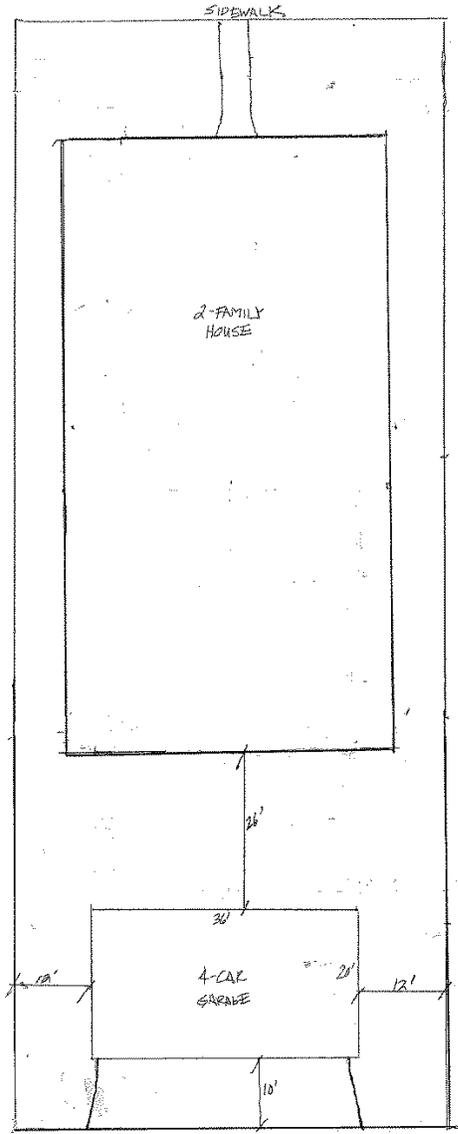
Staff Reviewer: Meg Purnsley



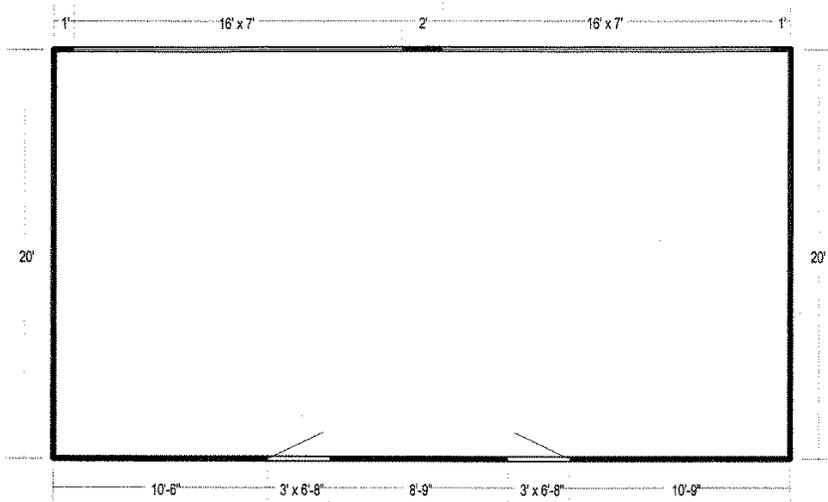
Location in Herron-Morton Place

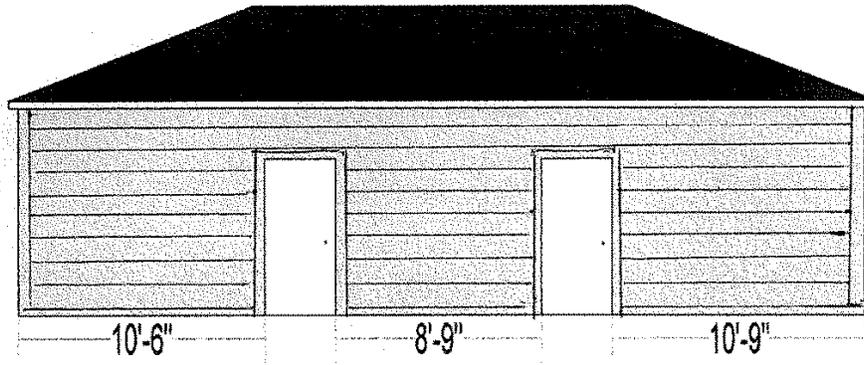
1915 SANBORN MAP OF PROPERTY SHOWING BOTH GARAGES AT REAR



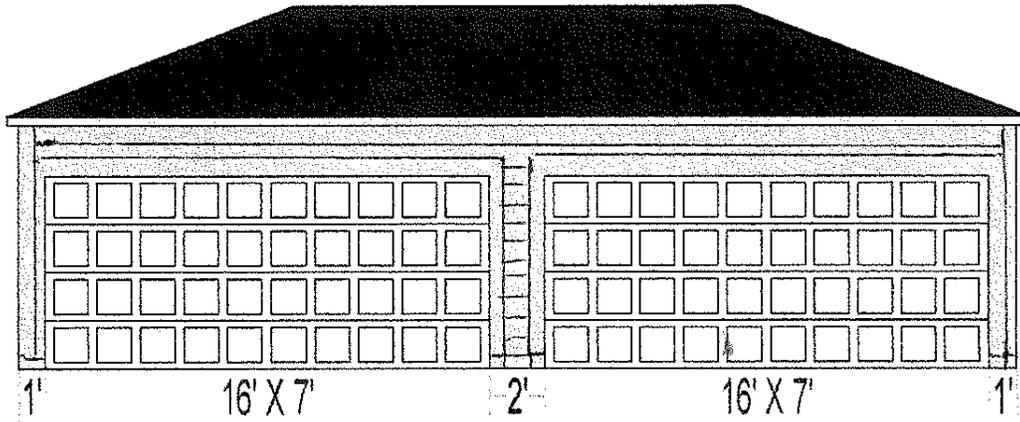


SITE PLAN AND FLOOR PLAN OF GARAGE

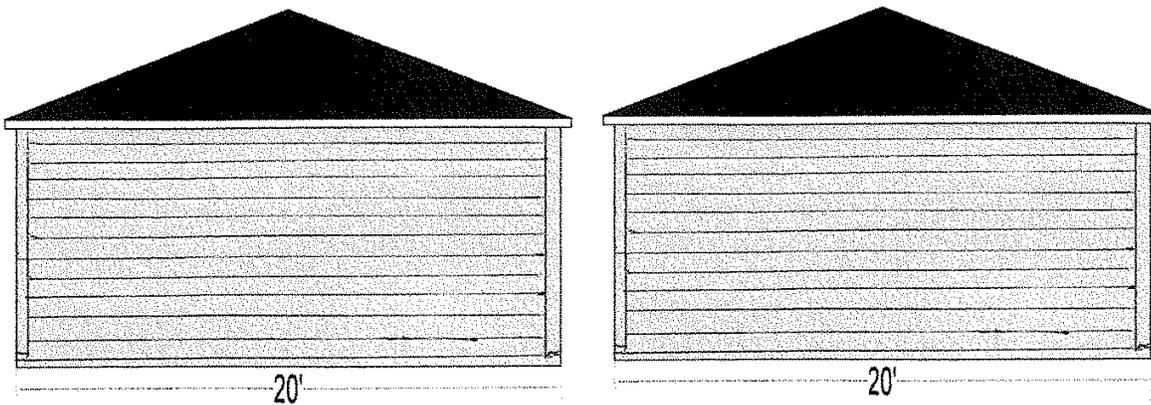




WEST ELEVATION (FACING HOUSE)



EAST ELEVATION



NORTH AND SOUTH ELEVATIONS



HOUSE ABOVE AND GARAGES BELOW





ABOVE: VIEW OF TERMITE DAMAGE ON FRAMING OF NORTH GARAGE



SPACING BETWEEN SOUTH GARAGE AND NEIGHBORS GARAGE. NEW GARAGE NEXT DOOR WAS RECENTLY BUILT AND IS VERY CLOSE TO THE EXISTNG GARAGE. ONCE REMOVED, THE NEW GARAGE WILL PROVIDE MORE SPACE BETWEEN THE TWO STRUCTURES.



EXISTING SOUTH GARAGE ABOVE AFTER REMOVAL OF MIDDLE CONNECTOR THAT WAS BUILT IN 1984.
SIDING CONDITION ON SOUTH GARAGE BELOW.





EXISTING APPEARANCE OF NORTH GARAGE AFTER SIDING REMOVAL. FRAMING ON THIS GARAGE IS INSUFFICIENT FOR RECONSTRUCTION. PREVIOUS FRAMING REPAIRS ARE SEEN ATTACHED TO THE ORIGINAL FRAMING.

2016-COA-068 (HMP)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
1615 N. NEW JERSEY HERRON-MORTON PLACE		<i>New Case</i> Center Twp. Council District 11 Vop Osili
Applicant RANDY MCGLOTHLIN mailing address: 410 E. 16 th Street, Apt. 3 Indianapolis, IN 46202		
Owner: SAME AS ABOVE		
EXPEDITED CASE		
IHPC COA: 2016-COA-068 (HMP) Build single-family house and detached 3-car garage		
STAFF RECOMMENDATION: Approval		
STAFF COMMENTS		

Background of the Property

The site was originally the location of a two-story, single-family house. A Certificate of Authorization was granted to the Marion Co. Health Department in 1995 to demolish the house, which was in an extreme state of deterioration. The lot was subsequently bought by Mr. McGlothlin, who now wishes to build a house on it.

Design of the New House

The traditional design is provided by Graber Drafting. The house is sheathed in smooth finish fiber-cement siding. The windows are all double-hung, one-over-one and aluminum clad. The front porch will have tapered wood columns on red brick piers and will have a wood railing. The floor is concrete with brick veneer. The owner has agreed to the following changes:



Required Changes

The applicant has agreed to the following changes in the design. These changes can be reviewed, confirmed and approved by staff when the final plans are approved by staff.

1. Front Windows. The multi-lite grids will not be installed in any windows.
2. First Floor Windows. First floor windows will be increased in height on all elevations.
3. Front Door. A transom will be added above the front door so its height conforms with the higher windows.
4. Steps. Elevation drawings show no steps on front or rear façade. They will be added to final drawings along with handrails, if needed.
5. Roof Eaves. Eaves will NOT be boxed, as opposed to what is shown in these drawings.
6. Siding. The lap siding will have a 5 in. exposure.
7. Gables. The drawing shows the gables to be sided with “shakes.” Staff assumes that to mean either cedar shingles or fiber cement facsimiles. A stipulation is included in the COA requiring that they be a finished quality and installed evenly. They should not look “random and roughly hewn.” Examples:



Random and Rough – NO Finished and Even - YES

Design of the garage

There is a 3-car garage at the rear of the lot. It is a side gable design with one window in each end. These windows will be double-hung windows (although the drawing makes them appear to be casement windows.) It has two overhead doors on the alley, and a pedestrian door on the west elevation. The gable ends have the same decorative shakes as the house.

Setbacks

The house has a front setback of 29 feet from the inside edge of the sidewalk to the front elevation of the house. This falls well within the range of setbacks on the block. The side setbacks on the house are both 5 feet from the property lines on the north and south sides. The garage has a 10 foot setback from the alley.

Herron-Morton Place Plan

The New Construction Guidelines provide some direction for reviewing this project:

Basic Principle: *“New construction should reflect the design trends and concepts of the period in which it is created. New structures should be in harmony with the old and at the same time be distinguishable from the old so the evolution of Herron-Morton Place can be interpreted properly.”*

Style and Design: *“Creativity and original design are encouraged. A wide range is theoretically possible, from modern to revivals, from simple to decorated.”* Also, *“Look for characteristic ways in which buildings are roofed, entered, divided into stories and set on foundations.”*

Fenestration: *“Creative expression with fenestration is not precluded, provided the result does not conflict with or draw attention from surrounding historic buildings.”*

Materials: Visual compatibility between historic building materials and new materials *“...can often be accomplished with some flexibility since building materials... have less impact on visual compatibility than larger scale visual elements.”*

Staff believes that the massing and design of the building respects the historic and new construction buildings that surround it, and is consistent with the design guidelines in the Plan.

STAFF RECOMMENDED MOTION

COA #2016-COA-068 (HMP):

To approve a Certificate of Appropriateness to construct a single-family house and detached 3-car garage, as per submitted documentation and subject to the following stipulations:

DCE: Stipulations number 1, 2, and 3 must be fulfilled prior to issuance of permits.

- 1. Construction must not commence prior to approval by the IHPC staff of final construction drawings showing the changes mentioned in the report. *Approved _____ Date _____***
- 2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction. *Approved _____ Date _____***
- 3. The site shall be field staked with no offsets and approved by IHPC staff prior to construction. *Approved _____ Date _____***
- 4. Boxed soffits (“bird boxes”) are not permitted. Rafter tails may be left exposed or sheathed with sloping soffit board parallel to pitch of roof.**
- 5. “Shake” siding in the gables must be cedar singles or a facsimile that have a finished quality and are installed evenly. They should not look “random and roughly hewn.”**
- 6. A durable marker indicating the date of construction must be incorporated into the front foundation of the house (not the porch) and approved by IHPC staff prior to installation.**

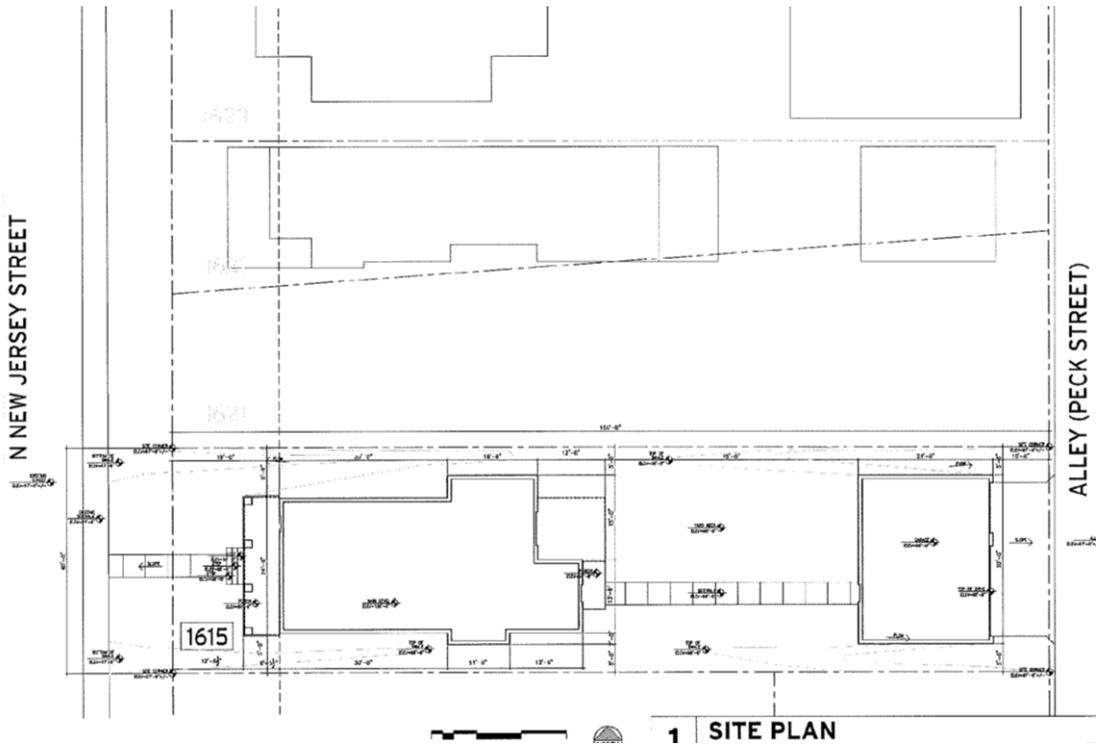
7. All utility wires and cables must be located underground. No installation of utilities or meter and mechanical placement shall commence prior to IHPC staff approval.
8. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, etc.
9. The front porch shall not extend further forward than the porch of the house to the south.
10. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.

Staff Reviewer: Meg Purnsley

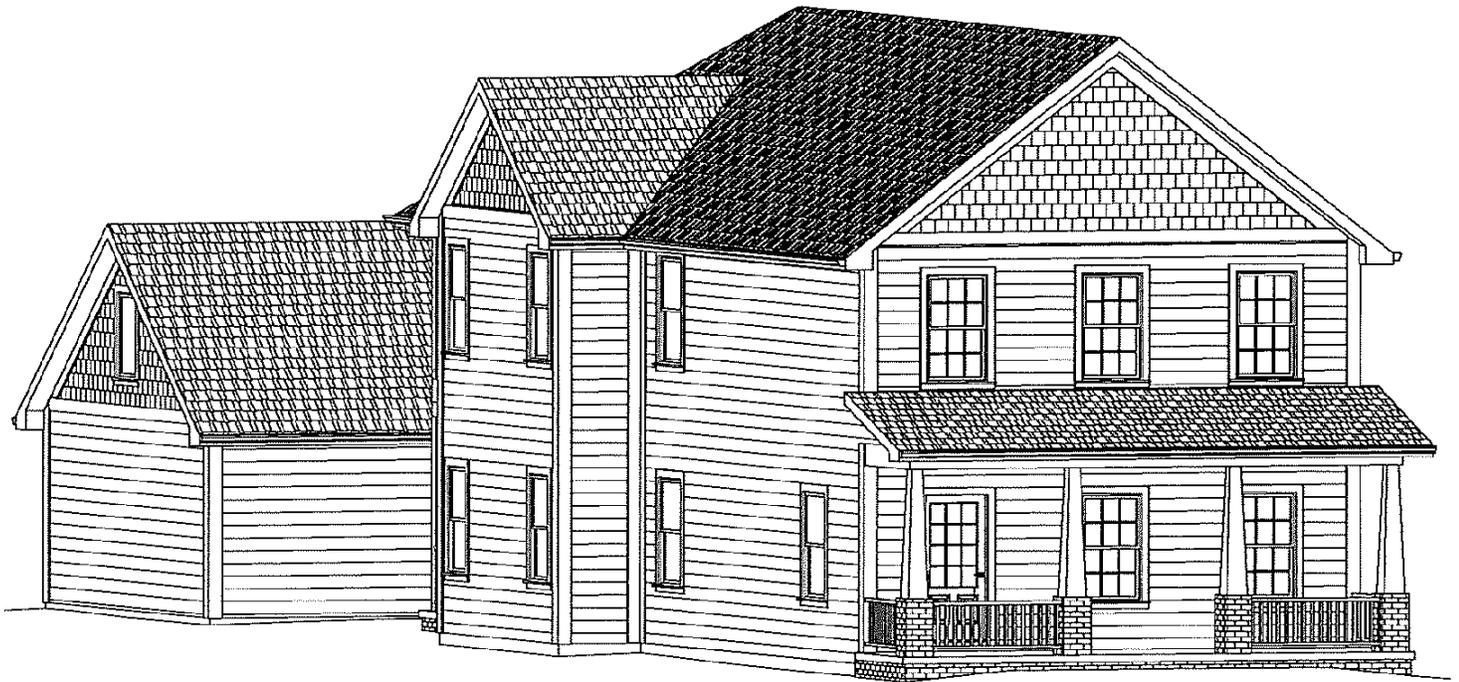


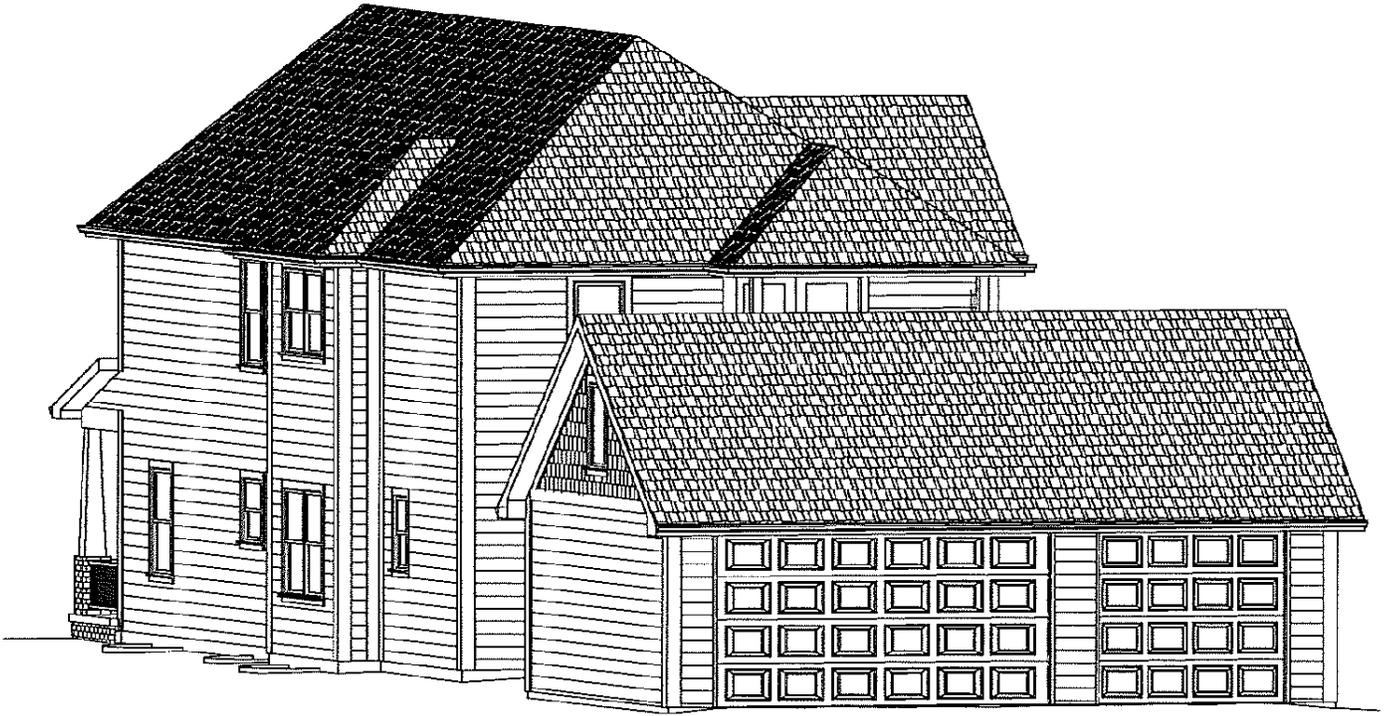
Location in Herron-Morton Place

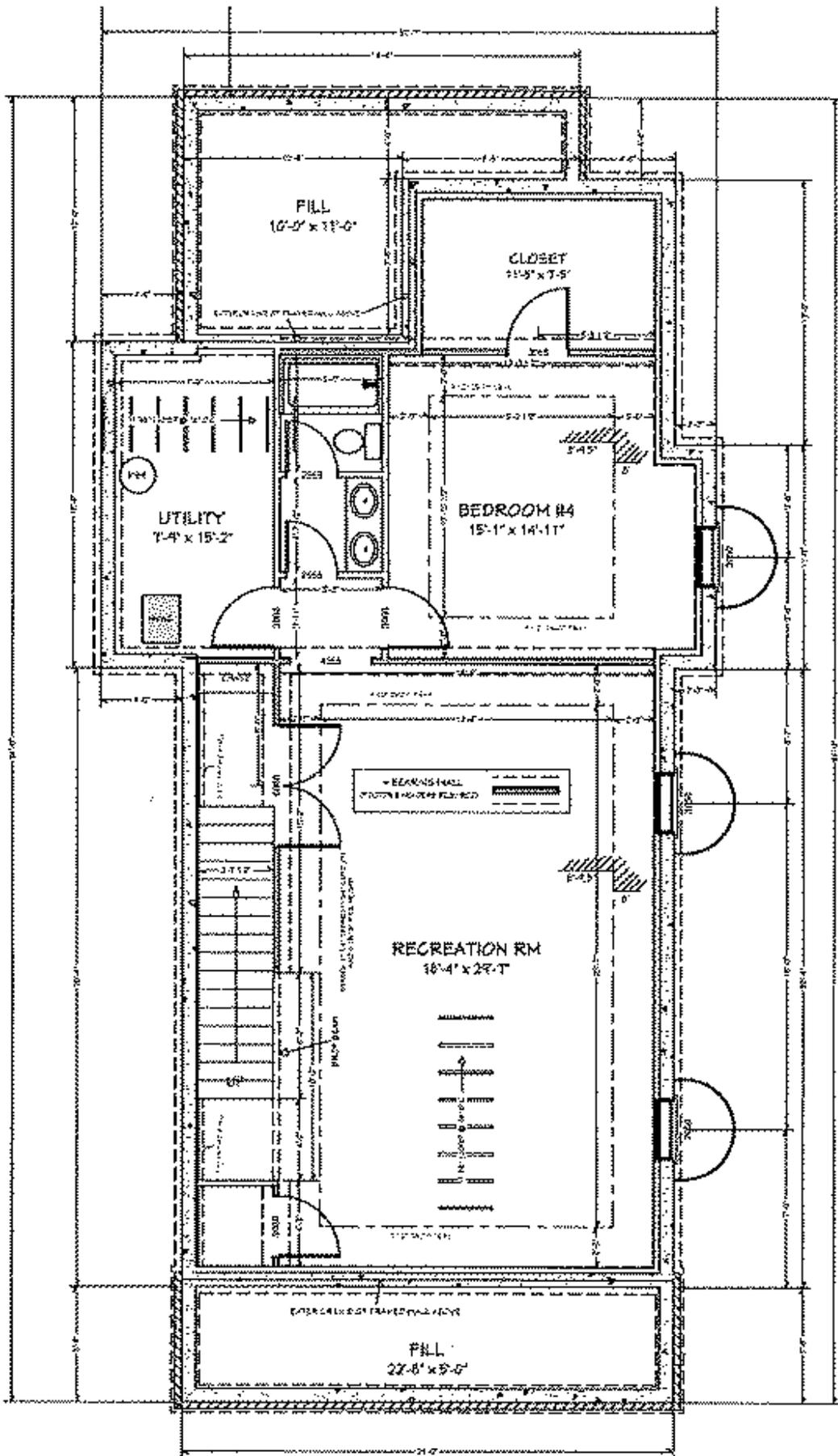




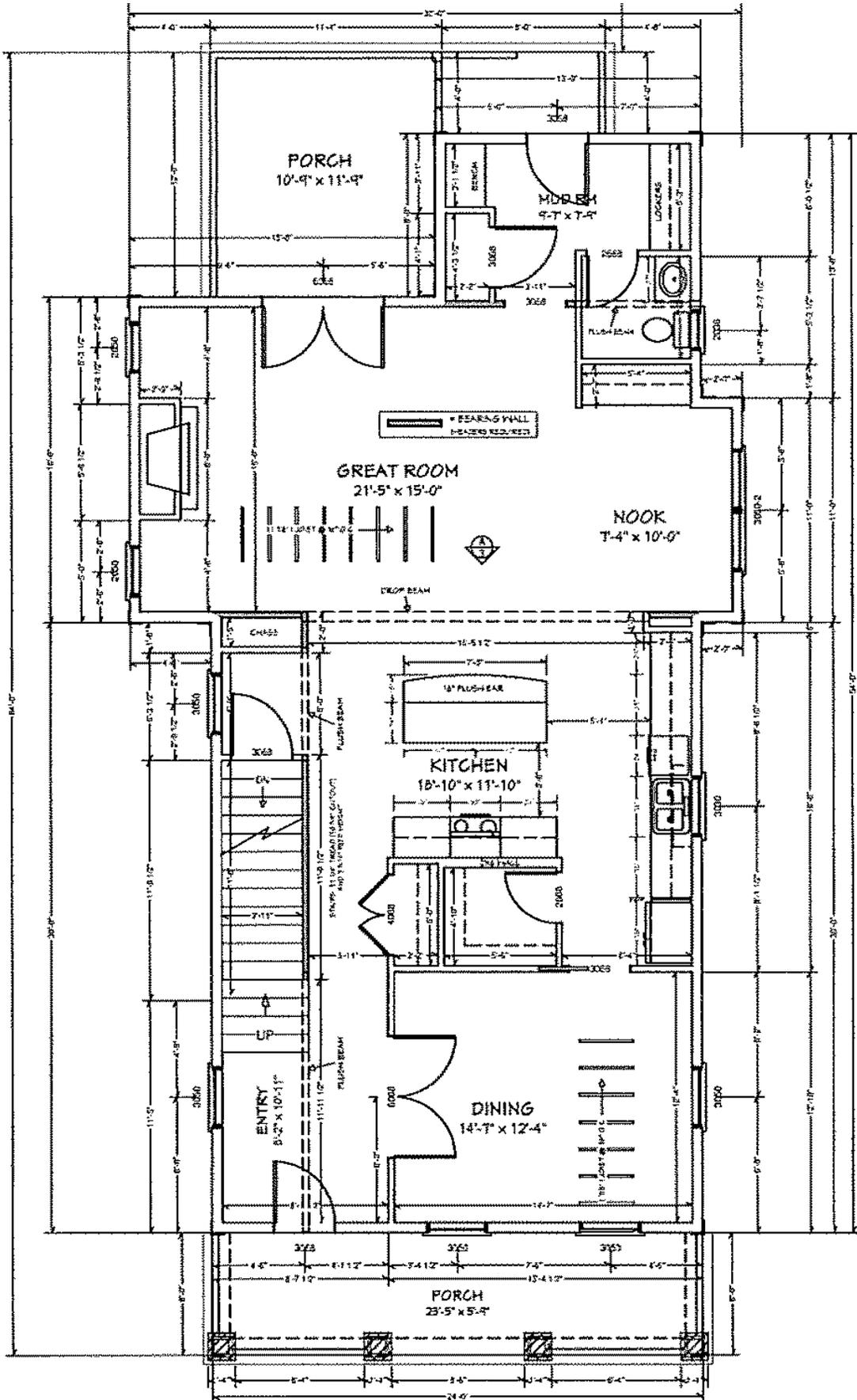
**3D MODEL OF HOUSE AND GARAGE
(GRIDS FROM WINDOWS AND BOXED SOFFITS WILL BE REMOVED)**



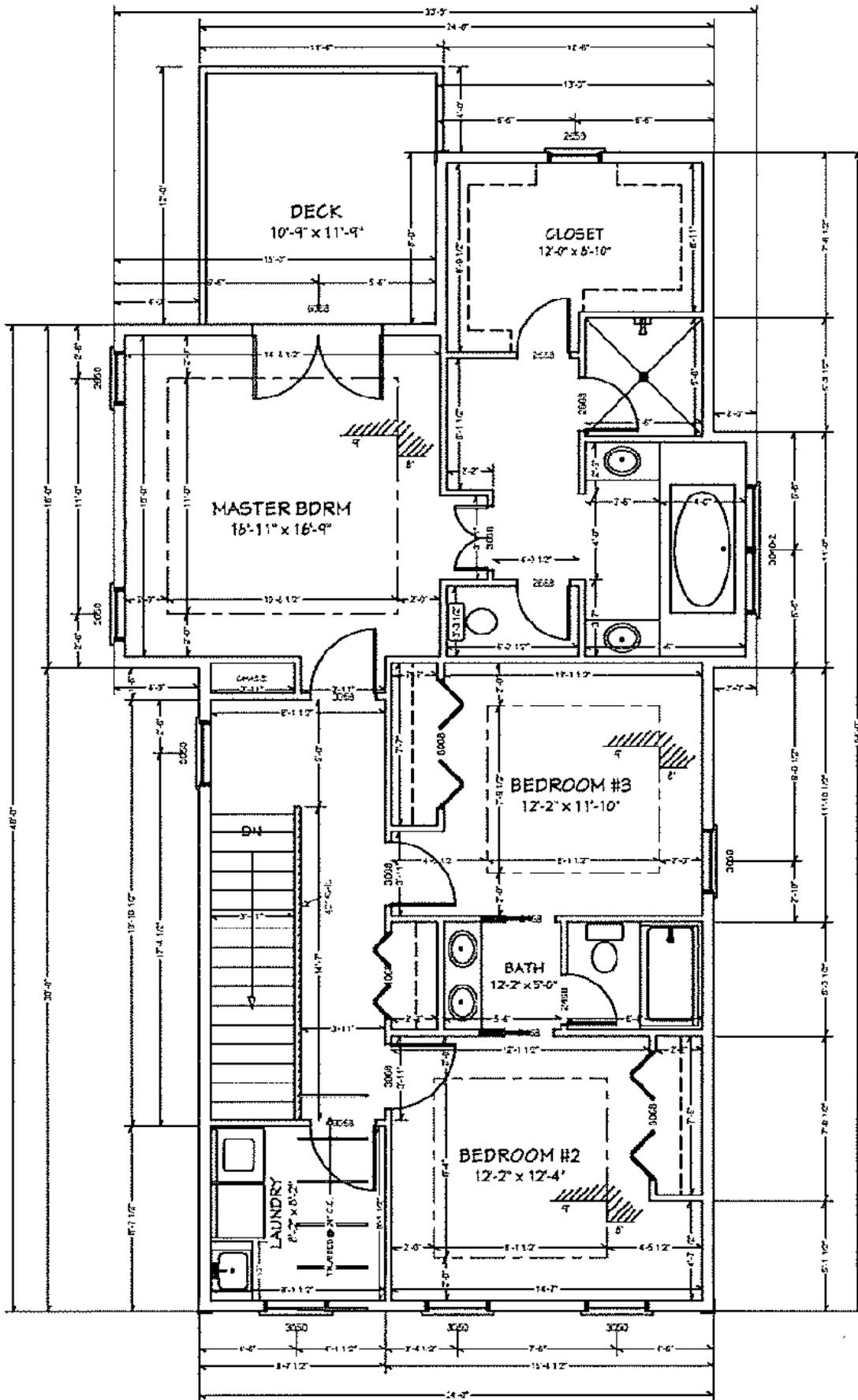




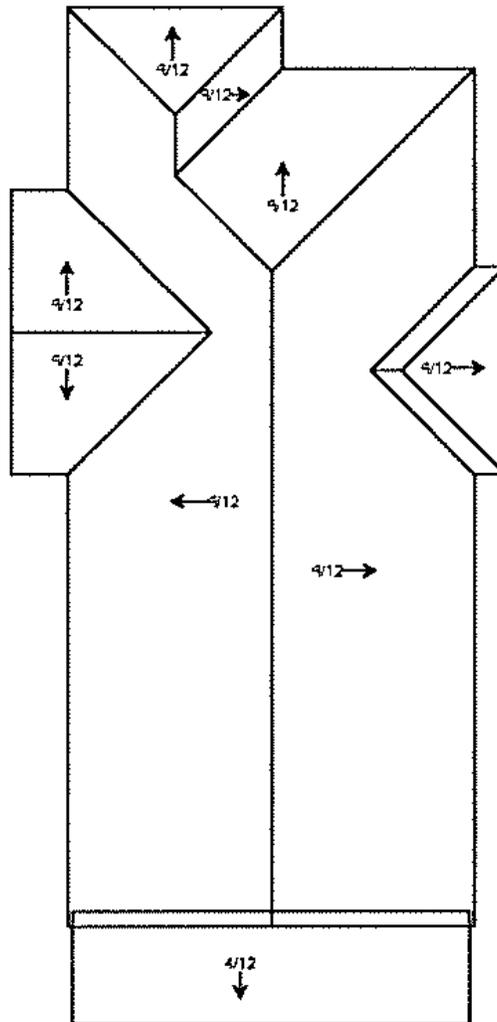
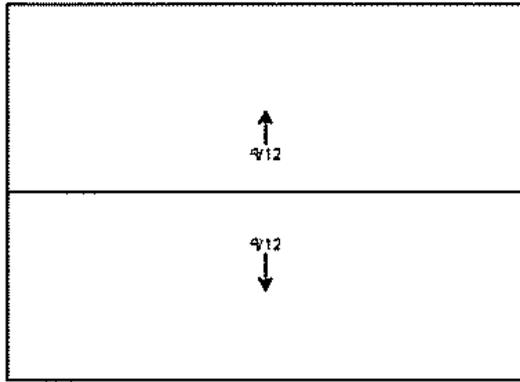
FOUNDATION PLAN



FIRST FLOOR PLAN



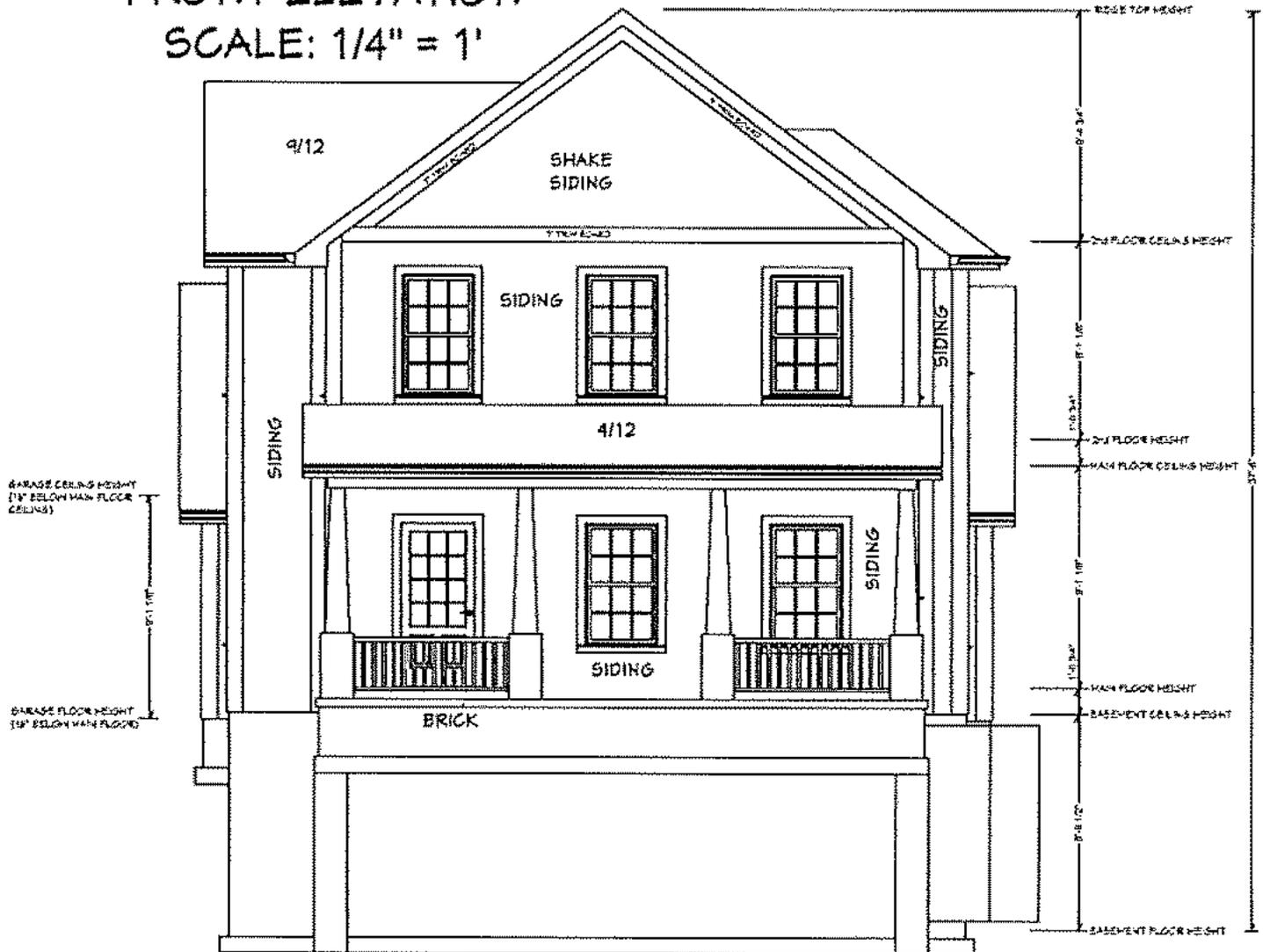
SECOND FLOOR PLAN



ROOF PLAN

FRONT ELEVATION

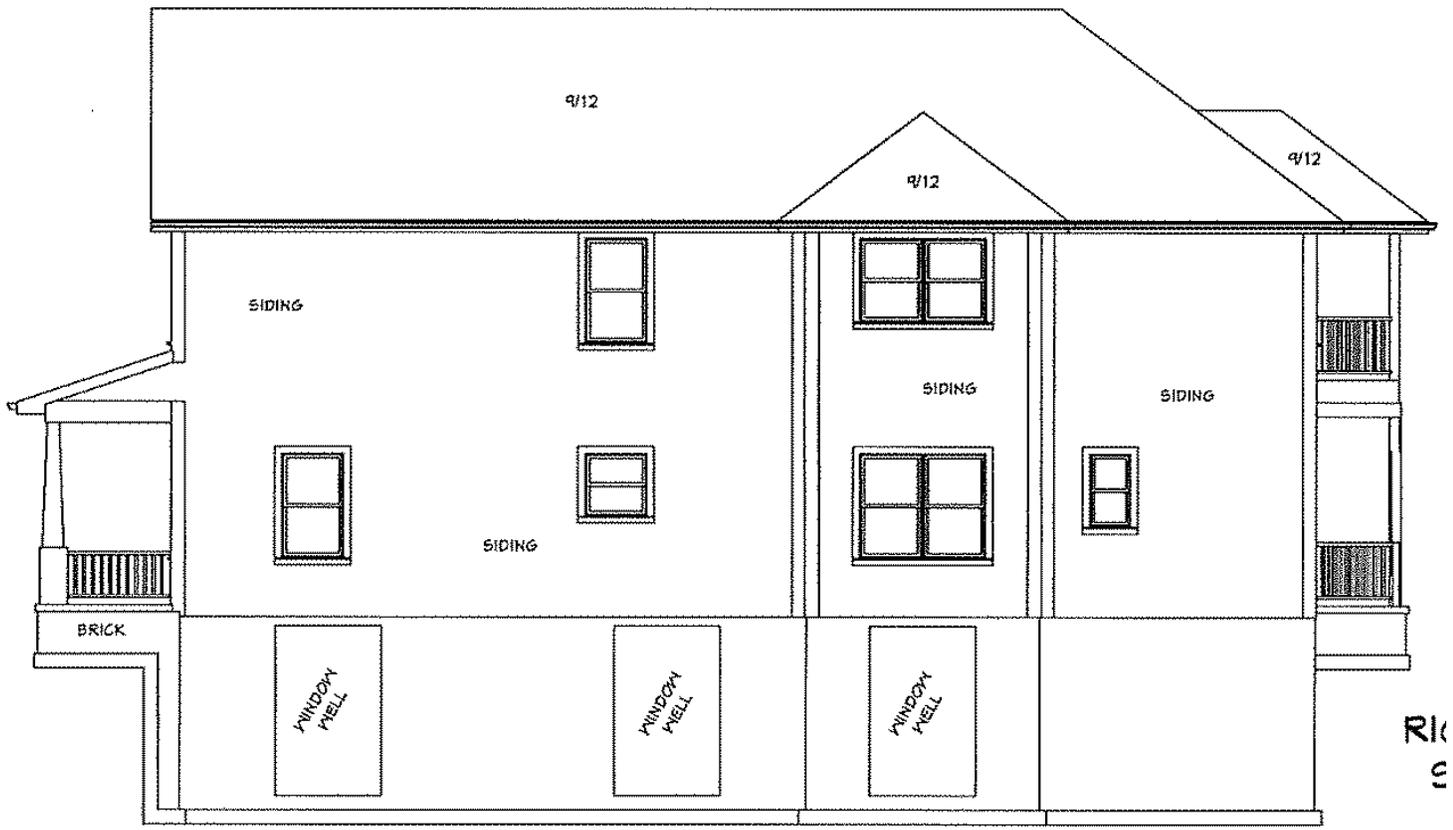
SCALE: 1/4" = 1'



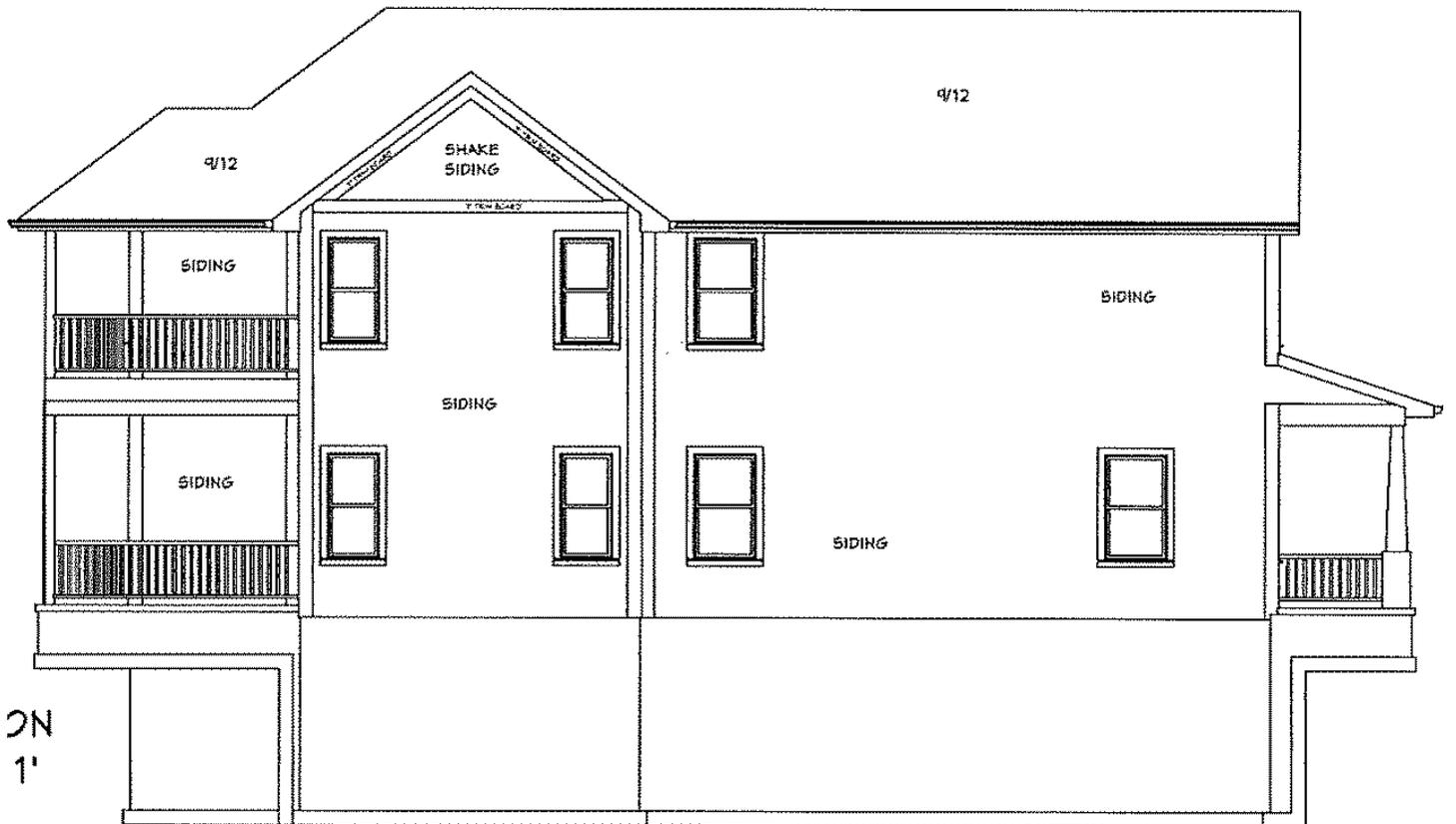
1. FRONT WINDOW MUNTINS (GRIDS) WILL BE REMOVED ON FINAL CONSTRUCTION DRAWINGS TO MATCH OTHER WINDOWS ON HOUSE.
2. HOUSE AND GARAGE WILL NOT HAVE BOXED SOFFITS.



REAR ELEVATION

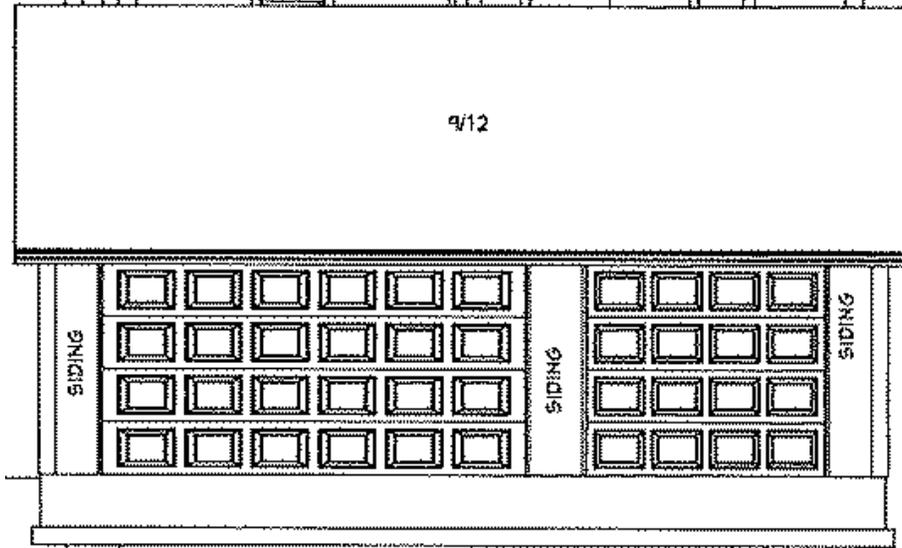


SOUTH SIDE ELEVATION

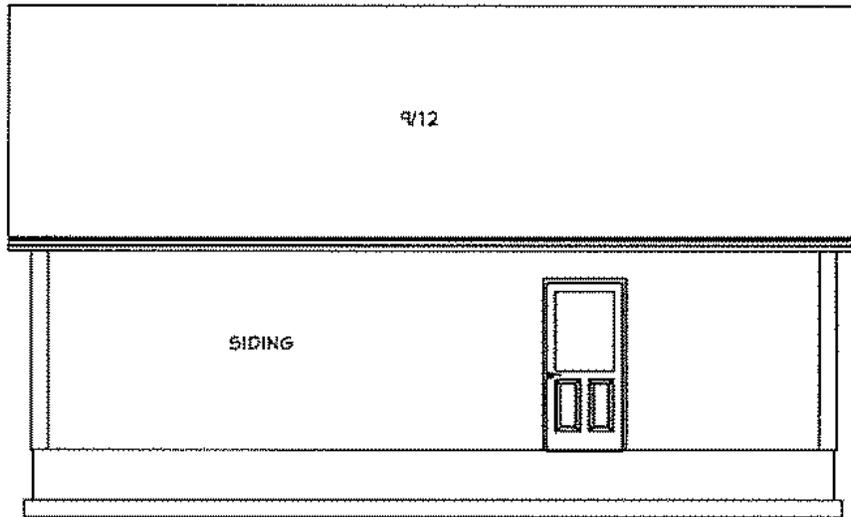


ON
1'

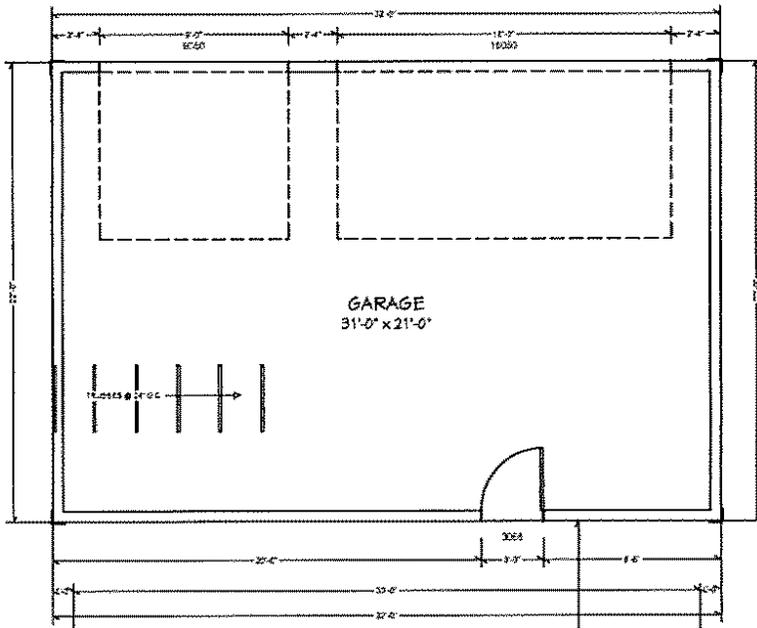
NORTH SIDE ELEVATION



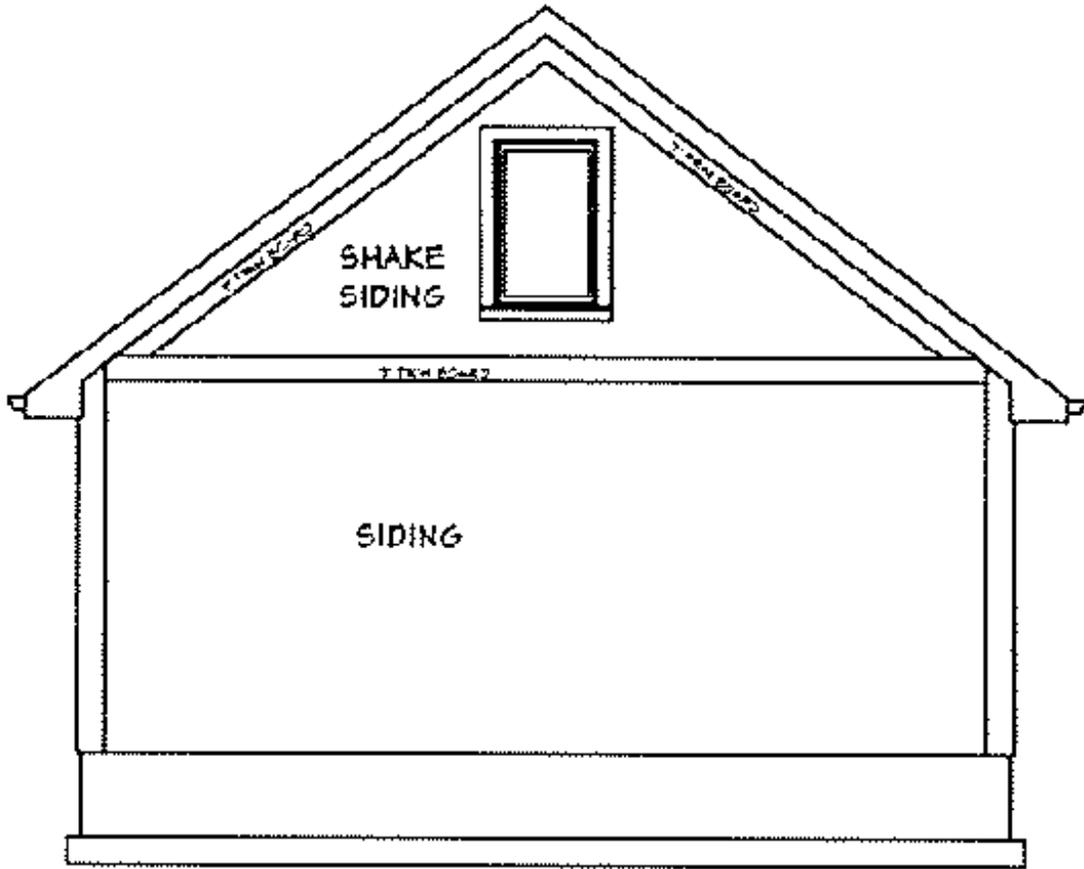
EAST ELEVATION



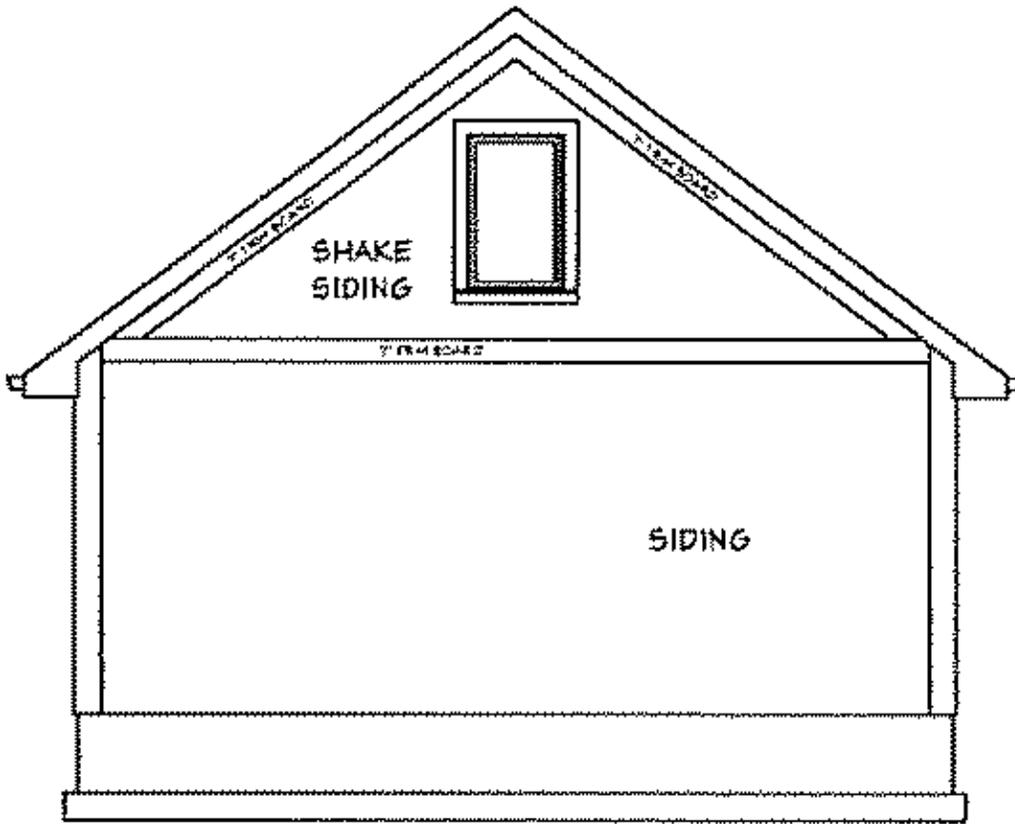
WEST ELEVATION



GARAGE FLOOR PLAN



NORTH SIDE



SOUTH SIDE



Above: Subject site

Below: Houses across the street





Above: Houses across the street
Below: Building to the south of the site



Next door to that lot are a new house and a historic frame Victorian house. The three houses to the south are historic and include a duplex that is undergoing total rehabilitation, a one story cottage, and a 1 ½ story cottage. This house was designed to bridge the gap between the contemporary houses to the north and the historic houses to the south.

Herron-Morton Place Plan

The New Construction Guidelines provide some direction for reviewing this project:

Basic Principle: *“New construction should reflect the design trends and concepts of the period in which it is created. New structures should be in harmony with the old and at the same time be distinguishable from the old so the evolution of Herron-Morton Place can be interpreted properly.”*

Style and Design: *“Creativity and original design are encouraged. A wide range is theoretically possible, from modern to revivals, from simple to decorated.”* Also, *“Look for characteristic ways in which buildings are roofed, entered, divided into stories and set on foundations.”*

Fenestration: *“Creative expression with fenestration is not precluded, provided the result does not conflict with or draw attention from surrounding historic buildings.”*

Materials: Visual compatibility between historic building materials and new materials *“...can often be accomplished with some flexibility since building materials... have less impact on visual compatibility than larger scale visual elements.”*

Staff believes that the massing and design of the building respects the historic and new construction buildings that surround it, and are consistent with the design guidelines in the Plan.

STAFF RECOMMENDED MOTION

COA #2016-COA-070 (HMP):

To approve a Certificate of Appropriateness to construct a single family house and detached 2.5-car garage, as per submitted documentation and subject to the following stipulations:

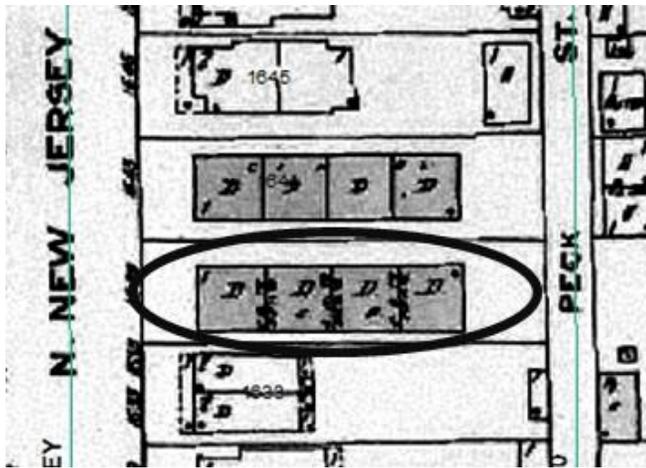
DCE: Stipulations number 1, 2, and 3 must be fulfilled prior to issuance of permits.

- 1. Construction must not commence prior to approval by the IHPC staff of final construction drawings. *Approved _____ Date _____***
- 2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction. *Approved _____ Date _____***
- 3. The site shall be field staked with no offsets and approved by IHPC staff prior to construction. *Approved _____ Date _____***
- 4. Boxed soffits (“bird boxes”) are not permitted. Rafter tails may be left exposed or sheathed with sloping soffit board parallel to pitch of roof.**
- 5. A durable marker indicating the date of construction must be incorporated into the front foundation of the house (not the porch) and approved by IHPC staff prior to installation.**
- 6. All utility wires and cables must be located underground. No installation of utilities or meter and mechanical placement shall commence prior to IHPC staff approval.**
- 7. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, etc.**
- 8. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.**

Staff Reviewer: Emily Jarzen



Location of subject property



1956 Sanborn



Aerial view of site



Subject lot



Houses to the north

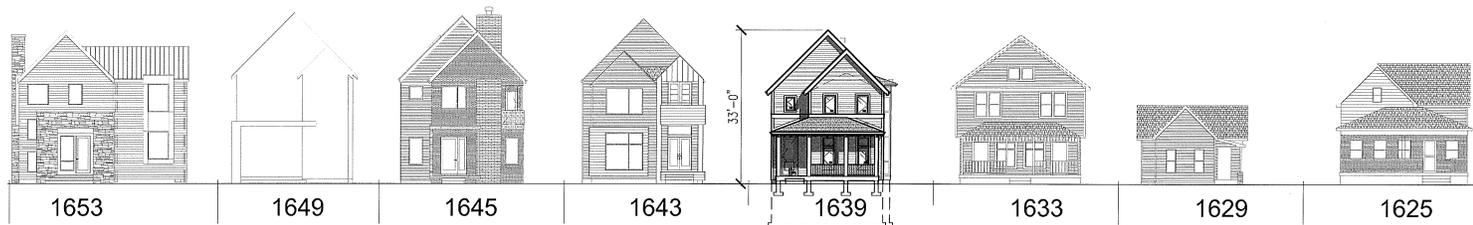
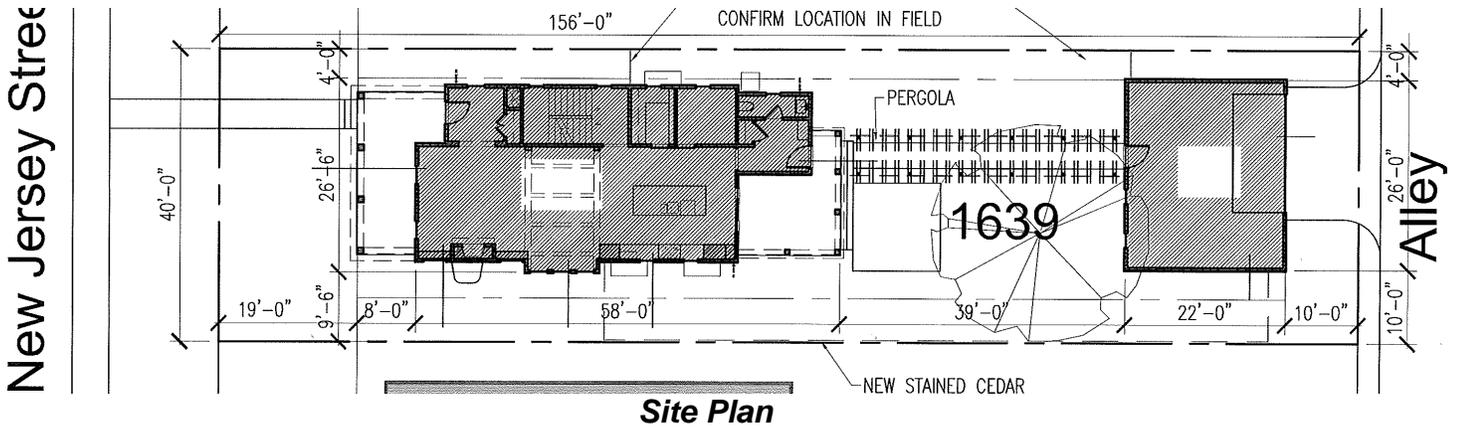


Houses to the south

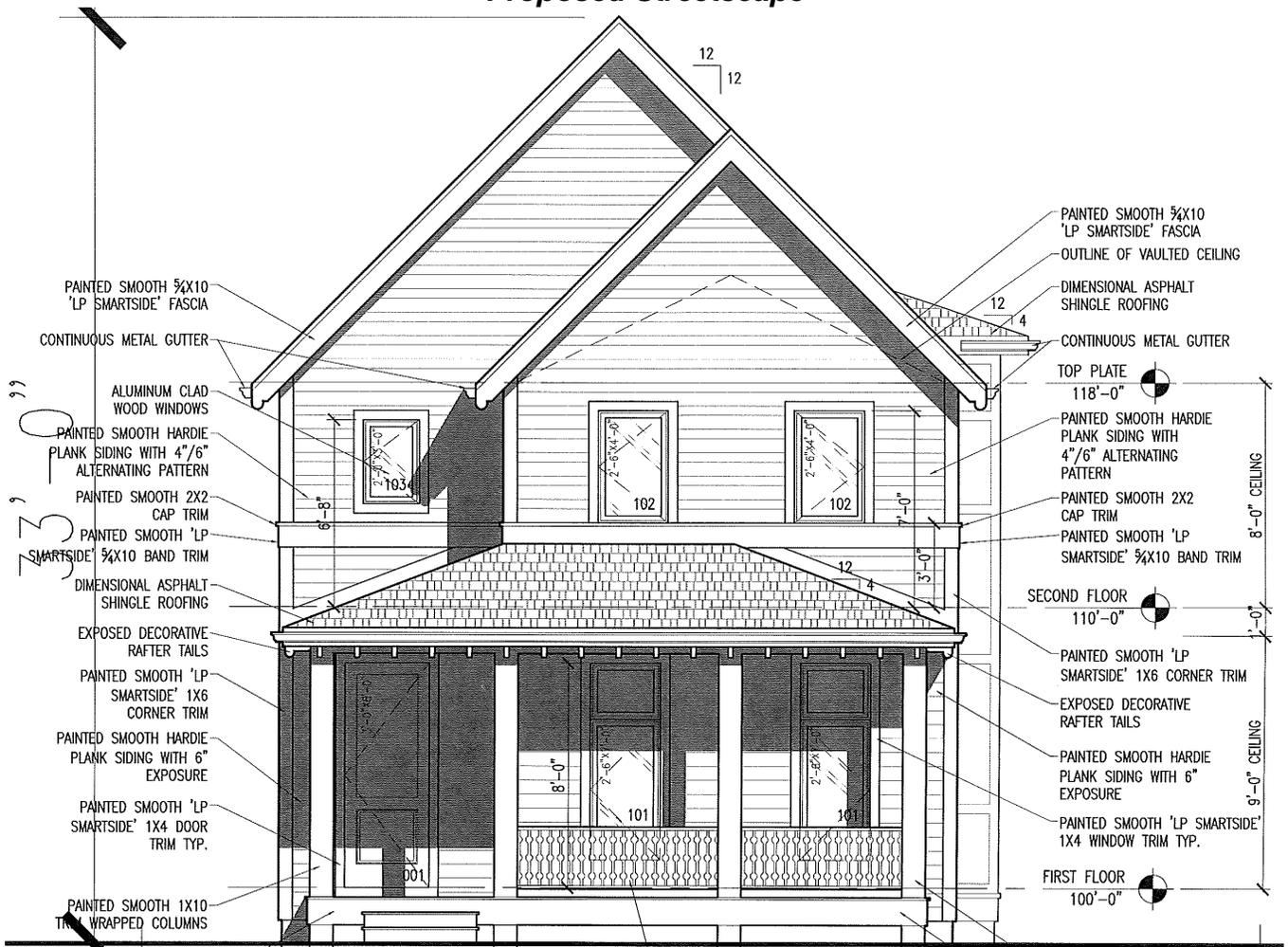


Context across the street

NOTE: Commission members will receive full set of plans.



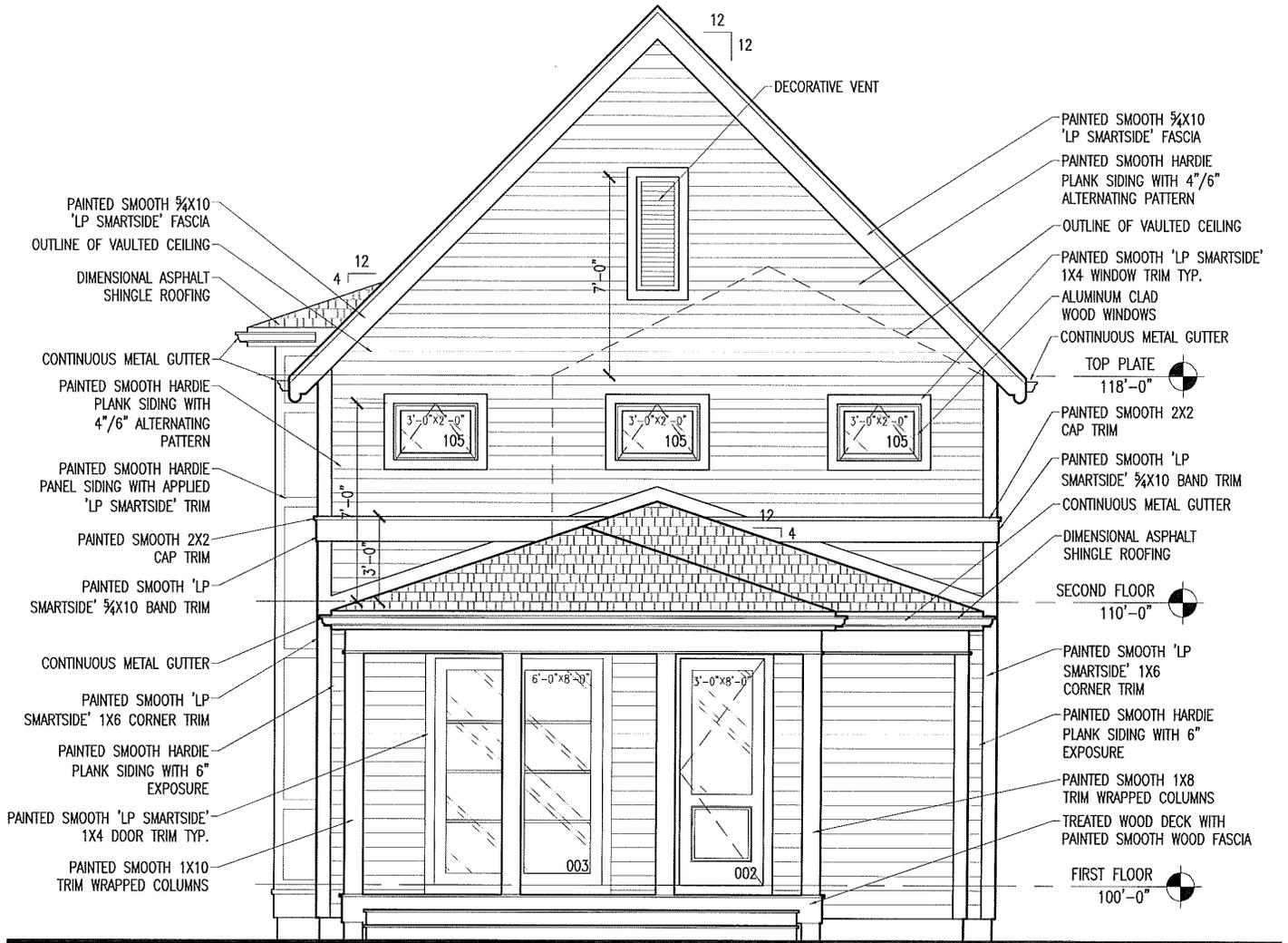
Proposed Streetscape



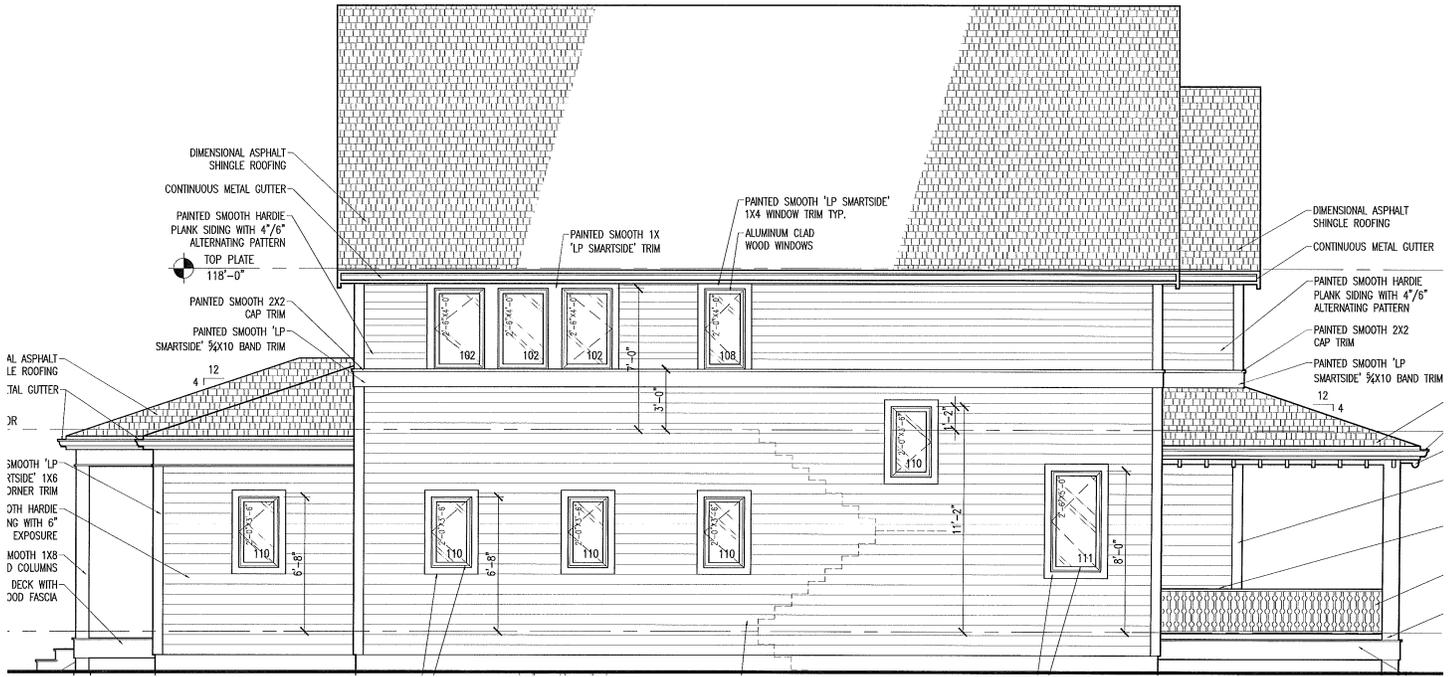
Front (West) Elevation



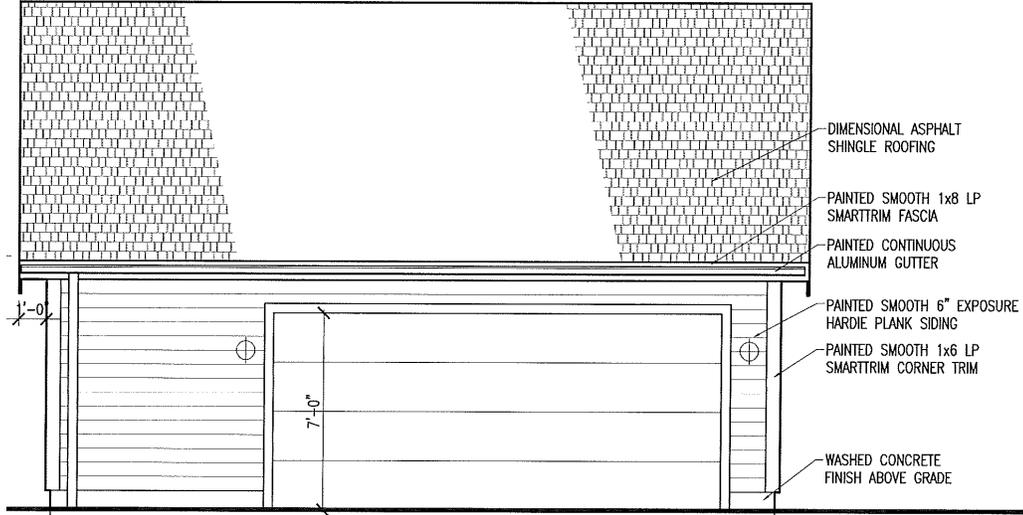
South Elevation



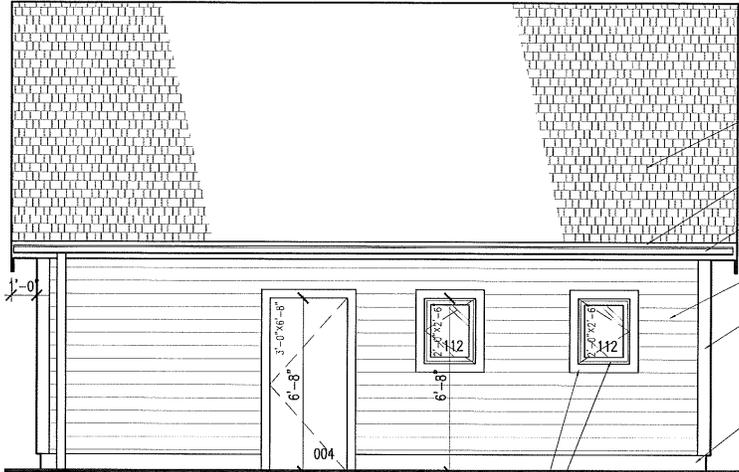
Rear (East) elevation



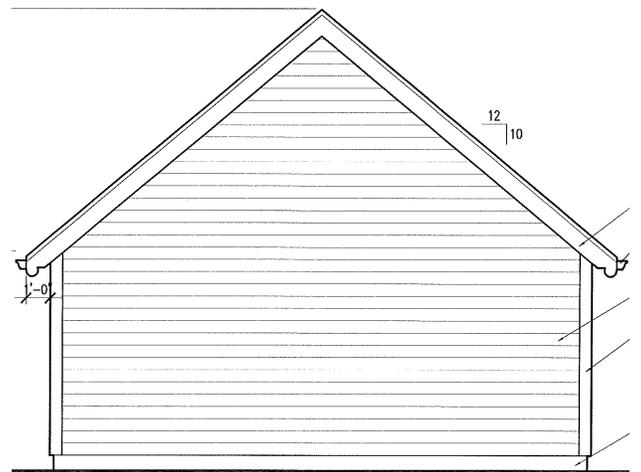
**North elevation
Garage Plans**



East Elevation



West Elevation



North and South Elevations

COA # 2016-COA-077 (HMP)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
2132 N. DELAWARE HERRON-MORTON PLACE		NEW CASE
Applicant CRAIG RAPP, Architect mailing address: 118 W. St. Clair Street Indianapolis, IN 46204		Center Twp. Council District 11 Vop Osili
Owner: DAVE TANG 6200 Stoneridge Mall Road, Suite 320 Pleasanton, CA 94588		
EXPEDITED CASE		
IHPC COA: 2016-COA-077 (HMP) Build a 2-story, single-family house and detached 3-car garage.		
STAFF RECOMMENDATION: Approval		

STAFF COMMENTS

Background of the Property

The 1898 Sanborn map shows a 2 ½ story dwelling at this location. It was demolished between 1979 and 1986. A 1½ story concrete block structure was constructed at the rear of the lot sometime after 1954. It served as a warehouse until about 1973, when Shouten Metal Craft took ownership. They occupied the building until 1987. The building was demolished in 2006. It is currently a vacant lot.

The Site. The site for this new house is the southern half of a double lot known today as 2134 N. Delaware St. Mr. Tang owns the entire double lot and is in the process of dividing it into two lots, as it was historically. The lot this house will be on will be known as 2132 N. Delaware. In a separate COA application, Mr. Tang is proposing a new house on the northern half of the double lot.

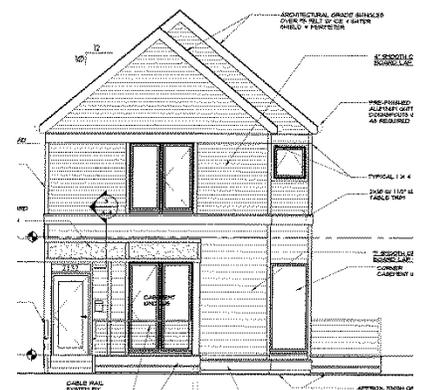
Design & Materials of the House and Garage

Craig W. Rapp, Associates designed this contemporary house featuring dual front gables. It will be sided with 7 in. smooth finish fiber-cement lap siding on the first floor and 4 in. lap siding on the second floor. A panel board and batten detail wraps the south corner. The front façade has a canopy covered entry porch with cable railing. The design features single-light fixed, casement, and awning windows throughout.

The rear (west) elevation is fairly simple in style. There are grouped windows on the second floor, and large windows and a door on the rear, covered by a slightly curved, contemporary acrylic canopy.

The north side elevation features the two lap siding types. Single-light French doors lead to a deck with a cable railing like the front porch. This is situated on a large bump-out bay. There is a mix of tall and smaller awning windows. The south side elevation has panels that wrap around the side from the front to add visual interest. The remainder of the façade is the lap siding, limitedly punctuated by tall, slender windows.

The garage is a simple front gable design with lap siding. It has a two car and a single car overhead garage door on the alley, an awning window on the north elevation, and an awning window and pedestrian door on the east elevation.



Setbacks

There is a 23 ft. setback to the front porch, which matches the setback to the porch on the historic house to the south. The house has a 6 ft. side yard setback on the north and a 4 ft. side yard setback on the south. The garage has the same side yard setbacks as the house, and has an 8 ft. setback from the alley.

Context

The context on this block is highly varied. There is a frame Colonial Revival to the south, and a Foursquare to the north. New houses are also on the block and a 3-story brick apartment building is at the corner on 22nd St. Across the street is a long, frame historic fourplex. There is also a historic 1½ story bungalow. While the two closest neighboring houses are large, the newer houses are not as massive, and the bungalow across the street is much smaller in scale than many of the other houses.

Herron-Morton Place Area Plan

The New Construction Guidelines provide direction for reviewing this project:

Basic Principle: *“New construction should reflect the design trends and concepts of the period in which it is created. New structures should be in harmony with the old and at the same time be distinguishable from the old so the evolution of Herron-Morton Place can be interpreted properly.”*

Style and Design: *“Creativity and original design are encouraged. A wide range is theoretically possible, from modern to revivals, from simple to decorated.”*

“Surrounding buildings should be studied for their characteristic design elements. The relationship of those elements to the character of the area should then be assessed. Significant elements define compatibility. Look for characteristic ways in which buildings are roofed, entered, divided into stories and set on foundations. Look for character defining elements such as chimneys, dormers, gables, overhanging eaves, and porches”

“Avoid the adoption of, or borrowing from styles, motifs or details of a period earlier than that of the historic district or which are more typical of other areas or cities.”

Fenestration: *“Creative expression with fenestration is not precluded, provided the result does not conflict with or draw attention from surrounding historic buildings.”*

Materials: *“The dimensions, textures and patterns of building materials should not conflict with those found on historic buildings in the area. This can often be accomplished with some flexibility since building materials, if used within basic guidelines, have less impact on visual compatibility than larger scale visual elements.”*

Staff finds this design compatible with the plan guidelines and the context of varying styles of new and historic buildings. It has a modern character and does not attempt to mimic a particular style.

STAFF RECOMMENDED MOTION

2016-COA-077 (HMP):

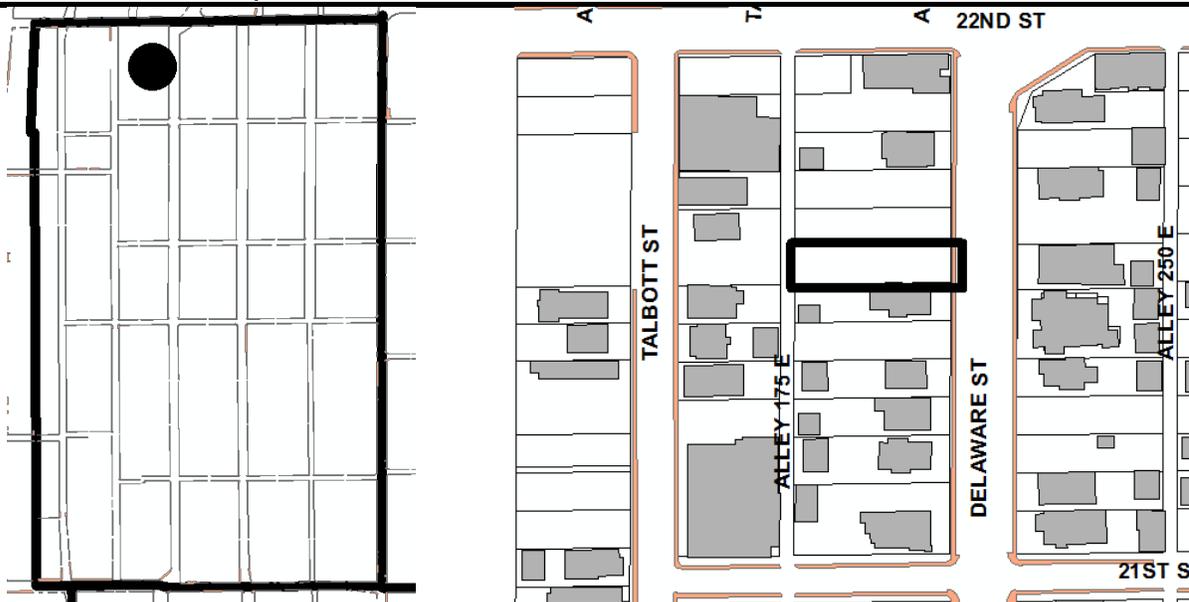
To approve a Certificate of Appropriateness for construction of a 2-story, single-family house and a detached, 3-car garage per the submitted documentation and subject to the following stipulations:

DCE: Stipulations number 1, 2, and 3 must be fulfilled prior to issuance of permits.

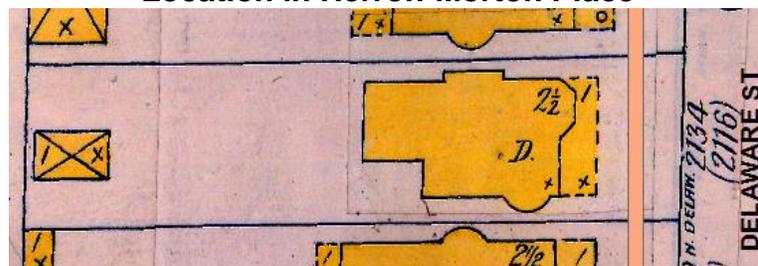
- 1. Construction must not commence prior to approval by the IHPC staff of final construction drawings. Approved _____ Date _____**

2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction. *Approved _____ Date _____*
3. The site shall be field staked with no offsets and approved by IHPC staff prior to construction. *Approved _____ Date _____*
4. Boxed soffits (“bird boxes”) are not permitted. Rafter tails may be left exposed or sheathed with sloping soffit board parallel to pitch of roof.
5. Trim and siding shall be wood or fiber-cement, and shall have a smooth texture and be free of major imperfections. Rough-sawn finishes are not permitted. Siding reveal must match approved drawings.
6. A durable marker indicating the date of construction must be incorporated into the front foundation of the house (not the porch).
7. All utility wires and cables must be located underground. No installation of utilities or meter and mechanical placement shall commence prior to IHPC staff approval.
8. Deck details (including railing design and decking material), must be approved by IHPC staff prior to purchase or installation. *Approved: _____ Date: _____*
9. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, etc.
10. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.

Staff Reviewer: Emily Jarzen



Location in Herron-Morton Place



1898 Sanborn map



Aerial view of site (2132 proposal to be located on south half of lot after split)

NOTE: Commission members will receive full set of plans

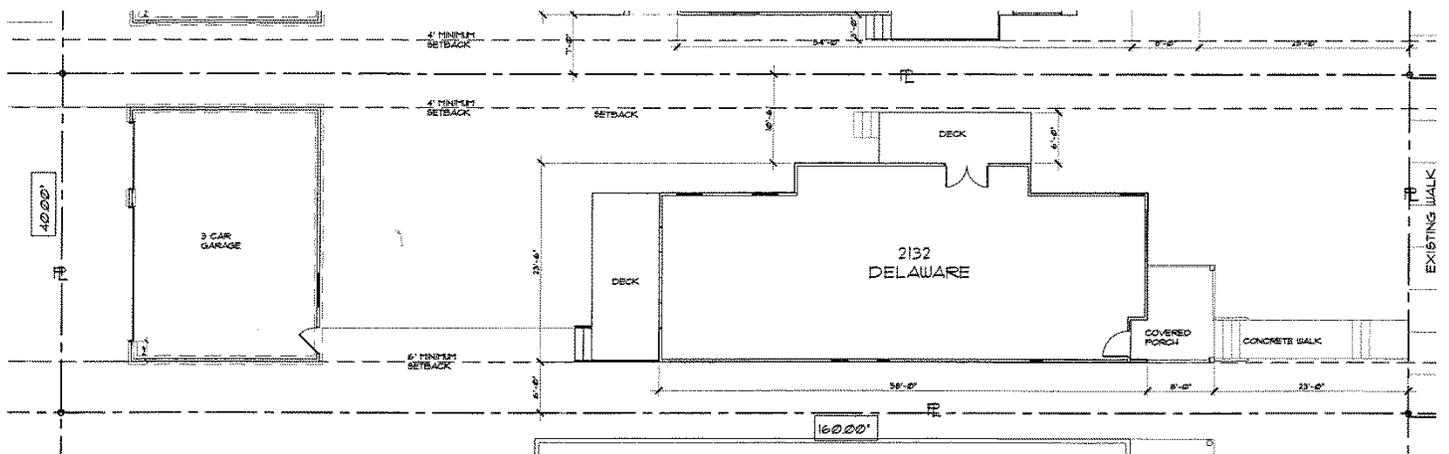
This Application



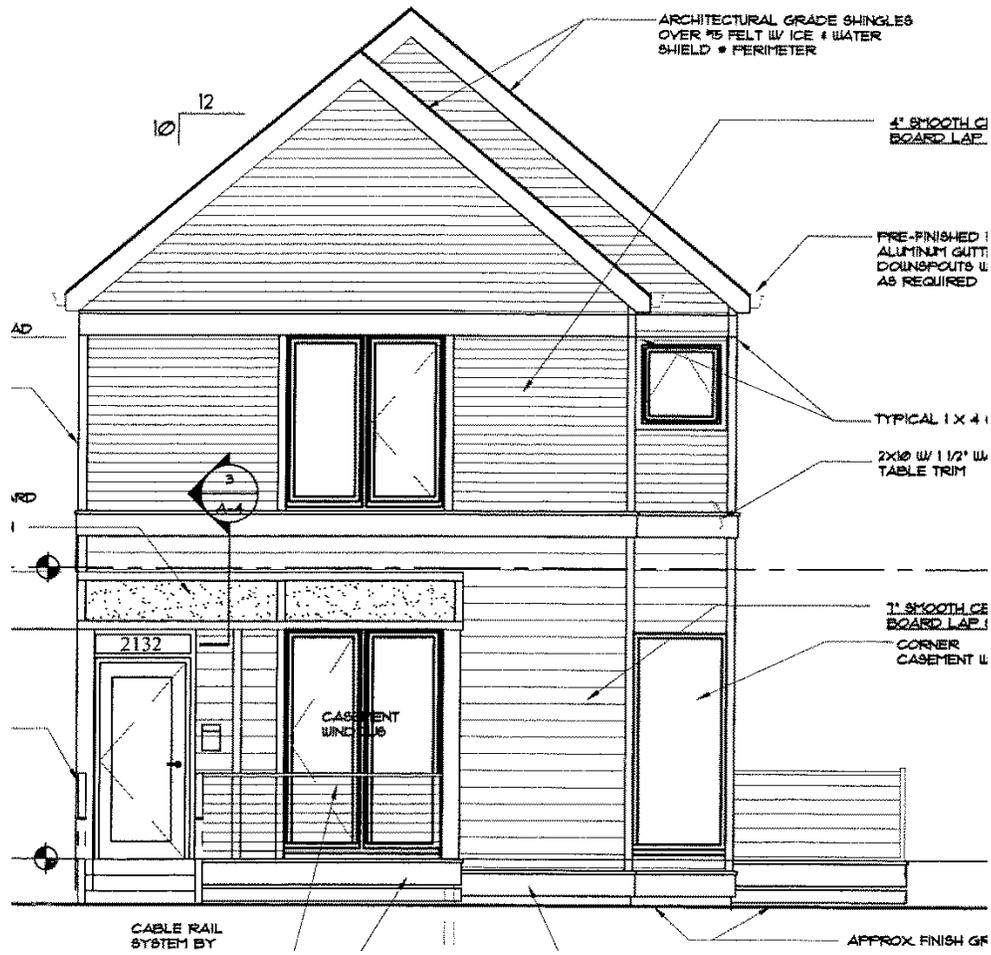
2132 Delaware 2134 N. Delaware

Mr. Tang's Two Proposed New Houses

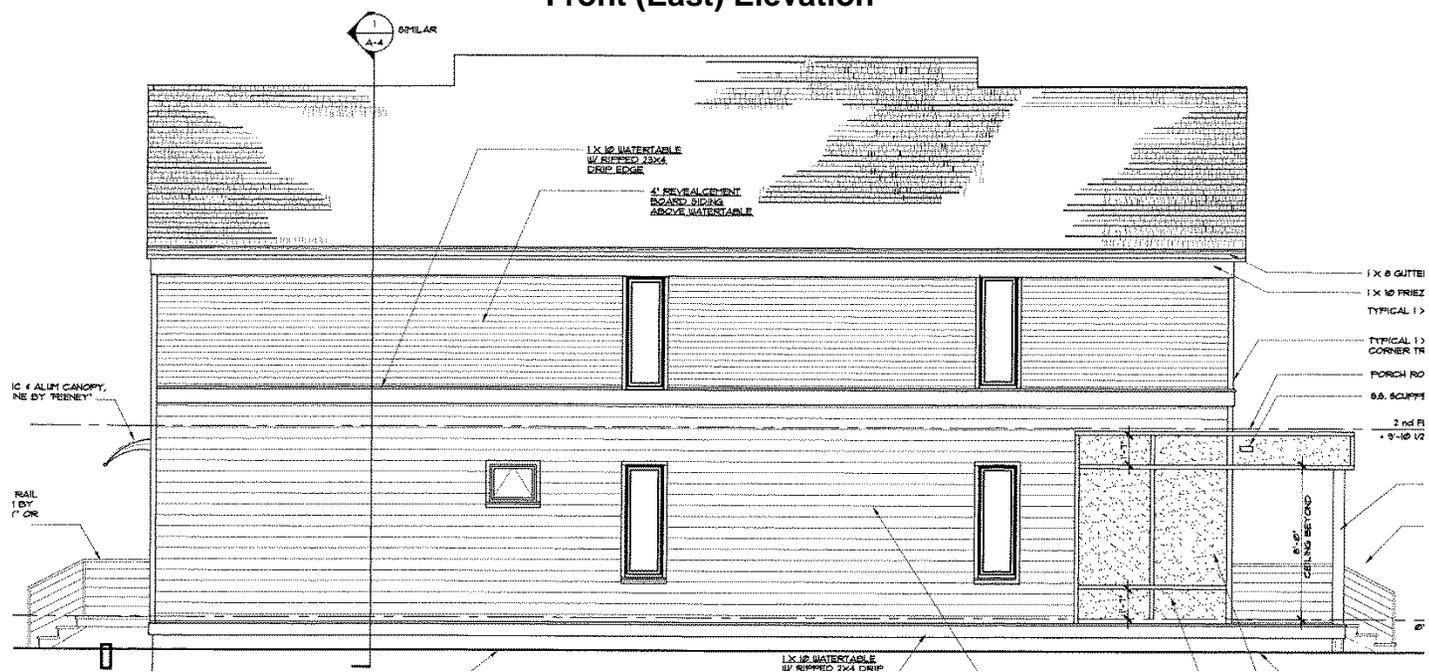
(streetscape does not reflect siding change requested by Herron-Morton Place Land Use committee at 3/29 meeting, but overall proportions are the same)



Proposed Site Plan



Front (East) Elevation



South elevation



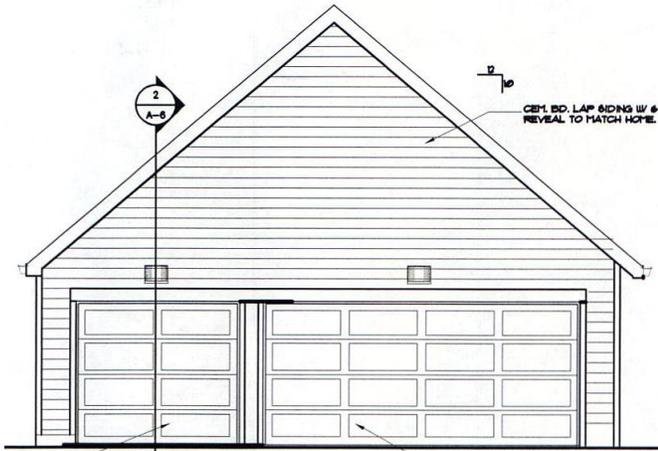
Rear (west) elevation



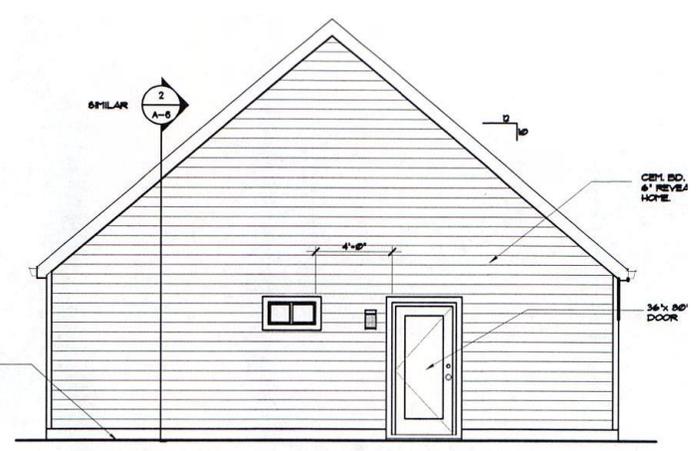
Canopy on rear and north elevations



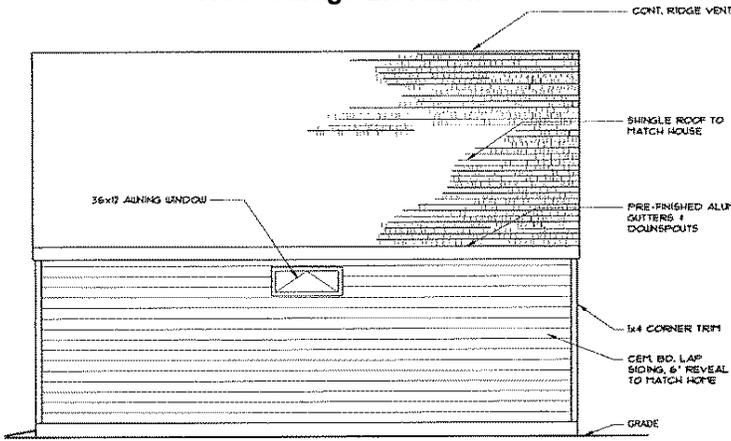
North elevation



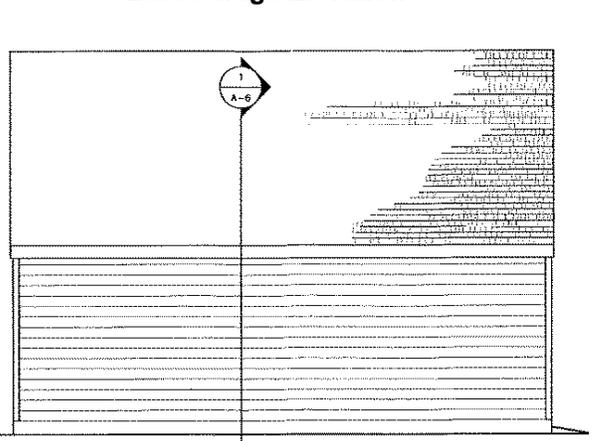
West Garage Elevation



East Garage Elevation



GARAGE - NORTH ELEVATION



GARAGE - SOUTH ELEVATION



Subject lot with house to the south



Subject lot with house to the north



Context to the south



Context across the street

COA # 2016-COA-078 (HMP)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION	Hearing Date APRIL 6, 2016
STAFF REPORT		NEW CASE Center Twp. Council District 11 Vop Osili
2134 N. DELAWARE HERRON-MORTON PLACE		
Applicant CRAIG RAPP, Architect mailing address: 118 W. St. Clair Street Indianapolis, IN 46204 <hr/> Owner: DAVE TANG 6200 Stoneridge Mall Road, Suite 320 Pleasanton, CA 94588		
EXPEDITED CASE		
IHPC COA: 2016-COA-078 (HMP) Build a 2-story, single-family house and detached 3-car garage.		
STAFF RECOMMENDATION: Approval		

STAFF COMMENTS

Background of the Property

The 1898 Sanborn map shows a 2 ½ story dwelling at this location. By 1915, it had been converted to flats. The lot was cleared between 1962 and 1972 and used for parking. It is currently a vacant lot.

The Site. The site for this new house is the northern half of a double lot known today as 2134 N. Delaware St. Mr. Tang owns the entire double lot and is in the process of dividing it into two lots, as it was historically. The lot this house will be on will continue to be known as 2134 N. Delaware. In a separate COA application, Mr. Tang is proposing a new house on the southern half of the double lot.

Design & Materials of the House and Garage

Craig W. Rapp, Associates has designed this contemporary house with dual front gables. The siding is predominantly smooth finish fiber-cement lap siding. There is also a decorative board and batten band under the eaves. The design features single-light fixed, casement, and awning windows throughout.



The front (east) façade has a standing seam metal shed roof porch. Next to the porch are a set of door sized casement windows. There is a decorative board and batten panel in the gable end. The rear (west) elevation has a shed roof bay, and a second story balcony, accessed by French doors. The south elevation has a recessed patio, accessed by a panel of bifold doors. The patio will have a decorative concrete floor and a ventless gas fireplace. Groupings of windows will create a light well into the open stair. The north elevation reflects the finishes of the rest of the house, and with small and large windows.

The garage is a simple front gable design with lap siding. It has a two car and a single car overhead garage door on the alley, an awning window on the north elevation, and an awning window and pedestrian door on the east elevation.

Setbacks

There is a 25 ft. setback to the front porch. This is 2 feet further back than the proposal at 2142. The house has a 4 ft. side yard setback on the north and a 7 ft. side yard setback on the south. The garage has a 4 ft. north side yard setback and a 6 ft. south setback. It has an 8 ft. rear yard setback.

Context

The context on this block is highly varied. There is a frame Colonial Revival to the south, and a Foursquare to the north. Also on the block are new construction houses, and a 3-story brick apartment building at the corner on 22nd. Across the street is a long, frame historic fourplex. There is also a historic 1 ½ story bungalow. While the two closest neighboring houses are large, the newer construction houses are not as massive, and the bungalow across the street is much smaller in scale than many of the other houses.

Herron-Morton Place Area Plan

The New Construction Guidelines provide direction for reviewing this project:

Basic Principle: *“New construction should reflect the design trends and concepts of the period in which it is created. New structures should be in harmony with the old and at the same time be distinguishable from the old so the evolution of Herron-Morton Place can be interpreted properly.”*

Style and Design: *“Creativity and original design are encouraged. A wide range is theoretically possible, from modern to revivals, from simple to decorated.”*

“Surrounding buildings should be studied for their characteristic design elements. The relationship of those elements to the character of the area should then be assessed. Significant elements define compatibility. Look for characteristic ways in which buildings are roofed, entered, divided into stories and set on foundations. Look for character defining elements such as chimneys, dormers, gables, overhanging eaves, and porches”

“Avoid the adoption of, or borrowing from styles, motifs or details of a period earlier than that of the historic district or which are more typical of other areas or cities.”

Fenestration: *“Creative expression with fenestration is not precluded, provided the result does not conflict with or draw attention from surrounding historic buildings.”*

Materials: *“The dimensions, textures and patterns of building materials should not conflict with those found on historic buildings in the area. This can often be accomplished with some flexibility since building materials, if used within basic guidelines, have less impact on visual compatibility than larger scale visual elements.”*

Staff finds this design compatible with the plan guidelines and the context of varying styles of new and historic buildings. It has a modern character and does not attempt to mimic a particular style.

STAFF RECOMMENDED MOTION

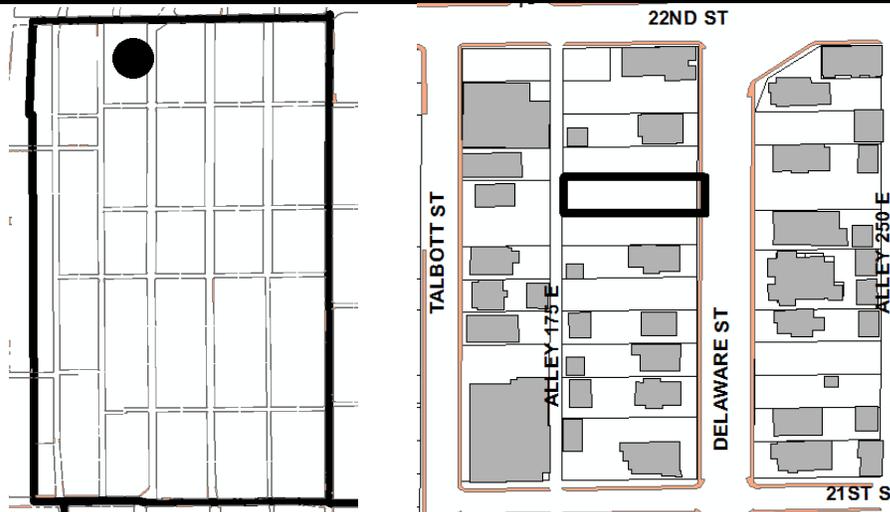
2016-COA-078 (HMP):

To approve a Certificate of Appropriateness for construction of a 2-story, single-family house and a detached, 3-car garage per the submitted documentation and subject to the following stipulations:

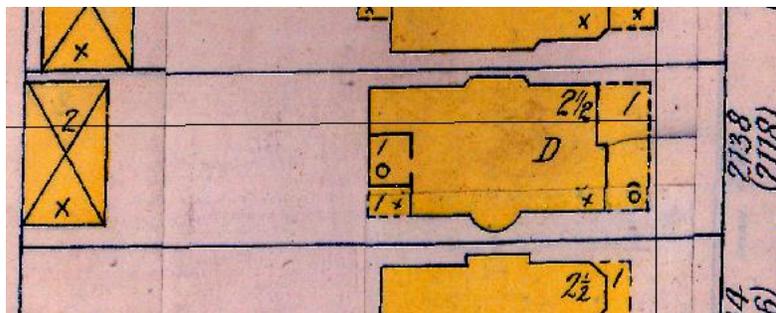
DCE: Stipulations number 1, 2, and 3 must be fulfilled prior to issuance of permits.

1. Construction must not commence prior to approval by the IHPC staff of final construction drawings. *Approved _____ Date _____*
 2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction. *Approved _____ Date _____*
 3. The site shall be field staked with no offsets and approved by IHPC staff prior to construction. *Approved _____ Date _____*
4. Boxed soffits (“bird boxes”) are not permitted. Rafter tails may be left exposed or sheathed with sloping soffit board parallel to pitch of roof.
 5. Trim and siding shall be wood or fiber-cement, and shall have a smooth texture and be free of major imperfections. Rough-sawn finishes are not permitted. Siding reveal must match approved drawings.
 6. A durable marker indicating the date of construction must be incorporated into the front foundation of the house (not the porch).
 7. All utility wires and cables must be located underground. No installation of utilities or meter and mechanical placement shall commence prior to IHPC staff approval.
 8. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, etc.
 9. Deck details (including railing design and decking material), must be approved by IHPC staff prior to purchase or installation. *Approved: _____ Date: _____*
 10. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.

Staff Reviewer: Emily Jarzen



Location in Herron-Morton Place



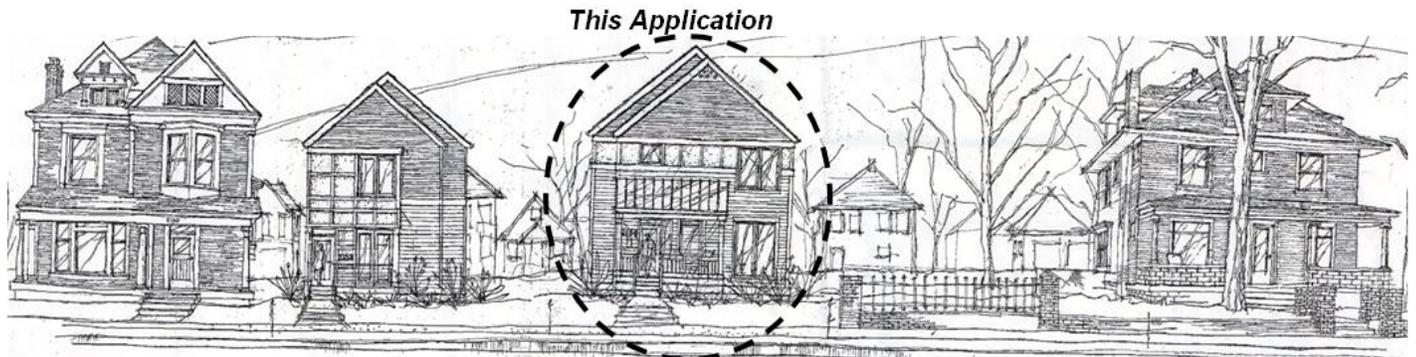
1898 Sanborn Map



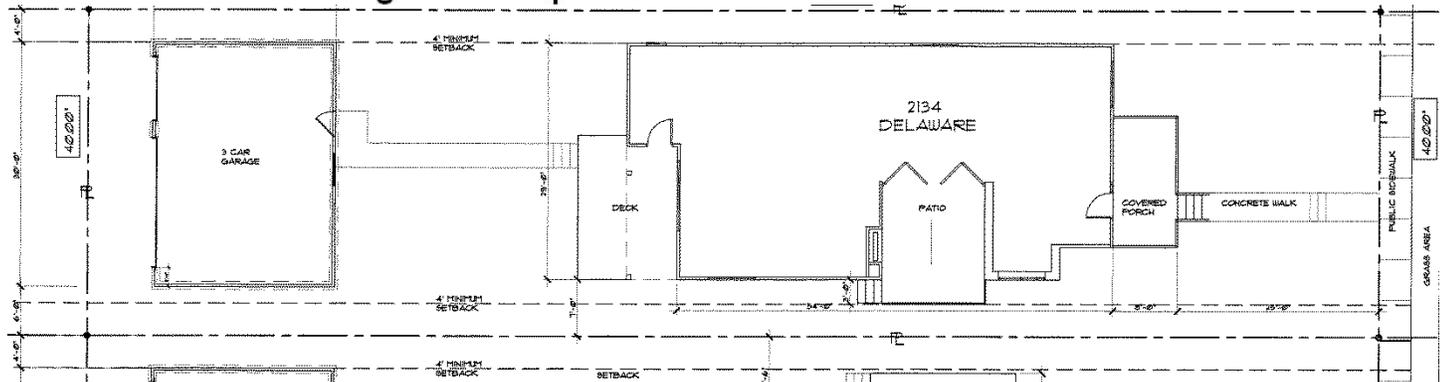
© 2014 Pictometry (04/05/2014)

Aerial view of site (2132 proposal to be located on north half of lot after split)

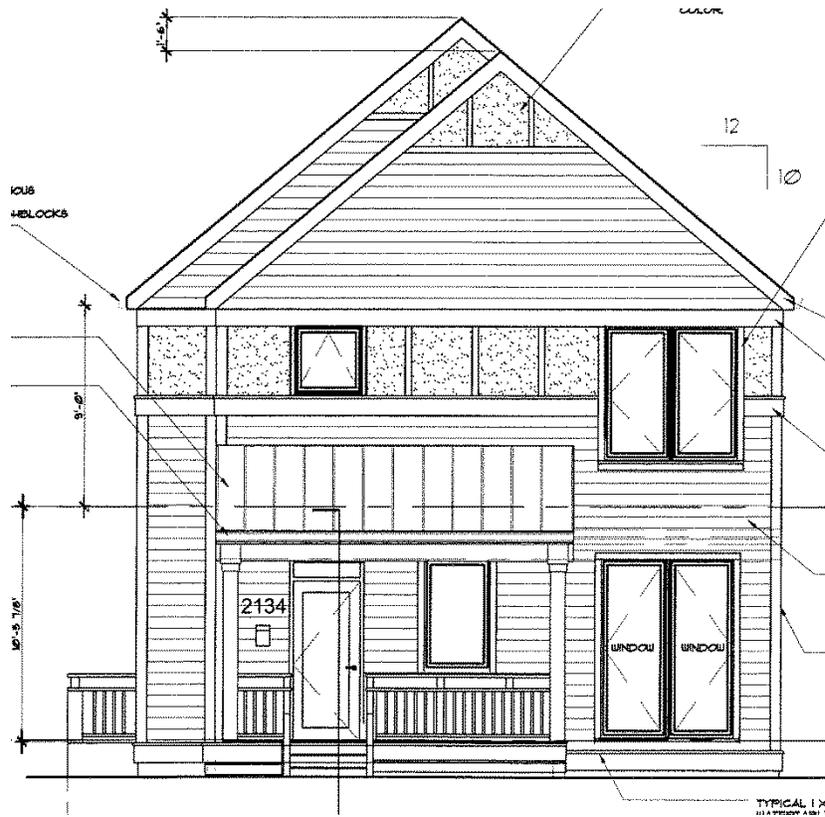
NOTE: Commission members will receive full set of plans



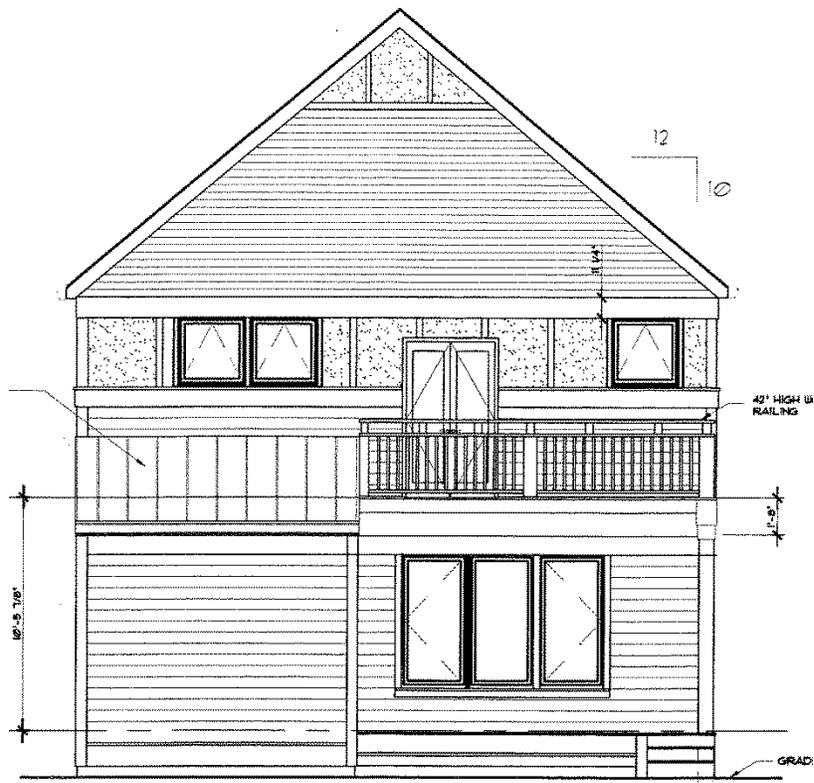
2132 Delaware 2134 N. Delaware
Mr. Tang's Two Proposed New Houses



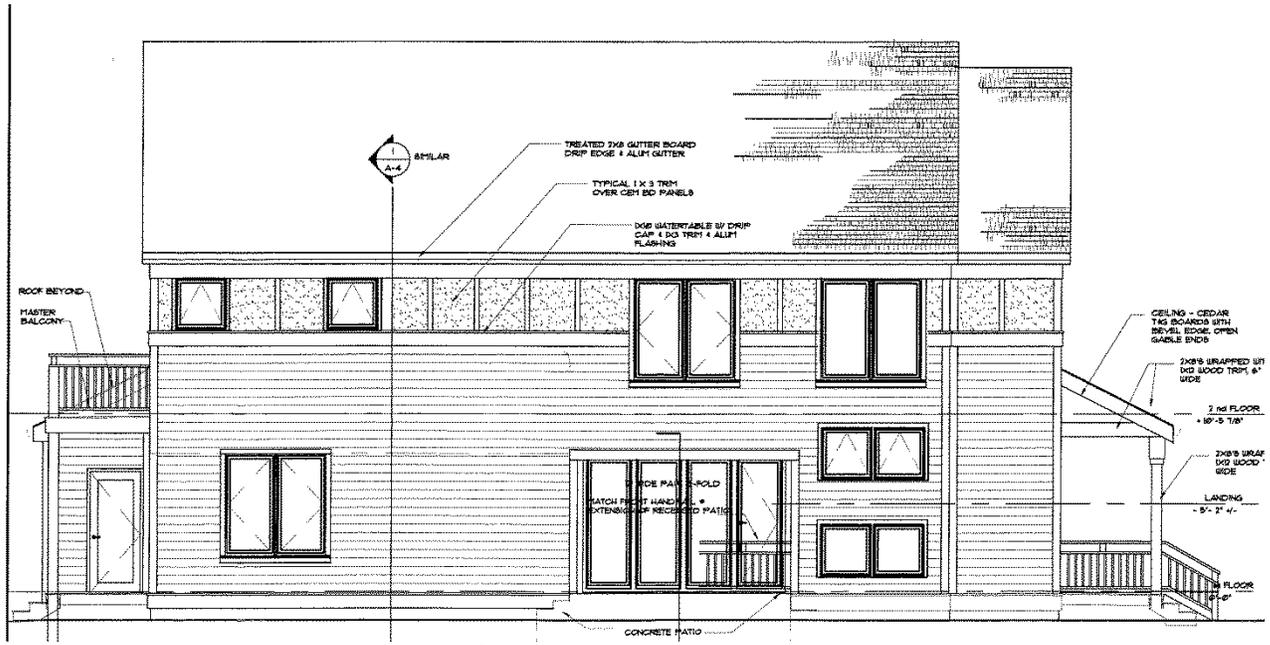
Proposed site Plan



Front (east) elevation



Rear (west) elevation



South elevation

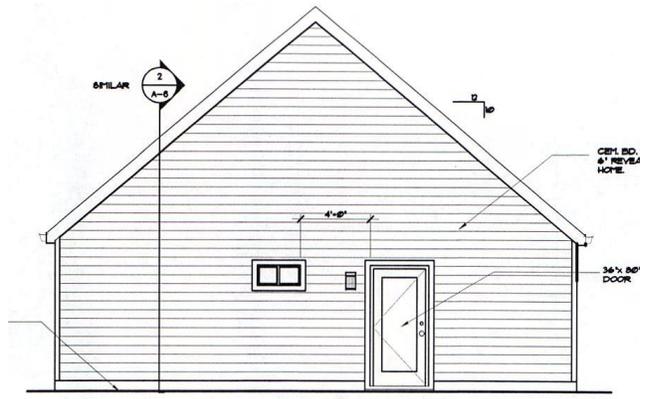


North elevation

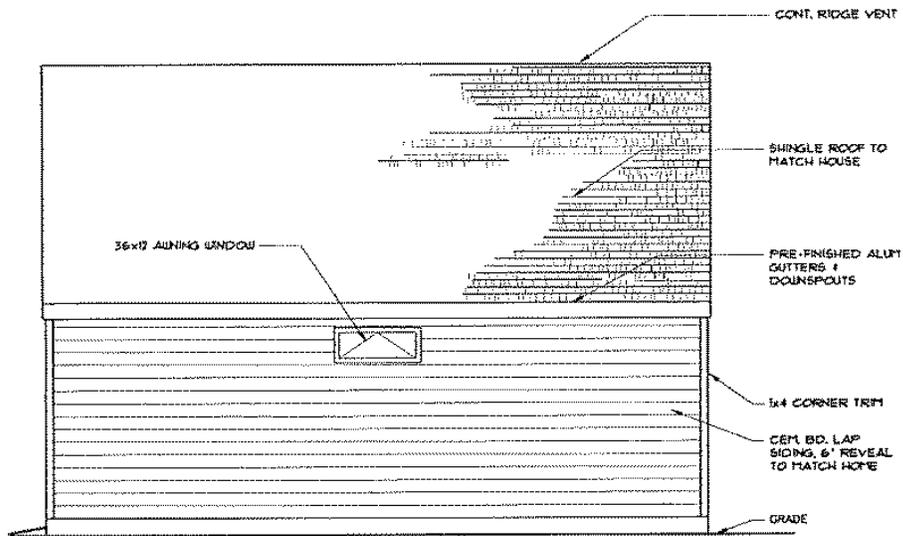
Garage plans



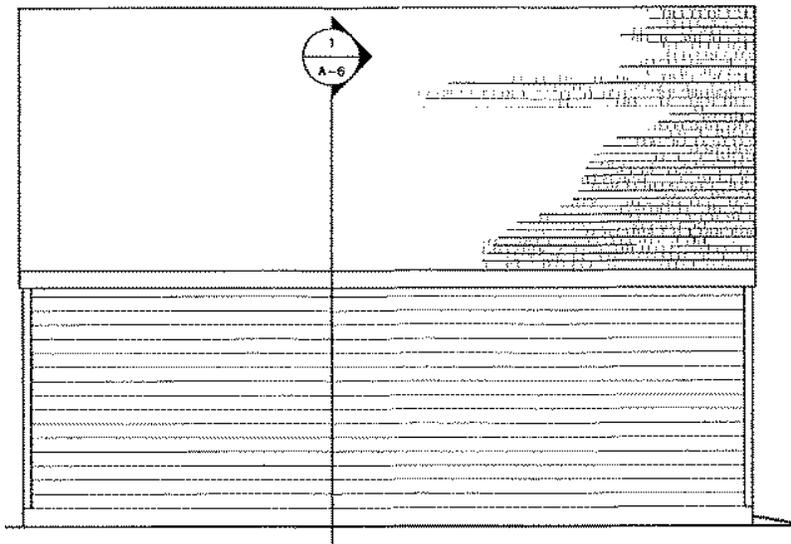
West elevation



East elevation



GARAGE — NORTH ELEVATION



GARAGE — SOUTH ELEVATION



Subject lot with house to the south



Subject lot with house to the north



Context to the south



Context across the street

COA # 2016-COA-080 (HMP)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date ARPIL 6, 2016
2141 N. TALBOTT STREET HERRON-MORTON PLACE		<i>New Case</i>
Applicant R+B ARCHITECTS mailing address: 3202 North Meridian Street Indianapolis, IN 46208		Center Township Council District: 11 Vop Osili
Owner: MICHAEL STRAPULOS 4000 N. Meridian Street Indianapolis, IN 46208		
EXPEDITED CASE		
IHPC COA: 2016-COA-080 (HMP) <ul style="list-style-type: none"> • Eliminate all 10 window openings on north side of house. • Replace all siding on the north side of the house with fiber cement lap siding. 		
STAFF RECOMMENDATION: Approval of Certificate of Authorization		

STAFF COMMENTS

Background of the Property

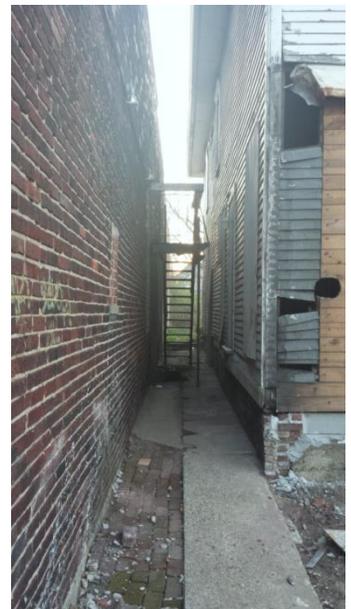
This property was originally constructed as a wood frame, 2-story duplex in 1909. A 1-story, brick commercial addition was recently removed from the front of the house and the house is under restoration (all previously approved). The house will be a duplex when completed. During the permitting process, it was discovered that the fire codes presented a significant challenge with the project as outlined below leading to the request to eliminate the window openings on the north side.



The Applicant's Proposal

The applicant is seeking approval to address a fire code hardship by eliminating all 10 windows on the north side elevation and siding the entire north side with fiber cement lap siding. The facts surrounding this request are as follows:

1. The original window openings and trim are visible, but all the window sashes are gone (the window openings are boarded.)
2. The house was built in 1909, before the Talbott Street Theater was built next door c.1925. The theater was built on the property line leaving only 4 ½ ft. between buildings. This was long before present-day setback requirements and fire codes.
3. About 20% of the siding on the north side is not original.
4. The Talbott Street Theater directly next door to the north is zoned CS and is an A3 fire code occupancy. The duplex is also CS zoning and is an R fire code occupancy.



5. The fire code requires these two buildings to have either a 10 ft. distance between them or 2-hour fire rated walls facing each other. Some penetrations are allowed, but they are strictly limited unless they have at least a 90 minute rating.
6. There is obviously no way to achieve a 10 ft. distance.
7. The wall of Talbott Street Theater does have a 2-hour rating. It is solid masonry and has no door or window penetrations.
8. The wall of the house does not have a 2-hour rating. It has 2x4 wood framing, wood lap siding and 10 window openings.

Hardship

Staff believes that requiring this house to meet the fire code poses a significant hardship, jeopardizing the preservation of this building by this or any other owner. Reasons for the hardship include:

1. The owner could apply for a variance from the fire code. However, a sprinkler system for fire protection would most likely be required in both the Talbott Street Theater and this duplex. Even though Mr. Stapulos owns both the duplex and the Talbott Street Theater, this presents a significant economic hardship because:
 - a. Neither the Talbott Street Theater nor this duplex has enough water coming onto the properties to support a fire suppression system.
 - b. The expense of installing such a system in the house would be over \$120,000.
 - c. The expense of installing such a system in the Talbott Street Theater would be over \$200,000.
 - d. Offering to install these systems does not guarantee that a fire code variance would be granted.
2. The owner could achieve a 90 minute rating for window openings, but there is only one window product that would accomplish such a rating, but using this window poses two significant hardships:
 - a. Its design and material is considered inappropriate for this historic house. The window is all-steel (jamb, head and trim) and is not available in double-hung or with historic profiles.
 - b. Each window is over \$5,000. Ten of these special windows would cost \$50,000 vs. \$6,000 if traditional wood double-hung windows could be used.
3. The owner could affordably alter the north wall of the duplex to meet the fire code in a manner that would have almost no visual effect on how the house is perceived from the street. However, the alterations are all considered “inappropriate.”
 - a. Installing fiber cement lap siding on the north elevation of the duplex with two layers of drywall on the interior would help achieve a two hour rating. However, the use of fiber cement lap siding on a historic house is considered “inappropriate.”
 - b. Eliminating all the window openings on the north side would help achieve the two-hour rating, but is considered “inappropriate” for a historic house.

Reasons to approve a Certificate of Authorization

While only one of the three criteria must be met in order for the IHPC to grant a Certificate of Authorization,” staff finds that this is a case where two criteria are clearly met and the third is arguably met:

Criteria #1 Denial would result in substantial hardship.

The financial and practical hardships summarized earlier in this report are sufficient to be considered “substantial,” especially since they exist because of a situation unique to this property: specifically, the construction in 1925 of the historically significant Talbott Street Theater so close to the north wall of this duplex.

Criteria #2 **Denial would deprive the owner of all reasonable use and benefit of the subject property.**

Redevelopment of this duplex is necessary for its continued preservation. While denial would not technically make the property unusable, it would seriously jeopardize the restoration of this property, no matter who owns it.

Criteria #3 **The effect of approval upon the historic area would be insubstantial.**

Properly restoring the north façade of the duplex would have no benefit for the historic area since it not seen from the street or any other angle. Therefore, approving this request will have almost no visual effect on the way this duplex is perceived. The Talbott Street Theater almost totally obscures the north wall of the duplex because it is so close and it projects ahead of the duplex's front façade.

Once the wall is protected as a continuous 2-hour rating, the lack of openings does not affect the interior condominium apartment. Every room has an operable means of egress, natural light, and ventilation opportunity through the front and rear elevations of the duplex. The framing and headers of the window openings will remain in the wall as evidence on original windows.

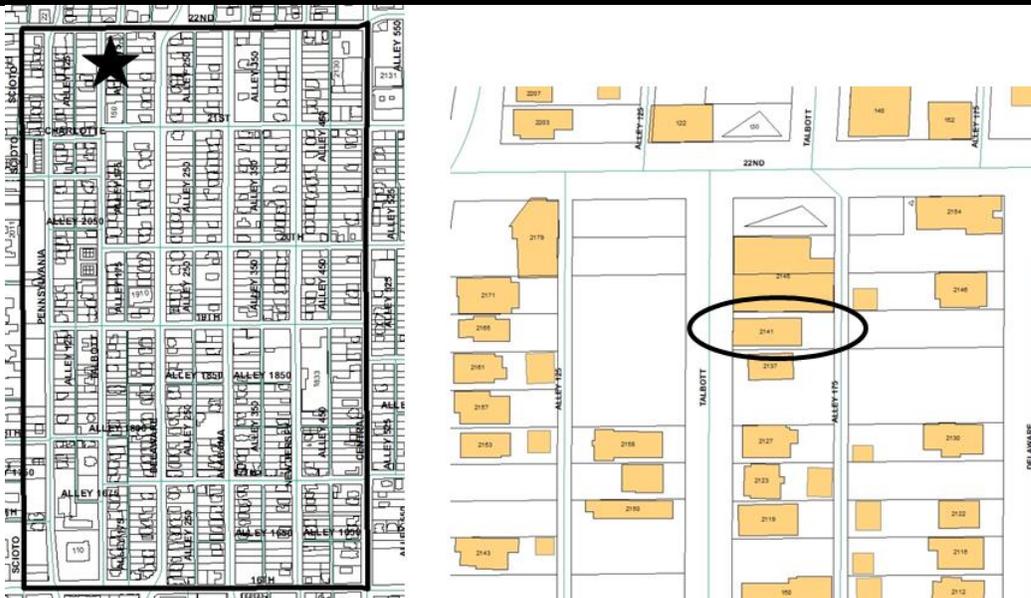
STAFF RECOMMENDED MOTION

COA #2016-COA-080 (HMP):

To approve a Certificate of Authorization to side over all window openings on the north elevation of the house with smooth wood siding to match the original wood siding as per the submitted documentation and subject to the following stipulations:

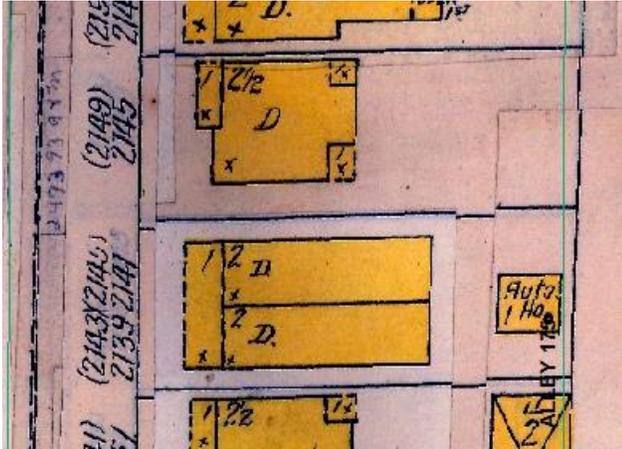
- 1. Siding and trim materials shall be wood and shall have a smooth texture free of major imperfections. Rough-sawn finishes are not permitted.**
- 2. All exposed wood, siding and trim shall be pre-finished or painted.**
- 3. Exposure shall match original siding on house.**
- 4. New siding shall be "toothed-in" to existing siding to avoid continuous vertical seams.**
- 5. Any changes to the approved scope or design shall be approved by IHPC staff prior to starting work.**

Staff Reviewer: Meg Purnsley

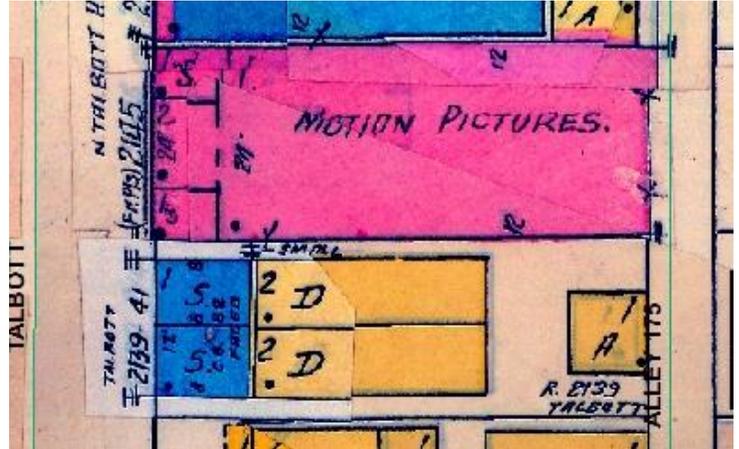


Location of subject property

Sanborn Maps



Double in 1915 (before commercial addition and Talbott Theater)



Double with commercial addition and Talbott Theater in early 1950s



**Commercial Addition
Now Removed**

Aerial Photo showing relationship between Duplex and Talbott St. Theater



Duplex before addition was removed



***Looking at North Side Wall of Duplex from the Front
This is the most you can see (the camera against the wall of the Talbott Theater.)***



Looking from front to rear



***Looking from rear to front
Standing between the buildings***

COA # 2014-COA-109 B (CAMA)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
610 E. 10th STREET CHATHAM-ARCH/ MASSACHUSETTS AVE		Continued from March 2, 2016 Original Plans approved at September 3, 2014 IHPC Hearing
Applicant & mailing address:	Milhaus Development, LLC 530 E. Ohio, Suite A Indianapolis, IN 46204	
Owner:	same	Center Twp. Council District:11 Vop Osili
AMENDED PLANS		
IHPC COA: 2014-COA-109 Part B (CAMA)		Amend plans for the multifamily building at the southwest corner of the project site.
STAFF RECOMMENDATIONS: Approval of proposed changes		

STAFF COMMENTS

Updates Since the March 2nd IHPC Hearing

The applicant has completely revised the drawings in response to the Commission’s comments at the last hearing. It now bears more of a resemblance to the apartment building under construction next door than to the townhouses already built on 11th St. Changes include:

- The proposed building is to be mostly brick with some fiber cement siding and metal wrapped cornice details and canopies.
- Two-story balconies on 10th St. and Park Ave. have been redesigned to resemble the bulkier balconies seen elsewhere in the neighborhood.
- The roofs are now flat rather than the pitched roofs seen last month.

Staff believes these revisions make a big difference in the compatibility of the design with both the existing buildings across the street as well as the building under construction at the east side of the site.

FROM THE MARCH 2nd STAFF REPORT

Background of Case

The project now known as Park 10 was approved by the IHPC on September 3, 2014. The approved plans included two buildings on south half of the block with 28 flats each and three rows of townhouses on the north half of the block with 56 townhouses.

Two of the three townhouse rows on 11th Street are complete. One of the flats buildings is now under construction at the southeast corner of the site.

Reason for Request to Amend Plans

The developer, Milhaus, has found that the demand for townhouses has exceeded the demand for flats. Rather than build the second 28-unit apartment building at the southwest corner, Milhaus wishes to amend its plans and build 13 townhouses similar to the ones approved for the north half of the site.

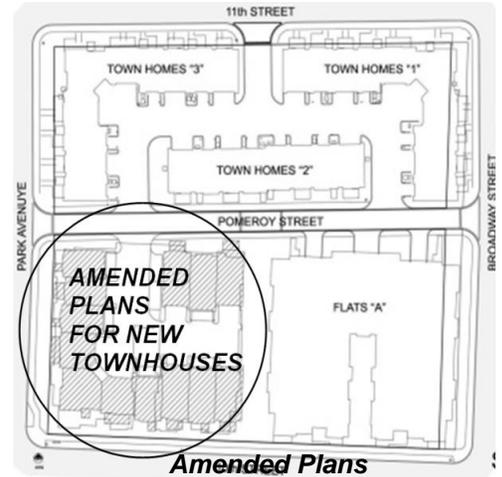


Amended Plans

The townhouses are to be clad in brick, fiber cement siding, fiber cement panels have a pitched roof. These buildings have a contemporary design with a traditional shape and massing that makes them compatible with the historic area. They are sited like the other townhouses on the site and will have the same appearance.

Reasons for Approval

1. The design of the proposed new townhouses is the same as approved design for townhouses on 11th Street.
2. The placement and design of the townhouses does not impact the already approved variances and rezoning.
3. The density of development on the site, which was a concern for neighbors at the 2014 hearings, actually decreases.
4. Townhouses will be a better scale of development along N. Park Ave.
5. Adding development diversity along 10th St. will improve the fit of this project into the neighborhood.

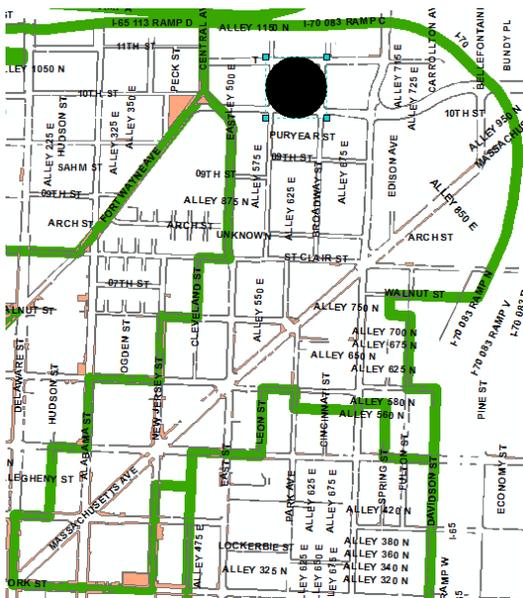


STAFF RECOMMENDED MOTION

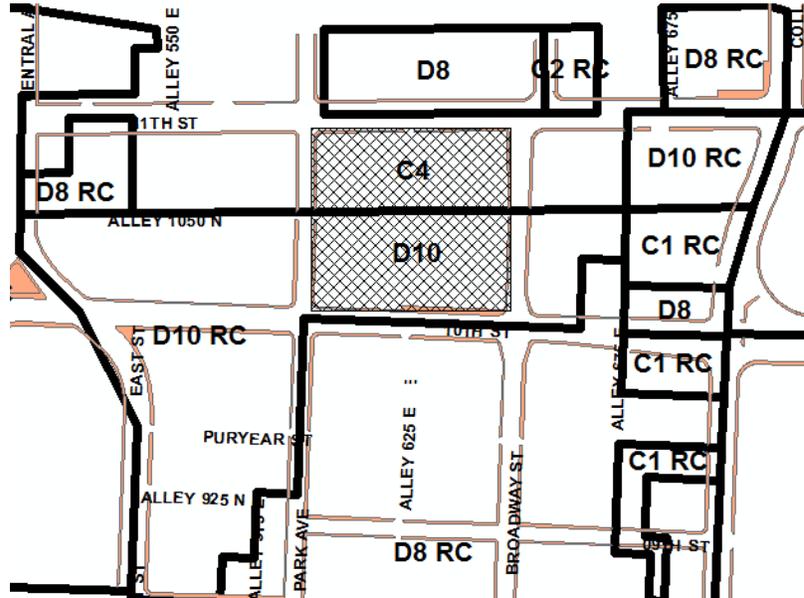
2014-COA-109 B (HMP):

To approve amended plans to build 13 townhouses in the southwest quadrant of the site rather than the previously approved 28 unit apartment building. All stipulations remain the same and apply to these townhouses in the same way they applied to the previously approved townhouses.

Staff Reviewer: Meg Purnsley



Location in CAMA



Existing Zoning Map

10TH STREET AERIAL VIEW



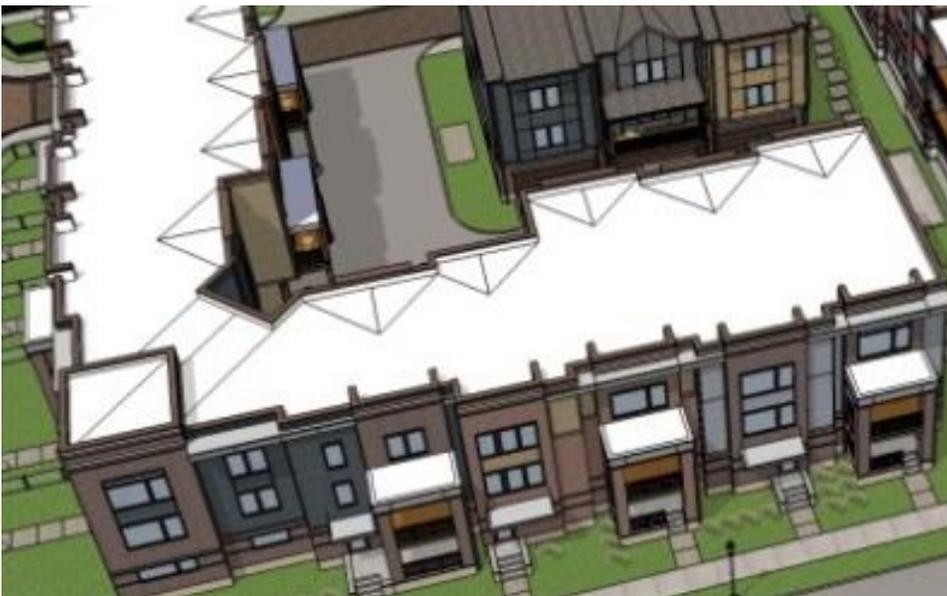
Last Month



Revised Plans



Last Month



Revised

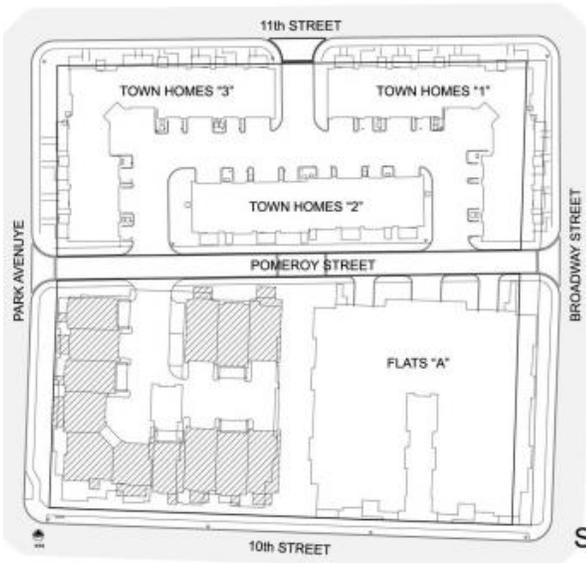
REAR AERIAL VIEW



Last Month



Revised

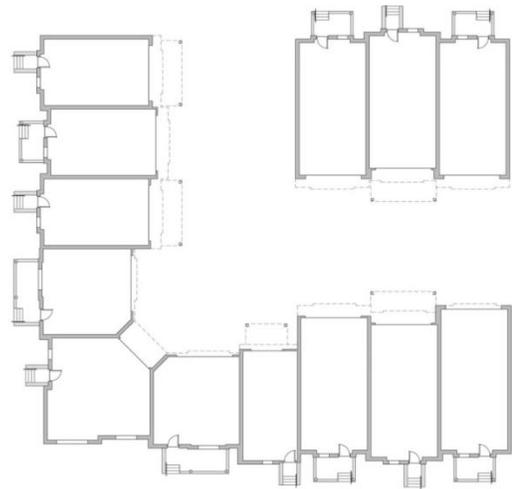


UNIT 1st FLOOR PLANS

PROPOSED DEVELOPMENT 10th Street & Park Avenue
Chatham Arch Historic District, Indianapolis

BUILDING "B"

02/22/2016



10TH STREET ELEVATIONS



FLATS BUILDING B (NOT STARTED)

FLATS BUILDING A (UNDER CONSTRUCTION)

Approved in 2014



SOUTH ELEVATION - 10th STREET

(FLATS, BUILDING "A")

**Last Month
Townhouses similar to those on 11th St.**



**New Design
Townhouses now similar to Flats Building**

N. PARK AVE. ELEVATIONS



N PARK AVENUE
Approved in 2014



Last Month
Townhouses similar to those on 11th St.



New Design
Townhouses now similar to Flats Building



10th St. Elevation – Last Month



10th St. Elevation - Revised



Park Ave. Elevation – Last Month



Park Ave. Elevation – Revised

COA #2015-COA-344 (CAMA) 2015-VHP-035 PART B	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
501 and 555 N. New Jersey Street CHATHAM-ARCH/MASSACHUSETTS AVENUE		Preliminary Review July 3, 2013 Public Hearing Sept. 2, 2015 Oct. 7, 2016 Jan. 6, 2016 March 2, 2016 Center Twp. Council District:9 Joseph Simpson
Applicant: mailing address:	NDZA, INC for J.C. Hart Company, Strongbox Commercial and Schmidt Associates 618 E Market Street Indianapolis, IN 46202	
Owner: mailing address:	Indpls Dept. of Public Safety and Greater Indpls Firefighters Federal Credit Union 200 E Washington Street, Rm 2542/501 N. New Jersey Street Indianapolis, IN 46204	
COMBINED CASES		
IHPC COA: 2015-COA-344 (CAMA) PART B	<ul style="list-style-type: none"> • Installation of a digital canvas displaying art and off-premises advertising. • Variance 	
VARIANCES: 2015-VHP-035 PART B	<ul style="list-style-type: none"> • Variance of the Sign Ordinance to allow an off-premises advertising component on a 1,134 sq. ft. on-premises electronic variable message sign (aka Digital Canvas). 	
STAFF RECOMMENDATION:	<p>The present request is inappropriate and should either be:</p> <ol style="list-style-type: none"> 1. <u>Denied</u>, if IHPC determines that this is an inappropriate feature, as designed and purposed, for this location and on this building, no matter how it might be redesigned and repurposed, <p style="text-align: center;">OR</p> <ol style="list-style-type: none"> 2. <u>Continued</u>, if the IHPC determines that a feature such as this could be redesigned and repurposed in a way that would make it appropriate for this location and this building. 	

STAFF COMMENTS

BACKGROUND OF THIS REQUEST

The digital canvas being requested in this case began as one feature in the overall design for Montage on Mass, which was first seen by the IHPC at a preliminary review in 2013. The applicant eventually withdrew the initial request, but re-applied in 2015. This report is divided into the following sections:

- I. TIMELINE OF PAST HEARINGS
- II. REQUESTS FOR INDEFINITE DELAY
- III. THE PROJECT – WHAT IS ALREADY APPROVED
- IV. DIGITAL CANVAS – WHAT IS IT?
- V. DIGITAL CANVAS – EVOLUTION OF ITS DESIGN & PROGRAM
- VI. DIGITAL CANVAS AND THE ZONING ORDINANCE
- VII. DIGITAL CANVAS – CONTEXT
- VIII. STAFF’S SUMMARY OF APPLICAN’T COMMITMENTS
- IX. ENFORCEMENT CHALLENGES
- X. STAFF ANALYSIS AND RECOMMENDATION

I. TIMELINE OF PAST HEARINGS

July 3, 2013 Preliminary Review¹

The Montage on Mass Project, with its digital canvas (then called a “media wall,”) was first presented to the IHPC for a preliminary review. During that review, several commission members expressed concern over the digital canvas and offered the following suggestions and comments:

Design Suggestions:

1. Make it more of a backdrop to the public plaza space.
2. Make it concave, rather than convex to make it more subtle.
3. Make it thinner and smaller.
4. Incorporate it into the architecture.

Information Requested:

1. Dimensioned details of the media screen and how it is attached to the building.
2. Real life examples of similar screens used in a similar manner, if any exist.
3. Information so the commission can understand the brightness of the media wall as perceived from within the apartments, from nearby apartments and from the street.
4. Specifications regarding the quality of image as seen from different distances.
5. Information about the expected usable life of the system’s component parts.
 - a. Document regulating the use of the Media Wall including what can be displayed on the wall and who will decide.
 - b. Document that guarantees there will be no commercial advertising, including definitions for what advertising will be allowed and what advertising will be prohibited.
 - c. Clarification about the kind of community-oriented and/or non-commercial announcements/advertising that will be allowed.
 - d. Information on the costs of keeping the Media Wall viable over the long-term, including maintenance, management, updating, etc.
 - e. Description of the legal rights and processes available to the City and the IHPC to enforce commitments with respect to the Media Wall.

August 7, 2013 IHPC Hearing

One month after the Preliminary Review, the 2013 case was split into two parts:

- Part A: The design of the building and the digital canvas (eventually withdrawn Sept. 3, 2014.)
- Part B: Rezoning the property CBD2 and demolishing the existing buildings was approved.

September 2, 2015 IHPC Hearing

The request for the building and digital canvas was resubmitted and scheduled to be heard at this hearing.

However, the case was split after considering letters from two City-County Councillors (Exhibit D):

- Part A Continued: This is for the building. It was continued after receiving a hearing.
- Part B Continued: This is for the digital canvas. It was continued to Oct. 7, 2015 without a hearing.

October 7, 2015

- Part B Continued: The digital canvas was continued to January 6, 2016.

November 4, 2015 IHPC Hearing

- Part A Approved: The design for the building was approved, but without the digital canvas.

January 6, 2016

- Part B Continued: The digital canvas was continued to March 2, 2016.

March 2, 2016

- Part B Continued: The digital canvas was continued to April 6, 2016.

¹ Preliminary Reviews are only for preliminary discussion with the commission. No decisions can be made.

II. REQUESTS FOR INDEFINITE DELAY

Just before the September 2, 2015 IHPC meeting, two City-County Councillors submitted letters asking the commission to delay consideration of the digital canvas until an unspecified date in the future when the City's sign ordinance will be revised. The letters are attached to this report and include the following specific requests:

Councillor Zack Adamson requested that:

1. *"...no decision be made in the above proposal."*
2. [The digital canvas] *"...should be postponed until such guidelines [to be proposed by the MDC] are vetted through a thorough and public process."* and
3. The IHPC *"...postpone this proposal until after the guidelines for signage and digital bill boards makes its way through the MDC, where it currently awaits attention."*

Councillor Joseph Simpson requested that the IHPC:

1. *"...separate the digital sign from the building and hear [it] separately."*
2. *"...continue the variance petition for the digital billboard until after the sign ordinance has been reviewed and a position adopted that makes clear the broad community interest."*

Applicant's Response

Michael Rabinowitch, the developer's attorney, has submitted a letter that addresses this matter and some others. It is attached to this report. The following main points have been excerpted from the letter:

1. Delaying consideration of the Petitioner's variance request on the basis of anticipated future revisions to the Sign Ordinance is improper under Indiana law.
2. Indiana Code § 36-7-4-1109 requires that variance requests be governed by the ordinances in effect at the time the variance request was filed.
3. Substantive ordinances cannot be applied retroactively.
4. On November 18, 2015, the Metropolitan Development Commission approved revisions to the Sign Ordinance (2015-AO-03), but those revisions only apply on a go forward basis--they cannot be applied retroactively.
5. The same is true of any contemplated revisions to the Sign Ordinance as it relates to electronic variable message signs.

Mr. Rabinowich's conclusion: The IHPC must apply the Sign Ordinance that was in effect at the time the variance petition was filed. Anticipated changes to the Sign Ordinance is not a valid basis to delay consideration of this pending variance and COA request.

Staff Analysis

While staff and Corporation Counsel may not agree entirely with Mr. Rabinowitch's, we agree that it is not reasonable to wait until DMD, the MDC and City-County Council have fully discussed and agreed upon a new sign ordinance. Doing so clearly restricts the applicant's right to petition its government and get a timely response. We do not see the legal justification for refusing to review a request under the laws that are fully in place.

It is staff's strong recommendation that the commission hear this request and render a decision to either:

- deny it as inappropriate based on the ordinances, policies and guidelines in place at this time, or
- continue it, based on a consensus that redesign and reprogramming could make it appropriate.

III. THE PROJECT – WHAT IS ALREADY APPROVED



APPROVED PROJECT DESIGN

On November 4, 2015, the IHPC unanimously approved (7-0) A COA for the Montage on Mass project. The COA includes the following stipulation:

STIPULATION. If a digital canvas is not approved (2015-COA-344 Part B has been continued for future consideration), amended plans for the final design of the face of the South Tower shall be approved by the IHPC at a public hearing and in accordance with IHPC rules regarding public notice.

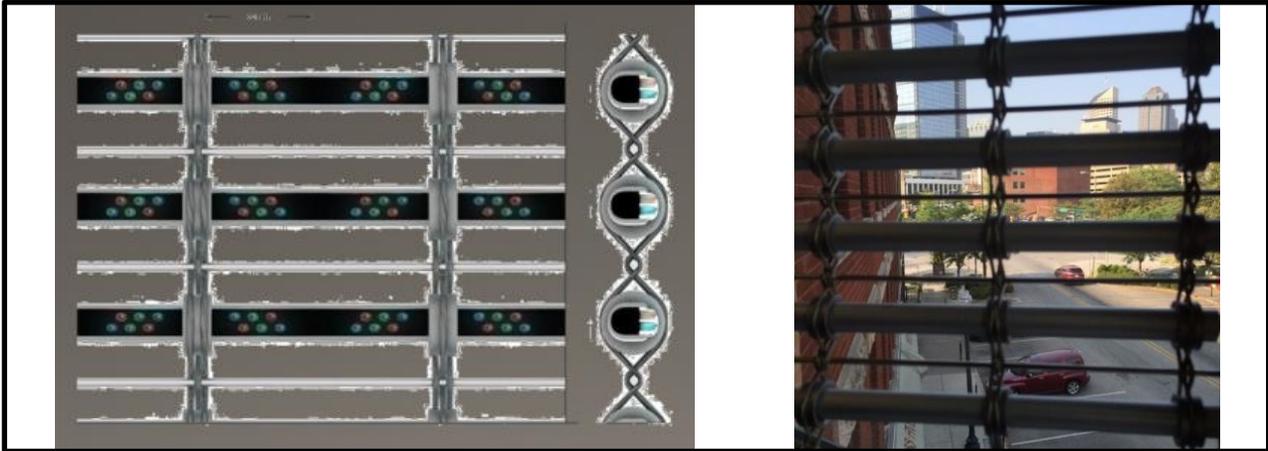
What does this mean?

1. If the IHPC approves a digital canvas in 2015-COA-344 Part B, then it may be installed as shown above and operated in accordance with whatever commitments the IHPC includes with the approval.
2. If the IHPC denies approval of a digital canvas, then the developer will have to propose amended plans for something else in that location.

IV. THE DIGITAL CANVAS – WHAT IS IT?

DIGITAL CANVAS – DEFINITION

The digital canvas is a 1,134 sq. ft. LED mesh that creates digital images. The mesh is not solid, so people will be able to see through it from the windows and balcony spaces behind the mesh.



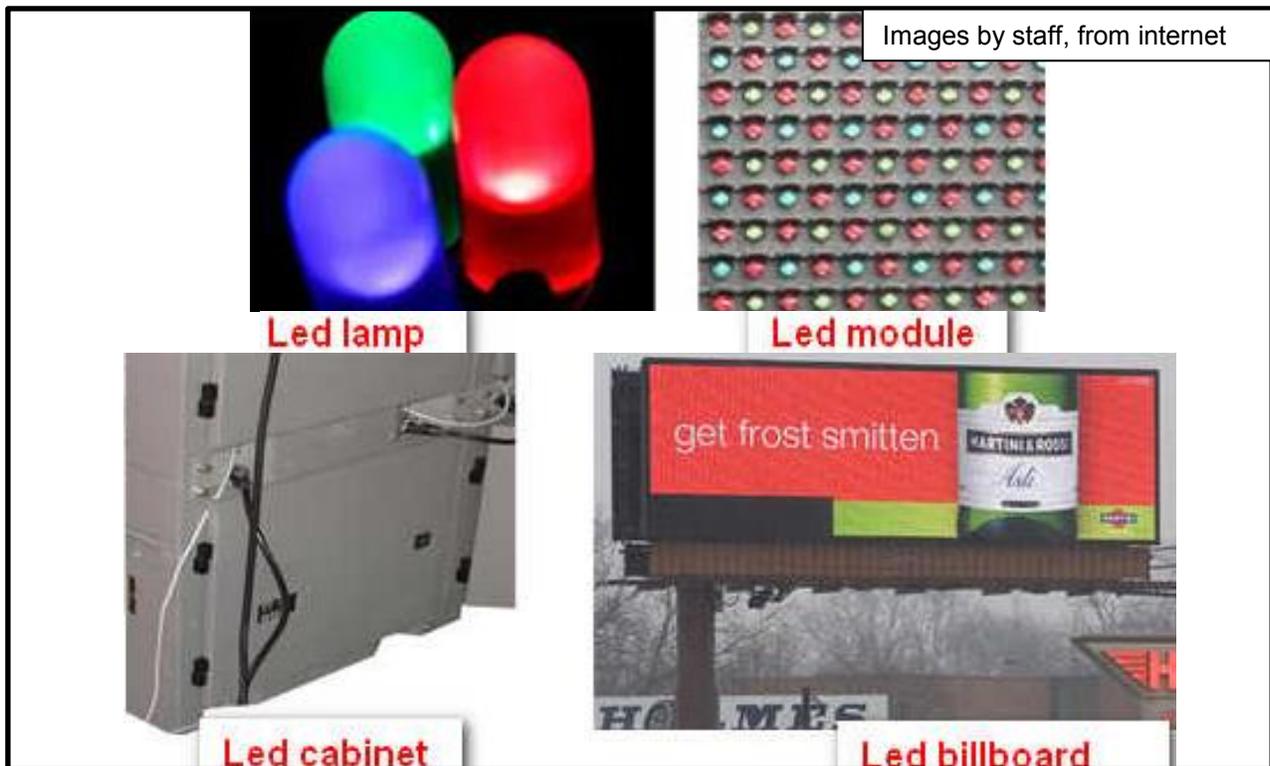
Digital Canvas (LED lights on a mesh)

Images from applicant

DIGITAL CANVAS vs DIGITAL BILLBOARD

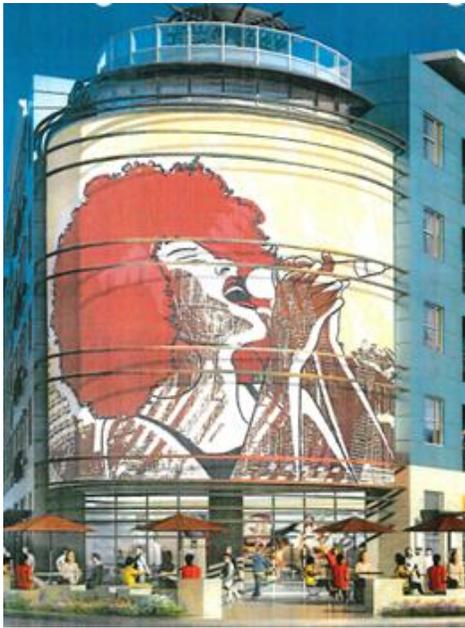
Staff is not sure there are clear definitions that differentiates the two.

- On the one hand, there are physical differences between what is commonly thought of as a “digital billboard” and the proposed “digital canvas.” The “billboard” is solid and capable of generating very bright light. The “canvas” is a mesh that one can see through and does not generate as bright a light.
- On the other hand the “billboard” and the “canvas” are capable of displaying both art and advertising.

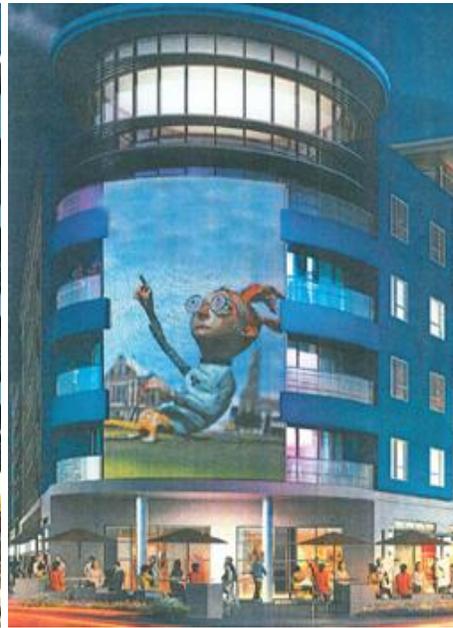


Digital Billboard (LED lights on a solid panel)

V. THE DIGITAL CANVAS – EVOLUTION OF ITS DESIGN & PROGRAM



2013 Preliminary Review



Sept. 2015 Hearing



Nov. 2015 Approved

There are two aspects to this proposal, physical and programmatic. Both have evolved since the very first time the staff and commission were introduced to the project.

A. Physical Aspect of the Digital Canvas

The digital canvas is an architectural feature attached to the building. As such, it will be major visual feature forming the overall character of the corner tower. Like any architectural feature, it has shape, size, materiality, structure and color. As a physical feature, it has changed significantly since first introduced.

It began as the entire skin of the tower, wrapping and obscuring its architecture. Its size and shape evoked images of a “billboard.” The architects have been responsive to the comments of commissioners and staff by significantly redesigning the physical aspects of this feature.

Changes Since 2013

	2013		Today
Shape	Extended around the entire tower giving it a horizontal orientation and evoking the appearance of a traditional “billboard.”	Shape	A vertical shape that is not similar to a traditional billboard.
Size	Approximately 4,000 sq. ft.	Size	Reduced to 1,134 sq. ft.
Materiality	An LED net product with larger LED nodes than presently being proposed.	Materiality	A metal mesh with LED lights.
Structure	A mesh with LED lights attached to, draped over, and obscuring the tower architecture.	Structure	A metal mesh with LED lights incorporated into and framed by the architecture of the tower.
Color	Mostly white	Color	Grey or Aluminum

B. Programmatic Aspect of the Digital Canvas

NOTE: Discussion in this report and during the hearing involving images proposed to be displayed on the digital canvas requires making “content-based” judgments. It is our understanding from the letter he submitted (Exhibit C) that Mr. Rabinowitch, speaking for his client, has “voluntarily, knowingly and intelligently” waived his right to a first amendment challenge on this decision.

Besides being a physical feature of the tower, the digital canvas’s function will visually affect the character of the building and its surrounding area. Since first presented, that function has grown from one to five.

When first seen by staff in 2013	When first seen by the IHPC in 2013	Today
100% 1. Art (no advertising)	80% 1. Art (Sponsors’ Names to be listed “at times”) 20% 2. Community Announcements	80% 1. Art Videos, Photography and Artistic Impressions 20% 2. Off-Premises Advertising: Sponsor Name+Logo 3. On-Premises Business Sign: Montage Apts.+Retail Tenants. 4. Public Service Media a. Public service announcements b. Live feed weather and traffic news c. Live feed news of local, national, international interest. No Time Limit 5. Live Feed of Special Events a. Local professional sports team game b. Times Square on New Year’s Eve c. Extraordinary Special Events (e.g. 9-11, first man to walk on the moon, etc.)

Digital Canvas Started as One Thing

When it was first discussed with staff, the digital canvas was called a “media wall” and was one thing:

1. Public Art, with no advertising.

Digital Canvas Became Two Things

By the time it was presented to the IHPC at the 2013 Preliminary Review, community announcements and public art sponsorships were added. It was then two things:

1. Public Art, with sponsor’s names.
2. Community announcement board.

At the preliminary review, the “media wall” was described by the applicant as follows: *“It’s intended to be an art wall and a community announcement place.” “80% of the time it would show artwork... would be oriented to art work.” “20% would be oriented to community announcements.” “At times, it would list sponsors by name.” “We are putting together an operations plan..., working with Herron School of Art to be involved in the governance or in the management or the selection of [the artwork]. We also want to talk to IMOCA, and we’d also like to involve Riley Area.”*

Digital Canvas is Now Five Things

Today, the digital canvas is five things:

1. Public Art
2. Off-Premises Advertising (sponsors only)
3. On-Premises Business Sign (retail tenants and apartments)
4. Public Service Media
5. Live Feed of Special Events

VI. THE DIGITAL CANVAS AND THE ZONING ORDINANCE

Zoning status of the Digital Canvas in the CBD-2 zoning district:

What follows is a discussion of the zoning implications for each of the five “things” that staff believes the digital canvas is. The zoning implications of the Digital Canvas, as an electronic variable message (EVMS) sign, are discussed last.

1. Public Art – No Variance Needed

Definition: “Three-dimensional works of art ‘statuary, sculptures, and two-dimensional works of art ‘ie murals,’ that are clearly artistic in nature and which do not promote commercial interests are exempt.”

Public art is exempted from all regulation under the zoning ordinance. Examples below:



Example from Applicant

2. Off-Premises Advertising (Only Sponsors) – Variance Needed

Definition: “A sign that directs attention to a business, profession, commodity or service offered on the property other than that on which the sign is located.”

The developer is offering commitments to limit off-premises advertising to sponsors of public art. The commitments also limit the time to 20% and the content to name, logo and text recognizing patronage. The following are examples of what staff believes would be allowed if the variance is granted, even with the commitments. Enforcement of what is a “logo” and what is not a “logo” would be difficult.



Example from Applicant

Three examples provided by staff

3. On-Premises Business Signs – No Variance Needed

Definition: “A sign that directs attention to a business, profession, commodity or service offered on the property on which the sign is located.”

The physical digital canvas is an “on-premises business sign.” Such signs are permitted in CBD-2 zoning districts. No variance is needed if it used to advertise a “business, profession, commodity or service offered” that is physically located on the Montage on Mass property. However, its size, type, location and materiality are regulated by IHPC.

The following are examples of on-premises advertising that would be allowed:



Examples provided by staff

4. Public Service Media – No Variance Needed

This is a form of an on-premises sign, so it does not need a variance. However, its size, type, location and materiality are regulated by IHPC.



Traffic

Weather

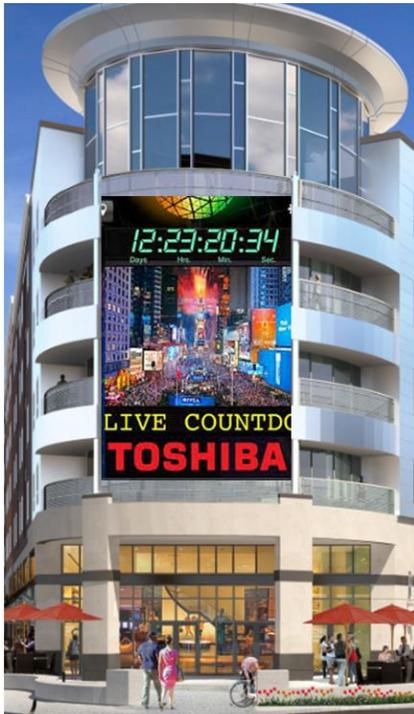
News

PSA

Examples provided by staff

5. Live Feed of Special Events – No Variance Needed

IHPC and Planning staff struggled trying to define what this “thing” is and whether or not the zoning ordinance applies. Other than the off-premises advertising that will unavoidably be a part of any live feeds, this seems to be similar to a situation where a business puts a TV in a window, aims it to the street and turns it on – just a lot bigger. So we cannot find that variance is needed. However, the size, type, location and materiality are regulated by IHPC.



New Year's Eve
Examples provided by staff



Sports Events



Advertising is unavoidable

6. EVMS Sign – No Variance Needed in Historic District

Electronic Variable Message Signs (EVMS) signs are permitted in some commercial districts, but not in CBD-2. However, the ordinance contains the following exception, which allows them in historic districts, but only if approved by the IHPC:

Sec. 734-305. Any on-premises business sign erected on a building or lot located within [an IHPC] designated historic preservation area ... shall be exempt from the provisions of this section of this chapter. The **type, number, area, height, illumination and location** of such signs located within such historic preservation areas shall be as determined by the IHPC. The specific standards and requirements for on-premises business signs shall be as set forth in and specified by the grant of a certificate of appropriateness following all procedures set forth by the IHPC. (Emphasis added by staff.)



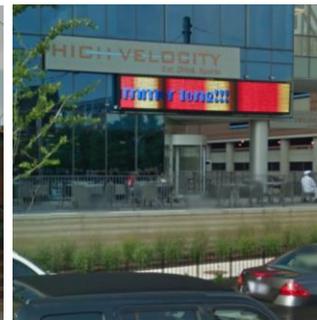
Now Gone



Emmis Building



Victory Field SE corner of J. W. Marriot



The only examples of EVMS signs given variances downtown

VII. DIGITAL CANVAS – CONTEXT

The digital canvas is proposed for the southwest corner of the building, on the corner tower “point” at the intersection of Massachusetts Ave. and N. New Jersey St. It will share urban space with the Murat Theater, the Athenaeum and the new Millikan Apartments. This and the next page show the context.



Montage on Mass



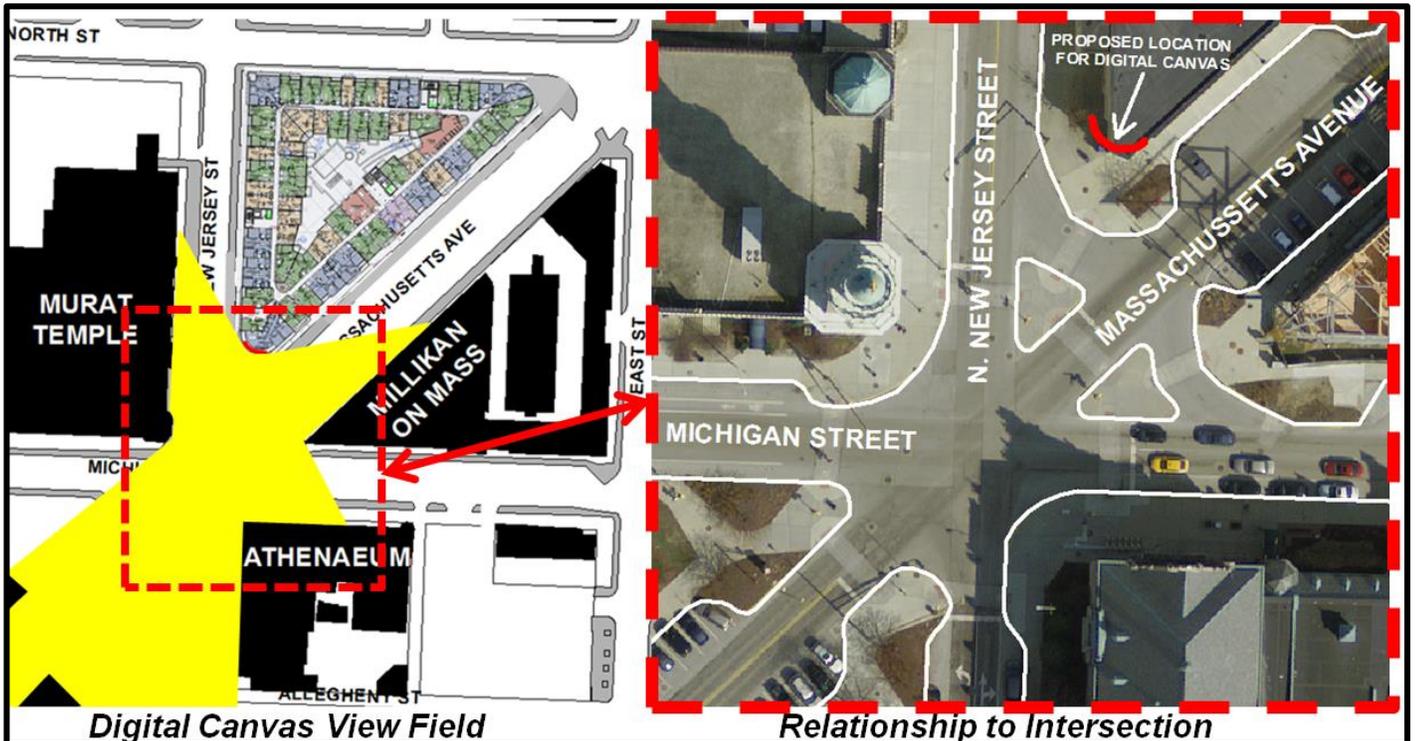
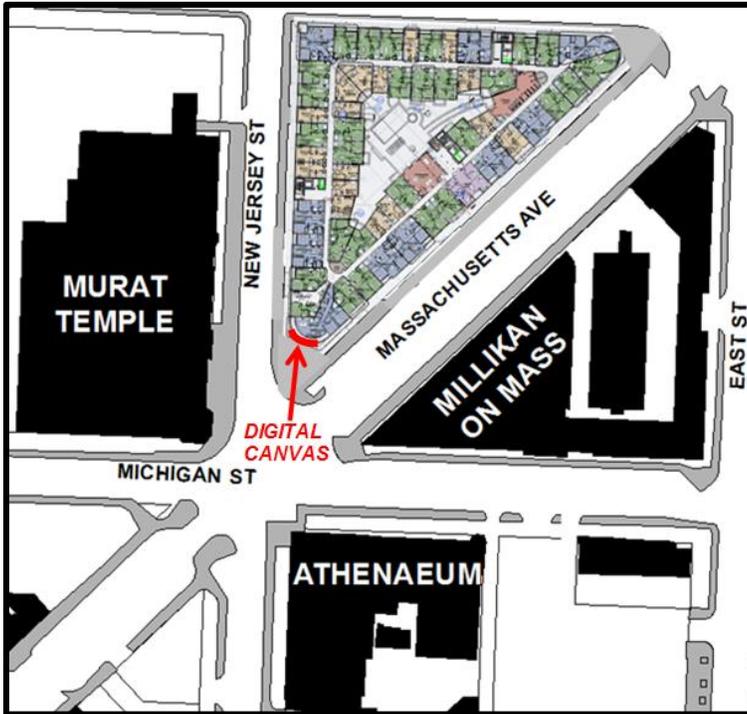
Millikan on Mass



Murat Theater



Atheneum



Digital Canvas View Field

Relationship to Intersection



VIII. STAFF'S SUMMARY OF APPLICANT'S COMMITMENTS

What follows is a summary of what staff believes the applicants Commitments are, with respect to the functioning of the digital canvas. There are also financial commitments, but staff made no attempt to study or analyze them. The full text of the Commitments in the applicant's words is found in Exhibit A.

AT LEAST 80% OF OPERATIONAL TIME MUST BE:

Digital Art ("Artistic Media"), including:

- a. Videos
- b. Photography
- c. Artistic Impressions

NO MORE THAN 20% OF OPERATIONAL TIME MAY BE A COMBINATION OF:

Off-Premises Advertising limited to:

- a. "Art Patrons" only. Display limited to
 - i. Art patron's name,
 - ii. Art Patron's logo, and
 - iii. A text that recognizes the art patronage.
- b. May not include:
 - i. Moving or flashing text, or
 - ii. Moving or flashing imagery.
- c. May not be displayed longer than 60 seconds at a time.
- d. May not occur at less than 5 minute intervals.
- e. All other off-premises advertising is prohibited

On-Premises Advertising, limited to:

- a. Advertising for:
 - i. Montage on Mass apartments.
 - ii. Retail tenants on the property who lease more than 900 sq. ft.
- b. May not be displayed longer than 60 seconds at a time.
- c. May not occur at less than 5 minute intervals.

Public Service Media:

- a. Public Service Announcements
- b. Live Feed:
 - i. Weather News
 - ii. Traffic News
 - iii. News of local, national or international interest.
- c. Public Service Media limited to no more than 30 minutes in any 6 hour period.

Live Feed Special Events of Local and National interest

- a. Local professional sports team game
- b. Times Square on New Year's Eve
- c. Extraordinary Special Events (e.g. 9-11, first man to walk on the moon, etc.)
- d. Special Events (not limited in time or intervals.)

GENERAL COMMITMENTS

Operating Hours. Limited to 7 a.m. to 12:00 p.m., except for Special Events (may go past 12:00 p.m.)

Light Level. Shall not exceed .3 foot candles at night measured at 330 feet from base of Digital Canvas.

Sound. Volume shall not exceed 90 db measured at the base of the Digital Canvas.

IX. ENFORCEMENT CHALLENGES

During the earlier hearings, commission members raised questions about enforcement and specifically asked for staff to address it. We look at it this way – what do we do when a complaint comes in. We look at the exact wording of what was approved and the stipulations and commitments associated with that approval. Then we look to see if something is not in compliance. Based on that approach, what follows is a summary of enforcement challenges that staff foresees.

1. Videos

Some video art is obvious, but...

- Is a YouTube video of stupid cat tricks “artistic media?”
- Is a music video “artistic media?”



Some video art is obvious.



Will anyone disagree with these and file a complaint?

2. Photography

It would be difficult to argue that any image done photographically is not “artistic media?”



Some photography is obviously artistic.



Even if most people agree a photo is artistic, will anyone complain?

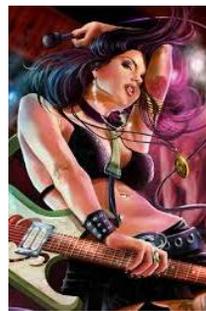


3. Artistic Impressions

Staff assumes that “artistic impressions” are the type of digital art originally envisioned for this project, and covers the examples provided by the architect.



Proposed digital art



The above is digital art. What are the chances someone will complain?

4. Sound

Sound could be birds singing, soft music, bells tingling – but it could also be constant (there is no time limit), could surprise, could annoy, could be gunshots, bombs, profanity, political, deliberately annoying – really, anything as long as it is not more than 90 db. Loudness is measurable, but not easily. Someone would have to use equipment and would have to be there at the exact time the possibly too-loud sound was heard.

Staff has no expertise in assessing noise levels, so we resorted to Google. Examples of noises at or near 90 decibels:

- Train whistle at 500 ft. (90 db)
- Truck Traffic (90 db)
- Motorcycle at 25 ft. (90 db)
- Propeller plane flyover at 1000 ft. (88 db)
- Car wash at 20 ft. (89 db)
- Lawn power mower (90 db)

5. Light Level

One assumes there will be light emitted for 17 hours a day, so enforcement of the time limit is easy. The brightness is also measurable, but not as easily. Someone would have to use equipment and would have to be there at the exact time that the offending brightness was being displayed.

6. Timing of Images and Messages

The commitments offer measurable limits for some, but not all of the images that could be displayed. However, they pose two main challenges:

- 1) Too complex. Art is 80% of the time, but the other 20% is divided between on-premises business images, off-premises sponsorship images (both of which have length and interval limits) and public service images with an entirely different time measure, and Special Event images with no expressed limits.
- 2) If there is a complaint that the time limits are not being honored, enforcement would have to monitor it for an entire 17 hours and then get a math and computer expert to apply the limits in the commitments.

7. Off-Premises Advertising (sponsorship messages)

Allowing a sponsor to include a logo with no limits to size or number will make it very difficult to find the line between “logo” and “advertising.” A google search of “Corporate Logos” brings up images that many people would find to be more “advertising” than “identification.”



Applicant's Example



These are also logos.



What if a candidate sponsors art or rents space in the building?

8. On-Premises Business Signs

Since there are no limits other than time limits, any tenant with more than 900 sq. ft. could display images of its business and any service or commodity it provides. A small store could advertise itself as well as the products it sells. A tavern could advertise itself as well as the beer it serves and the entertainment it offers.

9. Public Service and Special Events

This is largely televising news and events from network and on-line sources. Some types of broadcasts are subject to a limit of 30 minutes per 6 hour period, and some are not. Given the nature of the sources, off-premises advertising is bound to inadvertently occur. How this affects the calculation of allowable off-premises advertising is not clear.

X. STAFF ANALYSIS AND RECOMMENDATION

From the very first time staff was introduced to the idea of a media wall (now digital canvas), our advise has been:

“The closer this is to being pure art and the farther it is from being advertising or anything else, the more likely the IHPC will be willing to consider it.” We also noted that “consider” does not necessarily mean “approve.”

Bottom Line:

1. Design. Although the physical design of the digital canvas feature has improved vastly since 2013, there are still some aspects of its design that staff finds troubling.
2. Function. Rather than moving toward “pure art,” the uses of the digital canvas have multiplied over time. It is now public art, **and** large-scale off-premises advertising, **and** large scale electronic on-premises business signs/advertising, **and** a super-sized TV screen for public service announcements and special events.

The Physical Thing that is the Digital Canvas

The architects have been responsive to the design concerns and suggestions of the IHPC members and staff. As a design feature of the building, the canvas’s proportions and size fit the tower better than when first proposed in 2013. It also now appears to be framed by the architecture rather than draped over it.

Concern – Appearance when “off.” Even with the improvements, staff has design concerns about the canvas as the major design feature of the tower.

The expansive unlit canvas is a grey mesh that will leave the tower looking incomplete, like something is missing. There will still be people who view the tower and will be in the intersection’s urban space after midnight, especially on weekends. There will also likely be times when it is turned off during the day for maintenance, repair, or perhaps when there is not enough art to fill up the allocated time.



The Use and Function of the Digital Canvas

When first introduced in 2013, commission members said they wanted to see documented specifics about how the display of visual images on the digital canvas would be managed and who would be responsible for selecting the art, as the IHPC does not want to be in a position of “judging art.”

In 2013, the Herron School of Art, IMOCA and Riley Area CDC were mentioned as possibilities for governance, management and selection of artwork. In 2015, staff was told that the developer was working with the Arts Council of Indianapolis to provide those responsibilities.

Concern – Quality and Selection of “Art.” The commitments go into detail about the financial management of the digital canvas, but they give no hint as to who will undertake this responsibility. This raises two concerns:

- The visual quality of the images (art, advertising and signs) and the sounds that may be produced will have as much of a visual and auditory effect on the quality of the surrounding public space as does the architecture and color of the building.
- If the endless images and sounds that will be displayed are not chosen and managed by a person or entity with artistic credibility, the public WILL look to the IHPC if there are any complaints about the images displayed.

Commitments

Because the digital canvas has expanded to include advertising, signage and televised events, the commitments designed to limit those uses have become complicated.

Concerns.

- Commitments regarding the times and intervals that the various types of images can be displayed do not quite add up.
- The commitments' complexity will make them a nightmare to enforce.
- The commitments address the finances of the digital canvas, but not the management of its use. The finances are interesting, but not something the IHPC needs to be monitoring and enforcing. The use of the digital canvas will have a visual effect on its surroundings, which is of concern to the IHPC
- Although the commitments attempt to limit "advertising," and although there are technical differences between on-premises, off-premises, public announcements, special events, etc., 20% of the time the digital canvas will be projecting a "commercial" and "non-public art" character. This is a long way from being "pure public art."

Findings of Fact (see Exhibit B)

If the IHPC, acting as the BZA, grants a variance to permit off-premises advertising, it must be able to justify ALL three statutory findings. Staff finds the justifications proposed by the applicant insufficient for the following reasons:

Finding #1 The grant will not be injurious to the public health, safety, morals, and general welfare of the community.

- Finding #1 is supported by the applicant's discussion of how the display of art on the Digital Canvas is consistent with the public art already on Mass Ave. However, this is not pertinent since the variance is for the display of off-premises advertising, not for the display of art.
- A further justification for the finding is that the commitments "significantly limit and control" many aspects of the displayed images, including "size" and "sound." However, there is no limit on the size of business logos, business names or sponsorship text.
- Sound is not limited in any way other than being limited to 90 decibels. It seems possible that sounds found to be annoying would have an effect on the general public welfare.
- Since the digital canvas will be used as a giant TV for special events, it seems possible that the attraction of crowds to the surrounding public spaces and the associated noise would have some kind of effect on the historic environment and surrounding historic buildings.
- The discussion of how the off-premises advertising provides financial support for the digital canvas is not pertinent to the effects of the off-premises advertising on the general welfare of the community.

Finding #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.

- The proposed justification is based on the effects the digital canvas will have on its surroundings when it is displaying public art. There is no attempt to address the effects of introducing off-premises advertising into the surrounding area.
- Staff disagrees with the statement that commitments "significantly limit" all the aspects listed, especially size and sound.

Finding #3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

- The proposed justification addresses difficulties from complying with the size limitations in the sign ordinance. However, this is not pertinent because: 1) it refers only to the "art" aspect

of the digital canvas, 2) the ordinance does not limit the size, but allows the IHPC to decide, and 3) the applicant is not seeking a variance for size.

- The off-premises advertising aspect of the digital canvas is addressed, but the justification given for a variance establishes a practical difficulty in the financing of the digital canvas, NOT in the “use of the property.”
- Staff agrees that off-premises advertising may be needed to support the program being planned for the digital canvas, but does not find this to be a practical difficulty in using the property as it is zoned. It is zoned for a mix of multi-family and retail uses. That is what the Montage on Mass is designed for. The COA granted by the IHPC in 2015 permits those uses to occur as planned. While not being able to have off-premises advertising may be a hardship in funding the digital canvas as intended, staff does not see how it inhibits the use of the property for any and all uses it is zoned for and for which the IHPC has already granted approval.

REASONS TO DENY

Staff recommends this proposal, as it is presented here, be denied for the following reasons:

1. As an architectural feature of the building, the digital canvas is not an appropriate covering for the front of the tower element, especially at times when it does not display images.
2. As a sign for identifying the building and directing attention to the apartments, the digital canvas is entirely out of scale. In addition, the digital, LED light source for illuminating such a sign is inappropriate for the historic character of the surrounding buildings and public space.
3. As an identifier of art sponsorship, displays on the full size digital canvas are grossly out of scale. If the sole purpose is to give credit to art sponsorship, then a small sign at pedestrian level would suffice. At the scale proposed, such sponsorship images will have the appearance of a digital billboard, which is visually inappropriate in this historic location.
4. As a feature to display news, announcements and special events, the digital canvas is a super-sized television screen offering outdoor entertainment. This is no more appropriate a feature on this building or on this public space than would be a permanent outdoor movie screen.
5. As a format to display public art, the digital canvas’ physical scale is appropriate for the tower, as the tower has been designed. However, the digital canvas is likely to negatively affect the character of the surrounding area for several reasons:
 - a. The ever-changing visual nature of imagery (not only the different art pieces, but the changing between art and advertising) will have a chaotic visual effect, much as a building would if its design, materials and colors deliberately and visually conflict with its surroundings.
 - b. The introduction of potentially constant and unregulated noise into the public environment will radically alter the character of the historic public space.
 - c. The public televising of special events on a giant screen will draw large crowds and create noise that will more than likely affect the surrounding area.
6. As a digital feature displaying large-scale images with LED lights, the color intensity and the light quality is inappropriate as a design feature sharing a public space with two of the most architecturally and historically significant buildings in the city. This building should fit comfortably with its iconic and more important neighbors, not call all of the visual attention to itself and visually diminish its neighbors.

STAFF RECOMMENDED MOTION

2015-COA-344 (CAMA) PART B

To Deny a certificate of appropriateness for the digital canvas and the variance to allow off-premises advertising.

VARIANCE 2015-VHP-035 Part B

No Action is needed if the COA is denied.

OR

To Continue 2015-COA-344 (CAMA) PART B, but only if a consensus of commission members believes, after hearing testimony and discussing the matter with the applicant, that the digital canvas could be sufficiently redesigned and repurposed to be “public art” appropriate on this building and in this location.

Staff Reviewer: David Baker

Exhibit A – APPLICANT’S PROPOSED COMMITMENTS
Received January 19, 2016

1. The Digital Canvas shall be constructed in accordance with the dimensions and location shown on the site plan and building elevations submitted to the IHPC on _____, 2015.
2. The Digital Canvas shall function as a means to display digital art such as videos, photography, and artistic impressions (“Artistic Media”) and otherwise only in accordance with these Commitments.
3. Except as provided for, and limited by, Commitment Nos. 4 and 5 hereinafter, off premises advertising (defined as any content that directs attention to goods or services offered on property other than the subject property) on the Digital Canvas is prohibited.
4. Recognition of Art Patrons (defined as an individual, entity, or foundation that provides financial support through donations to subsidize the cost of art or content displayed on the Digital Canvas) and on-premises advertising [defined as any content that directs attention to the apartments on the subject property or retail tenants (retail tenants shall include only those tenants leasing in excess of 900 sq. ft. of leaseable space on the subject property)] shall be permitted on the Digital Canvas, but only in accordance with the following restrictions:
 - a. No more than 20% of the operational time of the Digital Canvas may be used to recognize Art Patrons and/or for on premises advertising.
 - b. Recognition of Art Patrons and on premises advertising shall not be displayed for any longer than 60 seconds for any 5 minute interval.
 - c. Recognition of Art Patrons may only include the Art Patron’s name, logo, and text recognition as an Art Patron and shall not include any moving or flashing text or imagery.

5. Public Service Media (defined as public service announcements and live feed for weather, traffic, or news of local, national, or international interest) shall be permitted on the Digital Canvas, but only in accordance with the following restrictions:
 - a. Except for certain special live events of local or national interest, e.g. local professional sports team game, live feed from Times Square on New Year's eve, and news events generally recognized as an extraordinary event, e.g. 9-11, first man to walk on the moon, etc. (hereinafter "Special Events"), Public Service Media shall be limited to no more than 30 minutes for any 6 hour period.
 - b. Display of regular television programming that is not Public Service Media, as defined herein, is prohibited.
6. Digital Canvas operating hours shall be limited to 7 a.m. to 12:00 a.m., except for Special Events that may go beyond 12:00 a.m.
7. Digital Canvas lighting after dusk shall not exceed .3 foot candles at night measured at 330 feet from the base of the Digital Canvas.
8. Sound may be emitted from the Digital Canvas so long as the volume does not exceed 90 db measured at the base of the Digital Canvas.
9. All proceeds received as a result of recognition of Art Patrons, on-premises advertising as provided for in Commitment No. 4, or Public Service Media as provided for in Commitment No. 5, shall be received by a to-be-formed not-for-profit entity or joint venture, then first be used to compensate artists for the art displayed on the Digital Canvas (hereinafter "Artist Compensation") and then such proceeds shall be used to pay (i) the costs to install, operate and maintain the Digital Canvas, including, but not limited to, maintenance, replacement or upgrading of technology, including software and hardware, the wire mesh and any other associated equipment or parts, and a capital reserve to cover such replacement costs and future costs and expenses, and (ii) operational costs, including but not limited to compensation to staff or personnel, including third party consultants, necessary to operate and maintain the Digital Canvas and to coordinate and procure artistic content and Art Patrons (hereinafter all of such costs and expenses shall be referred to as "Operation and Maintenance Costs"). All proceeds from the Patron Recognition Portion which exceed Artist Compensation, Operation and Maintenance Costs, on a calendar year basis, shall be donated and/or used solely for the purpose of promoting the arts in Indianapolis. The Digital Canvas shall be operated on a nonprofit basis, that is, neither the Owner, nor any of its affiliates, shall receive any payments as a result of the Digital Canvas in excess of the Operation and Maintenance Costs.
10. Owner voluntarily, knowingly and intelligently, for itself and its successors and assigns who may hereafter own or control, in whole or in part, the premises, is waiving any and all rights it has under the First Amendment of the United States Constitution as such rights relate to operation of the Digital Canvas. Owner also waives its right to bring a legal challenge concerning the waiver of its First Amendment rights in the context of the Digital Canvas and hereby releases the City of Indianapolis, Department of Metropolitan Development, from all claims arising out of Owner's waiver of its First Amendment rights based upon these Commitments.

**Exhibit B – APPLICANT’S PROPOSED FINDINGS OF FACT FOR
VARIANCE TO ALLOW OFF-PREMISES ADVERTISING**

Received March 11, 2016

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The Digital Canvas installation, as limited and controlled by the recorded commitments, permits public art to be displayed in a digital format. Public art displays such as the Digital Canvas, much like other public art displays, e.g., the Kurt Vonnegut mural and "Ann Dancing," enhance the arts and cultural attractiveness of the Massachusetts Avenue Arts and Design District. The recorded commitments significantly limit and control the size, display, lighting, sound, and hours of operation for the Digital Canvas. Recognition of Art Patrons and Public Service Media displayed on the Digital Canvas is limited by the recorded commitments and provides for the ongoing operations, maintenance, and periodic updates of the Digital Canvas. The Digital Canvas will be operated on a not-for-profit basis.

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 Digital Canvas will be located and oriented toward the intersection of Massachusetts Avenue, New Jersey Street, and East Michigan Street, which is one of the most prominent areas for the arts in Indianapolis. The Digital Canvas will further enhance the area as a cultural and arts destination. The recorded commitments significantly limit and control the size, display, lighting, sound, and hours of operation for the Digital Canvas.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

Strict application of the size limitations of the Marion County Sign Ordinance (the "Sign Ordinance") would restrict the size of the Digital Canvas such that the Digital Canvas would have little value as a cultural and arts attraction and it would be out of scale in comparison to the built environment around it. The Sign Ordinance, as strictly applied, does not contemplate the limited off-premises advertising aspect of the Digital Canvas, which is limited to Recognition of Art Patrons and Public Service Media as those terms are defined and limited by the recorded commitments. Strict application of the Sign Ordinance to the Digital Canvas, which is essentially public art in a digital format, would result in practical difficulties associated with the cost of operations, maintenance, and periodic updates of the Digital Canvas.

Exhibit C – LETTER FROM APPLICANT’S ATTORNEY

November 24, 2015

LeAnnette Pierce
MARION COUNTY OFFICE OF CORPORATION COUNSEL
City-County Building
200 East Ohio Street
Indianapolis, IN 46204

Re: Docket No.: 2015-COA-344 (CAMA (Part B))
Location: 501 and 555 N. New Jersey
Petitioner: J.C. Hart Company/Strongbox Commercial

Dear Ms. Pierce:

The purpose of this letter is to address two legal issues which have been raised by Indianapolis Historic Preservation Commission (IHPC) Staff and certain IHPC Commissioners regarding the Commission’s consideration of the Petitioner’s application for a Certificate of Appropriateness and petition for approval of a variance of development standards concerning the proposed Digital Canvas for the Montage on Massachusetts Avenue project.

This project was first considered by the Commission for a preliminary review on July 3, 2013. Due to a variety of circumstances, the COA application and petition for variance was not actually filed until July of 2015. The COA for the building design was approved on November 4, 2015. The Digital Canvas aspect of the project is scheduled for hearing on January 4, 2016.

The Petitioner recognizes that the Digital Canvas is a unique feature for the City and that in the historic Chatham Arch Massachusetts Avenue District careful and deliberate attention must be given to the Petitioner’s request, which is why the Petitioner is working very hard to restrict use of the Digital Canvas in a manner that is respectful to the neighborhood. The Petitioner plans to further refine commitments in that regard for discussion with IHPC Staff in advance of the January 4, 2016, hearing

The most recent IHPC staff report for the Digital Canvas states:

[O]ne reason for splitting the digital canvas from the rest of the project was to delay the decision until the sign ordinance is rewritten. The Department of Metropolitan Development (DMD) begins that effort in 2016. The decision in *Reed v. Town of Gilbert*, has called into question the constitutionality of sign ordinances across the country. DMD is currently working on a temporary revision to our sign ordinance that might be implemented soon. This situation creates uncertainty about the effects of granting approval for a feature such as a digital canvas.

Sign Ordinance To Be Applied

Respectfully, delaying consideration of the Petitioner’s variance request on the basis of anticipated future revisions to the Sign Ordinance is improper under Indiana law. Specifically, Indiana Code § 36-7-4-1109 requires that variance requests like the Petitioner’s request here be governed by the ordinances in effect at the time the variance request was filed. Ind. Code § 36-7-4-1109(c). Indiana Code § 36-7-4-1109 is the codification of the traditional common-law rule that substantive ordinances cannot be applied retroactively. *Pinnacle Media, LLC v. Metro. Dev. Comm’n.*, 868 N.E.2d 894, 898 (Ind. 2007).

In fact, on November 18, 2015, the Metropolitan Development Commission approved revisions to the Sign Ordinance (2015-AO-03), but those revisions only apply on a go forward basis--they cannot be applied

retroactively. The same is true of any contemplated revisions to the Sign Ordinance as it relates to electronic variable message signs.

In short, the IHPC must apply the Sign Ordinance that was in effect at the time the variance petition was filed. Anticipated changes to the Sign Ordinance is not a valid basis to delay consideration of this pending variance and COA request.

We are bringing this issue to your attention now, and welcome further discussion with you if necessary, so that the hearing on the Digital Canvas aspect of this case will not be delayed further based upon a misunderstanding of which ordinance the IHPC is to apply to this case.

Enforceability of Commitments

In the staff report, IHPC staff poses questions about the enforceability of commitments to which the Petitioner would agree--many of which restrict content on the Digital Canvas—based upon the holding in *Reed v. Town of Gilbert*, 135 S. Ct. 2218 (2015) and its progeny. Content based restrictions can plainly be enforced even after the *Reed* decision, where the property owner has clearly and unambiguously waived its constitutional rights.

In *Reed*, the United States Supreme Court, applying a strict scrutiny test, concluded that the Town of Gilbert, Arizona’s sign ordinance violated the First Amendment to the United States Constitution because provisions of the ordinance were content-based and, therefore, violated the sign owner’s right to free speech. *Id.* at 2227.

As you know, there is a current federal court challenge as to whether the Marion County Sign Ordinance, as it existed when the Petitioner in this case filed its COA and variance applications is enforceable under the First Amendment. Regardless, though, of the outcome in that case, federal law is clear that a property owner can voluntarily waive its constitutional First Amendment right, so long as such waiver is made “voluntarily, knowingly, and intelligently.” *Legal Aid Society v. City of New York*, 114 F. Supp. 2d 204, 227 (S.D.N.Y. 2000) (citing *Doe v. Marsh*, 105 F.3d 106, 111 (2d Cir. 1997); *Lake James Community Volunteer Fire Dep’t, Inc. v. Burke County*, 149 F.3d 277, 280 (4th Cir. 1998); *United States v. Local 1804-1*, 44 F.3d 1091, 1098 n.4 (2d Cir. 1995); *Leonard v. Clark*, 12 F.3d 885, 889-90 (9th Cir. 1994) (further citations omitted).

Simply put, property owners can voluntarily waive their constitutional rights, which is what the Petitioner intends to do by entering into very detailed commitments regarding use of the Digital Canvas which would be recorded and will run with the land. The Petitioner is continuing to refine those commitments and intends to submit them for staff review and comment prior to the January hearing. The Petitioner will make clear in the commitments that to the extent any provisions violate the Petitioner’s constitutional rights; Petitioner is waiving its constitutional rights voluntarily, knowingly, and intelligently.

Again, we wanted to bring these issues to your attention and make the Petitioner’s position clear, well in advance of the January hearing so that there is time for further discussion if you think it’s necessary. To that end, after you have had an opportunity to review and consider the foregoing, please give me a call or email me to schedule a time if any further discussion is necessary. In the meantime, we are preparing revised commitments, as Staff has requested, and will be in touch with David and Meg in that regard.

Thank you for your attention to this matter.

Very truly yours,
Michael Rabinowitch

**Exhibit D – LETTERS FROM CITY-COUNTY COUNCILLORS
Received before the September 2, 2015 IHPC Meeting**



**THE COUNCIL
CITY OF INDIANAPOLIS
MARION COUNTY**

ZACH ADAMSON
Councilor, District 16

September 2, 2015

To IHPC Commissioners

RE: 501 and 555 N. New Jersey Street
COA# 2015-COA-344 (CAMA)
2015-VHP-035

Dear Commissioners,

Good evening. I'm writing to you tonight to ask that no decision be made in the above proposal. Being in such a historic area, special care must be afforded a massive digital/animated billboard in this landmark community. As you know, in the interest of preservation, we must ensure continuity in our historic communities especially one of such high profile, not just for the city but one that is becoming an iconic representation of our city around the nation.

The issue of signs and billboards is an extremely charged issue and one that recently ran the gauntlet at the city council level. The city's legislative body resoundingly sent the message that this issue needs special care and sent that proposal to the MDC to be decided. Those guidelines have not yet been established and in light of the massive and overwhelming public opposition to digital billboards, most particularly in historic areas, this proposal before you today should be postponed until such guidelines are vetted through a thorough and public process.

Again, I ask that you postpone this proposal until after the guidelines for signage and digital bill boards makes its way through the MDC, where it currently awaits attention.

Many thanks for your serious consideration of this request and for your continued service to our city's historic neighborhoods.

Zach Adamson
City-County Councilor, District 16
Committee Assignments:
Public Works, Chairman
Metro/Econ Development



**THE COUNCIL
CITY OF INDIANAPOLIS
MARION COUNTY**

Joseph "Joe" Simpson
Councillor, District 9

To: David Baker, IHPC

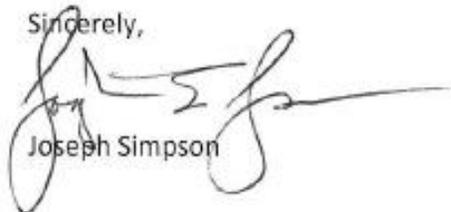
Re: 2015-COA-344 (CAMA)

As City County Councilor for the location of application 2015-COA-344 (CAMA) "Montage of Mass", I respectfully ask that you separate the digital sign from the building and hear them separately. The sponsorships on this digital board clearly fit the definition of a digital billboard and affects the entire city, not just Mass Ave. Currently there is a total ban on digital billboards in Indianapolis.

For more than 6 months this past year, the issue of removing the ban was before the City County Council. A group of over 60 organizations united with the Council to say that the issue needs to be debated fully in a transparent and public process. That process is already on deck in the Department of Metropolitan Development.

In order not to set a precedent that would negatively impact the public trust, I respectfully request that you separate the issues before you, and continue the variance petition for a digital billboard until after the sign ordinance has been reviewed and a position adopted that makes clear the broad community interest

Sincerely,



Joseph Simpson

Received March 29, 2016



**THE COUNCIL
CITY OF INDIANAPOLIS
MARION COUNTY**

ZACH ADAMSON
Councillor, District 17

March 29, 2016

Commissioners
Indianapolis Historic Preservation Commission
1842 City County Building
200 East Washington Street
Indianapolis, IN 46204

Commissioners,

I regret that I cannot attend the April IHPC hearing in person, but wanted to be sure that my position on the LED screen to be located on the Montage on Mass was clear.

Last year, the City County Council clearly took the position that digital billboards should be addressed through a public and transparent process when the entire sign ordinance is reviewed by the Department of Metropolitan Development. It is my understanding that the review will be forthcoming in the next few months. It is my belief that consideration of the LED screen on the Montage should not be made until the sign ordinance is fully reviewed. Approving such a screen at this time would, I believe, pre-empt an appropriate review and set a precedent not just for historic districts but the regional center and Marion County as a whole.

Additionally, as the City County Councilor for several IHPC historic districts now in my jurisdiction, including the location of the Montage on Mass, I have serious concerns over the appropriateness of such a light display to be located not only in a historic district but between two of Indianapolis' most historic and distinctive structures. It will be large and lit so as to act as a magnet to the eyes away from these two massive historic structures, which by their own design, should be given their due attention and I fear may be lost in the Las Vegas-like afterglow. It would be a shame for such a distraction at this unique and iconic location.

Thank you for your consideration,

Zach Adamson

City-County Councilor, District 17

CASE# 2015-COA-627 (CH) 2015-VHP-059	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
941-945 STILLWELL STREET COTTAGE HOME		<i>Continued from:</i> February 3, 2016 March 2, 2016 Center Township Council District: 17 Zach Adamson
Applicant URSULA DAVID mailing address: 1147 E. 10 th Street Indianapolis, IN 46202	Owner: BUILDERS MANAGEMENT INC. DBA INDYMOD HOMES 1147 E. 10 th Street Indianapolis, IN 46202	
COMBINED CASE		
IHPC COA: 2015-COA-627 (CH)	<ul style="list-style-type: none"> Construct 2-story, single-family house and detached 2-car garage. 	
VHP: 2015-VHP-059	<ul style="list-style-type: none"> Variance of Development Standards to allow construction within the required clear sight triangle. 	
STAFF RECOMMENDATION:	Approval	

STAFF COMMENTS

Update from the March hearing

The project was presented at the March hearing. Commission members provided the following suggestions:

- There should be some sort of entrance off of Stillwell, since there are two street façades.
- Explore the treatment of the garage (thoughts included setting it back, attaching it to the main house, utilizing a breezeway or pergola attachment, connecting it with a wall).
- The garage should be pushed away from the alley about 18 inches, to help improve circulation through the alley.
- Provide a break in the paneling.

There was discussion about the treatment of the corners and the wood porch posts. The architect responded that aluminum extrusions will capture the corners, there will be a sheet metal drip edge, and the porch posts will be smooth wood – either wrapped or sanded.

Design changes

The applicant consulted with the owner, and has presented two modifications to the project:

1. Relocation of the garage. It has also been pushed in from the alley by 1 ft.

It was decided not to attach the garage. The owner is trying to balance the concerns of the IHPC with those of their future neighbors. Even though attached garages are permitted in Cottage Home, the neighborhood has displayed significant dislike for them. By moving the garage closer to house, the house and garage will appear more unified, but will remain distinctly separate, as preferred by the neighborhood.

2. Enlargement of a window along Stillwell. The enlarged window gives the sense of an entry door. This retains the layout of the original, while taking into account commission concerns about a lack of responsiveness to Stillwell.

While it is not unusual in the neighborhood for a house on a corner to not front onto both streets, the design has been altered to include a door-like window along Stillwell. The use of an enlarged window instead of a true entrance gives the owner the ability to retain the street trees, something the neighborhood is sensitive to, and the project was planned to access the site and disturb the ground in ways that allow the trees to be retained. Staff believes this is not inappropriate, as it is not unusual to have non-functional doorways on houses in the historic districts. There are often doors that have been enclosed or otherwise rendered inoperable when the elimination of such a door would have a significant impact on the appearance of a historic house (such as on a historic duplex that was converted to a single-family). The design retains the distinct bodies and forms that help to break the mass apart and reflect appropriately on the scale of Stillwell.

Background of the Property

This property consists of two vacant lots. The 1898 Sanborn map shows a 2-story duplex on the south lot (941 Stillwell), and a 1 story dwelling on the north lot (945 Stillwell). The duplex was demolished between 1962 and 1972. The 1-story house was demolished between 1972 and 1979. The lots are currently vacant.

Design

The design is by Axis Architecture. It fronts on Polk St. and utilizes both lots. It engages the streets by providing two distinct bodies, effectively breaking it apart to better reflect Cottage Home's scale. The house forms an ell along the west and north. The house shape, partnered with the garage to the east, create a courtyard. The front of the house, facing Polk, is a one story section with a shed roof that slants to the west.



The elevation facing Stillwell has the one-story section on the south, and a two-story section on the north. These are fragmented by a recessed fiber-cement panel chimney. The two story section has a slanted roof that pitches toward the south. The façade is a combination of fiber cement panels and fiber-cement lap siding. All of the windows in the house are single-light fixed or casement units.

The south and west façades help to create the courtyard, and are highly visible. They use the lap siding throughout, and panels on the second story of the taller north section of the home. The bulk of the walls are a bank of windows and stained wood or painted vertical siding, creating a colored accent. These banks are framed by the lap siding. The north elevation is 2-stories tall. It continues the fiber-cement panels found on the rest of this segment. There is an accent of the lap siding and vertical siding.

The garage is a simple, 1-story design. It has a shed roof that slants to the east, reflecting the opposite slant on the one story portion of the house. It is predominantly the 6 in. lap siding, with panels, windows and a pedestrian door on the courtyard side. There are single overhead garage doors on both the north and south side of the garage. The garage is set up to stack two vehicles. To accommodate this, concrete drives will be constructed to allow the cars to angle into the garage from the alley. Initially, the applicant proposed a curb cut and drive directly adjacent to, and parallel to, the alley, but staff advised against that.

Setbacks

The house stretches across two lots. It has a 7 ft. setback from the south property line, a 6 ft. setback from the west property line and a 5 ft. setback from the north property line. The garage has a 1 ft. setback. The setback from Stillwell was based on the setback of the historic house across the street.

Surrounding Context

The property is on the corner of Stillwell and Polk, which does not present a strong or consistent context. The immediate area is characterized by very different housing types and styles, as well as a mix of street orientations.

To the west (across Stillwell St.). A 1 ½ story Victorian cottage is immediately across Stillwell St. There are five vacant lots north of it before arriving at the only other remaining house on that side of the block.

To the north (on same side of Stillwell St.) There are two vacant lots immediately to the north. North of them is a large property with a c. 1991-93 carriage house-like building (it may be residential only) deeply recessed from Stillwell St. North of that is a historic house located very close to Stillwell St.

To the east (across the alley). Immediately on the other side of the alley is a non-historic house built in the early 1990s. It sits on a raised foundation far above ground level due to floodplain restrictions that have subsequently been removed.

To the south (across Polk St.) A historic American Foursquare house is immediately across Polk St. and faces Polk St.

Variance of Development Standards

The applicant is requesting a variance to allow construction within the required clear sight triangle at the southwest corner and the southeast corner, for both the house and garage. Only a portion of the porch and garage are within the required clear sight area. If the house is not constructed in the clear-sight-triangle, it will not line up with historic development, and the setback was based upon the house across the street, its most direct context. The Polk St. curb is 25 feet away from the south property line, leaving ample space for visibility. Staff believes the request is appropriate particularly since it does not appear to create a hazard and will allow more appropriate siting.

Cottage Home Conservation Plan

The Plan states the following regarding new construction:

- *No specific styles are recommended. Creativity and original design are encouraged. A wide range of styles is theoretically possible and may include designs that vary in complexity from simple to ornate.*
- *Surrounding buildings should be studied for their characteristic design elements. The relationship of those elements to the character of the area should then be assessed. Significant elements define compatibility.*
- *A larger-than-typical mass might be appropriate if it is broken into elements that are visually compatible with the mass of the surrounding buildings.*
- *A new building's setback should relate to the setback pattern established by the existing block context rather than the setbacks of building footprints that no longer exist. If the development standards for the particular zoning district do not allow appropriate setbacks, a variance may be needed.*

Reasons to Approve

- The façade on Stillwell is successfully broken up by the differentiation in massing and the recessed chimney. This is helpful in a neighborhood typified by small houses, and helps create two smaller masses within one house.
- While Cottage Home is typified by smaller houses, there is a large mixture of house types and sizes. On these two lots historically there was a 2 story building and a 1 story building, a massing typology that is mimicked by this multi-story design, and visually separating the north and south sections.
- Staff considered the frame design for the chimney. The chimney relates and replicates an element (the panels) found throughout the house. Looking at the design as a whole, staff felt there is room for flexibility in materials based on the overall design intent.
- The lots along this block of Stillwell are shorter than others in Cottage Home. Using the two lots in a creative manner allows for a larger home that still respects the scale and massing of the neighborhood.
- The right-of-way is deep along this stretch of Polk. There is 25 ft. from the curb to the building line, which provides sufficient visibility.

- The duplex located on this lot historically appears to have encroached fairly significantly into the clear-sight triangle at the front of the lot.
- Any proposal for the southern lot would likely require a clear-sight triangle variance, due to the truncated lot size and bringing it into a compatible setback with the rest of the neighborhood.
- Neighboring houses also front Polk, so there is a precedent for that orientation. Stillwell is not being ignored, as the bulk of the house and the way it is broken apart respect Stillwell’s context.

STAFF RECOMMENDED MOTION

COA #2015-COA-627 (CH):

To approve a Certificate of Appropriateness to construct a single-family house and detached 2-car garage and for a Variance of Development Standards, as per submitted documentation and subject to the following stipulations:

DCE: Note: Stipulations number 1, 2, and 3 must be fulfilled prior to issuance of permits.

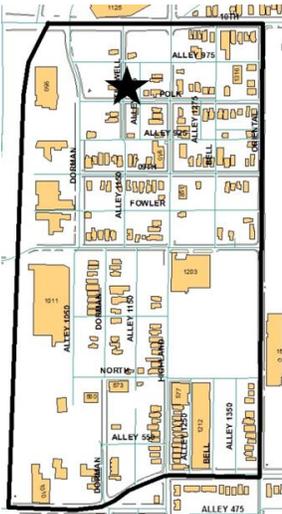
1. Construction must not commence prior to approval by the IHPC staff of final construction drawings. *Approved _____ Date _____*
2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction. *Approved _____ Date _____*
3. The site shall be field staked with no offsets and approved by IHPC staff prior to construction. *Approved _____ Date _____*

4. A durable marker indicating the date of construction must be incorporated into the front foundation of the house (not the porch) and approved by IHPC staff prior to installation.
5. All utility wires and cables must be located underground. No installation of utilities or meter and mechanical placement shall commence prior to IHPC staff approval.
6. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, etc.
7. Boxed soffits (“bird boxes”) are not permitted. Rafter tails may be left exposed or sheathed with sloping soffit board parallel to pitch of roof.
8. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.

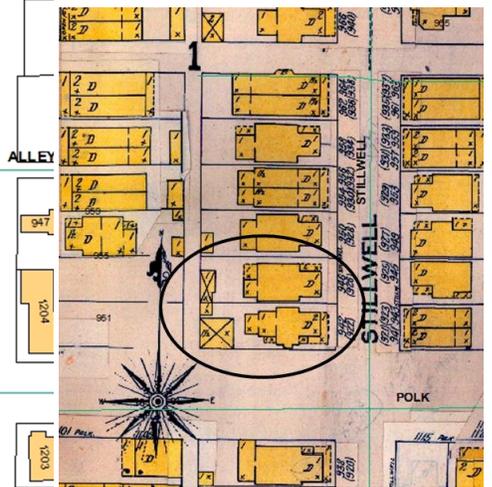
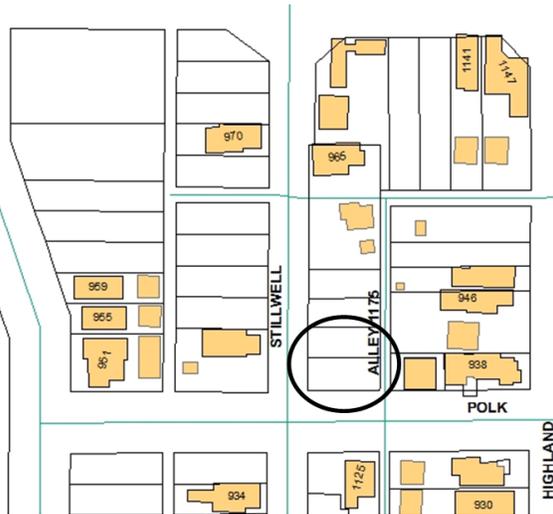
Variance #2015-VHP-059:

To approve a Variance of Development Standards to allow construction of the house and garage within the required clear sight triangle.

Staff Reviewer: Emily Jarzen



Location in Cottage Home



1898 Sanborn map



950 STILLWELL

941 STILLWELL

1130 POLK

938 HIGHLAND



965 STILLWELL

941 STILLWELL

Streetscapes (from last March Staff Report)

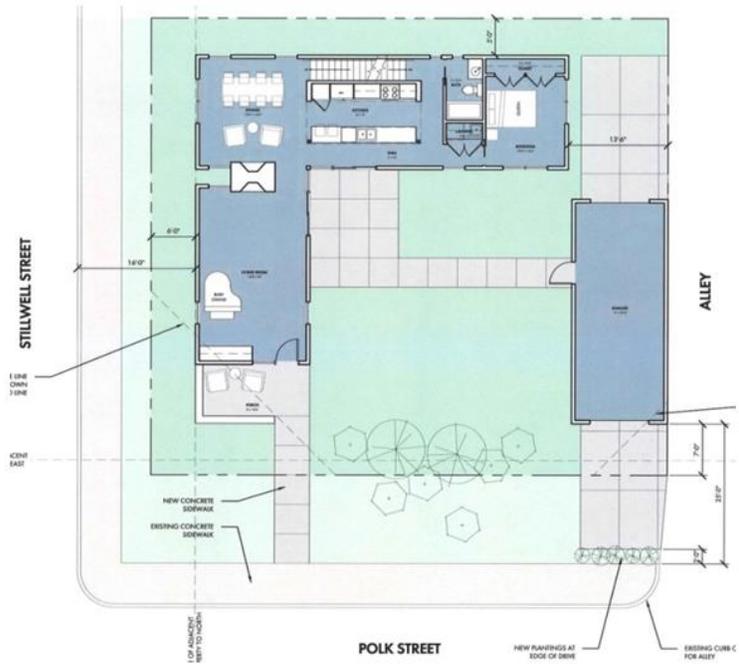


Aerial view facing north

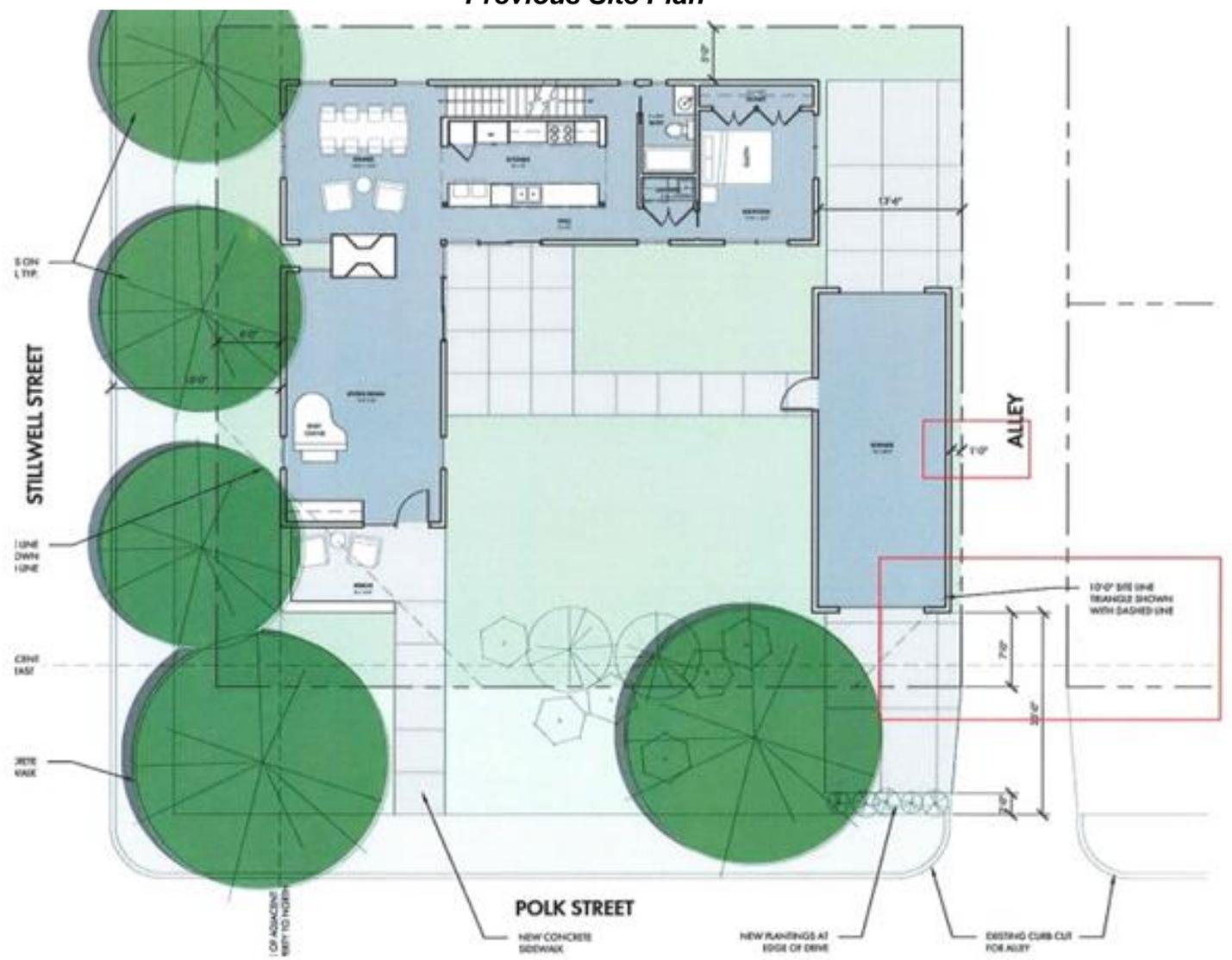


Aerial view facing south

NOTE: Commission members will receive full set of drawings in their packets



Previous Site Plan



REVISED SITE PLAN



Previous Aerial Perspective



REVISED AERIAL PERSPECTIVE



Previous Perspective – Polk St.



REVISED PERSPECTIVE – POLK St.
(Note the garage closer to the house)



Previous Polk St. Elevation



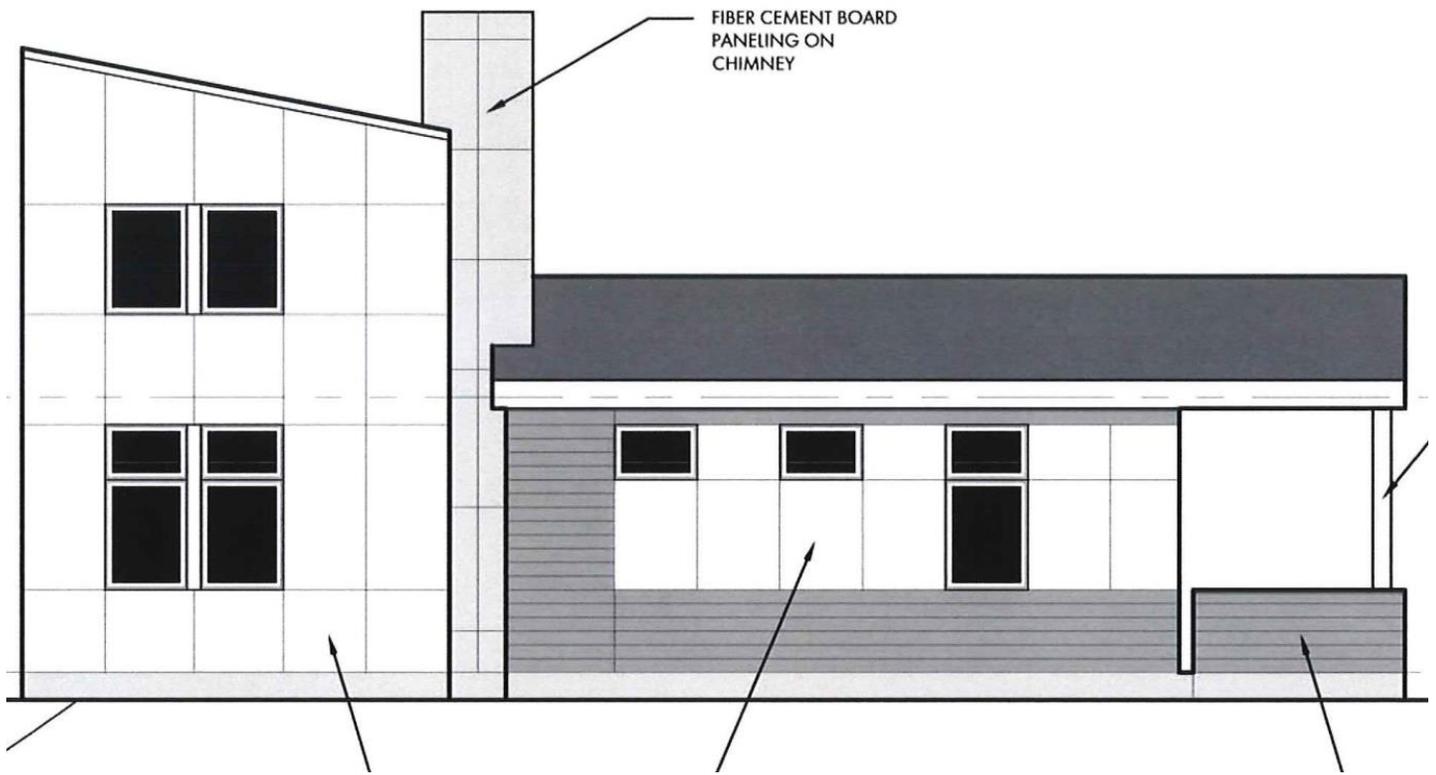
REVISED POLK ST ELEVATION



Previous Perspective – Stillwell St.



REVISED PERSPECTIVE – STILLWELL ST.

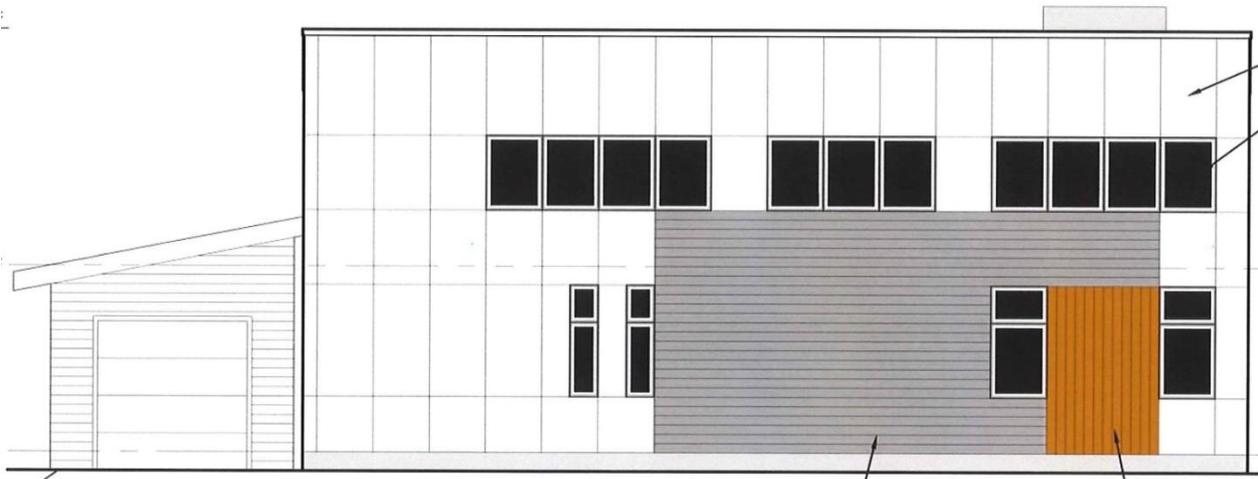


Previous Stillwell St. Elevation

ADD UPDATED ELEVATION

REVISED STILLWELL ST. ELEVATION

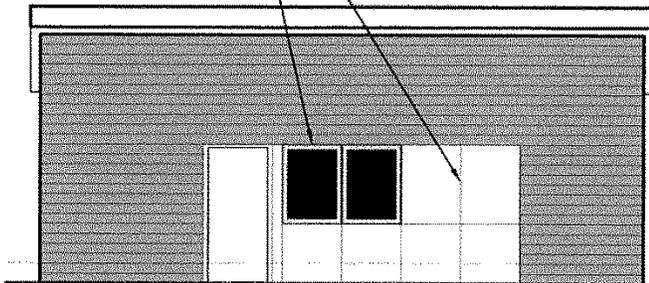
UNCHANGED ELEVATIONS AND DRAWINGS



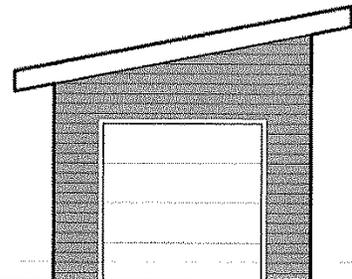
Previous North elevation



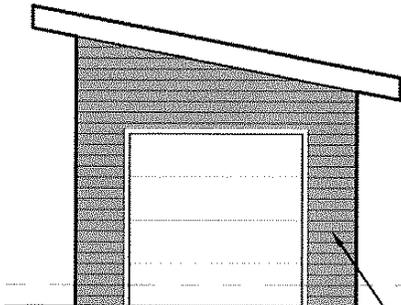
Previous East Elevation (Courtyard)



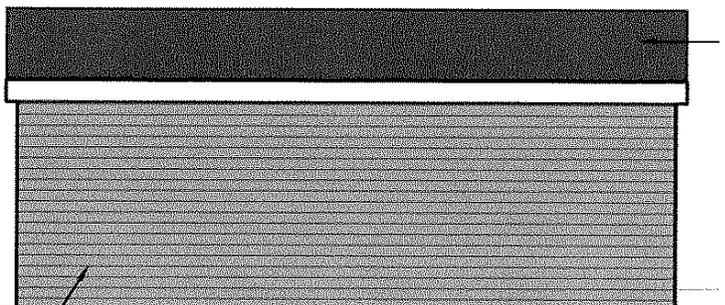
West Elevation



North Elevation



South Elevation



East Elevation



Subject lots



Buildings two lots to the north



Context across the street





House located across alley on Polk



Neighboring house across Polk Street

FINDINGS OF FACT

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

Both the house and the garage are set back compatible distances from the curb line as adjacent properties on both Polk and Stillwell Streets. The front porch, which is in the clear sight triangle on the corner of Polk and Stillwell, contains a corner post and a low wall. Because the porch is 25 feet from the curb to the building line on Polk, vehicles should be able to pull up to the intersection without substantial visual interference. Only 3' of the garage is in the clear sight triangle at the corner of Polk and the alley. Because the clear sight triangle is to the right of traffic leaving the alley and because the garage sits 25 feet from the intersection, there should be no visual problem seeing conflicting traffic movements existing the alley on to Polk. In addition, these are low volume, low speed streets, where any conflicting traffic movements are easy to discern.

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:

Typically setbacks and garage placements in the neighborhood are varied and this proposal fits with the historic development. Historically, development patterns at this corner encroached into the clear sight triangle.

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

Constructing almost anything reflective of typical development in the neighborhood would likely require construction in the clear sight triangle. For the clear sight triangle on the corner of Polk and Stillwell streets, it would require losing the front porch and/or pushing the rest of the structure back on the lot. However, having a front porch is consistent with the other properties in the area. And, having a set back off of Polk Street close to 35 feet is not consistent with the plan or the other houses on Polk Street. In the alternative, moving the house to the east, out of the clear sight triangle, would create an inconsistent set back on Stillwell Street.

The alternative to move the garage back 3 feet does not functionally enhance visibility, and negatively impacts how the stacked garage operates, limiting access in and out from the north side. Entering from the alley in a side-by-side option limits the yard space and significantly impacts the courtyard approach to the design.

DECISION

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

Adopted this _____ day of _____, 2016

Officers:
Crystal Rehder, *President*
Bob Renaker, *Vice President*
Charlie Turk, *Treasurer*
Jessica Teipen, *Rec. Secretary*



Directors:
Nancy Bain
Andy Beck
Martin Coleman
Christy Cashin
Heath Hurst
Andy Kienle
Armando Perez

January 20, 2016

Bill Browne
Indianapolis Historic Preservation Commission
1801 City-County Building
200 East Washington Street
Indianapolis, IN 46204

2015 COA 677/
2015 VHP 059

Dear Mr. Browne and Commissioners:

As President of Cottage Home Neighborhood Association, I am writing in support of the proposed new residence at 941-945 Stillwell Street.

Our Conservation Committee has met with Developer Ursula David and is pleased to work with her again on one of her "prefabulous" homes. Specifically, we are in support of **2015-COA-677 (CH)**. We have reviewed the plans for the house and feel that it is a good fit for the location and is in line with our guidelines for new construction.

One concern of the Committee was the row of trees along Stillwell and Polk. Originally it seemed that the trees would be in the way of moving equipment and the house onto the lot. However, Ms. David has agreed to load equipment, and eventually the house, from the north side of the lot so that the trees can be preserved. These trees are likely within city right-of-way; we strongly advise that all efforts be made to preserve them.

We are in support also of **2015-VHP-059**, which is necessary due to the home's corner location. In order to have a similar setback to the neighboring house, we need a variance to the line-of site rule. We are not concerned with the construction in the clear site triangle, as it does not seem to interfere with vehicle or pedestrian traffic.

We hope you will grant the above petitions allowing the new home now labeled 941-945 Stillwell to be constructed as designed. We do understand that the house will face Polk Street and will be reassigned a Polk Street address.

Thank you for your consideration.

Sincerely,

Crystal Rehder
President, Cottage Home Neighborhood Association



EMAIL FROM HOMEOWNER

From: Ricci, Lewis
Sent: Thursday, March 03, 2016
To: Eric Anderson; Ursula David;
Subject: Rationale for the Entrance on Polk

There are several compelling reasons why the decision to have the entrance to the residence relate to Polk Street rather than Stillwell Street. The clients are extremely sensitive to the very unique locale of the proposed home, on property which is at the fulcrum of new development and the traditional neighborhood of Cottage Home. The corner of Polk and Stillwell is where what is predominantly new and contemporary construction will meet the “village” feel of the neighborhood. Hence, a non-walled, green-space, courtyard which includes a welcoming traditional concept of a front porch is situated to relate to Polk, which is the functional edge of the “village” area which runs south and east. The structure on Stillwell was given detail to allow it to read as two smaller structures, which still allows it to “belong” to the “village” motif, while still giving a “nod” to the more contemporary structures which will eventually surround it on Stillwell. Also, the property, having been vacant for some time, but having border, mature trees, is visually thought of as somewhat park-like. This is reflected in the concern and insistence by the neighborhood that no trees be removed as part of the construction process. Indeed, leaving the entrance off of Stillwell allows the home to keep the row of trees on Stillwell intact, a decision which was combined with the decision to have the Stillwell section of the home on a crawl-space, rather than a full-basement, to help to ensure that the mature trees survive the excavation process. Placing the entrance on Stillwell would have certainly necessitated the removal of one or more of the trees, which are extremely important as they are the only mature trees on that portion of Stillwell. These plantings help to create a connection to the mature “village” area, and provide a setting and presentation for the home’s western/Stillwell elevation.

Lewis C. Ricci
Executive Director



Officers:
Crystal Rehder, *President*
Bob Renaker, *Vice President*
Charlie Turk, *Treasurer*
Jessica Teipen, *Secretary*



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March 29, 2016

Bill Browne
Indianapolis Historic Preservation Commission
1801 City-County Building
200 East Washington Street
Indianapolis, IN 46204

2015COA677A
2015 VHP 059

Dear Mr. Browne and Commissioners:

As President of Cottage Home Neighborhood Association (CHNA), I am writing again in support of the proposed new residence at 941-945 Stillwell Street.

Following the continuance of this application at the March hearing, our Conservation Committee met again with developer Ursula David to review the changes made to the plan. We support moving the garage to the west, which will prevent the overhang over the alley.

Our main concern remains the survival of the row of mature trees along Stillwell Street. An entrance on the Stillwell Street side of the house suggested by the commission would require the loss one or two mature trees to make room for the walkway. The Cottage Home Board of Directors has stated publicly and unanimously that the Association aims "to maintain [the Cottage Home Neighborhood's] green spaces through responsible stewardship of the land, promoting native flora and fauna." We encourage you to acknowledge the historical value and the benefit to the community provided by mature trees. The new plans include a tall window facing Stillwell mimicking the size of an entry door; we support this effort to give the appearance of an entrance without undermining the efforts of the CHNA to promote heritage and community.

The home owners and the Builder do not wish to have an attached garage and the Cottage Home Board of Directors support that plan. The Bylaws of Cottage Home Neighborhood Association Inc. compel us to oppose the suggestion of an attached garage since a stated purpose of CHNA to "maintain the unique historical and architectural aspects of the community...[and to] encourage new development that is compatible with the neighborhood's historic identity." Historically, residences in the Cottage Home neighborhood have had detached garages.

RECEIVE

MAR 30 2016

INDIANAPOLIS HISTORIC

We hope you will grant the above petitions allowing the new home now labeled 941-945 Stillwell Street to be constructed as revised. We understand that the house will face Polk Street and will be reassigned a Polk Street address. We support the orientation towards Polk Street because it accords with the purpose of CHNA as stated in the Bylaws: “[CHNA] will encourage social interaction among residents in order to generate pride in, and bring about the creation of a clean, attractive, and safe neighborhood.” A house facing Polk Street will align with or face its two nearest neighbors, and encourage closer interaction among immediate neighbors. If the new house faces Stillwell Street, it looks on only one neighboring house on the opposite side of the street.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Crystal Rehder'.

Crystal Rehder
President, Cottage Home Neighborhood Association

COA # 2015-COA-297(CAMA)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
720 N. College Ave CHATHAM-ARCH/ MASSACHUSETTS AVE		Amend Plans Approved in 2014-COA-584 and again in 2015-COA-297 (CAMA)
Applicant: BRENT ROBERTS, PHANOMEN DESIGN FOR WILL ZINK, ZINK ARCHITECTURE AND DEVELOPMENT mailing address: 750 N. College Ave Indianapolis, IN 46202	Owners: <u>720 N. College Ave.</u> Will Zink, Zink Architecture and Development 28 E. 96 th Street, Suite 160 Indianapolis, IN 46240 <u>718 N. College Ave.</u> 721 Mass. Ave. Property LLC 573 W. Simpson Chapel Rd Bloomington, IN 47404	
AMEND PREVIOUSLY APPROVED PLANS		Center Twp. Council District: 11 Vop Osili
IHPC COA: 2015-COA-297 (CAMA) Amend previously approved/amended plans		
STAFF RECOMMENDATION: Approval		

STAFF COMMENTS

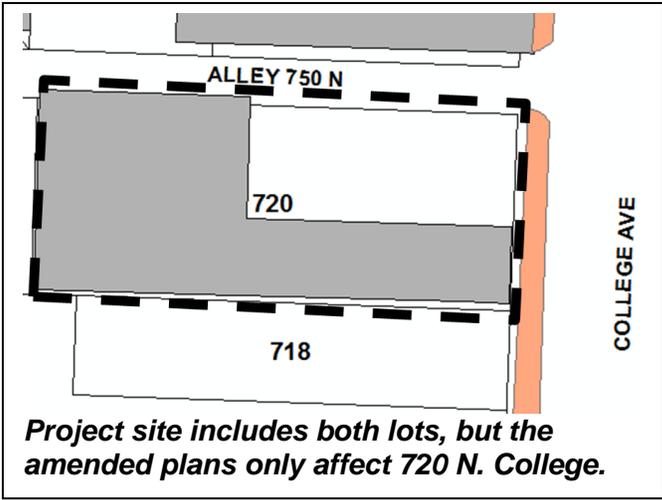
Background of this COA

At the August 19, 2015 IHPC hearing, plans were approved to amend the previously approved plans to restore the subject buildings, make alterations to the building and site. The project was originally approved in 2014 and again in 2015 with a new set of plans.

Description of Site

The project site is made up of two lots:

1. **720 N. College Ave.** 721 Mass. Ave. Property, LLC recently sold this lot to Zink Architecture and Development. All the historic buildings and the proposed courtyard are on this lot.
2. **718 N. College Ave.** This parking lot is being retained by 721 Mass. Ave. Property, LLC, which is allowing Zink to place the dumpster for 720 N. College on it.



Project Description

The applicant is proposing to make several changes from the previously amended design. Overall, staff believes that these changes are sensitive to the historic character of the building, but allows the space to be adaptively reused. The project architect, Brent Roberts with Phanemon Design, has developed the amended plans, which include the following changes and is shown circled on the elevation drawings:

1. Revised clearstory design- The architect has explained that the revisions to the clearstory are a result of several fire code requirements that prevent the inclusion of windows on the south elevation of the

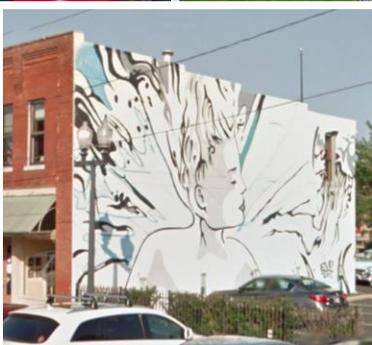
clearstory without having to add additional sprinkling to the building on the south wall and providing specialty glass to the clearstory units.

2. Modification of stairs off rooftop patio- The stairs were previously shown going down into a courtyard between the front and rear portions of the building. Fire code would not allow this. The stairs now go down on the north side of the building. The stairs will still be setback quite far from the front of the building and do not detract from the historic building. In its place, the architect has included a cooler in the courtyard where the stairs were shown previously. This will not be visible.
3. Addition of door opening on east elevation of rear building- A door opening was added for egress on the east wall of the rear building and is shown with an arched top like the windows adjacent to it.
4. Proposed awning structure at roof dining area- A metal awning is now shown over the rooftop patio area near the rear building. It is a metal structure and will have a louvered roofing system that can open and close for shading.
5. Revised paint colors and mural on south wall- The architect is showing gray paint with orange accents along with a painted mural on the south wall. The areas to be painted are currently painted a reddish-orange color. The original brick was a reddish-brown ironspot color. Since the building has been painted, it seems appropriate to paint the brick. The gray and orange color and mural design are not historic to the building, but do relate to the contemporary modifications to the building.

Reasons to Approve

Staff believes the changes proposed are not significantly different than what the Commission approved at the last hearing (August 19, 2015.) The most noticeable differences are the paint colors and the design of the clearstory on the front portion of the building, but are not changes that negatively impact the character of the building. All areas proposed to be painted on the building are currently painted on all three sides and the clearstory modifications help to minimize the scale of this element. The mural is a noticeable addition to the south wall, however, since review of the content of the mural is not to be reviewed, the recommendation to approve the painting of this wall is solely based on the impact paint has on the masonry. Painted wall murals are not uncommon throughout historic areas and it is also not uncommon to paint historic buildings colors that are not indicative of the original brick color. Many buildings throughout Chatham Arch are painted brick currently and the colors are widely varied. Chatham Arch has several examples of painted historic buildings and contemporary murals as seen in the following photos:





STAFF RECOMMENDED MOTION

COA #2015-COA-297(CAMA):

To approve a Certificate of Appropriateness to amend the previously approved plans in 2015-COA-297 (CAMA) as per submitted documentation and subject to the following stipulations:

DCE: PERMITS MAY NOT BE ISSUED until stipulations number 1 and 2 are fulfilled.

1. Construction must not commence prior to approval by the IHPC staff of final construction drawings that include a storefront design similar to the one previously approved.

Approved _____ Date _____

2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction.

Approved _____ Date _____

3. A landscape plan for the landscape area adjacent to the Cultural Trail must be approved by staff before landscaping is installed. Any changes to the landscape plan in the future must be

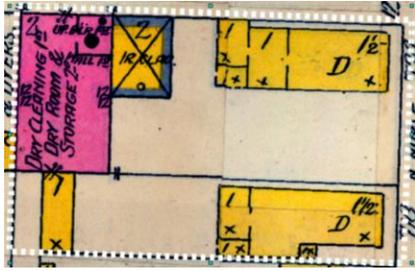
approved by staff and the area must be maintained in compliance with the approved landscape plan until such time that a new landscape plan is approved.

4. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, utility and mechanical equipment placement, etc.
5. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work. Glass shall be clear; any addition of beveling, frosting, etching, coming, or stained glass is NOT permitted under this approval.
6. 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.
7. All original materials on the historic building shall be restored and retained where possible.
8. New windows must fit the existing openings; altering existing openings is NOT permitted unless indicated on the approved plans.
9. All new, repaired, and/or rebuilt elements shall replicate the documented historic appearance of the windows per IHPC photographs.
10. A cut sheet of all new windows and doors shall be submitted to IHPC staff and approved prior to installation. Approved _____ Date _____
11. Any deviation from this approach shall be approved by IHPC staff prior to construction.
12. Any knots or surface imperfections shall be filled to achieve a smooth appearance, sanded and primed. Rough-sawn finishes are not permitted.
13. Permanent Coating Systems are not considered appropriate for painting and this certificate does not approve the use of such materials.
14. No alterations to roof size, shape, or pitch are permitted with this approval.
15. Roof decking may be repaired or replaced where necessary. Where roof decking is exposed at eaves, the decking shall match the existing historic material that it replaces. Plywood or OSB decking material may be used in areas where it will be covered by roofing or overhang materials.
16. Mortar and replacement samples must be approved by IHPC staff prior to commencement of work. Approved _____ Date _____

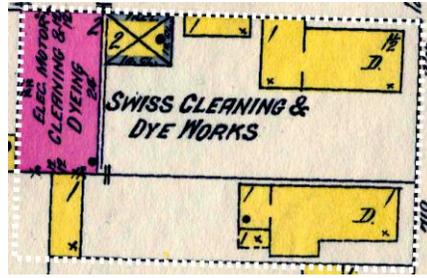
Staff Reviewer: Meg Purnsley



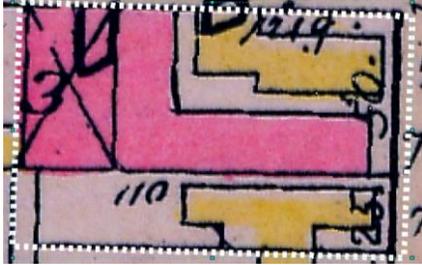
Location in Chatham-Arch and Massachusetts Avenue



1898 Sanborn Atlas



1915 Sanborn Atlas





North side (near rear of buildings)



Existing Conditions (location of new stair/mechanical tower)



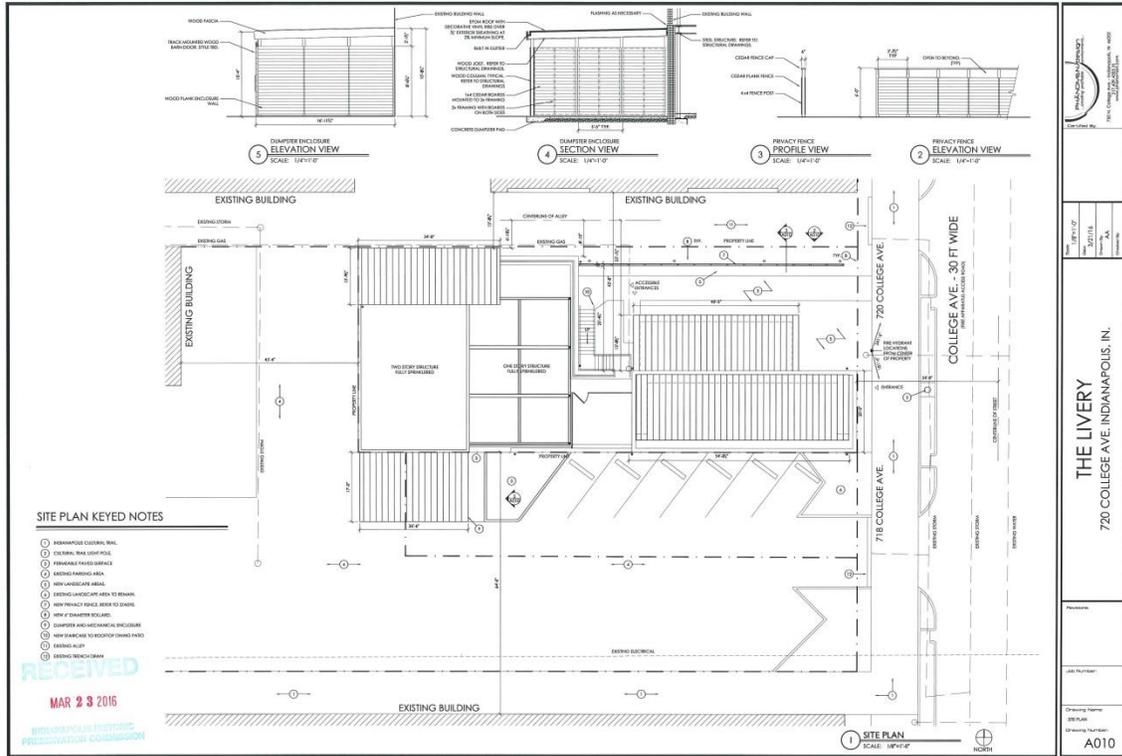


NEWLY PROPOSED RENDERING



PREVIOUSLY AMENDED RENDERING





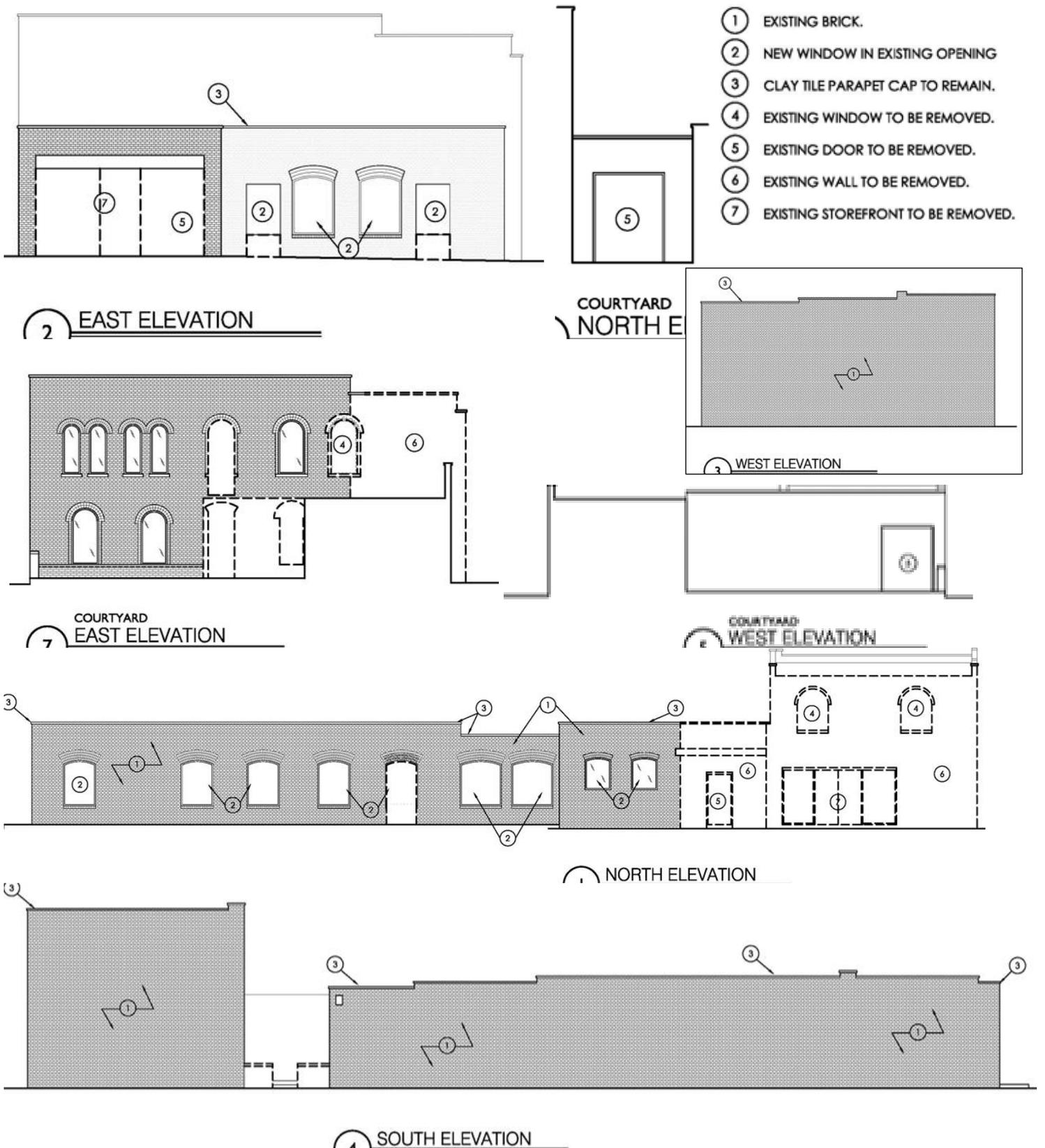
BELOW: PROPOSED MURAL ON SOUTH WALL



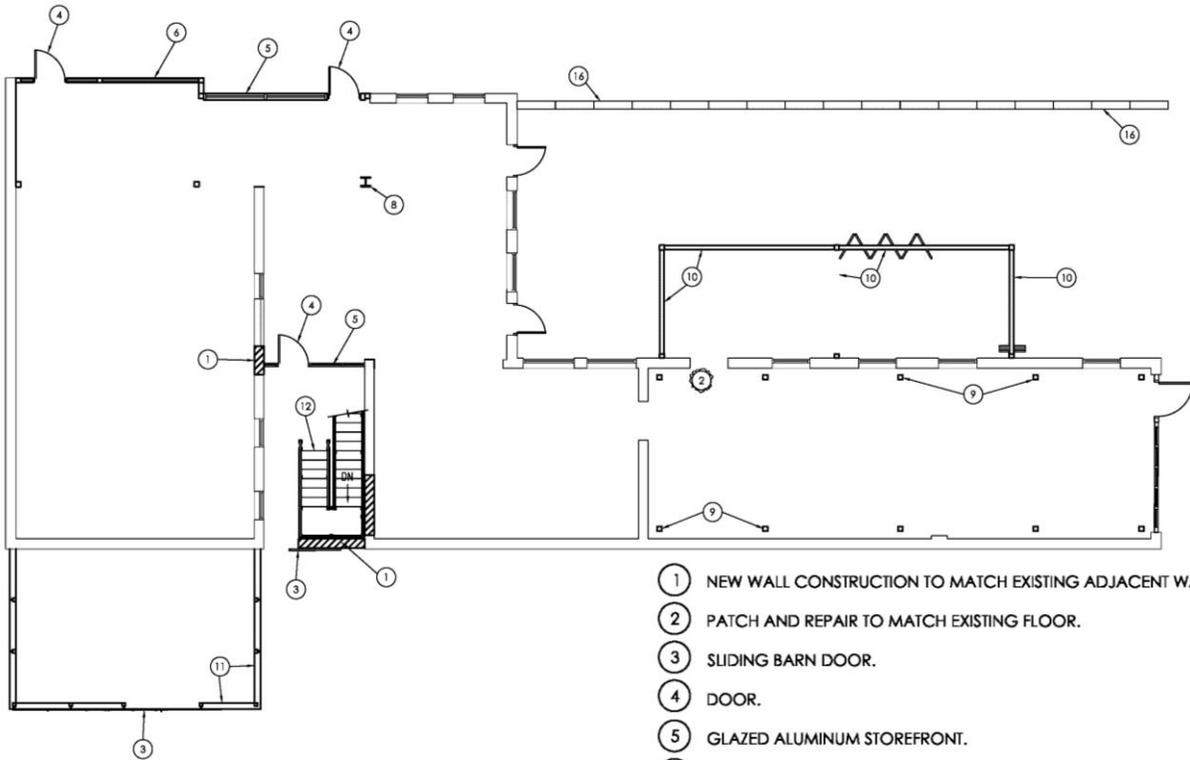
BELOW: PREVIOUS RENDERING FROM AUG. 19, 2015



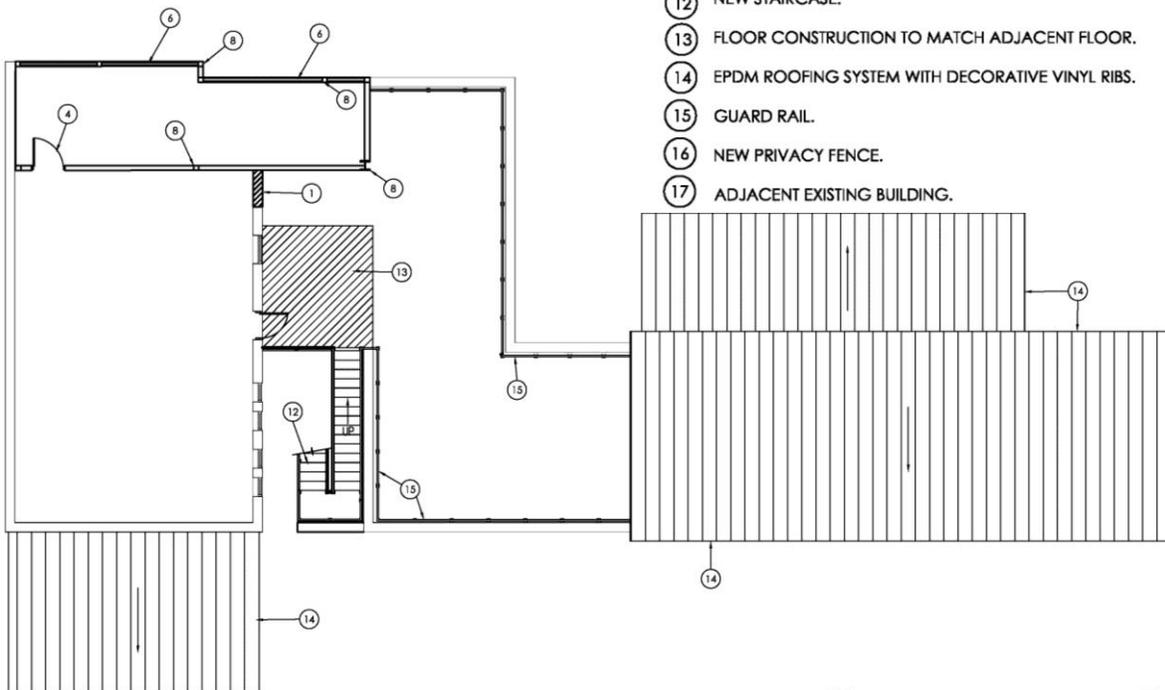
EXISTING ELEVATIONS



PREVIOUSLY APPROVED CONSTRUCTION PLANS

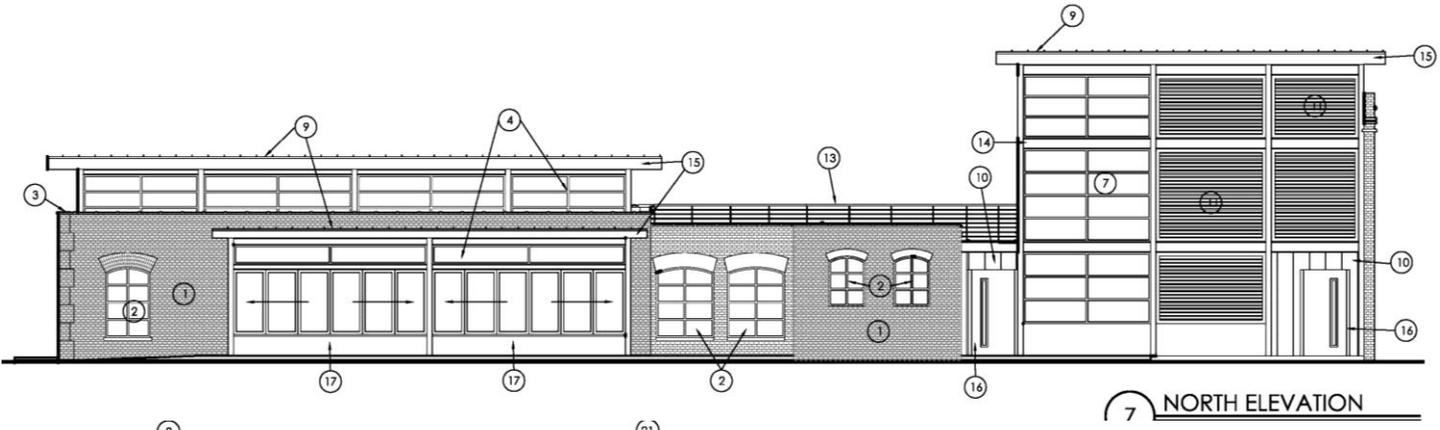


- ① NEW WALL CONSTRUCTION TO MATCH EXISTING ADJACENT WALL.
- ② PATCH AND REPAIR TO MATCH EXISTING FLOOR.
- ③ SLIDING BARN DOOR.
- ④ DOOR.
- ⑤ GLAZED ALUMINUM STOREFRONT.
- ⑥ METAL LOUVER WALL.
- ⑦ STEEL BEAM.
- ⑧ STEEL COLUMN.
- ⑨ STEEL COLUMN TO CLERESTORY WINDOW AND ROOFING.
- ⑩ NANAWALL PATIO ENCLOSURE.
- ⑪ WOOD CLAD DUMPSTER AND MECHANICAL ENCLOSURE.
- ⑫ NEW STAIRCASE.
- ⑬ FLOOR CONSTRUCTION TO MATCH ADJACENT FLOOR.
- ⑭ EPDM ROOFING SYSTEM WITH DECORATIVE VINYL RIBS.
- ⑮ GUARD RAIL.
- ⑯ NEW PRIVACY FENCE.
- ⑰ ADJACENT EXISTING BUILDING.

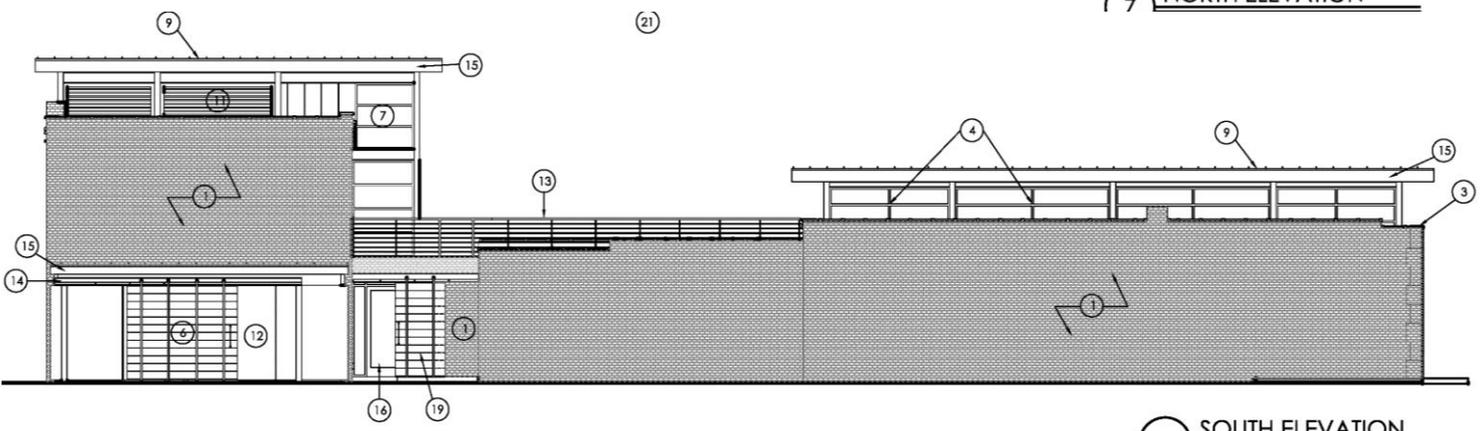


② CONSTRUCTION PLAN

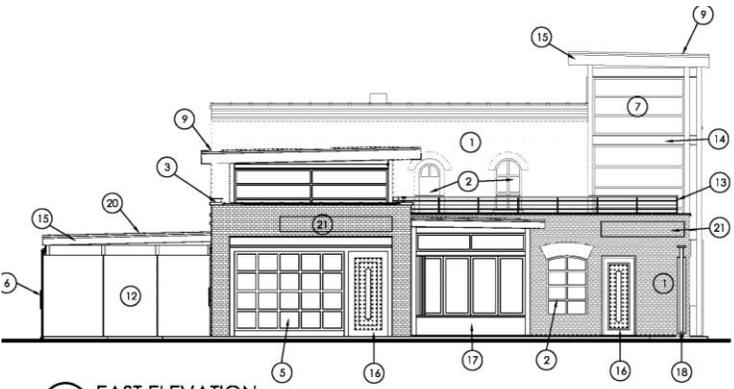
PREVIOUSLY APPROVED ELEVATION DRAWINGS



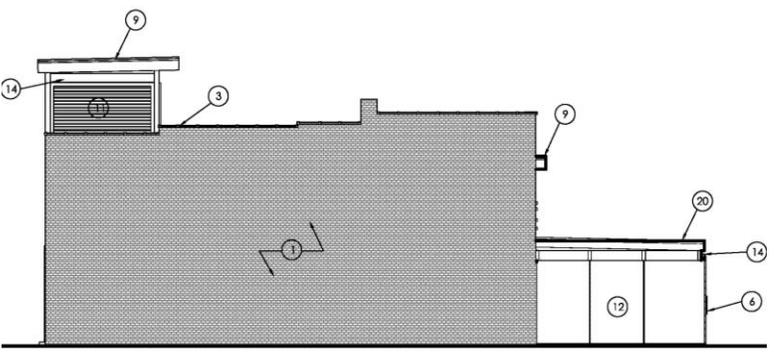
7 NORTH ELEVATION



6 SOUTH ELEVATION

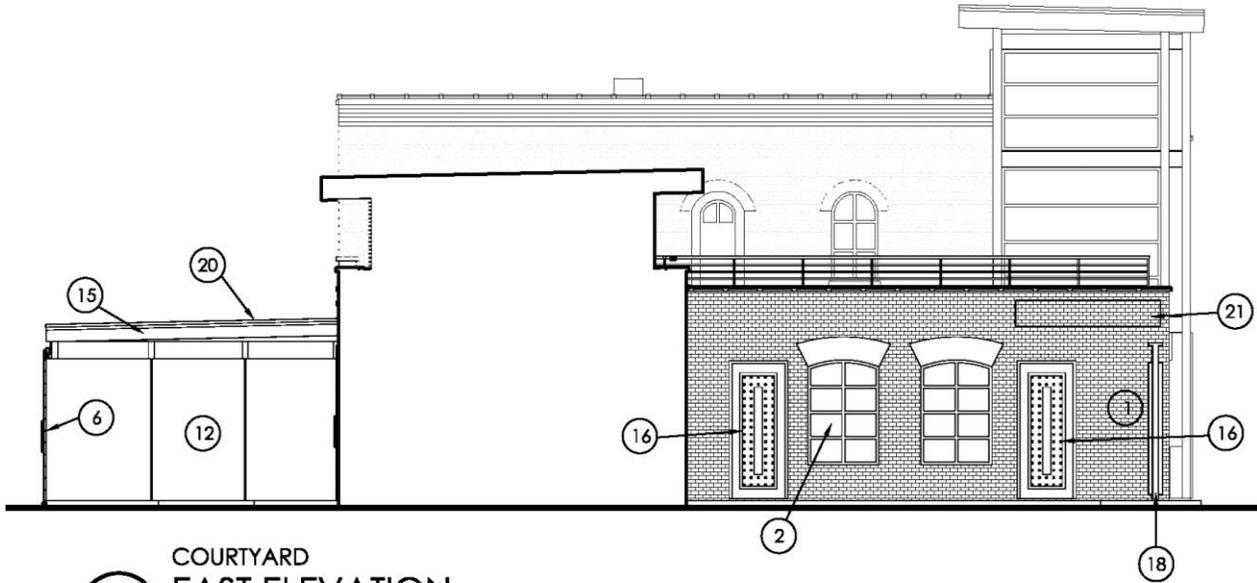


4 EAST ELEVATION
SCALE: 1/8"=1'-0"

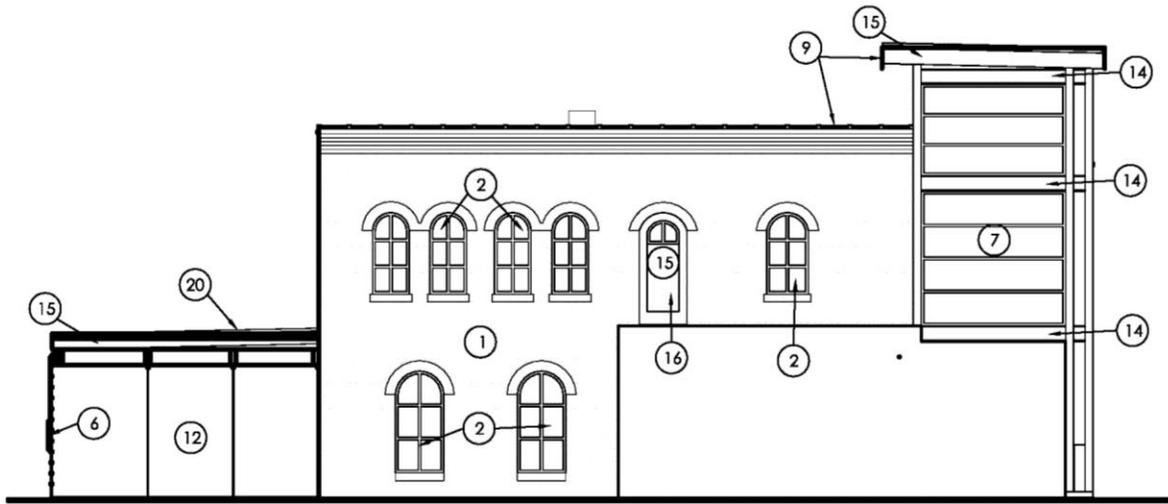


1 WEST ELEVATION

- 1 EXISTING BRICK .
- 2 NEW WINDOW IN EXISTING OPENING.
- 3 CLAY TILE PARAPET CAP .
- 4 CLERESTORY WINDOWS.
- 5 GARAGE DOOR.
- 6 SLIDING BARN DOOR.
- 7 GLAZED ALUMINUM STOREFRONT.
- 8 NANAWALL PATIO ENCLOSURE.
- 9 EPDM ROOFING SYSTEM WITH DECORATIVE VINYL RIBS
- 10 METAL PANEL TO MATCH STANDING SEAM.
- 11 METAL LOUVERS .
- 12 WOOD CLAD DUMPSTER ENCLOSURE.
- 13 RAILING.
- 14 STEEL BEAM .
- 15 WOOD TRIM.
- 16 NEW DOOR.
- 17 WOOD SIDING.
- 18 PRIVACY FENCE.
- 19 FIXED SLIDING BARN DOOR.
- 20 STANDING SEAM METAL ROOFING.
- 21 NEW SIGNAGE.



3 COURTYARD EAST ELEVATION



2 COURTYARD EAST ELEVATION

- 1 EXISTING BRICK .
- 2 NEW WINDOW IN EXISTING OPENING.
- 3 CLAY TILE PARAPET CAP .
- 4 CLERESTORY WINDOWS.
- 5 GARAGE DOOR.
- 6 SLIDING BARN DOOR.
- 7 GLAZED ALUMINUM STOREFRONT.
- 8 NANAWALL PATIO ENCLOSURE.
- 9 EPDM ROOFING SYSTEM WITH DECORATIVE VINYL RIBS
- 10 METAL PANEL TO MATCH STANDING SEAM.
- 11 METAL LOUVERS .
- 12 WOOD CLAD DUMPSTER ENCLOSURE.
- 13 RAILING.
- 14 STEEL BEAM .
- 15 WOOD TRIM.
- 16 NEW DOOR.
- 17 WOOD SIDING.
- 18 PRIVACY FENCE.
- 19 FIXED SLIDING BARN DOOR.
- 20 STANDING SEAM METAL ROOFING.
- 21 NEW SIGNAGE.

COA # 2016-COA-030 (CAMA)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
Myron Street, Project No. AL-25-002 CHATHAM-ARCH/MASSACHUSETTS AVE		New Case
Applicant: INDIANAPOLIS DEPT. OF PUBLIC WORKS mailing address: 1200 S. Madison Ave Indianapolis, IN 46225		
Owner: Mailing address: SAME AS ABOVE		Center Twp. Council District 17 Zach Adamson
NEW CASE		
IHPC COA: 2016-COA-030 (CAMA)	Re-brick Myron Street from 9 th Street to 10 th Street using new brick pavers and some salvaged historic brick. DPW Project No. AL-25-002	
STAFF RECOMMENDATION: Approval of a Certificate of Authorization		

STAFF COMMENTS

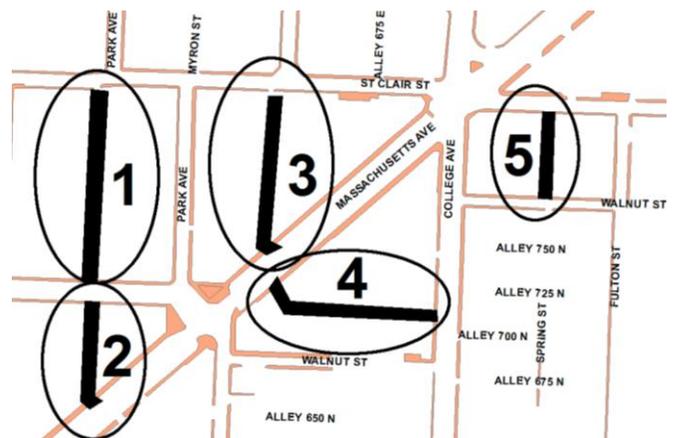
Background of the Request

The Chatham-Arch Neighborhood Association (CANA) is proposing to undertake a new alley resurfacing project. IHPC’s policy exempts restoration of a street using a combination of original brick and matching historic bricks from needing a COA. This project uses predominantly new brick pavers, with salvaged brick as two rows on the sides. A COA is needed to approve the change in materials and design.

CANA Alley Restoration Program

Years ago, CANA determined that it would like to see its brick alleys restored. When the City was approached for assistance, the response was that the City had no funds for any alley repairs, and if it had any funds, there would only be enough for repairs with asphalt. Consequently, CANA decided to find a way to restore brick alleys on its own. To date, CANA has succeeded in restoring some alleys and other alleys have been restored as a result of other projects:

1. Alley #550 from Walnut St. to St. Clair St.
2. Alley # 550 and from Massachusetts Ave. to Walnut St.
3. In 2013, a Certificate of Authorization was granted for an ADA-accessible reconstruction on alley #625 E from Massachusetts Ave. to St. Clair St.
4. Cultural Trail alley # 725 Mass ave. to College.
5. Vacated alley next to IndyFringe



Description of Alley Project

CANA has raised the necessary funds to improve Myron Street, which runs north-south between 9th and 10th Streets. The Department of Public Works (DPW) is planning and managing the project. CANA has some historic bricks salvaged from other alleys (ie. Cultural Trail and Indy Fringe) stockpiled. However, the neighborhood prefers the smooth surface and look of the ADA-accessible alley completed in 2013. That

project was modeled after a nearby alley that was converted with IHPC approval to a section of the Cultural Trail (now known as “Chatham Pass.”) This involves totally removing the historic bricks and replacing them with new pavers that can achieve a smoother, more consistent surface. Like the Cultural Trail segment, there would be a narrow edging of historic bricks installed on both sides.

Originally, the project intended to lay a decorative brick “ribbon” down the center. Because the historic alley features no such ribbon, and it does not impact the functionality of usability of the street, IHPC staff recommended to the neighborhood and DPW to remove the ribbon and lay the new bricks in a pattern more consistent with the historic brick. Both entities agreed to this change and the ribbon will be eliminated.

Puryear, which runs east-west, intersects Myron. Puryear will not be altered in this project. The work on Myron is broken into two sections, with Puryear left as-is.

Condition of Existing Alley

Brick alleys tend to fall into one of three categories:

1. Relatively Intact: Never entirely paved over. Mostly brick with some asphalt and/or concrete patches.
2. Significant Loss of Integrity: Mostly paved over, with some patches of original brick showing.
3. Lost to repaving: Completely paved over in the past with concrete or asphalt.

Myron Street is fairly intact, with little patching. There are some small concrete patches in the middle, and a large compacted gravel segment on the northern end. Both the brick surface and the concreted surfaces are not smooth and are generally in poor condition with holes, bumps, and loose and damaged brick along the entire length of the alley, although most significant at the northern end.

Chatham-Arch/Massachusetts Avenue Historic Area Plan

The Plan recommends the following regarding Streets, Alleys and Curbs:

- *Preserve, maintain and restore the brick streets, alleys and stone curbs.*
- *Use salvaged or replacement brick and/or stone curbs to perform necessary repairs.*
- *Encourage the stockpiling of brick pavers and stone curbs when removed for other locations so they may be used for necessary repairs in Chatham-Arch, Massachusetts Avenue and other historic areas.*

Reasons for Authorization

Staff believes the most appropriate restoration approach would be to re-lay existing and salvaged historic brick in this alley. However, several circumstances about this specific project suggest that it should be approved with a certificate of authorization due to a) insubstantial effect, and b) hardship. Reasons include:

1. Denial of Authorization will result in a substantial hardship to CANF, CANA and neighborhood residents because:
 - a. Without this project, the present poor conditions of the alley will not be remedied.
 - b. Drainage will not be improved without repairs to the street and installing a new crown.
 - c. Denial would deprive the neighborhood of a walkable and accessible “back street.”
2. The effect of approval upon the historic area would be insubstantial because:
 - a. The present “character” of Myron is largely that of a poorly maintained alley.
 - b. The brick surface that is exposed is in poor condition.
 - c. The new brick pavers are of a material, color, texture and size that are reasonably compatible with the historic pavers.
 - d. Original bricks will be used as edging, reminding people of the alley’s history.
 - e. Previous brick restorations with new pavers have successfully retained the general character of historic brick alleys.

Conclusion: This project will not result in a diminishment of the existing “character,” but rather will re-introduce something close to the original character, even if not a replication of it.

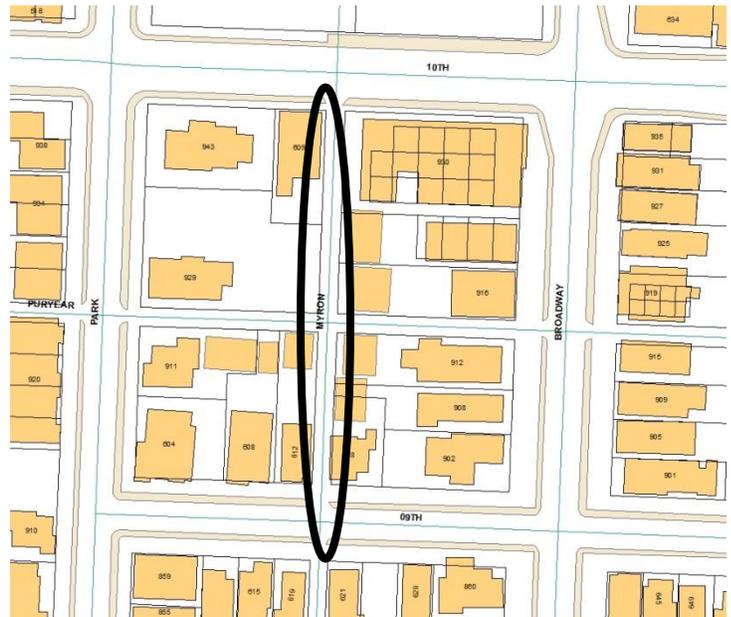
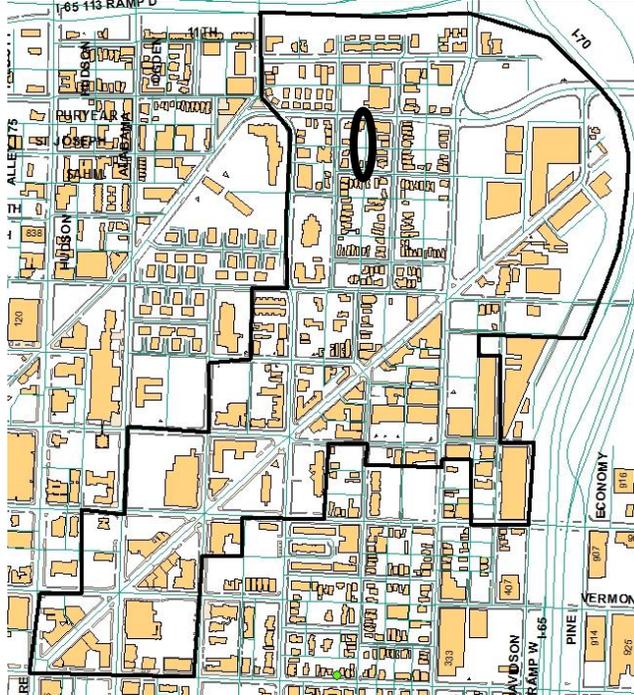
STAFF RECOMMENDED MOTION

2016-COA-030 (CAMA)

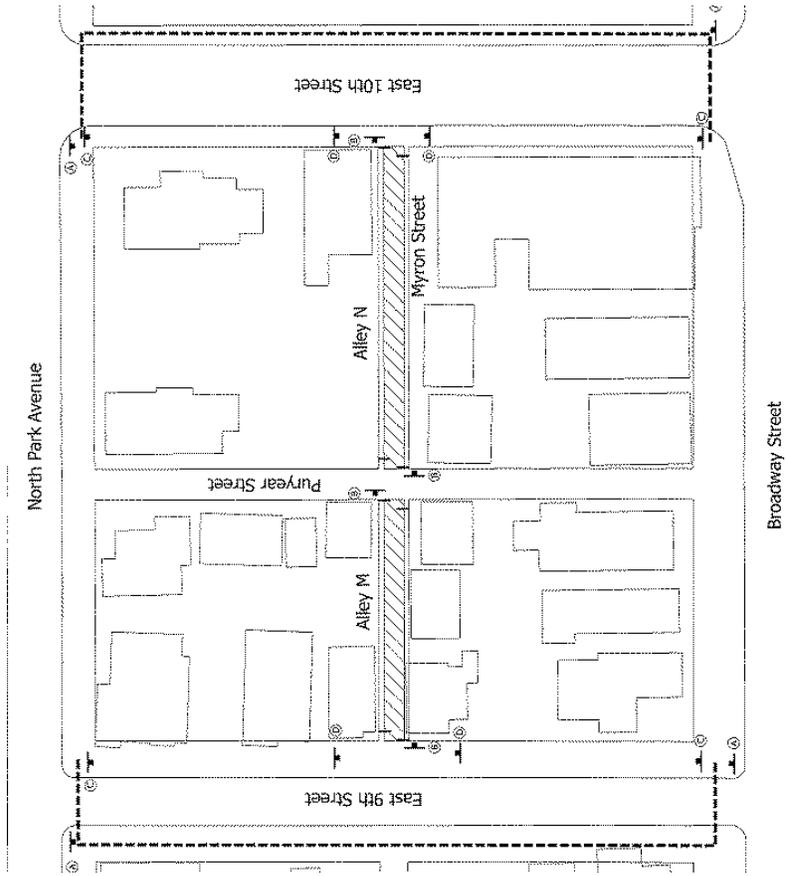
To approve a Certificate of Authorization to remove the historic paver bricks on Myron Street between 9th Street and 10th Street and to replace them with new brick pavers and salvaged historic bricks as per submitted documentation and subject to the following stipulations:

1. A final site plan showing the location of the new brick pavers and the historic brick shall be provided to IHPC staff prior to commencement of work. *Approved* _____ *Date* _____
2. Samples of the final brick selections shall be provided to IHPC staff prior to installation. *Approved* _____ *Date* _____
3. Historic brick pavers shall be salvaged, palletized and stored for future use. Location of the stored bricks shall be provided to IHPC staff. *Received* _____ *Date* _____
4. No alterations to the dimensions of the alley are permitted.
5. Damage or alterations to properties adjacent to the alley or their garage accesses is not permitted.
6. Any changes to the proposed scope of work shall be approved by IHPC staff prior to commencement of work.
7. Notification of dates of construction shall be provided to all property owners who use the alley for garage access or parking area access.

Staff Reviewer: Emily Jarzen



Location of proposed project in Chatham-Arch and Massachusetts Ave.



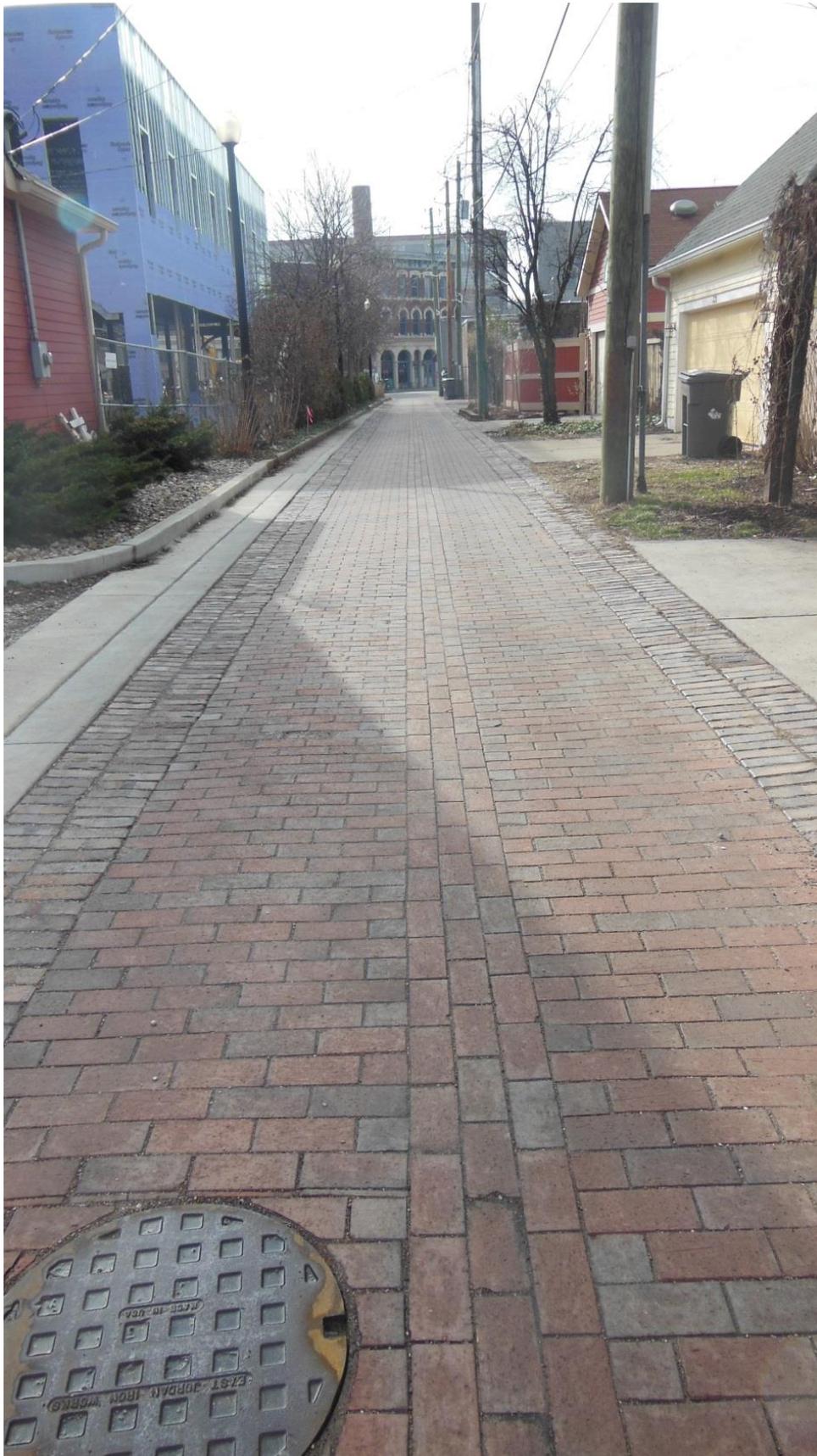


View of Myron from 9th Street, facing north

Condition photographs



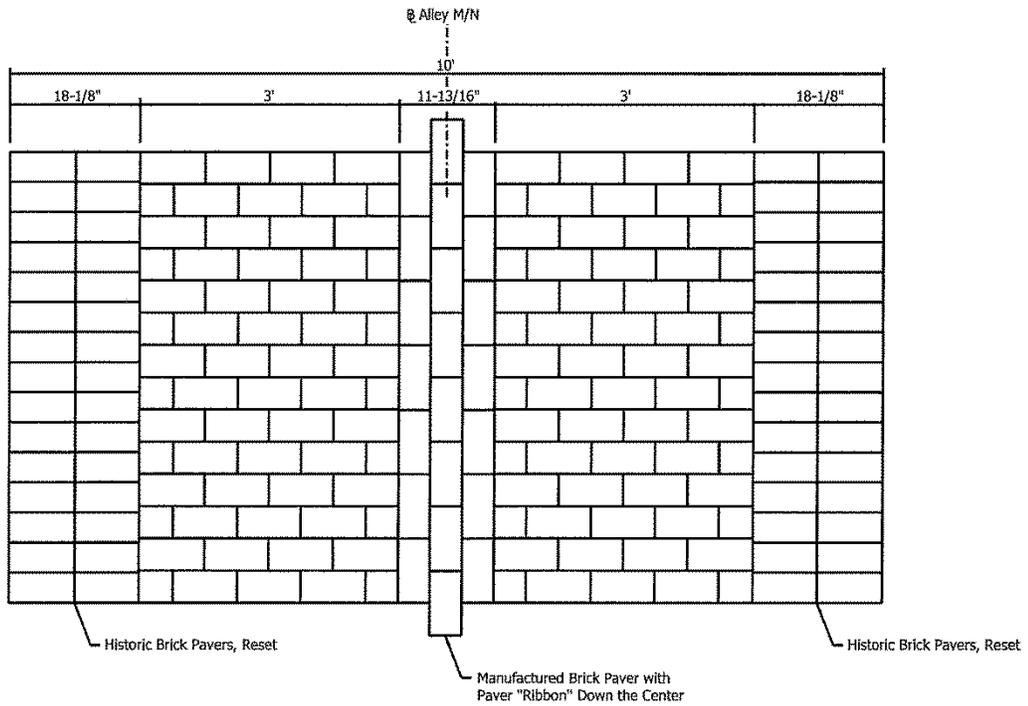




View of Alley 625 E. project as completed, per 2013 IHPC approval



Detail of Alley 625 E. project, as completed



BRICK PATTERN DETAIL

N.T.S.

**Submitted detail for Myron Street reconstruction
(NOTE: final drawings will not include center brick ribbon)**



March 31, 2016

Emily Jarzen
Senior Architectural Reviewer
Indianapolis Historic Preservation Commission
200 E. Washington Street, Suite 1842
Indianapolis, IN 46204

RE: 2016-COA-030 (CAMA)

Dear Emily:

I am writing on behalf of the Chatham Arch Foundation, Inc. to express our support for the application of the Department of Public Works for a certificate of appropriateness for the alley restoration project on Myron Street in Chatham Arch. The Chatham Arch Neighborhood Foundation is partnering with the Department of Public Works regarding the replacement of our badly deteriorated brick alleyways in a manner that will be both pedestrian and automobile friendly while maintaining the unique character of the brick alleys. Thank you very much for your consideration of this project.

Very truly yours,

CHATHAM ARCH NEIGHBORHOOD
FOUNDATION, INC.

By: Steven W. Thornton
Steven W. Thornton, Board Member

RECEIVED
MAR 31 2016
INDIANAPOLIS HISTORIC
PRESERVATION COMMISSION

DMS SWT 3866007v1

P.O. Box 441125 • Indianapolis, IN 46244

Support letter – Chatham Arch Foundation

COA # 2016-COA-063 (HMP) 2016-VHP-004	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
1925 N. NEW JERSEY STREET HERRON-MORTON PLACE		NEW CASE
Applicant	TRADE DESIGN STUDIO	Center Twp. Council District: 11 Vop Osili
mailing address:	1728 N. New Jersey Street Indianapolis, IN 46202	
Owner:	MARK & SARAH NOTTINGHAM 2207 N. Pennsylvania Street Indianapolis, IN 46202	
NEW CASE		
IHPC COA:	2016-COA-063 (HMP)	<ul style="list-style-type: none"> • Build a single-family house and detached 3-car carriage house with one apartment above. • Variance of Development Standards
VARIANCES:	2015-VHP-050	Variance of Development Standards of the Dwelling Districts Zoning Ordinance to exceed the maximum square footage of a permitted secondary dwelling unit (720 allowed, 780 provided).
STAFF RECOMMENDATION: Approval		

STAFF COMMENTS

Background of the Property

This lot is in the area that was once a part of the Indiana State Fairgrounds. Around 1898, a 2 ½ story duplex was constructed. Aerial photography indicates that the house was demolished between 1962 and 1972. It is currently a vacant lot.

Design of the New House

Trade Design Studio designed this revivalist house with traditional features. It has a gable front bay that projects out on the second floor and a shed roof dormer on the front façade. This dormer mimics the shed roof porch on the first floor. The predominant siding is a smooth-finish fiber-cement lap with an alternating 4 in. and 8 in. reveal pattern. The gable ends feature board and batten. The windows on the house are a 3-over-1 motif. These may be a single unit, or a smaller 3-light unit over a larger single light unit.

The rear façade has a hipped roof screened in porch on the first floor. On the second floor are two sets of paired windows. The north side elevation has single windows. Both porches are prominent on this elevation. The south side elevation has doors opening onto a side deck that provides outdoor space and access into the rear yard patio and a side yard garden. This garden will have a low picket or metal fence delineating it from the front yard. The deck is designed to complement the house, and has a solid railing reflecting the lap reveal pattern of the house.



Sliding Doors – Reasons to Approve. The south side façade has a grouping of three sliding glass doors that open up onto the side yard deck. They are protected by a small decorative canopy. The off-set plane on sliding doors usually makes them aesthetically inappropriate in areas with a strong historic character. However, the IHPC has approved them in a few cases where they seem uniquely appropriate for their architectural context or when they are not visible, like on an interior court of a new building. In this case, the

owner desires the openness and functionality sliding doors provide for the room and deck's use. In this case, the staff recommends they be approved for these reasons:

1. This is a new building and the sliding doors, on the south wall, appear appropriate the way they have been specifically incorporated into this design.
2. The doors are drawn with wide rails typically seen on French doors, rather than narrow frames typical of suburban sliding patio doors.

Carriage House Design

The carriage house complements the main house, but details have been simplified. It has the same siding reveal pattern as the house. There is a shed roof dormer on the alley elevation, which also has two garage doors, one a single and one a double. The west elevation (facing the house) has a shed roof bay and pedestrian door.

Both side elevations have a single double-hung window on the second floor. The pedestrian door accessing the carriage house apartment is located on the north side elevation, near the alley. This done to comply with the new zoning ordinance, which requires that access to the dwelling unit be visible from the alley.

No Windows on Backyard Elevation of Carriage. Staff suggested that windows be added to the west elevation (facing the house). However, the owner does not want windows on that side of the building for two reasons:

1. They are concerned over security on the first floor, and
2. They desire privacy in the back yard, so they do not want windows looking into it.

There would be little effect to the neighborhood if the design is approved without windows on the west elevation. The carriage house would have little-to-no visibility from the street and would be only seen from the rear of the house. Also, the shed roof projection on the first floor of the carriage house breaks up the façade and gives it some articulation, although the façade would benefit from some additional articulation.

Setbacks

The house has a 22 ft. setback to the front porch. This matches the setback of the historic house to the south. The house has a 4-ft. setback from the north property line. There is 8 ft. from the south property line to the main body of the house. The deck sits nearly on the property line. The carriage house has a 4 ft. north side yard setback, and a 2 ft. setback from the south property line. There is a 10 ft. setback from the alley.

Variance of Development Standards

The new zoning ordinance, which became effective April 1st, allows a secondary dwelling unit by right in D-8 zoning district. However, the maximum size of a detached secondary living unit is 720 square feet. This was devised for a 20x34 ft. garage. It was recognized that many of the carriage house units recently constructed in historic districts have exceeded this square footage, and that the size limitation is a reflection of a larger house and lot size context. The proposed dwelling unit has a square footage of 780 square feet. While the footprint of the main house is fairly small for the neighborhood, the carriage house was intentionally designed to remain accessory and subordinate in mass and scale.

Staff recommends approval of the variance for the following reasons:

- The carriage house was intentionally designed to remain accessory and subordinate to the main house in mass and scale.
- The house and lot size can accommodate a slightly larger accessory building, without it being overwhelming to the site or neighborhood.
- The square footage being exceeded (60 ft.) is nominal in the overall scale of the building.

Herron-Morton Place Plan

The New Construction Guidelines provide some direction for reviewing this project:

Basic Principle: “New construction should reflect the design trends and concepts of the period in which it is created. New structures should be in harmony with the old and at the same time be distinguishable from the old so the evolution of Herron-Morton Place can be interpreted properly.”

Style and Design: “Creativity and original design are encouraged. A wide range is theoretically possible, from modern to revivals, from simple to decorated.” Also, “Look for characteristic ways in which buildings are roofed, entered, divided into stories and set on foundations.”

Fenestration: “Creative expression with fenestration is not precluded, provided the result does not conflict with or draw attention from surrounding historic buildings.”

Materials: Visual compatibility between historic building materials and new materials “...can often be accomplished with some flexibility since building materials... have less impact on visual compatibility than larger scale visual elements.”

Staff believes that the massing and design of the building complements the historic and new houses that surround it. While its roots are traditional, the use of materials and details is more “revival” and interpretive than “replicative.”

STAFF RECOMMENDED MOTION

2016-COA-063 (HMP):

To approve a Certificate of Appropriateness to build a single-family house and detached, 3-car carriage house with one apartment above and for a variance of development standards, per the submitted documentation and subject to the following stipulations:

DCE: PERMITS MAY NOT BE ISSUED until stipulations number 1, 2, and 3 are fulfilled.

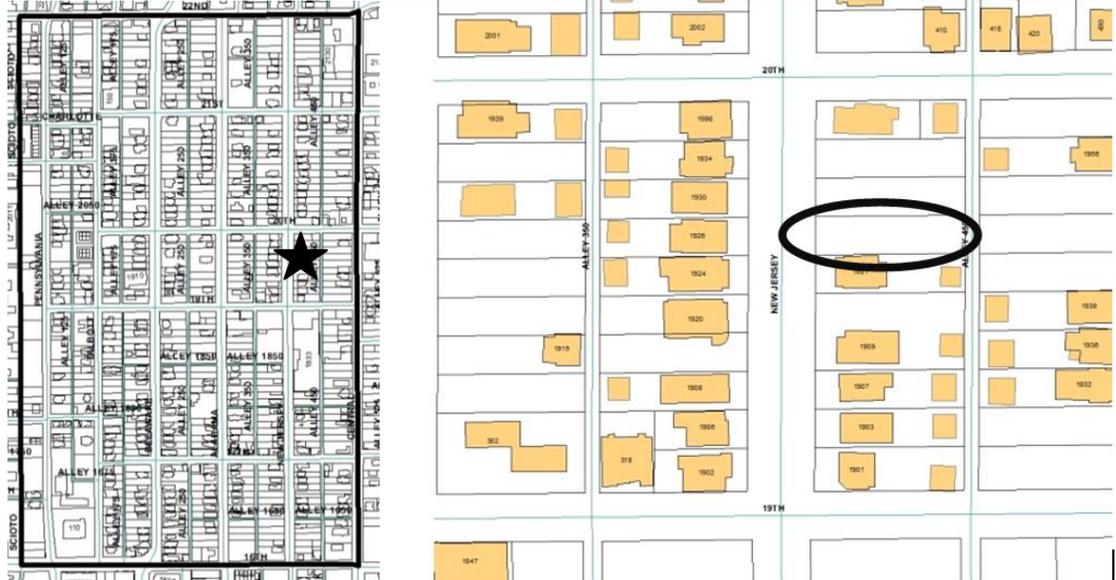
1. Construction must not commence prior to approval by the IHPC staff of final construction drawings. *Approved _____ Date _____*
2. A pre-construction meeting with IHPC staff, the owner, and the contractor/construction manager must be held prior to the commencement of any construction.
Approved _____ Date _____
3. The site shall be field staked with no offsets and approved by IHPC staff prior to construction.
Approved _____ Date _____
4. Boxed soffits (“bird boxes”) are not permitted. Rafter tails may be left exposed or sheathed with sloping soffit board parallel to pitch of roof.
5. Trim and siding shall be wood or fiber-cement, and shall have a smooth texture and be free of major imperfections. **Rough-sawn finishes are not permitted.** Siding reveal must match approved drawings.
6. All utility wires and cables must be located underground. No installation of utilities or meter and mechanical placement shall commence prior to IHPC staff approval.
7. Deck details (including railing design and decking material), must be approved by IHPC staff prior to purchase or installation. *Approved: _____ Date: _____*
8. Work on exterior finishes and details must not commence prior to the approval by IHPC staff of each. These may include, but are not limited to: doors, windows, foundations, exterior light fixtures, railings, roof shingles, etc.
9. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.

NOTE: Property owner is responsible for complying with all applicable codes.

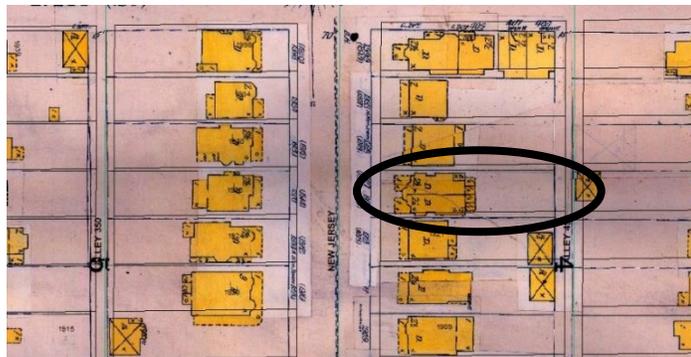
VHP # 2016-VHP-004:

To approve a Variance of Development Standards of the dwelling districts zoning ordinance to exceed the maximum square footage of a permitted secondary dwelling unit (720 allowed, 780 provided).

Staff Reviewer: Emily Jarzen



Location in Herron Morton Place



1898 Sanborn map



Aerial view of subject property

(House at NE corner constructed in late 2014 is not reflected in this photograph)



Subject lot and houses to the south

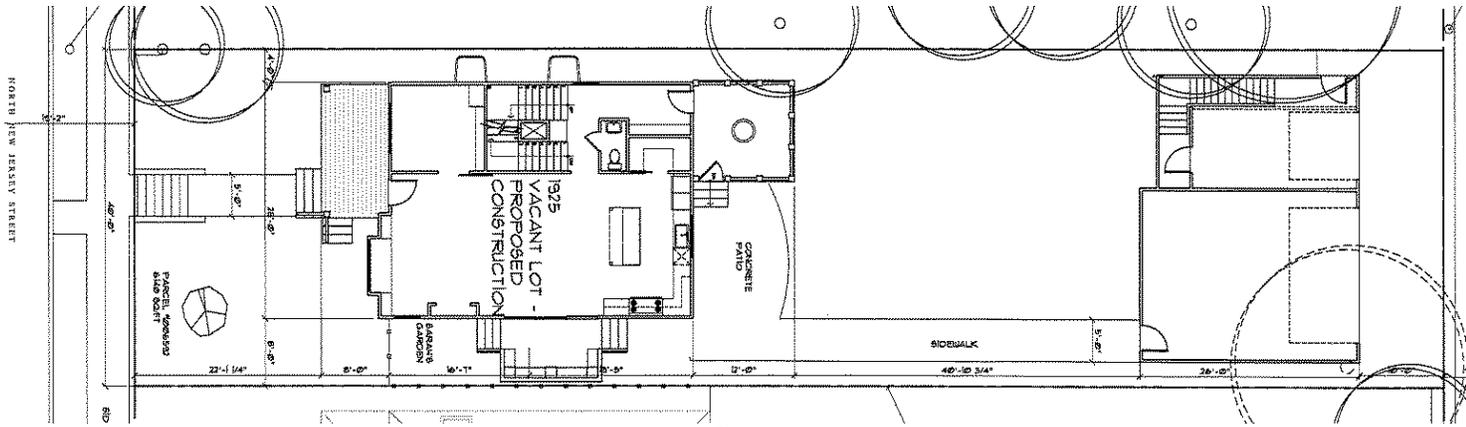


Subject lot and house to the north

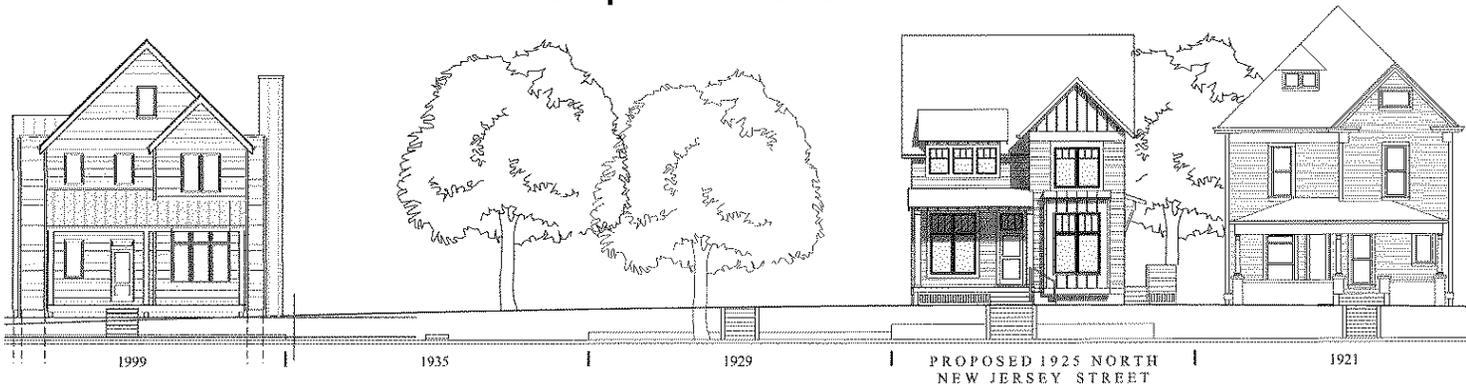


Context across the street

NOTE: Commission members will receive full set of plans



Proposed Site Plan



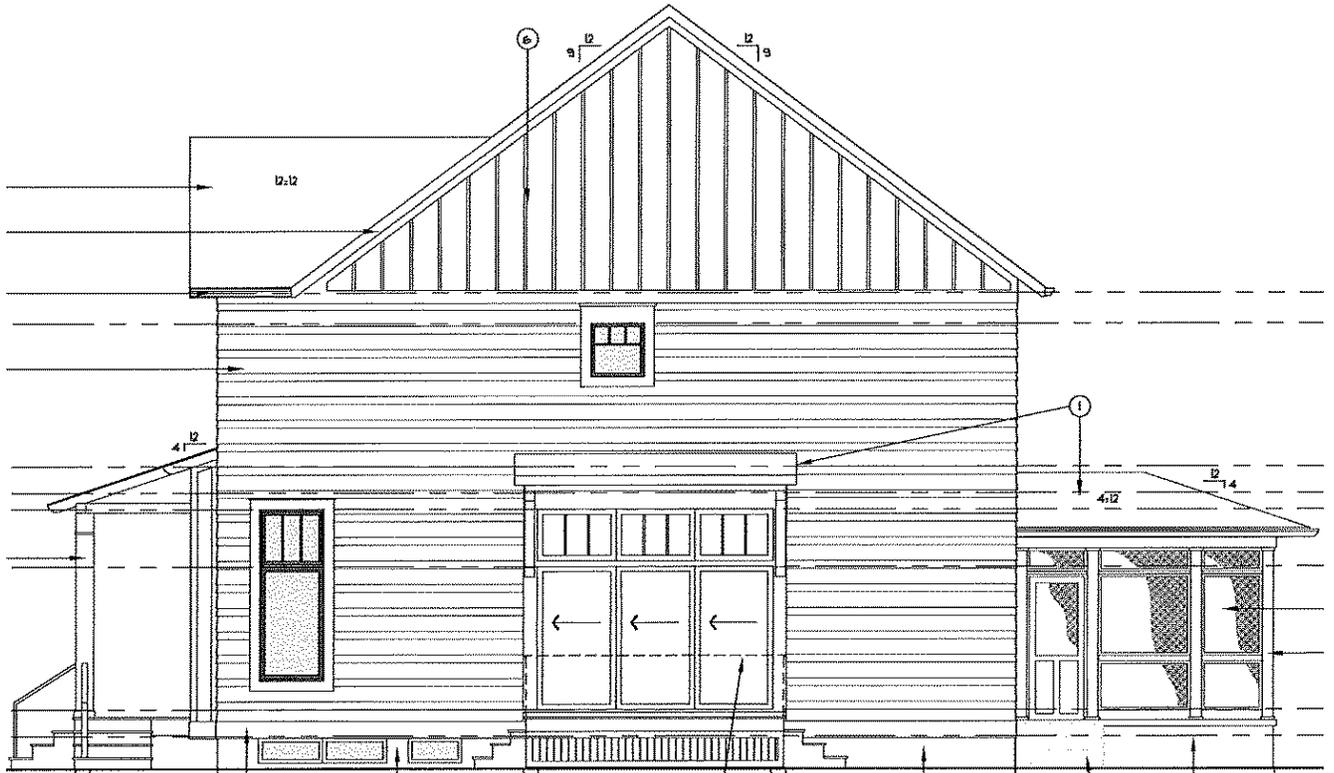
Proposed Streetscape



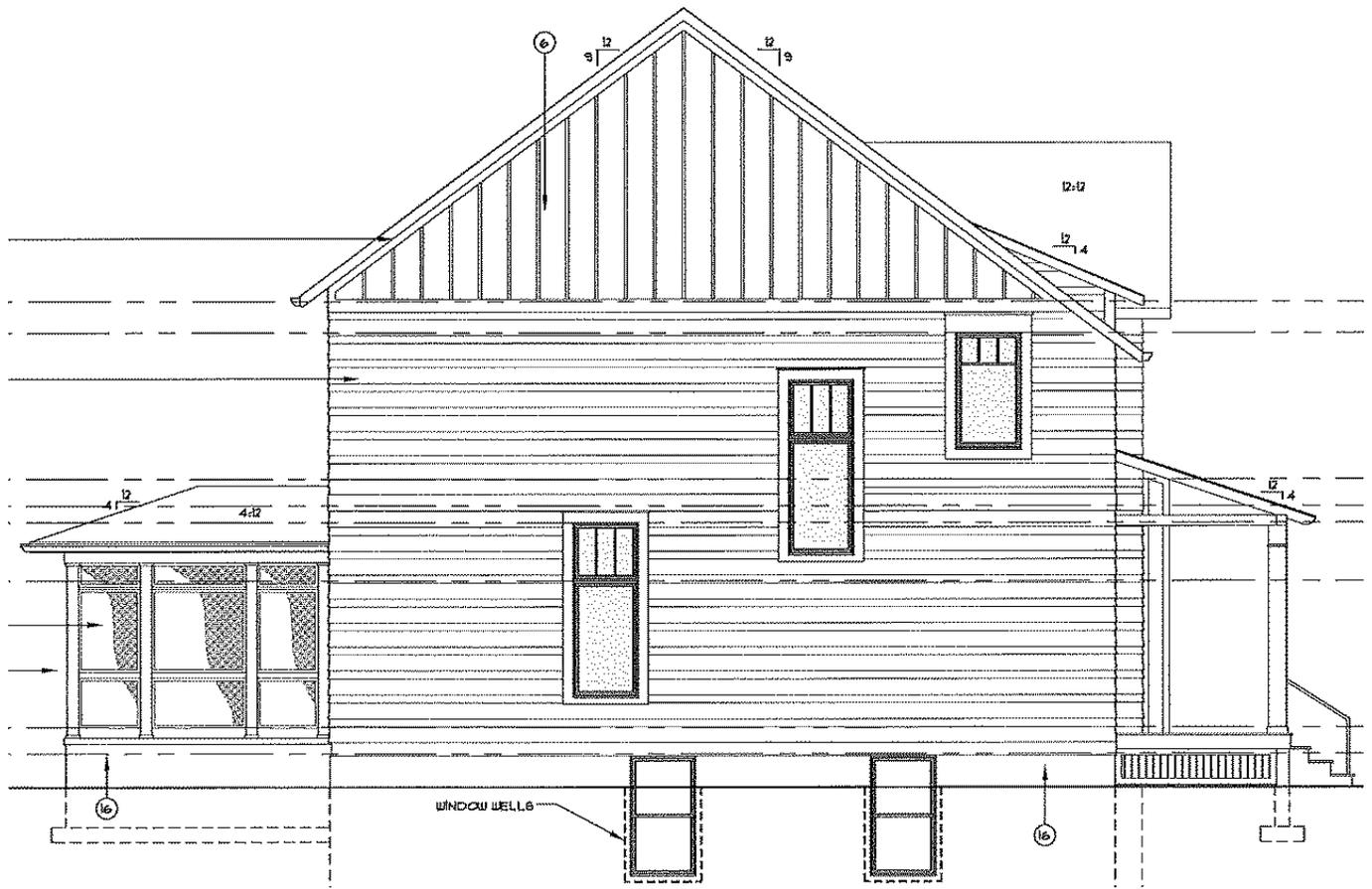
Front (West) Elevation



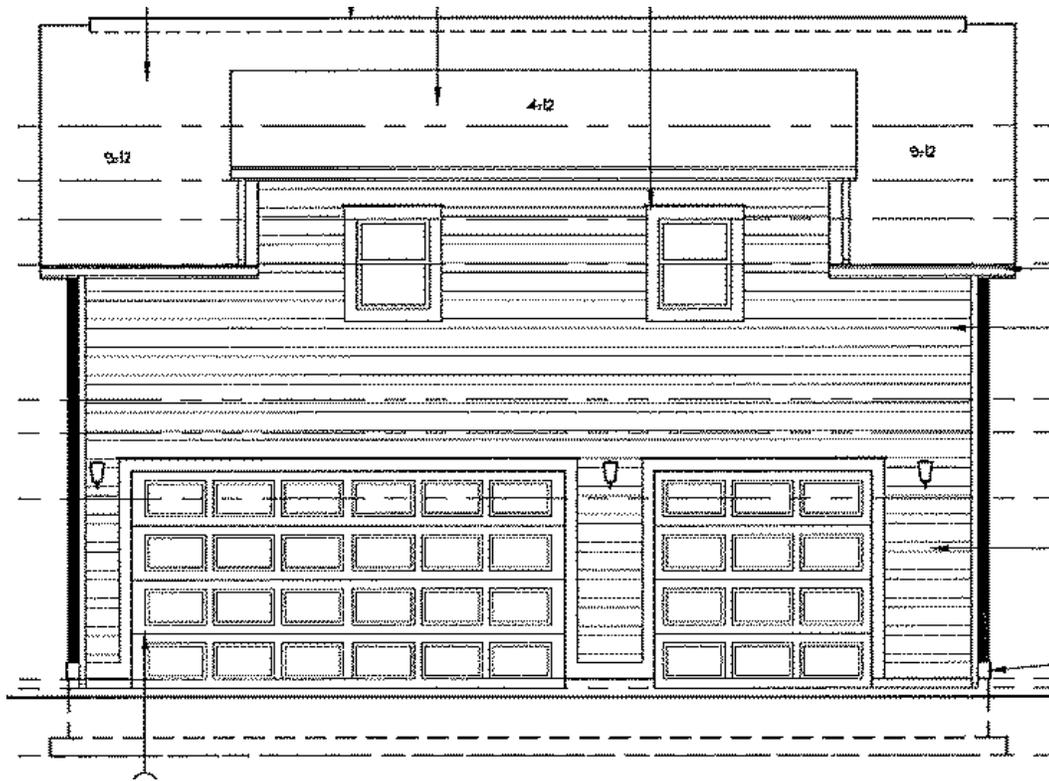
Rear (East) Elevation



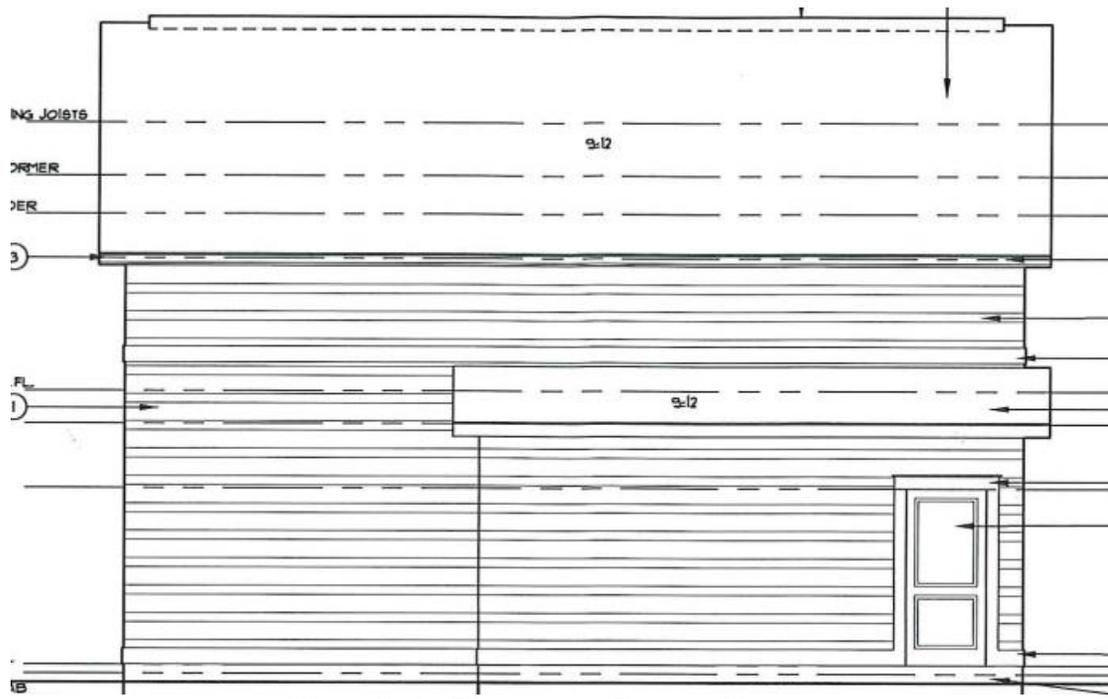
South Side Elevation



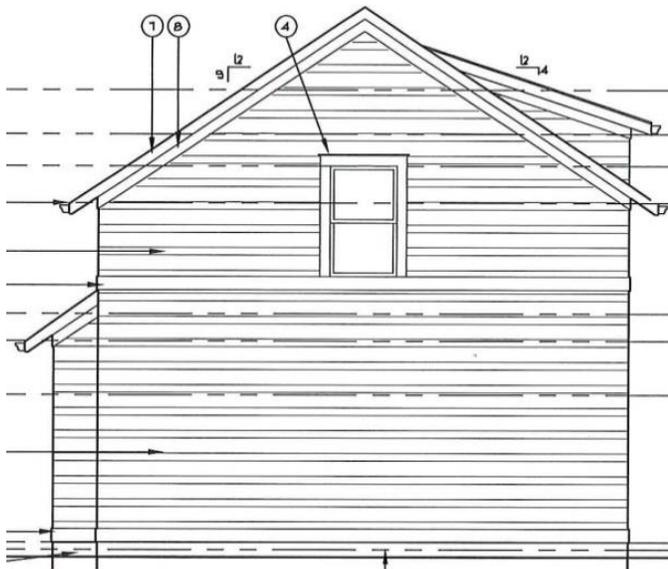
North Side Elevation



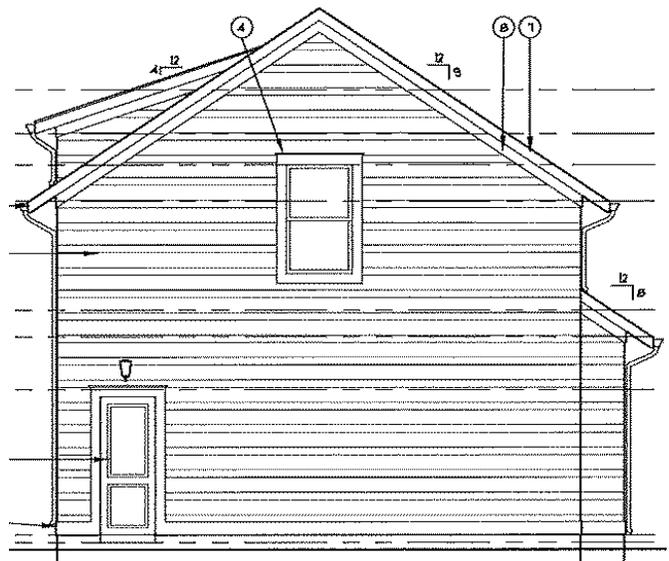
Carriage House East Elevation (Facing Alley)



West Side Elevation (Facing House)



South Side Elevation



North Side Elevation

**Variance of Development Standards
Proposed Findings of Fact**

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

The current standards allow for 720 square feet, a number based on the footprint of the building. This petition is asking for an allowance of an additional 60 square feet or 12%. The house itself has a footprint of 981 square feet which is below average for new construction in Herron Morton Place. Thus, the overall square footage on the lot remains low. The required amount of parking is being provided, as is direct and separate access to the secondary unit from the right of way.

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 additional footprint allows for the sidewalls of the carriage house to be set at a 5'-0" plate height, thus giving the main house obvious stature over the carriage house. While the overall height of the house is 35'-7", the carriage house is just under 25' tall. This differentiates the two structures, making it clear that the accessory structure is subordinate to the main structure.

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

If the footprint of the carriage house were made to be smaller, the space would feel especially small. The intent of the carriage house design is to give prominence to the house. However, a comfortable living space for the secondary unit should be maintained. If the footprint of the living space were shrunk, there would not be room for 3 cars to park inside and the staircase.

COA # 2016-COA-071 (ONS)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
1460-62 N. ALABAMA STREET OLD NORTHSIDE		NEW CASE
Applicant KENT H. BURROW mailing address: P.O. Box 246 Indianapolis, IN 46206		Center Township Council District: 11 Vop Osili
Owner: SAME AS ABOVE		
NEW CASE		
IHPC COA: 2016-COA-071 (ONS) • Demolish historic garage		
STAFF RECOMMENDATION:		Approval of Certificate of Authorization

STAFF COMMENTS

Background of the Property

This house was constructed for Samuel S. Rhodes, ca. 1885. It is a simple Queen Anne frame home that has been converted to a duplex. There is a deep-set full width porch with brick posts and railing. The second floor has a recessed second-story balcony.

The 1-story garage is located at the rear of the property, on the corner of two alleys. This garage was possibly modified from or a replacement for a 2-story accessory building seen on the 1887 Sanborn map. The 1915 map shows that the house was converted to flats, and the accessory building as 1-story.

The frame garage is a side gable design. It is long with three bays stretching across the width of the lot, but only 17 ½ ft. deep. The gable ends have a combination of board and batten siding on the top and bottom, and lap siding in the center. Three sets of double swinging doors face the alley. Eaves have exposed rafter tails. A historic wood door and three window openings (all boarded up) face the backyard. The top half of this façade is lap siding, and the bottom is board and batten. A low shed-roof bump-out was added to two of the three bays in an attempt to accommodate larger cars.

Garage Condition

The Department of Code Enforcement (DCE) has ordered that the roof be repaired and the building repainted. If this garage was not in a historic district, DCE would probably have ordered repair or demolition. Staff has inspected the building and found it in very poor condition and far from intact, although not a public safety hazard or beyond repair. The interior of the garage indicates that there have been multiple attempts to repair or cover up deterioration. Mr. Burrow purchased the property in 2006 and says most of the changes were made by the previous owner. Like many garages of that era, the foundation is substandard and the materials are generally deteriorated. Restoration would require much replacement.

Request to Demolish

The building owner has estimated that it will cost about \$5,000 to repair the roof and repaint the garage, doing the work himself. While that work would satisfy the immediate DCE orders, it would not “restore” the garage or make it usable for parking cars. Therefore he would prefer to demolish it. If he gets approval, he will use the area for off-street parking for his tenants and may eventually build a new garage.

Reasons for Granting a Certificate of Authorization

The State statute states: “... *the commission shall issue a certificate of authorization...*” if it finds only one of the following criteria to be true:

1. Its denial would result in substantial hardship.

Although hardship has not been formally documented, it is obvious from staff’s visual inspection (inside and outside) that simply repairing the roof and painting the structure will only apply a “bandage” to what is wrong with this structure. Staff sees an obvious economic hardship in this case:

- a. \$5,000 may repair the roof and apply paint to the building, but will still leave it unusable and largely deteriorated and deteriorating. Applying paint over deteriorating siding would be a very short-term fix.
- b. A much larger investment would be needed to repair structural problems and replace all deteriorated materials.
- c. The condition of the garage is such that even if repaired and retained, much of the building would need to be reconstructed, likely leaving little original materials.
- d. The sizeable investment needed to properly restore this structure will not result in a fully usable garage that will support the needs of this historic house into the future.
- e. Enlarging the garage would be structurally difficult, would require an even greater investment, and would result in a garage that possesses almost no historic integrity.

2. Its denial would deprive the owner of all reasonable use and benefit of the subject property

Denial would not deprive the owner of all reasonable and beneficial use of the subject property

3. The effect of demolition “... upon the historic area would be insubstantial.”

While this garage is an interesting structure, its loss would not have a substantial effect on the historic area. Reasons include:

- a. This garage was probably built after the house and was not designed to reflect the same architectural style.
- b. Although it can be seen from two alleys, it is not a significant element forming the visual character of N. Alabama St.
- c. The garage’s historic integrity has been compromised, particularly on the west elevation where the shed bump-out was “cobbled” onto the garage. Also, it is unlikely that the swinging doors, which form the entire façade facing the alley, are original

Old Northside Preservation Plan

The Plan states the following about demolition:

- *The Commission should consider whether the building or structure is of historical or architectural significance or displays a quality of material and craftsmanship that does not exist in other structures in the area.*
- *The Commission should consider whether the building or structure contributes to the historic character of the Old Northside and to the historic character of its immediate environment (i.e. street, alley, property, etc.)*
- *The Commission should consider whether, if the building or structure were demolished, it could be replaced by an existing building of similar age, architectural style, and scale or by a new building which would have the same relationships to the area as did the former building or structure.*

STAFF RECOMMENDED MOTION

COA #2016-COA-071 (ONS):

To approve a Certificate of Authorization to demolish the historic garage; as per submitted documentation and subject to the following stipulations:

1. Off-street parking requirements must be maintained per zoning ordinance. This certificate does not authorize actions in violation to state statutes or local ordinances.
2. All debris from demolition work shall be removed from the site within 7 days of substantial completion.

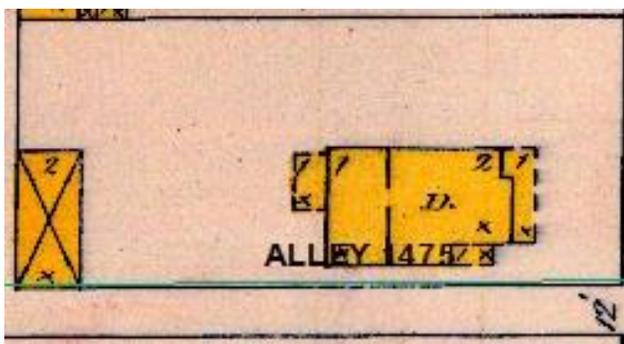
NOTE: Owner is responsible for complying with all applicable codes.

NOTE: Owner is responsible for assuring that no demolition occurs in the public right-of-way

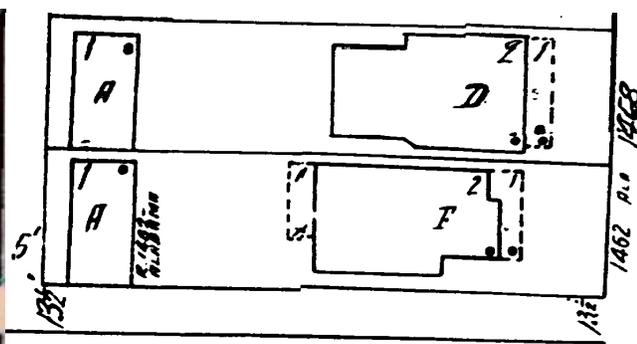
Staff Reviewer: Emily Jarzen



Location in Old Northside



1887 Sanborn Map shows 2-story accessory building



1915 Sanborn Map shows 1-story accessory building



Aerial view of subject property (arrow pointing to garage)



Subject property – garage visible at rear



Rear Alley View – west façade



East Façade – facing house



Side Alley View - South façade

Interior Photos





COA # 2016-COA-072 (MCD)	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 6, 2016
50 N. ILLINOIS STREET (THE WM. H. BLOCK BUILDING) (SW CORNER OF MARKET ST AND ILLINOIS ST) MONUMENT CIRCLE DISTRICT		NEW CASE
Applicant & mailing address: The Block Apartments 50 N. Illinois Street Indianapolis, IN 46204		Center Township Council District: 11 Vop Osili
Owner: Block Indiana Investments, LLC mailing address: 1300 W. 9 th Street Cleveland, OH 46204		
CASE		
IHPC COA: 2016-COA-072 (MCD) Install sign on existing metal canopy on Market Street elevation (western-most entrance)		
STAFF RECOMMENDATION: Approval		
STAFF COMMENTS		

Background of the Property

The building was constructed for the Wm. H. Block Department Store by Vonnegut and Bohn, and was constructed in two phases. Phase one was built in 1911 in the Renaissance Revival style. Phase two, the subject of this request, was built in 1934-36 in the Art Deco style. Phase two used matching white terra cotta and general rhythm of the original building, but added a black granite storefront, which was added to the entire building including the 1911 portion. The building was used as a department store until 1993, and was remodeled for residential use in the early 2000's.

Indiana Landmarks Façade Easement

When Blocks was converted to apartments and renovated, the developer used a combination of financial incentives, including Historic Tax Credits. One incentive was a tax deductible donation of a façade easement to Indiana Landmarks. Although the owner retains title, an easement places restrictions that require Indiana Landmarks' approval of exterior changes.

It is our understanding that the applicant consulted with Indiana Landmarks and has gotten its approval to install the sign.

Project Description

The applicant is asking to install a metal channel letter sign that reads "The Block" on the top of the metal canopy over the primary entrance to the apartments on Market Street. The tenants have indicated that it is difficult for visitors to find the building and would like to have an identification sign at their entrance. The sign is made of aluminum metallic-bronze finished channel letters illuminated with LED lighting washing the face of the letters. The light is at the bottom of the letters and shines up onto the sign face. The letters themselves are not internally lit. The sign will be anchored to the top of the canopy.

Monument Circle District Plan

The MCD Plan gives preservation objectives and directives to assess how a project impacts an individual building.

Preservation Objectives:

Does the action . . .

- *Protect and preserve character-defining features of architecturally or historically significant buildings or landscapes which represent the district's era of significance?*
- *Contribute to the context in which work is proposed?*
- *Promote the use of high quality design and using durable materials?*
- *Enhance and improve the design quality and character of the streetscapes?*

Preservation Directives:

Accommodate new signs responsive to the building's sign history. Their installation should not unnecessarily obscure significant original material, should minimize damage to original materials, and should be compatible with the building design in size, shape, illumination, content and material.

STAFF RECOMMENDED MOTION

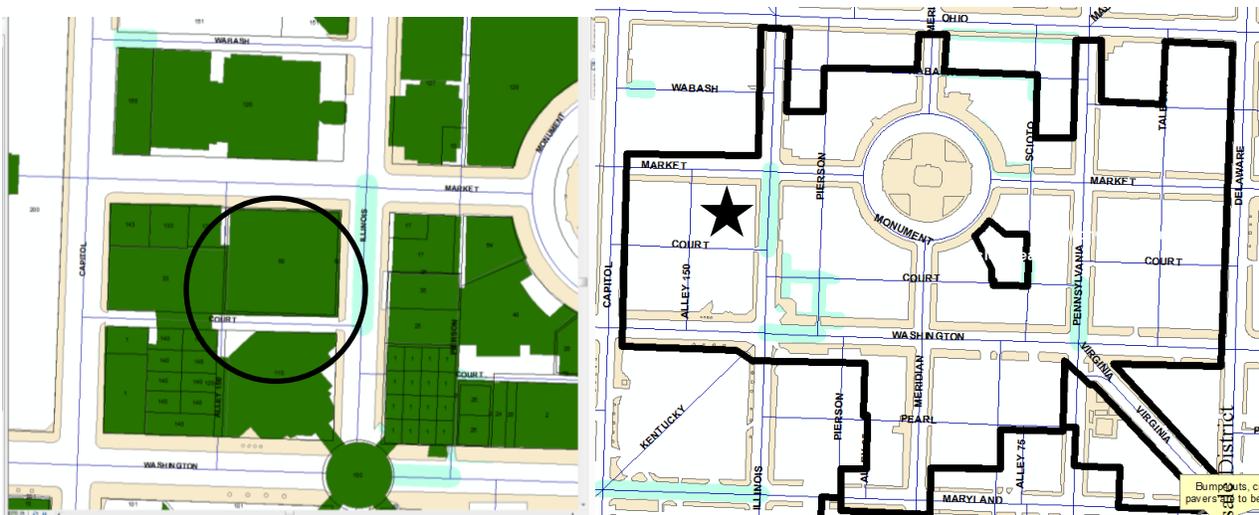
2016-COA-072 (MCD)

To approve a Certificate of Appropriateness to install one channel letter sign with illumination as per submitted documentation and subject to the following stipulations:

DCE: Stipulation number 1 must be fulfilled prior to issuance of permits.

1. **Installation must not commence prior to approval by the IHPC staff of final drawings and materials of signage. *Approved _____ Date _____***
2. **Lighting color shall be white.**
3. **No exposed wiring shall be visible from the ground.**
4. **Letters shall be metal.**

Staff Reviewer: Meg Purnsley



Location in the Monument Circle District



Entrance showing canopy today and canopy with Option 1 sign.



View of the subject building and entrance along Market Street



PHASE ONE



PHASE 2

www.eyegroup.com
 13095 Parkside Dr.
 Fishers, IN 46038
 317.804.4080

sales representative:
 Brock Roberts

317.804.4205

designer:
 RS

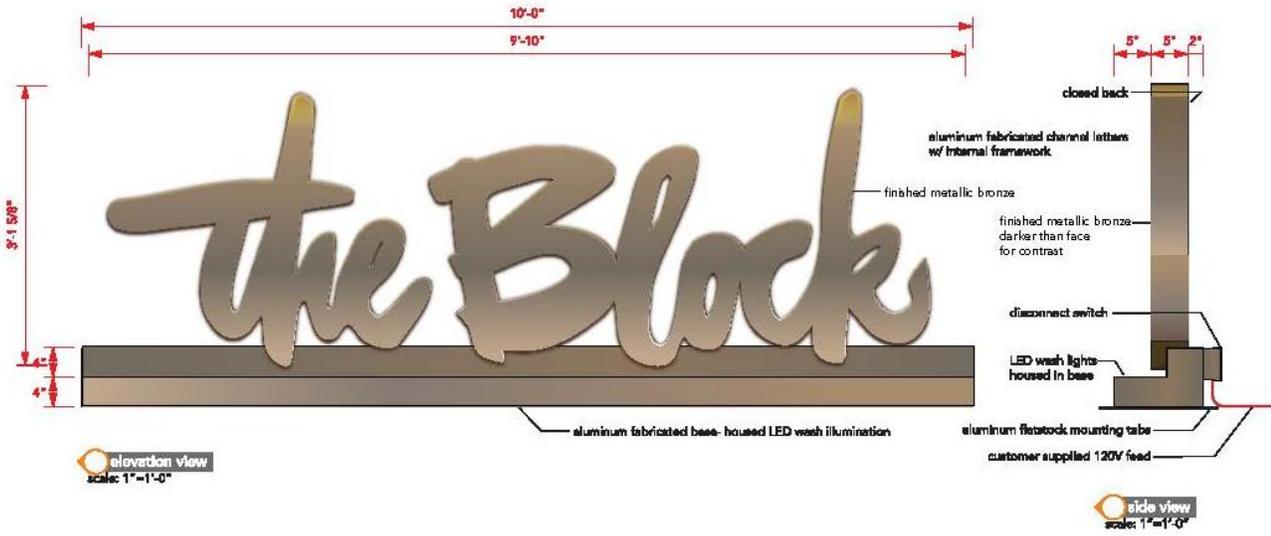
color specs:

quote #

work order #

date:
 2/18/16

version:
 CONCEPT



elevation view
 scale: 1"=1'-0"

side view
 scale: 1"=1'-0"

www.eyegroup.com
 13095 Parkside Dr.
 Fishers, IN 46038
 317.804.4080

sales representative:
 Brock Roberts

317.804.4205

designer:
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color specs:

quote #

work order #

date:
 2/18/16

version:
 CONCEPT

approval (initials):

page
 2 of 2

