



Indianapolis Historic Preservation Commission (IHPC)
HEARING AGENDA

Wednesday, November 1, 2023, 5:30 P.M.
2nd Floor, Public Assembly Room, City-County Building
200 E. Washington St., Indianapolis, Indiana

BUSINESS

I. CALL TO ORDER

II. OLD BUSINESS – NO PUBLIC HEARING

NONE

III.

NONE

PUBLIC HEARING

IIII. REQUEST TO WITHDRAW OR CONTINUE APPLICATIONS

2022-COA-112B (IRV)	5270 E. WASHINGTON SYLVIA GARCIA Replace historic tile roof with alternate roofing material.	continue to December 6, 2023	<i>Page 3</i>
2023-COA-109 (IRV)	362 S. DOWNEY AVE. TRAVIS BARNES & KEVIN LAPKOVITCH Replace vinyl windows installed without approval with appropriate new windows to match design of historic, multi-lite windows.	continue to staff level	<i>Page 7</i>
2023-COA-252 (HMP)	2133 N. TALBOTT LANCE CLELAND Construct new 2.5 story, single family residence with detached 2 story 3-car carriage house.	continue to December 6, 2023	<i>Page 9</i>
2023-COA-379 (HMP) & 2023-ZON-090	1708 N. PENNSYLVANIA ST. NEIGHBORHOOD DOWNTOWN ZONING ASSISTANCE Rezone from D8 to SU2OL	continue to December 6, 2023	<i>Page 11</i>

V. EXPEDITED CASES

2023-COA-372B (IRV)	32 S. HAWTHORNE LN. LEVI WILLIAMS Work on Non-Contributing House: Install fiber-cement siding and LP trim; alter openings and install new windows and trim, remove driveway.		<i>Page 13</i>
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VI. APPLICATIONS TO BE HEARD (CONTINUED)

2017-COA-049 AMENDMENT 7 (CAMA)	901 CARROLLTON AVE. (AKA 820 MASSACHUSETTS AVE.) LILLIAN COOPER, HOK Amend plans for building 13 to include Nanawall system.		<i>Page 17</i> <i>Submittals</i> <i>Page 48</i>
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VII. APPLICATIONS TO BE HEARD (NEW)

NONE

VIII. PRELIMINARY REVIEW

2023-COA-401	201/222 N. ALABAMA ST.	<i>Page 21</i>
OLD CITY HALL	CHASE SMITH	<i>Submittals</i>
	Preliminary review for exterior and interior rehabilitation of Old City Hall, and new construction of mixed-use tower on parking lot.	<i>Page 70</i>

IV. APPLICATIONS TO BE HEARD – WORK STARTED WITHOUT APPROVAL

2023-COA-251 (FP)	529 FLETCHER AVE.	<i>Page 31</i>
	KIM COOK	<i>Submittals</i>
	Retain deck extension and fence in side yard constructed without approval.	<i>Page 95</i>

V. CLOSING BUSINESS

NONE



Indianapolis Historic Preservation Commission (IHPC) **STAFF REPORT**

IHPC STAFF REPORT SUMMARY

Hearing Date: November 1, 2023
Case Type: Continued Case
Continued From: May 4, 2022; June 1, 2022; July 6, 2022; November 2, 2022; January 4, 2023; February 1, 2023; March 1, 2023; April 3, 2023 (due to lack of quorum); May 3, 2023 (original case split and Part B continued); July 5, 2023; August 2, 2023; September 6, 2023; October 4, 2023
Case Number: 2022-COA-112B (IRV)
Property Address: 5270 East Washington Street
Historic Area: Irvington
Township: Warren
Council District: 12
Applicant: Sylvia Garcia
Owner: Robert Cowan
Request: Work started without approval: replace/repair historic tile roof on house
Staff Recommendation: CONTINUE
Staff Reviewer: Shelbi Long

BACKGROUND OF PROPERTY

REQUEST

HISTORIC AREA PLAN RECOMMENDATION

STAFF RECOMMENDATION

Per the Commission's request staff visited the subject property to review the existing condition of the structure. Upon inspection staff could see several holes in the roof that are uncovered. The tarp covering that was once on the roof has since deteriorated and fallen off the roof, leaving the openings exposed.

Staff has received no updates from the owners. According to online real estate sources the property has been relisted for sale. Staff is in the process of exploring different options with the Office of Corporation Council on how to proceed with the property.

STAFF RECOMMENDED MOTION

Staff recommends a continuance to the December 6, 2023, IHPC hearing.

Staff images from October 12, 2023



Front/south elevation



Front/south dormer showing hole in roof



East elevation





Holes in east side of roof



North elevation

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IHPC STAFF REPORT SUMMARY

Hearing Date: November 1, 2023
Case Type: Work Started Without Approval
Continued From: October 4, 2023
Case Number: 2023-COA-109 (IRV)
Property Address: 362 S. Downey Ave.
Historic Area: Irvington
Township: Warren
Council District: 12
Applicant: Travis Barnes and Kevin Lapkovitch
Owner: Same as above
Request: **Original Request:** Retain 30 vinyl windows installed without approval.
Updated: Restore and reinstall 23 original windows; and to install 7 custom wood windows where originals had previously been replaced.
Staff Recommendation: CONTINUE
Staff Reviewer: Dean Kessler

BACKGROUND OF PROPERTY

REQUEST

Update Since October 4, 2023, IHPC Commission Hearing

The applicants'/owners' original request was to keep 30 vinyl windows that were installed after 23 original, historic windows and 7 non-historic windows were removed without approval. The 7 non-historic windows had been installed years prior to the applicants' ownership.

After discussions with the IHPC staff, the applicants decided to replace the vinyl windows with appropriate new windows to match the design of the original, multi-lite wood windows. The applicants stated that time was needed to find an appropriate replacement product, and that they needed time to meet with their financial institution to determine a timeline for the completion of the work. Therefore, the applicants requested a continuance to the November 1, 2023, IHPC Commission hearing.

On October 5, 2023, the applicants/owners informed Staff that the 23 original, historic windows were retained when the vinyl windows were installed. The original windows are being stored in the basement of the subject house. The applicants have since contacted an historic window restoration company to have the 23 original windows restored and reinstalled. The restoration company will also be making 7 custom wood windows as replacements for the non-historic windows. Staff was informed that this work should be able to be completed by the spring of 2024. This updated request can be reviewed and approved by the Staff at the Staff-level review.

HISTORIC AREA PLAN RECOMMENDATION

STAFF RECOMMENDATION

Staff is recommending a continuance to the Staff level for final review and approval by the IHPC staff. The applicant will be given a deadline date of one (1) year to complete the work from the date of the issuance of the COA. If the work has not been completed within the one (1) year allowed, the case will return to the Commission for further review, and the case may be forwarded to the Office of the City Prosecutor for additional enforcement action.

STAFF RECOMMENDED MOTION

Staff recommends a continuance to the Staff level for final review and approval with the following conditions:

1. The applicants must complete the work within one (1) year of the date of issuance of the COA.
2. Failure to complete the work within one (1) year of the issuance of the COA will result in the case being brought back to the Commission for further review, and the case may be forwarded to the Office of the City Prosecutor for additional enforcement action.

EXHIBITS



Indianapolis Historic Preservation Commission (IHPC) STAFF REPORT

IHPC STAFF REPORT SUMMARY

Hearing Date: November 1, 2023
Case Type: Continued Case
Continued From: September 6, 2023
October 4, 2023
Case Number: 2023-COA-252 (HMP)
Property Address: 2133 N. Talbott St.
Historic Area: Herron Morton Place
Township: Center
Council District: 11
Applicant: Lance Cleland
Owner: C & M HOME INVESTMENTS, LLC (Lance Cleland)
Request: Construct new, 2.5-story, single-family residence with detached, 2-story, 3-car carriage house.
Staff Recommendation: CONTINUE
Staff Reviewer: Dean Kessler

BACKGROUND OF PROPERTY

REQUEST

HISTORIC AREA PLAN RECOMMENDATION

STAFF RECOMMENDATION

Prior to the September 6, 2023, IHPC Commission hearing, the IHPC staff convened to carefully review the drawings and renderings submitted for the project. During this review, Staff discovered a number of inaccuracies in the submitted drawings and renderings and determined that the case was not yet ready for review by the Commission. The applicants had also not met yet with the Herron-Morton Place Land Use Committee to discuss the plans. The case was continued to the October 4, 2023, IHPC Commission hearing to allow the applicants time to make corrections to the drawings and renderings, and to allow them time to meet with the neighborhood to discuss the project.

After the September hearing, the applicant met with the neighborhood, but there continued to be issues with accuracy of the drawings and renderings. Therefore, Staff recommended a continuance to the November 1, 2023, IHPC Commission hearing to allow time for Staff to work with the applicant on producing accurate drawings for the Commission to review.

Since the October hearing, the applicant hired new people to produce the drawings and plans, but there continues to be inaccuracies with the site plan and street scape drawings. Staff is recommending a continuance

to the December 6, 2023, IHPC Commission hearing to allow staff to continue to work with the applicant and his team on creating accurate drawings for Staff and the Commission to review.

STAFF RECOMMENDED MOTION

Staff recommends a continuance of the case to the December 6, 2023, Commission hearing.

EXHIBITS



Indianapolis Historic Preservation Commission (IHPC)
STAFF REPORT

IHPC STAFF REPORT SUMMARY

Hearing Date: November 1, 2023
Case Type: Continued Case
Continued From: October 4, 2023
Case Number: 2023-COA-379 (HMP) & 2023-ZON-090
Property Address: 1708 North Pennsylvania Street
Historic Area: Herron Morton Place
Township: Center
Council District: 11
Applicant: Neighborhood Downtown Zoning Assistance
Owner: Herron High School Inc.
Request: Rezone from D8 to SU2
Staff
Recommendation: **CONTINUE**
Staff Reviewer: Shelbi Long

BACKGROUND OF PROPERTY

The applicant has requested a continuance to the December 6, 2023 IHPC hearing.

REQUEST

HISTORIC AREA PLAN RECOMMENDATION

STAFF RECOMMENDATION

STAFF RECOMMENDED MOTION

COA #2023-COA-379 (HMP):
To continue to the December 6, 2023 IHPC hearing.

EXHIBITS

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Indianapolis Historic Preservation Commission (IHPC) **STAFF REPORT**

IHPC STAFF REPORT SUMMARY

Hearing Date: November 1, 2023
Case Type: Expedited
Continued From:
Case Number: 2023-COA-372, Part B (IRV)
Property Address: 32 S. Hawthorne
Historic Area: Irvington
Township: Warren
Council District: 12
Applicant: Levi Williams
Owner: Same as above
Request: Work on Non-Contributing house: Install fiber-cement siding, alter openings, install new windows, and remove driveway
Staff Recommendation: **APPROVAL**
Staff Reviewer: Emily Jarzen

BACKGROUND OF PROPERTY

This property is designated as *Non-Contributing* in the Irvington Historic Area Plan.

The subject property is 1-story frame residence, built between 1941 and 1956. It had aluminum siding which has been removed (no COA required for removal). The siding beneath was missing, and/or extensively rotted. The house has a low-pitched gable roof, and the predominant feature of the front façade is the overhead garage door, accessed by a front-loading driveway. It has a raised covered stoop.

REQUEST

The request is to install smooth finish fiber-cement lap siding, and smooth LP trim. The garage door will be removed, and siding and windows installed in its place. The front driveway will be removed and lawn installed. Alley access is available for rear yard parking. Most of this work scope would normally be reviewed and approved via staff and/or an administrative hearing, but IHPC Policies require every building over 50 years old to have alternative sidings approved at the commission level. There is no exception for buildings listed as non-contributing.

Some work was approved under previous COAs, including a re-roof, door replacement, and removal of the awnings.

HISTORIC AREA PLAN RECOMMENDATION

The Irvington Plan provides a specific approach for reviewing work to non-contributing buildings:

Primary structures identified as non-contributing can be assumed to have little, if any, historic significance. Work that is proposed to a building identified as non-contributing is viewed somewhat differently than work done to a contributing building. The effect that a building alteration has on surrounding historic buildings and on the character of the area is the primary factor rather than the effect on the subject building itself. This different perspective results in much greater latitude for change in non-contributing buildings than in contributing buildings.

1. Consider the following issues when planning major alterations to non-contributing buildings;
 - a. Does the building have good design features that should be kept, enhanced, or can otherwise contribute to the new design?
 - b. What are the prevalent materials, colors, heights, architectural features, etc. in surrounding area?
 - c. What is the context of the building, i.e. historic buildings, non-historic buildings, vacant land?
 - d. Does the non-historic building have an aesthetic effect on any historic buildings?
2. Renovations, alterations and rehabilitation should use quality materials and craftsmanship.
3. New architectural elements added to a non-historic building should be of a simple design compatible with the building and not visually intrusive within the district.

STAFF RECOMMENDATION

Staff is recommending approval of the application. The documentation, while not polished, is sufficient, and staff has had multiple conversations and provided extensive guidance on expectations. Staff finds that the work will enhance the area and make the house less car-centric. The front garage is a glaring anomaly to the streetscape.

STAFF RECOMMENDED MOTION

COA #2023-COA-372, Part B (IRV):

To approve a Certificate of Appropriateness to install fiber-cement siding, alter openings, install new windows, and remove driveway, per the submitted documentation and subject to the following stipulations:

1. Construction must not commence prior to approval by the IHPC staff of final construction drawings. *Approved _____ Date _____*
2. 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.
3. Glass shall be clear; any addition of beveling, frosting, etching, coming, or stained glass is not permitted under this approval.
4. A catalogue cut sheet or drawings documenting the appearance and material of the new windows must be reviewed and approved by IHPC staff prior to purchase or installation. *Approved: _____ Date: _____*
5. Siding and trim shall be smooth finished and free of knots and other major imperfections. No faux wood grain or rough sawn finishes are permitted under this approval. All siding and trim must be painted to match building's paint scheme.
6. Any changes to the proposed design must be approved by IHPC staff prior to commencement of work.

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

EXHIBITS



Location of subject property



Subject property

Proposed



PROJECT DETAILS:

- Smooth finish fiber-cement lap siding
- Garage door removed, siding & ganged 1-over-1 mullied windows with 1x4 trim installed
- Existing stoop/porch to remain
- Remove driveway



Indianapolis Historic Preservation Commission (IHPC) **STAFF REPORT**

IHPC STAFF REPORT SUMMARY

Hearing Date: November 1, 2023
Case Type: Continued Case
Continued From: October 4, 2023
Case Number: 2017-COA-049 Amendment 7 (CAMA)
Property Address: 901 Carrollton Avenue (AKA 820 Massachusetts Avenue)
Historic Area: Chatham-Arch/Massachusetts Avenue
Township: Center
Council District: 17
Applicant: Lillian Cooper, HOK
Owner: Hendricks Commercial Properties
Request: Amend plans for Building 13 to include Nanawall system
Staff Recommendation: APPROVAL
Staff Reviewer: Emily Jarzen

BACKGROUND OF PROPERTY

In 2015, Indianapolis Public Schools announced plans to sell the former Coca-Cola Bottling Plant for redevelopment. After sending out a request for proposals, IPS selected Hendricks Commercial Development out of Beloit, Wisconsin in June of 2016 to redevelop the 11-acre site. On July 19, 2017, the IHPC approved the entirety of the Bottleworks project. Since multiple amendments may be needed as this multi-year project moves forward, amendment cases are numbered in order as received and processed.

“Building 13” was discussed at the June 21, 2017 hearing. This is the “point” building at the corner of Massachusetts and College. Overall, commission members liked the building’s design. Multiple commission members commented that they appreciated the alley space break in the form of the two sections of the building.

Building 13 came back to the commission for revisions in April and May 2019, and December 2021. In 2019 upper floors changed from residential to office. At that time a glass and metal railing for a rooftop terrace on the 1-story projection was added. There were some changes to the multi-light window units and individual balconies were eliminated. Some large recessed balconies were introduced. The brick banding on the corner elevation were eliminated, with an unbroken, vertical line of glass extending from the second to the fourth floors. Limestone lintels were removed throughout, to provide a more uninterrupted feel and more verticality.

In 2021 the first change was to remove the thru-building arcade and enclose it with an aluminum storefront. A mechanical screen was also requested for the roof.

REQUEST & OCTOBER 4, 2023 HEARING

A tenant is requesting that a fixed balcony window system change to a NanaWall system. This would be on a single opening (4th floor on the College Avenue façade). The overall opening size is the same as those on the other floors, and the same color & muntin profile will be used in the operable wall. The main door transom will be brought down in line with the new operable system.

This case was heard at the October 4th hearing. It was continued because a commission member wanted a side by side of existing vs. proposed conditions.

HISTORIC AREA PLAN RECOMMENDATION

“New Construction: Setbacks, orientation, spacing, heights, rhythm, outline and mass are elements that generally relate to a building’s fit within its surrounding street and alley character. Style, fenestration, foundation, entry materials are elements that generally describe the architectural compatibility of a new building to its existing heights.”

STAFF RECOMMENDATION

Staff brought this back to the commission since this is a change to a single element on a single floor on a single façade. Since the building is so prominent, staff felt that commission weigh-in was warranted.

Staff finds that this change will be minimally impactful due to: 1) the deep recess, 2) the balcony roof keeping this area in shadow, 3) the dark finish of the window/door systems, and 4) the similar styling and color of the window systems. Staff is recommending approval.

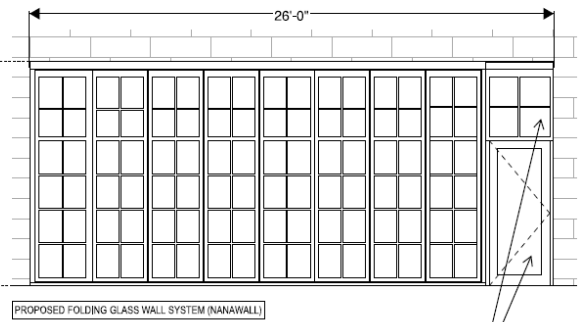
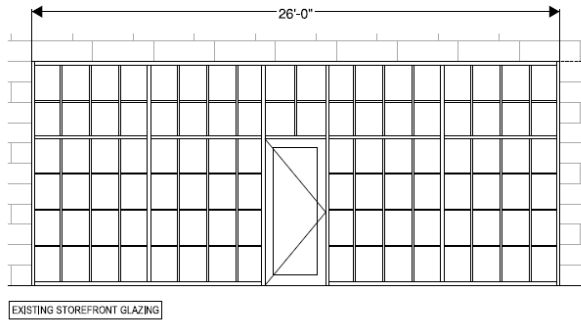
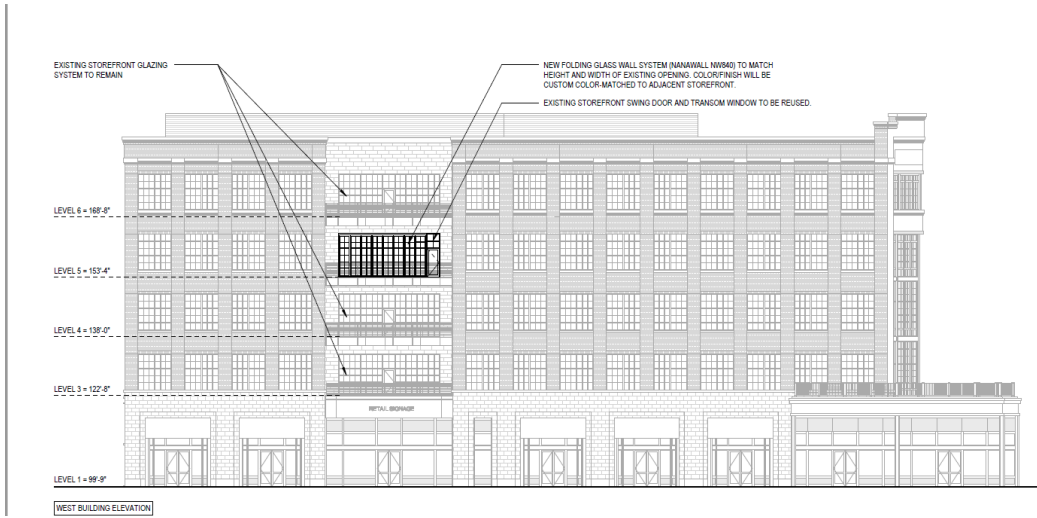
STAFF RECOMMENDED MOTION

To approve an amended Certificate of Appropriateness for the previously approved design for Building 13, to include a NanaWall system installation. All work subject to stipulations and notes in originally approved 2017-COA-049 (CAMA), as issued July 19, 2017.

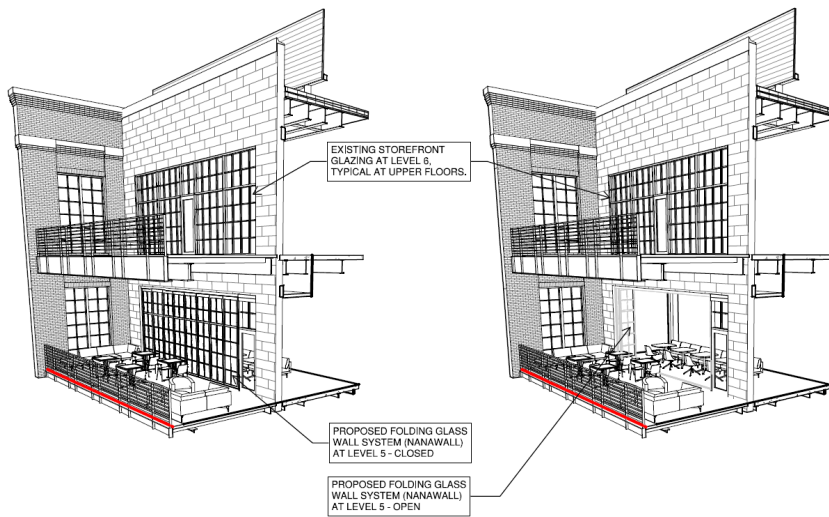
EXHIBITS



Additional Drawings & Details in Submission Packet



EXISTING STOREFRONT SWING DOOR TO BE REUSED. EXISTING TRANSOM WINDOW TO BE MODIFIED TO ALIGN WITH NANAWALL.





Indianapolis Historic Preservation Commission (IHPC) **STAFF REPORT**

IHPC STAFF REPORT SUMMARY

Hearing Date:	November 1, 2023
Case Type:	Preliminary Review
Continued From:	
Case Number:	2023-COA-401 (OCH)
Property Address:	202/222 N. Alabama Street
Historic Area:	Old City Hall
Township:	Center
Council District:	17
Applicant:	Chase Smith, TWG
Owner:	City of Indianapolis
Request:	Preliminary Review: Interior & Exterior rehab of Old City Hall, and new construction of tower on parking lot
Staff Recommendation:	Hear testimony then continue
Staff Reviewer:	Emily Jarzen

BACKGROUND & ARCHITECTURE OF PROPERTY

From the Old City Hall Plan:

The Beaux Arts Old City Hall was designed by Rubush and Hunter. It was constructed from 1909-1910. The four-story-and-basement structure was constructed of hard-burned brick, faced with large slabs of Indiana Bedford limestone and has a granite foundation. All sides of the building, even those facing the alley to the west or the area to the north, are equally well finished.

The parking lot that extends to the north of the Old City Hall has contained businesses, residences, and parking facilities. According to aerial photography, the last commercial building on this site was demolished before 1986.

The Old City Hall is considered one of the finest examples of early-twentieth-century public buildings in the area. The exterior is a clear illustration of the classical Beaux Arts style. The interior exemplifies what was considered the height of decorative art at the time of its construction.

The building retains much of its original building materials, as well as a relatively intact floor plan. Most of the exterior architectural details are extant, although the structure has been compromised by the infill of its window openings when it was converted to a museum use. Most of the original interior finishes and works of art are also intact, including those found in the grand, central rotunda. The building was listed in the National Register of Historic Places in 1974.

The decoration is typical of Beaux Arts buildings. The first floor has three double bronze doors with bronze torchiers at the sides. These are framed with low pediments and carved lotus buds on the lintels. The second and third stories have recessed Roman Doric engaged columns banded at the top by an egg-and-dart motif. The columns are topped by a square abacus. A simple architrave with disks spaced over each column decorates the frieze while a continuous dentil runs under the cornice topped with an egg-and-dart motif. The fourth floor attic conceals a low, flat roof.

Entering through a marble-columned lobby, the floors of all lobbies and corridors in the structure are inlaid with colored marble, while the walls have marble wainscoting panels and pilasters. Columns in the rotunda area are scagliola matching the antique verde bases. Much of the original mahogany woodwork is still visible in many areas. The rotunda stretches eighty-five feet above the lobby and is capped by a magnificent 750-square-foot stained glass dome typical of the "Tiffany Era." Wreaths with acorns, peaches, and other ripe fruit entwine themselves among the geometrical pattern of a bewildering array of multi-colored glass. Light streaming through the dome casts a soft glow throughout the center and balconies on each floor. The center of the rotunda floor features an inlaid compass rose design in marble. From each of the balconies one can sense the feeling of immense space inspiring a sense of pure visual delight within the building.

The Cincinnati art firm of William F. Behrens was commissioned to provide all of the murals decorating the interior at a cost of \$23,700.^{9,10} Each has simulated gold backgrounds with animal symbols of the zodiac. Heavily-laden wreaths of fruits, flowers, and ribbons include heads of chaste maidens having sweet smiles and downcast eyes.

From 1964 to 1966, under the direction of James Associates of Indianapolis, the state invested nearly a million dollars to renovate the building for museum purposes. The exterior was cleaned and repointed and all window openings were sealed except in the third floor office area. Interior surfaces were cleaned or painted. Ceilings in the exhibit areas were lowered to permit installation of air conditioning, humidity controls, and additional wiring. Paneling and a traffic-resistant floor covering were installed in all exhibit areas. In spite of the sealed windows, much of the original architectural character remains. Inside, the tremendous enclosed space bespeaks of another era. More recent additions to the exterior of the building are two carved limestone eagles that flank the entry stairs. They were removed from the famed Interurban Traction Terminal (1904-1968) and given to the Indiana State Museum in 1968.

The building housed city offices until those were moved to the new City-County Building in 1963.

The State of Indiana began leasing the structure in 1963. Major interior and exterior renovations costing nearly a million dollars were made under the direction of James Associates of Indianapolis to accommodate the Indiana State Museum. The Museum opened its doors in January 1967 and the State of Indiana purchased the building from the City of Indianapolis in 1973. The museum occupied the building until May 2002, when it moved into its new facility at the White River State Park and the city regained ownership. The building then housed the Indianapolis-Marion County Public Library until September 2007, while renovations and additions were made to the library's facility.

PRELIMINARY REVIEW & REQUEST

A preliminary review is an opportunity for a project proposer to have a public conversation with the IHPC about a project prior to an actual public hearing. The comments given by commissioners are their personal opinions and nothing said should be construed as binding on any future decision. In requesting a preliminary review, both the proposer and the IHPC understand and agree to the following ground rules:

1. The proposal being presented is a "concept," and not an actual request.
2. The proposer will still be required to provide notice and have a public hearing where a decision will be made, unless a hearing is announced at the end of the preliminary review.
3. IHPC members will be speaking as individuals, and not as the IHPC as a whole.
4. Because at the public hearing there may be revised plans, public testimony and staff recommendations to consider, the IHPC reserves the right to substantially change the opinions or suggestions expressed during the preliminary review.
5. Nothing presented at a preliminary review or said by any IHPC member during a preliminary review shall be considered binding on the commission.

The request is for a preliminary review of a project that involves restoration of the exterior and interior of historic Old City Hall (including white boxing upper floors), and new construction of a tower on the parking lot on the north side of the building. A connector between the two buildings is also proposed.

HISTORIC AREA PLAN RECOMMENDATION

Preservation Objectives:

1. Preserve the Old City Hall's interior and exterior features.
2. Encourage adaptive reuse of the Old City Hall and development of the surrounding historic area that retains and preserves the exterior and interior features of the Old City Hall building.
3. Encourage restoring and reopening Old City Hall's window openings.
4. Encourage any addition, pedestrian connector, or other attachment that connects the Old City Hall to any development of the surrounding historic area to:

- a. Connect to either the north or west elevations; thereby avoiding the elevations that face E. Ohio Street or N. Alabama Street (the main façade).
 - b. Respectfully fit within an existing opening (or discernible but enclosed opening) such that, if the attachment is removed, the affected elevation of the Old City Hall will not be substantially altered. If building codes require a proposed addition, connector, or other attachment to widen or otherwise change the area surrounding a historic opening, these changes should be respectful of the original portions, materials, and details.
 - c. Avoid obscuring or damaging exterior or interior features of the Old City Hall.
5. Encourage new development within the historic area that complements the character-defining features of the Old City Hall.

Preservation Criteria:

- A. Any development, construction, reconstruction, restoration, or alteration of the subject structure’s interior, exterior, or site shall be appropriate to the property’s historic and architectural values and significance.
- B. Any development, construction, reconstruction, restoration, or alteration to the exterior shall be visually compatible and appropriate in function, general design, arrangement, color, texture, and materials to the design and character of the historic area.
- C. The IHPC shall use the Secretary of the Interior Standards for the Treatment of Historic Properties: With Guidelines for Preserving, Rehabilitation, Restoring & Reconstructing Historic Buildings¹⁸ to determine appropriateness when it reviews and makes decisions regarding development, construction, reconstruction, preservation, restoration, alteration, and demolition in the historic area.

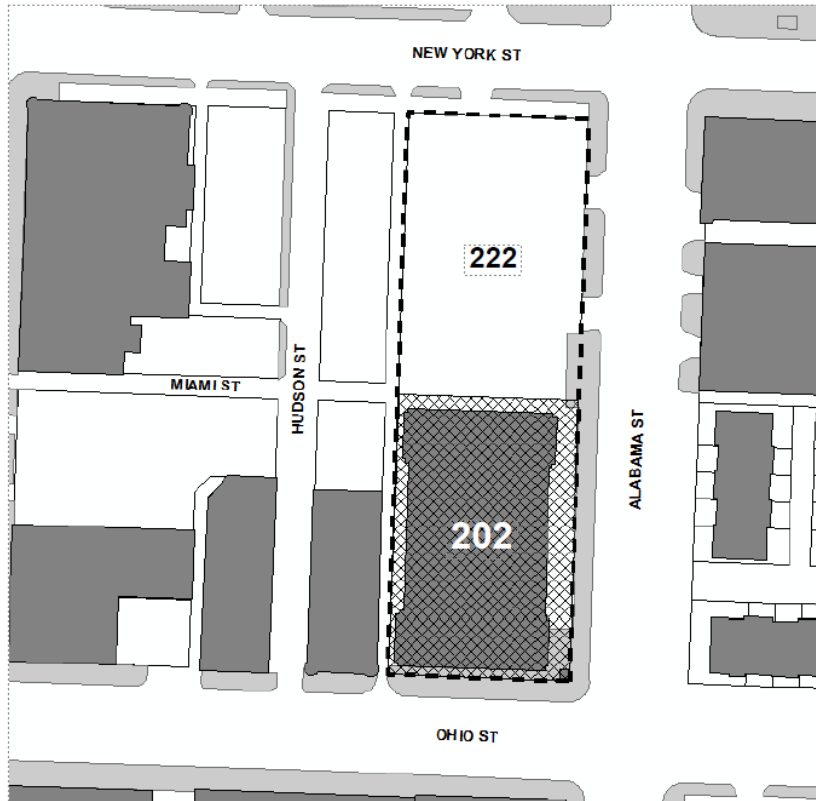
STAFF RECOMMENDATION

None. This is a preliminary review, and this review is for feedback only. The applicants will need to be continued to a future hearing, or mail new notice when ready to proceed with a full application.

STAFF RECOMMENDED MOTION

None

EXHIBITS



District Boundary Map

HISTORICAL PHOTOGRAPH, c.1910

Photo courtesy of the Bass Photo Collection, Indiana Historical Society





East Façade



West Façade

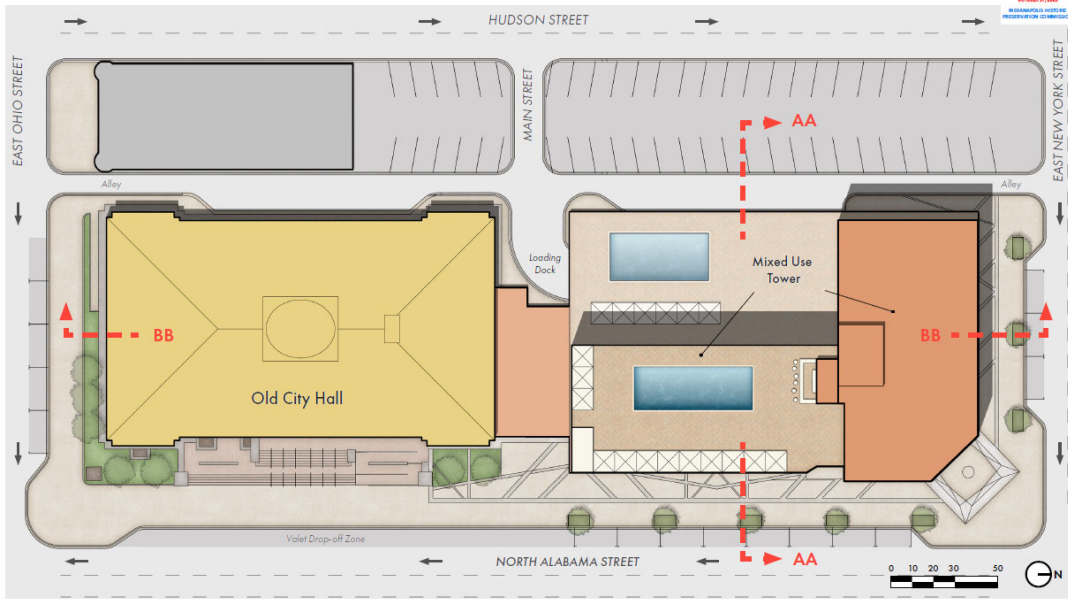


North Façade & Parking Lot



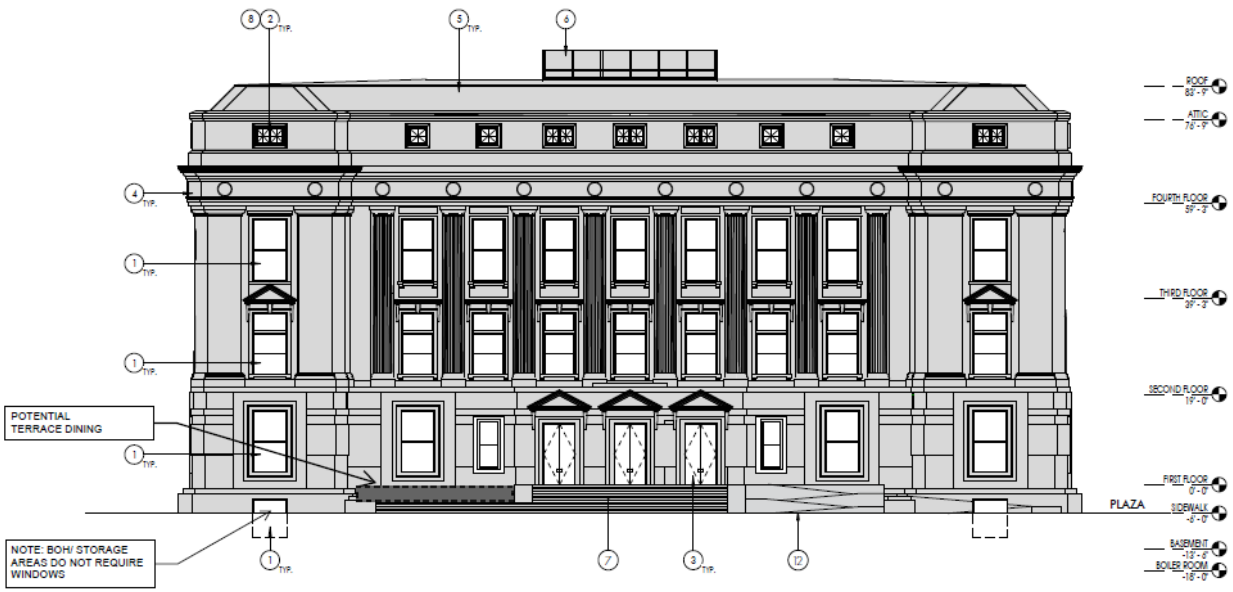
South Façade

Proposed Plans (Additional drawings in submittal packet)



Proposed site plan

PROPOSED EAST ELEVATION

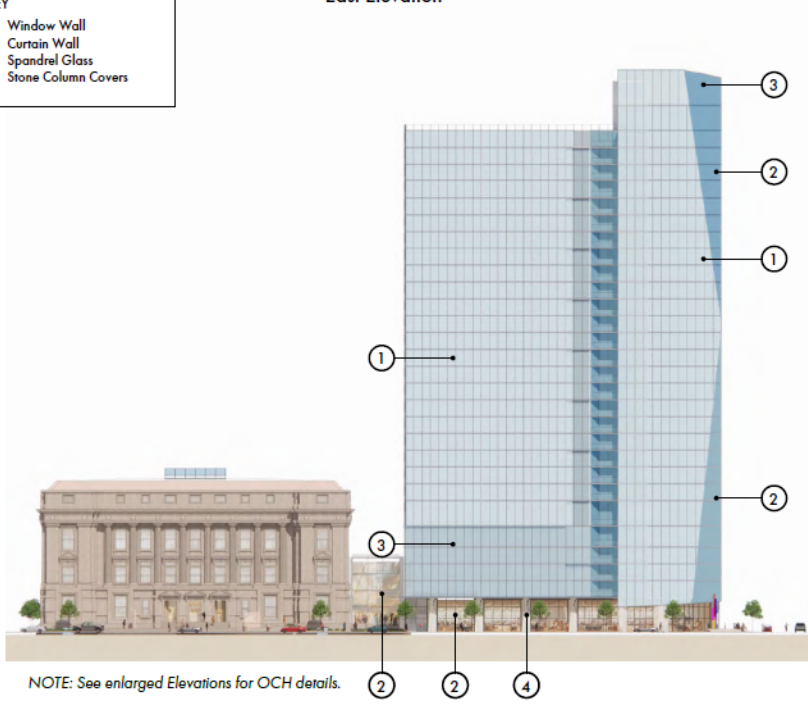


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| <ol style="list-style-type: none"> 1. New double hung window at original window location. 2. New fixed window at original window location. 3. Existing double doors to be restored. 4. Existing limestone cladding and ornamentation to be repaired. 5. Replacement of roof, drain, and drain leader. | <ol style="list-style-type: none"> 6. Existing central skylight to be restored or replaced. Additional (8) original skylights to be restored. 7. Existing steps to be repaired and waterproofed. 8. Restoration of metal grilles at fourth level windows. | <ol style="list-style-type: none"> 9. New first floor openings at locations of existing windows for connection to new adjacent structure. 10. Existing basement door to be restored. 11. Existing overhead door to be restored or replaced. 12. New ADA Ramp |
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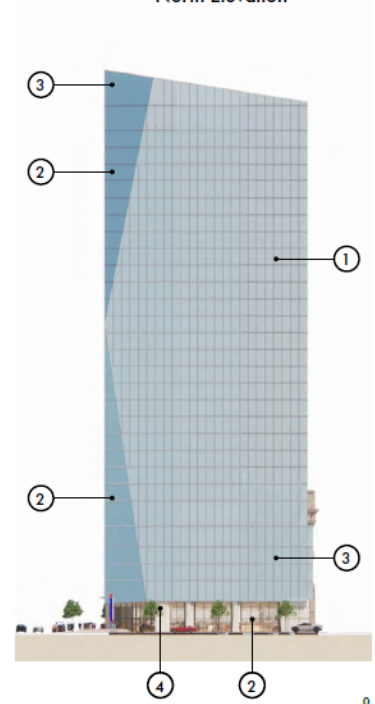
Proposed east elevation, historic building

- KEY**
- 1. Window Wall
 - 2. Curtain Wall
 - 3. Spandrel Glass
 - 4. Stone Column Covers

East Elevation



North Elevation



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IHPC STAFF REPORT SUMMARY

Hearing Date:	November 1, 2023
Case Type:	Work Started Without Approval July 18, 2023, IHPC Administrative Hearing
Continued From:	September 6, 2023, Commission Hearing October 4, 2023, Commission Hearing
Case Number:	2023-COA-251 (FP)
Property Address:	529 Fletcher Ave.
Historic Area:	Fletcher Place
Township:	Center
Council District:	16
Applicant:	Kim Cook
Owner:	Kim Cook
Request:	Retain deck extension and fence in the side yard constructed without approval.
Staff Recommendation:	APPROVAL
Staff Reviewer:	Dean Kessler

BACKGROUND OF PROPERTY

Background of Subject Property

The subject property is the location of the historic, 2-story, frame, Italianate-style, May House, constructed circa 1881-2, for Alva C. and Lucy May. The May's purchased the property from David and Elizabeth Long in 1881. In 1887, the house was sold to George H. and Rosanna Bryce. The Bryce's added the cast concrete front porch in 1906. The house became the Settlement House in 1928 for the Fletcher Place United Methodist Church and remained so for decades. Over time, aluminum siding was added and some of the detailing, including decorative brackets, were removed. The house has subsequently gone through extensive restorations. The aluminum siding was removed, and siding, windows, decorative window and door trim and cornice brackets have all been restored.

The property is currently zoned C-5, which is a commercial zoning district classification. C-5 does not permit residential uses. In 2004, the Commission approved a Variance of Use to allow for an expansion of a non-conforming single-family residential use by permitting construction of a residential garage in a commercial

district. In June of 2007, an IHPC Hearing Officer approved the construction of a wood deck in the west side yard at an IHPC Administrative Hearing.

The subject property is also an Indiana Landmarks covenant property. In 1983, Indiana Landmarks initiated a protective covenant on the property that requires the property owner to also obtain approval from Landmarks for any proposed exterior work.

Violation

The deck was brought to Staff's attention in 2021 when Staff received a complaint. After visiting the site, Staff discovered that wooden railings had been installed without approval as well. The railings were installed at two sets of steps leading up to the house from the public sidewalk. Staff worked with Mrs. Kim Cook, the applicant, over the next two years to resolve the violations. The wooden railings were removed completely and not replaced with new railings. Subsequently, a fence was installed by the applicant without approval in front of the deck. Kim Cook and Staff discussed replacing the railing at the deck with a privacy fence, but the applicant installed it prior to getting approval.

Administrative Hearing Review---Remonstrance and Reasons for Approval

This case was first heard at the July 18, 2023, IHPC Administrative Hearing. Prior to the hearing, Mr. Brian Barrett, who owns a condo unit next door at 501 Fletcher Avenue, reached out to staff with concerns that he and his family are able to hear the owners of 529 Fletcher on their deck. He also stated that he is able to see peoples' upper bodies above the existing privacy fence from the windows in his condo unit, as there is a slight grade change. The privacy fence was installed at a slightly lower grade level than the deck. Mr. Barrett also hired Mr. David Kingen to assist. Mr. Kingen submitted an email stating that he feels a rezone from C-5 to D-8 is required in order to build a deck for the residential use; therefore, the case should be continued.

At the July 18, IHPC Administrative Hearing, Mr. and Mrs. Barrett, Mr. Kingen and another couple, who owns a condo unit next door at 501 Fletcher Ave., all spoke in remonstrance to the application. IHPC legal counsel was also in attendance. The remonstrators shared concerns about noise, visibility of people on the deck and the zoning. The Hearing Officer explained to the remonstrators that, per the Zoning Ordinance, a rezone, nor a variance, is required for the deck (see "Request" paragraph below for more details.)

After hearing remonstrance, the Hearing Officer did not find any reasons to deny or continue the case and approved the deck/fence retention request. NOTE: Indiana Landmarks staff verbally told IHPC staff that Landmarks approved of the deck and fence as built.

Appeal of Hearing Officer's Decision

Mr. Kingen submitted an intent to appeal the Hearing Officer's decision the same day as the hearing. An official request to appeal the Hearing Officer's decision to the Commission was submitted the following day on July 19. New notice was required to be sent by the appellant. Notice timeline rules did not allow enough time for the appeal to be heard at the August Commission hearing, so it was docketed for the September 6, 2023, Commission hearing. A copy of the appeal from Mr. Kingen is included at the end of the "exhibits" section of this report. The appeal remains based on Mr. Kingen's belief that a rezone from C-5 to D-8 is required to build a deck for the residential use.

Continuances

The case was docketed for the September 6, 2023, IHPC Commission hearing. The case was continued to the October 4, 2023, IHPC hearing for the following reasons: Staff received a public records request from a remonstrator; the neighborhood organization contacted Staff with questions about the case and procedure; and Kim Cook, the property owner, notified Staff that she would be out of town on September 6 and not able to attend the public hearing.

On Monday, September 18, 2023, Staff received the 57-page document (included in the Commissioner's packets) from the remonstrators. This document was not received in time for Staff to fully review it and update the staff report for the Commission's review of the case at the October 4, 2023, IHPC hearing. Therefore, the case was continued to the November 1, 2023, IHPC Commission hearing.

Remonstrator's Documentation

A review of the 57-page document is informative. Staff suggests that testimony and questions about the document be discussed during the public hearing to allow time for the Commission to review the packet.

REQUEST

The request is to retain an extension of an existing deck and a fence installed without approval. The deck is wood and is less than 18-inches above grade; it was not constructed higher than the house's foundation. The deck is located in the west side yard and extends from the house to the west property line. It is surrounded by and hidden by wood privacy fencing on the west and front (north) sides. The privacy fence on the west side was existing. The privacy fence in front of the deck on the north side was installed later, after the deck extension had already been constructed. The deck does not contain any railings.

Zoning Ordinance Research

The IHPC staff researched the Zoning Ordinance and consulted with members of the Current Planning staff. The following are the results of that research:

- A deck is classified and defined as a structure. **Deck:** *A ground-supported, unenclosed, accessory platform structure, usually constructed of wood, designed and intended for the recreational enjoyment of the occupants and guests of the primary structure or use.*
- *Structures shall not be constructed, erected, altered, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by the Zoning Ordinance.*
- There are no setback requirements for the deck, as the IHPC may determine the appropriate setbacks in a C-5 zoning district. A transitional yard is also not required, because west side of the lot does not abut a dwelling district.
- While a deck may be considered either a "minor residential feature" or a "minor residential structure," it is not, by definition, limited to residential use only.
- The definition of a deck does not classify it as only residential by nature and use, unlike, for example, a residential garage (per the definition for a residential garage).
- Because there is a definition for a residential garage and its use, it requires a Variance of Use to build one as an expansion of a legal conforming residential use in commercially zoned district.

Staff has concluded that neither a Variance of Use, nor a rezone, is required because:

1. A deck is not residential by nature, nor is it defined as a solely a residential structure.
2. The district is exempt from the standard setback requirements, and it does not abut a dwelling district.
3. The property owner is not legally required to rezone the property.

HISTORIC AREA PLAN RECOMMENDATION

The Fletcher Place Historic Area Preservation Plan offers the following recommendations and guidance that can be considered when reviewing requests for site improvements:

Consider –

- *Using new plant materials, fencing, walkways, and street furniture which are compatible with the character of the neighborhood in size, scale, material, and color.*
- *Introducing signs, street furniture, new plant materials, fencing, walkways and paving materials which are not out of scale or inappropriate to the neighborhood.*
- *Inspecting the lot carefully to locate and identify plants, trees, fencing, walkways, and street furniture which might be an important part of the property's history and development.*
- *Retaining or replacing plants, trees, fencing, walkways, and lawn furniture which reflect the property's history and development.*
- *Retaining porches and steps which are appropriate to the building and its development. Porches and additions reflecting later architectural styles are often important to the building's historic integrity and, wherever possible, should be retained.*
- *Repairing or replacing, where necessary, deteriorated architectural features of wood, iron, cast iron, terra cotta, tile, and brick.*
- *Wherever possible, new additions or alterations to structures shall be done in such a manner that, if they were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.*

Avoid:

- *Introducing new construction into neighborhoods which is incompatible with the character of the district because of size, scale, color, material, and detailing.*
- *Introducing signs, street furniture, new plant materials, fencing, walkways and paving materials which are out of scale or inappropriate to the neighborhood.*
- *Making hasty changes to the appearance of the site by removing old plants, trees, fencing, walkways, and lawn furniture before evaluating their importance in the property's history and development.*
- *Removing or altering porches and steps which are appropriate to a building and its development and the style it represents.*
- *Stripping porches and steps of original material and architectural features, such as hand rails, balusters, columns, brackets, and roof decorations of wood, iron, terra cotta, cast iron, tile and brick.*
- *Enclosing porches and steps in a manner that destroys their intended appearance.*

STAFF RECOMMENDATION

Staff is recommending approval of the retention of the deck extension and fencing for the following reasons:

1. The deck meets the intent of the Plan and does not negatively impact the integrity of the historic architecture of the house or context.
2. The deck is not visible from the street, as it is located behind privacy fencing.
3. The deck material is compatible with the house.
4. The deck is not incompatible in size, scale, material and detail to the historic house or context.
5. Neither a Variance of Use nor a rezoning is required.

STAFF RECOMMENDED MOTION

COA # 2023-COA-251 (FP):

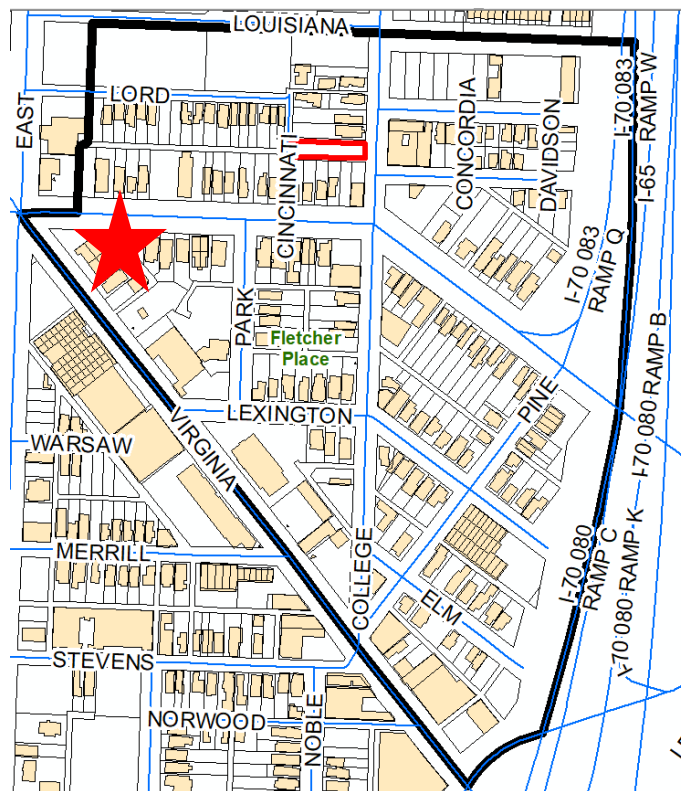
To approve a Certificate of Appropriateness to retain a deck extension and fencing installed without approval in the west side yard; per submitted documentation and subject to the following stipulations:

1. Deck may not be higher than the foundation of the house.
2. Railings and balustrades are NOT permitted.
3. Privacy fencing must be maintained around the deck.
4. No changes to the proposed design, location, configuration, or method of installation are permitted without prior consultation with IHPC staff.
5. Any deviation from this approach or major replacement shall be approved by IHPC staff prior to construction.
6. Notify IHPC staff prior to making unexpected repairs.

NOTE: Owner is responsible for complying with applicable building codes and structural requirements.

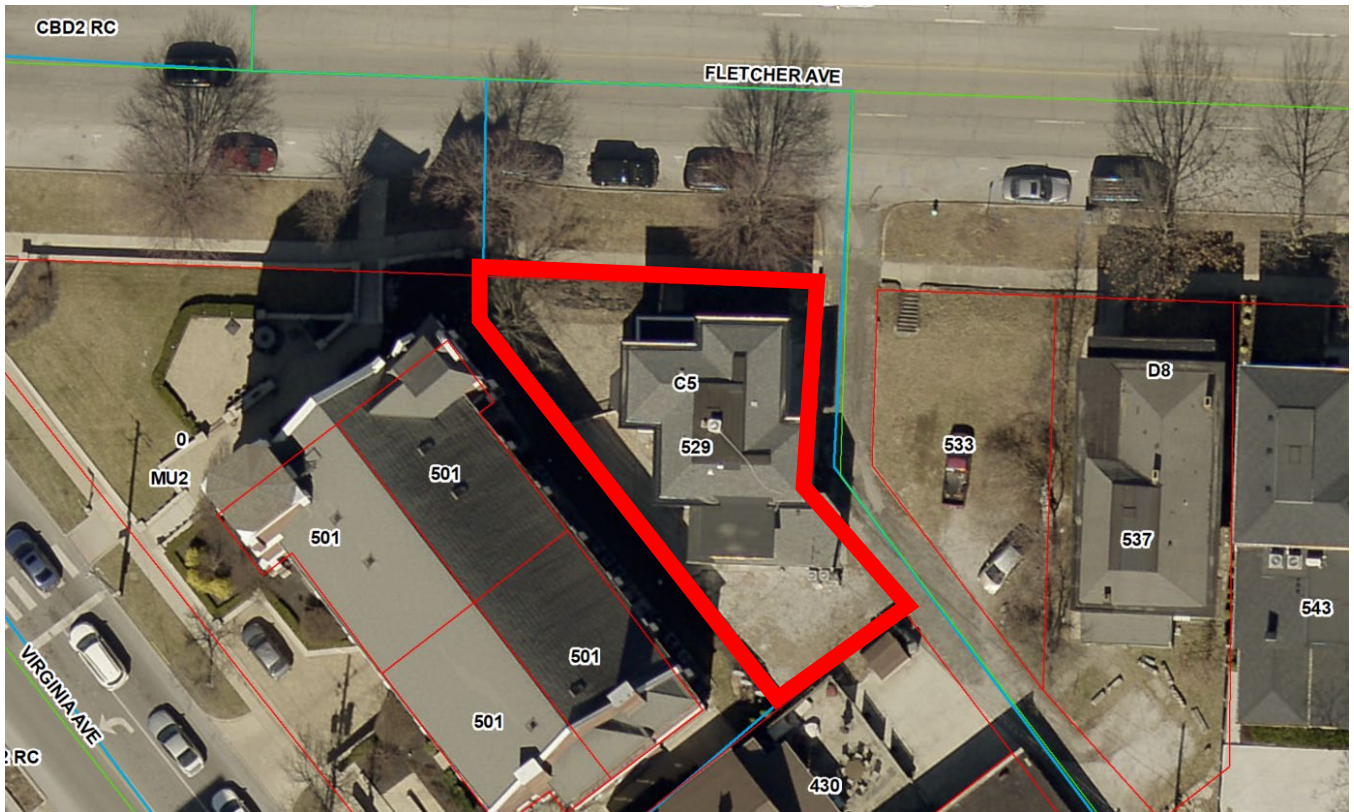
EXHIBITS

LOCATION OF SUBJECT PROPERTY IN FLETCHER PLACE





Subject property is outlined



Subject property is outlined

PHOTOS OF SUBJECT PROPERTY



Nov. 2022 Google Street View of front (north) elevation. Deck located behind white fence.



June 2023. Deck located behind white fence.



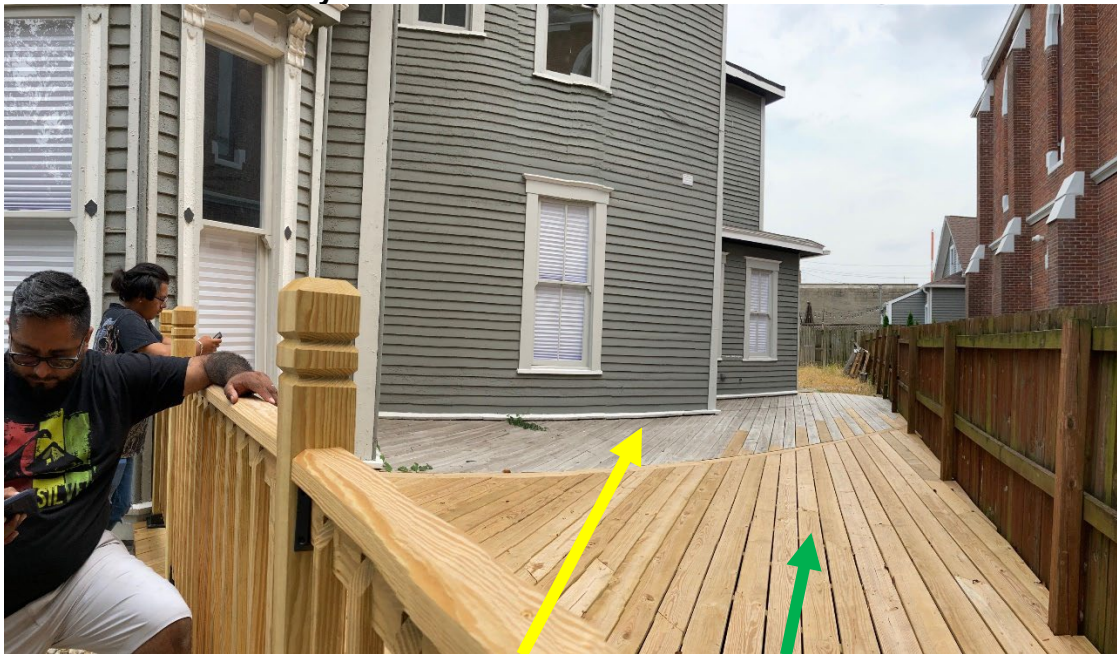
June 2023. Deck located behind white fence.



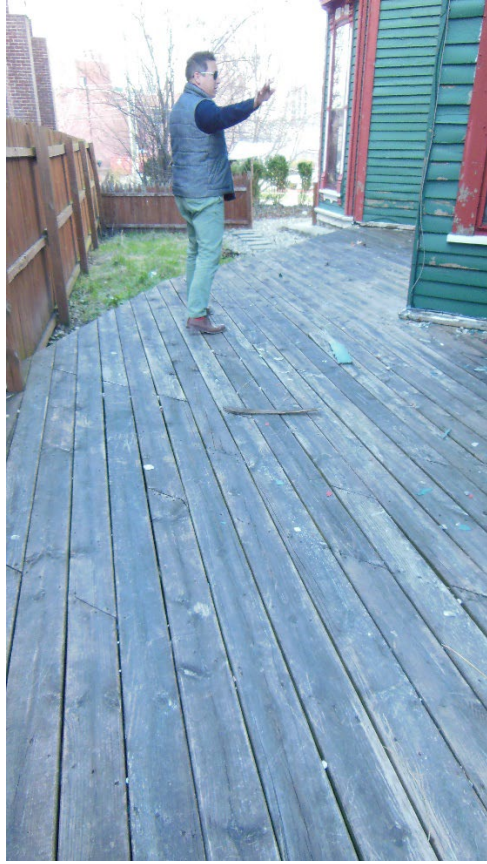
July 2021. Deck before fence installation.



July 2021. Deck before fence installation.



July 2021. Showing existing deck and deck extension.



Existing deck before extension.



March-April 2021 aerial photo before deck extension



Nov 2021 – Jan 2022 aerial photo after deck extension.



Deck enlargement is highlighted

SUBMITTED REASONS FOR APPEAL

Reasons for Appeal
2023-COA-251 (FP)

July 14, 2023

Indianapolis Historic Preservation Commission
Suite 1801 City County Building
200 East Washington Street
Indianapolis, Indiana 46204

RECEIVED

JUL 19 2023

INDIANAPOLIS HISTORIC
PRESERVATION COMMISSION

Re: 529 Fletcher Avenue

- We are writing as a nearby or abutting neighbor or property owner to this proposed dwelling/ residential improvement in a commercial zoned property zoned C5 in a Commercial Zoning District. We do not believe that it is lawful for the IHPC Hearing Office to grant a Certificate of Appropriateness for any exterior improvements or features prior to the IHPC recommending approval of a rezone to D8, and the approval of the Metropolitan Development Commission and the Common Council of the City of Indianapolis to certify that this subject property is zoned D8 Dwelling District, as called for and recommended in the Fletcher Place Historic Preservation Plan.
- ①
- We therefore request that this application be continued until such time that 529 Fletcher Avenue is zoned D8 and consistent with the Fletcher Place Historic Preservation Plan, and the Comprehensive Plan recommended for approval by the Metropolitan Development Commission in 2018.
- ②
- We ask for relief from the IHPC to continue this application to a future hearing date and until such time as the subject property is zoned D8 Dwelling District.
- ③
- We state that the application of a Certificate of Appropriateness was not complete, as the application did not so indicate that a rezone or Use Variance was included or needed.
- ④

- ⑤ We are in full support of a **continuance in order so that the petitioner may rectify the application that was filed, that should indicate that a rezone is needed and included.**

Thanks for your consideration.

Sincerely yours,

cc: Meg Busch, Administrator, IHPC
Chris Steinmetz, Attorney, IHPC
William Browne, President of IHPC
Allissa Impink, President, Fletcher Place Historic
Neighborhood Association
Kristin Jones, City County Councillor, District #16
Larry Pfeiffer
Tiffany Hart
Joel Aguliar
Owners of the four condominiums at 501 Fletcher Avenue
David Kingen, NDZA

7/14/23

⑥ Violations of the IHPC Procedures

Approved March 3, 1993

- ① No testimony under oath was given at
the public hearing
② No address was provided for the
representative of the applicant/petitioner

RECEIVED

July 31, 2023

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PRESERVATION COMMISSION

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2023-COA-251 (FP)

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7/14/23

⑥ Violations of the IHPC Procedures

Approved MARCH 3, 1993

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- ② ~~No. address~~ was provided for the ~~representative of the applicant / petitioner~~