

STAFF REPORT

REGIONAL CENTER HEARING EXAMINER - HIGH IMPACT CASE

Case Number	2022-REG-079
Address (approx.)	1231 Brooks Street
Location	Center Township, Council District # 11
Petitioner	Catalina Realities LLC, by Vijay Reddy
Zoning	D-8 (RC)
Request	Regional Center Approval to provide for demolition of the existing structure and for the construction of a single-family dwelling and a detached garage.

GENERAL INFORMATION

Existing Zoning	D-8 (RC)	
Existing Land Use	Single-family dwelling and attached garage	
Urban Design Guidelines District Typology	Neighborhood Residential	
Regional Center Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Land Use
	North: D-8 (RC)	Single-family dwelling
	South: D-8 (RC)	Single-family dwelling
	East: D-8 (RC)	Single-family dwelling
	West: D-8 (RC)	Single-family dwelling
Thoroughfare Plan		
	Brooks Street	Local street
		50-foot right-of-way existing and proposed
	Drake Street	Local street
		50-foot right-of-way existing and proposed
Site Plan – Submittal Date	File-dated December 4, 2022	
Elevations - Submittal Date	File-dated December 4; revised February 2, 2023	
Hearing Dates	January 12, 2023; February 9, 2022	

DETAILED SUMMARY OF REQUEST

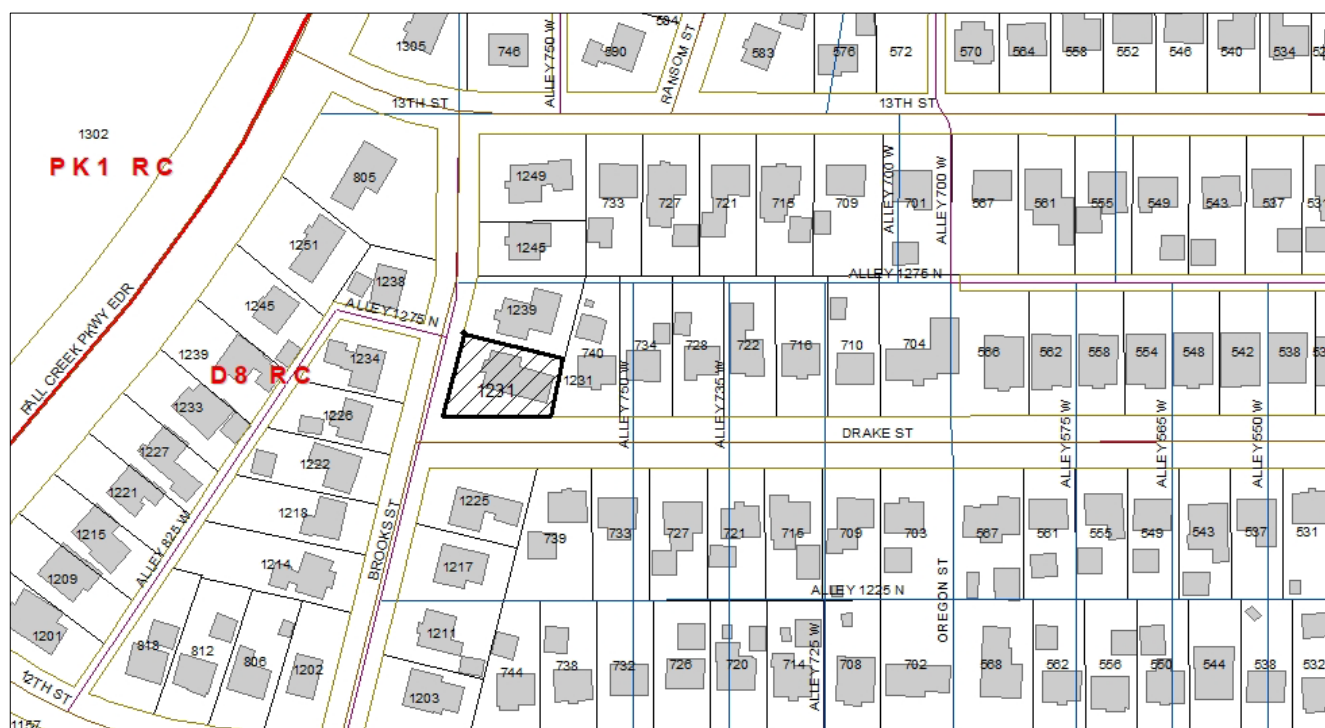
The subject site is surrounded by single-family residential development, with Crispus Attucks Medical Magnet School one block to the south. This site is within the Flanner House Homes neighborhood, which is listed in the *National Register of Historic Places*. The area is significant in the history of African Americans in the mid-20th Century as an area where many African Americans settled. Most of the dwellings in this area were constructed in the 1940s and 1950s. In many cases, the owners assisted in the construction of the dwellings. It is common that original owners or their descendants still reside in these homes today.

The Flanner House Homes neighborhood is generally intact, however, by demolishing structures, the historic nature of the neighborhood begins to fade. In 2020, there were two notable Regional Center Approval petitions within a few blocks of the subject site. First, through 2020-REG-040, at 1157 Fall Creek Parkway, East Drive, a single-family dwelling, and detached garage were approved for demolition and new construction, as a single-family dwelling and detached garage that closely matched the existing structures. Secondly, through 2019-REG-035, at 513 West 13th Street, a single-family dwelling was denied a request for demolition in August 2020.

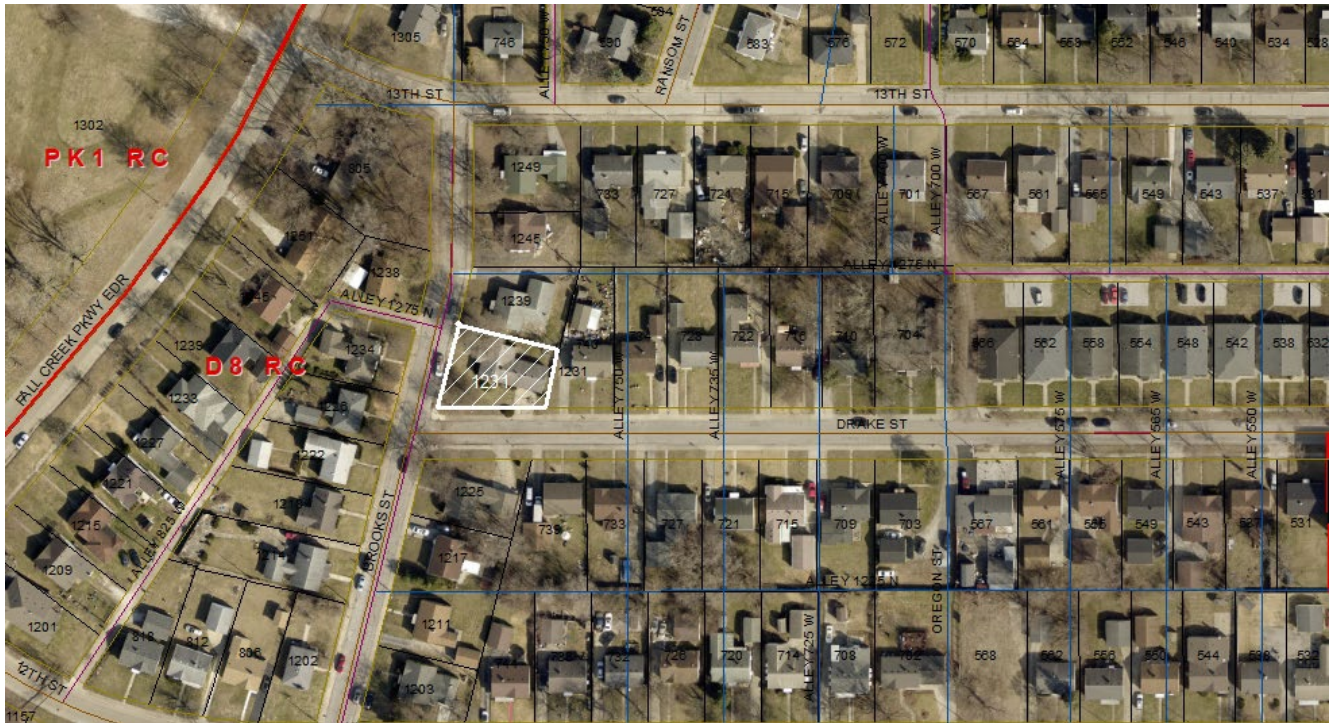
For the subject site, the house and attached garage were not built at the same time. The house can be traced as far back to 1956, as noted in the 1956 Sanborn Fire Insurance Map, below. The garage can be traced as far back as 1962, as shown on the 1962 aerial photo below.

This request would provide for the demolition of the existing house and attached garage and for construction of a new single-family house and detached garage. The petitioner verbally indicated that the home would be owner-occupied. The petitioner and neighborhood group met in January 2023 and revised elevation plans were submitted to the file on February 2, 2023, that reflect the requested changes to the structure. Staff would note that the elevations do not specify the proposed building materials.

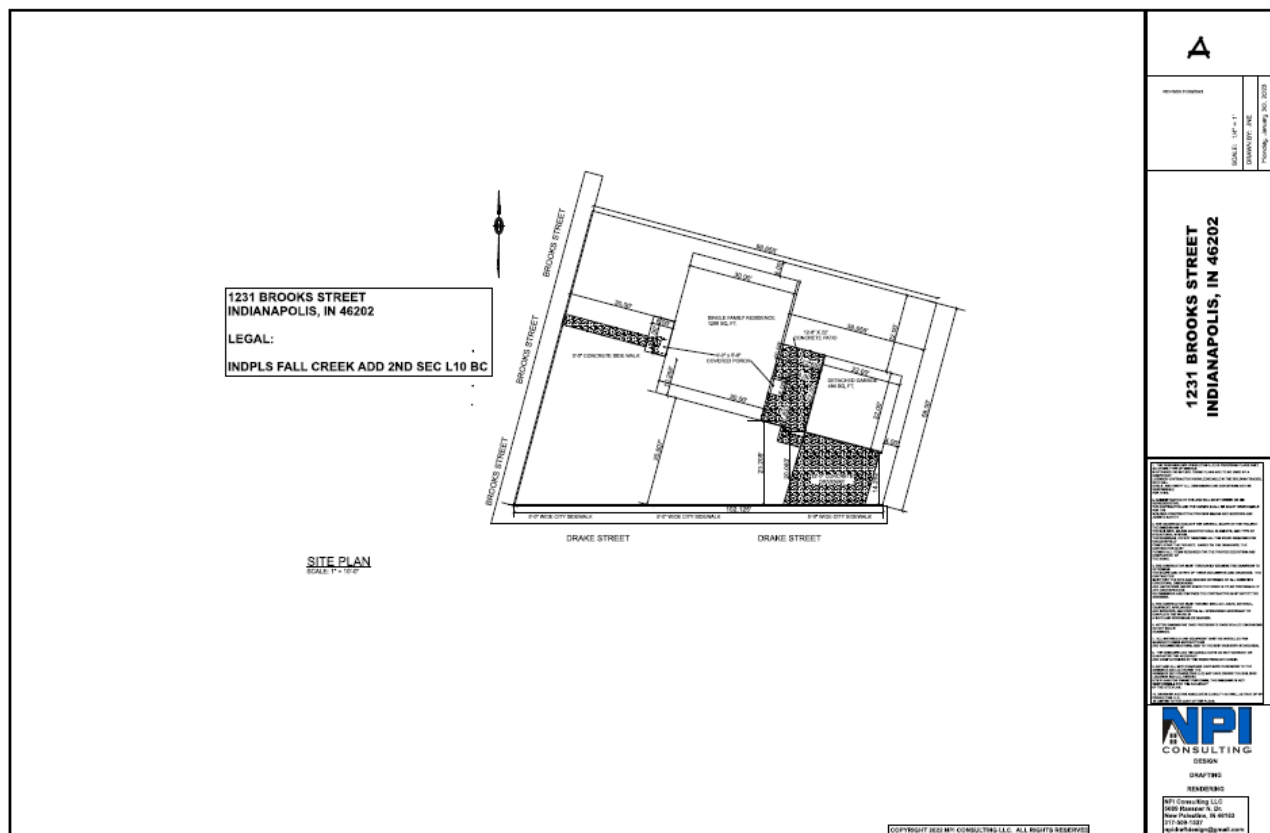
The proposed north and east side yard setbacks would be four feet, according to the site plan. If approved, the D-8 zone would require a minimum of five-foot side yard setbacks, so the site plan will be required to be revised to meet the Ordinance standards.



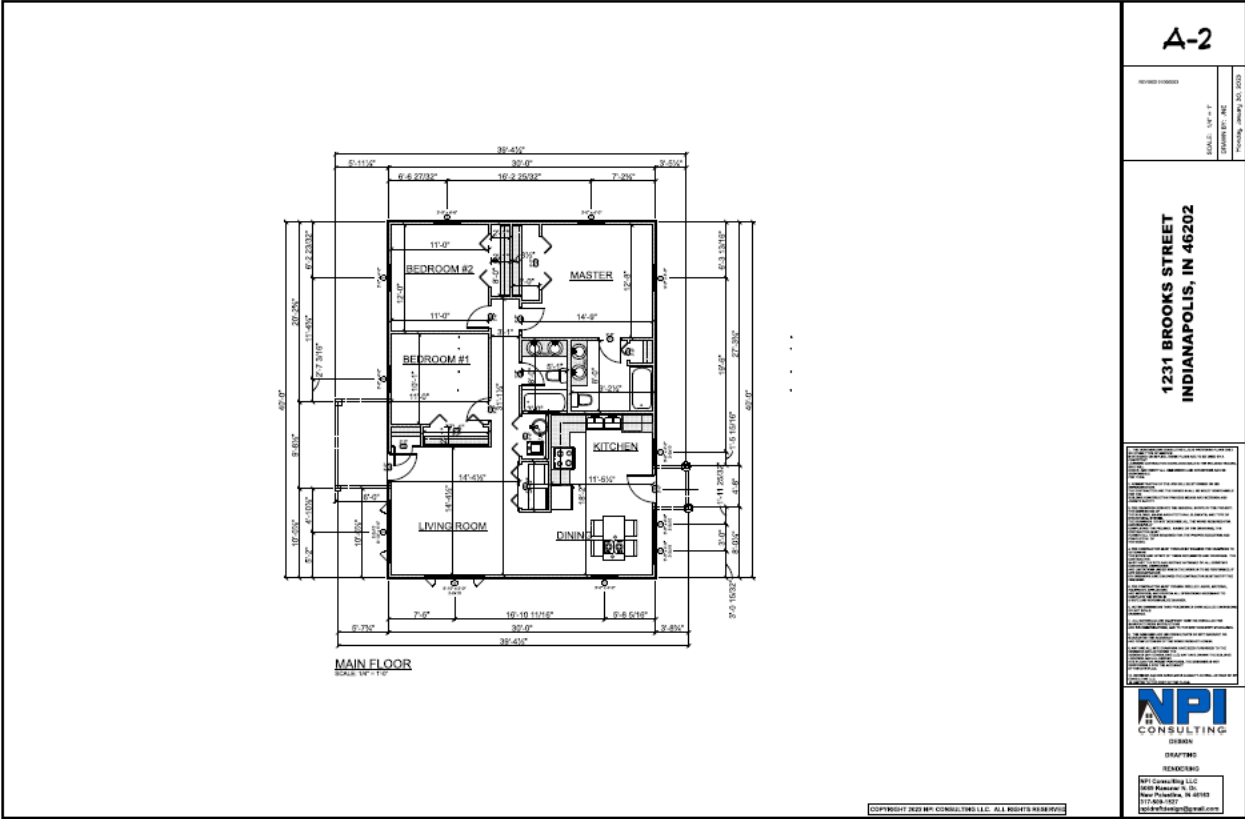
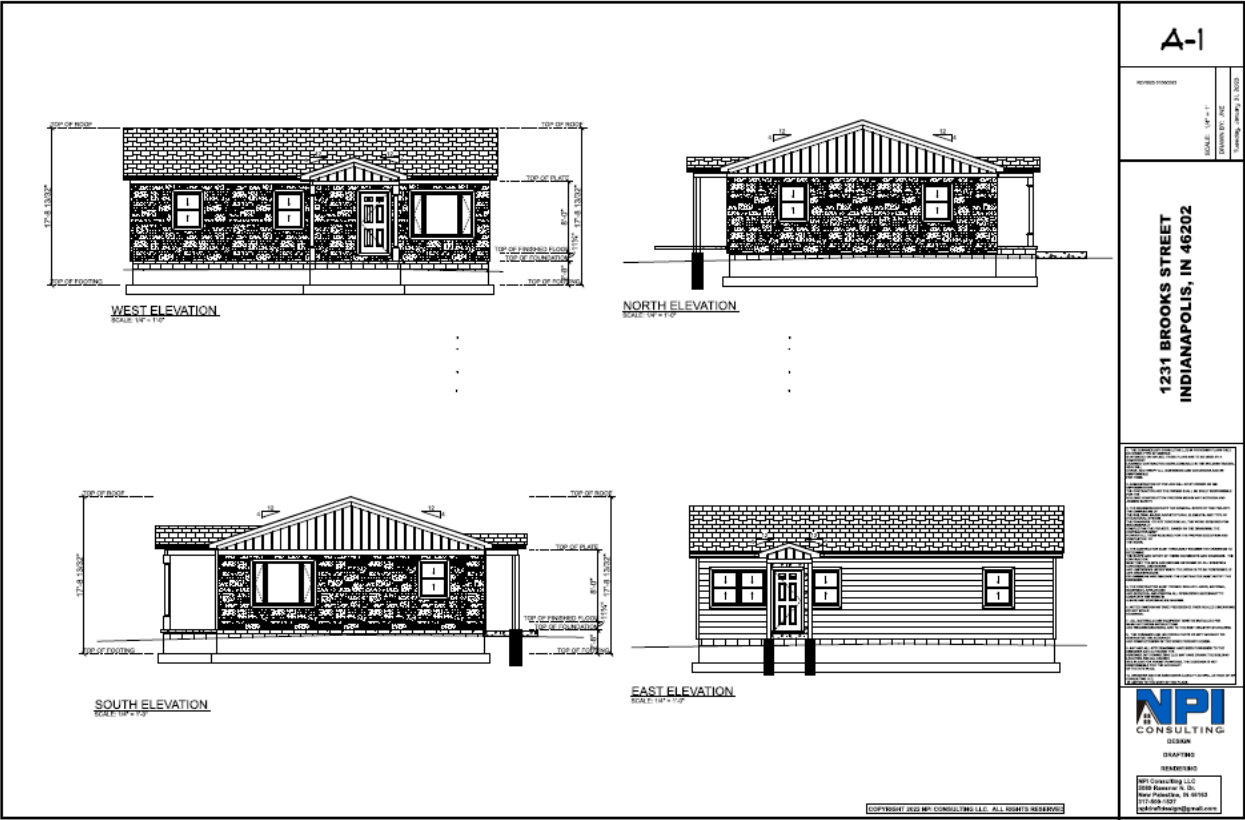
Zoning map of site and area



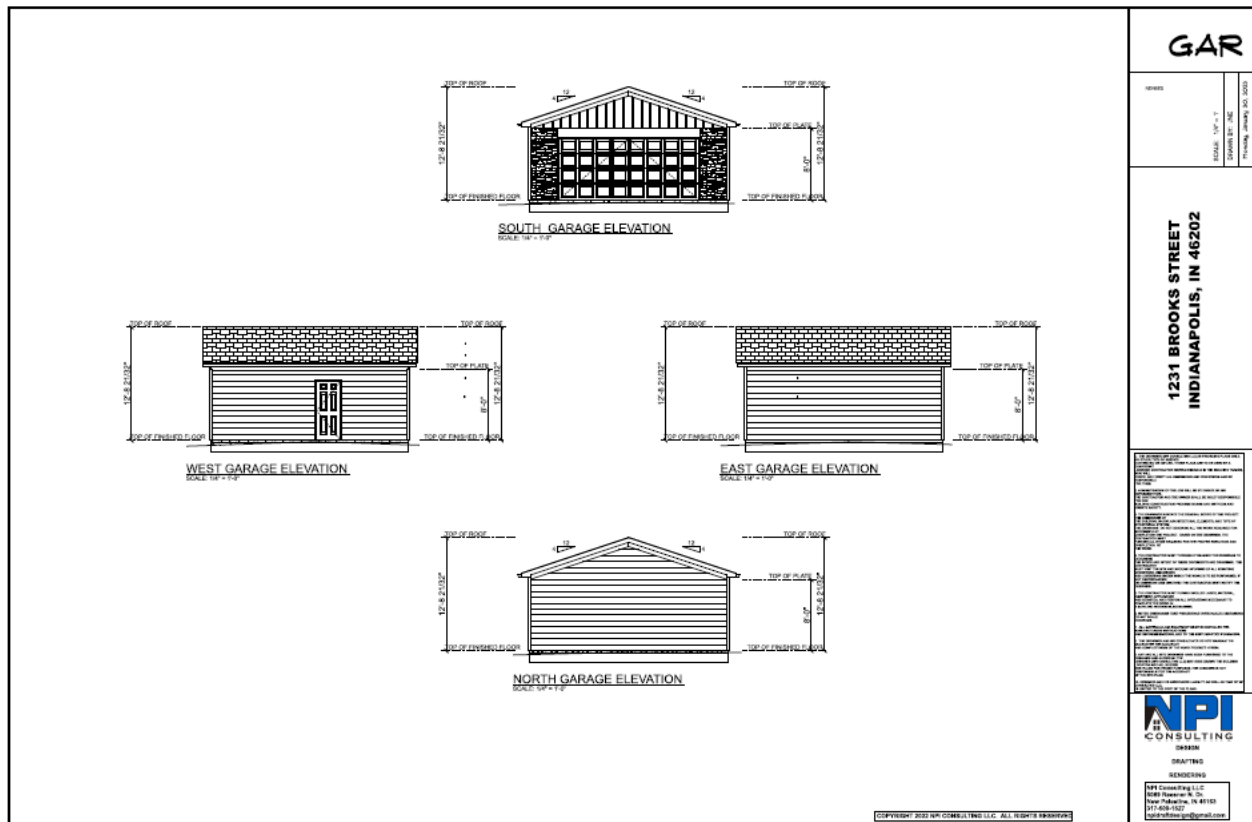
Aerial map of site and area



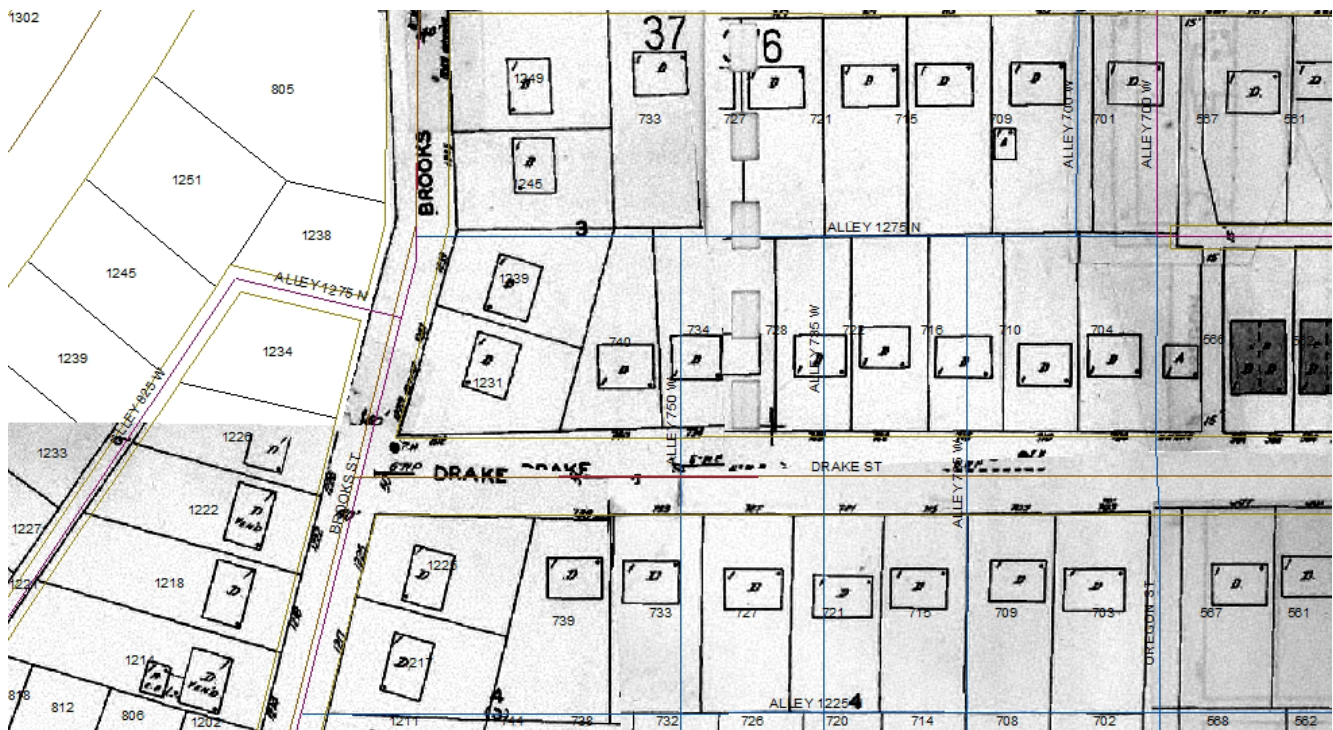
Site plan



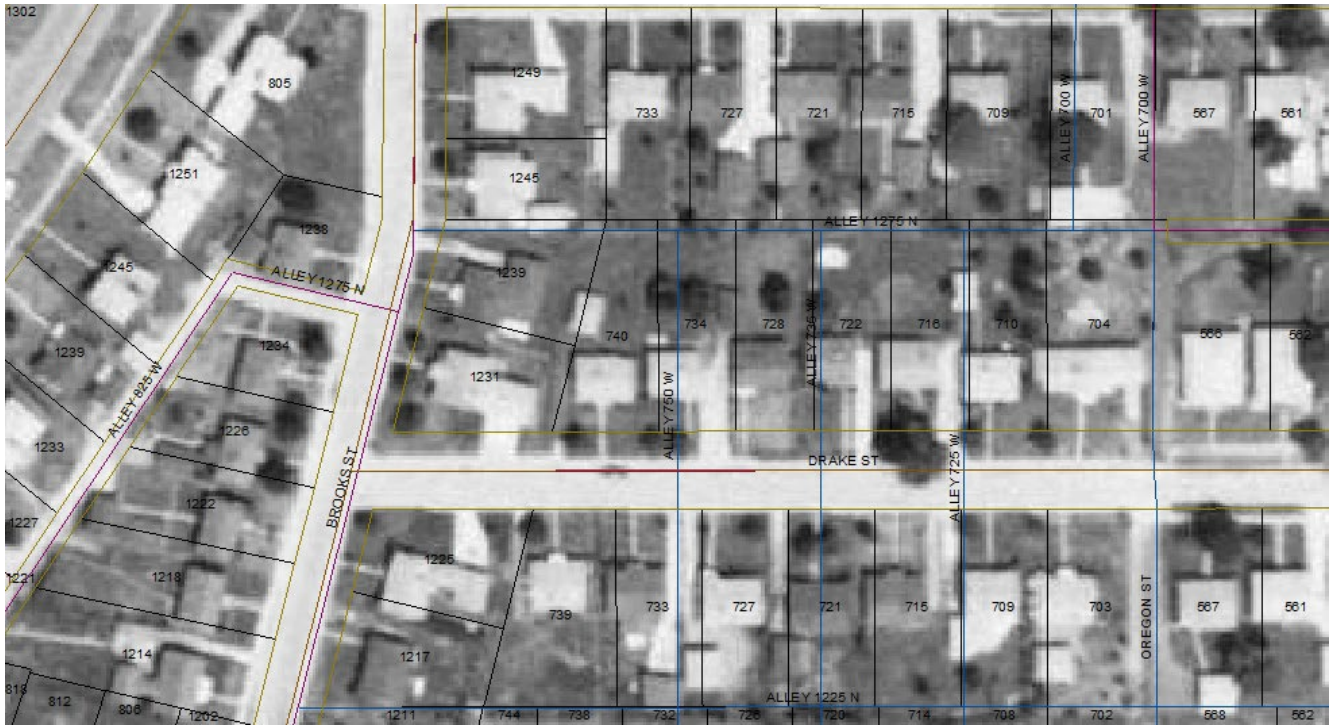
House elevations and floor plans



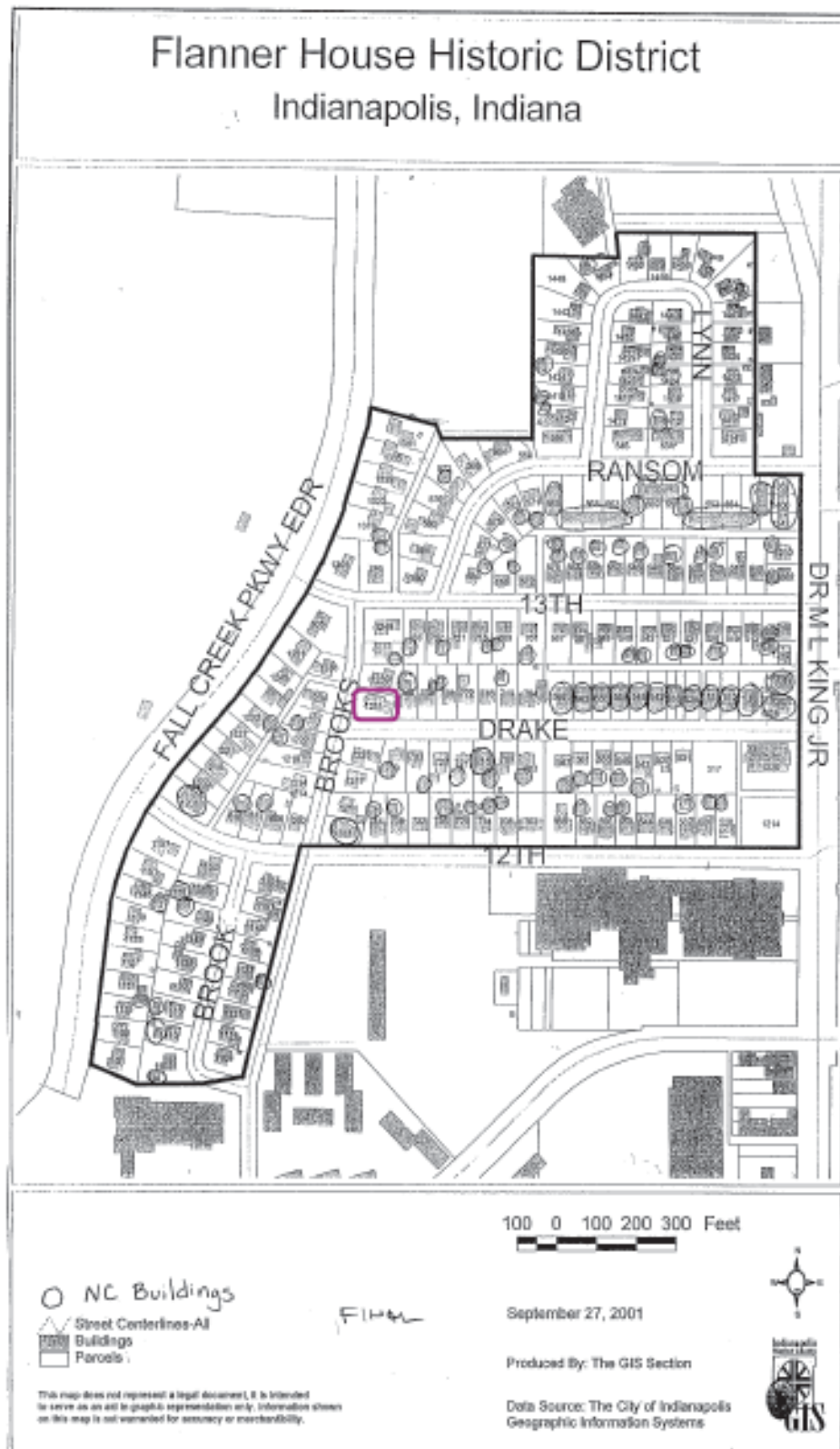
Garage elevations



1915 Sanborn Fire Insurance Map (updated in 1956), identifying the original configuration of the dwelling, without a garage



1962 aerial photo of site and area, with 1231 Brooks Street house and attached garage



2001 map identifying Contributing and non-contributing structures. Existing building is considered 'Contributing'.

APPLICABLE DISTRICT TYPOLOGY – *Typology description directly from the Regional Center Design Guidelines.*

Neighborhood Residential (NR)

The Neighborhood Residential typology occurs in neighborhoods with houses that are medium-density and primarily pre-WWII construction or areas of new housing construction developed in a similar pattern. Homes are single-family, townhome or apartment configurations. Parcels are typically deep with narrow street frontage. Homes have small setbacks and front yards. The environment is pedestrian in nature. Examples of the Neighborhood Residential typology are Stringtown and the Valley.

APPLICABLE GUIDELINES

URBAN STRUCTURE (US) GUIDELINES

Urban Structure Guidelines relate to large-scale urban design components like view sheds, landmarks, public spaces, and historic resources. Guidelines also relate to historic and current plans for the Downtown area.

REQ = Required guideline; ADV = Recommended (Advised) guideline; INFO = Informational; NA = Guideline does not apply.

US1.1 - Consistency with Adopted Plans	The Regional Center Zoning Ordinance is the legal basis for the review of development activities in the Regional Center, and the Indianapolis Regional Center Plan 2020 is the legal articulation of the plan components, goals, and standards for the area. The specific guidelines contained in this document are directly related to the implementation of the Indianapolis Regional Center Plan 2020 adopted by the Metropolitan Development Commission. The Indianapolis Regional Center Plan 2020 document contains proposed land use, proposed housing development, pedestrian and bicycle routes, land use framework and other relevant information.	APPRAISAL
REQ	<p><i>US 1.1.1 – Proposals subject to Regional Center review shall be consistent with the following adopted plans, where applicable:</i></p> <ul style="list-style-type: none"> <i>Indianapolis Regional Center Plan 2020</i> <i>Sixteenth to Thirtieth Street Meridian Street Corridor Land Use Plan</i> <i>Subarea Plans</i> <i>Redevelopment Area Plans</i> <i>Marion County Thoroughfare Plan</i> <i>Indianapolis Regional Pedestrian Plan</i> <i>Indianapolis Metropolitan Planning Area Multi-Modal Corridor and Public Space Design Guidelines</i> <i>Indianapolis Marion County Park, Recreation and Open Space Plan</i> 	Satisfied
US1.2 - Boundaries & Edges	The mixed-use nature of the Regional Center sometimes produces incompatible land use neighbors, and the incompatible elements should be minimized. Frontage streets and landscaped corridors also function as buffers, boundaries, and edges.	APPRAISAL
ADV	<i>US 1.2.1 – Buffers consisting of berms, evergreens and/or walls should be constructed in cases where the Indianapolis Regional Center Plan 2020 land use plan indicates residential development or campus development adjacent to industrial development, railroads, or Interstates and as the right-of-way or site permits.</i>	None proposed
REQ	<i>US 1.2.2 – High- or medium-density development adjacent to, or near to, low-density residential development (6 to 15 Units/Acre and/or 16 to 27 Units/Acre) is to be designed to minimize traffic congestion on local streets, noise, glare, and other negative impacts.</i>	Not Applicable

	REQ	US 1.2.3 – In areas undergoing transformation in land use (such as from industrial to residential), new development should consider the character and impact of existing development. New development should consider mitigating the impacts of existing noise, traffic, service access and other undesirable conditions.	Not Applicable
US1.3 - View sheds, Vistas & Landmarks		<p>Views of landmark buildings, monuments, and plazas and of the downtown skyline are public assets that should be protected. Views of the Soldiers and Sailors Monument, the Capitol Building, the World War Memorial Plaza, and the Public Library are the top priorities considered here.</p> <p>For the purposes of these guidelines protected view sheds are: (1) Meridian Street from Washington Street to Fall Creek, (2) Market Street from New Jersey Street to Capitol Avenue, (3) Capitol Avenue from Washington Street to Ohio Street, (4) Pennsylvania Street from Ohio Street to St. Joseph Street and (5) Monument Circle.</p>	APPRAISAL
	NA	US 1.3.1 – Protected view sheds shall not be obstructed by signs, canopies, awnings, bus shelters, pedestrian bridges, banners, utilities, or traffic control signs. A maximum projection of four feet from the property line with a minimum Clear Height Zone of nine feet is not considered to be a visual obstruction.	Not Applicable
	NA	US 1.3.2 – Only deciduous trees are permitted to be planted in the public sphere (right-of-way) or adjacent to the Pedestrian Way.	Not Applicable
	REQ	US 1.3.3 – Hotels located along protected view sheds are to develop any covered vehicle “drop off and pick up” areas on side streets. Hotel pedestrian entrance canopies may be permitted along a view shed because the hotels provide 24/7 sidewalk activity and access. Design must minimize view obstruction, have no side “curtains,” and be of high quality, durable materials. No pull through drop-off permitted along a protected view shed. Curbside designated areas are permitted if curbside parking restrictions are compatible.	Refers to hotels -NA
US1.4 - Gateways		Gateways create a sense of arrival at a place. They can be (1) transitional corridors such as the West Washington Street corridor adjacent to the Zoo linking the downtown and the west side neighborhoods, (2) a physical element marking a point of transition between districts, such as the Interstate underpasses approaching the downtown or (3) the sequence of views leading to a destination, such as views of the downtown skyline starting at 121st Street when southbound on North Meridian Street.	APPRAISAL
	REQ	US 1.4.1 – Existing physical elements in the public sphere, such as bridges and underpasses, are to be designed to be safe for pedestrians, bicycles, and vehicles.	Not applicable
	ADV	US 1.4.2 – The design of bridges, underpasses and other gateways should incorporate unique lighting, painting, graphics, and materials.	Not applicable
	ADV	US 1.4.3 – All gateway projects that are proposed by “grassroots” initiatives will be reviewed for contextual relationships, durability, and cultural relevance to the area.	Not applicable
US1.5 - Public Art		<p>Art should be an integral part of infrastructure improvements and new construction. Interactive art, fountains, paving, landscaping, graphics, lighting, and sculpture can communicate our culture’s values and create a more vital environment. Art (for the purposes of these guidelines) is defined as original works created by an individual or team that is experienced in their discipline. The following disciplines are included as having the potential for producing original creative works:</p> <p>(1) Artists - visual arts, performing arts and literary arts, (2) Craftsmen - glass, metal, weaving, quilting, pottery, etc., or (3) Design professionals - architecture, landscapes, interiors, engineers, etc.</p> <p>In general, art is a creative expression by an individual or design team that also ultimately controls the aesthetic outcome.</p>	APPRAISAL
	NA	US 1.5.1 – Support for the arts is recommended to be integrated into the design of every new public and new commercial project with a floor area over 50, 000 square feet in size or having a construction cost of over \$1,000,000.	Not Applicable

NA	<i>US 1.5.2 – Public Art is recommended to be integrated with all new public institution and government construction projects greater than \$1,000,000 in value. Public Art is art that is located on public property and/or integrated with public construction projects. Public Art can include all forms of original works of art, exterior or interior, which are accessible to the public during normal hours of operation.</i>	Not Applicable
REQ	<i>US 1.5.3 – All permanent installations of art located in the Public Sphere or Quasi-Public Sphere shall be constructed of durable materials, not interfere with public safety, and be free of advertising. The installation shall provide access for as many individuals as possible (the provision of access for the mobility, hearing, and vision impaired is encouraged), consider public safety and liability issues; consider vehicular and pedestrian traffic patterns; consider the relationship to architectural and natural features, landscape design, environmental impact, and future plans for the area. Petitioners are encouraged to develop a long-term maintenance program for all permanent installations.</i>	Not applicable
REQ	<i>US 1.5.4 – All temporary installations of art shall not interfere with public safety and be free of advertising. Petitioners are encouraged to develop a long-term maintenance program for any such installation that uses recurring temporary or non-durable elements (such as flags or banners).</i>	Not applicable
NA	<i>US 1.5.5 – Large scale installations of landscaping (environmental art), urban graphics or art consisting of dispersed components are encouraged. Projects will be reviewed for compatibility with these guidelines.</i>	Not Applicable
US1.6 - Festivals, Ceremonies & Parades		APPRAISAL
NA	<i>US 1.6.1 – Projects over 150,000 square feet in size should consider developing space for receptions, special events and related activities. The space can be located in the Public, Quasi-public or Private built environment sphere. Ensure that all areas are ADA Accessible.</i>	Not Applicable
REQ	<i>US 1.6.2 – Ensure that the responsibility for maintenance of all improvements located in the quasi-public sphere or public sphere is established.</i>	Not applicable
US2.1 - Historic Districts		APPRAISAL
REQ	<i>US 2.1.1– In historic districts designated by the National Register of Historic Places (NRHP) that are not designated by the IHPC, new development shall be contextually sensitive to the district. The Infill Housing Guidelines will be used in reviewing single-family proposals in these districts.</i>	See Summary
US2.2 - Individual Historic Resources		APPRAISAL

REQ

US 2.2.1 – Changes to the exterior of historic resources shall be reviewed for negative effect to the historic character of the building. Historic resources shall be defined as buildings or areas:

- Listed on the Center Township, Marion County Interim Report – Indiana Historic Sites and Structures Inventory (published July 1991) as notable or outstanding.
- Listed on the National Register of Historic Places.
- Determined by the Indiana State Historic Preservation Office as being eligible for listing on the National Register of Historic Places.
- Determined by the Director of DMD in consultation with the administrator of the IHPC to be potentially eligible for the National Register of Historic Places.

When reviewing historic resources, Planning staff shall consult with IHPC staff and shall consider the general principles in the Secretary of the Interior's Standards for Rehabilitation: **See General Principles for Historic Preservation.**

When considering the general principles of the Secretary of the Interior's Standards, staff may consult the Secretary of the Interior's Guidelines for further detail, but those guidelines are not incorporated in these Regional Center Guidelines and staff is not required to impose every treatment suggested in them.

General Principles for Historic Preservation.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

See Summary

	<p>9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</p> <p>10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p>	
REQ	<p>US 2.2.2 – All proposed development which is located on a site that is intersected by a 200-foot buffer around an historic site, as determined to be historic under Guideline US 2.2.1, are to be reviewed for contextual sensitivity. The potential for the reinforcement of exterior space (corridors, plazas, and historic sites), the incorporation and allusion to details in the existing environment, the use of contextual colors and materials, the reinforcing of landscape precedents, the contribution to the social environment and the design response to seasonal change and the day-night cycle will be considered in the design review. This is not meant to restrict creativity, but rather to encourage development that does not destroy or damage those surrounding characteristics that are important and positive. At one end of the spectrum, this may result in new design that is highly reflective of the surrounding built environment, at the other end, it may result in new design that contrasts, but complements the surrounding built environment. In either case, or all cases in between, new design should make a conscious effort to relate in some meaningful way to its surroundings. Where the immediately surrounding built environment is weak or conflicts with the goals of the Regional Center guidelines, one should look beyond the immediate surroundings for context.</p>	See Summary
US2.3 - “Mile Square” Plan		APPRAISAL
REQ	<p>US 2.3.1 – New development is to be designed to reinforce the original Ralston “Mile Square” Plan. Original rights-of-way are to be retained or restored to preserve the historic character of the “Mile Square.”</p>	Not Applicable
NA	<p>US 2.3.2 – Development of the triangular sites on the diagonal avenues should reflect the site configuration.</p>	Not Applicable
US3.1 - Demolition		APPRAISAL
REQ	<p>US 3.1.1 – Demolition requests shall receive Regional Center Approval prior to issuing a permit. Demolition requests will be reviewed (1) to determine if the structure is in a Redevelopment District or a special economic development district and might be eligible for incentives, (2) to determine if the proposed reuse of the site is consistent with the Indianapolis Regional Center Plan 2020 and/or Redevelopment Plans and (3) to determine if the property is historic (as defined in US2.2.1) so that interested parties may solicit development alternatives.</p>	See Summary

SUMMARY

1. Guideline US 2.1.1 indicates that there are two different historic district designations in the Regional Center: National Register of Historic Places (a federal registry of historically significant areas and buildings) and locally designated historic areas governed by the Indianapolis Historic Preservation Commission (IHPC). This site is located within the Flanner House Historic District and listed on the *National Register of Historic Places*. The site is not within an IHPC district.
2. Guideline US 2.2.1 indicates that sites listed on the National Register of Historic Places shall require consultation with the IHPC staff for review. Staff consulted with IHPC staff during review of this request. The IHPC staff indicated that neighborhood input would be vital in review of the proposed dwelling.
3. Guideline US 2.2.2 indicates that proposed development located within a 200-foot buffer of an historic site, as determined under US 2.2.1, is to be reviewed for contextual sensitivity. The site is entirely within the *National Register of Historic Places*, recognized as Flanner House Historic District.
4. Guideline US 3.1.1 indicates that all demolition requests are reviewed 1) to determine if the structure is in a Redevelopment District or a special economic development district and might be eligible for incentives, 2) to determine if the proposed reuse of the site is consistent with the *Indianapolis Regional Center Plan 2020* and or the Redevelopment Plans and 3) to determine if the property is historic so that interested parties may solicit development alternatives.
 - a. This dwelling is not located within any Redevelopment District or special economic development district.
 - b. As proposed, the new structure would be a single-family dwelling.
 - c. This site is within Flanner House Historic District neighborhood, which is listed on the *National Register of Historic Places* as a significant post-World War II African American neighborhood that encouraged home-building with 'sweat equity'. Another significant structure in this neighborhood is Crispus Attucks High School, separately listed in the *National Register of Historic Places*.

IHPC staff indicated that the former structure was a 'contributing structure' in that it was constructed in the 1950s, with a garage addition in the early 1960s, in the style and design consistent with other single-family dwellings in the neighborhood. Due to the poor condition of the structure, the demolition would be appropriate, however, the proposed structure and detached garage should be designed in the same manner as the original structure. Thus, the same style and size of the original former dwelling would be the model in which to design a new structure.

5. The proposed site plan and elevations would appear to meet the above Guidelines, with setback issues noted above required to be addressed with a revised site plan and details of the building materials needed to complete the review. Therefore, the site plan and

building elevations shall be revised and submitted to staff review and approval, prior to the issuance of an Improvement Location Permit.

RECOMMENDATIONS

Staff **recommends approval** of the Regional Center Approval petition for demolition of the dwelling and attached garage, and new construction of a single-family dwelling and detached garage, subject to the following:

The site plan and building elevations shall be revised and submitted to staff review and approval, prior to the issuance of an Improvement Location Permit.

ZONING HISTORY

2021-REG-032; 568 West 12th Street, requested Regional Center Approval to provide for demolition of an existing one-story dwelling and construction of a two-family dwelling, **denied**.

2020-REG-041; 568 West 12th Street, requested demolition of the rear portion of a single-family dwelling, renovation of the front portion of the dwelling and to provide for a second dwelling unit in a new structure attached to the existing dwelling, **approved**.

2020-REG-040; 1157 Fall Creek Parkway, East Drive, requested Regional Center Approval to demolish a single-family dwelling and detached garage and for the construction of a single-family dwelling and detached garage, **approved**.

2019-REG-035; 513 West 13th Street, requested Regional Center Approval to demolish a single-family dwelling and attached garage, **denied**.

2010-REG-052; 572 West 13th Street, requested Regional Center Approval to demolish a single-family family dwelling, **approved**.

JY
