

The Pendleton Historic Preservation Commission met on November 13, 2018 at 7:00pm at the Pendleton Town Hall, 100 W State Street, Pendleton, Indiana.

The meeting was called to order at 7:00pm. Board Members present were Randall Woodruff, Bruce Ring, George Harris, Craig Campbell, Sandi Butler and Kevin Kenyon. A quorum was established. Representing the Town were Planning and Zoning Administrator Kayla Hassett, Town Attorney Brad Dick and Planning Clerk Kate Edwards.

## **MINUTES**

**MOTIONED BY SANDI BUTLER, SECONDED BY CRAIG CAMPBELL, APPROVAL OF OCTOBER 9, 2018 MEETING MINUTES. MOTION CARRIED.**

## **OLD BUSINESS**

### **A. Enlargement of Existing/Creation of New Historic District**

Hassett reported that over the past month she has been notified that there is an additional round of grant funding for CLGs (Certified Local Governments), which Pendleton is one of 19 in the State of Indiana. Grant amount is \$35,000. Must apply before month's end and they have to spend it because DNR has to give out at least 10% of their grant funding to CLGs. Making our odds pretty good. These monies would potentially be used for survey. Butler offered to assist with the grant application if Planning would like.

Regarding the survey, Hassett is in the process of planning for a January training session for volunteers, if the grant doesn't happen. If it does happen, it possibly could be done by a paid consulting firm who would do the survey for us.

### **B. Main Street Revitalization Program (MSRP) Grant Update**

Hassett advised the town now has lamp post speakers on State Street. The HPC responded very positively about that. The dangling irrigation lines were mentioned and Hassett advised she would enquire with the Director of Public Works about them.

All five MSRP properties are still under construction. Hassett reported they must be finished before the end of the year.

### **C. Historic Preservation Fund (HPF) Grant Update (front of Town Hall)**

Hassett reported that the Town signed a contract with Ratio Architects earlier this month for architectural services for the front of this building. Hope to know more by HPC December meeting. Hassett shared a rendering that was done in 2006 when Ratio did a plan for both Town Hall buildings.

Woodruff asked if there were any timelines associated with this project and Hassett advised June 30<sup>th</sup>.

**D. Cemetery Heritage Sign**

Hassett advised she attended Historic Fall Creek Pendleton Settlement meeting last month and they have agreed to fund one of the signs. Hassett is applying for the grant tomorrow, which is the deadline. Estimated deliver would be March 1<sup>st</sup>.

Woodruff complimented Hassett on all she has accomplished.

**NEW BUSINESS**

**A. Revision of Historic District Design Guidelines**

Due to the shortcomings in the Design Guidelines, it was asked that it be included on this Agenda. Hassett shared that she looked through the HPC ordinance and under Section 3 Powers and Duties of the Commission, it states the Commission may adopt preservation guidelines for architectural review if adopted preservation guidelines shall be made public. It does not say anything about Town Council involvement. So the HPC has the control.

Hassett suggested that non-historic buildings and signs might be two areas of the Guidelines we could look into and asked for the HPC thoughts. Kenyon suggested lighting section include LED and also acceptable color range. Color range of high pressure sodium versus metal halide. So you could speak to temperature range of the lighting. Metal halide being antiquated technology.

Kenyon asked about the term Guidelines and does that mean this commission has final say on all interpretation or does it go to legal counsel to interpret the Guidelines. Counsel reported legal counsel could offer advice, but it would be the HPC interpretation. Then it would be subject to judicial review if a court disagreed with your interpretation. Adding there is a rule in Indiana law that the interpretation of a body tasked with implementing or entering a statute, as long as your interpretation is reasonable, a court will uphold that, even if someone else comes in with an alternate interpretation. Kenyon asked if it is a Standard or a Guideline or if that makes a difference. Indiana law provides that you can have standard guidelines for a historic district and does not believe there is a distinction between those two in Indiana law.

Kenyon shared that he does not know what the use of 'appropriate windows and doors' means. Leading Woodruff to ask if it would be appropriate to have a committee of two commission members plus Hassett plus Kenyon to go through these and make more specific recommendations to the commission. Hassett thought that would be beneficial.

Hassett added that ultimately there might be a completely new set of Guidelines. Noting that last year she worked on putting together what a new set of Guidelines

would look like, with a table of contents, and we had talked about putting that off until after the survey was done and the expansion of the historic district, asking if they still want to stick with that, or do we do a quick change. Woodruff felt it should not be done in haste and that step one would be if the grant comes through, then how will the survey be done and, once that is done, perhaps visiting the Guidelines and seeing if a revision is still needed. The review committee couldn't be any more than two or it would be a violation of the open door policy. Butler advised she would be interested. Campbell and Kenyon both advised their interest.

**B. HPC11132018-01 – 228 S Pendleton Ave – PNC Bank**

**Installation of a stand-alone ATM at former bank drive-through.**

Hassett's Google Drive presentation included the COA submitted by Tim Shearer, Regional Construction Manager PNC Bank, Description of the Proposed Scope of Work, aerial picture, current exterior pictures and several architectural renderings of the proposed work.

Tim Shearer introduced himself to the Commission advising PNC's desire to maintain a presence in Pendleton for their customers and wanting to install a full service ATM at the current location of the bank. Bruce Ferry of Ferry & Associates Architects address the Commission. Working for PNC for the purpose of developing the opportunity for an ATM. He presented site pictures and renderings. He shared several considerations that are the desire of the bank. The ATM be placed so current traffic flow entering S Pendleton Ave and exits on Elm be maintained. With the ATM positioned on the outer lane of the drive thru gives adequate stacking space for vehicular traffic. He noted that the drive thru window presents an opportunity for another business that might locate in that building, so perhaps blocking in that window might not be advantageous. It might become a drive thru for a laundry, a restaurant, coffee house, etc. They recognize the benefit of leaving the window.

Ferry's last picture board illustrated the economic benefit of retaining the canopy with the possibility of increasing the footprint of the building by 20% by enclosing three walls of the drive thru. He showed a rendering of also extending the mansard roof around the canopy and also provide a more harmonious color to that fascia, showing the simple economical moves to make this building and canopy more fitting to the environment. Potential for the canopy to be enclosed could be for a number of advantages to the owner.

Shearer and Ferry also presented examples of prior bank properties having built in old drive thru canopies.

Rick Lawrence, attorney out of Carmel and a representative of the property owners Dr Robert Siefker and Christina M Siefker, addressed the Commission. He wanted to restate that the owners feel there are some alternatives to using

the existing drive thru lanes that could open up and still access the property, and closing off dead space Hassett voiced concern about. He also wanted to review that they are working with Hassett on the pole sign on front corner. Historical records apparently don't go back far enough in detail. Trying to find a way to work with the town in the interim so that the sign does provide some use for that building to provide some advertising for the tenant of that building. Their intent was to remove the PNC placard and leave blank for the future tenant, not the actual removal of that sign. Woodruff asked for clarification on the plan for the drive thru sign. Shearer advised their intent was to add the 24 hour drive thru sign below the primary sign on the existing pole. There is a directional sign in the rendering. Woodruff indicated that the directional sign would need to follow the sign Guidelines. Hassett confirmed the directional sign would require a sign permit and a COA as well.

Hassett advised that she had some concerns about this petition, advising there is nothing specific in the Guidelines that states you cannot have an ATM in the historic district. ATM is a permitted use in the downtown business district. Adding that the Historic Preservation Ordinance does speak to the kind of development we should be encouraging. This was built in 1977. Hassett went on to discuss that signage was going to need talked about and how to direct people to the back of the building without confusing the customers of the building's future use.

#### **STAFF RECOMMENDATION**

**Deny petition, unless applicant agrees to table the application and amend to show the following:**

- Stand-alone ATM (not under canopy connected to building) visually compatible with historic district.
- Location of ATM in a way that is not detrimental to future use of building.
- Demolition of canopy.

Hassett added that with the new information provided at tonight's meeting, she encouraged the commission to share their thoughts.

Woodruff felt that if the ATM was moved to that outer lane and the window remained in place that it would resolve some of the staff's concerns. Hassett agreed. Woodruff added that anything could happen to that vacant canopy space, however, to ask them to tear that down in order to get approval for the ATM is a little extreme. Campbell asked Mr. Lawrence if the owners find a new leasee, either drive thru or not, might they have plans to improve the building including that canopy. Lawrence feels that might be dependent on what the renters want. Woodruff suggested they could state a conditional approval regulating storage under the canopy. Counsel suggested that outdoor storage would typically be covered under zoning. If so, if violated, the owner could be cited.

Campbell added that, as a nearby property owner, he would be highly in favor of the owner finding a good renter for the property and agrees that demolition of the canopy is not necessary.

Ring stated he wanted to make certain as to what the commission needs to focus on tonight and that is just putting an ATM on the outer lane. Woodruff said that was correct. Kenyon adding that a new sign would be a separate request. Ring added that closing in the canopy for additional square footage would also be a separate request.

**MOTIONED BY CRAIG CAMPBELL, SECONDED BY SANDI BUTLER, THE APPROVAL OF HPC11132018-01, INSTALLATION OF A STAND-ALONE ATM AT FORMER BANK DRIVE-THROUGH, NOTING OWNER'S RECENT DECISION TO LEAVE THE EXISTING DRIVE THROUGH WINDOW UNCHANGED. MOTION CARRIED.**

**C. HPC11132018-02 – 110 S Pendleton Ave – Ring Investments  
Exterior Rehabilitation**

Bruce Ring recused himself as a voting member of the commission due to personal involvement on this petition.

Hassett's Google Drive presentation included the COA submitted by applicant Ring Investments, pre-rehab picture of structure, aerial view of property, proposed rendering of Pendleton Avenue view, aerial rendering of proposed metal trellis structure, rendering of proposed North side view, pictures of work currently going on in preparation of rehabilitation.

Josh Ring address the commission. He reviewed and explained the presentation pictures and desired changes.

For the exterior material, they reported they are having difficulty locating replacement tiles to match the existing glazed tiles. Bruce Ring advised that the acceptable alternate would be bricking the entire structure. Adding that his preference would be the glazed tiles, but if not feasible, we would like to ask approval to go with brick.

Bruce Ring summarized what they are bringing in front of the Commission tonight:

- Two windows and doors in front, they want to put overhead doors there
- Move the entrance door around on the North wall
- Get rid of the castles so we can bring the ceiling height straight across because they want that to be a big open space
- They want to try to strip the glazed tiles but, if they can't, they want to look at replacing the glazed tile with brick and, it is their thought that if brick,

they would want to do it all the way around including the back and the alley side.

When Butler asked about somehow making the castle look, Kenyon shared that they are not supposed to recreate faux features.

Hassett wanted to ask about the pergola and if it was going to be steel. Bruce Ring indicated it was going to be galvanized or powder coated exterior grade and the plan is it bring it out to the sidewalk. Hassett said that it is good that it brings the property out to the sidewalk. She noted that the pergola will be a unique feature to the downtown area, so that will need to be up to the commission.

**MOTIONED BY CRAIG CAMPBELL, SECONDED BY GEORGE HARRIS, THE APPROVAL OF HPC11132018-02. MOTION CARRIED.**

**D. HPC11132018-03 – 130 W State Street – Moody Nolan - Fixed Metal Awning**

Hassett's Google Drive presentation included the COA submitted by applicant Moody Nolan – Anjanette Sivilich – for owner Jerry Burmeister, picture of the building façade currently, schematic of proposed awning and a slide regarding the corrugated metal panel for proposed awning.

Jim Kienle, consultant with Moody Nolan, addressed the commission. He advised that they modified the original design, at the request of the commission, to add a little more weight to it. Original design was to be reflective of what was there originally with a light steel framed canopy structure.

Hassett mentioned an additional concern the HPC had was the exposed plywood on the underside. Kienle advised with the new design you will see the preformed metal structure. Steel frame and corrugated steel roof. Galvanized. Kienle reported it will be designed to accumulate for the code required guidelines.

**Staff Recommendation – Approve**

**MOTIONED BY CRAIG CAMPBELL, SECONDED BY BRUCE RING, TO APPROVE HPC11132018-03. MOTION CARRIED.**

**ADJOURNMENT**

Next meeting is scheduled for December 11, 2018 at 7pm.

Meeting adjourned at 8:15pm

Kate Edwards  
Planning Staff, Town of Pendleton