

MINUTES OF A MEETING OF THE
HISTORIC PRESERVATION COMMISSION
OF SOUTH BEND AND ST. JOSEPH COUNTY

February 4th, 2019
13th Floor Conference Room
County – City Building
South Bend, IN 46601

I. CALL TO ORDER

President Gelfman called the meeting to order at 5:30 pm.

Members of the Public Present:

Carly Suenlser, John Horan, Jonathon Mooney, Gary Harrington, Judy Shroyer, Mike Neiser, Joan Downs-Krostenko, Jean DeWinter, Mo Miller, Matthew Moyer, John Huston, Alberta Barnes, Vicki McIntire, Mary Udak Remek, Sam Lima, Sandy Rossow, Tim Scott, Jonathon Nasher, Emily Dean, Tom Heatl, Marti Heatl, Steve Sass, Janet Howard, Nancy Mah, Dick Reimeke, David Hurley, Mary Prince

II. ROLL CALL

Members Present: Michele Gelfman, President; Elizabeth Hertel, Vice President; Tom Gordon, Asst. Secretary; Joseph Molnar, Treasurer; Velvet Canada

Members Not in Attendance: Greta Fisher, Architectural Historian / Secretary

Staff Present: Elicia Feasel, Historic Preservation Administrator; Sandra Kennedy, Legal Counsel; Steve Szaday, Historic Preservation Inspector

Staff Not in Attendance: Adam Toering, Historic Preservation Specialist

Commissioner Molnar made a motion to rearrange agenda moving New Business section right after Roll Call. Seconded by Commissioner Hertel. Vote: 5 – 0.

III. NEW BUSINESS

Resolution 19-01 – Explanation provided by Legal. Commission discussion.

Commissioner Canada made a motion to approve Resolution 19-01. Seconded by Commissioner Molnar. Vote: 5 – 0.

IV. PUBLIC HEARING

A. CERTIFICATE OF APPROPRIATENESS

1. Leeper Park COA# 2019-0108 #8734-96 Local Landmark

Representation: John Huston, Arcadis, 150 W Washington, Ste 720, Indianapolis
Kara Boyles, City of South Bend, 227 W Jefferson Blvd.,
South Bend

**STAFF REPORT
CONCERNING APPLICATION FOR A
CERTIFICATE OF APPROPRIATENESS**

Date: 15 January 2019
Application Number: 2019-0108
Property Location: Leeper Park

Architectural Style/Date/Architect or Builder: Planned landscape/1897/City superintendent Herman Beyer; Landscape Architect George Kessler

Property Owner: City of South Bend, Venues Parks & Arts

Landmark or District Designation: Local Landscape Landmark, Ordinance #8734-96 and National Register of Historic Places, 6/15/2000

Rating: N/A

DESCRIPTION OF STRUCTURE/ SITE: Leeper Park is the first planned public park in South Bend located north of downtown and the medical district. Leeper Park is oriented east/west at the St. Joseph River, divided into three sections, East, Central, and West, by Michigan Street and Lafayette Boulevard. The Eastern section was originally established for the Water Works with the first construction on site being a network of thirty, six-inch artesian wells.¹ “The first land condemned for the future Leeper Park, in June of 1895, was meant to provide a second artesian well field and pumping facility for the lively industries and town population which was growing along the south bend of the St. Joseph River.”² City superintendent Herman Beyer first influenced the design including curvilinear paths, plantings, and water features. The 1911-1915 Parks and Boulevard system and the Leeper Park Plan, designed by celebrated planner and landscape architect George Kessler, embodied early twentieth century ideals grounded in the City Beautiful movement, connecting parks and boulevards as planned elements of a coordinated city plan. Kessler’s Plan for Leeper Park included both formal and informal design elements, adopting existing park features of the Beyer era through a skillful remodel. The association of the park sections with different uses was a result of Kessler’s planning; the West section was deemed for active recreation, the Central section as passive recreation, and the Eastern Section was adopted for its function as a Water Works but also boasts a number of recreation-related features. While the Kessler Plan guided Leeper Park development for the next decade, documentary evidence appears that only some elements of the Kessler design were actually installed.³ Sensitive extensions of Kessler’s Plan continued into the 1920s and 1930s and included Works Progress Administration funded labor for several projects.⁴

Leeper Park East features include: the North Pumping Station, the water reservoir, multiple water well pumps, Ziegler Performing Center with fixed bench seating, signage for the former Garden of Fragrance, the Navarre Cabin, the foundation of the former Powell House, a non-functioning Comfort Station, a swing set/slide, the Sunken (Rose) Garden, the island, and the Works Progress Administration retaining wall and a bridge to the island.

Leeper Park Central features include: West Lagoon (Duck Pond), concrete stairs on embankment, a well house, the Edward B. Reynolds fountain, Lavender Labyrinth, memorials including trees, stones, and plaques.

Leeper Park West features include: backdrop of the former baseball diamond, tennis courts, a recreation building, a parking lot, an odor garden, and raised vegetable gardens with adjoining paths.

ALTERATIONS:

Throughout

RMEs and COAs for tree trimming, removal, and installation have been approved under the guidance of the City Forester. RMEs and COAs for sidewalks have been approved.

Leeper Park East

RME 2017-0410 approved “This permit covers only Phase I of the project - drilling a pilot well. Phase II (drilling the actual well and trenching in the piping) will require a separate COA.”

COA 2017-0306 approved installation of new stage and new audience seating, landscape beautification and lighting for stage, new benches with concrete pad closer to stage.

RME 2016-1013 approved removal of brush and planting of willow tree near Rose Garden.

The Sunken (Rose) Garden with reflecting pool and statuary were removed in the 1960s. RME 2017-1012 approved installation of two small concrete pads with two benches adjacent to Rose Garden. Benches to match those approved through COA 2015-0302A. COA 2017-0228 approved installation of 8’ wide crushed limestone walkway connecting the Michigan Street sidewalk with the Sunken Garden, bounded by two, 42” wide flower beds, and irrigation system for entire garden. COA 2015-1002 approved “Within an existing concrete curb (that will remain), the landscaping bed will be enhanced to mimic the reflecting pool formerly within its boundary. New flower beds will be defined using new soil, compost and plantings. A walkway of crushed limestone will pass through the beds. Additional half circle beds will be added to the north and south of the concrete curb. The “three-fates” statues will be repaired pro-bono by a local artist,

¹ Leeper Park Cultural Landscape Report, prepared by Westerly Group for the Historic Preservation Commission of South Bend and St. Joseph County, May 1998.

² Ibid.

³ Ibid.

⁴ Malcolm Cairns, ASLA. “Leeper Park Historic District.” National Register of Historic Places Inventory/Nomination Form, NR-1411. South Bend, St. Joseph County, Indiana, June 15, 2000.

and then placed into the center of the "pool" bed, where they were originally, in the same back-to-back-to back style; and the one remaining "cherub" will be nearby, on a footing. That "cherub" will be duplicated from the original, and the new statue also placed nearby in the "pool" bed." COA 2015-0504A approved restoration of Rose Garden and gravel path system by volunteers.

COA 2015-0908 approved "Bartlett Street Roundabout Project Description (114-032b). Project to construct a roundabout at Bartlett and Michigan Street approved per all diagrams and documents submitted. Encroachment to Leeper Park East will be limited to 0.57 acres and all trees removed will be replaced within the park."

The Garden of Fragrance no longer exists, but the signage remains. RME 2015-0422 approved "Rebuild/restack low retaining wall currently located in Leeper Park next to Garden for the Blind. Matching flagstone has been donated by Knepp Sand and Stone and Old Fort Building Supply; and follows material estimate made by a representative of the SB Parks Department. The restacking of the flagstone wall will also require digging away the dirt around loose blocks and backfilling afterwards."

COA 2011-1103A approved "Replace the existing lift station on the south side of the North Pumping Station driveway and relocate it to the north side of the driveway. Screen the new location with landscaping and plantings. Rehabilitate the Garden of Fragrance Braille marker and boulder monument and install new sidewalks and decorative paving. All per diagrams, plans and plant palette submitted and approved."

Wading Pool was filled in and the pergola removed, 1970s.

Circa 1862 vernacular Powell House

Navarre Cabin moved to Leeper Park, 1904; relocated, 1916; relocated again to present site, 1954.

Zoo closed, and structures used for animals were demolished, 1913.

Leeper Park Central

COA 2017-0213B approved "Addition to Leeper Park of a garden labyrinth, 40'-0" diameter center, 80'-0" diameter outer circle per submitted plans. Includes removal and replacement of existing trees specified in plans; removal of DAR memorial tree NOT PERMITTED."

COA 2013-0519 approved "Install a climber and merry-go-round at Leeper Park playground. (Replaces old pieces which were removed.)"

The Mall/Formal Garden, an elongated adaptation of the Kessler design survived well into the 1960s. The Garden and pedestrian walks became grown over, 1980s.

Tennis courts moved from Central to Eastern section, 1916.

1905 Bugbee Fountain removed, unknown date.

1907-08 East Lagoon (Lily Pond) became stagnant and was removed along with the rustic wooden bridge, unknown date.

1907-08 West Lagoon (Duck Pond) was extensively remodeled including a change in configuration from a naturalized shape to a near oval, 1980s and 1990s. The covered shelter and chain link fence are not original.

Only remnants of a path system were recorded by WPA, 1938.

1910 Reynold's horse watering trough, relocated from downtown South Bend, 1937.

Fill added and installation of double flight of concrete steps along west bank of West Lagoon, 1916.

Carriage drives redesigned, unknown date.

Leeper Park West

COA 2015-0302A approved "Create a Garden in four sections totaling about 3000 sf including all plants; include an 8 foot wide ADA standard concrete sidewalk-initially 500 feet long; one monument circle and 2 flanking garden observation/education pads to be added per diagram submitted. Install 8 +/- historic lights of the style of Leeper Park East to be installed along the 8 foot wide walk: 1 on each side of the 3 bump outs along the walk, 1 close to Lafayette and 1 close to the northwest corner end of the current phase of the walkway. 8 +/- durable quality public benches; 4 +/- umbrella tables near tennis court; opportunities for public art along the garden walk. Subject to approval by the Parks Board. All the garden plant and vegetable plant options to be agreed upon by Parks Department/Board, Madison School and HPC Staff to conform to the Standards and Guidelines adopted for Leeper Park. Abstain from planting fruit trees at this time."

COA 2008-0306 approved installation of an "Odor Garden" with blower piping and underground odor control bed to treat sewer gas. Surface odor control bed planted as flower garden. Area will be restored to grass if and when the system is taken out of service.

COA 2007-0605B approved "Renovation of Tennis Courts, Pavement and Fence replacement, expansion of Court pavement approximately 20' to South; removal of 17 trees in the South per Brent Thompson and replace with 12 Cypress per Brent Thompson. Plant to the north of the fence 5 deciduous trees."

A parking lot south of the Tennis Center was added during the Madison School renovation along with lighting without COA, 1998.

The 1936 WPA shelter house was replaced with the present recreation building, 1970.

Fill added for installation of Riverside Drive, 1910 and 1938.

APPLICATION ITEMS: "Replacement of a drinking water well and associated piping. Work will include drilling the well, construction of the well pump pedestal (matching the other wells in Leeper Park well field) and trenching in the piping. This work will also include the abandonment of the existing well that is being replaced."

DESCRIPTION OF PROPOSED PROJECT: The work proposed is an extension of the original pilot well, RME 2017-0410. See documents provided with application.

1. Remove abandoned Well #1

The existing well located just west of the non-functional restrooms (Comfort Station) was not built correctly and has been underperforming for years. All three-dimensional portions of the structure and pipe will be removed and backfilled. Arborvitae used to disguise well will be removed. Location will be re-seeded with new grass.

2. Install new well

Installation of the new well will restore the capacity to the City of South Bend's water treatment abilities. This location was determined using setback requirements that dictate well locations (ie: 50' setback from sanitary sewers, setback for parking lots, setback from other wells, etc.). The pilot well approved with RME 2017-0410 was deemed successful. The only alternate location is north of the existing well, in the proximity of the Navarre Cabin, and would cause the well to battle for the same water which would result in the two collectively unable to pull as much water out of the aquifer as is needed.

The design and layout of the new well will be the same as the three existing wells in the wellfield with a raised concrete base, aluminum ladder, and decorative fencing.

STANDARDS AND GUIDELINES:

9.0 LANDSCAPES – STANDARDS AND CRITERIA FOR LEEPER PARK

9.1 Introduction

1. In these guidelines the verb Should indicates a recommended course of action; the verb Shall indicates those actions which are specifically required to preserve and protect significant architectural elements.
2. The intent of these standards and criteria is to preserve the overall character and appearance of Leeper Park including its spatial organization, topography, vegetation, circulation and features.
3. The standards and criteria acknowledge that there will be changes to the landscape and are intended to make the change sensitive to the historic character of the landscape.
4. Each property will be separately studied to determine if a later addition(s) and/or alteration(s) can, or should, be removed.
5. Since it is not possible to provide one general guideline, the following factors that will be considered in determining whether a later addition(s) and/or alteration(s) can, or should, be removed include:
 - a. Compatibility with the original property's integrity in scale, materials, and character.
 - b. Historic association with the property.
 - c. Quality in design and execution of the addition/alteration.
 - d. Functional usefulness.
6. Recreational facilities which exist should be allowed to remain as long as they serve substantial community functions. In some cases these features can be redesigned to be more compatible with the overall landscape.
7. Additions to existing recreational facilities shall not be allowed unless such additions make the facilities more compatible with the overall landscape.
8. The development of additional facilities for active recreation or single purpose uses for limited user groups shall not be allowed.
9. Proposals for special activities and events which cause significant impacts or require permanent or even semi-permanent (seasonal) structures or facilities shall not be permitted.
10. The Historic Preservation Commission of South Bend and St. Joseph County recommends that the work proposed to the landscape be executed with the guidance of landscape professional with expertise with historic landscapes.
11. The land, streets, island(s), street lighting, park lighting, topography, vistas, vegetation, architectural elements, structures, spatial organization, street furniture, sewer covers, electrical and water vault and/or manholes covers, parking areas are subject to the terms of the landscape guidelines herein stated.
12. Items under Historic Preservation review include but are not limited to the following:

9.2 Spatial Organization (includes, Views, Vistas, Landscape Spaces, etc.)

Refer to Sections 9.3, 9.4, 9.5, 9.6, 9.7 and 9.8 for additional Standards and Criteria that may apply.

1. Views and vistas are among the most important aspects of a landscape, therefore, they should be maintained and preserved.
2. All views, vistas, landscape spaces located in the eastern section and central section of Leeper Park shall be preserved. All views, vistas, landscape spaces located north and east and west of a line designated as the northern fence of the tennis courts located in the western section of Leeper Park shall also be preserved. This shall include the island(s) located in the St. Joseph River and the slough which lies between the island(s) and the mainland. All views, vistas, and

landscape spaces shall also include the entirety of the riverbank as well as the area lying between the roadway of Riverside Drive up to and including the riverbank and cut stone wall along the riverbank.

3. Original or later contributing special organizational features shall be retained in their existing configuration and shall be maintained through proper drainage, access and erosion control, pruning and removal of invasive vegetation or otherwise using recognized horticultural and soil management practices.
4. Alteration of existing or addition of new spatial organizational features will be considered if they do not alter the basic concept of the historic landscape design.
5. Deteriorated or missing spatial organizational features shall be replaced with features that match the original in form, shape, color and texture.
6. When replacement of features is necessary, it should be based on physical or documentary evidence.
7. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
8. Important visual connections between spaces within the landscape shall be retained by maintaining vegetation, circulation and topography features which contribute to those visual relationships.
9. The historic spatial and functional relationship of circulation systems, water features and structures shall be preserved by maintaining the massing of adjacent vegetation, vistas, or other associated features.
10. Maintenance of removal or, and additions of vegetation materials and elements should consider maintaining existing or intended vistas and spaces, screening intrusions, creating new spaces where appropriate and maintaining defined areas of shade and sun.
11. The form and shape of individual spaces and their associated vertical element shall be retained in order to preserve the historic relationships of the landscape. Examples include the relationship between open fields and hedgerows or the width and length of an allee.
12. Moving or demolishing historic structures that would alter spatial and visual relationships in the landscape shall not be allowed.
13. Construction of new structures that would alter historic spatial and visual relationships in the landscape shall not be allowed.
14. **Intrusive views or new construction may be screened with compatible fencing or plant material so long as the screening would not detract from the historic character of the landscape.**

9.3 Topography (includes the Shape, Slope, Elevation, Contour of landforms and Ground Plane, etc.) Refer to Sections 9.2, 9.4, 9.5, 9.8, 9.9 and 9.10 for additional Standard and Criteria that may apply.

1. All locations and items listed in 9.2.2 shall also apply to this section and shall be preserved.
2. Original or later contributing topographical features shall be retained in their existing configuration and shall be maintained through proper drainage, access and erosion control, and recognized soil management practices.
3. Alteration of existing or addition to new topographical features will be considered if they do not later the basic concept of the historic landscape design.
4. Natural features (e.g. rock outcroppings) which are integrated into the landscape shall be treated as part of the overall design and shall be retained.
5. Deteriorated or missing materials or features shall be replaced with materials that match the original in form, shape, color and texture.
6. When replacement of materials or features is necessary, it should be based on physical or documentary evidence.
7. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
8. Whenever appropriate, plant materials, rather than structural materials should be used to solve erosion problems. Repair of WPA island and slough stone construction projects is strongly encouraged.

9.4 Vegetation (includes Trees, Shrubs, Ground Covers, Hedges, Allees, Fields, Forests, Planting Beds, etc.)

Refer to Sections 9.2, 9.3, 9.5, 9.7, 9.8, 9.9, and 9.10 for additional Standards and Criteria that may apply.

1. Refer to Section 9.2.2 for items within this section which shall be preserved. Also included in this section shall be the diverse variety of trees, shrubs, bushes and other vegetation which may or may not be indigenous to this region. List of such types of vegetation can be in lists and inventories which were published in the annual reports of both the City of South Bend and the South Bend Park Commissions from the years 1910 to 1940.
2. Original or later contributing vegetation materials and features shall be retained in their existing configuration and shall be maintained through proper horticultural management practices.
3. Alteration of existing or addition of new vegetation materials and features will be considered if they do not alter the basic concept of the historic landscape design.
4. Deteriorated or missing materials or features shall be replaced with materials that match the original in form, shape, color and texture.
5. When replacement of vegetation materials or features is necessary, it should be based on physical or documentary evidence.

6. If using the same vegetation material is not technically or economically feasible, then compatible substitute vegetation materials may be considered if they convey the same growth habit, form, foliage and bloom characteristics as the historic plant.
7. Existing vegetation material shall be retained unless it is part of a later non-compatible design or is volunteer vegetation inconsistent with the original design.
8. Consideration for removal of existing healthy vegetation materials and features will be given when it is in conflict with the original design intent of the landscape, such as when an important vista has become overgrown or when plants have grown out of scale with their intended purpose.
9. Maintenance of, removal of, and additions of vegetation materials and features should consider maintaining existing or intended vistas and spaces, screening intrusions, creating new spaces where appropriate and maintaining defined areas of shade and sun.
10. Invasive vegetation shall be removed whenever technically feasible and shall be replaced with appropriate vegetation consistent with the original design of the park and with current factors such as security, ecological conditions, and wildlife management practices.
11. Hazardous plants or portions of plants should be removed promptly.
12. Plants with diseases that are difficult or not practical to control or cure should be removed promptly to prevent their infection of other plants.
13. Mutilated or distorted plants should be removed.
14. Plant replacements should be added on a schedule that will insure a continuity in the landscape design.
15. Existing vegetation shall be protected adjacent construction activities by fencing the root system prior to the start of construction.
16. Future plantings of the main floral garden in the central section of the park shall be guided by the design of the main floral garden as laid out by George Kessler in 1912.

9.5 Circulation (includes Roads, Paths, Parkways, Drives, Trails, Walks, etc.)

Refer to Sections 9.2, 9.5, 9.6, 9.8, 9.9 and 9.10 for additional Standards and Criteria that may apply.

1. The following shall be preserved: Riverside Drive, Lafayette Boulevard, Park Lane (Foote Street), Bartlett Street, the Alleyway east of Michigan Street running north from Bartlett Street, all sidewalks, curbs, pathways around the duck pond (west lagoon), stairways, pathways in and around the Sunken Garden, and the footbridge from the mainland to the island. Alteration or addition of Roads, Paths, Parkways, Trails, Walks, etc. shall be based upon physical or historical documentation of these items as they existed from 1910 to 1940.
2. Original or later contributing layouts of walks, roads, and paved areas shall be maintained.
3. Alteration of existing or addition of new circulation layouts will be considered if it can be shown that better site circulation is necessary, and that the alteration does not alter the basic concept of the historic landscape design.
4. When replacement of circulation layouts is necessary, it should be based on physical or documentary evidence.
5. Original or later contributing circulation materials and features shall be retained and, if necessary, repaired by patching, piecing-in or reinforcing the material or feature using recognized preservation methods.
6. Deteriorated or missing circulation materials and features shall be replaced with materials that match the original in size, shape, color, profile, form, texture, and detail of installation.
7. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
8. Alteration of existing or addition of new circulation materials and features will be considered if they do not alter the basic concept of the historic landscape design.
9. Consideration will be given to an alternate paving material if it can be shown that its properties will improve the original or later contributing design concept.
10. When replacement of circulation materials or features is necessary, it should be based on physical or documentary evidence.
11. Consideration for removal of existing circulation systems and features will be given when it is in conflict with the original design intent of the landscape or when they are no longer appropriate to their intended purposes.
12. No vehicles unless of or approved by the South Bend Parks Department shall be permitted on any part of the park surface at any time. Vehicles of American Electric Power and/or other vehicles of the City of South Bend, shall use predetermined routes to and from their destination, when said travel would cause them to cross any area of the park which is not paved and designed for vehicular traffic. Any damage caused by any vehicle, shall be repaired immediately to look as it did prior to said damage.
13. Encroachment of vehicles off the paved roadway of any area of the park shall not be permitted. Areas now used for vehicular parking which are not part of the historical design of that park shall be removed.
14. Construction of any type within the park shall be done so as not to disturb any feature of the park. Sheets of plywood or other approved material may need to be laid upon the surface of the park prior to construction equipment. Repairs which must match the original historic design concept shall be made in any and all circumstances of damage.

9.6 Water Features (includes Fountains, Pools, Irrigation Systems, Ponds, Rivers, etc.)

Refer to Sections 9.11 B, C, and D regarding treatment of materials and features; and Sections 9.2, 9.3, 9.4, 9.5, 9.7, 9.8 and 9.10 for additional Standards and Criteria that may apply.

1. Features which shall be preserved include: the duck pond (West Lagoon), the water pond in the Sunken Garden, the slough between the island and the mainland, all drinking fountains, pump houses, manhole covers, drainage grates, horse and dog fountain and path of the St. Joseph River in relation to the park.
2. Original or later contributing water features shall be retained and maintained.
3. Existing water courses or bodies should not be altered. Consideration will be given to proposals that improve site drainage, improve water quality, enhance the landscape design or improve wildlife habitat.
4. Alteration of existing or addition of new water features will be considered if they do not alter the basic concept of the historic landscape design.
5. **When placement of water features and their materials are necessary, it should be based on physical or documentary evidence.**
6. Original or later contributing water feature materials shall be retained and, if necessary, repaired by patching, piecing in, consolidating or reinforcing the material using recognized preservation methods.
7. Deteriorated or missing water feature materials shall be replaced with materials that match the original in size, shape, color, profile, form, texture, and detail of installation.
8. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
9. **Alteration of existing or addition of new water features will be considered if they do not alter the basic concept of the historic landscape design.**
10. When appropriate from an ecological perspective, dredging of waterways shall be permitted as a means of retaining historic waterways.
11. All wetlands shall be preserved.
12. All shorelines of water courses or bodies shall be protected from erosion in a manner in keeping with the basic concept of the landscape design.
13. Consideration for removal of existing water features will be given when it is in conflict with the original design intent of the landscape or when they are no longer appropriate to their intended purposes.
14. **Some areas of Leeper Park are utilized for the pumping of water for the City of South Bend, and there exists both within the park and the St. Joseph River and on the island(s) wells, well-houses and other water supply entities. Repairs that may be necessary to existing services, or additions to existing services, or the sinking or additional new wells; all such work, installations and/or repairs shall return the disturbed areas(s) of the park, island(s) and the St. Joseph River to conditions of the park as in that time period 1912 to 1940. Any new installations of any type may be considered if the alteration does not alter the basic concept of the historic landscape design.**

9.7 Furnishings and Objects (includes Benches, Lights, Signs, Drinking Fountains, Trash Receptacles, Fences, Tree Grates, Flagpoles, Sculpture, Monuments, Memorials, Planters, Urns, etc.)

Refer to Sections 9.11 B, C and D regarding treatment of materials and features; and Sections 9.2, 9.3, 9.4, 9.5, 9.6, 9.8, 9.9 and 9.10 for additional Standards and Criteria that may apply.

1. All items listed herein shall be preserved:
 - a. The Duck Pond (West Lagoon), including the Island in the lagoon, the Walls, Curbing, Fence, and Shelter House.
 - b. The Stone and Plaque of the DAR, with related Tulip and Gingko Trees.
 - c. The Concrete Stairway leading west southwesterly from the Duck Pond (West Lagoon).
 - d. The High Embankment on the west-southwest side of the Duck Pond (West Lagoon).
 - e. The Pump Houses, number 2 and 3.
 - f. The Edward B. Reynolds Horse and Dog Watering Fountain.
 - g. The Drinking Fountain in the south east portion of the central section of the park.
 - h. The central section of the park, the area of the large Floral Garden and Pathways as designed by George Kessler in 1912.
 - i. All Sidewalks on Lafayette Boulevard, Riverside Drive, Park Lane (Foote Street), Bartlett Street and Michigan Street.
 - j. The Retaining Wall on the western boundary of the western section of the park.
 - k. The Wall comprised of Cut Stone, which extended west-northwest and east-southeast from the southern approach of the Leeper Park Bridge.
 - l. The Log Cabin known as the Navarre House, and the footings of the cabin/house which was burned down.
 - m. All Drinking Fountains located in the eastern section of the park and/or on the island(s).
 - n. The Sunken Garden on the eastern section of the park, along with all the Vegetation, Pathways, Stairs and the Fountain and Statues.
 - o. The WPA walls and Sloughs(s) in the eastern section of the park and the adjoining St. Joseph River.
 - p. All Park Benches.

- q. All Manhole Covers, Sewer Covers and Grates, and all Electrical Underground Vault and/or Raceway Covers.
 - r. The north/south alleyway east of Michigan Street, running north from Bartlett Street which used to run between Lot 'A' and Lots 13, 14, 15, 16, 17, 18, 19 and part of 20 of the Rockstroh Addition.
 - s. All Plaques, Monuments, Sculptures, Memorials, Planters, Urns, Curbing, Roadways, Marker Stones, Sundials, Well-Head Covers, Fences, Trellises, Pergolas, Pathways, and Trees.
2. Original or later contributing furnishings and objects, shall be retained and, if necessary, repaired by patching, piecing in, consolidating or reinforcing the material using recognized preservation methods.
 3. Deteriorated or missing furnishings and objects, materials, elements, features and details shall be replaced with materials that match the original in material, size, shape, color, profiles, form, texture, configuration and detail of installation.
 4. Alteration of existing or addition of new furnishings and objects will be considered if they do not alter the basic concept of the historic landscape design.
 5. When replacement of furnishings and objects and their materials is necessary, it should be based on physical or documentary evidence.
 6. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
 7. Existing memorials, statues, monuments and fountains shall be carefully preserved and restored where necessary, maintaining the integrity of the original material and design. The work shall be coordinated with the Historic Preservation Commission of South Bend and St. Joseph County.
 - 8. New furnishings and objects should be designed using vandal resistant standards.**
 9. Location of signs shall be guided by a master plan.
 10. Signs shall conform to a simple sign system.
 11. Existing non-conforming signs should be removed.
 12. All new monuments and fountains shall be placed so that they conform to and with the original historic landscape design of the park and park system.

9.8 Structures (includes Walls, Terraces, Arbors, Gazebos, Follies, Playground Equipment, Picnic Shelters, Plazas, Greenhouse, Steps, Bridges, Dams, Buildings, etc.)

Refer to Sections 9.11 B and D regarding treatment of materials and features; and sections 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.9 and 9.10 for additional Standards and Criteria that may apply.

1. The general intent is to preserve the original or later contributing structures that enhance the historic landscape.
2. Refer to Sections 9.2.2 and 9.7.1 of structures, elements and materials that need to be preserved such as wall, terraces, arbors, gazebos, follies, playground equipment, picnic shelters, plazas, greenhouses, steps, bridges, dams, building, etc. which shall be preserved.
3. Original or later contributing structures, shall be retained and, if necessary, repaired by patching, piecing in, consolidating or reinforcing the material using recognized preservation methods.
4. Deteriorated or missing structures, materials, elements, features and details shall be replaced with materials that match the original in material, size, shape, color, profiles, form, texture, configuration and detail of installation.
5. When replacement of structures is necessary, it should be based on physical or documentary evidence.
6. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
- 7. New addition/alterations to the landscape (such as: parking lots, comfort stations, buildings, etc.) shall be as unobtrusive as possible and preserve and original or later contributing landscape features.**
8. Removal of non-historic structures from the existing landscape is encouraged.
9. Structures shall be protected from arson and other acts of vandalism through proper monitoring procedures and methods such as; permanent installation of smoke detectors, alarms, or other security systems, or temporarily boarding up windows and openings.
10. No building(s) shall be erected in the central section of the park; the western section of the park, north of the northern fence to the tennis courts; the eastern section of the park, west of the rear set-back of the north Pumping Station, or in the area north and east of the Log Cabin.

9.9 Archeology

Refer to Section 9.11 B and C, and D regarding treatment and materials. Refer to Sections 9.3, 9.4, 9.5, 9.6, 9.7 and 9.8 for additional Standards and Criteria that may apply.

1. The landscape should be surveyed for potential archeological sites prior to the beginning of any construction project.
2. Known Archeological site(s) shall be protected during any construction project.
3. Disturbance of the terrain within the landscape shall be kept to a minimum so as not to disturb any unknown archeological materials.
4. All planning, any necessary site investigation, or data recovery shall be conducted by professional archeologist.

9.10 Accessibility

Refer to Sections 9.11 B, C and D regarding treatment of materials. Refer to Sections 9.3, 9.4, 9.5, 9.6, 9.7, and 9.8 for additional Standards and Criteria that may apply.

1. A three-step approach is recommended to identify and implement accessibility modification that will protect the integrity and historic character of the property.
 - a. Review the historical significance of the property and identify character-defining features;
 - b. Assess the property's existing and required level of accessibility;
 - c. Evaluate accessibility options within a preservation context.
2. Because of the complex nature of accessibility, the Historic Preservation Commission will review proposals on a case by case basis. The Commission recommend consulting with the following document which is available from the Commission office: U.S. Department of the Interior, National Park Service, Cultural Resources, Preservation Assistance Division; Preservation Brief 32, "Making Historic Properties Accessible" by Thomas C. Jester and Sharon C. Park, AIA.

9.11 Architectural Materials

A. General

The Historic Preservation Commission of South Bend and St. Joseph County recommend that work proposed to the materials outlined in Sections B, C, and D be executed with the guidance of a professional building material conservator.

1. Removal of the speakers atop Pump House Number 3 is encouraged.

B. Masonry (Brick, Stone, Terra Cotta, Concrete, Stucco, and Mortar)

1. [intentionally left blank]
2. Original or later contributing masonry materials, feature, details, surfaces and ornamentation shall be retained and, if necessary, repaired by patching, piecing-in, or consolidating the masonry using recognize preservation methods.
3. Deteriorated or missing masonry materials, features, details, surfaces and ornamentation shall be replaced with material and elements which match the original in material, color, texture, size, shape, profile and detail of installation.
4. When replacement of materials or elements is necessary, it should be based on physical or documentary evidence.
5. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
6. Original mortar shall be retained.
7. Deteriorating mortar shall be carefully removed by hand-raking the joints.
8. Use of mechanical saws and hammers shall not be allowed.
9. Repointing mortar shall duplicate the original mortar in strength, composition, color, texture, joint size, joint profile and method of application.
10. Sample panels of raking the joints and repointing shall be reviewed and approved by the staff of the Historic Preservation Commission of South Bend and St. Joseph County.
11. Cleaning of masonry is discouraged and should be performed only when necessary to halt determination.
12. If the building is to be cleaned, the mildest method possible shall be used.
13. A test patch of the cleaning method(s) shall be reviewed and approved on site by staff of the Historic Preservation Commission of South Bend and St. Joseph County. Test patches should always be carried out well in advance of cleaning (including exposure to all seasons if possible.)
14. Sandblasting (wet or dry), wire brushing, or similar abrasive cleaning methods shall not be permitted. Doing so changes the visual quality of the material and accelerates deterioration.
15. Waterproofing or water repellent are strongly discouraged. These treatments are generally not effective in preserving masonry and can cause permanent damage. The Commission does recognize that in extraordinary circumstances their use may be required to solve a specific problem. Samples of any proposed treatment shall be reviewed by the Commission before application.
16. In general, painting masonry surfaces shall not be allowed. Painting masonry surfaces will be considered only when there is documentary evidence that this treatment was used at some point in the history of the property.

C. Wood

1. [intentionally left blank]
2. Original or later contributing wood surfaces, features, details and ornamentation shall be retained and, if necessary, repaired by patching, piecing-in, consolidating or reinforcing the wood using recognized preservation methods.
3. Deteriorated or missing wood surfaces, features, details and ornamentation shall be replaced with material and elements which match the original in material, color, texture, size, shape, profile and detail of installation.
4. When replacement of materials or elements is necessary, it should be based on physical or documentary evidence.
5. If using the same materials or elements is necessary, it should be based on physical or documentary evidence.

6. Cleaning of wooden elements shall use the mildest method possible.
7. Paint removal should be considered only where there is a paint surface deterioration and as part of an overall maintenance appropriate protective coatings. Coatings such as paints help protect the wood from moisture and ultraviolet light and stripping the wood bare will expose the surface to the effects of weathering.
8. Damage or deteriorated paint should be removed to the next sound layer using the mildest method possible.
9. Propane or butane torches, sandblasting, water blasting, or other abrasive cleaning and/or paint removal methods shall not be permitted. Doing so changes the visual quality of the wood and accelerates deterioration.
10. Repainting should be based on paint serration studies. If an adequate record does not exist repainting shall be done with the colors that are appropriate to the style and period of the building.

D. Architectural Metals (Cast Iron, Steel, Pressed Tin, Copper, Aluminum, and Zinc)

1. All metal materials, features, details and ornamentation of the buildings in the park shall be preserved. This also includes all metal parts of all fountains, monuments, memorials, plaques, street lights, drinking fountains, etc.
2. Original or later contributing metal materials, features, details, and ornamentation shall be retained and, if necessary repaired by patching, splicing or reinforcing the metal using recognized preservation methods.
3. Deteriorated or missing metal materials, features, details and ornamentation shall be replaced with material and elements which match the original in material, color, texture, size, shape, profile and detail of installation.
4. When replacement of materials or elements is necessary, it should be based on physical evidence or documentary evidence.
5. If using the same material is not technically or economically feasible then compatible substitute materials may be considered.
6. Cleaning of metal elements either to remove corrosion or deteriorated paint shall use the mildest method possible.
7. Abrasive cleaning methods, such as low pressure dry grit blasting, may be allowed as long as it does not abrade or damage the surface.
8. A test patch of the cleaning method(s) shall be reviewed and approved on site by staff of the Historic Preservation Commission of South Bend and St. Joseph County. Test patches should always be carried out well in advance of cleaning (including exposure to all seasons if possible.)
9. Cleaning to remove corrosion and paint removal should be considered only where there is deterioration and as part of an overall maintenance program which involved repainting or applying other appropriate protective coatings. Paint or other coatings help retard the corrosion rate of the metal. Leaving the metal base will expose the surface to accelerated corrosion.
10. Repainting should be based on paint seriation studies. If an adequate record does not exist repainting shall be done with colors that are appropriate to the style a and period of the building.

The Landscapes- Specific Standard and Criteria was financed in part with funds from the National Park Service, U.S. Department of the Interior, through the Massachusetts Historical Commission, Secretary of State, Michael Joseph Connolly, Chairman, and adopted for use by the Historic Preservation Commission of South Bend and St. Joseph County, Indiana, by permission of the Environment Department, City of Boston, Massachusetts, by Michael A. Cannizzo, Staff Architect, 1996.

SITE VISIT REPORT: N/A

STAFF RECOMMENDATION: Staff recommends approval of the project with a condition that consideration is given to screening the well with compatible plant material.

Elicia Feasel
Historic Preservation Administrator

Commissioner Molnar made a motion to approve COA #2019-0108 with a condition that staff has authority over approving the plant material as written in the recommendation. Seconded by Commissioner Gordon.

Five in favor, zero opposed.

Vote: 5 – 0 Motion to approve COA#2019-0108 is approved with conditions.

2. Leeper Park COA# 2019-0109 #8734-96 Local Landmark

Commissioner Hertel disclosed that she works for the City as a Lieutenant Firefighter, appointed to the Commission by the County Commissioners.

Commissioner Molnar disclosed that he works for the City in the Clerk's Office, appointed to the Commission by the Common Council.

Representation: Matthew Moyers, Venues, Parks & Arts, 301 S St Louis,
South Bend
Jonathon Mooney, Lochmueller, 112 W Jefferson Blvd,
South Bend

**STAFF REPORT
CONCERNING APPLICATION FOR A
CERTIFICATE OF APPROPRIATENESS**

Date: 15 January 2019

Application Number: 2019-0109

Property Location: Leeper Park

Architectural Style/Date/Architect or Builder: Planned landscape/1897/City superintendent Herman Beyer; Landscape Architect George Kessler

Property Owner: City of South Bend, Venues Parks & Arts

Landmark or District Designation: Local Landscape Landmark, Ordinance #8734-96 and National Register of Historic Places, 6/15/2000

Rating: N/A

DESCRIPTION OF STRUCTURE/ SITE: Leeper Park is the first planned public park in South Bend located north of downtown and the medical district. Leeper Park is oriented east/west at the St. Joseph River, divided into three sections, East, Central, and West, by Michigan Street and Lafayette Boulevard. The Eastern section was originally established for the Water Works with the first construction on site being a network of thirty, six-inch artesian wells.⁵ "The first land condemned for the future Leeper Park, in June of 1895, was meant to provide a second artesian well field and pumping facility for the lively industries and town population which was growing along the south bend of the St. Joseph River."⁶ City superintendent Herman Beyer first influenced the design including curvilinear paths, plantings, and water features. The 1911-1915 Parks and Boulevard system and the Leeper Park Plan, designed by celebrated planner and landscape architect George Kessler, embodied early twentieth century ideals grounded in the City Beautiful movement, connecting parks and boulevards as planned elements of a coordinated city plan. Kessler's Plan for Leeper Park included both formal and informal design elements, adopting existing park features of the Beyer era through a skillful remodel. The association of the park sections with different uses was a result of Kessler's planning; the West section was deemed for active recreation, the Central section as passive recreation, and the Eastern Section was adopted for its function as a Water Works but also boasts a number of recreation-related features. While the Kessler Plan guided Leeper Park development for the next decade, documentary evidence appears that only some elements of the Kessler design were actually installed.⁷ Sensitive extensions of Kessler's Plan continued into the 1920s and 1930s and included Works Progress Administration funded labor for several projects.⁸

Leeper Park East features include: the North Pumping Station, the water reservoir, multiple water well pumps, Ziegler Performing Center with fixed bench seating, signage for the former Garden of Fragrance, the Navarre Cabin, the foundation of the former Powell House, a non-functioning Comfort Station, a swing set/slide, the Sunken (Rose) Garden, the island, and the Works Progress Administration retaining wall and a bridge to the island.

Leeper Park Central features include: West Lagoon (Duck Pond), concrete stairs on embankment, a well house, the Edward B. Reynolds fountain, Lavender Labyrinth, memorials including trees, stones, and plaques.

⁵ Leeper Park Cultural Landscape Report, prepared by Westerly Group for the Historic Preservation Commission of South Bend and St. Joseph County,

May 1998.

⁶ Ibid.

⁷ Ibid.

⁸ Malcolm Cairns, ASLA. "Leeper Park Historic District." National Register of Historic Places Inventory/Nomination Form, NR-1411. South Bend,

St. Joseph County, Indiana, June 15, 2000.

Leeper Park West features include: backdrop of the former baseball diamond, tennis courts, a recreation building, a parking lot, an odor garden, and raised vegetable gardens with adjoining paths.

ALTERATIONS:

Throughout

RMEs and COAs for tree trimming, removal, and installation have been approved under the guidance of the City Forester.

RMEs and COAs for sidewalks have been approved.

Leeper Park East

RME 2017-0410 approved "This permit covers only Phase I of the project - drilling a pilot well. Phase II (drilling the actual well and trenching in the piping) will require a separate COA."

COA 2017-0306 approved installation of new stage and new audience seating, landscape beautification and lighting for stage, new benches with concrete pad closer to stage.

RME 2016-1013 approved removal of brush and planting of willow tree near Rose Garden.

The Sunken (Rose) Garden with reflecting pool and statuary were removed in the 1960s. RME 2017-1012 approved installation of two small concrete pads with two benches adjacent to Rose Garden. Benches to match those approved through COA 2015-0302A. COA 2017-0228 approved installation of 8' wide crushed limestone walkway connecting the Michigan Street sidewalk with the Sunken Garden, bounded by two, 42" wide flower beds, and irrigation system for entire garden. COA 2015-1002 approved "Within an existing concrete curb (that will remain), the landscaping bed will be enhanced to mimic the reflecting pool formerly within its boundary. New flower beds will be defined using new soil, compost and plantings. A walkway of crushed limestone will pass through the beds. Additional half circle beds will be added to the north and south of the concrete curb. The "three-fates" statues will be repaired pro-bono by a local artist, and then placed into the center of the "pool" bed, where they were originally, in the same back-to-back-to back style; and the one remaining "cherub" will be nearby, on a footing. That "cherub" will be duplicated from the original, and the new statue also placed nearby in the "pool" bed." COA 2015-0504A approved restoration of Rose Garden and gravel path system by volunteers.

COA 2015-0908 approved "Bartlett Street Roundabout Project Description (114-032b). Project to construct a roundabout at Bartlett and Michigan Street approved per all diagrams and documents submitted. Encroachment to Leeper Park East will be limited to 0.57 acres and all trees removed will be replaced within the park."

The Garden of Fragrance no longer exists, but the signage remains. RME 2015-0422 approved "Rebuild/restack low retaining wall currently located in Leeper Park next to Garden for the Blind. Matching flagstone has been donated by Knepp Sand and Stone and Old Fort Building Supply; and follows material estimate made by a representative of the SB Parks Department. The restacking of the flagstone wall will also require digging away the dirt around loose blocks and backfilling afterwards."

COA 2011-1103A approved "Replace the existing lift station on the south side of the North Pumping Station driveway and relocate it to the north side of the driveway. Screen the new location with landscaping and plantings. Rehabilitate the Garden of Fragrance Braille marker and boulder monument and install new sidewalks and decorative paving. All per diagrams, plans and plant palette submitted and approved."

Wading Pool was filled in and the pergola removed, 1970s.

Circa 1862 vernacular Powell House

Navarre Cabin moved to Leeper Park, 1904; relocated, 1916; relocated again to present site, 1954.

Zoo closed, and structures used for animals were demolished, 1913.

Leeper Park Central

COA 2017-0213B approved "Addition to Leeper Park of a garden labyrinth, 40'-0" diameter center, 80'-0" diameter outer circle per submitted plans. Includes removal and replacement of existing trees specified in plans; removal of DAR memorial tree NOT PERMITTED."

COA 2013-0519 approved "Install a climber and merry-go-round at Leeper Park playground. (Replaces old pieces which were removed.)"

The Mall/Formal Garden, an elongated adaptation of the Kessler design survived well into the 1960s. The Garden and pedestrian walks became grown over, 1980s.

Tennis courts moved from Central to Eastern section, 1916.

1905 Bugbee Fountain removed, unknown date.

1907-08 East Lagoon (Lily Pond) became stagnant and was removed along with the rustic wooden bridge, unknown date.

1907-08 West Lagoon (Duck Pond) was extensively remodeled including a change in configuration from a naturalized shape to a near oval, 1980s and 1990s. The covered shelter and chain link fence are not original.

Only remnants of a path system were recorded by WPA, 1938.

1910 Reynold's horse watering trough, relocated from downtown South Bend, 1937.

Fill added and installation of double flight of concrete steps along west bank of West Lagoon, 1916.

Carriage drives redesigned, unknown date.

Leeper Park West

COA 2015-0302A approved "Create a Garden in four sections totaling about 3000 sf including all plants; include an 8 foot wide ADA standard concrete sidewalk-initially 500 feet long; one monument circle and 2 flanking garden observation/education pads to be added per diagram submitted. Install 8 +/- historic lights of the style of Leeper Park

East to be installed along the 8 foot wide walk: 1 on each side of the 3 bump outs along the walk, 1 close to Lafayette and 1 close to the northwest corner end of the current phase of the walkway. 8 +/- durable quality public benches; 4 +/- umbrella tables near tennis court; opportunities for public art along the garden walk. Subject to approval by the Parks Board. All the garden plant and vegetable plant options to be agreed upon by Parks Department/Board, Madison School and HPC Staff to conform to the Standards and Guidelines adopted for Leeper Park. Abstain from planting fruit trees at this time.”

COA 2008-0306 approved installation of an “Odor Garden” with blower piping and underground odor control bed to treat sewer gas. Surface odor control bed planted as flower garden. Area will be restored to grass if and when the system is taken out of service.

COA 2007-0605B approved “Renovation of Tennis Courts, Pavement and Fence replacement, expansion of Court pavement approximately 20’ to South; removal of 17 trees in the South per Brent Thompson and replace with 12 Cypress per Brent Thompson. Plant to the north of the fence 5 deciduous trees.”

A parking lot south of the Tennis Center was added during the Madison School renovation along with lighting without COA, 1998.

The 1936 WPA shelter house was replaced with the present recreation building, 1970.

Fill added for installation of Riverside Drive, 1910 and 1938.

APPLICATION ITEMS: “*Various improvements to Leeper Park. See Attachment A for a detailed list of improvements.*”

DESCRIPTION OF PROPOSED PROJECT: Under the direction of Venues, Parks and Arts, the work proposed to Leeper Park has been designed by Jonathon Mooney, RLA, LEED AP, Senior Landscape Architect with Lochmueller Group, having expertise with historic landscapes and specific to George Kessler’s historic landscapes.

The Leeper Park Concept Plan presented in this application incorporates concepts from the 1998 Leeper Park Cultural Landscape Report and draws heavily from George Kessler’s 1915 Plan, itself an overlay of the 1905 Beyer Plan, to create a public space that celebrates Leeper Park’s historic integrity and functions for contemporary needs. The 1996 Leeper Park Standards and Criteria have also been consulted. See Attachment A, Project Description for additional context.

1. Improvements to internal pedestrian circulation
 - a. The proposed new paths will adaptively recreate the designed path system throughout Leeper Park, reinstating connectivity between the three park sections, nearby neighborhoods, and to various features within. New paths will be 5-feet to 8-feet wide, of standard concrete with no color additives, medium broom finish. The final path layout may change slightly to avoid removal of large trees.
 - b. The intersection at Lafayette Boulevard and Riverside Drive will be reconfigured to eliminate excess pavement, help calm traffic and shorten pedestrian crossing distance.
 - c. The existing historic steps need repaired or further study regarding replacement. The work proposed is to replace in-kind using exact proportions/dimensions, using the following process to determine the replacement specifications:
 1. Take detailed field measurements, photos
 2. Coordinate with concrete expert
 3. Create detailed construction drawings
 4. Contractor to gently clean existing steps to expose true surface conditions/colors
 5. Take cores to preserve existing concrete properties
 6. Require contractor to provide mock-ups of color, aggregate and finish to compare with original
2. Installation of a new playground
 - a. Relocating the playground consolidates active park uses to the Western Section allowing for restoration of the historic passive nature of the Central Section. In the proposed location, south of the tennis courts, the playground will be situated closer to parking and restrooms. See description and renderings for additional detail.
 - b. An existing ball field backdrop will be removed.
 - c. Remove existing playground equipment in Central Section. Site will be re-seeded.
3. Installation of the Studebaker Electric Fountain and associated gathering space
 - a. Kessler’s Plan built upon Beyer’s original central formal garden design in the Central Section. An elongated adaptation of Kessler’s design was installed during the WPA era and existed into the 1980s; there do not appear to be any aspects existing today. This proposal will re-introduce the strong central axis with a formal garden, with design influences such as the rectilinear layout with semi-circular edges north and south.

- b. The Studebaker Fountain will be the centerpiece to the reinstated formal garden. The former Bugbee Fountain once existed in a nearby location. The concrete plaza is 75' in diameter. The Studebaker Fountain is 42' in diameter. See description and renderings for additional detail. Approximately 110-150 linear foot of existing brick storm sewer will be replaced with new ductile iron, encased in concrete. Exact locations of two new manhole structures are to be determined.
4. Removal of the existing duck pond
- a. The West Lagoon (Duck Pond) is a popular feature of Leeper Park that has existed for 112 years in the same location. It has been extensively remodeled throughout those years and is unlikely to feature any original materials (fence, concrete, covered shelter).
 - b. Natural habitats are more humane over unnatural spaces. Concerns for animal and environmental welfare include malnutrition, dependency, disease, environmental degradation, water pollution, increased hybridization, delayed migration, overcrowding, costly management efforts, and devaluation. "The existence of duck ponds can no longer be considered a best practice for the environment or wildlife."⁹ See [White Paper on Leeper Park Duck Pond](#).
 - c. Re-seed newly realized open lawn area. Soil borings and geotechnical engineering will determine the most appropriate type of fill material to ensure the seamless integration of the topography and lawn type.
5. Creation of a formal river overlook (concept)
- a. The Overlook to the St. Joseph River will create a place for observing wildlife in its natural habitat.
6. Items to be presented at a future meeting include:
- a. Overlook detail design
 - b. Planting design and trees
 - c. Site furnishings
 - d. Sign locations/design
 - e. Lighting
 - f. Future art nodes
 - g. Tabletop intersections
 - h. Future river viewing nodes
 - i. Future phases

STANDARDS AND GUIDELINES:

9.0 LANDSCAPES – STANDARDS AND CRITERIA FOR LEEPER PARK

9.1 Introduction

1. **In these guidelines the verb Should indicates a recommended course of action; the verb Shall indicates those actions which are specifically required to preserve and protect significant architectural elements.**
2. **The intent of these standards and criteria is to preserve the overall character and appearance of Leeper Park including its spatial organization, topography, vegetation, circulation and features.**
3. **The standards and criteria acknowledge that there will be changes to the landscape and are intended to make the change sensitive to the historic character of the landscape.**
4. **Each property will be separately studied to determine if a later addition(s) and/or alteration(s) can, or should, be removed.**
5. **Since it is not possible to provide one general guideline, the following factors that will be considered in determining whether a later addition(s) and/or alteration(s) can, or should, be removed include:**
 - a. **Compatibility with the original property's integrity in scale, materials, and character.**
 - b. **Historic association with the property.**
 - c. **Quality in design and execution of the addition/alteration.**
 - d. **Functional usefulness.**
6. **Recreational facilities which exist should be allowed to remain as long as they serve substantial community functions. In some cases these features can be redesigned to be more compatible with the overall landscape.**
7. **Additions to existing recreational facilities shall not be allowed unless such additions make the facilities more compatible with the overall landscape.**
8. **The development of additional facilities for active recreation or single purpose uses for limited user groups shall not be allowed.**

⁹ City of South Bend Venues Parks & Arts. [White Paper on Leeper Park Duck Pond](#). 2018.

9. Proposals for special activities and events which cause significant impacts or require permanent or even semi-permanent (seasonal) structures or facilities shall not be permitted.
10. The Historic Preservation Commission of South Bend and St. Joseph County recommends that the work proposed to the landscape be executed with the guidance of landscape professional with expertise with historic landscapes.
11. The land, streets, island(s), street lighting, park lighting, topography, vistas, vegetation, architectural elements, structures, spatial organization, street furniture, sewer covers, electrical and water vault and/or manholes covers, parking areas are subject to the terms of the landscape guidelines herein stated.
12. Items under Historic Preservation review include but are not limited to the following:

9.2 Spatial Organization (includes, Views, Vistas, Landscape Spaces, etc.)

Refer to Sections 9.3, 9.4, 9.5, 9.6, 9.7 and 9.8 for additional Standards and Criteria that may apply.

1. Views and vistas are among the most important aspects of a landscape, therefore, they should be maintained and preserved.
2. All views, vistas, landscape spaces located in the eastern section and central section of Leeper Park shall be preserved. All views, vistas, landscape spaces located north and east and west of a line designated as the northern fence of the tennis courts located in the western section of Leeper Park shall also be preserved. This shall include the island(s) located in the St. Joseph River and the slough which lies between the island(s) and the mainland. All views, vistas, and landscape spaces shall also include the entirety of the riverbank as well as the area lying between the roadway of Riverside Drive up to and including the riverbank and cut stone wall along the riverbank.
3. Original or later contributing special organizational features shall be retained in their existing configuration and shall be maintained through proper drainage, access and erosion control, pruning and removal of invasive vegetation or otherwise using recognized horticultural and soil management practices.
4. Alteration of existing or addition of new spatial organizational features will be considered if they do not alter the basic concept of the historic landscape design.
5. Deteriorated or missing spatial organizational features shall be replaced with features that match the original in form, shape, color and texture.
6. When replacement of features is necessary, it should be based on physical or documentary evidence.
7. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
8. Important visual connections between spaces within the landscape shall be retained by maintaining vegetation, circulation and topography features which contribute to those visual relationships.
9. The historic spatial and functional relationship of circulation systems, water features and structures shall be preserved by maintaining the massing of adjacent vegetation, vistas, or other associated features.
10. Maintenance of removal or, and additions of vegetation materials and elements should consider maintaining existing or intended vistas and spaces, screening intrusions, creating new spaces where appropriate and maintaining defined areas of shade and sun.
11. The form and shape of individual spaces and their associated vertical element shall be retained in order to preserve the historic relationships of the landscape. Examples include the relationship between open fields and hedgerows or the width and length of an alley.
12. Moving or demolishing historic structures that would alter spatial and visual relationships in the landscape shall not be allowed.
13. Construction of new structures that would alter historic spatial and visual relationships in the landscape shall not be allowed.
14. Intrusive views or new construction may be screened with compatible fencing or plant material so long as the screening would not detract from the historic character of the landscape.

9.3 Topography (includes the Shape, Slope, Elevation, Contour of landforms and Ground Plane, etc.) Refer to Sections 9.2, 9.4, 9.5, 9.8, 9.9 and 9.10 for additional Standard and Criteria that may apply.

1. All locations and items listed in 9.2.2 shall also apply to this section and shall be preserved.
2. Original or later contributing topographical features shall be retained in their existing configuration and shall be maintained through proper drainage, access and erosion control, and recognized soil management practices.
3. Alteration of existing or addition to new topographical features will be considered if they do not later the basic concept of the historic landscape design.
4. Natural features (e.g. rock outcroppings) which are integrated into the landscape shall be treated as part of the overall design and shall be retained.
5. Deteriorated or missing materials or features shall be replaced with materials that match the original in form, shape, color and texture.
6. When replacement of materials or features is necessary, it should be based on physical or documentary evidence.
7. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.

8. Whenever appropriate, plant materials, rather than structural materials should be used to solve erosion problems. Repair of WPA island and slough stone construction projects is strongly encouraged.

9.4 Vegetation (includes Trees, Shrubs, Ground Covers, Hedges, Allees, Fields, Forests, Planting Beds, etc.)

Refer to Sections 9.2, 9.3, 9.5, 9.7, 9.8, 9.9, and 9.10 for additional Standards and Criteria that may apply.

1. Refer to Section 9.2.2 for items within this section which shall be preserved. Also included in this section shall be the diverse variety of trees, shrubs, bushes and other vegetation which may or may not be indigenous to this region. List of such types of vegetation can be in lists and inventories which were published in the annual reports of both the City of South Bend and the South Bend Park Commissions from the years 1910 to 1940.
2. Original or later contributing vegetation materials and features shall be retained in their existing configuration and shall be maintained through proper horticultural management practices.
3. **Alteration of existing or addition of new vegetation materials and features will be considered if they do not alter the basic concept of the historic landscape design.**
4. **Deteriorated or missing materials or features shall be replaced with materials that match the original in form, shape, color and texture.**
5. **When replacement of vegetation materials or features is necessary, it should be based on physical or documentary evidence.**
6. **If using the same vegetation material is not technically or economically feasible, then compatible substitute vegetation materials may be considered if they convey the same growth habit, form, foliage and bloom characteristics as the historic plant.**
7. **Existing vegetation material shall be retained unless it is part of a later non-compatible design or is volunteer vegetation inconsistent with the original design.**
8. **Consideration for removal of existing healthy vegetation materials and features will be given when it is in conflict with the original design intent of the landscape, such as when an important vista has become overgrown or when plants have grown out of scale with their intended purpose.**
9. **Maintenance of, removal of, and additions of vegetation materials and features should consider maintaining existing or intended vistas and spaces, screening intrusions, creating new spaces where appropriate and maintaining defined areas of shade and sun.**
10. **Invasive vegetation shall be removed whenever technically feasible and shall be replaced with appropriate vegetation consistent with the original design of the park and with current factors such as security, ecological conditions, and wildlife management practices.**
11. Hazardous plants or portions of plants should be removed promptly.
12. Plants with diseases that are difficult or not practical to control or cure should be removed promptly to prevent their infection of other plants.
13. Mutilated or distorted plants should be removed.
14. **Plant replacements should be added on a schedule that will insure a continuity in the landscape design.**
15. **Existing vegetation shall be protected adjacent construction activities by fencing the root system prior to the start of construction.**
16. **Future plantings of the main floral garden in the central section of the park shall be guided by the design of the main floral garden as laid out by George Kessler in 1912.**

9.5 Circulation (includes Roads, Paths, Parkways, Drives, Trails, Walks, etc.)

Refer to Sections 9.2, 9.5, 9.6, 9.8, 9.9 and 9.10 for additional Standards and Criteria that may apply.

1. **The following shall be preserved: Riverside Drive, Lafayette Boulevard, Park Lane (Foote Street), Bartlett Street, the Alleyway east of Michigan Street running north from Bartlett Street, all sidewalks, curbs, pathways around the duck pond (west lagoon), stairways, pathways in and around the Sunken Garden, and the footbridge from the mainland to the island. Alteration or addition of Roads, Paths, Parkways, Trails, Walks, etc. shall be based upon physical or historical documentation of these items as they existed from 1910 to 1940.**
2. **Original or later contributing layouts of walks, roads, and paved areas shall be maintained.**
3. **Alteration of existing or addition of new circulation layouts will be considered if it can be shown that better site circulation is necessary, and that the alteration does not alter the basic concept of the historic landscape design.**
4. **When replacement of circulation layouts is necessary, it should be based on physical or documentary evidence.**
5. **Original or later contributing circulation materials and features shall be retained and, if necessary, repaired by patching, piecing-in or reinforcing the material or feature using recognized preservation methods.**
6. **Deteriorated or missing circulation materials and features shall be replaced with materials that match the original in size, shape, color, profile, form, texture, and detail of installation.**

7. **If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.**
8. **Alteration of existing or addition of new circulation materials and features will be considered if they do not alter the basic concept of the historic landscape design.**
9. **Consideration will be given to an alternate paving material if it can be shown that its properties will improve the original or later contributing design concept.**
10. **When replacement of circulation materials or features is necessary, it should be based on physical or documentary evidence.**
11. **Consideration for removal of existing circulation systems and features will be given when it is in conflict with the original design intent of the landscape or when they are no longer appropriate to their intended purposes.**
12. No vehicles unless of or approved by the South Bend Parks Department shall be permitted on any part of the park surface at any time. Vehicles of American Electric Power and/or other vehicles of the City of South Bend, shall use predetermined routes to and from their destination, when said travel would cause them to cross any area of the park which is not paved and designed for vehicular traffic. Any damage caused by any vehicle, shall be repaired immediately to look as it did prior to said damage.
13. Encroachment of vehicles off the paved roadway of any area of the park shall not be permitted. Areas now used for vehicular parking which are not part of the historical design of that park shall be removed.
14. Construction of any type within the park shall be done so as not to disturb any feature of the park. Sheets of plywood or other approved material may need to be laid upon the surface of the park prior to construction equipment. Repairs which must match the original historic design concept shall be made in any and all circumstances of damage.

9.6 Water Features (includes Fountains, Pools, Irrigation Systems, Ponds, Rivers, etc.)

Refer to Sections 9.11 B, C, and D regarding treatment of materials and features; and Sections 9.2, 9.3, 9.4, 9.5, 9.7, 9.8 and 9.10 for additional Standards and Criteria that may apply.

1. **Features which shall be preserved include: the duck pond (West Lagoon), the water pond in the Sunken Garden, the slough between the island and the mainland, all drinking fountains, pump houses, manhole covers, drainage grates, horse and dog fountain and path of the St. Joseph River in relation to the park.**
2. **Original or later contributing water features shall be retained and maintained.**
3. **Existing water courses or bodies should not be altered. Consideration will be given to proposals that improve site drainage, improve water quality, enhance the landscape design or improve wildlife habitat.**
4. **Alteration of existing or addition of new water features will be considered if they do not alter the basic concept of the historic landscape design.**
5. **When placement of water features and their materials are necessary, it should be based on physical or documentary evidence.**
6. **Original or later contributing water feature materials shall be retained and, if necessary, repaired by patching, piecing in, consolidating or reinforcing the material using recognized preservation methods.**
7. **Deteriorated or missing water feature materials shall be replaced with materials that match the original in size, shape, color, profile, form, texture, and detail of installation.**
8. **If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.**
9. **Alteration of existing or addition of new water features will be considered if they do not alter the basic concept of the historic landscape design.**
10. When appropriate from an ecological perspective, dredging of waterways shall be permitted as a means of retaining historic waterways.
11. All wetlands shall be preserved.
12. All shorelines of water courses or bodies shall be protected from erosion in a manner in keeping with the basic concept of the landscape design.
13. **Consideration for removal of existing water features will be given when it is in conflict with the original design intent of the landscape or when they are no longer appropriate to their intended purposes.**
14. Some areas of Leeper Park are utilized for the pumping of water for the City of South Bend, and there exists both within the park and the St. Joseph River and on the island(s) wells, well-houses and other water supply entities. Repairs that may be necessary to existing services, or additions to existing services, or the sinking or additional new wells; all such work, installations and/or repairs shall return the disturbed areas(s) of the park, island(s) and the St. Joseph River to conditions of the park as in that time period 1912 to 1940. Any new installations of any type may be considered if the alteration does not alter the basic concept of the historic landscape design.

9.7 Furnishings and Objects (includes Benches, Lights, Signs, Drinking Fountains, Trash Receptacles, Fences, Tree Grates, Flagpoles, Sculpture, Monuments, Memorials, Planters, Urns, etc.)

Refer to Sections 9.11 B, C and D regarding treatment of materials and features; and Sections 9.2, 9.3, 9.4, 9.5, 9.6, 9.8, 9.9 and 9.10 for additional Standards and Criteria that may apply.

1. All items listed herein shall be preserved:
 - a. The Duck Pond (West Lagoon), including the Island in the lagoon, the Walls, Curbing, Fence, and Shelter House.
 - b. The Stone and Plaque of the DAR, with related Tulip and Gingko Trees.
 - c. The Concrete Stairway leading west southwesterly from the Duck Pond (West Lagoon).
 - d. The High Embankment on the west-southwest side of the Duck Pond (West Lagoon).
 - e. The Pump Houses, number 2 and 3.
 - f. The Edward B. Reynolds Horse and Dog Watering Fountain.
 - g. The Drinking Fountain in the south east portion of the central section of the park.
 - h. The central section of the park, the area of the large Floral Garden and Pathways as designed by George Kessler in 1912.
 - i. All Sidewalks on Lafayette Boulevard, Riverside Drive, Park Lane (Foote Street), Bartlett Street and Michigan Street.
 - j. The Retaining Wall on the western boundary of the western section of the park.
 - k. The Wall comprised of Cut Stone, which extended west-northwest and east-southeast from the southern approach of the Leeper Park Bridge.
 - l. The Log Cabin known as the Navarre House, and the footings of the cabin/house which was burned down.
 - m. All Drinking Fountains located in the eastern section of the park and/or on the island(s).
 - n. The Sunken Garden on the eastern section of the park, along with all the Vegetation, Pathways, Stairs and the Fountain and Statues.
 - o. The WPA walls and Sloughs(s) in the eastern section of the park and the adjoining St. Joseph River.
 - p. All Park Benches.
 - q. All Manhole Covers, Sewer Covers and Grates, and all Electrical Underground Vault and/or Raceway Covers.
 - r. The north/south alleyway east of Michigan Street, running north from Bartlett Street which used to run between Lot 'A' and Lots 13, 14, 15, 16, 17, 18, 19 and part of 20 of the Rockstroh Addition.
 - s. All Plaques, Monuments, Sculptures, Memorials, Planters, Urns, Curbing, Roadways, Marker Stones, Sundials, Well-Head Covers, Fences, Trellises, Pergolas, Pathways, and Trees.
2. Original or later contributing furnishings and objects, shall be retained and, if necessary, repaired by patching, piecing in, consolidating or reinforcing the material using recognized preservation methods.
3. Deteriorated or missing furnishings and objects, materials, elements, features and details shall be replaced with materials that match the original in material, size, shape, color, profiles, form, texture, configuration and detail of installation.
4. Alteration of existing or addition of new furnishings and objects will be considered if they do not alter the basic concept of the historic landscape design.
5. When replacement of furnishings and objects and their materials is necessary, it should be based on physical or documentary evidence.
6. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
7. Existing memorials, statues, monuments and fountains shall be carefully preserved and restored where necessary, maintaining the integrity of the original material and design. The work shall be coordinated with the Historic Preservation Commission of South Bend and St. Joseph County.
8. New furnishings and objects should be designed using vandal resistant standards.
9. Location of signs shall be guided by a master plan.
10. Signs shall conform to a simple sign system.
11. Existing non-conforming signs should be removed.
12. All new monuments and fountains shall be placed so that they conform to and with the original historic landscape design of the park and park system.

9.8 Structures (includes Walls, Terraces, Arbors, Gazebos, Follies, Playground Equipment, Picnic Shelters, Plazas, Greenhouse, Steps, Bridges, Dams, Buildings, etc.)

Refer to Sections 9.11 B and D regarding treatment of materials and features; and sections 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.9 and 9.10 for additional Standards and Criteria that may apply.

1. The general intent is to preserve the original or later contributing structures that enhance the historic landscape.
2. Refer to Sections 9.2.2 and 9.7.1 of structures, elements and materials that need to be preserved such as wall, terraces, arbors, gazebos, follies, playground equipment, picnic shelters, plazas, greenhouses, steps, bridges, dams, building, etc. which shall be preserved.
3. Original or later contributing structures, shall be retained and, if necessary, repaired by patching, piecing in, consolidating or reinforcing the material using recognized preservation methods.

4. **Deteriorated or missing structures, materials, elements, features and details shall be replaced with materials that match the original in material, size, shape, color, profiles, form, texture, configuration and detail of installation.**
5. **When replacement of structures is necessary, it should be based on physical or documentary evidence.**
6. **If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.**
7. **New addition/alterations to the landscape (such as: parking lots, comfort stations, buildings, etc.) shall be as unobtrusive as possible and preserve and original or later contributing landscape features.**
8. **Removal of non-historic structures from the existing landscape is encouraged.**
9. Structures shall be protected from arson and other acts of vandalism through proper monitoring procedures and methods such as; permanent installation of smoke detectors, alarms, or other security systems, or temporarily boarding up windows and openings.
10. No building(s) shall be erected in the central section of the park; the western section of the park, north of the northern fence to the tennis courts; the eastern section of the park, west of the rear set-back of the north Pumping Station, or in the area north and east of the Log Cabin.

9.9 Archeology

Refer to Section 9.11 B and C, and D regarding treatment and materials. Refer to Sections 9.3, 9.4, 9.5, 9.6, 9.7 and 9.8 for additional Standards and Criteria that may apply.

1. The landscape should be surveyed for potential archeological sites prior to the beginning of any construction project.
2. Known Archeological site(s) shall be protected during any construction project.
3. Disturbance of the terrain within the landscape shall be kept to a minimum so as not to disturb any unknown archeological materials.
4. All planning, any necessary site investigation, or data recovery shall be conducted by professional archeologist.

9.10 Accessibility

Refer to Sections 9.11 B, C and D regarding treatment of materials. Refer to Sections 9.3, 9.4, 9.5, 9.6, 9.7, and 9.8 for additional Standards and Criteria that may apply.

1. **A three-step approach is recommended to identify and implement accessibility modification that will protect the integrity and historic character of the property.**
 - a. **Review the historical significance of the property and identify character-defining features;**
 - b. **Assess the property's existing and required level of accessibility;**
 - c. **Evaluate accessibility options within a preservation context.**
2. **Because of the complex nature of accessibility, the Historic Preservation Commission will review proposals on a case by case basis. The Commission recommend consulting with the following document which is available from the Commission office: U.S. Department of the Interior, National Park Service, Cultural Resources, Preservation Assistance Division; Preservation Brief 32, "Making Historic Properties Accessible" by Thomas C. Jester and Sharon C. Park, AIA.**

9.11 Architectural Materials

A. General

The Historic Preservation Commission of South Bend and St. Joseph County recommend that work proposed to the materials outlined in Sections B, C, and D be executed with the guidance of a professional building material conservator.

1. Removal of the speakers atop Pump House Number 3 is encouraged.

B. Masonry (Brick, Stone, Terra Cotta, Concrete, Stucco, and Mortar)

1. [intentionally left blank]
2. Original or later contributing masonry materials, feature, details, surfaces and ornamentation shall be retained and, if necessary, repaired by patching, piecing-in, or consolidating the masonry using recognize preservation methods.
3. Deteriorated or missing masonry materials, features, details, surfaces and ornamentation shall be replaced with material and elements which match the original in material, color, texture, size, shape, profile and detail of installation.
4. When replacement of materials or elements is necessary, it should be based on physical or documentary evidence.
5. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
6. Original mortar shall be retained.

7. Deteriorating mortar shall be carefully removed by hand-raking the joints.
8. Use of mechanical saws and hammers shall not be allowed.
9. Repointing mortar shall duplicate the original mortar in strength, composition, color, texture, joint size, joint profile and method of application.
10. Sample panels of raking the joints and repointing shall be reviewed and approved by the staff of the Historic Preservation Commission of South Bend and St. Joseph County.
11. Cleaning of masonry is discouraged and should be performed only when necessary to halt deterioration.
12. If the building is to be cleaned, the mildest method possible shall be used.
13. A test patch of the cleaning method(s) shall be reviewed and approved on site by staff of the Historic Preservation Commission of South Bend and St. Joseph County. Test patches should always be carried out well in advance of cleaning (including exposure to all seasons if possible.)
14. Sandblasting (wet or dry), wire brushing, or similar abrasive cleaning methods shall not be permitted. Doing so changes the visual quality of the material and accelerates deterioration.
15. Waterproofing or water repellent are strongly discouraged. These treatments are generally not effective in preserving masonry and can cause permanent damage. The Commission does recognize that in extraordinary circumstances their use may be required to solve a specific problem. Samples of any proposed treatment shall be reviewed by the Commission before application.
16. In general, painting masonry surfaces shall not be allowed. Painting masonry surfaces will be considered only when there is documentary evidence that this treatment was used at some point in the history of the property.

C. Wood

1. [intentionally left blank]
2. Original or later contributing wood surfaces, features, details and ornamentation shall be retained and, if necessary, repaired by patching, piecing-in, consolidating or reinforcing the wood using recognized preservation methods.
3. Deteriorated or missing wood surfaces, features, details and ornamentation shall be replaced with material and elements which match the original in material, color, texture, size, shape, profile and detail of installation.
4. When replacement of materials or elements is necessary, it should be based on physical or documentary evidence.
5. If using the same materials or elements is necessary, it should be based on physical or documentary evidence.
6. Cleaning of wooden elements shall use the mildest method possible.
7. Paint removal should be considered only where there is a paint surface deterioration and as part of an overall maintenance appropriate protective coatings. Coatings such as paints help protect the wood from moisture and ultraviolet light and stripping the wood bare will expose the surface to the effects of weathering.
8. Damage or deteriorated paint should be removed to the next sound layer using the mildest method possible.
9. Propane or butane torches, sandblasting, water blasting, or other abrasive cleaning and/or paint removal methods shall not be permitted. Doing so changes the visual quality of the wood and accelerates deterioration.
10. Repainting should be based on paint serration studies. If an adequate record does not exist repainting shall be done with the colors that are appropriate to the style and period of the building.

D. Architectural Metals (Cast Iron, Steel, Pressed Tin, Copper, Aluminum, and Zinc)

1. All metal materials, features, details and ornamentation of the buildings in the park shall be preserved. This also includes all metal parts of all fountains, monuments, memorials, plaques, street lights, drinking fountains, etc.
2. Original or later contributing metal materials, features, details, and ornamentation shall be retained and, if necessary repaired by patching, splicing or reinforcing the metal using recognized preservation methods.
3. Deteriorated or missing metal materials, features, details and ornamentation shall be replaced with material and elements which match the original in material, color, texture, size, shape, profile and detail of installation.
4. When replacement of materials or elements is necessary, it should be based on physical evidence or documentary evidence.
5. If using the same material is not technically or economically feasible then compatible substitute materials may be considered.
6. Cleaning of metal elements either to remove corrosion or deteriorated paint shall use the mildest method possible.
7. Abrasive cleaning methods, such as low pressure dry grit blasting, may be allowed as long as it does not abrade or damage the surface.
8. A test patch of the cleaning method(s) shall be reviewed and approved on site by staff of the Historic Preservation Commission of South Bend and St. Joseph County. Test patches should always be carried out well in advance of cleaning (including exposure to all seasons if possible.)
9. Cleaning to remove corrosion and paint removal should be considered only where there is deterioration and as part of an overall maintenance program which involved repainting or applying other appropriate protective coatings. Paint or other coatings help retard the corrosion rate of the metal. Leaving the metal base will expose the surface to accelerated corrosion.

10. Repainting should be based on paint seriation studies. If an adequate record does not exist repainting shall be done with colors that are appropriate to the style and period of the building.

The Landscapes- Specific Standard and Criteria was financed in part with funds from the National Park Service, U.S. Department of the Interior, through the Massachusetts Historical Commission, Secretary of State, Michael Joseph Connolly, Chairman, and adopted for use by the Historic Preservation Commission of South Bend and St. Joseph County, Indiana, by permission of the Environment Department, City of Boston, Massachusetts, by Michael A. Cannizzo, Staff Architect, 1996.

SITE VISIT REPORT:

January 15, 2019

RE: Leeper Park Site Visit (Central Section)

Observations made during visit

- Embankment area near steps has eroded
 - Washed out embankment causing tree roots to become exposed along hill
 - The poured concrete curbs along steps have washed out underneath and cracked as a result
 - Steps themselves appeared to be intact but have are starting to pitch northwesterly
- Trees
 - Along Riverside Drive
- Near duck pond, two canopy trees are uprooting and have broken up the path between the pond and the street. These trees have lost limbs either naturally or have been cut.
- Two other canopy trees along riverside are now gone and have been replaced with recently planted trees
 - At least five larger trees have come down either through storms or disease
 - New trees were installed after those original trees came down
- Horse trough appears to be in stable condition with base intact
- Small well house appears to be in stable condition with some minor cracks in foundation.

Please see photographs in digital file for reference.

Steve Szaday
Preservation Inspector

STAFF RECOMMENDATION: Staff recommends approval of the overall project and concepts with conditions that:

- (1a) the final path layout makes considerations for any memorial dedications (trees, stones, plaques, etc.).

final path layout, including any memorials determined to require an adjustment to the location or replacement otherwise, be submitted to Staff for final Administrative Approval.
- (1b) the final intersection design makes considerations for any memorial dedications (trees, stones, plaques, etc.).

final intersection design, including any memorials determined to require an adjustment to the location or replacement otherwise, be submitted to Staff for final Administrative Approval.
- (1c) final specifications, pending results of process 1 through 6, be submitted to Staff for final Administrative Approval.
- (3) final design/construction documents for Studebaker Electric Fountain and associated gathering space be submitted to Staff for final Administrative Approval.
- (4c) final design for former Duck Pond, pending results of soil boring and geotechnical engineering, be submitted to Staff for Administrative Approval.
- (5) detailed specifications for the Overlook be submitted for Commission review.

Public comments in favor:

Vicki McIntyre, 1233 E Erskine Manor Hill, South Bend – *“I am the chairman of the restoration and return of the Studebaker Electric Fountain. We worked hard with these people to come up with this plan which we totally, completely support. We believe when the people wake up in the morning that live across the river they will look over and see this magnificent fountain that is 28’ tall and 42’ in diameter and will be lit whenever it is dark (but not in the middle of the night). With the water flowing, if all goes well, this thing will be once again the city’s icon, our city’s postcard, it should attract visitors and citizens alike. It should give us places for weddings and reunions and celebrations, and we ask that you approve it.”*

Commissioner Gordon asked the speaker if she had spoken to people who live across the river. Ms. McIntyre responded, *“Not all of them. But three of them are our donors. I was just sitting there thinking, ‘no, of course I have not talked to all of them,’ – I talked to three who talked to me as they donated. Yes. They are very much in favor, enough to give me their money.”*

Jean DeWinter, 861 Forest, South Bend – *“I live in Chapin Park Neighborhood, I walk the neighborhood every day with my dog and my children. I am 100% behind this plan. Just today I photographed children from the school playing in the duck pond on the ice; its dangerous, its dirty, and its very hard to walk a dog in that park – its just difficult. Its hard for kids to enjoy the park, walking through fecal matter that is everywhere. This makes sense to me, I live up the hill on Riverside. Calming that traffic coming down Riverside is 100% appreciated. I just wish there was an easy way to get to the other side of the park as well. Hopefully in the future, in future plans, you’ll take into consideration what Mishawaka has done downtown and make some kind of underground easement to get to the other side of the park. I love the park. I walk my dog and my children every day in the neighborhood. This is beautiful, I can’t wait for the change, the duck pond has to go.”*

Mike Neiser, 1043 Riverside, South Bend – *“I live in the Riverside Historic district, as well. Everything she said I would agree with. I think one of the issues that wasn’t mentioned is a lot is the focus on duck pond, but is a magnet for all those geese, they don’t reside in the pond, they are all over the sidewalk, you cannot walk – we are avid walkers – you cannot walk that sidewalk on Riverside. You are forced to walk in the street, and the geese are everywhere. I am not suggesting that the geese will automatically go away. I do believe that they will be diminished when you don’t have that draw of the duck pond. If you walk by that duck pond, those ducks and those geese are conditioned – whether you have food or not – they move towards you, because that is what they are used to, and that is what they are going after. The calming of the traffic is great. That park is really unusable. If you go down and you spend any time in the park looking there. You will see maybe some cars parked by the duck pond. You may see some people up by the playground area, and that’s unsafe too, because the geese are there. And you’ve got kids, you’ve got grandkids – I don’t even want to take them into that park to that playground. But the rest of that park is not usable. You do not see people walking in there. The pathways are an excellent idea. I’m in favor of it, too. The duck pond is something – it may have been fine at one point of time – but environmentally, ecologically, its not a good thing moving forward. So I am absolutely in favor of this.”*

Steve Sass, 27910 US Hwy 20, New Carlisle – *“I am the chairperson of the Venues, Parks & Arts eight-person Ecological Advocacy Committee. I am also a board member of the South Bend/Elkhart Audobon Society, we have been a part of this community for 75 years this year, I am also a former board member of*

the Indiana Audobon Society. The issue of the duck pond is something that Venues, Parks & Arts asked the Ecological Advocacy Committee to take a look at, and it is something that we did. From a wildlife standpoint, it couldn't get – really – much more unnatural than the duck pond. I grew up in Michigan City, we have a zoo over there – Washington Park Zoo – when I was a kid we went over there and there was a concrete duck pond and we packed up all the stale cereal and potato chips and we threw it to the ducks. We did a lot of that stuff in those days – we kept monkeys in concrete cages. This was all some of that WPA, 1930s era work that was done. We now know that maybe this wasn't the right thing to do. So, having visited the Duck Pond a number of times, I can tell you that most of the wildlife there... are not wildlife. They are things that have been dumped there. Some of these birds that are bred to be flightless reside there because people buy them as pets and people don't want them anymore. Across the street from that we have the river, which is this wonderful resource. And we actually have all kinds of species of ducks that we can see – that we will be able to see from that overlook platform that don't come to the duck pond. The duck pond is really only a handful of things – some of these domestic ducks that have been bred to be domestic ducks; the Canada Geese that are attracted to the large areas of mowed lawn and people throwing food out; and some of these exotic things – Egyptian Geese and just weird things that people have dumped there over the years. It's more of a zoo, a 1930s-type zoo, and that's really not what Venues, Parks & arts is set up to be able to maintain. I speak in favor of the plan, the Ecological Advocacy Committee voted in favor of doing-away-with the duck pond for this reason. We are comprised of eight different experts. We have wetland biologists, people like myself, other experts in the field. Thank you."

Sam Lima, 528 River, South Bend – "I was real excited when I heard about the new plans for the park. I had always heard since I moved here that it was an under-utilized park, and sort of ascetically unappealing except for the sections next to the river. There wasn't something that tied it all together in a framework that allowed you to enjoy all the parts of it while travelling through it, and I think this plan does that. Ascetically, I love the work of Olmstead, and have visited a lot of his parks, so part of me wants to see more of the elliptical, organic curves and less of just a radius, but I think you won't notice the difference from ground level. I love this design, I like how it reuses the existing the fountain. I live closer to Howard Park, so part of me wants it there, but this is a better spot for it. I'm all in favor of this."

Tim Scott, 711 Forest, South Bend – "Common Council for the 1st District, where Leeper Park is, as well as the President of the South Bend Common Council. I want to thank the Parks Department for bringing this forward to all of you and I hope you vote favorably on it. Its hard when you try and change something that is historic, but when I see what the Parks Department has really done is done a good job of being respectful to this Park, taking into consideration a lot that is there, and ways to improve it. Eight years that I've been on the Common Council, one thing I've advocated – even before Aaron Perri was in charge – is we have not done justice to our Parks Department. I'm glad that we voted on our bond and I'm glad that we are looking at improvements. Living here going on twenty-five years, you go through the park and it is completely underutilized. You don't see people on holidays – there is a lot of space here, and very few people... on both sides. I'm glad we are looking at improvements to it. What you see is, we cut the grass, nub to nub, from street to street, all the way around, we leave trees and grass, and that's about it. The only asset in that park is kind of secondary playground. I'm glad we are including good playground equipment with good intentional purposes... even kids with mobility issues will be able to use – which we don't have much in our city. Moving that, and not having a playground secondary is crucial. Getting to the duck pond: if we step back, and look at it objectively, what is it? It is an asphalt band, around a chain link fence, because we can't have people in that water – not only for drowning, but the Parks Department came to the Common Council, because we are concerned about this – the E Coli levels in that Pond are 10 times the state legal limit. I wouldn't want a duck to splash water on my kid. The pond is a toxic mess and you guys already understand the benefit for the ducks. Concerns about ducks – ducks are a flight animal – they don't fight, they fly. They don't like structures above their heads – they don't like things close proximity that native cougars can sit on and jump off. I've heard from a lot of people, one of the biggest concerns with the duck pond is that there is no place to gather. This is going to be a beautiful fountain. This is going

to be a beautiful paths to get to a place where people can congregate. Its going to be a gem within our city, no matter day or night. I have so many people within our city who say we don't go down to the park. The other thing is the overlook, I did talk to one resident across – the Mayor – he's all for that. Right along the Riverside walk, the only access to the river is through poison ivy. So having that overlook would be really nice."

Nancy Mah, 603 Parkovash, South Bend – "I live in the Northshore Triangle, so I'm on the other side of the river. I want to say that I am definitely in favor of it. Like so many people have said – and a lot of us walk the look along West North Shore Drive through our neighborhood – once you get to Leeper Park you have to go in the road, or you just have to avoid them, and especially in spring when the little babies are coming out, those geese are very dangerous. Some of them are even migrating into our side of the neighborhood, and there have been times where you are driving down North Shore Drive and all of the sudden there is a goose with all of its little goselings and you have to stop. I am definitely in favor because of the fact that the pond is not a nice thing anymore. The fountain would definitely be an asset. I know the overlook would not be a problem because from our side of the neighborhood along the river bank we have a lot of greenery so it wouldn't be that people would be looking into our neighborhood or anything. I know along the riverside trail there are overlooks that are over there that are a benefit to the neighborhood."

Dick Reimeke, 3431 S Twyckenham, South Bend – "I was one of the cofounders of the South Bend Skullers way back when, and I gave some of my property for letting them use it, the Parks Department, for the Notre Dame Boathouse in exchange we got the old Notre Dame Boathouse. I spent a lot of time on the river, rowing, paddling, and fly fishing. I love Leeper Park as a place to fly fish, and I stopped fly fishing when I got down here because of an abscess. There's something absolutely terrible about what you've got in this park, and if you don't do something, it's a terrible miscarriage of justice. You are really not doing your job, this needs to be taken care of."

Gary Janse (emailed) – "Last summer my wife had surgery at the hospital. We decided to walk grandsons to Leeper Park. The playground and labyrinth were highly unsanitary for the kids. To walk to the playground and back to the hospital you had to be very careful. It needs to go."

Evelyn Kirkwood (emailed) – "Members of the Historic Preservation Commission: As the Director of the St. Joseph County Parks, I support removal of the Duck Pond within Leeper Park. For several years, St. Joseph County Parks, Mishawaka Parks, and South Bend's Venues, Parks & Arts have collaborated on ways to reduce negative interactions with the waterfowl and parks visitors. Efforts include universal signage discouraging or prohibiting the feeding of ducks and geese. In contrast, the Duck Pond at Leeper Park reinforced the feeding activity and posed a mixed message regarding how cities addressed wildlife. In the past, Leeper Park Duck Pond has been used as a dumping site for unwanted pets and aquarium fish and plants, all of which pose an environmental concern to the nearby St. Joseph River. Over the years, best practices for wildlife health have steadily advanced. It is well documented that a diet of bread stunts the growth of waterfowl wings. It is also understood that when waterfowl are encouraged to congregate in confined areas the accumulated droppings pose human, pet, and waterfowl risks. The resulting maintenance issues are intense. The proposed Leeper Park river viewing area will provide visitors an opportunity to see wildlife in its natural and healthy setting."

Alberta Barnes, 6216 Winslow Court, South Bend – "As far as the Duck Pond, I have two adult children who live in Connecticut and Virginia, and it is illegal or you are fined \$250; there are no duck ponds. My grandchildren when we walk along the river, you see the ducks, and there are signs and volunteers saying, "Don't feed the ducks!" I think it is hopeful that we are raising generations of children who will become adults and understand, as the gentleman was saying, the importance of not feeding the ducks. The other thing, I know we are talking about the Duck Pond, but I would like to say, the Studebaker Fountain, has been an incredible project – and I say this to Vicky: in a very short period of time, Vicky and her committee

were able to raise an incredible amount of money, which shows the interest, and I will tell you, the support for this fountain and for Leeper Park, and for everything good that can happen from this point forward. I was a school teacher for thirty-two years. I know very well that many children in this community, adults, too, don't have very much opportunity to travel far away from South Bend or Mishawaka. The chance or the opportunity that they are going to have to see this magnificent fountain, in this beautiful park, is something that I think is something that we should support."

Public comments not in favor:
none

Commissioner Molnar made a motion to separate the application into its five individual parts, the first being the pedestrian circulation improvements and pathways, two being the installation of the new playground on the western portion, three installation of the Studebaker Electric Fountain, four removing of existing Duck Pond, five creation of formal overlook, combined with six overlook design. Seconded by Commissioner Hertel.

Five in favor, zero opposed.

Vote: 5 – 0 Motion to separate application into parts is approved.

Commissioner Molnar made a motion to approve the items in section one with the exception that authority has been remanded to staff for any memorials and over what happens to that landscaping. Seconded by Commissioner Hertel.

Five in favor, zero opposed.

Vote: 5 – 0 Motion to approve COA#2019-0109, section one is approved with Conditions.

Commissioner Hertel made a motion to approve section two, the installation of a new playground as noted. Seconded by Commissioner Molnar.

Five in favor, zero opposed.

Vote: 5 – 0 Motion to approve COA#2019-0109, section two is approved.

Commissioner Hertel made a motion to approve section three, installation of the Studebaker Electric Fountain and associated gathering place. Seconded by Commissioner Molnar.

Five in favor, zero opposed.

Vote: 5 – 0 Motion to approve COA#2019-0109, section three is approved.

Commissioner Molnar made a motion to approve section four, striking the request to reseed the lawn and requiring that a plan be submitted to the Commission to interpret the Duck Pond in another way. Seconded by Commissioner Canada.

Three in favor, two opposed.

Vote: 3 – 2 Motion to approve COA#2019-0109, section four is approved with Conditions.

Commissioner Molnar made a motion to approve section five, creation of a formal river overlook, the concept, and that all final designs and approvals must come back to the Commission for approval before construction could go forward. Seconded by Commissioner Canada.

Five in favor, zero opposed.

Vote: 5 – 0 Motion to approve COA#2019-0109, section five is approved with Conditions.

3. 815 Leland Avenue COA# 2019-0109B #9574-05 Chapin Park Local Historic District

Representation: Emily Dean, 815 Leland, South Bend
Justin Tyrell, 1845 W 18th Street, Indianapolis
Jamie Morgan, City of South Bend, 227 W Jefferson Blvd,
South Bend

**STAFF REPORT
CONCERNING APPLICATION FOR A
CERTIFICATE OF APPROPRIATENESS**

Date: January 9, 2019
Application Number: 2019-0109B
Property Location: 815 Leland Avenue
Architectural Style/Date/Architect or Builder: Gabled-ell / 1900
Property Owner: Julian and Emily Dean
Landmark or District Designation: Chapin Park Local and National Historic District , Ordinance #9574-05
Rating: *Contributing*

DESCRIPTION OF STRUCTURE/SITE: This 2 story irregular frame house sets upon a brick foundation facing east on Leland Avenue. The roof is pyramidal with gables, a simple cornice, and asphalt shingles. The porch is house-width with brick piers, railings, and a simple fascia. The windows are predominantly 1/1 vinyl double hung with molded entablatures. An oval window with wedge-shaped brackets faces the street on the second story.

ALTERATIONS: COA 2013-0924 called for repointing “brick with lime putty; replace brick in-kind and replace wood siding in the rear.” COA 2017-1002D allowed for the construction of a privacy fence around the side and rear yard.

APPLICATION ITEMS: *“Remove and replace front porch crown molding with similar product. Install double-4 vinyl siding over existing wood-lap siding on home and garage. See picture. Color TBD. Enclose all window and door trim with vinyl or aluminum. See picture. Enclose soffit and fascia, on home and garage, with aluminum soffit and fascia panel. See picture. Color TBD. Fully strip and repaint front entrance framing and jamb. Color TBD. Replace south facing entrance door and frame with a pre-hung half-lite steel door. See picture. Remove and replace window #5 with white vinyl double hung replacement window. Exterior trim to be wrapped in aluminum. See picture.”*

DESCRIPTION OF PROPOSED PROJECT: The applicant (Indiana Community Action Association) seeks approval for the following lead remediation projects, to be bid out to final contractor at a later date:

1. Installation of double-4 vinyl siding over the existing wood-lap siding with a vapor barrier beneath on both the garage and the house,
 - a. Rear second story gable is clad in wood shingles, this section will be replaced with the same siding as the remainder of the house,
2. Removal of original wooden decorative crown molding elements and replacement with “similar product,”
3. “Enclose all lead painted trim with vinyl or aluminum ventilating soffit panels, coil stock, and field fabricated trim accessories in accordance with manufacturer’s specifications,”
4. “Enclose soffit and fascia with aluminum soffit / fascia panels,”
5. Enclose all window and door trim (unless specifically mentioned otherwise) with vinyl or aluminum products,
6. Remove and replace south-facing entrance door (referenced on side B) with “Energy Star Rated pre-hung metal, insulated, half-glass entrance door system with interior casing and trim as needed,”
 - a. The exterior wood frame will be covered as above with aluminum,
7. Remove and replace window (referenced as ground floor window #5 on side C) with a “white, vinyl, double hung, replacement style, Energy Star Rated, Argon filled, Low E coated glass, one-over-one window,”
8. Remove and replace window components (including sills and casings), inside and out, with new wood material,
 - a. Window 4 on side B,
 - b. Window 11 and 16 on second story of side A,
 - c. Window 12 and 13 on second story of side B,
9. Strip and repaint the following:
 - a. Front entrance door,
 - b. Oval second story window (referenced as window #16 in the application’s supporting documents),

In addition to the above listed items, various internal remediation efforts will be initiated that are beyond the scope of the Historic Preservation Commission's purview.

All exterior surfaces were assessed by Amereco Engineering of Valparaiso, IN on August 14th, 2018. **One hundred fifty-two (152) readings were collected from the exterior of the structure and one hundred twenty-one (121 -or approximately 80%) returned a 'Positive' test for Lead Based Paint (LBP).** The highest readings of the entire site (both inside and out) were returned from the exterior of the garage, with the garage fascia returning a 23.5 mg/cm² reading.

PRESERVATION INSPECTOR REPORT: N/A

STANDARDS AND GUIDELINES: CHAPIN PARK

II. EXISTING STRUCTURES

A. BUILDING MATERIALS

Original exterior building materials in the district include brick, stucco, clapboard, wood shingles, and brick or stone masonry. In some instances, vinyl, composite and aluminum siding have been applied over the original material.

Required

Original exterior building materials shall be retained when possible. Deterioration of wood materials shall be prevented through repair, cleaning and painting. The existing architectural detail around windows, porches, doors and eaves shall be retained or replaced by replicas of the same design when deteriorated beyond repair.

Masonry, including brick and stucco structures, shall be maintained, and properly cleaned only when necessary to halt deterioration or to remove stains and shall be done in a method acceptable for the preservation of the surface: i.e. low-pressure water and soft natural bristle brushes. Brick or masonry mortar joints should be repointed only when there is evidence of moisture problems, or when sufficient mortar is missing to allow water to stand in the mortar joint. Existing mortar shall be duplicated in composition, color, texture, joint size, method of application and joint profile.

When repairing stucco, stucco mixture shall be used. A professional shall make a study of the old stucco, to determine the exact mixture and underlayment used in the original work. Some repair methods are not compatible with the original techniques and may cause early disintegration of the repair work and the original work.

Ample ventilation must be afforded the structure when siding is installed, in order to prevent increased deterioration of the structure from moisture and insects.

Recommended

Whenever possible, the original building materials should be restored. When maintaining or repairing original siding is not feasible, aluminum, vinyl or composite siding may be used. When used over wood surfaces, this siding should be the same size and style as the original wood. Every effort should be made to retain the original trim around windows, doors, cornices gables, eaves and other architectural features.

[...]

B. ROOFS AND ROOFING

Roof shapes in the district encompass all the various designs found in residential structures: hipped, gabled, gambrel, flat and combinations of these. Roofs are covered with a variety of materials such as asphalt, asbestos, wood and slate shingles as well as clay tiles. Residences in most cases have wood fascias with gutters and downspouts. The fascias of some vinyl- and aluminum-sided houses are covered with the same materials.

Required

The existing shape and type of materials of the roof shall be retained. All architectural features, which give the roof its essential character, shall be retained, including dormer windows, cupolas, cornices, brackets, chimneys, cresting and weather vanes.

Recommended

The original shape and materials of the roof should be restored. Particular effort should be made to retain materials such as slate, tile and other unique materials not commonly found in new construction. Roof covering which is deteriorated beyond repair should be replaced with new material that matches as closely as possible the original in composition, size, shape, color and texture. Gutters and downspouts are often a necessary adjunct in order to prevent deterioration of the structure; they should be maintained whenever possible or replaced with a style comparable and suitable to the architectural period.

Prohibited

Nothing shall be done to change the essential character of the roof as viewed from a street by adding architectural features or large unsightly fixtures, or by using materials inappropriate to the style of the house. The roof shall not be stripped of architectural features important to its character.

Not Recommended

Overhanging eaves, soffit, brackets and gables should not be covered or enclosed when adding siding to a building.

C. WINDOWS AND DOORS

Window and door frames are in most cases wood and vary depending upon the style of the home. Many are double-hung windows with wood trim and sills. Brick structures have stone sills and brick lintels. In some cases where aluminum siding has been applied, the window and door trim has been covered. About half of the structures in the district have aluminum storm windows; the other half have wood storm windows.

Required

Original windows and doors shall be retained including sashes, lintels, sills, shutters, decorative glass, pediments, hoods and hardware. When deteriorated beyond repair, they shall be replaced with units and trim resembling the original.

Recommended

Wood storm windows and doors painted or finished to match the original should be used but should not damage existing

frames. If new sashes or doors are installed, the existing or original materials, design and hardware should be used.

When metal storm doors are used, they should be painted, anodized or coated to match the existing. When awnings are used, they should be of canvas material.

D. ENTRANCES, PORCHES AND STEPS

Most houses in the district have either an open or enclosed porch across the front. Most porches have either hip or gabled roofs or are covered by the main roof of the house.

Required

When deteriorated beyond repair, existing or original porches, stoops, patios and steps, including handrails, balusters, columns, brackets, tiles and roof decorations, shall be retained or replaced by replicas of the same design or by a design more in keeping with the historic period of the structure.

Porches and additions reflecting later architectural styles and which are important to the building's historical integrity shall be retained.

Recommended

When enclosing porches for heat conservation or for other reasons, it should be done in a manner that does not alter the architectural or historical character of the building.

Not Recommended

Original porch details should not be replaced with materials representing a different period or style from the original.

[...]

VI. ENFORCEMENT PROCEDURES

[...]

This ordinance, however, does not prevent the ordinary maintenance and repair of any building or structure which does not involve a change in any exterior feature, nor does it prevent the reconstruction, alteration, demolition or moving of any building or structure which the Building Commissioner or other official has determined to be a hazard to public safety.

[...]

In making its determination, the Historic Preservation Commission shall consider three factors: first, the appropriateness of the proposed work to the preservation of the building and district; second, the detriment to the public welfare if the proposed work is permitted even though it is not deemed appropriate; third, the potential hardship that the denial of the Certificate of Appropriateness would cause the applicant.

STAFF RECOMMENDATION: The Chapin Park Standards and Guidelines allow for the installation of vinyl siding over original siding material when the latter has been determined to be *deteriorated beyond repair*. The exterior cladding of the house – although recently painted – returned evidence of elevated levels of **Lead Based Paint** in 80% of the tested areas. Bearing this in mind, encapsulation is an accepted form of remediation for Lead Based Paint hazards, and will afford the homeowner (at least) twenty-five years of safe environment to raise their children in.

Based upon the willingness of the contractor (and the homeowner) to retain and remediate specific character-defining features of the house, as well as the overwhelming majority of the windows having already been replaced with vinyl windows, Staff recommends approval of this project with the condition that – upon the bid being awarded by Indiana Community Action Association – the contractor executing the work return to the Historic Preservation Staff with specific product information for the installed products.

Written by
Adam Toering
Historic Preservation Specialist

Approved by
Elicia Feasel
Historic Preservation Administrator

Public comment in favor:

none

Public comment not in favor:

Sandy Rossow, 408 Myrtle, South Bend – *“I’m a former Historic Preservation Commissioner. I would like to address what the experts in the national government bodies say with the issue of Lead Paint in*

Historic Preservation. The Covering of lead paint and surfaces with latex paint is universally recommended and encouraged as a means of lead reduction by the National Trust for Historic Places, the National Parks Department, HUD, the Secretary of the Interior, and the EPA. Furthermore, this exact issue came up in Kalamazoo, Michigan some years ago, and all the entities listed above, and all their memorandum, to make it not possible to put vinyl buildings in Historic Districts. The Director of the Historic Preservation for the City of Kalamazoo's Planning and Development Department has a lot of experience with this issue – and her name is Sharon Ferraro, and she would be glad to share her experiences with anybody. I also direct you to the National Alliance of Historic Preservation Commissions and their rubrics. Finally, the National Historic Preservation Act of 1966 stipulates that any Federal Funds used on or in historic properties must pass a Section 106 review. This review stipulates that money may not be spent if it damages the integrity and/or character of the structure.”

Commissioner Hertel asked for clarification regarding the Section 106 Review. Ms. Rossow continued: “The information is from the National Trust website.”

Mary Prince, 17827 Claymans Drive, South Bend – *“I'd like to question the ‘ownership versus caretaker’. Many people think that since they own their homes they have the responsibility only to themselves and their families regarding their property. This is less and less the case. Even more modern developments – like the one I just moved into – have homeowner associations with stipulations and rules. In addition, the culture of many communities, including Chapin Park, is that we are all, actually, only temporary caretakers of these buildings. What we do to enhance or restore our houses is not only good for us, and our neighbors, but is good for the long term value of the home. In other words, we have a responsibility to ‘not mess up our houses.’ Our designation as a Historic District was instituted to keep the mistakes with decades long impact of results from happening. The Dean family is the current caretakers of 815 Leland, but they will not be the owners forever, or even that much longer. They have a responsibility to the house, and to the community. That responsibility is protected by the neighborhood's status as a district. Please do not disregard the status tonight.”*

Joan Downs Krostenko, 849 Forest, South Bend – *“I'd like to establish my credentials as regards to this question, for a moment. I have lived in the Chapin Park district area since 1997. I was the President of the Chapin Park Neighborhood Association for the better part of a decade while the organization was extremely active. I'm a founding member and president for the past nine years of Chapin Park, Inc., the only Community Development Organization to work completely independently of public funds, and the only old house restorer/redeveloper in this community to make a profit at the time of sale. I've owner, or been the primary financial partner in the restoration of nine houses in the Chapin Park Local Historic District. I am currently restoring three houses across the street from 815 Leland. I've personally unveiled, or removed vinyl or metal siding from four of these houses. They are all now ‘Contributing’ – Contributing – examples of vernacular architecture, when before, when they were covered with siding they were unfortunately not. I'm a founding member of the Chapin Park Local Historic District, by which I mean I was instrumental in the establishment of the Chapin Park designation, and I was on the Committee which crafted the guidelines under which it is governed. I have been a member of the Near Northwest Neighborhood Board, I've been a member of the Portage Avenue Steering Committee, and I am a retired professor from IUSB's History Department with a PhD from the University of Michigan in the History of Art. Because there is a limited time for public response regarding the proposal for 815 Leland, I've chosen to respond only detailing my personal stake in the problem at hand. Aside from the issue of the potential plague of vinyl covering houses and scarring the neighborhood, this CofA threatens as a precedent other important threats posed by vinyl or metal siding which must be considered: our property values. I've personally invested hundreds of thousands of dollars – actually close to a million dollars – in houses in Chapin Park – as I said, I'm on my ninth house. Leland Avenue has seen my investment in four houses, as well one on Rex Street. I make this investment because I know things cannot get worse. That was the deal. That was the deal that was made when we became a historic district. Things cannot get worse. No one*

has to fix up their house. No one has to do anything to change their house if it already has vinyl siding or the wrong railing. BUT – if they need to change something, if they want to change something – oversight from this commission, the Historic Preservation Commission, will ensure that un-asthetic or incongruous changes are not made. My investments are worth less if people are allowed to use siding. The Dean's home is worth more from the investment I am making across the street from them. But if they are allowed to put siding on their home, my investment is worth less. Removing siding on a house in our neighborhood adds about twenty to twenty-five percent more to the sale value. Homes surrounded by vinyl-clad houses, but in their original siding, correspondingly lose value. How do you know this is true about property values? You look no farther than the west side of Portage Avenue to see how the dilution and diminishment of original details of our homes reduces property values and in turn brings diminishment of quality of life and security. Chapin Park did not suffer from the downturn in property values that was so much a part of the rest of the country's experience in 2008. We held our value. Homes on the west side of Portage were especially hurt with the downturn. [...TIME...] I also want to say, Emily's house has been painted twice in the last ten years, so it doesn't have a particularly degraded paint job. Every house in the neighborhood on the south side gets exposure and the paint is worse on the south side. I've painted my house and the paint job mainly lasts about ten years before I need to touch it up."

Commissioner Gordon asked Ms. Downs-Krostenko, "Did your house have lead in them?"

Ms. Downs-Krostenko: "Every house in the neighborhood has lead in it."

Commissioner Gordon: "Is that a yes?"

Ms. Downs-Krostenko: "Yes."

Commissioner Gordon: "Did you do anything to handle the lead?"

Ms. Downs-Krostenko: "Yes, I painted my house."

Commissioner Gordon: "You didn't do any other remediation?"

Ms. Downs-Krostenko: "No. I painted my house, I keep my paint in good condition, I tested my children and they are well below the threshold. I did an informal survey and I got 56 children in the neighborhood, and nobody tested above the threshold. Also, I wanted to give you this, it is a letter from Tim Kluszczinski, and little more than a dozen e-mails opposing the CofA, and this is a neighbors account from the National Parks Service that states that they recommend paint and not siding."

Commissioner Gelfman: "So you did your remediation on the inside as well?"

Ms. Downs-Krostenko: "Yes."

David Hurley, 831 W Colfax, South Bend – "However, you'd asked for a little context on the street, and I lived at 803 Ashland which is about 50 yards from that residence. I lived there ten years, and then I lived at another four years approximately at 806 which is across the street, so I can tell you precisely what the context is, and for the entire time that we lived there, neighbors slowly trying to claw the quality back to the neighborhood, for those who are familiar to the Historic District, we know Forest and Park, which are lovely brick-lined streets; we are kind of on the fringe. What is really ironic is that the main work that has been done – much by our former Mayor Luecke and his personal properties has been the removal of the siding and paint the homes to restore the historic character of the neighborhood. So really, actually, it is kind of stunning that we are actually considering this, putting vinyl siding back in the neighborhood after the progress that has been made. Especially – I was actually a little stunned – that it was only by virtue that it is winter time that we can't paint. That we're considering it. That blows me away. I have long been an advocate for affordable housing – I moved here from the Washington DC area where I worked for a non-profit housing development in the inner city of Washington DC and back in the 90s this was an issue – this has been an issue for years. As we all know, I have seen the ebb and flow and the swings of some new HUD policy; this policy that is mandating massive investment for a baseline that is – as far as I can tell and everything that I know from my experience – unnecessary. It's overkill. I raised three children in a historic home half a block from here, and none of them have ever had a problem with lead exposure. We practiced basis safe practices. It's scary. One other thing that is scary is, 'what is going to be the environmental hazard that we are facing twenty, thirty years from now?' And there is a very good

possibility it is going to be vinyl. I don't know if you all are familiar with the film 'Blue Vinyl', you are probably aware of it. The hazards that they have identified with production, use, and disposal of vinyl – we are going to have our landfills filled with vinyl that only has a twenty, thirty year lifespan, anyway. Which is approximately what a good paint job can accomplish – a good paint job in over 40 degree conditions which can be done a few months from now. So I really urge you guys to not approve this exception / exemption, after everything we've done to preserve the historic character of the Chapin Park, will be severely undermined.”

Jean DeWinter, 861 Forest, South Bend – *“I am a fairly new homeowner in the neighborhood; I just want to give a little background about myself. I grew up in Mishawaka in a Queen Anne home, all my life. My father was a preservationist as well, I moved into the neighborhood because I love the character, and I absolutely am thrilled to be a caretaker of my home. The thing that kind of interests me in speaking to you is that you have to be a caretaker of your home. You have to paint it. You have to keep it in good condition. I have two children, eight and ten years old, and they have only lived in old homes. When you purchase a home, you sign a disclosure – every single person who buys a home signs a disclosure that there is lead paint. The only way to take care of it in the three homes – the three historic homes that I've owned – you just paint your house. That's all you do. On the inside, you paint it. When you purchase a home in a historic neighborhood, you agree to not put vinyl on it. That degrades the character of the neighborhood – that's not why I purchased in my neighborhood, to look at vinyl. I purchased – in my neighborhood – to look at homes that are being taken care of, and loved. A couple things – the vast majority of people who live in historic homes don't test positive, if you are a caretaker. The more responsible, cost-effective way to [re]mediate lead would be to spend grant dollars would be to spend it on homes that are actually in bad shape. Gary Gilot, who is the former City department head admitted that the granting program in question here could only impact about seventeen houses, city-wide, with the protocol for vinyl siding. It's not very many houses for the cost to tax payers. Its not cost-effective, desirable, or in any way allowed in a historic district to cover houses in vinyl to control lead. Period. I will second – watch the documentary 'Blue Vinyl', you actually put your home in worse danger, were your house to light on fire to actually breathe in the fumes, you would die quicker in a home encased in vinyl, than you would in that home. That beautiful home that is in wood. That just needs a good paint job.”*

Ms. Downs-Krostenko presented fourteen emails to Administrator Feasel. Administrator Feasel informed the Commission that three of the e-mail authors spoke at the meeting. Eleven additional people that wrote-in summarizing their positions.

Commissioner Hertel requested that Administrator Feasel read Tim Kluszczinski's email into record. Administrator Feasel described Tim Kluszczinski as a former Preservation Commissioner, including serving as the President; he currently resides at 617 Park Avenue, South Bend. His e-mail was read into record: *“I whole-heartedly support your efforts to oppose the use of vinyl building materials in Chapin Park, South Bend's local historic districts or at any historically designated single site. Vinyl is NOT a sustainable material choice. Vinyl exterior products rapidly degrade rom the effects of weather and solar radiation. There is no remedy to renew or repair vinyl that has aged or failed. Other materials (wood, fiberglass, paint, epoxy or composites) do not have that limitation and have proven to be cost-effective alternatives. To mitigate any potential risk for lead exposure, it is imperative that every home owner first identify the primary source responsible. Before condemning historic windows and siding as public enemy number one, execute simple and proven solutions by cleaning the suspected surfaces, painting them to encapsulate lead or remove the offending paint film in an effort to maintain historic building elements. Grant money should NOT be automatically used for vinyl modifications before these other solutions have been attempted and especially before other contamination sources are prioritized. Vinyl installations undermine the integrity of historic properties by covering up or permanently removing character-defining features. Vinyl itself does not accept paint color unless severely modified – even then, there are permanent limitations on the use of color schemes that accelerate distortion from infrared radiation. Vinyl expands*

and contracts four times the dynamic of wood. This is one of the main reasons why vinyl windows do not bring suitable energy savings for wood (and brick) structures. As vinyl ages, it outgasses plasticizers (endocrine system disrupters like phthalates) which render it more and more brittle until its complete failure. The loss of plasticizers also causes mechanical issues by making window sashes increasingly more difficult to operate. Beyond the obvious cosmetic deficiencies offered by vinyl siding, its important to know that vinyl siding is not a vapor permeable material. It does not breathe. The result is that over time, interior moisture is impeded from moving beyond the living space to the atmosphere. Instead the moisture collects in the wall cavity where it can cause sill rot or worse – incubate mold spores and cause respiratory health hazards. We must address lead health hazards. But other materials and strategies are available, affordable, proven and compatible with the preservation of historic buildings. It is counter-intuitive for our community's stewards to endorse a material that undermines our mission to preserve our very place of interest.”

Commissioner Hertel made a motion to deny COA #2019-0109B. Seconded by Commissioner Gordon.

Commissioner Hertel: Vote to deny due to the fact that there are other options such as paint stabilization and using paint as the lead paint encapsulate. We have had this district for a very long time. I understand what you are saying but I just don't think that we can set the precedent for vinyl for lead remediation right now. Plenty of others have lived in this area and not had lead problems; I'm sorry, I vote no.

Commissioner Gordon: Vote to deny on basically the same grounds as Commissioner Hertel. I am pretty torn because of the risk to children. I have a house built in 1872; it had lead in it: I painted it, and we tested continually. My children always tested fine. Having said that, the other issue is the grant money for you to eliminate the lead in the house. I try not to base my decisions on financial issues whether it's this, painting, replacing windows because someone doesn't want to spend the money for a correct window, so I've tried to eliminate that. I think there's other alternatives to encapsulate this lead, which unfortunately may not be as readily available for financial reasons, but I'm sticking with the guidelines and my feelings about preserving the historic qualities of this home to try to offset the perceived issue with the lead and the children. It's pretty difficult for me I can tell you that.

Commissioner Gelfman: This is a very difficult decision based on expediency, children, lead, abatement, encapsulation. I vote to deny this application due to the fact that there are other methods to remediate, and that I feel we can accomplish the same thing by using a different method and keeping the Chapin Park district as whole as possible.

Three in favor, two opposed.

Vote: 3 – 2 Motion to deny COA#2019-0109B is approved.

V. PRIVILEGE OF THE FLOOR

VI. REGULAR BUSINESS

A. APPROVAL OF MINUTES

1. December 17th, 2018

Commissioner Molnar made a motion to approve the minutes from the previous meeting. Seconded by Commissioner Canada.

Five in favor, zero opposed.

Vote: 5 – 0. Motion to approve the minutes as submitted is passed.

B. STAFF REPORTS

1. **Administrative Approval Reports** – Distributed.

C. COMMITTEE REPORTS

1. **Leeper Park Standards and Guidelines Review** – Discussion.

The Leeper Park special committee is disbanded by Commission Chair Gelfman.

A special committee on Standards and Guidelines was created by Commission Chair Gelfman. New members, Eric Stalheim and Steve Szaday, have been appointed to the special committee on Standards and Guidelines in addition to those previously serving on the Leeper Park Standards special committee.

VII. OLD BUSINESS

- A. **2019 HPC officer elections** – Discussion.

Commissioner Molnar made a motion to approve the slate of officers. Seconded by Commissioner Canada.

Vote: 5 – 0

VIII. ANNOUNCEMENTS AND MISCELLANEOUS MATTERS

- A. **City Cemetery Review Team** – discussion.

IX. ADJOURNMENT

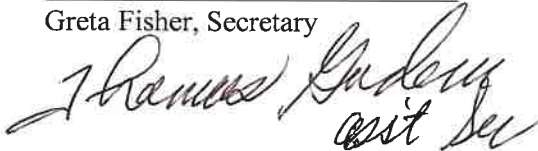
Commissioner Molnar made a motion to adjourn. Seconded by Commissioner Canada.

Five in favor, none opposed.

Vote 5 – 0. Meeting adjourned at 9:15 pm.

Attest:

Greta Fisher, Secretary



Date

3/18/19

