Passed 9-0

ORDINANCE 16-07

TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED "HISTORIC PRESERVATION AND PROTECTION" TO ESTABLISH A HISTORIC DISTRICT –
Re: Kirkwood Manor Historic District Located at 322 East Kirkwood Avenue (The Ellis Company, LP, Petitioner)

WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission ("Commission") and established procedures for designating historic districts in the City of Bloomington; and

WHEREAS, the current owner of 322 East Kirkwood Avenue ("Kirkwood Manor"), The Ellis Company LP, voluntarily contacted and requested the Commission to recognize the Kirkwood Manor as a historic property; and

WHEREAS, on April 14, 2016, the Commission held a public hearing for the purpose of allowing discussion and public comment on the proposed historic designation of the Kirkwood Manor; and

WHEREAS, at the same hearing, the Commission found that the building has architectural significance that merits the protection of the property as a historic district; and

WHEREAS, at the same hearing, the Commission approved a map and written report which accompanies the map and validates the proposed district by addressing the criteria outlined in Bloomington Municipal Code 8.08.010; and

WHEREAS, the report considered by the Commission at this hearing notes that this property is a "Notable" structure that was designed in the Queen Anne architectural style with decorative detailing in the Free Classic subtype of this style; and

WHEREAS, at the same hearing, the Commission voted to submit the map and report to the Common Council which may recommend local historic designation of said properties; and

WHEREAS, at the same hearing, the Commission also placed the Kirkwood Manor under interim protection pending action by the Common Council under Bloomington Municipal Code 8.08.015;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The map setting forth the proposed historic district for the site is hereby approved by the Common Council, and said historic district is hereby established. A copy of the map and report submitted by the Commission are attached to this ordinance and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection.

The legal description of this property is further described as:

Parcel Number: 53-05-33-310-128.000-005: 013-13450-00 ORIG PLAT 113 in the City of Bloomington, Monroe County, Indiana.

SECTION 2. The property known as "Kirkwood Manor" located at 322 East Kirkwood Avenue shall be classified as "Notable".

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code, entitled "List of Designated Historic and Conservation Districts," is hereby amended to insert "Kirkwood Manor - 322 East Kirkwood Avenue" and such entry shall read as follows:

Kirkwood Manor 322 East Kirkwood Avenue.

SECTION 4. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 1st day of June, 2016.

ANDY RUFF, President
City of Bloomington

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 2nd day of June, 2016.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 2d day of June, 2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled "The List of Designated Historic Districts" in order to designate "Kirkwood Manor - 322 East Kirkwood Avenue" as a historic district. The Ellis Company, LLP sought this action and after a public hearing on April 14, 2016, the Historic Preservation Commission (Commission) recommended that the structure be designated historic with a rating as "Notable" based upon certain architectural criteria set forth in Title 8 of the Bloomington Municipal Code entitled "Historic Preservation and Protection." Historic designation of a property under Title 8 of the Bloomington Municipal Code provides for the Commission or staff to approve a certificate of appropriateness before conspicuous changes to the exterior of sites and structures may be made and, thereby, helps assure that the historic significance of properties are preserved.

Note: The ordinance was amended with Am 01, which clarified the language of the penultimate "Whereas" clause.

Distributed to CAC, Mayor, HAND, Legal, Planning