[passed 8-1 (wisler)]

ORDINANCE 08-04

TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED "HISTORIC PRESERVATION AND PROTECTION" TO ESTABLISH A HISTORIC DISTRICT -
Re: Prospect Hill Conservation District
(Bloomington Historic Preservation Commission, Petitioner)

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

WHEREAS, the Historic Preservation Commission held a public hearing on March 13, 2008 for the purpose of allowing discussion and public comment on the proposed designation of the Prospect Hill Conservation District; and

WHEREAS, at the March 13, 2008 meeting, the Historic Preservation Commission found that the district has historic and architectural significance that merits the protection of the property as a historic district; and

WHEREAS, the Commission has prepared a map and written report which accompanies the map and validates the proposed district by addressing the criteria outlined in BMC 8.08.010; and

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

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

SECTION I. 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 Historic Preservation 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 Prospect Hill Conservation District shall consist of the following addresses:

West Kirkwood Street: 935, 929, 921, 919, 917, 915, 907, 903, 835, 825, 823, 819 ½ , 819, 813, 811, 803, 801, 723-27, 715, 711, 701, 621, 615-613, 607, 601, 521, 515, 503
4th Street: 930, 926, 922, 918, 916, 914, 902, 830, 828, 824, 818, 812, 810, 806, 800, 722, 718 714, 704, 702, 620, 612, 608, 600, 522, 520, 518, 510-500, 420, 416, 412, 410, 913, 907, 903, 901, 835, 833, 827, 823, 817, 815, 801, 717, 715, 713, 705, 701, 621, 613, 605-07, 603-01 521, 519, 517, 511, 505
West Third Street : 918, 914, 910, 908, 904, 900, 824, 822-822 1/2, 816, 814, 812, 724, 720, 712, 710, 708, 706, 704, 618, 616, 1105, 1005, 925, 917, 913, 911, 905, 811, 731, 725, 719-719 1/2, 717-15, 411-409
West Prospect Avenue 417
West Smith Street : 520, 410, 623, 619, 521, 519, 509, 417
West Howe Street : 1020, 1014, 1010, 1002, 930, 922, 918, 912, 908, 820, 814, 812, 808, 804, 730, 726, 720, 700, 620, 618, 612, 606, 600, 520, 518, 508, 412, 408, 1021, 1019, 1017, 1015, 1011, 1003, 931, 921, 917, 915, 821, 819, 811, 807, 801, 731, 725, 717, 601, 521, 519, 517 1/2, 515, 509, 413, 411
West Second Street : 934, 930, 926, 918, 912, 904, 900, 820-820 1/2, 812, 808, 806, 800, 730, 722
South Walker Street : 345, 347, 403, 405, 407, 503
South Davisson 308, 312, 316, 320, 328, 334, 346, 307, 309, 321, 323, 329, 331, 333, 341, 343, 347, 347 ½
South Buckner 308, 312, 316, 322, 328, 330, 340, 344-46, 321, 327, 329, 341, 347
South Waldron 100, 102,
South Euclid : 306, 312, 318, 322, 328, 336, 340, 344, 400, 402, 305, 311, 317, 323, 327, 335, 339, 345, 401, 511

South Maple Street 108, 112, 206, 210, 214, 214 ½ , 218, 222, 224, 228, 304, 308, 320, 324, 330-32, 336, 338, 340, 508, 105, 111, 203, 213, 217, 219, 221, 223, 229, 313, 317, 321, 329, 331, 347, 401, 505
South Fairview Street : 206, 212, 300, 306, 314, 322, 324, 326, 328, 338, 209, 211, 217, 225, 301, 305, 313, 319, 325, 329, 335, 339,
South Jackson Street : 210, 218, 306, 320, 324, 330, 334, 338, 342, 346, 213, 329, 333, 341, 341 ½, 349
South Rogers Street : 108, 208, 212, 402, 410, 500, 512, 105, 111, 401, 409, 501, 505, 517
South Madison : 302, 304, 308, 314, 320, 324, 330, 334, 338, 342, 350, 406, 500

The legal boundaries of the district are further described as follows:

Beginning at a point on the NW corner of Waldron's Lot #49 and proceeding east along the south curb line of West Kirkwood, across S. Waldron Street, S. Maple Street, S. Fairview Street and S. Jackson Street to a point at the east curb line of South Rogers Street then proceeding south to the NW corner of Original Plat Part Lot 140 then turning east to the NE corner of said lot then turning south to north side of an east west alley and then proceeding east to the intersection with a north south running alley, then proceeding south to the NW corner of Original Plat Part Lot 79 and then east along said lot line to the NE corner of said lot then south along said lot line to the north curb line of 4th Street, then turning west and proceeding to the west curb line of South Rogers Street, then south along Rogers Street to the SE corner of Original Plat N 31' of Lot 66 then west along said lot line to the north south running alley then turning north to the east west running alley then turning west and proceeding to the west curb line of South Jackson Street then turning south to the first east west running alley then turning west to a north south running alley then turning south to the north side of the West Third street curb line then proceeding east to the east curb line of Jackson Street then turning south to north side of West Prospect Street then turning east to the first north south running alley then turning south to the north curb line of West Smith Avenue then turning east across Rogers street to the first north south running alley then turning north to the SE corner of McPheeters east ½ of Lot 9 then turning west to the SW corner of said lot then turning north to the south curb line of West Prospect Street then proceeding east to the first north south running alley then turning north along said alley to the south curb line of West Third Street then turning east to the west curb line of South Madison then proceeding south across West Prospect Street, West Smith Ave, and West Howe Street to the first east west alley then turning west on said alley, to the NE corner of Seminary Pt Lot 36 then proceeding south along said lot line then west along said lo line then north to the NW corner of said lot then proceeding west across South Rogers Street along an east west running alley to a point on to the SW corner of East and Marshall Lot #17 then turning north along said lot line to the south curb line of West Howe and proceeding west to the NE corner of East and Marshall Lot #108 then turning south and proceeding on said lot line to the SE corner then turning west on said lot line and proceeding to the first north south alley then turning south to the north curb line of West Second Street then proceeding west across South Maple Street, South Euclid to the SW corner of Weaver's Lot #4 then turning north on the north south alley and proceeding to the first east west alley then turning west along said alley to the west curb line of South Walker Street, then proceeding north across West Smith Ave to the SE corner of Seminary Pt Lot 137 then proceeding west across that lot line to encompass the building and yard at 1105 West Third Street then proceeding north to the south curb line of West Third Street across South Davisson Street and South Buckner Street to a point at the SW corner of Batman Lot #21 then proceeding north along a north south alley to the NW corner of Batman Lot #20 then continuing north to the north curb line of West Fourth Street then turning west to the SW corner of Waldron Lot #50 then turning north along a north south alley and continuing to the point of beginning.

SECTION II. The properties within the Prospect Hill Conservation District all fall within a "primary areas" and shall be classified as follows:

Outstanding : 521 West 4th

Notable : 702 W 4th, 620 W 4th, 608 W 4th,,621 W 4th, 613 W 4th, 605-07 W 4th, 603-01 W 4th, 706 W 3rd, 704 W 3rd, 731 W 3rd, 518 W Howe, 601 W Howe, 312 S Waldron, 308 S Maple, 347 S Maple, 302-304 S Madison

Contributing : West Kirkwood Street: 935, 929, 921, 919, 917, 915, 907, 903, 835, 825, 823,

819, 813, 811, 803, 801, 723-27, 715, 711, 701, 621, 615-613, 607, 601, 521, 515
4th Street: 930, 926, 922, 918, 916, 914, 902, 830, 828, 824, 818, 812, 810, 806, 800, 722, 714, 704, 612, 600, 522, 520, 420, 416, 412, 410, 913, 903, 901, 827, 823, 817, 815, 717, 715, 713, 705, 701, 517, 511, 505
West Third Street : 918, 914, 910, 908, 904, 900, 824, 822 1/2, 816, 812, 724, 720, 712, 710, 708, 618, 616, 1105, 1005, 925, 917, 913, 911, 905, 811, 725, 719-719 1/2, 717-15,
West Prospect Avenue 417
West Smith Street : 520, 623, 619, 521, 509, 417
West Howe Street :1020, 1002, 930, 922, 918, 912, 908, 820, 814, 812, 808, 804, 726, 612, 606, 600, 520, 508, 412, 408, 1021, 1019, 1017, 1015, 1011, 1003, 931, 921, 917, 821, 819, 811, 807, 731, 725, 717, 521, 519, 517 1/2, 515, 509, 413, 411
West Second Street : 934, 930, 926, 912, 904, 900, 820 1/2, 812, 808, 806, 800
South Walker Street : 347, 405, 407, 503
South Davisson 308, 312, 320, 328, 334, 346, 307, 309, 321, 325, 329, 331, 333, 341, 343, 347
South Buckner 308, 312, 328, 330, 340, 344, 321, 327, 329, 341, 347
South Waldron 100, 102
South Euclid : 306, 318, 322, 328, 336, 340, 344, 400, 402, 305, 311, 317, 323, 327, 335, 339, 345, 401, 511
South Maple Street 112, 206, 210, 214, 218, 222, 224, 228, 304, 320, 336, 338, 340, 105, 111, 203, 213, 217, 219, 221, 223, 229, 313, 317, 321, 329, 331, 401, 505
South Fairview Street : 300, 306, 314, 322, 326, 328, 338, 209, 301, 305, 313, 319, 325, 329, 335, 339
South Jackson Street : 210, 306, 320, 324, 330, 334, 338, 342, 346, 213, 333, 341, 349
South Rogers Street 108, 208, 212, 402, 410, 500, 512, 105, 111, 401, 409, 501, 505, 517
South Madison : 308, 314, 320, 324, 330, 334, 338, 342, 350, 406, 500

Noncontributing:
819 ½ W Kirkwood, 501 W Kirkwood, 904 W Kirkwood, 718 W 4th, 518 W 4th, 510-500 W 4th, 907 W 4th, 835 W 4th, 833 W 4th, 801 W 4th, 519 W 4th; 814 W 3rd, 411/409 W 3rd, 410 W Smith, 519 W Smith, 1014 W Howe, 1010 W Howe, 730 W Howe, 700 W Howe, 620 W Howe, 618 W Howe, 915 W Howe, 801 W Howe; 918 W 2nd, 730 W 2nd; 722 W 2nd, 345 S Walker, 403 S Walker, 316 S Davisson, 347 1/2 S Davisson, 316 S Buckner, 322 S Buckner, 108 S Maple, 214 1/2 S Maple, 324 S Maple, 330-32 S Maple, 508 S Maple, 206 S Fairview, 212 S Fairview, 324 S Fairview, 211 S Fairview, 217 S Fairview, 225 S Fairview, 218 S Jackson, 341 1/2 S Fairview

All other properties addresses listed in Section I, but not mentioned previously in Section 2, shall be rated as "contributing."

SECTION III. Chapter 8.20 of the Bloomington Municipal Code, entitled "List of Designated Historic Districts," is hereby amended to include the "Prospect Hill Conservation District" which shall read as follows:

Prospect Hill Conservation District

SECTION IV. 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 V. 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 16th day of APRIL, 2008.

SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 17th day of APRIL, 2008

REGINA MOORE, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 17th day of APRIL, 2008.

MARK KRUZAN, 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 Prospect Hill as a conservation district. The Bloomington Historic Preservation Commission sought this action and, after a public hearing on March 13th, 2008, recommended them to the Common Council based upon certain historic and architectural criteria set forth in Title 8 (Historic Preservation and Protection). The conservation district is, in general, less restrictive than a full historic district, and only requires the review of proposals to demolish or move buildings or construct new principal or accessory buildings. It will have an initial term of three years at which time the Commission will submit a report to the Council indicating whether the residents of the district want it to continue as a conservation district, be elevated to a full historic district, or be rescinded.

Signed copies to:
Legal (10) HPC (Hiestand) file
Controller CA/CAC (3) BMC (2)
HAND Clerk