6-0-2 (Volan Speaker)
(Sandberg did not deliberate)

ORDINANCE 14-01

TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED "HISTORIC PRESERVATION AND PROTECTION" TO ESTABLISH LOCAL HISTORIC DESIGNATION OF A "CONSERVATION DISTRICT" -
Re: Matlock Heights Conservation District (Bloomington Historic Preservation Commission, 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 Commission held public hearings on February 28, 2013 for the purpose of allowing discussion and public comment on the proposed historic district designation of Matlock Heights Conservation District; and

WHEREAS, at the February 28, 2013 public hearing, the Commission held that the proposed Matlock Heights district has historic and architectural significance that merits the protection of the property as a conservation district and imposed interim protection on the properties within the proposed district (which will terminate upon adoption or rejection of this ordinance by the Council); 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 8.08.10; and

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

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 conservation district for the site is hereby approved by the Common Council, and the Matlock Heights Conservation 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 Matlock Heights Conservation District shall consist of the following addresses:

East Glendora Drive:	201, 211, 221, 301, 311, 321, 331, 401, 411, 200, 220, 400, 444;
East Gilbert Drive:	201, 211, 210, 220, 300, 310;
East Saville Avenue:	411, 410, 420;
East Vernon Avenue:	409, 410;
E. SR 45/46 Bypass:	201, 211, 221, 231, 401, 411;
North Fritz Drive:	2521, 2511, 2431, 2421, 2411, 2321, 2303, 2301, 2201, 2530, 2520, 2510, 2500, 2440, 2430, 2420, 2410, 2400, 2330, 2320, 2310, 2300, 2210, 2206;
North Martha Street:	2230, 2244, 2300, 2305, 2301, 2243, 2231;
North Laverne Drive:	2411, 2410, 2400;
North Barbara Drive:	2431, 2421, 2411, 2407, 2420, 2410, 2400;
North Dunn Street:	2421, 2411, 2401, 2341, 2331, 2321, 2311, 2301, 2211.

The boundaries of the district are further described as follows:

The area is roughly bounded on the north by the backyard property lines of parcels on north side of the 300-block of Fritz Drive and the 300 & 400 blocks of Glendora Drive, on the east by North Dunn Street, on the south by the East SR 45/46 Bypass, and on the west by North Walnut Street (with the exception of some commercially-zoned parcels at the intersection with SR 45/46).

SECTION 2. The properties within the Matlock Heights Conservation District shall be classified as indicated below:

The following properties are classified as outstanding

North Fritz Drive:	2301

The following properties are classified as Notable:

East Glendora Drive:	201
East Gilbert:	201
North Fritz Drive:	2431, 2303;
North Martha Street:	2244, 2230;
North Barbara Drive:	2431.
North Dunn Street:	2401

The following properties are classified as Contributing:

East Glendora Drive:	211, 221, 301, 311, 321, 331, 401, 411, 200, 220, 400, 444;
East Gilbert Drive:	211, 210, 300, 310;
East Saville Avenue:	411, 420;
East Vernon Avenue:	409, 410;
East SR 45/46 Bypass:	201, 211, 221, 231, 401, 411;
North Fritz Drive:	2521, 2511, 2421, 2411, 2321, 2201, 2530, 2520, 2510, 2500, 2440, 2430, 2420, 2410, 2400, 2330, 2320, 2310, 2300, 2210, 2206;
North Martha Street:	2243, 2231, 2300;
North Laverne Drive:	2411, 2410, 2400;
North Barbara Drive:	2421, 2411, 2407, 2420, 2410, 2400;
North Dunn Street:	2421, 2411, 2341, 2331, 2321, 2311, 2301; 2211.

The following properties are classified as Non-contributing:

East Gilbert Drive:	220
East Saville Avenue:	410
North Martha Street:	2305, 2301

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code entitled "List of Designated Historic Districts," is hereby amended to include the "Matlock Heights Conservation District" which shall read as follows:

Matlock Heights Conservation District (80 properties)

SECTION 4. In accordance with IC 36-7-11-19, no earlier than 180 days before the three year anniversary date of the adoption of this Ordinance, but no later than 60 days before the three year anniversary date of the adoption of this Ordinance, property owners in the Matlock Heights Conservation District shall be given the opportunity to object, in writing, to the elevation of the district to a full Historic District. If a majority of the property owners in the Matlock Heights Conservation District do not object, in writing, to said elevation, then Matlock Heights shall automatically elevate to a full historic district on the third anniversary date of the adoption of this Ordinance.

SECTION 5. 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 6. 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 19th day of FEBRUARY, 2014.

DARRYL NEHER, 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 20th day of FEBRUARY, 2014

REGINA MOORE, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 20th day of February, 2014.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the List of Designated Historic Districts in the City of Bloomington by establishing the Matlock Heights Conservation District. In recommending this designation, the Bloomington Historic Preservation Commission (Commission): conducted a survey; held public hearings; and submitted a map and accompanying report to the Council. The map describes the boundaries of the district, classifies the total number of properties within the district, and is approved by the ordinance. The report demonstrates how this district meets the necessary criteria. A conservation district is, in general, less restrictive than a full historic district, and requires only the review of proposals to demolish or move buildings, or construct new principal or accessory buildings. At end of three years after adoption of this ordinance, this conservation district will elevate into a full historic district, unless within 180 and 60 days before that date, a majority of the property owners provide the Commission with written objections to the elevation.

Signed copies to:
legal
HAND
BHPC
CA/CA
clerk (2)
BMC (2)