

*Passed 6-3
Wister
Sutcliffe
Mayer*

ORDINANCE 09-21

**TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED
"HISTORIC PRESERVATION AND PROTECTION"
TO ESTABLISH A HISTORIC DISTRICT -**

**Re: Elks Lodge #446 Located at 400 North Walnut Street
(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 public hearings on May 14 and June 11, 2009 for the purpose of allowing discussion and public comment on the proposed historic district designation of the Elks Lodge #446 located at 400 North Walnut Street; and

WHEREAS, at the June 11, 2009 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, at that same meeting the Historic Preservation Commission also placed the property under interim protection pending action by the Common Council under BMC 8.08.015."

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 property;

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 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 Elks Lodge #446 District is located at 400 North Walnut Street and is further described below:

Lot #1 (one) and also 45 (forty-five) feet off the south side of Lot #3 (three) in Bollman Place Addition

SECTION 2 The property within "The Elks Lodge #446 Historic District" shall be classified as "Notable."

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code, entitled "List of Designated Historic Districts," is hereby amended to include the "The Elks Lodge #446 Historic District" and such entry shall read as follows:

The Elks Lodge #446 400 North Walnut Street

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 4th day of NOVEMBER, 2009.



ANDY RUFF, 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 5th day of NOVEMBER, 2009.


REGINA MOORE, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 5th day of NOVEMBER, 2009.



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 The Elks Lodge #446 at 400 North Walnut as a historic district with a rating of "notable." The Bloomington Historic Preservation Commission pursued this action as a result of an application for demolition by the property owner and, after public hearings on May 14 and June 11, 2009, recommended this designation to the Common Council based upon certain historic and architectural criteria set forth in Title 8 (Historic Preservation and Protection). In the event that this ordinance is adopted, the regulations under Title 8, which are intended to preserve and protect the property, will require the Commission to review exterior modifications before they are made.

Copies to:
Legal (10)
Hand (2)
ELKS Lodge
Planning

CA/CA (2)
Clerk (2)
Code (2)