

ORDINANCE 99-35

TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE,
ENTITLED "HISTORIC PRESERVATION AND PROTECTION"
TO ESTABLISH A HISTORIC DISTRICT
Re: The Buskirk-Chumley Theatre located at 112-114 East Kirkwood Avenue
(Bloomington Area Arts Council, Petitioner)

- WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission (Commission) and established procedures for designating historic districts within the City of Bloomington; and
- WHEREAS, the Commission held a public hearing on August 12, 1999 for the purpose of allowing discussion and public comment on the proposed historic district designation of the building located at 112-114 East Kirkwood Avenue; and
- WHEREAS, at the August 12, 1999 meeting the Commission found that the building 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 a 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 has recommended local historic designation of the building located at 112-114 East Kirkwood Avenue;

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

SECTION 1. The Common Council accepts and approves the map submitted by the Historic Preservation Commission, which sets forth the proposed historic district for the property located at 112-114 East Kirkwood Avenue, and the accompanying report, which addresses the criteria supporting this designation. A copy of the map is attached to and made a part of this ordinance and a further description of the property is provided below:

Lot One Hundred Twenty two (122) of the original plat of the City of Bloomington, situated in the County of Monroe, State of Indiana and the westerly 15 feet off the west end of the southerly 47 ½ feet of Lot #121 of the original plat of the City, and an encroachment on the City right-of-way on the west side of the theater.

SECTION 2. The Common Council hereby establishes this historic district and amends Chapter 8.20 of the Bloomington Municipal Code, entitled "List of Designated Historic Districts," to include the "Buskirk-Chumley Theatre" located at "112-114 East Kirkwood Avenue."

SECTION 3. The Common Council classifies this property as "Outstanding."

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 20th day of October, 1999.

Timothy Mayer
TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 25th day of October, 1999.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 27th day of October, 1999.

John Fernandez
JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance adds the Buskirk-Chumley Theatre (formerly known as the Indiana Theatre) to the List of Designated Historic Districts within the City of Bloomington. The Historic Preservation Commission recommended this designation after investigating an application submitted by the property owner, which recently restored this property. The ordinance establishes the district and classifies the property as "Outstanding," based upon its unique significance in local culture and history, and its architectural integrity. Historic districts are regulated by the provisions of Title 8 of the BMC, which are intended to preserve and protect the structural integrity and external appearance of properties within the district.

Signed copies to:
E/MC file
Clerk

CA/CA
NANCY Hiestand (HAND)

Petitioner

The property at 112-114 East Kirkwood, also known as the "Indiana Theatre, and now the Buskirk-Chumley Theatre," qualifies for local designation under the following highlighted criteria found in Ordinance 95-20 of the Municipal Code (1) a, b and c and (2) a, e, f and g:

(1) Historic:

- a. Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history; or
- b. Is the site of an historic event; or
- e. Exemplifies the cultural, political, economic, social, or historic heritage of the community.

(2) Architecturally worthy:

- a. Embodies distinguishing characteristics of an architectural or engineering type; or
- b. Is the work of a designer whose individual work has significantly influenced the development of the community; or
- c. Is the work of a designer of such prominence that such work gains its value from the designer's reputation; or
- d. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
- e. Contains any architectural style, detail, or other element in danger of being lost; or
- f. Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood of the city or
- g. Exemplifies the built environment in an era of history characterized by a distinctive architectural style

The Indiana Theatre is considered a contributing building in the Courthouse Square Historic District, which was listed on the National Register in December of 1990. In conjunction with the restoration project, The Bloomington Area Arts Council has done extensive research on the Indiana (Buskirk-Chumley) Theatre's contribution to Bloomington history and culture. Architectural integrity is assured by the application for federal tax credits which authorizes the use of the Secretary of the Interior's Standards for Rehabilitation. The Theatre's extensive rehabilitation will be finished this year.

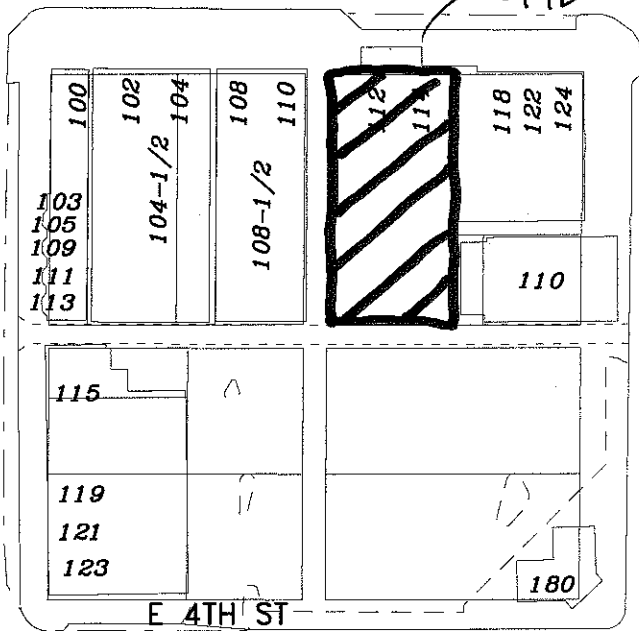
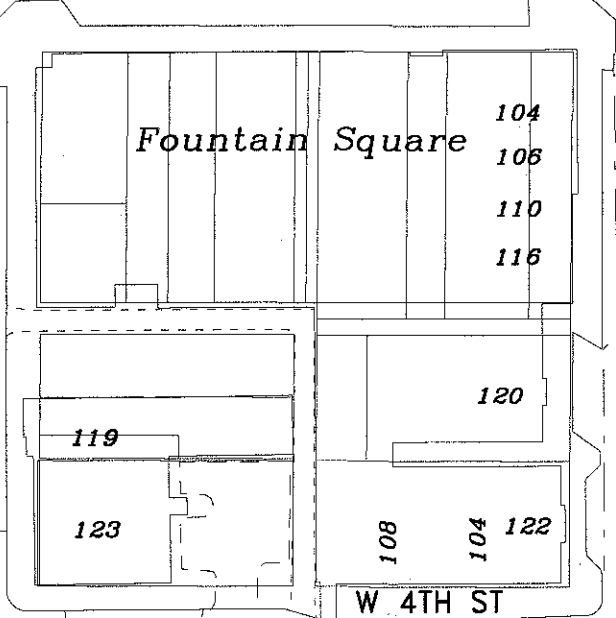
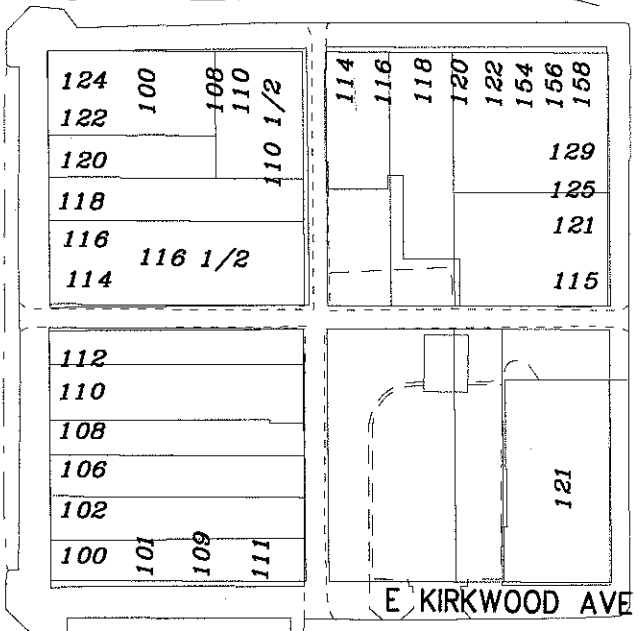
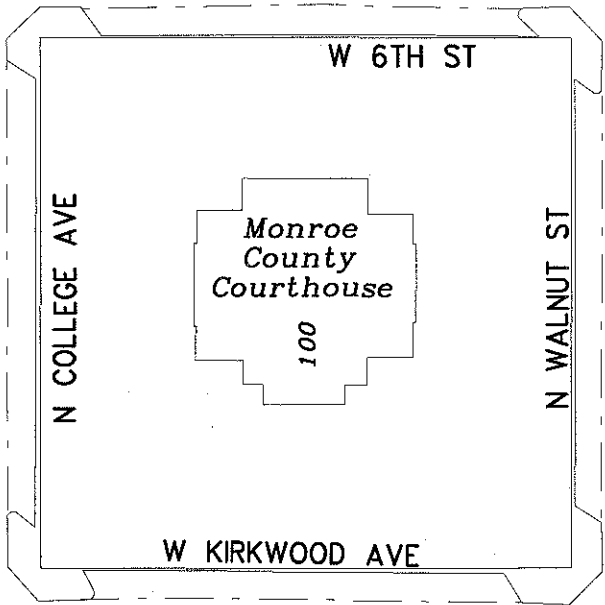
The Indiana Theatre was built in 1922 and designed for movie use, although early live performances were documented in the local papers. The owners, Harry and November Vonderschmitt, opened their first theater in Washington, Indiana in 1919 and went on to open the

Von Lee in Bloomington and several others in Bedford, Greencastle, Crawfordsville, Noblesville and Seymour. The Vonderschmitt's were prominent as local entrepreneurs and resided in the Elm Heights neighborhood, in a home designed by architect Hiram Callender. The Theatre's historic roots are intertwined with legendary artists like Hoagy Carmichael, a Bloomington native who became a world famous composer.

The building is architecturally important as an example of the Revival Style architecture favored in early twentieth century theatre construction. The Indiana Theatre façade shows the influence of both Spanish Mission and Classical styles, and displays a contemporary preference for exotic materials that were designed to be an advertisement for escape and fantasy entertainment within. As an example, the Indiana Theatre's ornamental mansard tile roof is applied only to the street façade. A utilitarian bowstring truss roof covers the theater structure. The Indiana Theater is one of two historic theater buildings still standing in the Courthouse Square district. Both are now restored. Another important theater building, The Von Lee Theater, is located at the end of Kirkwood Avenue. It was built in 1928 and designed by architect John Nichols. These are the three remaining historic theater buildings left in Bloomington.

The Indiana Theatre was donated to the Bloomington Area Arts Council by Kerasotes Theatres, Inc. It had been vacant for several years and was considered an endangered building. The resulting project, which created a performing arts venue in the restored theater, was the product of a strongly supported community effort that assembled a complex array of grants and private contributions. The enclosed Historic Preservation Certification Application (Part I) adequately documents the architectural and historic significance of the building using rigorous Park Service Criteria. The Theatre qualifies for local designation under Bloomington's local ordinance as a familiar and endangered landmark, an architectural example and as the site of historic events.

Staff recommends approval.

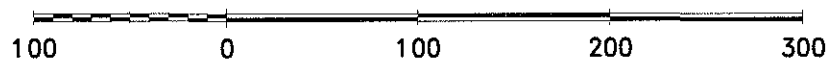


N WASHINGTON ST

S WASHINGTON ST

HD-4.98
THE BUCKKIRK CHUMLEY
THEATRE

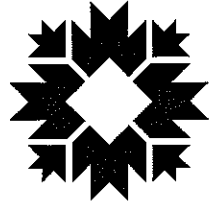
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For reference only; map information NOT warranted.

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City of Bloomington



Scale: 1" = 100'