Passed 8-0 (Sabbagh left mtng)

RESOLUTION 02-05

TO DESIGNATE AN ECONOMIC REVITALIZATION AREA (ERA)
Re: West Kirkwood Corridor from Rogers Street to Adams Street

WHEREAS, pursuant to IC 6.1.1-12.1 et. seq. and 50 IAC 10-2-2(a), the City of Bloomington, Indiana, on its own motion wishes to designate the properties located between West Kirkwood Avenue and the first alleys to the north and south of West Kirkwood Avenue, between Rogers Street and Adams Street and excluding Rose Hill Cemetery, (the "West Kirkwood Corridor"), as an "Economic Revitalization Area" ("ERA"); and

WHEREAS, the addresses of the properties to be included in the proposed ERA are: 108 N. Rogers; 105, 109, 110 and 111 N. Maple; 100 and 102 N. Waldron; 503, 504, 508, 514, 515, 520 and 521 W. Kirkwood; 601, 607, 608, 615, 620, and 621 W. Kirkwood; 701, 702, 706, 711, 714, 715, 723, 725, 726 and 727 W. Kirkwood; 800, 801, 803, 804, 808, 811, 813, 816, 819, 819 ½, 820, 822, 823, 825, 826, 830, 834, and 835 W. Kirkwood; 900, 903, 907, 914, 915, 916, 917, 919, 920, 921, 924, 928, 929, 930, 934, and 935 W. Kirkwood; 1004, 1008, 1012, 1016, 1020, 1022, 1026, 1028, and 1030 W. Kirkwood; 1100, 1112, 1114, 1116, 1124, and 1130 W. Kirkwood; 1200, 1200 ½, 1208, 1212, 1218, 1222 and 1226 W. Kirkwood, as well as any unimproved lots or partial lots without assigned addresses between West Kirkwood and the first alleys to the north and south of West Kirkwood; and

WHEREAS, 50 IAC 10-2-2 provides that a governmental unit may, on its own motion, designate an area as an ERA, and that a Statement of Benefits is not required at the time of ERA designation, but must be filed by an applicant for tax abatement in the ERA before the initiation of the redevelopment or rehabilitation of real property for which the applicant desires abatement; and

WHEREAS, the property described above is within the corporate limits of the City and has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent normal development of property or use of property; and

WHEREAS, the Common Council has approved "The Plan for West Kirkwood" (the "Plan"), a subarea plan under Bloomington's Growth Policies Plan, to encourage new commercial and residential development in the West Kirkwood Corridor that uses the forms of traditional neighborhood patterns; and

WHEREAS, the request for ERA designation has been reviewed by the Economic Development Commission, which passed Resolution 02-01 recommending that the Common Council approve the "Economic Revitalization Area" designation for said area; and

WHEREAS, to be eligible for tax abatement within the West Kirkwood Corridor ERA, projects must obtain approval from the Common Council of a Statement of Benefits prior to the initiation of the redevelopment or rehabilitation of real property for which the applicant desires abatement; and

WHEREAS, the recommendations in the Plan for projects within the West Kirkwood Corridor ERA have a reasonable relationship to the development objectives for the West Kirkwood Corridor and should be adopted as standards for projects within the ERA pursuant to Indiana Code 6-1.1-12.1-2(i)(5), and should control for projects within the West Kirkwood Corridor to the extent that they may conflict with the City of Bloomington's general tax abatement guidelines; and

WHEREAS, prior to submitting a Statement of Benefits to the Common Council, projects seeking tax abatement within the West Kirkwood Corridor ERA must be determined by the Planning Director and the Mayor's Executive Assistant for Economic Development to be in compliance with the Plan, and must obtain any

required variances from the Board of Zoning Appeals for projects brought forward before the recommendations in the Plan have been reflected in the zoning ordinance; and

WHEREAS, after approval of the Statement of Benefits by the Common Council, the applicant must, prior to March 1st of each year, provide the Monroe County Auditor and the Common Council with information showing the extent to which there has been compliance with the Statement of Benefits; and

WHEREAS, projects within the West Kirkwood Corridor ERA that comply with the Plan shall be eligible for a ten-year tax abatement;

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

SECTION 1. The Common Council finds and determines that the area described as the West Kirkwood Corridor should be designated as an "Economic Revitalization Area" as set forth in IC 6-1.1-12.1-1 et. seq.

SECTION 2. The recommendations contained in the Plan for West Kirkwood, as approved by the Common Council in Resolution 02-04, are hereby approved as standards pursuant to IC 6-1.1-12.1-2(i)(5) for the receipt of tax abatement for projects within the West Kirkwood Corridor ERA. To the extent that any provision in the City of Bloomington's general tax abatement guidelines conflict with the Plan for West Kirkwood, the provisions of the Plan for West Kirkwood shall control. As part of these standards and guidelines, the improvements described in the application shall be commenced within twelve months of the date of this designation, and the land and improvements shall be developed and used in a manner that complies with local regulations.

SECTION 3. Projects seeking tax abatement within the West Kirkwood Corridor ERA must obtain approval from the Common Council of a Statement of Benefits prior to the initiation of the redevelopment or rehabilitation of real property for which the applicant desires abatement. Prior to submitting a Statement of Benefits to the Common Council, the project must be determined by the Planning Director and the Mayor's Executive Assistant for Economic Development to be in compliance with the Plan, and must obtain any required variances from the Board of Zoning Appeals for projects brought forward before the recommendations in the Plan have been reflected in the zoning ordinance.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 20th day of February, 2002.

Chris Gaal

CHRIS GAAL, President
Bloomington Common Council

SIGNED and APPROVED by me upon this 21st day of February, 2002.

JOHN FERNANDEZ, Mayor
City of Bloomington

ATTEST:

Regina Moore

REGINA MOORE, Clerk
City of Bloomington

SYNOPSIS

This resolution designates the properties located between West Kirkwood Avenue and the first alleys to the north and south of West Kirkwood Avenue, between Rogers Street and Adams Street and excluding Rose Hill Cemetery, as an "Economic Revitalization Area" to allow approval of ten-year tax abatements for projects that meet the criteria of the Plan for Kirkwood Avenue, a subarea plan under the Growth Policies Plan. The Plan is intended to encourage new commercial and residential development in the forms of traditional neighborhood patterns. Indiana Law permits local governments to predesignate areas as "Economic Revitalization Areas," in which property taxes may be abated on the improvements to real estate for a period from one to ten years. Prior to the initiation of a project seeking abatement in the ERA, the Common Council must approve a statement of benefits regarding the project, and the Planning Director and Mayor's Executive Assistant for Economic Development must determine that the project complies with the Plan. This is the first of two resolutions that must be adopted by the Council before this area may be designated as an ERA.

Signed Copies to:

Ec Dev	Legal (5)	MC Auditor	MC Assessor
Controller	HAND	MC Treasurer	CA/CA
		MC Recorder	FILE