Passed: 6-2 (PC, PC)
(T. Pizzo abstained)

RESOLUTION 99-27

TO CONFIRM RESOLUTION 99-26 WHICH DESIGNATED AN ECONOMIC REVITALIZATION AREA (ERA)
Re: 500 and 550 Landmark Avenue
(Rogers Property Management, LLP, Petitioner)

WHEREAS, Petitioner has filed an application for designation of the property located at 500 and 550 Landmark Avenue as an "Economic Revitalization Area"; and

WHEREAS, the application has been reviewed by the Planning Department, and the Economic Development Commission has passed a resolution recommending to the Common Council the approval of the "Economic Revitalization Area" designation for said property and for said term of years; and

WHEREAS, petitioners seeking designation for their property as an Economic Revitalization Area must complete a Statement of Benefits and must, prior to March 1st of each year, provide the county Auditor and the Common Council with information showing the extent to which there has been compliance with the Statement of Benefits; and

WHEREAS, the Common Council has investigated the area and reviewed the Application and Statement of Benefits, which are attached to Resolution 99-26, and found the following:

A. the estimate of the value of the redevelopment or rehabilitation is reasonable;
B. the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation;
C. the estimate of the annual salaries of these individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation;
D. the redevelopment or rehabilitation has received approval from the Planning Department, is consistent with the Growth Policies Plan, is expected to be developed and used in a manner that complies with local code, and provides housing in the downtown area; and
E. the totality of benefits is sufficient to justify the deduction; and

WHEREAS, the property described above has experienced a cessation of growth; and

WHEREAS, in order meet its construction schedule, the Petitioner notified the City of its intention to commence construction before the Common Council has taken final action on the ERA designation;

WHEREAS, on September 8, 1999 the Common Council adopted Resolution 99-26, which designated the above property as an "Economic Revitalization Area" and waived the statutory requirement that the petitioner commence the redevelopment after the Council authorizes the ERA designation, and published a notice of the passage of that resolution, which requested that persons having objections or remonstrances to the designation appear before the Common Council at its Special Session on September 22, 1999; and

WHEREAS, the Common Council has reviewed and heard all such objections and remonstrances to such designation;

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

1. The Common council hereby affirms its determination made in Resolution 99-26 that the area described above is an "Economic Revitalization Area" as set forth in Indiana Code 6-1.1-12.1-1 et. seq.; the Common Council further finds and determines that the owner of the property shall be entitled to a deduction from the assessed value of the property for a period of ten (10) years if the property is rehabilitated or redeveloped pursuant to I.C. 6-1.1-12.1-3.

2. In granting this designation and deduction the Council is also expressly exercising the power set forth in I.C. 6-1.1-12.1-2(I)(5) to impose reasonable conditions on the rehabilitation or redevelopment. Failure of the property owner to make reasonable efforts to comply with these following conditions are additional reasons for the Council to rescind this designation and deduction:

a. the improvements described in the application shall be commenced (defined as obtaining a building permit and actual start of installation) within twelve months of the date of this designation; and

b. the land and improvements will be developed and used in a manner that complies with local code.

3. Pursuant to I.C. 6-1.1-12.1-11.3 the Common Council waives certain statutory requirements. In particular, the Common Council waives the requirement that it designate the property as an Economic Revitalization Area (ERA) prior the initiation of the redevelopment.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 22nd day of September, 1999.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor on this 23rd day of September, 1999.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 25 day of September, 1999.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This resolution affirms the determination of the Common Council expressed in Resolution 99-26, which designated the property located at 500 and 550 Landmark Avenue as an "Economic Revitalization Area" (ERA) for a period of ten (10) years and waived the statutory requirement that the Council grant the ERA designation before the redevelopment has been initiated. In accordance with state law, the Common Council will hold a legally advertised public hearing for the purpose of receiving public comment on this legislation before taking final action on it.

Signed copies to
MC Auditor
MC Assessor
Mayor Office
Petitioner