Passed: 9-0

ORDINANCE 94-02

TO DESIGNATE AN ECONOMIC DEVELOPMENT TARGET AREA (EDTA)
Re: 303 and 309 E. 7th Street and 312 N. Lincoln
(CFC, Inc., Petitioner)

WHEREAS, Indiana Code §6-1.1-12.1-7 authorizes the Common Council to designate an area as an Economic Development Target Area; and

WHEREAS, statutory criteria (IC 6-1.1-12.1-7(a)) require that an area so designated must be an area that:

(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvement or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevented a normal development of property or use of property; or

(2) is designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under Indiana Code §36-7-11, 36-77-11.1 or 14-3-3.2; or

(3) encompasses buildings, structures, sites or other facilities that are:

(A) listed on the national register of historic places under the National Historic Preservation Act of 1966; or

(B) listed on the register of Indiana historic sites and historic structures; or

(C) determined to be eligible for listing on the Indiana register by the state historic preservation officer;

and

WHEREAS, the request to designate the above-described area as an Economic Development Target Area alleges that the property is impossible or undesirable for normal development and is based upon IC 6-1.1-12.1-7(a)(1); and

WHEREAS, the City of Bloomington Economic Development Commission considered the request of CFC, Inc. to designate the area commonly known as part of 303 and 309 E. 7th and 312 N. Lincoln Streets, Bloomington, Indiana, as a Economic Development Target Area at a public hearing held on December 13, 1993; and

WHEREAS, the Economic Development Commission, by a vote of 3-0, recommends that the Common Council designate the above-described area as an Economic Development Target Area in compliance with Indiana Code §6-1.1-12.1-7(a)(1) recited above. A copy of Resolution 93-04 of the Economic Development Commission is attached hereto and incorporated herein;

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

SECTION I. The area commonly known as 303 and 309 E. Seventh and 312 N. Lincoln, described in Exhibit A attached hereto and incorporated herein, is hereby designated as an Economic

Development Target Area under the authority of Indiana Code §6-1.1-12.1-7(a)(1).

SECTION II. The favorable recommendation of the Economic Development Commission shall be attached hereto and made a part hereof.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 19th day of January, 1994.

JIM SHERMAN, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20th day of January, 1994.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by the me upon this 20th day of January, 1994.

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance designates parts of the area commonly known as the 303 and 309 E. Seventh and 312 N. Lincoln Streets, in Bloomington, Indiana, as an Economic Development Target Area (EDTA). Such designation is an optional step in the process of obtaining tax abatement that offers a somewhat broader range of uses than what are available under an Economic Revitalization Area (ERA). Since these properties have already been given preliminary designation as an ERA (in Res 93-31), the next and final step for the Council relating to this tax abatement request will be consideration of a resolution reconfirming that action.

Signed copies to
legal
BAC/CFC.

CITY OF BLOOMINGTON
DEPARTMENT OF REDEVELOPMENT
PROPERTY TAX ABATEMENT PROGRAM

Staff Report on Application for Designation
as an
Economic Development Target Area

1. Description of Property

In Lot Numbered Three Hundred Thirty-eight (338) in the City of Bloomington, Indiana, as shown by the plat thereof recorded at page 4 of Plat Book 1 in the office of the Recorder of Monroe County, Indiana.

ALSO, A part of In Lot Numbered Three Hundred Thirty-seven (337), in the City of Bloomington, Indiana, as shown by the plat thereof recorded at page 4 of Plat Book 1 in the office of the Recorder of Monroe County, Indiana, being the Westerly Ninety-two (92) feet of even width off of said In Lot Three Hundred Thirty-seven (337).

Also, A part of said In Lot Numbered Three Hundred Thirty-seven (337), being the Easterly Forty (40) feet of even width off of said In Lot Three Hundred Thirty-seven (337), in the City of Bloomington, Indiana, as shown by the plat thereof recorded at page 4 of Plat Book 1 in the office of the Recorder of Monroe County, Indiana.

2. Owner-Applicant

CFC, Inc., 405 North Rogers, Bloomington, IN 47404
Officers of the Corporation:
President: Steve L. Ferguson
405 North Rogers, Bloomington
Vice President: James E. Murphy
405 North Rogers, Bloomington
Treasurer: Robert Doty
219 Fountain Square, Bloomington

3. Proposed Development

Construct 10 two-bedroom condominimums, 1,440 square feet each, on the northeast corner of East 7th and North Lincoln Streets.

4. Public Improvements Needed or Required

None

5. Estimate of Yearly Property Tax Revenues to be Abated

See attached chart.

6. Would the Granting of Such a Designation be in Accordance with Existing City Policies?

See attached Planning Report

Reder. Resolution 93-30

TAX ABATEMENT CALCULATIONS FOR REAL PROPERTY

FOR: CFC

Using 1992 payable 93 Tax Rate and A.V. Estimates

Nov-93

Improvements	1,467,000	Current A.V.	17,730
Rate	33.33%	From State. Benefit	
Est. Assessed Value from "Statement of Benefits":	489,000	Blgtn City 1993Tax Rate:	.103168
Blgtn City 1993Tax Rate:	.103168	Property Tax Payable:	1,829
Property Tax Payable:	50,449		

3 YEAR TAX ABATEMENT			Petitioner's T. A. Payment	Current Value Payment
Year	Percentage	Deduction		
1	100.00%	50,449	0	1,829
2	66.67%	33,634	16,815	1,829
3	33.33%	16,815	33,634	1,829
Total Abatement		100,898	50,449	5,488

6 YEAR TAX ABATEMENT				
Year	Percentage	Deduction		
1	100%	50,449	0	1,829
2	85%	42,882	7,567	1,829
3	66%	33,296	17,153	1,829
4	50%	25,225	25,225	1,829
5	34%	17,153	33,296	1,829
6	17%	8,576	41,873	1,829
Total Abatement		177,581	125,114	10,975

10 YEAR TAX ABATEMENT				
Year	Percentage	Deduction		
1	100%	50,449	0	1,829
2	95%	47,927	2,522	1,829
3	80%	40,359	10,090	1,829
4	65%	32,792	17,657	1,829
5	50%	25,225	25,225	1,829
6	40%	20,180	30,269	1,829
7	30%	15,135	35,314	1,829
8	20%	10,090	40,359	1,829
9	10%	5,045	45,404	1,829
10	5%	2,522	47,927	1,829
Total Abatement		249,723	254,768	18,292

MEMO

TO: Council

FROM: Tim Mueller, Planning

SUBJECT: Zoning Approved, CFC Townhouses

DATE: November 2, 1993

CFC proposes to build 10 townhouse units on the northeast corner of E. 7th and N. Lincoln. The zoning is RM, which would permit 5.97 units on the 17,424 s.f. (0.4 acres). The proposed 10 units could be accommodated by rezoning to RH and PUD designation, which permits up to 25 units/acre.

CFC has asked for staff comments in advance of filing a petition for rezoning. The PUD format allows consideration of both the density and the conceptual plan:

Rezoning for Higher Density:

In general, policy has been not to rezone for higher density in the older student neighborhoods. There is a great deal of developer pressure for more density, and considerable community resistance to it. If this rezoning is to be supported, it must be distinguished from the run-of-the-mill petition which simply seeks to extract more opportunity from the student market.

The project is different and consideration can be justified. The architecture is attractive and compatible, and the expressed intent is to market as condos to family owner occupants. CFC has been asked to come up with a means of assuring the owner occupancy and limiting the number of unrelated adults permitted in each unit, perhaps deed restrictions (excluding any low cost rental set aside).

If this issue can be resolved, the concept of higher density zoning can be supported by the Planning Department.

Site Plan:

The Planning staff takes issue with one aspect of the site plan which is an integral part of the PUD proposal. The plan has driveways for six garages in the front yard along Lincoln. The effect is that most of the setback and tree plot area will be pavement. Desirable trees will be lost in both the tree plot and front yard, and all curbside parking will be displaced. This instance by itself is of limited impact on streetscape, parking, and traffic. However, we cannot support this particular site plan feature as one that we would be willing to accept on other site plans along Lincoln or in this area in general. The streetscape should remain primarily green.

Drives, in general, should be limited and one drive should serve a number of parking spaces. There may be a design alternative which satisfies these staff concerns. However, CFC will ask for consideration of this site plan.

In sum:

1. The Planning Department supports the architectural concept and density.
2. This support is contingent upon formalized assurance of the proposed occupancy characteristics; not submitted to date.
3. The Planning Department does not support the site plan as submitted.

APPLICATION TO THE ECONOMIC DEVELOPMENT COMMISSION

CITY OF BLOOMINGTON

REQUESTING DESIGNATION AS AN ECONOMIC DEVELOPMENT TARGET AREA

1. OWNERSHIP:

   A. Name and address of Applicant/Owner:

   CFC, Inc.
   405 North Rogers
   Bloomington, IN 47404
   (812) 332-0053

   B. Percentage owned by Applicant: 100%

   C. Names of Partners: Not applicable

   D. Officers of Corporation:

   President: Stephen L. Ferguson
   405 North Rogers
   Bloomington, IN 47404
   (812) 332-0053

   Vice President: James E. Murphy
   405 North Rogers
   Bloomington, IN 47404
   (812) 334-1750

   Treasurer: Robert Doty
   219 Fountain Square
   Bloomington, IN 47401
   (812) 336-7100

2. PROPERTY DESCRIPTION:

   A. Street Address:

   303 East Seventh, 309 East Seventh, and 312 North Lincoln, Bloomington, IN

   B. Legal Description:

   In-lots 337 and 338, more fully described in the legal description attached hereto as Exhibit A

3. CURRENT STATUS OF PROPERTY:

   A. Current zoning designation: Moderate Density Residential

Anticipated zoning changes: Rezoning for PUD, high density residential.

B. Current improvements to the property: None

C. Current Use of the Property: None

Names of the businesses currently operating: NA

Current number of jobs: NA

D. Current Market Value of Land and Improvements:

Current Market Value: $200,000.00

Property Tax Assessment for 1991 paid in 1992: $1,936.94

See attached Exhibit B for more detail

E. Unique Historical Structural Improvements: None

4. PROPOSED IMPROVEMENTS:

A. Construct ten two bedroom condominiums of 1,440 square feet.

Projected Cost: $1,467,000.00

B. Sketches of finished project attached as Exhibit C

C. Public Improvements and Costs: None

D. Start Date: As soon as all approvals obtained

Completion Date: Nine months after start date

E. Petitioner expects that approximately 30 jobs will be created, for both skilled and unskilled workers, including, contractors, construction workers, plumbers, electricians, etc. The jobs created by the proposed project will be filled by local individuals, firms and companies.

Petitioner also expects that many other jobs will be created to support the businesses that provide services to the owners of the condominium housing. Petitioner anticipates that purchasers of this housing will work and shop in the downtown area.

F. The condominiums will create a different type of downtown housing than most other downtown housing projects,

bringing owner-occupants into the downtown area. The density of the project will further the goal of bringing more individuals into the downtown area, reversing the residential flow to the suburbs and the consequential flow of business to the suburbs. The residents of the condominiums will shop, eat, bank, transact business and spend money in the downtown area. This will help support businesses in the downtown area and encourage new business to move to the downtown.

Other property owners in the City of Bloomington will benefit directly from the increased assessed value of the redeveloped property because the assessed value of the condominiums will be much higher than the existing land. Furthermore, the City will benefit from the improved appearance of the property and the broader tax base.

Petitioner does not believe that the proposed project will have any detrimental economic effect on the City.

ELIGIBILITY:

A. Reasons why project qualifies as Economic Development Target Area:

The project site qualifies as an Economic Development Target Area and Economic Revitalization Area because the lack of development, cessation of growth, deterioration of improvement, age, obsolescence and substandard buildings have impaired property values and prevented the normal development and use of the property.

B. Employees:

30 construction and trade jobs, salaries and benefits not known by Applicant.

C. Statement of Benefits attached as Exhibit D.

I hereby certify that the representations made in this application are true and I understand that if the above improvements are not commenced (defined as obtaining a building permit and actual start of construction) within 12 months of the date of the designation of the above area as an Economic Development Target Area, the Bloomington Common Council shall have the right to void such designation.

OWNER

CFC, Inc.

By: James E. Murphy
James E. Murphy, Vice President

Date: Aug. 4, 1993

bacville: c:\wp51\corporat\lincedta.wp

EXHIBIT A

In Lot Numbered Three Hundred Thirty-eight (338) in the City of Bloomington, Indiana, as shown by the plat thereof recorded at page 4 of Plat Book 1 in the office of the Recorder of Monroe County, Indiana.

ALSO, A part of In Lot Numbered Three Hundred Thirty-seven (337), in the City of Bloomington, Indiana, as shown by the plat thereof recorded at page 4 of Plat Book 1 in the office of the Recorder of Monroe County, Indiana, being the Westerly Ninety-two (92) feet of even width off of said In Lot Three Hundred Thirty-seven (337).

ALSO, A part of said In Lot Numbered Three Hundred Thirty-seven (337), being the Easterly Forty (40) feet of even width off of said In Lot Three Hundred Thirty-seven (337), in the City of Bloomington, Indiana, as shown by the plat thereof recorded at page 4 of Plat Book 1 in the office of the recorder of Monroe County, Indiana.

EXHIBIT B

<u>312 North Lincoln</u>
Duplicate No. 013-45280-00
Description: In-Lot 338, Bloomington Township
Land: $2,530.00
Improvements: $10,600.00
Property Tax Assessment for 1991 payable in 1992: $1,072.16

<u>303 East Seventh</u>
Duplicate No. 013-36810-00
Description: In-Lot 337, Bloomington Township
Land: $2,530.00
Improvements: $7,130.00
Property Tax Assessment for 1991 payable in 1992: $ 788.82

<u>309 East Seventh</u>
Duplicate No. 013-02450-00
Description: In-Lot 337, Bloomington Township
Land: $930.00
Improvements: $0.00
Property Tax Assessment for 1991 payable in 1992: $ 75.96

FORM SB - 1

STATEMENT OF BENEFITS

State Form 27167 (R3 / 11-91)
Form SB - 1 is prescribed by the State Board of Tax Commissioners, 1989
The records in this series are CONFIDENTIAL according to IC 6-1.1-35-9

INSTRUCTIONS:

1. *This statement must be submitted to the body designating the economic revitilization area prior to the public hearing if the designating body requires info mation from the applicant in making its decision about whether to designate an Economic Revitilization Area. Otherwise this statement must be submitte to the designating body BEFORE a person installs the new manufacturing equipment, or BEFORE the redevelopment or rehabilitation of real property lc which the person wishes to claim a deduction. A statement of benefits is not required if the area was designated an ERA prior to July 1, 1987 and th "project" was planned and committed to by the applicant, and approved by the designating body, prior to that date. "Projects" planned or committed to aft July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)*
2. *Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitatior or prior to installation of the new manufacturing equipment, BEFORE a deduction may be approved.*
3. *To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PP, New Machinery, must be filed with the county auditor. Wit respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessmer is received from the township assessor. Form 322 ERA / PP must be filed between March 1 and May 15 of the assessment year in which new manufac turing equipment is installed, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 an June 14 of that year.*
4. *Property owners whose Statement of Benefits was approved after July 1, 1991 must submit Form CF - 1 annually to show compliance with the Statement c Benefits. (IC 6-1.1-12.1-5.6)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: CFC, Inc.

Address of taxpayer *(street and number, city, state and ZIP code)*: 405 North Rogers Street, Bloomington, IN 47404

Name of contact person: Theodore J. Ferguson, Cynthia A. Williams

Telephone number: (812) 332-2113

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: Bloomington City Council

Resolution number:

Location of property: 303-& 309 E. 7th, 312 N. Lincoln, Bloomington

County: Monroe

Taxing district: Bloomington

Description of real property improvements and / or new manufacturing equipment to be acquired *(use additional sheets if necessary)*: Ten two-bedroom condominiums of 1,440 square feet

Estimated starting date: as soon as approvals are acquired

Estimated completion date: Nine months after start date.

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
None	None	None	None	30	733,500.00

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	Real Estate Improvements		Machinery	
	Cost	Assessed Value	Cost	Assessed Value
Current values	$ 53,000	$ 17,730		
Plus estimated values of proposed project	1,467,000	~~244,499~~ - 489,970		
Less values of any property being replaced	53,000	17,730		
Net estimated values upon completion of project	1,467,000	244,499		

SECTION 5 — OTHER BENEFITS PROMISED BY THE TAXPAYER

Not applicable.

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed *(month, day, year)*
James E. Murphy	President	Nov. 2, 1993

RESOLUTION 93-4

WHEREAS, Indiana Code §6-1.1-12.1-7 specifies that an economic development target area may be designated by the Common Council after a favorable recommendation by an economic development commission; and

WHEREAS, the Bloomington Economic Development Commission at the request of the petitioner, CFC, Inc., held a public hearing on December 13, 1993, to consider CFC, Inc.'s application for a economic development target area designation of an area located at 303 and 309 E. Seventh Street, and 312 N. Lincoln, in the City of Bloomington, Indiana; and

WHEREAS, the Commission has determined after the public hearing that the application falls within the statutory qualifications in Indiana Code §6.1.1-12.1-7 and has voted approval of the designation;

NOW THEREFORE, BE IT RESOLVED by the Bloomington Economic Development Commission that the Commission recommendation to the City of Bloomington Common Council that an ordinance be passed designating the above described location as an economic development target area.

PASSED this 13th day of December, 1993.

vice President

Secretary

Member

Member

Member