

A Resolution confirming the approving order of the Fort Wayne Plan Commission and Fort Wayne Redevelopment Commission Resolution 2020-12 concerning Amendment 1 to the Riverfront I Columbia Street Economic Development Area

WHEREAS, pursuant to the provisions of the Redevelopment of Blighted Areas Act of 1981, P.L. 309 and 310 of Acts of 1981 of the General Assembly of the State of Indiana, as amended and supplemented, on February 10, 2020, the Fort Wayne Redevelopment Commission adopted Declaratory Resolution 2020-12, attached hereto as Exhibit A, for the purpose of amending the Riverfront I Columbia Street Economic Development Area and tax allocation area ("EDA"); and

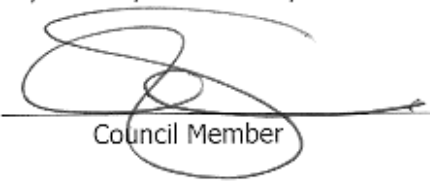
WHEREAS, on February 17, 2020, the Fort Wayne Plan Commission considered said Declaratory Resolution 2020-12 and the plan for redevelopment of the EDA attached thereto and issued its Findings of Fact and Resolution, attached hereto as Exhibit B, whereby said Plan Commission determined that the plan for redevelopment of the EDA conformed to the plan for development of the City of Fort Wayne;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

Section 1. The approvals of the Fort Wayne Redevelopment Commission and Fort Wayne Plan Commission described herein are hereby approved, ratified and confirmed.

Section 2. The geographic area described in the redevelopment plan attached to Declaratory Resolution 2020-12 is an economic development area as defined at IC 36-7-14 et seq.

Section 3. This Resolution shall be in full force and effect from and after its passage and approval by the Fort Wayne Common Council and by the Mayor of the City of Fort Wayne.



Council Member

APPROVED as to form and legality



Carol Helton, City Attorney

RESOLUTION 2020-12
FORT WAYNE REDEVELOPMENT COMMISSION

DECLARATORY RESOLUTION FOR AMENDMENT 1
TO THE RIVERFRONT I COLUMBIA STREET REDEVELOPMENT PROJECT AREA
AND ECONOMIC DEVELOPMENT AREA

WHEREAS, on July 11, 2016, and September 12, 2016, respectively, the Fort Wayne Redevelopment Commission (the "Commission") adopted Declaratory Resolution 2016-40 and Confirmatory Resolution 2016-68 establishing the Riverfront I Columbia Street Economic Development Area (the "EDA") and tax allocation area (the "Allocation Area"), which Allocation Area is coterminous with the boundaries of the EDA; and

WHEREAS, Declaratory Resolution 2016-40 established a base date of July 11, 2016, and a term of 25 years for the Allocation Area of the EDA; and

WHEREAS, a private developer approached the Commission with plans for a mixed-use development that includes a public parking facility that would serve the EDA and areas outside the EDA (the "Project") on that portion of the EDA that is legally described in Exhibit A of attached Attachment 1 (the "Premier Allocation Area"); and

WHEREAS, the cost of constructing the Project will require the incremental tax revenue generated by the Project; and

WHEREAS, four years of the 25-year term of the initial Allocation Area have elapsed; and

WHEREAS, re-establishing the base date of the Premier Allocation Area as January 1, 2020, will provide the Project-generated incremental tax revenue for the 25-year term of the Premier Allocation Area; and

WHEREAS, the Commission has investigated the existing public infrastructure in and serving the Premier Allocation Area, and has prepared a redevelopment plan that will construct or reconstruct the public infrastructure necessary to support the Project and serve adjoining developable real estate in the EDA; and

WHEREAS, the Commission's commitment to redevelopment of the EDA requires the amendment of the Allocation Area pursuant to Indiana Code 36-7-14 et seq. in order to fund the local public improvements that will support the Project;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Redevelopment Commission that:

1. The foregoing recitals are true and are incorporated herein and made a part hereof.
2. All provisions of Commission Declaratory Resolution 2016-40 not amended herein shall remain in full force and effect, and except as amended herein, the redevelopment plan for the EDA, entitled *Riverfront I Columbia Street Economic Development Area* (the "Redevelopment Plan"), as adopted by Commission Resolutions 2016-40 and 2016-68, shall remain in full force and effect.

3. The Premier Allocation Area, as depicted and described in attached Attachment 1, is hereby removed from the Allocation Area, and reestablished in the same location as a new allocation area within the EDA with a base date of January 1, 2020.
4. The Redevelopment Plan is hereby supplemented and amended by the redevelopment plan for the Premier Allocation Area, titled *Redevelopment Plan for Amendment 1 to the Riverfront / Columbia Street Economic Development Area* (the "Premier Allocation Area Redevelopment Plan"), attached hereto as Attachment 1.
5. Pursuant to IC 36-7-14-41(b), the Commission hereby determines that the EDA as originally established and with the amendments proposed herein is an "economic development area" as that term is defined in IC 36-7-14 et seq. in that:
 - A. The Premier Allocation Area Redevelopment Plan:
 1. *Promotes significant opportunities for the gainful employment of its citizens*, in that The Premier Allocation Area Redevelopment Plan supports Riverfront development, which was a key focus area of the original Redevelopment Plan. Riverfront is a district that will attract or create many new jobs and attract residents through a walkable, active, and attractive urban setting;
 2. *Attracts a major new business enterprise to the City of Fort Wayne ("City") or retains or expands a significant business enterprise existing in the boundaries of the City*, in that insufficient available parking is a significant barrier for businesses interested in locating downtown. Construction of a parking garage as part of the Project will in significant part address this barrier to business attraction and retention;
or
 3. *Meets other purposes of this section and IC 36-7-14-2.5 and IC 36-7-14-43*, in that the Project is the highest and best use of land given the Premier Allocation Area's location in the heart of the Riverfront district. The Project will benefit the public health, safety, morals, and welfare, and increase the economic well-being of the City and the State. The Premier Allocation Area Redevelopment Plan satisfies the requirements under IC 36-7-14-2.5 and IC 36-7-14-43 in all respects.
 - B. The Premier Allocation Area Redevelopment Plan cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under this section and IC 36-7-14-2.5 and IC 36-7-14-43 because of:
 1. *Lack of local public improvement*, in that, historically, the industrial uses in the EDA did not require the amount of vehicular parking now required by recent and proposed residential, commercial, and public uses. Consequently, parking is now undersupplied in the EDA. The situation will be exacerbated as more residents, businesses, and visitors locate and spend time in and near the EDA;
 2. *Existence of improvements or conditions that lower the value of the land below that of nearby land*, in that a surface parking lot currently occupies the Premier Allocation Area. Surface parking is an underutilization of space in this location, given the amenities surrounding the Premier Allocation Area and the substantial levels of proposed public and private investment;
 3. *Multiple ownership of land*, in that the Commission owns the real estate in the Premier Allocation Area, and it is likely that redevelopment of the Premier Allocation Area would include its conveyance to one or more private entities; or

4. *Other similar conditions*, in that the high cost of constructing structured parking facilities in this area means exceptionally long financial recovery, which makes it difficult for the private sector to construct structured parking facilities through the ordinary operation of private enterprise. Without the Commission's support in providing adequate parking, development and economic growth in the EDA will be impaired.
- C. *The public health and welfare will be benefited by accomplishment of the plan for the Premier Allocation Area*, in that establishing the Premier Allocation Area with a base date of January 1, 2020, will facilitate redevelopment of underutilized parcels in the Premier Allocation Area. It will promote private investment and development, thereby providing new tax revenue, residences, and jobs in a walkable area served by existing infrastructure. Such development is efficient, beneficial, and sustainable from fiscal, social, and environmental perspectives.
- D. The accomplishment of the plan for the Premier Allocation Area will be a public utility and benefit as measured by:
 1. *The attraction or retention of permanent jobs*, in that preliminary estimates for the type of development proposed for the site include on-site employment for more than 180 people. In addition to these jobs, an influx of employees and residents will benefit nearby businesses and promote development of other amenities, providing additional local economic growth;
 2. *An increase in the property tax base*, in that all real estate within the Premier Allocation Area is owned by the Commission and, therefore, does not generate tax revenue. High-density downtown development such as the type proposed for the Project typically generates the highest per-square-foot tax revenue in a city, at much lower per-capita infrastructure costs than suburban development;
 3. *Improved diversity of the economic base*, in that a strategically located parking garage will serve numerous developable sites, thereby creating opportunities for and eliminating barriers to new development of various scales and uses; or
 4. *Other similar public benefits*; in that positive spillover effects beyond the boundaries of the Premier Allocation Area are anticipated due to the Premier Allocation Area's proximity to several developable sites. Increases in property values, rents, business activity, and overall investment will occur due to the increased activity and vibrancy created by the Project. Additional parking will also support and promote growth in downtown festivals and events.
- E. *The plan for the Premier Allocation Area conforms to other development and redevelopment plans for the City*, in that the Premier Allocation Area Redevelopment Plan is supported by numerous City policies and plans, including the Comprehensive Plan. Compliance with existing policies, zoning and land use are described in Section VII of the Premier Allocation Area Redevelopment Plan.
6. The Premier Allocation Area Redevelopment Plan is hereby approved, subject to any amendments to it that the Commission may approve in a resolution either confirming, or amending and confirming this Resolution.
7. Pursuant to IC 36-7-14-15(a):

- A. The land area described in the Premier Allocation Area Redevelopment Plan is an area in the territory under the Redevelopment Commission's jurisdiction that is in need of redevelopment.
 - B. The public health and welfare will be benefited by amendment of Declaratory Resolution 2016-40 and the Premier Allocation Area Redevelopment Plan.
8. Pursuant to IC 36-7-14-15(a)(4) and IC 36-7-14-15(d), the Commission, having prepared the Premier Allocation Area Redevelopment Plan declares that:
- A. The Premier Allocation Area Redevelopment Plan is reasonable and appropriate when considered in relation to the existing resolution or plan and the purposes of IC 36-7-14, as the Premier Allocation Area falls entirely within the existing EDA;
 - B. The existing resolution or plan, with the amendments proposed by the Premier Allocation Area Redevelopment Plan conforms to the comprehensive plan for the unit;
 - C. It will be of public utility and benefit to amend the existing resolution or plan for the area; and
 - D. Any additional area to be acquired under the Premier Allocation Area Redevelopment Plan is designated as part of the existing redevelopment project area and EDA for purposes of IC 36-7-14.
9. The general boundaries of the Premier Allocation Area are described in the Premier Allocation Area Redevelopment Plan attached hereto as Attachment 1.
10. The Commission does not at this time intend to acquire any real estate within the boundaries of the Premier Allocation Area; however, the Commission will, through its Department of Redevelopment, acquire real estate as required to implement the Premier Allocation Area Redevelopment Plan.
11. As provided by IC 36-7-14-39(a), IC 36-7-14-39(b) and IC 36-7-14-43(a)(6), the entire area included in the boundary description in the Premier Allocation Area Redevelopment Plan is an allocation area as that term is defined in, and qualifies for the allocation and distribution of property taxes pursuant to IC 36-7-14-39.
12. Adoption of the allocation provision in this Resolution will result in new property taxes in the Premier Allocation Area that would not have been generated but for the adoption of the allocation provision, because the Project, which will generate significant annual property tax revenue, would not be developed but for the public improvements financed through recaptured tax increment.
13. Pursuant to IC 36-7-14-39(a)(1), "base assessed value" as used in this Resolution means:
- A. The net assessed value of all the property as finally determined for the assessment date immediately preceding the effective date of the allocation provision of this Resolution, as adjusted under IC 36-7-14-39(h); plus

- B. To the extent that it is not included in subsection (A), the net assessed value of property that is assessed as residential property under the rules of the Indiana Department of Local Government Finance, as finally determined for any assessment date after the effective date of the allocation provision.
14. Pursuant to IC 36-7-14-39(b), after the date of adoption of a resolution that confirms the establishment of the Premier Allocation Area, any property taxes levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the Premier Allocation Area shall be allocated and distributed as follows:
- A. Except as otherwise provided in this section, the proceeds of the taxes attributable to the lesser of:
 - 1. The assessed value of the property for the assessment date with respect to which the allocation and distribution is made; or
 - 2. The base assessed value,shall be allocated to and, when collected, paid into the funds of the respective taxing units.
 - B. The excess of the proceeds of the property taxes imposed for the assessment date with respect to which the allocation and distribution is made that are attributable to taxes imposed after being approved by the voters in a referendum or local public question conducted after April 30, 2010, not otherwise included in subsection (A) shall be allocated to and, when collected, paid into the funds of the taxing unit for which the referendum or local public question was conducted.
 - C. Except as otherwise provided in this section, property tax proceeds in excess of those described in subsections (A) and (B) shall be allocated to the City's redevelopment district and, when collected, paid into the allocation fund established for the Premier Allocation Area that may be used by the Commission only to do one (1) or more of the following:
 - 1. Pay the principal of and interest on any obligations payable solely from allocated tax proceeds which are incurred by the City's redevelopment district for the purpose of financing or refinancing the redevelopment of the Premier Allocation Area.
 - 2. Establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in the Premier Allocation Area.
 - 3. Pay the principal of and interest on bonds payable from allocated tax proceeds in the Premier Allocation Area and from the special tax levied under IC 36-7-14-27.
 - 4. Pay the principal of and interest on bonds issued by the City to pay for local public improvements that are physically located in or physically connected to the Premier Allocation Area.
 - 5. Pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in the Premier Allocation Area.
 - 6. Make payments on leases payable from allocated tax proceeds in the Premier Allocation Area under IC 36-7-14-25.2.
 - 7. Reimburse the City for expenditures made by it for local public improvements (which include buildings, parking facilities, and other items described in IC 36-7-14-25.1(a)) that are physically located in or physically connected to the Premier Allocation Area.
 - 8. Reimburse the City for rentals paid by it for a building or parking facility that is physically located in or physically connected to the Premier Allocation Area under any lease entered into under IC 36-1-10.

9. For property taxes first due and payable before January 1, 2009, pay all or a part of a property tax replacement credit to taxpayers in the Premier Allocation Area as determined by the Commission. This credit equals the amount determined under the following STEPS for each taxpayer in a taxing district (as defined in IC 6-1.1-1-20) that contains all or part of the Premier Allocation Area:
 - a. STEP ONE: Determine that part of the sum of the amounts under IC 6-1.1-21-2(g)(1)(A), IC 6-1.1-21-2(g)(2), IC 6-1.1-21-2(g)(3), IC 6-1.1-21-2(g)(4), and IC 6-1.1-21-2(g)(5) (before their repeal) that is attributable to the taxing district.
 - b. STEP TWO: Divide:
 1. That part of each county's eligible property tax replacement amount (as defined in IC 6-1.1-21-2 (before its repeal)) for that year as determined under IC 6-1.1-21-4 (before its repeal) that is attributable to the taxing district; by
 2. The STEP ONE sum.
 - c. STEP THREE: Multiply:
 1. The STEP TWO quotient; times
 2. The total amount of the taxpayer's taxes (as defined in IC 6-1.1-21-2 (before its repeal)) levied in the taxing district that have been allocated during that year to an allocation fund under this section.

If not all the taxpayers in the Premier Allocation Area receive the credit in full, each taxpayer in the Premier Allocation Area is entitled to receive the same proportion of the credit. A taxpayer may not receive a credit under this section and a credit under IC 36-7-14-39.5 (before its repeal) in the same year.

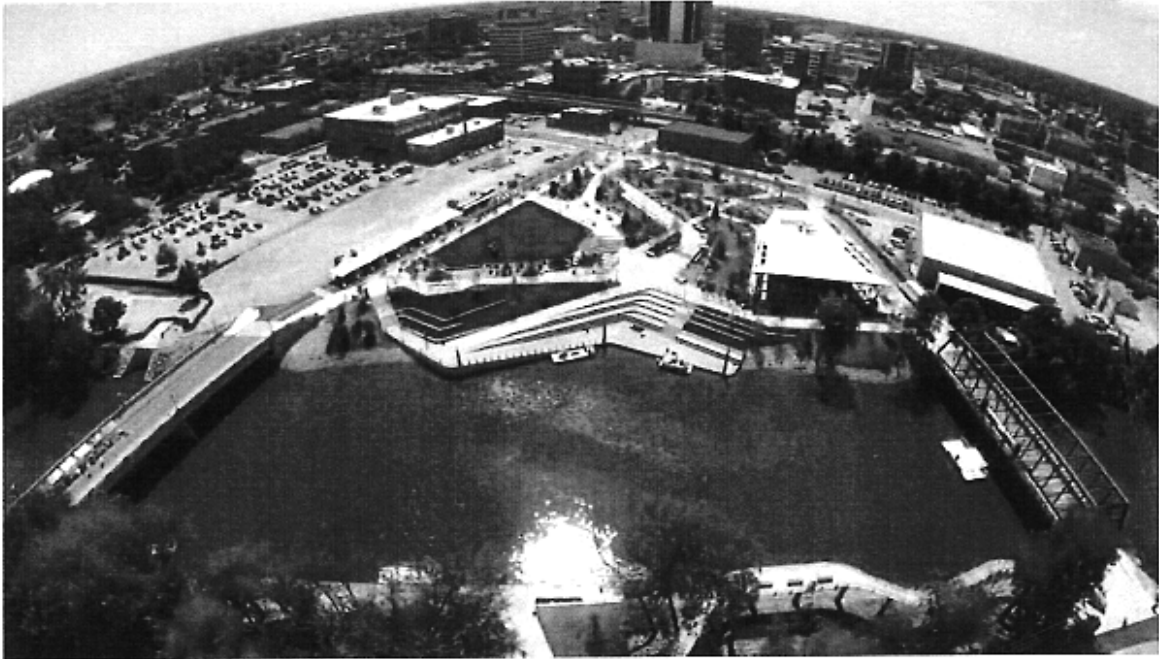
10. Pay expenses incurred by the Commission for local public improvements that are in the Premier Allocation Area or serving the Premier Allocation Area. Public improvements include buildings, parking facilities, and other items described in IC 36-7-14-25.1(a).
11. Reimburse public and private entities for expenses incurred in training employees of industrial facilities that are located:
 - a. In the Premier Allocation Area; and
 - b. On a parcel of real property that has been classified as industrial property under the rules of the Indiana Department of Local Government Finance;however, the total amount of money spent for this purpose in any year may not exceed the total amount of money in the allocation fund that is attributable to property taxes paid by the industrial facilities described in this section. The reimbursements under this subsection must be made within three (3) years after the date on which the investments that are the basis for the increment financing are made.
12. Pay the costs of carrying out an eligible efficiency project (as defined in IC 36-9-41-1.5) within the City. However, property tax proceeds may be used under this subsection to pay the costs of carrying out an eligible efficiency project only if those property tax proceeds exceed the amount necessary to do the following:
 - a. Make, when due, any payments required under subsections (1) through (11) above, including any payments of principal and interest on bonds and other obligations payable under this section, any payments of premiums under this section on the redemption before maturity of bonds, and any payments on leases payable under this section.
 - b. Make any reimbursements required under this section.
 - c. Pay any expenses required under this section.
 - d. Establish, augment, or restore any debt service reserve under this section.

13. Expend money and provide financial assistance as authorized in IC 36-7-14-12.2(a)(27).
- D. The allocation fund shall not be used for operating expenses of the Commission.
15. Pursuant to IC 36-7-25-3(a), projects, improvements, or purposes that may be financed by the Commission in redevelopment project areas or economic development areas may be financed if the projects, improvements, or purposes are not located in those areas or the redevelopment district as long as the projects, improvements, or purposes directly serve or benefit those areas.
16. Pursuant to IC 36-7-14-39(b), the allocation provision in this Resolution shall expire on the later of:
 - A. Twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds, or lease rentals on leases, payable from tax increment revenues; or
 - B. Twenty-five (25) years after the date of adoption of a resolution confirming, or amending and confirming this Resolution (the "Confirmatory Resolution").
17. Following adoption of this Resolution, the Executive Director shall deliver a copy of this Resolution and Premier Allocation Area Redevelopment Plan to the City's Plan Commission for its review and determination as to whether the Resolution and Premier Allocation Area Redevelopment Plan conform to the plan of development for the City, and shall request that the Plan Commission issue its written order approving the Resolution and Premier Allocation Area Redevelopment Plan.
18. Following receipt of the Plan Commission's written approving order, the Executive Director shall deliver the approving order together with this Resolution and Premier Allocation Area Redevelopment Plan to the City's Common Council, and shall request that the Council issue its written order approving the additional area as part of the existing redevelopment project area and approving the Resolution and Premier Allocation Area Redevelopment Plan.
19. Following receipt of the Common Council's written approving order, the Executive Director shall publish notice of the adoption and substance of this Resolution together with notice of a public hearing to be held by the Commission in accordance with IC 5-3-1, IC 36-7-14-17(a) and IC 36-7-14-17(b), and shall mail the notices required by IC 36-7-14-17(c). In the event this resolution amends an existing redevelopment area, the Executive Director shall mail the notices required by IC 36-7-14-17.5(a) and IC 36-7-14-17.5(b) as required.

(signature page follows)

ATTACHMENT 1

**REDEVELOPMENT PLAN FOR
AMENDMENT 1 TO THE
RIVERFRONT | COLUMBIA STREET
ECONOMIC DEVELOPMENT AREA**

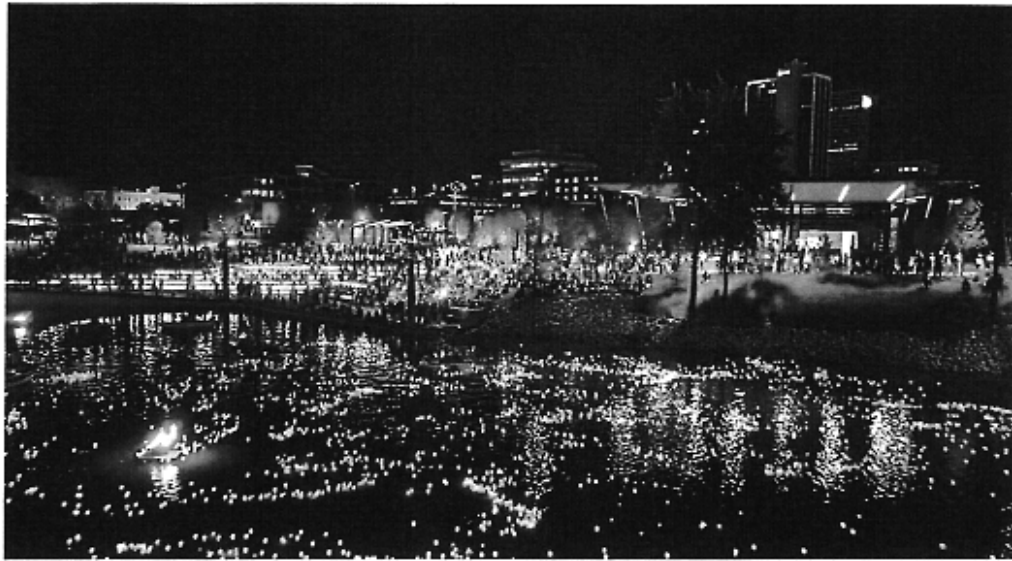


City of Fort Wayne Redevelopment Commission

February 10, 2020



REDEVELOPMENT COMMISSION



I. OVERVIEW

The Riverfront I Columbia Street Economic Development Area (the “EDA”) was established in 2016 to “build upon, assist and support the City’s efforts to support Riverfront development, redevelopment of The Landing, and redevelopment of Superior Lofts.” These goals have been substantially addressed and have catalyzed other public-private partnerships within the EDA, such as revitalization of the 202 Metro building, construction of the Boutique Hotel, and relocation and planned reuse of the Baltes/Cambray building. Several commercial tenants have moved into other buildings in the EDA primarily through private sector activity, further illustrating the catalytic nature of strategic downtown investment.

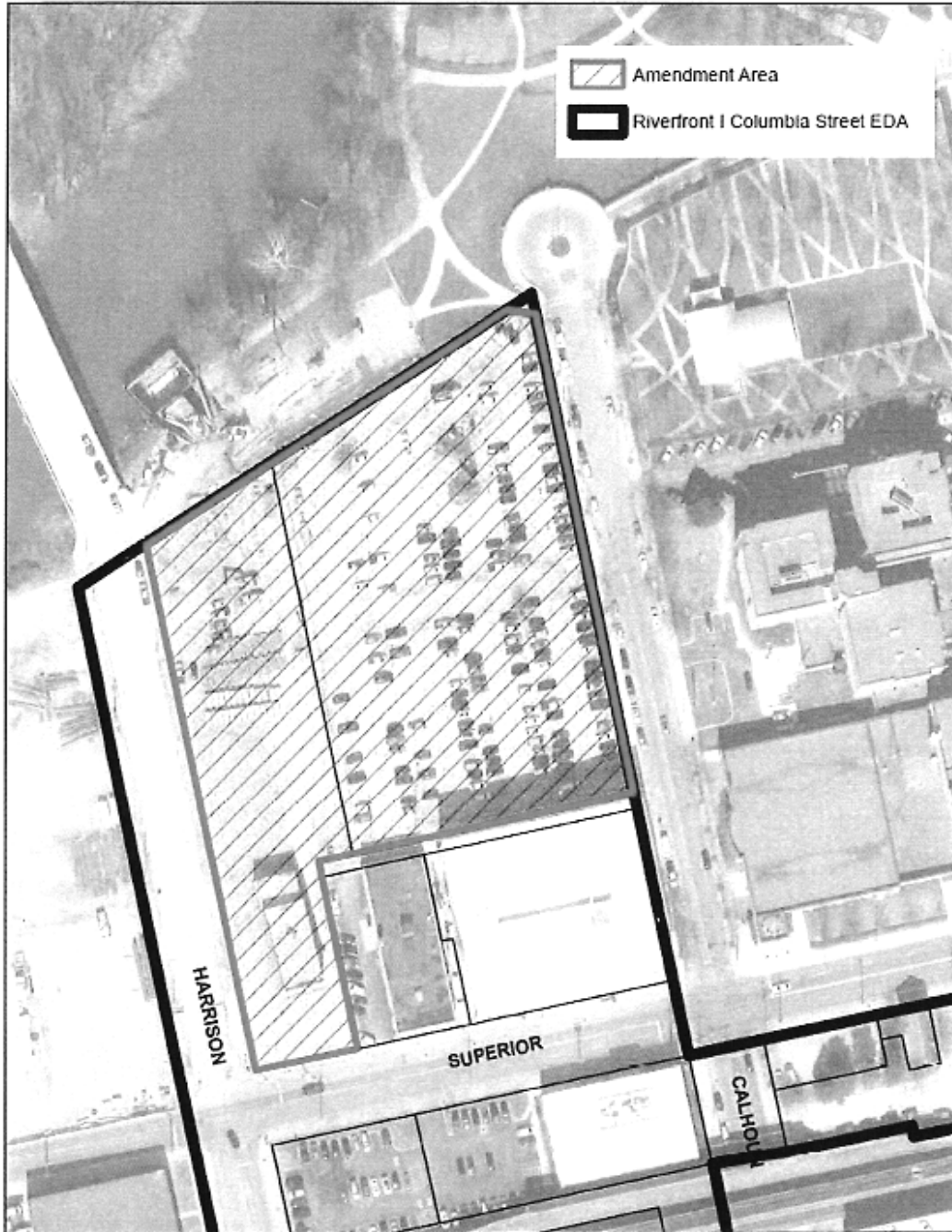
Several of the aforementioned projects partially or completely replaced existing surface parking lots, or were constructed without additional parking, leading to a shortage of vehicular parking spaces in the EDA. The anticipated need for additional parking was described in the 2016 redevelopment plan for the EDA, which called for “construction of a parking garage structure in a strategic location to serve the three focal points.” Although the need for additional parking was anticipated, the pace and scale of development and redevelopment in the EDA has moved the need for additional parking to the present timeframe.

The 3.44-acre site bounded generally by the St. Marys River on the north, and Superior, Calhoun, and Harrison Streets on the other sides, depicted on the following page 3 and described in attached [Exhibit A](#) (the “Amendment Area”), is advantageously located for a public parking structure. It has sufficient land area to accommodate a parking garage, and is centrally located to serve present and future residents, employees and visitors. The site is also large enough to integrate residential and commercial uses into the project, thereby encouraging the type of active urban environment envisioned for downtown Fort Wayne.

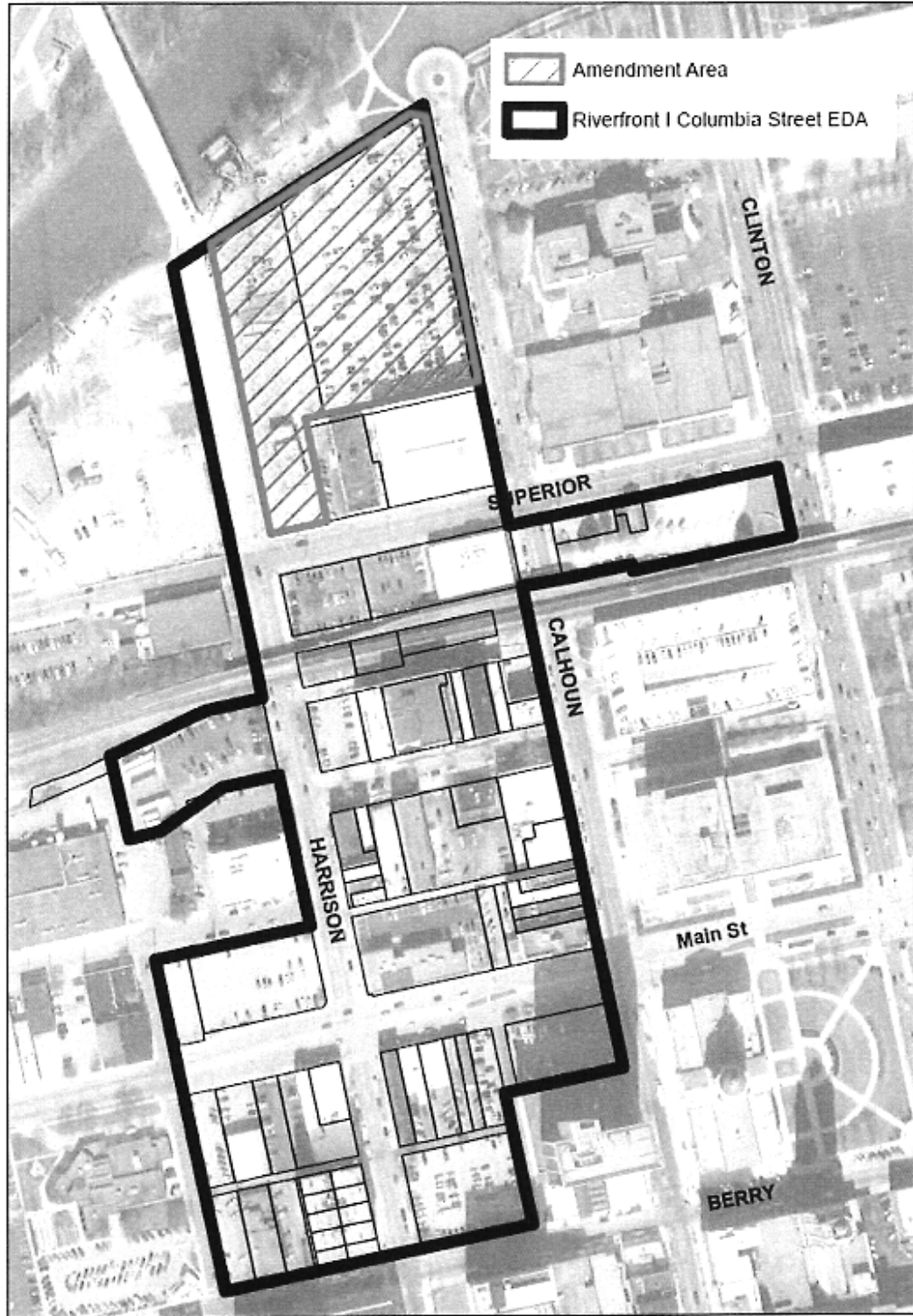
This Amendment 1 to the EDA supports construction of a parking structure in the Amendment Area by utilizing incremental tax revenue from the tax allocation provision in the Amendment Area, as outlined in the Resolution to which this redevelopment plan is an attachment.

II. BOUNDARY DESCRIPTION OF THE AMENDMENT AREA

The Amendment Area is comprised of two parcels at the north end of the Riverfront I Columbia Street EDA, both of which parcels are owned by the Fort Wayne Redevelopment Commission. The west parcel is vacant and the east parcel is a surface parking lot. The Amendment Area is depicted on the map below and described in attached [Exhibit B](#).



The Amendment Area is shown on the map below in relation to the entire Riverfront I Columbia Street EDA.



III. REAL PROPERTY WITHIN THE AMENDMENT AREA

The Fort Wayne Redevelopment Commission, through its Department of Redevelopment, owns all real property within the Amendment Area. The Commission acquired the west parcel in 2017 and the east parcel in 2019. General property information is contained in attached [Exhibit B](#).

IV. REDEVELOPMENT PROJECT SUMMARY

This Amendment 1 to the EDA is necessitated by a proposed redevelopment project in the Amendment Area. It is anticipated that the project will include construction of a mixed-use high-density residential and commercial structure wrapping a multi-level parking garage. The Redevelopment Commission determined that its support of the parking structure in the project would require the maximum 25 years of incremental tax revenue available under Indiana law.

V. RELOCATION OF RESIDENTS AND BUSINESSES

No relocation of residents and businesses is necessary to redevelop the Amendment Area.

VI. ENVIRONMENTAL CONCERNS

Extensive environmental testing has been completed in the Amendment Area. The west parcel has been fully remediated, and a Comfort Letter issued by Indiana Brownfields has been received for the eastern parcel. Additional remedial activities on the east parcel, if any, will be determined by site layout and proposed uses.

VII. COMPREHENSIVE PLAN, LAND USE, AND ZONING

Comprehensive Plan. The importance of downtown Fort Wayne is evident throughout the City's comprehensive plan. Most specifically, Objective ED 5 from the Economic Development Chapter of the comprehensive plan states that the community should "Treat downtown Fort Wayne as one of the most important economic development locations," and "aggressively pursue the strategies" of the City's Blueprint plans.

The comprehensive plan supports economic incentives on infill sites, especially those with exceptional challenges. In particular, Land Use Policy LU3.B recommends that "Within the...Infill Opportunity Area..., [the City] establish and/or expand economic incentives to promote revitalization and redevelopment in areas served by adequate existing infrastructure." This is aptly applicable to the Amendment Area.

Land Use & Zoning. The Amendment Area is in the Downtown Core ("DC") zoning district. The DC district encompasses most of the City's downtown area and includes the highest-density areas in the greater Allen County region. Projects in the DC district should promote an active, attractive, and pedestrian-friendly environment while maintaining the unique and historic character of the downtown. The proposed multi-story mixed-use building with structured parking in the Amendment Area is a permitted and supported use in the DC zoning district.

VIII. EXISTING PUBLIC INFRASTRUCTURE

The Amendment Area is located within the downtown core and is adjacent to and served by a multitude of existing infrastructure. The project site has been identified for several years as a prime location for high-density development, so anticipated infrastructure requirements have either been addressed or plans have been proposed to address them when required. This includes the need to address the growing deficit in vehicle parking demand.

IX. FLOODPLAIN AND WETLANDS

Portions of the Amendment Area are in the regulatory 100-year floodplain. Any structure built in the Amendment Area will be required to comply with relevant floodplain regulations. A map showing the general boundaries of the regulatory floodplain in the Amendment Area is in attached Exhibit C.

X. POTENTIAL REDEVELOPMENT PROJECTS

The identified or proposed improvements to public infrastructure contained in the 2016 redevelopment plan (with the exception of “façade improvements to historic buildings,” which is not applicable to the Amendment Area) will support redevelopment of the Amendment Area and are reproduced here in their entirety.

Potential Project Activities contained in Declaratory Resolution 2016-40:

- Pedestrian amenities such as streetscapes, walkways, river promenade/boardwalk along the St. Marys River, public piers, docks or decks along the St. Mary’s River. May also include an identity or water feature, lighting and handicapped access;
- Construction of a public parking garage structure in a strategic location to serve the three (3) focal points (Riverfront, Superior Lofts, and The Landing);
- Other related improvements that may be necessary in accordance with the project’s final design;
- Professional design engineering and consulting services for the project.

XI. PROPERTY TO BE ACQUIRED

The Redevelopment Commission owns all property within the Amendment Area, and no additional real estate is proposed to be acquired.

XII. FUNDING PRIORITIES

The Commission will, at its sole discretion, determine funding priorities based on Allocation Area revenue, other resources, and specific project requirements, among other considerations.

EXHIBIT A

LEGAL DESCRIPTION OF THE AMENDMENT AREA

Tract I:

Parcel I:

Lots Numbered 574 and 575, except the East 30 feet of the South 164 feet of Lot Number 575, in Hanna's Addition to the City of Fort Wayne, according to the plat thereof, as recorded in Deed Record C, page 525 in the Office of the Recorder of Allen County, Indiana, and that portion of the south 1/2 of vacated Clair Street adjacent on the North as vacated by General Ordinance No. G 03-98.

Excepting therefrom:

That portion of vacated Clair Street (formerly Eureka Street and Locust Alley) deeded to the City of Fort Wayne by instrument recorded as Instrument No. 980007073.

The above described tract includes that part of alley opened by Declaratory Resolution Number 504-1924 and vacated by Circuit Order 109, pages 434-435.

Parcel II:

A non-exclusive easement for vehicular access for the benefit of Parcel I as created by Grant of Easement for Vehicular Access dated January 13, 1998, recorded February 4, 1998 as Document Number 980007072, over and across the following described real estate:

Commencing at the Northwesterly corner of Calhoun Street and Superior Street; thence Northwesterly, along the Westerly right-of-way line of Calhoun Street, a distance of 583.00 feet to the point of intersection of the Southerly right-of-way line of Clair Street with the Westerly right-of-way line of Calhoun Street, thence Northwesterly by a deflection angle to the left of 68 degrees 33 minutes 21 seconds, along the Southerly right-of-way line of Clair Street, a distance of 25.14 feet, thence Southwesterly by a deflection angle to the left of 42 degrees 04 minutes 45 seconds, along the Southerly right-of-way line of Clair Street, a distance of 286.01 feet to the point of beginning for this description; thence continuing Southwesterly, along the last described course and being the Southerly right-of-way line of Clair Street, a distance of 83.10 feet to the Easterly right-of-way line of Harrison Street; thence Northwesterly by a deflection angle to the right of 110 degrees 45 minutes 59 seconds, along the Easterly right-of-way line of Harrison Street and Northwesterly projection of said right-of-way line, a distance of 24.40 feet to a point on a regular curve to the left, thence Northeasterly by a deflection angle to the right of 53 degrees 16 minutes 35 seconds, along the chord of said regular curve to the left, having a radius of 14.50, a chord distance of 10.91 feet, a length of 11.19 feet and a central angle of 44 degrees 12 minutes 28 seconds to the point of tangency; thence Northeasterly by a deflection angle to the left of 22 degrees 06 minutes 14 seconds a distance of 30.70 feet to the point of curvature of a regular curve to the right; thence Northeasterly by a deflection angle to the right of 31 degrees 23 minutes 11 seconds, along the chord of said regular curve to the right, having a radius of 40.50, a chord distance of 42.19 feet, a length of 44.37 feet and a central angle of 62 degrees 46 minutes 23 seconds to the point of reverse curvature; thence Northeasterly by a deflection angle to the right of 13 degrees 50 minutes 59 seconds, along the chord of a regular curve to the left, having a radius of 4.50, a chord distance of 2.71 feet, a length of 2.75 feet and a central angle of 35 degrees 04 minutes 25 seconds; thence Southeasterly by a deflection angle to the right of 72 degrees 27 minutes 47 seconds a distance of 25.00 feet; thence Southeasterly by a deflection angle to the right of 30 degrees 59 minutes 47 seconds a distance of 26.41 feet to the point of beginning for this description, containing 1.08 acres of land, more or less.

Tract II:

Lot number 577 in the plat of Hanna's Addition to the Town, now City of Fort Wayne, Indiana, as recorded in Deed Book 1, Pages 703 and 704, in the Office of the Recorder of Allen County, Indiana.

EXHIBIT B

REAL PROPERTY IN THE AMENDMENT AREA

Property	PIN	Area	Owner	Address	Use	Land Assessed Value	Improvement Assessed Value	Gross Assessed Value	Taxable Assessed Value
East Parcel	02-12-02-254-011.001-074	2.22 acres	Department of Redevelopment	412 S. Calhoun St.	Parking Lot	\$390,200	\$36,500	\$426,700	\$0
West Parcel	02-12-02-254-010.000-074	1.22 acres	Department of Redevelopment	124 W. Superior St.	Vacant	\$159,200	\$41,400	\$200,600	\$0

Note: Assessed values for the 2019 pay 2020 fiscal year are displayed. An approximately 223 square foot section of the East Parcel was split from the parcel when it was conveyed to Redevelopment in 2019. This real estate is not included in the Amendment Area.

EXHIBIT C

FLOODPLAIN MAP OF THE AMENDMENT AREA



**RESOLUTION AND APPROVING ORDER
CITY OF FORT WAYNE PLAN COMMISSION**

**APPROVING REDEVELOPMENT COMMISSION
DECLARATORY RESOLUTION 2020-12
FOR AMENDMENT 1 TO THE
RIVERFRONT 1 COLUMBIA STREET
ECONOMIC DEVELOPMENT AREA**

WHEREAS, on February 10, 2020, the Fort Wayne Redevelopment Commission ("Redevelopment Commission") adopted Declaratory Resolution 2020-12, for the purpose of amending the tax allocation area of the Riverfront I Columbia Street Economic Development Area; and

WHEREAS, pursuant to IC 36-7-14-16, the Redevelopment Commission submitted the Declaratory Resolution together with the redevelopment plan and related support documents to the Fort Wayne Plan Commission ("Plan Commission") for the Plan Commission's consideration; and

WHEREAS, after having been duly considered, the Plan Commission determined that the Declaratory Resolution, redevelopment plan and related support documents conform to the plan of development for the City of Fort Wayne;

NOW, THEREFORE, BE IT RESOLVED by the City of Fort Wayne Plan Commission that:


1. Redevelopment Commission Declaratory Resolution 2020-12, together with the redevelopment plan and related support documents attached thereto, conform to the plan of development for the City of Fort Wayne, and are hereby approved.
2. The Secretary of the Plan Commission is authorized to deliver to the Redevelopment Commission and to the City of Fort Wayne Common Council a copy of this fully executed Resolution, which shall constitute the approving order of the Plan Commission.

APPROVED AND ADOPTED by the Plan Commission at its Business Meeting on FEB 17, 2020.

CITY OF FORT WAYNE PLAN COMMISSION



Connie Haas Zuber, President



Kimberly R. Bowman, Secretary



COMMUNITY DEVELOPMENT REDEVELOPMENT

Thomas C. Henry, Mayor

City of Fort Wayne
Community Development
200 East Berry Street, Suite 320
Fort Wayne, IN 46802

260-427-2150 fwcommunitydevelopment.org

February 20, 2020

MEMO

To: City of Fort Wayne Common Council

Copy: City of Fort Wayne Redevelopment Commission

From: Nancy Townsend, Redevelopment Director, 427-2323

Re: **Amendment 1 to the Riverfront 1 Columbia Street Economic Development Area and tax allocation area**

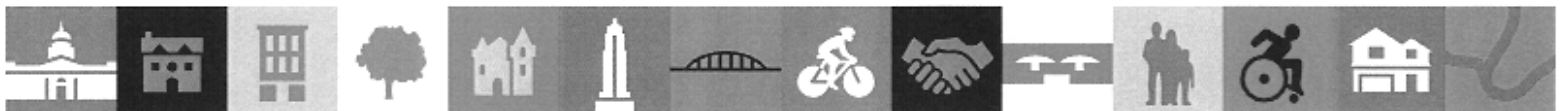
Pursuant to IC 36-7-14-16 and IC 36-7-14-41, please find enclosed herewith:

1. Fort Wayne Redevelopment Commission Declaratory Resolution 2020-12, together with the associated redevelopment plan and related documents that were approved by the Redevelopment Commission on February 10, 2020, for the purpose of amending the Riverfront I Columbia Street Economic Development Area; and
2. The Fort Wayne Plan Commission's Findings of Fact and Resolution dated February 17, 2020, wherein the Plan Commission determined that Declaratory Resolution 2020-12 and the redevelopment plan conform to the plan of development of the City of Fort Wayne.

The Redevelopment Commission hereby requests that the Common Council consider and approve the approvals of the Fort Wayne Redevelopment Commission and Fort Wayne Plan Commission, and that the Common Council determine that the geographic area described in Declaratory Resolution 2020-12 is a new allocation area within the Riverfront I Columbia Street Economic Development Area.

Following the Common Council's consideration and approval, the Redevelopment Commission will conduct a public hearing on establishment of the proposed economic development area, and will take appropriate action to confirm the Declaratory Resolution and redevelopment plan.

Vibrant. Prosperous. Growing.



DIGEST SHEET

TITLE OF RESOLUTION. A Resolution confirming the approving order of the Fort Wayne Plan Commission and Fort Wayne Redevelopment Commission Resolution 2020-12 concerning Amendment 1 to the Riverfront I Columbia Street Economic Development Area.

DEPARTMENT REQUESTING RESOLUTION. Redevelopment Commission.

SYNOPSIS OF RESOLUTION. Approves Amendment 1 to the Riverfront I Columbia Street Economic Development Area ("EDA"). The Redevelopment Commission must publish notice and conduct a public hearing prior to taking final action on creation of the EDA.

EFFECT OF PASSAGE. The existing Riverfront I Columbia Street EDA was established in 2016 to "build upon, assist and support the City's efforts to support Riverfront development, redevelopment of The Landing, and redevelopment of Superior Lofts" These goals have been substantially addressed and have catalyzed other public and private investments in the EDA. However, these projects have also led to a localized shortage of vehicular parking. This need was anticipated in the 2016 redevelopment plan, which called for "construction of a parking garage in a strategic location to serve the three focal points."

Addressing this critical infrastructure need will likely require the full 25 years of Project-generated tax increment capture. However, four years have elapsed in the term of the EDA. Re-establishing the EDA for ONLY the project site with a base date of January 1, 2020, would maximize site-generated tax increment thereby limiting the usage of other public funds. As proposed, only the base date of the project site would be changed. No other changes to the geography or base date of the EDA are proposed.

EFFECT OF NON-PASSAGE. If not approved, the public improvements planned for the EDA would require a significantly higher level of public funding from other sources, which could undermine the feasibility of the project and exacerbate parking issues within the EDA.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS). There are no direct costs associated with amending the EDA. Activities such as the expansion, construction, or reconstruction of public infrastructure will likely be necessary for the successful redevelopment of the area, as detailed in the attached Redevelopment Plan. These activities could be funded and/or financed in part through tax increment generated within the EDA.

ASSIGNED TO COMMITTEE (PRESIDENT). _____

BILL NO. R-20-02-26

REPORT OF COMMITTEE ON FINANCE

March 3, 2020

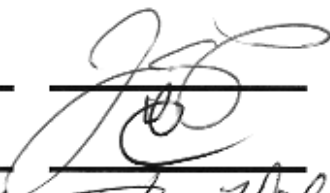
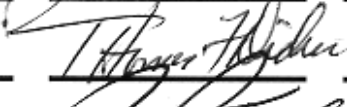



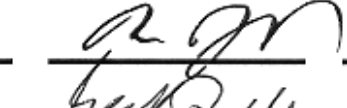


Sharon Tucker Chair

Jason Arp Co-Chair

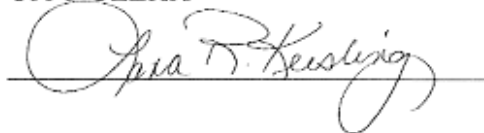
All Council Members

A Resolution confirming the approving order of the Fort Wayne Plan Commission and Fort Wayne Redevelopment Commission Resolution 2020-12 concerning Amendment 1 to the Riverfront I Columbia Street Economic Development Area

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilperson Tucker.

Read the second time by title and referred to the Finance Committee.

Read the third time in full and on motion by Councilperson Tucker, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: March 10, 2020


LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-20-02-26 on the 10th day of March, 2020

ATTEST:

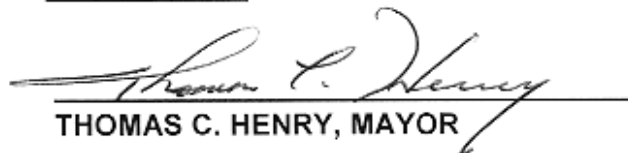

LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th of March 2020, at the hour of 10:00 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 11th day of MARCH 2020, at the hour of 10:00 o'clock AM E.S.T.


THOMAS C. HENRY, MAYOR

FORT WAYNE, INDIANA
RECEIVED
MAR 11 2020
LANA R. KEESLING
CITY CLERK