

1 **BILL NO. R-25-08-37**

2 RESOLUTION NO. R - 40-25

3
4 **A RESOLUTION AMENDING RESOLUTION R-106-15**
5 **ESTABLISHING A MUNICIPAL RIVERFRONT DEVELOPEMNT**
6 **PROJECT TO BE KNOWN AS THE "DOWNTOWN DINING**
7 **DISTRICT" IN THE CITY OF FORT WAYNE**

8 WHEREAS, Resolution R-106-15 Section 1 amended adding a new Exhibit
9 "A", Downtown Dining District Boundaries; and

10 WHEREAS, Resolution R-106-15 Section 2 amended adding a new Exhibit
11 "B", Formal Written Commitment.

12 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL**
13 **OF THE CITY OF FORT WAYNE, INDIANA:**

14 Section 1. That Resolution R-106-15, Section 1. is hereby amended adding
15 a new Exhibit "A".

16 Section 2. That Resolution R-106-15, Section 2. is hereby amended
17 adding a new Exhibit "B".

18 Section 3. That this ordinance shall be in full force and effect from and after
19 its passage and approval by the Mayor, unless rescinded by ordinance by this
20 legislative body.

21 
Council Member

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23 Approved as to form and legality

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25 Malak Heiny, City Attorney

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Exhibit A

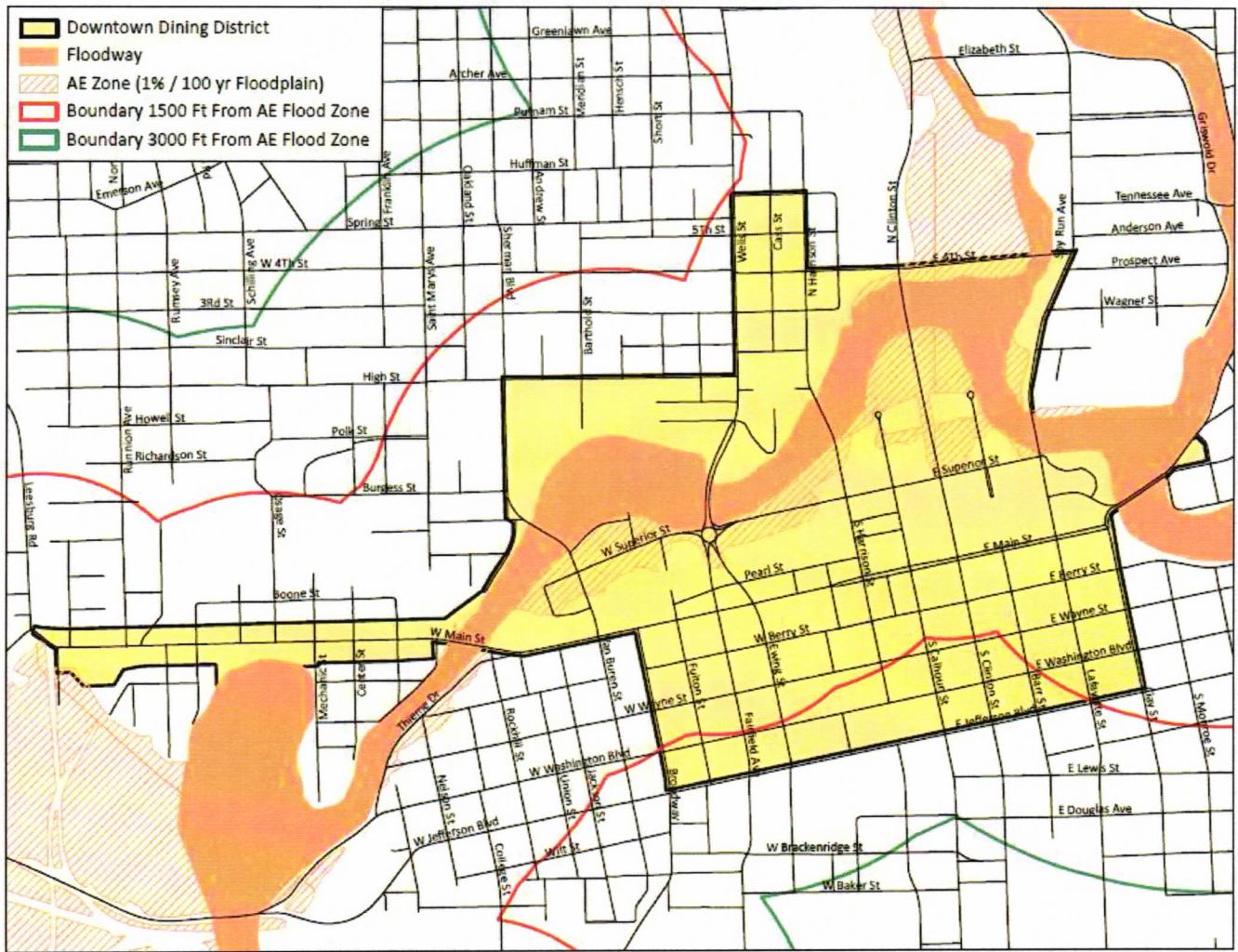


Exhibit B

Downtown Dining District Review Committee

Criteria and Policies for the issuance of RIVERFRONT ALCOHOL BEVERAGE LICENSE

The Indiana state legislature enacted I.C. 7.1-3-20 et. seq.(Act). The Act permits the Indiana Alcohol and Tobacco Commission (ATC) to issue liquor licenses (one, two, or three-way) (“Riverfront Licenses”) in the City of Fort Wayne MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT, known as the Downtown Dining District. The Downtown Dining District Review Committee (DDDRC) will review and evaluate applications for liquor licenses, and recommend to the Mayor of the City of Fort Wayne (“Mayor”) only those applications it believes will strengthen the economic vitality of the Downtown Dining District. The DDDRRC will monitor each license recipient’s compliance with the criteria and policies issued by the DDDRRC.

Background

The Fort Wayne Common Council has determined that the creation of a Municipal Riverfront Development Project, under I.C. 7.1-3-30 (the “Act”) will further the downtown revitalization goals of the community by encouraging new investment and removing barriers to development in the Downtown Dining District. Attracting additional development to the Downtown Dining District will expand the tax base and create more opportunities for the residents of Fort Wayne (the “City”), Allen County and the surrounding region to frequent and enjoy the various venues present in the redeveloped downtown area.

The Act permits the Indiana Alcohol and Tobacco Commission (“ATC”) to issue liquor licenses (one, two and three-way) within the Downtown Dining District, above the number granted to the City through the statutory quota system. Granting additional three-way liquor licenses within the Downtown Dining District will permit the development of new food and beverage businesses which will create economic opportunities downtown and will expand downtown commercial activity into the evening hours. The lack of availability of such licenses is considered a barrier to development.

The application process for a liquor license within the designated Downtown Dining District parallels the process for unrestricted liquor licenses elsewhere in Indiana, with the additional requirement that a recommendation from the community, issued by the Mayor, be provided to the ATC prior to ATC’s granting of the license. The authority for this recommendation is granted locally. The City, through the DDDRRC, has adopted the following criteria and policies, which may be amended by the DDDRRC from time to time at its discretion.

Purposes and Goals

Through implementation of the Act, adoption of these criteria and policies, and the designation of the Municipal Riverfront Development Project, the City seeks to achieve the following:

- 1) Enhance the City's **regional appeal** by encouraging the location and operation of a diverse mix of dining and entertainment venues in the *Downtown Dining District*.
- 2) Remove a significant barrier to **downtown development**.
- 3) Provide a downtown experience that encourages **repeat visits** by residents and visitors.
- 4) Improve the existing physical fabric of downtown to create a **sense of place** and **promote downtown as a destination**.
- 5) Provide opportunities for economic development, **increase the local tax base and create jobs**.

Guiding Principles

The liquor license recommendation of the DDDRC will be guided by the following overall principles:

- 1) Whether the granting of the license will benefit and encourage downtown redevelopment in accordance with adopted downtown plans.
- 2) Whether the granting of the license and the resulting new business activity will positively affect the property values and facilitate other business interests in the *Downtown Dining District*.

Application Requirements and Other Criteria:

Downtown Dining District Requirements:

- 1) The designated area will be geographically defined in compliance with the requirements of the Act, as shown in the attached Appendix A.
- 2) The designated area is eligible for the granting of one, two and three-way Riverfront Licenses.

- 3) **Permits are not transferable and not portable within or without the Downtown Dining District.**
- 4) **Permits shall not be pledged as collateral or subject to any lien, judgment, property settlement agreement, or third party claim.**
- 5) The applicant's permit location is within the boundaries, or immediately contiguous to the boundaries of the Downtown Dining District as shown in attached Appendix A.
 - a) Applicants whose proposed location is within the area labeled *Tier 2* on the attached Appendix A are subject to additional legislative requirements. (See Title 905, IAC Rule 47)
- 6) Applicants receiving Riverfront liquor licenses within the Downtown Dining District will be required to maintain an annual ratio of non-liquor sales to total sales of at least 25%.
 - a) The DDDRC may consider a lower non-liquor sale to total sales ratio, if it feels that the proposed (or existing business, in the case of license renewal), presents a unique opportunity to expand the variety of offerings and achieve the Purposes and Goals outlined in this document.
 - b) As part of the annual license renewal process, current licensees must provide satisfactory documentation that the ratio requirement has been met at the licensees existing location during the previous twelve (12) calendar month period.
- 7) Applicants shall agree the licensed establishment will be actively open for business and fully operational during normal evening hours a minimum of four (4) nights each week.
- 8) Applicants shall agree the licensed establishment will be open for business and shall satisfy the requirements of Paragraph No. 7 above a minimum of 210 days per year.
- 9) Applicants shall agree to contribute annual dues of Three thousand, Five hundred dollars (\$3,500.00) to the Downtown Dining District Marketing Fund established for the purpose of promoting the Downtown Dining District.
- 10) The applicant shall comply with all local, state and ATC application and renewal procedures.
- 11) Applicant shall annually certify to the DDDRC, applicant's compliance with the Downtown Dining District program requirements in the format prescribed by the DDDRC.
- 12) **Any annual renewal is subject to applicant's prior compliance with the terms of these Criteria and Policies and any separate agreement between the applicant and the DDDRC.**

Other Criteria:

Additionally, the criteria which the DDDRC will consider in whether to recommend the issuance or renewal of a Riverfront license, include but are not limited to the following:

- 1) The applicant's plans to improve the facility in which it will operate and the consistency of such design plans with the character and architecture of the designated area and any approved downtown plans, including the Downtown Design Manual.
- 2) The establishment's ability to draw people downtown and specifically to the Downtown Dining District.
- 3) The number and nature of jobs added to or retained in the City's employment base,
- 4) The establishment's focus on a dining and entertainment experience rather than the consumption of alcohol.
- 5) Applicant's financial and ownership qualifications.
- 6) Applicant's history of successful business operation.
- 7) Applicant's reputation in the Fort Wayne community and other communities in which the applicant has operated.
- 8) The size, floor plan, and design of the restaurant and exterior dining areas, if any.

Application Procedure

- 1) Applicant will submit a completed a Downtown Dining District, Riverfront License application to the DDDRC, **BEFORE** submission of the state application to the ATC.
- 2) The DDDRC will review the application and recommend to the Mayor the approval, rejection or resubmission of the license application.
- 3) The Mayor will consider the DDDRC recommendation and make a recommendation that will be forwarded to both the applicant and the ATC. A positive recommendation is required in order for the ATC to consider a Riverfront liquor license. The applicant's application to the ATC shall include a copy of the recommendation letter and a map of the Downtown Dining District identifying the proposed location for the license. The ATC will not take action on a three-way Riverfront License without the required documentation.

- 4) Within 180 days of a recommendation for approval of the application (the “Application Period”), the applicant shall have been issued a permit from the ATC. In the event that the applicant is unable to obtain a permit within the Application Period, the applicant may submit a written request to the DDDRC for additional time to obtain a permit. Requests for additional time must be submitted prior to the expiration of the Application Period. Such request must provide a detailed explanation of the reasons for applicant not receiving a permit during the Application Period. The decision to grant the applicant additional time to obtain the permit shall be in the sole discretion of the DDDRC.

Downtown Dining District Review Committee

Shall consist of five (5) members annually appointed by the Mayor:

- City Downtown Dining District Program Administrator
- Alliance Downtown Development Officer
- Cultural District partner (Arts United, Visit Fort Wayne or Downtown Improvement District representative)
- District restaurateur / hospitality business representative
- Common Council representative

DIGEST SHEET

TITLE OF ORDINANCE: A Resolution Amending Resolution R-106-15 Establishing a Municipal Riverfront Development Project to be known as the “Downtown Dining District” in the City of Fort Wayne

DEPARTMENT REQUESTING ORDINANCE: Community Development Division

SYNOPSIS OF ORDINANCE: Proposes an amendment to the existing boundaries of the “Downtown Dining District” in the City of Fort Wayne and includes the addition of a new Formal Written Commitment.

EFFECT OF PASSAGE: Passage of this ordinance will strengthen the downtown economy by encouraging continued investment in food service and hospitality establishments. The expanded district will create more opportunities for outdoor dining and pedestrian activity, enhance the vibrancy of the downtown core, and attract additional foot traffic.

EFFECT OF NON-PASSAGE: If the ordinance is not passed, the City will miss an opportunity to support local businesses in areas that are rapidly developing and increasingly aligned with the goals of the Downtown Dining District. This may result in uneven access to dining district benefits and limit the growth potential of the downtown food and entertainment sectors.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS).

Minimal direct costs are anticipated. In addition to the geographical expansion the amendment will increase the cost of the Riverfront Liquor License from \$2500 to \$3500 to allow for increased promotion. Permitting fees and private investment in expanded outdoor dining infrastructure are expected to offset administrative costs.

ASSIGNED TO COMMITTEE (PRESIDENT)_____



CITY OF FORT WAYNE

SHARON TUCKER, MAYOR

Community Development

MEMO

TO: Members of the Fort Wayne Common Council

FROM: Andrea Robinson, PhD. Economic Development Administrator, Community Development

DATE: August 6, 2025

SUBJECT: Request for Expansion of the Downtown Dining District

The Department of Community Development respectfully requests your consideration and support for an ordinance to expand the boundaries of the Downtown Dining District. Since its establishment, the district has played a critical role in enhancing the vitality of downtown Fort Wayne by supporting new restaurant openings, outdoor dining, and special events.

With continued growth in development and increased demand for public-facing dining experiences, it is appropriate to expand the district boundaries to include additional corridors that now feature new restaurants, entertainment venues, and public gathering spaces. The proposed expansion aligns with ongoing revitalization efforts and provides more equitable access to dining district privileges for businesses across downtown.

We have seen strong collaboration with stakeholders and positive community reception to existing dining policies. The expansion will reinforce downtown's economic momentum while maintaining a high standard of operations, safety, and regulatory compliance.

We appreciate your consideration and look forward to continued collaboration to strengthen our downtown core.

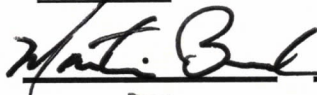



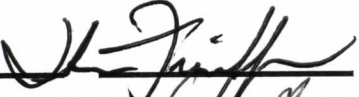
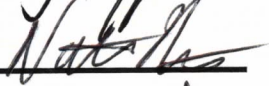

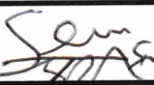

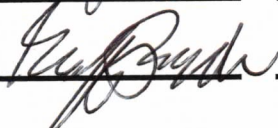
BILL NO. R-25-08-37

**REPORT OF COMMITTEE ON REGULATIONS
September 2, 2025**

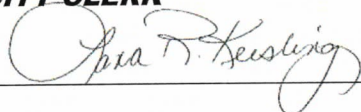
**Thomas Freistroffer Chair
Michelle Chambers Co-Chair
All Council Members**

A Resolution amending Resolution R-106-15 establishing a Municipal Riverfront Development Project to be known as the "Downtown Dining District" in the City of Fort Wayne

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>
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

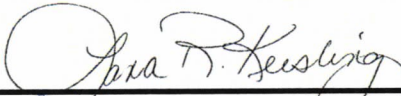
Read the first time in full and on motion by Councilperson Freistroffer.

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

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

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<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"/>
ENSLEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMAN	<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"/>
MYERS	<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"/>


DATED: September 9, 2025



 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-25-08-37 on the 9th day of September, 2025
 ATTEST:




 LANA R. KEESLING
 CITY CLERK



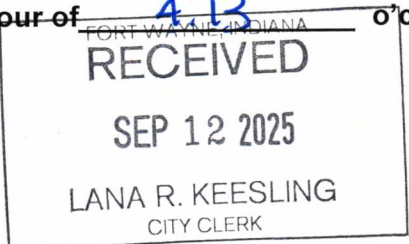
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th
 of September 2025, at the hour of 9:45 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10th day of September 2025, at the
 hour of 4:13 o'clock p.m. E.S.T.





 SHARON TUCKER, MAYOR