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2 BILL NO. R-13-07-03

3 BILL NO. R-_____

4 **A Resolution confirming an approving order of**
5 **the Fort Wayne City Plan Commission and**
6 **confirming Declaratory Resolution 2013-14 of**
7 **the Fort Wayne Redevelopment Commission**
8 **concerning the Ridgewood Economic**
9 **Development Area.**

10 WHEREAS, on June 10, 2013, the Fort Wayne Redevelopment
11 Commission adopted Resolution 2013-14, approving the Ridgewood
12 Economic Development Area, a copy of which Declaratory Resolution 2013-
13 14 is attached hereto, made a part hereof, and marked Exhibit A; and

14 Whereas, on June 17, 2013, the Fort Wayne City Plan Commission at
15 its Business Meeting considered for adoption and issued a written order that
16 approved said Declaratory Resolution 2013-14 and the Ridgewood
17 Economic Development Area, a copy of which approving order is attached
18 hereto, made a part hereof and marked "Exhibit B"; and

19 WHEREAS, the Fort Wayne Redevelopment Commission and the
20 Fort Wayne City Plan Commission took the forgoing actions as set forth in
21 the preceding two paragraphs herein are in accordance with the provisions
22 of the Redevelopment of Blighted Areas Act of 1981 (P.L. 309 and 310 of
23 the Acts of 1981 of the General Assembly of the State of Indiana, as
24 amended and supplemented);
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2 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON**
3 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

4 SECTION 1. That the said actions of the Fort Wayne Redevelopment
5 Commission and the Fort Wayne City Plan Commission are hereby
6 approved, ratified, and confirmed.

7 **SECTION 2.** That this resolution shall be in full force and affect from
8 and after its passage and approval by the Fort Wayne Common Council and
9 all necessary approval by the Mayor.

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13 _____
14 Council Member

15
16 APPROVED AS TO FORM AND LEGALITY

17
18
19 _____
20 Carol Helton, City Attorney

RESOLUTION 2013-14

DECLARATORY RESOLUTION RIDGEWOOD ECONOMIC DEVELOPMENT AREA (EDA)

WHEREAS, the Fort Wayne Redevelopment Commission (FWRC) has made investigations, studies and surveys of areas in the City of Fort Wayne that have the potential to attract and retain major private development and promote and retain significant job opportunities, and has further considered the conditions which would prevent such development from occurring; and

WHEREAS, such investigations, studies and surveys have been made in cooperation with various departments and bodies of the City and have been directed toward determining the proper use of land and improvements thereon so as to best serve the interests of the City and its inhabitants, both from the standpoint of human needs and economic values. As a result of such investigations, studies and surveys, the Commission has found that the area described herein, upon implementation of a plan that incorporates the results of the aforesaid investigations, studies and surveys will enable the construction of needed public improvements and provide for the creation of additional job opportunities for the citizens of Fort Wayne. Specifically, the following described area (Area) in the City of Fort Wayne, Indiana, is found to be requiring the use of enabling legislation provided by Indiana Code 36-7-14 to enact and facilitate the provisions of the Ridgewood Economic Development Plan to such an extent that such conditions cannot be corrected by regulatory processes or by the ordinary operations of private enterprise, without resort to the provisions of the Redevelopment of Blighted Areas Act of 1981 (P.L. 309 and 310 of the Acts of 1981) of the General Assembly of the State of Indiana, as amended and supplemented (the Act), and which Area is bounded and described in Exhibit A, attached hereto and incorporated by reference herein; and that the public health, safety and welfare would be benefited by the development of the Area under the provisions of said Act; and

WHEREAS, the Commission has heretofore caused to be prepared maps and plats showing the boundaries of the herein described EDA, the location of the various parcels of real estate, streets, alleys, and other features affecting the development of the Area, and the portions of the Area which are to be devoted to streets, alleys, sewerage, playgrounds and other public purposes; and

WHEREAS, there was presented to this meeting of the Governing Body of the City of Fort Wayne, Department of Redevelopment, for its consideration and approval, a copy of the Economic Development Plan for the Area, consisting of pages, exhibits and one (1) map; and

Whereas, this Commission has at a meeting open to the public, heard evidence and reviewed the maps and plats presented at the meeting and has considered same.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Redevelopment Commission that the Economic Development Plan constituting the Ridgewood Economic Development Area, dated June 2013 is hereby approved.

BE IT FURTHER RESOLVED that in all proceedings relating to the development of the area, herein described, shall be referred to as the Ridgewood Economic Development Area.

BE IT FURTHER RESOLVED that the Commission now declares the herein described area to be lacking in the ability to facilitate the construction of needed public infrastructure improvements and a menace to the social and economic interests of the City of Fort Wayne and its inhabitants and that the development of the Area shown on the above referenced maps and plats under the provisions of the Act will be of public utility and benefit.

BE IT FURTHER RESOLVED that the Commission now makes the following findings:

- a. The Economic Development Plan will promote significant new job opportunities for the gainful employment of the citizens of Fort Wayne, Indiana, within the City through planned industrial park development
- b. The Economic Development Plan cannot be achieved without the designation of the amended area into the EDA because of the need to use enabling legislation provided by IC 36-7-14 to facilitate and enact the provisions of the plan.
- c. The ordinary operation of private enterprise and regulatory processes are unable to correct the conditions noted in the EDA.
- d. The public health, safety and welfare will be benefited by accomplishment of the Economic Development Plan.
- e. The accomplishment of the Economic Development Plan will be of public utility and benefit in that its implementation will result in the construction of needed public infrastructure improvements.
- f. The amended Economic Development Plan conforms to other development and redevelopment plans for the City of Fort Wayne, namely: Plan - It - Allen

pertaining to the proposed project and for the final determination of the public utility and benefit thereof.

BE IT FURTHER RESOLVED that the expiration date of the allocation provision of this Declaratory Resolution is twenty-five (25) years from the date hereof.

FORT WAYNE REDEVELOPMENT COMMISSION

Christopher Guerin, President

Steven E. McElhoe, Secretary

Adopted: 10 June 2013

RESOLUTION AND APPROVING ORDER OF THE FORT WAYNE CITY PLAN
COMMISSION FOR THE RIDGEWOOD ECONOMIC DEVELOPMENT AREA PLAN

The Plan Commission of the City of Fort Wayne at its Business Meeting on June 17, 2013
having before it a copy of the Fort Wayne Redevelopment Commission's Declaratory Resolution
2013-14 and the accompanying Economic Development Area Plan, adopted by the Fort Wayne
Redevelopment Commission on June 10, 2013, together with the necessary supporting data, all
of which having been duly considered, upon a motion by _____, and
seconded by _____, and by a vote of ____ (yea), ____ (nay), adopted the
following resolution:

WHEREAS, at the Fort Wayne City Plan Commission's Business Meeting on June 17, 2013,
the Fort Wayne Redevelopment Commission submitted to the Plan Commission a copy of
Declaratory Resolution 2013-14 and the accompanying Economic Development Area plan,
together with supporting data, all as required by the Redevelopment of Blighted Areas Act (36-7-
14 of the Acts of 1980 of the General Assembly of the State of Indiana, as Amended and
Supplemented), and after having been duly considered by the Fort Wayne City Plan Commission,
said Economic Development Area Plan is found to conform with the Master Plan of
Development for the City of Fort Wayne (Plan It Allen);

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the
Ridgewood Road Economic Development Area Plan conforms to the Master Plan of
Development for the City of Fort Wayne, and that said Economic Development Plan and the
accompanying Declaratory Resolution are hereby approved.

BE IT FURTHER RESOLVED that the President of this Commission is hereby authorized to
deliver to the Fort Wayne Redevelopment Commission and to the Common Council of the City
of Fort Wayne a certified copy of this resolution which shall constitute the order of the Fort
Wayne City Plan Commission, as required by law, approving the Ridgewood Economic
Development Area.

Approved:

Fort Wayne City Plan Commission

President

RIDGEWOOD ECONOMIC DEVELOPMENT AREA



**Fort Wayne Redevelopment Commission
June 2013**

"DRAFT"

I. Ridgewood Economic Development Area (EDA)

A. Introduction

The Fort Wayne Redevelopment Commission was created by the Common Council of the City of Fort Wayne in 1959 to address the problems and issues associated with urban decline and the redevelopment of specific areas in the City. In 1982, the redevelopment statute was amended to allow the creation of a mechanism to capture or collect tax increment from designated areas in the City. This change set the stage for the Commission to engage in and assist, where appropriate, targeted industrial, commercial and retail development. Thereafter, the Fort Wayne Redevelopment Commission approved urban renewal plans that facilitated the creation of Summit Industrial Park, Summit Industrial Park II and Centennial Industrial Park in the 1980's. It later created Economic Development Areas along the Lima Road corridor (Lima Wells Fernhill – 2007 and Lima Road Ley Road – 2005) and the Jefferson Blvd. corridor (2005 and 2007) that enabled and incited major infill development, (Jefferson Pointe, Ice Rink Sports Plex), along with commercial / retail, hotel, and major big box retail in various quadrants of the City. The establishment of the Ridgewood EDA builds upon and complements the work envisioned by the aforementioned plans. The area comprising the Ridgewood EDA consists of vacant and significantly underutilized commercial property that has not seen development while exhibiting significant strategic proximity and frontage on West Jefferson Blvd. and Aboite Center Road. The property has a high commercial development potential that is compatible with the similar type development in this area of the City.

The Ridgewood EDA, as proposed, has highly visible frontage along West Jefferson Blvd. and Aboite Center Road, both major transportation corridors which serve the southwest quadrant of the City. The City administration has supported and encouraged continued infill development in areas with characteristics such as these, along with those found in the Ridgewood EDA site. Aside from the frontage, previously mentioned, this area provides an ideal opportunity for development because of access, and proximity to related development, namely the Lutheran Medical Park campus. The Redevelopment Commission can provide the assistance necessary to construct public improvements to facilitate development that provides investment, job creation, economic development spinoff and physical, aesthetic improvement by eliminating adverse factors affecting the area.

The area proposed to be encompassed by the EDA is adjacent to West Jefferson Blvd. and to Aboite Center Road. The land area of the parcel targeted for development is 13.73 acres. Additional property is included in the EDA because of a possible opportunity for intermediate to long term development. The total acreage for these parcels to west, adjacent to Aboite Center Road, is approximately 125 acres. The total land area in the EDA is approximately 139 acres.

The surrounding area has experienced major levels of growth over the last 10 – 15 years and presents a timely redevelopment opportunity to participate in, and be a catalyst for, the revitalization and development of a key commercial area and to accomplish the goals set forth in the plan which include the construction of public infrastructure improvements, attraction of new commercial end user to the area, setting the stage for additional ancillary development and the creation of new job opportunities, and providing an increase in the property tax base.

The first key project envisioned by the plan is assistance with the construction of an assisted living facility on approximately 5.6 acres of the 13.73 acre site. This development is planned to set the stage for further ensuing, compatible commercial development. The assistance to

be provided from the Commission shall be defined in an Intergovernmental Reimbursement / Development Agreement to be formulated with City Utilities. It is expected to take the form of reimbursement to City Utilities, for a period yet to be determined, of the cost of the construction of sanitary and storm sewer infrastructure to serve the site which will include construction and development costs, related engineering and technical costs such as testing and inspection. A preliminary planning estimate of the cost of the aforementioned improvements is \$1.25 million.

Additionally, the construction of other public infrastructure improvements is expected and planned to occur in the area, as needed, to enable development. The improvements may include road work, signalization, signage, lighting and related activities.

The findings contained in Section II, herein, are necessary for the Commission's consideration of approval of the EDA in accordance with Indiana Code 36-7-14-17.5 and 36-7-14-41 c.

B. Description of the Boundary Amendment

The boundary of the EDA contains real estate (17 parcels) owned by Ridgewood Medical Trust LLC; Richard A. Powell & Margaret Ann Robinson; Paul Keebler; Henry Sutorious and Laura Heather McDevitt; Robert L. and Carol A. McDevitt; and Yellow Retirement LLC. The EDA is more particularly described on Exhibit "A" and contains the dedicated right of way consisting of a segment of Aboite Center Road and a segment of Dicke Road. It is depicted graphically on Map 1, "Ridgewood Economic Development Area".

C. Statement of Project Objectives

1. To overcome existing barriers to investment and development by the construction of needed public improvements.
2. To benefit the public by creating the opportunity for new job creation from ensuing development.
3. To benefit the public by stimulating a property tax base increase from new growth and development.
4. To benefit the public by protecting and enhancing the value of surrounding property including a plan to address adverse conditions that negatively impact the surrounding area.

D. Land Use Plan and Development Controls

1. Map 1, "Ridgewood Economic Development Area" depicts land use and zoning for the EDA.
2. Land use, building requirements, development controls and other regulations and controls applying to the CM1 (Professional Offices and Personal Services) and AR (Low Intensity Residential) zoning designations shall apply to the development as specified in the City of Fort Wayne Zoning Ordinance.
3. Zoning for the EDA is CM1 or AR. No immediate change in zoning is required to accommodate the proposed EDA.

E. Proposed Project Activities

1. Improvements to public infrastructure
 - a. Construction of storm water, sanitary and related drainage improvements to enable commercial development in identified areas within the EDA.

- b. Formulation and implementation of a Reimbursement / Development agreement with City Utilities for the reimbursement of the construction costs of public infrastructure improvements (Sanitary, stormwater and related site improvements).
 - c. Other related improvements that may be necessary in accordance with the project's final design.
 - d. Professional design engineering and consulting services for the project.
2. Declaration of an Allocation area. The area depicted on Map 1, and described in Exhibit A as "Ridgewood Economic Development Area" is identical to the "Ridgewood Tax Allocation Area". The allocation area is established for the allocation and distribution of property taxes, as provided by Indiana Code 36-7-14-39 for the purpose of funding public infrastructure improvements and related costs or for the purpose of retiring the financial obligations required to fund the activities described in paragraph 1 d above.
 3. Redevelopment costs: The estimated project costs are \$1.25 million. Other costs may include the cost of required public improvements that are needed pursuant to a particular commercial development project whose scope is presently undefined.

F. Enforcement of Economic Development Area Objectives

1. The Commission shall serve notice to all affected government agencies and neighborhood associations whose activities may affect the use or development of the property within the EDA.
2. The Commission shall have the responsibility to review and approve development proposals, at its discretion, prior to the issuance of the appropriate permit or certificate. The Commission shall also have the responsibility to review and approve the allocation of revenues in accordance with Indiana Code 36-7-14-39.
3. Duration of Control: This plan, its regulations and requirements shall be in effect for twenty five (25) years from the date of its adoption by the Commission, Plan Commission and City Council.

G. Provisions Necessary to Meet State and Local Laws

1. A resolution declaring the Ridgewood Road Economic Development Area has been adopted by the Commission.
2. The Plan indicates the extent and location of land acquisition, demolition and public improvements.
3. No zoning changes are immediately required by the Plan.
4. The Plan sets forth the permitted land use and all applicable building and development controls.
5. The Plan conforms to the stated objectives and guidelines of Plan It Allen.

H. Procedure for Changes to the Economic Development Plan

The Economic Development Plan may be modified or varied at any time by a resolution of the Commission, provided that any change directly and substantially affecting any property or contractual right vested in and by the effectuation of this Plan may be made only after the Commission has received written consent to the change from the owner of such vested right. It is further provided that if such vested right cannot be obtained or if the Commission deems the proposed change in the Plan to be substantial, the Commission shall approve such change only in accordance with the same procedure by which the Plan was originally adopted.

II. Data Pertaining to the Adoption of a Declaratory Resolution

- A. Section 36-7-14-41 of the Indiana Code provides that the Commission may determine that a geographic area is an economic development area if it finds that:
1. The Plan for the economic development area:
 - a. Promotes significant opportunities for the employment of its citizens
 - b. Attract a major new business enterprise(s) to the unit
 - c. Retains or expands a significant business enterprise existing in the boundaries of the unit
 - d. Meets other purposes of this section and section 2.5 hereafter
 2. The Plan for the economic development area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under this section and section 42 of this chapter because of:
 - a. Lack of local public improvement
 - b. Existence of improvements or conditions that lower the value of the land below that of nearby land
 - c. Multiple ownership or land
 - d. Other similar conditions
 3. The public health and welfare will be benefited by the accomplishment of the Plan for the economic development area.
 4. The accomplishment of the Plan for the economic development area will be a public utility and benefit as measured by:
 - a. The attraction of permanent jobs
 - b. An increase in the property tax base
 - c. Improved diversity of the economic base; or
 - d. Other similar public benefits
 5. The Plan for the EDA conforms to the development and redevelopment plans for the unit.
- B. Finding
1. (1) (a) promotes significant opportunities for the gainful employment of its citizens
 2. (1) (b) Attracts a major new business enterprise to the unit

The EDA sets the stage for the development of a key commercial site that has remained vacant and unutilized for the last five or more years. The development and construction of a new commercial entity, that fronts on Aboite Center Road, with an assumed construction value of \$15.0 million (based upon preliminary engineering estimates) could produce tax increment in the estimated amount of \$360,000 yearly. Additional tax increment will be realized when the balance of the 13.73 acre site is developed. New employment for the initial development is estimated to be 70 – 75 FT jobs and 15 – 20 PT jobs with a salary range from \$90 K to \$19 K annually.

3. (2) (a) Lack of local public improvement
The area around the EDA has experienced significant commercial growth since the early 1990's and this pattern is expected to continue, in large part due to the growth and development of the Lutheran Medical Park campus. The 2012 vehicle count for the West Jefferson Blvd. intersection with Aboite Center Road is 52,700 vehicles per

day that is one of the highest rates in the City. The construction of the public improvements envisioned by the EDA are the construction of sanitary and stormwater infrastructure for the site which is not presently served with these utilities. Other improvements may be undertaken in this area, as appropriate, pursuant to a final project design.

4. The public health and welfare will be benefited by accomplishment of the EDA plan:

The annual payroll increase to the local economy based upon comparable models of commercial development will be realized incrementally by the City. In addition, any similar type of commercial development will generate sales tax, gross income or adjusted gross income tax, restaurant tax in addition to local property taxes. During construction of any retail type facility, construction, trade and related types of jobs will become available. As stated earlier, the planned public improvements will have a discernibly positive affect in this area of the City.

5. The accomplishment of the plan for the EDA will be of public utility and benefit as measured by:
 - a. The attraction or retention of permanent jobs
 - b. An increase in the property tax base.
6. The plan for the EDA conforms to other development and redevelopment plans for the unit.

The Ridgewood EDA is a logical extension of development envisioned by earlier Economic Development and Urban Renewal Plans for this area. It builds judiciously upon the strengths and successes that have been realized since earlier plans were adopted and the subsequent construction of planned public infrastructure improvements occurred. The plan sets the stage for the development and revitalization of a key tract of commercial real estate in a manner that is compatible with the character of the area. The EDA further conforms to the major goals, policies and strategies contained in "Plan It Allen", the comprehensive plan of development for the City of Fort Wayne.

C. Conclusion

Based upon the foregoing data, observations and analysis, the conditions in the area encompassed by the Ridgewood Economic Development Area are such that the designation as an EDA is warranted in accordance with Indiana Code 36-7-14-41. All necessary steps have been taken to permit the Redevelopment Commission to consider a Declaratory Resolution as required by the laws of Indiana.

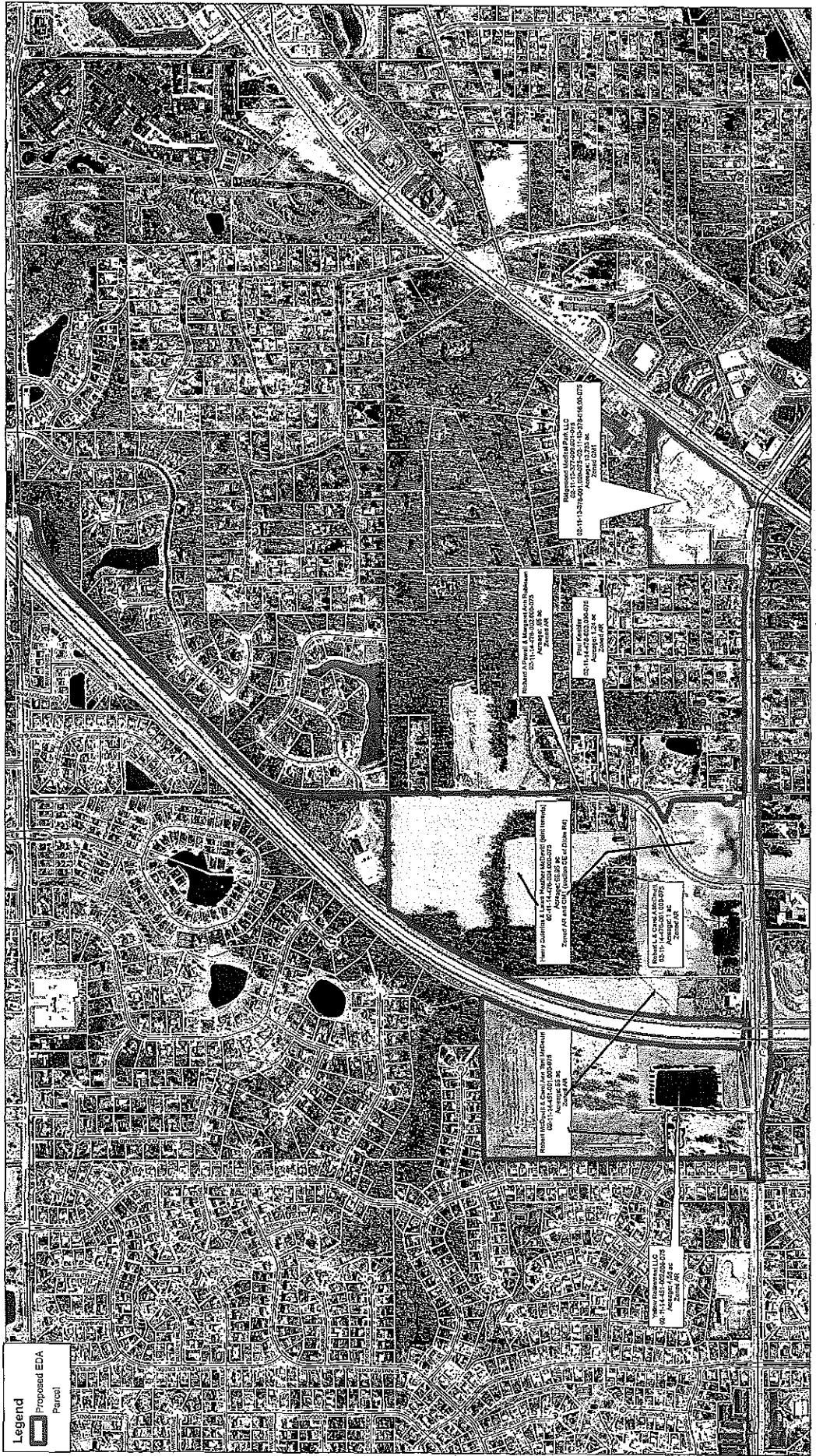
EXHIBIT "A"

Legal Description Hatfield Road Economic Development Area

Real estate located in the City of Fort Wayne, Aboite Township, Allen County Indiana described by real estate pin numbers: 02-11-13-377-009.001-075; 02-11-13-378-001.000-075 ~ 02-11-13-378-016.000-075; 02-11-14-478-003.000-075; 02-11-14-476-002.000-075; 02-11-476-004.000-075; 02-11-14-476-001.000-075; 02-11-14-451-001.000-075; 02-11-14-451-002.000-075.

Together with a segment of Aboite Center Road running westerly from its intersection with West Jefferson Blvd. and ending at its intersection with Coventry Lane. Also included is a segment of Dicke Road running north from its intersection with Aboite Center Road to its intersection with Covington Road.

RIDGEWOOD ECONOMIC DEVELOPMENT AREA



DIGEST SHEET

TITLE OF ORDINANCE: Approving Resolution 2013-14 of the Fort Wayne Redevelopment Commission and Approving Order of the Fort Wayne City Plan Commission concerning the Ridgewood Economic Development Area (EDA)

DEPARTMENT REQUESTING ORDINANCE Redevelopment Commission

SYNOPSIS OF RESOLUTION Approves Resolution 2013-14 by the Fort Wayne Redevelopment Commission and an approving order of the Fort Wayne City Plan Commission regarding a proposed EDA. Purpose of creating the new redevelopment area is to to enable the area to develop, consistent with existing zoning, by providing a mechanism for the construction of public infrastructure improvements, in and serving the EDA.

EFFECT OF PASSAGE The Redevelopment Commission will be able to collect tax increment from the ensuing development, once assessed, in order to fund the costs of the infrastructure improvements identified in the EDA plan by repaying City Utilities for said costs in accordance with a Public Reimbursement Agreement.

EFFECT OF NON-PASSAGE Development in the area defined by the EDA would most likely remain dormant for the foreseeable future.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$1,250,000 budget estimate by City Utilites. Yearly tax increment will be determined once the new improvements are assessed.

ASSIGNED TO COMMITTEE (PRESIDENT) _____



CITY OF FORT WAYNE

THOMAS C. HENRY, MAYOR

Fort Wayne Redevelopment Commission

MEMORANDUM

TO: Fort Wayne City Council

FM: James C. Lindsay 

RE: Ridgewood Economic Development Area (EDA)

DT: June 27, 2013

On June 10, 2013, the Fort Wayne Redevelopment Commission adopted Resolution 2013-14 and its accompanying economic development plan, copy attached, which proposes to create the Ridgewood Economic Development Area. This is an area generally described as a commercial development site located immediately west of West Jefferson Blvd. and immediately north of Aboite Center Road, and east of Rosewood Ave. Also included in the EDA are two large undeveloped tracts to the west, along Aboite Center Road, that may present development potential in the future. Approximately 125 acres comprise the proposed EDA. Segments of Aboite Center Road and Dicke Road right-of-way are included in the EDA.

The rationale to create the EDA is to enable appropriate commercial development in the short term for the 13.73 acre site identified in the plan. Specifically, the plan envisions assisting with the financing of the costs of providing public infrastructure improvements to the area which is not currently served by public utilities, thus impeding development. The plan further envisions that said planned public improvements will be constructed by City Utilities with the cost to be repaid by the Commission from tax increment generated by the ensuing development. Repayment to City Utilities will be directed by a Public Reimbursement Agreement.

Pursuant to I.C. 36-7-14-16 and 36-7-14-41, on June 17, 2013, the Plan Commission found that this plan is in general conformity to the plan of development for the City of Fort Wayne (Plan It Allen). As such, the purpose of this memo is to request that consideration of this resolution be made by City Council. If approved, this plan will be presented to the Redevelopment Commission for consideration of final approval, following publication of notice and a legal public hearing.

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