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A Resolution confirming an approving order of the Fort Wayne City Plan Commission and confirming Declaratory Resolution 2015-45 of the Fort Wayne Redevelopment Commission concerning the Quimby Village Economic Development Area.

WHEREAS, on December 14, 2015, the Fort Wayne Redevelopment Commission adopted Resolution 2015-45, approving the Quimby Village Economic Development Area, a copy of which Declaratory Resolution 2015-45 is attached hereto, made a part hereof, and marked Exhibit A; and

Whereas, on January 25, 2016, the Fort Wayne City Plan Commission at its Business Meeting considered for adoption and issued a written order that approved said Declaratory Resolution 2015-45 and the Quimby Village Economic Development Area, a copy of which approving order is attached hereto, made a part hereof and marked "Exhibit B"; and

WHEREAS, the Fort Wayne Redevelopment Commission and the Fort Wayne City Plan Commission took the forgoing actions as set forth in the preceding two paragraphs herein are in accordance with 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);

1	
2	NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
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4	SECTION 1. That the said actions of the Fort Wayne Redevelopment Commission and the Fort Wayne City Plan Commission are hereby
5	approved, ratified, and confirmed.
6	approved, radiied, dira cerimina
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	Council Member
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16	APPROVED AS TO FORM AND LEGALITY
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20	Carol Helton, City Attorney
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Thomas C. Henry, Mayor

City of Fort Wayne Community Development 200 East Berry Street, Suite 320 Fort Wayne IN 46802 260.427.1127

www.fwcommunitydevelopment.org

# **MEMORANDUM**

TO: Common Council of the City of Fort Wayne

FM: James C. Lindsay

RE: Quimby Village Economic Development Area (EDA)

DT: February 17, 2016

On December 14, 2015, the Fort Wayne Redevelopment Commission adopted Resolution 2015-45 and its accompanying economic development plan, copy attached, which proposes to create the Quimby Village Economic Development Area. This is an area generally described as the site of the Quimby Village retail shopping area along Bluffton Road together with adjacent areas of undeveloped property.

The plan envisions and further describes planned public improvements in and serving this area. These improvements may include the construction of a pedestrian bridge connecting Quimby Park to the east, along with possible improvements related to parking, pedestrian connectivity and other aesthetic improvements. The key project in the area at this point is the revitalization of the Clyde Theatre by the private sector. The goal is to assist in the revitalization of this historic building with public improvements that will be a catalyst for its redevelopment along with the redevelopment of other retail and commercial entitles in the area.

Pursuant to I.C. 36-7-14-16 and 36-7-14-41, the Plan Commission determined that this plan is in general conformity to the plan of development for the City of Fort Wayne (Plan It Allen) on January 25, 2016 per the attached resolution. In order for the plan to move forward, it must be approved by the Common Council of the City of Fort Wayne. As such, the purpose of this memo is to request that consideration of this resolution (attached hereto) be made by City Council. If approved, this plan will be presented to the Redevelopment Commission for final consideration following a legal public hearing.

Encl

An Equal Opportunity Employer

#### **RESOLUTION 2015-45**

# DECLARATORY RESOLUTION QUIMBY VILLAGE 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 Quimby Village 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, two (2) 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 Quimby Village Economic Development Area, dated October 2015, is hereby approved.

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

BE IT FURTHER RESOLVED that the Commission now declares the herein described are 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 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 Economic Development Plan conforms to other development and redevelopment plans for the City of Fort Wayne, namely Plan It Allen.

#### BE IT FURTHER RESOLVED pursuant to Section 36-7-14-39 of the Act that:

- a. As use in this Resolution for the purpose of the distribution and allocation of real property taxes, "allocation area" means all of the area described in Exhibit A to this Declaratory Resolution.
- b. Any real property taxes hereafter levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable real property in the allocation area described in this Declaratory Resolution shall be allocated and distributed as follows:
- 1. Except as otherwise provided in this section, the proceeds of such taxes attributable to the lesser of:
  - The assessed value (true tax value) of such property for the assessment date with respect to which allocation and distribution is made; or
  - ii. The base assessed value

Shall be allocated to and, when collected, paid into funds of the respective taxing units.

- 2. Except as otherwise provided in this section, property tax proceeds in excess of those described in subdivision (1) shall be allocated to the economic development district and, when collected, paid into a special fund for that allocation area that may be used by the district only to do one or more of the following:
  - i. Pay the principal of and the interest on any obligations payable solely from allocated tax proceeds that are incurred by the economic development district for the purpose of financing or refinancing the redevelopment of that area.
  - ii. Establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in that allocation area.
  - iii. Pay the principal of and interest on bonds payable from allocated tax proceeds in that allocation area and from the special tax levied under IC 36-7-14-27
  - iv. Pay the principal of and interest on bonds issued by the City of Fort Wayne to pay for local public improvements in or serving the allocation area.
  - v. Pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in that allocation area.
  - vi. Make payments on leases payable from allocated tax proceeds in that allocation area under IC 36-7-14-25.2
  - vii. Reimburse the City of Fort Wayne for expenditures made by it for local public improvements [which include buildings, parking facilities, another items described in IC 36-7-14-25.1(a)] in or serving the allocation area.

- viii. Reimburse the City of Fort Wayne for rentals paid by it for buildings or parking facilities in or serving the allocation area under any lease entered into under IC 36-1-10.
- ix. Pay all or a portion of a property tax replacement credit to taxpayers in the allocation area as determined by the Commission by separate resolution.
- x. Pay expenses incurred by the Commission for local public improvements that are in or serving the allocation area [which include buildings, parking facilities, and other items described in IC 36-7-14-25.1(a)].
- xi. Reimburse public and private entities for expenses incurred in training employees of industrial facilities that are located: (a) in the allocation area; and (b) on a parcel of real property that has been classified as industrial property under the rules of the Department of Local Government Finance.
- 3. When the monies in the allocation area are sufficient to pay when due all principal and interest on bonds described herein, and is not needed for the other purposes stated herein, monies in the allocation fund in excess of that amount shall be paid to the respective taxing units in the manner provided in subdivision (1) of this section.

BE IT FURTHER RESOLVED that a copy of this resolution, together with the Economic Development Plan and supporting data be submitted to the City Plan Commission of Fort Wayne for examination by that body and its determination as to whether this Declaratory Resolution and the Economic Development Plan conform to the master plan of development for the City (Plan It Allen) and its written order approving or disapproving this Declaratory and Economic Development Plan.

IT IS FURTHER RESOLVED that if the City Plan Commission issues an approving order, the same shall be transmitted to the Common Council of the City of Fort Wayne for its approval.

BE IT FURTHER RESOLVED that upon receipt of the written order of approval of the City Plan Commission and the approval of the Common Council, a notice shall be published in accordance with the requirements of Indiana Code fixing a date for the receiving and hearing of remonstrances and objections from all persons interested in or affected by the proceedings 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.

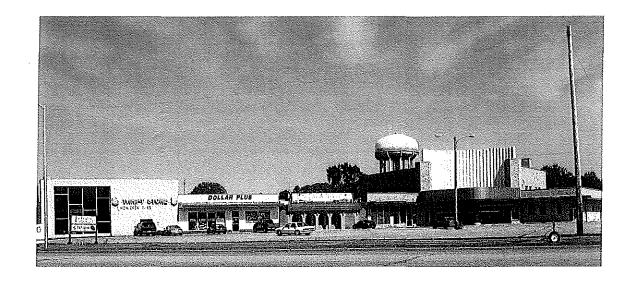
FORT WAYNE REDEVELOPMENT COM	MISSION
Christopher Guerin, President	
Thomas B. Trent, Secretary	

Adopted: 14 December 2015

Exhibit A: Quimby Village EDA

Name	Total AV	Acres	Qualitative Rating	Adjusted Rating
Bastress Family	155,100	0.22	6	0.05094
Partnership Budget Builder Supplies	177,700	1.097	2,5	0.105835
C D R Restauarnts	83,200	0.27	2.3 9	0.103833
Chau Thanh	59,000	0.092	7	0.024852
Even Keel Event Product	61,800	0.708	4	0.109289
Garza Tony & Gaviana	55,800	0.092	6	0.021302
Gilbert Ray & Lena	118,900	0.263	5.5	0.055821
Gouty Service Center	187,700	0.773	5.5 5.5	0.055621
Halls Drive Inns Inc.	433,700	2.6	6.75	0.677266
Iglesia Evangelica	164,100	1,25	2,5	0.120596
J & J Auto Sales	85,300	1.62	2.5 1.5	0.093775
Lombardo Frank & Jeannie	45,200	0.043	4.5	0.007467
Master of Cosmetology	92,700	0.11	3,5	0.014857
Neubauer Enterprises	296,000	0.8	<b>7.</b> 5	0.231544
Quimby Properties	57,900	0.589	3.25	0.073872
Quimby SW Imp Assoc	0	6.185	0	0
Rogers Charles & Carol	45,200	0.043	4	0.006638
Salvation Army	148,000	0.14	6	0.032416
Silas C. Thomas & Julie	7,200	0.133	5	0.025663
Silas C. Thomas & Julie	9,900	0.133	5	0.025663
Silas C. Thomas & Julie	7,100	0.13	5	0.025084
Silas C. Thomas & Julie	35,500	0.383	1.5	0.02217
Woodlawn Center	202,500	0.53	5	0.102265
Woodlawn Center	115,600	0.603	2.25	0.052358
Woodlawn Center	588,100	3.191	5.85	0.720386
Woodlawn Center	900	0.013	5.85	0.002935
Woodlawn Center	2,581,300	8.41	6.25	2.028422
		30.421	•	4.88926

# QUIMBY VILLAGE ECONOMIC DEVELOPMENT AREA



Fort Wayne Redevelopment Commission December 2015

# I. Quimby Village Economic Development Area (EDA)

#### A. Introduction

The Fort Wayne Redevelopment Commission has approved the creation of economic development areas and amendments thereto, since 1989, in order to incent and revitalize commercial and / or retail development and to assist in funding infrastructure improvements to facilitate the redevelopment of commercial areas, improve public safety and quality of life and to enhance transportation corridors. Examples include the Coldwater Crossing Shopping Center, Meijer Store at Illinois Getz Road, Southtowne Centre, and Orchard Crossing Shopping Center on West Illinois Road. Commission staff has undertaken a study of the area in and surrounding the Quimby Village Shopping Center, along Bluffton Road, following the publication of the Gibbs Planning Group Study in July 2015, which described this area as a candidate for redevelopment. This shopping center was developed in the 1960's and now shows the characteristics of an "area needing redevelopment" as defined by statute. It consists of thirty one (31) largely commercial entitles on a thirty five (35) acre tract. The commercial uses vary across the spectrum allowed by the zoning code for this area (CM2 and CM3). The goals set forth in the plan include the construction of public infrastructure improvements, possible attraction of a new retailer(s) to the area, possible use of incentives provided by statute to revitalize existing commercial entitles in the area, creation of new job opportunities, and providing an increased in the property tax base.

The Commission finds it timely and desirable to propose the creation of the Quimby Village EDA to include all property generally compromising the Quimby Village Shopping Center in the subject area. The creation of the EDA will facilitate the capture of tax increment from new or enhanced development on the site that may be used finance needed public infrastructure and off-site improvements that are key to the further orderly development of this area. Public infrastructure improvements may include the construction of a pedestrian bridge from Indian Village Park to the Quimby Village Shopping Center, improved public parking areas, and a traffic circle / roundabout at the intersection of Broadway Ave. with Bluffton Road together with other improvements that may be needed pursuant to a final project design.

The findings contained in Section II, herein, are necessary for the Commission's consideration of an amendment to 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 amendment area contains all real estate generally comprising the Quimby Village Shopping Center, described on Exhibit "A" and the segment of Bluffton Road from its intersection with Broadway Avenue running southerly to its intersection with Brooklyn Ave. It is depicted graphically on Map 1, "Proposed Quimby Village Economic Development Area".

## C. Statement of Project Objectives

- 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 base increase from new growth and development
- 4. To benefit the public by protecting and enhancing the value of surrounding property

5. To accommodate and facilitate an improved, safer and better engineered flow of traffic in a key traffic point of the City

# D. <u>Land Use Plan and Development Controls</u>

- 1. Map 1, "Proposed Quimby Village Economic Development Area depicts land use and zoning for the amendment area.
- 2. Land use, building requirements, development controls and other regulations and controls applying to the CM3 (General Commercial) and CM2 (Limited Retail and Commercial) zoning designations shall apply to the development as specified in the City of Fort Wayne Zoning Ordinance.
- 3. Zoning for the amended area is zoned CM3 or CM2. No change in zoning is required to accommodate the proposed amendment.

## E. Proposed Project Activities

- 1. Improvements to public infrastructure
  - a. Pedestrian Bridge from Indian Village Park to Quimby Village Shopping center. May include a neighborhood identity feature, lighting and handicapped access.
  - b. Road improvements at the intersection of Broadway Ave. with Bluffton Road. Improved access and increase general public safety by adding turn lanes through the construction of a roundabout / traffic circle. Vehicular count: 23,000 vehicles per day (Traffic Engineering: 2015).
  - Construction of a public parking lot in a strategic location with an impervious surface
  - d. Other related improvements that may be necessary in accordance with the project's final design
  - e. 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 "Quimby Village Economic Development Area" is identical to the amended "Quimby Village 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 funding or retiring the financial obligations required to fund the activities described in paragraph 1 E above.
- 3. Redevelopment costs: The estimated project costs are \$550,000 for construction of the aforesaid improvements (pedestrian Bridge) which includes \$50,000 for professional engineering, design and technical inspection services.

## 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 amended 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 Quimby Village 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 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 the City's Comprehensive Plan (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. Attracts a major new business enterprise 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 (Plan It Allen).

## 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

This EDA sets the stage for the redevelopment of the Quimby Village Shopping center, once a key retail entity for the Indian Village and other surrounding residential neighborhoods. Through the use of the provisions provided by statute and the construction of public improvements, revitalization of the existing property will be accomplished, along with the attraction of a new anchor entity and the ensuing creation of jobs and related economic development activity.

3. (2) (a) Lack of local public improvement

The construction of the public improvements envisioned by the EDA are the proposed construction of a pedestrian bridge from Indian Village Park to the Quimby Village Shopping Center, along with road improvements to the Bluffton Road and Broadway Ave. intersection. This will facilitate better, improved and safer turning of vehicles from all directions and improved traffic flow. Other improvements may be undertaken in this area, as appropriate, pursuant to a final project design. These include the planning and possible construction of a public parking lot to serve the area. These improvements will provide for safer travel by all motorists in this critical point of Bluffton Road, regardless of destination. The following traffic count [# of vehicles per day] (Source: Traffic Engineering, City of Fort Wayne and NIRRC) illustrate the volume of traffic on this segment of Bluffton Road:

2015 23,000

4. The public health and welfare will be benefited by accomplishment of the amendment to the EDA

An annual payroll increase to the local economy will ensue from any development or redevelopment of property in the EDA. In addition, any like type retail or 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 or commercial 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 on public safety as traffic flow is positively enhanced in this area of Bluffton Road.

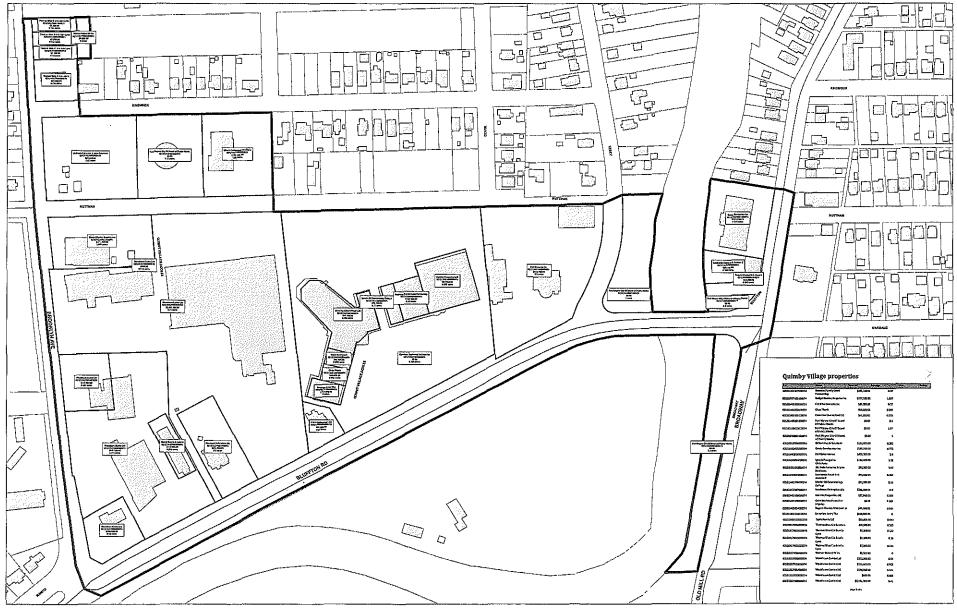
- 5. The accomplishment of the plan for the EDA will be of public utility and benefit as measured by:
  - a. The attraction or retention of permanent jobs
  - b. An increase in the property tax base.
- 6. The plan for the EDA conforms to other development and redevelopment plans for the unit.

The Quimby Village EDA is a logical extension of the project activities contained in the previous Economic Development Plans approved and adopted by the Commission. It builds upon the strengths and successes that have been realized since these plans were adopted and the subsequent construction of the planned public infrastructure improvements. The EDA further conforms to the major goals, policies and strategies contained in the Comprehensive Plan for the City of Fort Wayne (Plan It Allen).

# C. Conclusion

Based upon the foregoing data, observations and analysis, the conditions in the area encompassed by the Quimby Village Road 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.

# PROPOSED QUIMBY VILLAGE ECONOMIC DEVELOPMENT AREA



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