

COPY

AMENDED

3/15/95

RESOLUTION NO. 1, 1995

2/1/95

DECLARATORY RESOLUTION OF THE VALPARAISO REDEVELOPMENT
COMMISSION

WHEREAS, the City of Valparaiso ("City") Redevelopment Commission ("Commission") has investigated, studied and surveyed economic development areas within the corporate boundaries of the City; and

WHEREAS, the Commission has discussed the creation of an economic development area at several public meetings, and invited and responded to public input on these important economic development matters; and

WHEREAS, the Commission has selected an economic development area to be developed under IC 36-7-14 and IC 36-7-25 (collectively the "Act"); and

WHEREAS, the Commission has prepared an economic development plan ("Plan") for the selected economic development area, which Plan is attached to and incorporated by reference in this resolution; and

WHEREAS, the Commission has caused to be prepared:

- 1) Maps and plats showing:
 - (A) the boundaries of the economic development area, the location of various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning, or economic development of the area, indicating any parcels of property to be excluded from the acquisition; and
 - (B) the parts of the acquired areas that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other public purposes under the Plan;
- 2) Lists of the owners of the various parcels of property proposed to be acquired; and
- 3) An estimate of the cost of acquisition, redevelopment and economic development; and

WHEREAS, the Commission has caused to be prepared a factual report ("Report") in support of the findings contained in this resolution, which Report is attached to and incorporated by reference in this resolution;

NOW, THEREFORE, be it resolved by the Commission that:

1. The Commission has selected as an economic development area an area within its corporate boundaries, which area the Commission is hereby designating as the Southeast Economic Development Area ("Southeast Area"), and which Southeast Area is described in Appendix A.
2. The Commission finds that the Plan for the Southeast Area:
 - a. Promotes significant opportunities for the gainful employment of the citizens of the City;
 - b. Is designed to attract major new business enterprises to the City or expand significant businesses existing in the City;
 - c. Benefits the public health, safety, morals and welfare of the citizens of the City;
 - d. Increases the economic well-being of the City and the State of Indiana; and
 - e. Serves to protect and increase property values in the City and the State of Indiana.
3. The Commission finds that the Plan cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed the Commission under IC 36-7-14 because of:
 - a. the lack of public improvements;
 - b. the existence of conditions that lower the value of the land below nearby land; and
 - c. the fact that growth and development in cities in the State of Indiana cannot generate additional funds for public improvements or to increase services such as fire and parks to its citizens.
4. The Commission finds that the accomplishment of the Plan will be of public utility and benefit as measured by:
 - a. The attraction and retention of permanent jobs;
 - b. An increase in the property tax base;
 - c. Improved diversity of the economic base; and
 - d. Allowing the City to provide safe transportation, and additional public infrastructure in the

southeast area of the City.

5. The Commission proposes to acquire interests in real property, easements and right-of-way within the boundaries of the Southeast Area as shown in the Plan.
6. The Commission estimates that the cost of implementing the Plan will not exceed \$ ~~13.3~~ ^{8.8} million plus financial costs.
7. The Commission finds that no residents of the Southeast Area will be displaced by any project resulting from the Plan; and, therefore, the Commission finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for the residents.
8. This paragraph shall be considered the allocation provision for the purposes of IC 36-7-14-39. The entire Southeast Area shall constitute an allocation area as defined in IC 36-7-14-39. Any property taxes levied on or after the effective date of this resolution by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the allocation area shall be allocated and distributed in accordance with IC 36-7-14-39.3.
9. All the rights, powers, privileges, and immunities that may be exercised by the Commission in a Redevelopment Area or Urban Renewal Area may be exercised by the Commission in the Southeast Area, subject to the limitations in IC 36-7-14-43.
10. The presiding officer of the Commission is hereby authorized and directed to submit this resolution, the Plan, and the Report to the Valparaiso Plan Commission for its approval.
11. The Commission also directs the staff, upon receipt of the written order of approval of the Valparaiso Plan Commission and the approval of the Plan Commission's order by the Common Council, to publish notice of the adoption and substance of this resolution in accordance with IC 5-3-1-4 and to file notice with the Valparaiso Plan Commission, the Board of Zoning Appeals, the Board of Public Works, the Park Board, the building commissioner and any other departments or agencies of the City concerned with City planning,

zoning variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the City's Planning office and must establish a date when the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed project and will determine the public utility and benefit of the proposed project. Copies of the notice must also be filed with the officer authorized to fix budgets, tax rates and tax levies under IC 6-1.1-17-5 for each taxing unit that is either wholly or partly located within the proposed allocation area.

12. The Commission also directs the staff to prepare or cause to be prepared a statement disclosing the impact of the allocation area, including the following:
- (A) The estimated economic benefits and costs incurred by the allocation area, as measured by increased employment and anticipated growth of real property, personal property and inventory assessed values; and
 - (B) The anticipated impact on tax revenues of each taxing unit that is either wholly or partly located within the allocation area. A copy of this statement will be forwarded to each such taxing unit with a copy of the notice required under Section 17 of the Act.
13. The Commission further directs the staff to submit this resolution to the Common Council for its approval of the establishment of the Southeast Area.
14. This Resolution shall be effective as of its date of adoption.

Stuart Summers

Tony Schultz

Aaron Carlberg

Nancy Urschel

John Bowker

Appendix A

LEGAL DESCRIPTION OF THE SOUTHEAST VALPARAISO ECONOMIC DEVELOPMENT
AREA AND MAP OF AREA

Appendix B

LIST OF PROPERTY PARCELS IN THE SOUTHEAST VALPARAISO ECONOMIC
DEVELOPMENT AREA

GROWTH GUIDELINES AND STRATEGIES FOR VALPARAISO

General Community goals for the growth and development of Valparaiso are:

1. To preserve the community's heritage and small city character while accommodating change that meets the needs of residents.
2. To create a better living environment for the residents.
3. To ensure the community's resources are beneficially used to satisfy the current and future need of residents.
4. To promote the economic role of Valparaiso through the use of growth management strategies aimed at establishing a favorable base of business and industry.
5. To develop and promote guidelines for development directly outside the city limits.
6. To continue to develop the financial resources necessary to continue the Valparaiso quality of life.

Strategies are necessary to prescribe how these goals become realities. Because the true value of a Comprehensive Plan is never realized unless it is implemented. And, although the following strategy are recommended, limitations need to be realized. These limitations include the numerous interest groups, public agencies, and private concerns that constantly make decisions that have impact on the way Valparaiso changes.

The first strategy should be to assist in the coordination and direction of these public and private policies, and therefore allow the City input into decision-making processes.

The second strategy is to pursue with energy and dedication the implementation of this (Comprehensive) Plan.

The third strategy is one of prioritizing, All changes cannot be achieved in a short period of time. The Action Plans need to be prioritized by need and expense. Those plans that require extensive resources may need additional plans. The Plan Commission should establish these priorities.

The fourth strategy is to review the entire planning structure for cross references, and compatible goals. All city policies, and specific district and infrastructure plans, need to include the overall goal of the Comprehensive Plan, and state how the specific plan meets these goals.

The fifth strategy is to coordinate the Comprehensive Plan with the Porter County Comprehensive Plan. The 49 Bypass Master Plan is an example of this coordination and cooperation.

Appendix E

LIST OF PROPERTIES TO BE ACQUIRED IN THE SOUTHEAST AREA

FACTUAL REPORT IN SUPPORT OF FINDINGS CONTAINED IN THE
RESOLUTION 2, 1995 of the
VALPARAISO REDEVELOPMENT COMMISSION

1. The Plan for the Southeast Area will promote significant opportunities for the gainful employment of citizens of the City of Valparaiso ("City") as follows:

The available commercial/industrial land could create 985 jobs (based on comparable business development) for our citizens. In the first seven years of the Southeast Area development, it is estimated that 345 jobs could be created with the completion of the proposed public projects. Most of these jobs would require access to either one or both LaPorte Ave. and Silhavy Road. As stated in the Plan, the first priorities include design and engineering for all projects on LaPorte and Silhavy. These projects will result in safer and alternative accesses to these jobs. Without good, safe access for their employees, new businesses will not locate in this Area. (see attached list of public improvements).

2. The Plan will attract a major new business enterprise to, or will retain or expand an existing significant business enterprise in, the City as follows:

New and existing businesses in the Southeast Area will need good, safe access to move clients/products. Access points for new and existing businesses include LaPorte, Silhavy, and indirectly the triangle at Lincolnway/Sturdy/LaPorte.

The Plan also addresses the expansion of drainage systems necessary to control flooding in the two watersheds in the Southeast Area. Without the expansion of drainage, new businesses will not locate in the Southeast Area, and flooding could threaten the existing businesses with damages.

The new jobs being created in the Southeast Area will result in new housing demands. The median income for Valparaiso households is \$31,600. Some of the housing need will be answered in the Southeast Area in the multi-family-zoned land. This land can

add affordable rentals and home ownership opportunities. These new housing projects will also add to the traffic, and drainage concerns as stated in the Plan.

3. The planning, replanning, development, and redevelopment of the Southeast Area will; a) benefit the public health, safety, morals and welfare; b) increase the economic well-being of the City and the State of Indiana; and c) serve to protect and increase property values in the City and the State of Indiana as follows:

a) Road and intersection, drainage, and sanitary sewer projects will increase safe and dry access to all new development in the Southeast Area; increased drainage enhances the public health and general welfare, and continues the quality of life for all citizens and businesses. Sanitary sewer projects will increase capacity in areas that would otherwise continue to depreciate in value.

b) The economic well-being of any city in the State of Indiana is consistently challenged by the frozen levy law. If cities and towns and counties in Indiana are not consistently increasing assessed valuation, they are dying. The frozen levy allows no other choice. Increased assessed valuation allows the existing taxpayers little or no increase in taxes, but increased assessed valuation is the result of new development and/or redevelopment. The problem is that new assessed valuation does not create new funds to pay for the additional public improvements necessary for the health, safety and general welfare of the citizens of Indiana. It is up to each city, town and/or county to initiate plans that will provide for increased public improvements. This Southeast Area, with \$8.8 million dollars of public improvements could increase the local assessed valuation by \$56 million.

c) If a city or town can consistently increase assessed valuation, it is an incentive to other businesses to locate there. They realize a commitment to a certain quality of life (the number one reason for businesses relocation/expansion selection). New

development, if completed with quality planning, will always increase property values for the city and for the state. Lack of new assessed valuation eventually lowers property values as all existing and new Indiana businesses have many, many quality sites to chose from outside the state (as do citizens looking for a place to work and live).

4. The Plan for the Southeast Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to IC 36-7-14 (the redevelopment statute) because of a) the lack of local public improvements, b) existence of conditions that lower the value of the land below that of nearby land, and c) multiple ownership of land because:

a) The Redevelopment Commission started with over 26 public improvements that are needed, and decreased the list (as attached) to 11 projects by prioritizing the community's needs. They concluded that the other 15 needed projects would have to be funded through other methods, and that the Area could fund the 11 highest priorities by creating TIF funding.

That means that the other public improvements outside the TIF district will be using any federal, state or other means of funding, leaving these 11 top priorities to TIF for funding. There could never be enough federal and state funds to cover all 26 public projects.

The lack of accomplishing any of the 26 projects would quickly threaten the safety of the community through longer response time by the fire department, traffic congestion, flooding, and overloaded sewers.

b) Lack of good drainage, safe access and sanitary sewers does lower the property values in the Southeast Area. To allow development in the Southeast Area without these needed 11 projects would not increase property values of the undeveloped land, nor of the existing developed land.

c) The only other option to completing any of the proposed public improvements would be on a parcel-by-parcel basis as property owners seek

improvements. This process does not thoroughly provide for necessary off-site improvements, and would result in half-completed drainage systems and road improvements. To acquire all the needed right-of-way and easements to construct the projects correctly, the City must accumulate and purchase them. With the TIF funding the City can make all purchases at one time, and proceed with the design and engineering necessary to enter into the construction phase. Construction can then be completed in an orderly and cost-efficient manner with the least inconvenience to business and citizens.

- d) Lack of public projects could affect use of undeveloped parcels in the Southeast Area (ie zoning, lower density, etc.)
5. The accomplishment of the Plan for the Southeast Area will be of public utility and benefit as measured by:
- (A) The attraction of an estimated 345 permanent jobs.
 - (B) An estimated increase in the property tax base of \$56 million of assessed valuation (\$56 million real estate and \$0 depreciable personal property); and
 - (C) Improved diversity of the economic base as follows:

The City of Valparaiso learned in the 80s (through the downturn of the steel industry) that diversity is the long term goal for good economic development. Diversity of recruitment of new businesses has been a major goal of the City's Comprehensive Plan, and of the Chamber of Commerce for several years. The Southeast Area, with public improvements, will help in attracting the diverse businesses and workforce needed for the future economic well-being of our community.
6. The Commission estimates that it will finance these projects on a pay-as-you-go basis with approximately \$8.8 million to implement the Plan.

NOTICE TO TAXPAYERS AND ALL OTHER PERSONS AFFECTED OF
ADOPTION AND CONTENT OF RESOLUTION OF VALPARAISO
REDEVELOPMENT COMMISSION AND NOTICE OF PUBLIC HEARING
ON RESOLUTION

Taxpayers of the Valparaiso Redevelopment District ("District") and all other persons affected hereby are notified that the Valparaiso Redevelopment Commission ("Commission"), at a meeting on February 6, 1995, adopted Declaratory Resolution No. 1 establishing the Southeast Economic Development Area ("Area") and an allocation area ("Southeast Economic Development Allocation Area") within the Area. The District will use incremental real property taxes levied and collected in the Allocation Area in accordance with IC 36-7-14 and IC 36-7-25 to finance public projects in or serving the Area ("the Projects"). The Declaratory Resolution, the Economic Development Plan ("Plan"), and supporting data including maps and plats describing the Area, have been prepared and can be inspected at the City Planning Office, in the City of Valparaiso, Indiana.

Notice is further given that the Commission on March 15, 1995 at the hour of 7 PM, local time, at City Hall, 166 Lincolnway, Valparaiso, Indiana, will receive and hear remonstrances from persons interested in or affected by the proceedings pertaining to the proposed economic development projects and will determine the public utility and benefit of the proposed Projects; including:

- * LaPorte/Silhavy Intersection
- * LaPorte/Silhavy Culvert
- * Triangle Storm Sewer
- * Glendale Interceptor
- * Silhavy Road Extension
- * Knode Creek Basin # 2
- * Triangle Intersection
- * LaPorte Avenue
- * Knode Creek Basin # 3
- * Minor Infrastructure Improvement Fund
- * Vale Park Road
- * Administration and Contingencies; as set forth in the Plan. At the time fixed for the hearing or at anytime prior thereto any person interested in the proceedings may file a written remonstrance with the Secretary of the

Commission. At such hearing, which may be adjourned from time to time, the Commission will hear all persons interested in the proceedings and all remonstrances that have been filed. After considering this evidence, the Commission will take final action by either confirming, modifying and confirming, or rescinding the Declaratory Resolution.

Dated this 21st day of February _____, 1995.

VALPARAISO REDEVELOPMENT COMMISSION

Stuart Summers

_____, President

Nancy Pekarek, City Planner
Vidette - Messenger: Please publish on March 4, 1995
Statement and Proof of Publication to Plan Commission, 166
Lincolnway