

Franklin Street Area Development Plan

Valparaiso Redevelopment Commission
166 Lincolnway
Valparaiso, IN 46383

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I. PURPOSE AND INTRODUCTION

This document is the Franklin Street Development Plan ("Plan") for the Franklin Street Development Area ("Franklin Street Area") for the City of Valparaiso, Indiana ("City"). It is intended for approval by the Common Council, the Valparaiso Plan Commission and the Valparaiso Redevelopment Commission ("Redevelopment Commission") in conformance with IC 36-7-14.

The purposes of the Plan are to benefit the public health, safety, morals, and welfare of the citizens of the City; increase the economic well-being of the City and the State of Indiana; and serve to protect and increase property values in the City and the State of Indiana.

The plan is designed to eliminate blight, promote significant opportunities for the gainful employment of citizens of the City, attract major new business enterprise to the City, retain or expand existing significant business enterprises to the City, provide for local public improvements in the Franklin Street Area, remove conditions that lower the value of the land in the Franklin Street Area below that of nearby land, resolve problems associated with multiple ownership of land, attract and retain permanent jobs, increase the property tax base, and improve the diversity of the economic base of the City.

DEFINITION: Blighted area projects are defined as projects and/or processes and/or programs that add additional tax base and/or disposable income to the local economy over a stable period of time by eliminating blight and encouraging redevelopment; and/or enhance existing tax bases and/or opportunities for citizens to improve their disposable income through new employment. These public improvements are needed to add to the tax base and/or disposable income; and public improvements that add to general welfare, health and safety of all citizens of the community, and cannot be financed other than through the Redevelopment Commission process.

II. DESCRIPTION OF THE FRANKLIN STREET TIF DISTRICT

The Franklin Street Redevelopment Area is described as that area contained in the maps and plats attached to this plan. The general description of the area includes a parcel located at 57 Franklin St., County Courthouse and jail, City Police Station and three entranceway projects and intersections in the downtown. It does not contain any single family homes. This area is bounded by Morgan and Lincolnway on the east, Lincolnway and Napoleon on the west,

Lincolnway on the norths, and Monroe and Washington on the south. (see Appendix A for legal description, and Appendix B for a list of parcels).

The objectives of the Franklin Street Development Area are:

- * To encourage private construction of a new structure at 57 Franklin St. where a 1996 fire destroyed a 100-year-old building, which currently is blighted and unsafe, and
- * To encourage reuse of the county jail.
- * To provide for the orderly growth and development of the Franklin Street area as defined in the Downtown Master Plan and supported by City needs and which are available in the Planning Office.
- * To encourage the development of the three main entrances and other streetscape in the downtown as described in the Downtown Master Plan
- * To adhere to the Comprehensive Plan particularly the Downtown Master Plan chapter.
- * Encourage the economic development of the Franklin Street area and to eliminate land uses that are obsolete or otherwise detrimental to the public welfare.
- * Insofar as practical, leverage financial assistance from other government and/or private sources.
- * To enable the City and County to jointly extend the streetscape to county buildings

These objectives need to be met for the general health, safety and welfare of the citizens and cannot be financed through any other means; including new and repaired streets, curbs, sidewalks, traffic signals, street lights, and reuse of public buildings. (A list of specific infrastructure is included as Appendix C)

III. VALPARAISO COMPREHENSIVE PLAN COMPATIBILITY

Valparaiso Comprehensive Plan includes a chapter entitled Downtown Master Plan. This chapter includes a policy of continued implementation of the downtown streetscape. This policy is compatible with the objectives of the Redevelopment Commission's

Franklin Street Area plan. Specific guidelines for streetscape implementation are found in the Downtown Master Plan.

Downtown policies also include encouraging commercial development in the downtown as a natural growth of the city. A balanced growth allows the development of a variety of opportunities for the citizens to live and work in the city. The zoning classification in the Franklin Street area is C-4.

Constraints to achieving this downtown growth are also delineated in the downtown plan, and include a lack of ongoing financing to continue the streetscape, and a need for a maintenance plan for the existing streetscape. In the Franklin Street area there are no natural constraints. However, the development of a new building on the fire site has been delayed by court actions between the current owner and his insurance company.

Through public improvements, and reuse of the Highland site and the county jail building and police station, downtown investments will be encouraged and financing of public improvements will be possible.

One of the most challenging economic constraints existing in the City is the frozen levy status. Because cities and counties in the State of Indiana can only increase their levies 5% annually, new tax base does not create new funds, but only more taxpayers paying into the same pot. Therefore, it is next to impossible to budget funds for new infrastructure.

Therefore, there is concurrence between the City 1991 Comprehensive Plan and the Franklin Street Redevelopment Area Plan.

IV. PROJECT DESCRIPTION

The economic development of the Franklin Street Area will proceed in three phases, described as follows:

- Phase I - New streetscape for the east side of Franklin St. between Lincolnway and Indiana Ave.
 - Repavement of alleys and removal of asphalt on Indiana; new sidewalk on Michigan between alley and Indiana Ave.

- Phase II - Monroe/Washington entrance way
 - Napoleon/Lincolnway entrance way
 - Morgan/Lincolnway entrance way

- Phase III - Courthouse streetscape
- County jail public improvements
- City Police Station improvements

V. ACQUISITION OF PROPERTY

The Commission does not anticipate acquiring private property. If the Commission does proceed, it shall follow procedures in IC 36-7-14-19 in the acquisition of property. The Redevelopment Commission may exercise the power of eminent domain in an blighted development area if necessary. The City and/or the state may also acquire land right-of-ways for road improvements.

VI. PROCEDURES WITH RESPECT TO THE PROJECTS

All contracts for material and labor in the accomplishment of the Projects shall be let under IC 36-1 and Chapter 5 as applicable.

In the planning and rezoning of real property acquired or to be used in the accomplishment of the Plan; the opening, closing, relocation and improvements of public ways; and the construction, relocation, and improvement of sewers and utility services; the Redevelopment Commission shall proceed in the same manner as private owners of the property. The Redevelopment Commission may negotiate with the proper officers and agencies of the City to secure the proper orders, approvals, and consents. In so far as practical, the Commission intends to use the existing organizational structure within City government to accomplish the projects.

Any construction work required in connection with the projects may be carried out by the appropriate municipal or county department or agency. The Redevelopment Commission may carry out the construction work if all plans, specifications, and drawings are approved by the appropriate department or agency and the statutory procedures for the letting of the contracts by the appropriate department or agency are followed by the Redevelopment commission.

The Redevelopment Commission may pay any charges or assessments made on account of orders, approval, consents, and construction work with respect to the projects or may agree to pay these assessments in installments as provided by statute in the case of private owners.

None of the real property acquired for the projects may be set aside and dedicated for public ways, parking facilities, sewers, levees, parks or other public purposes until the Redevelopment Commission has obtained the consent and approval of the department or agency under whose jurisdiction the property will be placed.

VII. INITIATION AND DURATION OF THE FRANKLIN STREET AREA PLAN

The Franklin Street Area Plan will begin implementation when the Confirmatory Resolution is passed. The Franklin Street Area Plan will cease when all public improvements in the TIF district have been completed and all payments have been finalized, and no outstanding debts or pending litigation exists. Provided however, that property rights of the Commission may survive this plan.

VIII. PROCEDURES TO AMEND THIS PLAN

The Franklin Street Redevelopment Area Plan can be amended any time in accordance with IC 36-7-14-17.5. However, any enlargement of the boundaries of the Franklin Street Area must be approved by the Common Council.

IX. FINANCING OF THE PROJECTS

It is the intention of the Redevelopment Commission to finance projects through a borrowing process payable from incremental ad valorem property taxes allocated under IC 36-7-14-39 in order to raise money for completion of the Projects in the Franklin Street Area. The amount collected may not exceed the total, as estimated by the Redevelopment Commission of all expenses reasonably incurred in connection with the Projects including:

- (1) The total cost of all land, rights-of-way and other property to be acquired and developed;
- (2) All reasonable and necessary architectural, engineering, legal, financing, accounting, advertising, bond discount and supervisory expenses related to the acquisition and development of the projects; and
- (3) A debt service and contingencies reserve for the projects to the extent the Redevelopment Commission determines that a reserve is reasonably required.

If the issuance of debt is determined necessary, the Redevelopment Commission will comply with IC 36-7-14-25.1, and IC 36-7-14-27.5.

In the alternative, the Redevelopment Commission may enter into a lease of any property that could be financed with the proceeds of bonds under IC 36-7-14. The lease is subject to the provisions of IC 36-7-14-25.2 and IC 36-7-14-25.3.

X. FINDINGS OF FACT

1. The Commission finds that the Plan for the Franklin Street Area:
 - a. Develops a blighted area that cannot be corrected by regulatory processes or ordinary operation of private enterprise;
 - b. The public health and welfare will benefit by the acquisition and redevelopment of the area;
 - c. Increases the economic well-being of the City and the State of Indiana; and
 - d. Serves to protect and increase property values in the City and the State of Indiana.
2. 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.