

**VALPARAISO REDEVELOPMENT COMMISSION
VALPARAISO, INDIANA**

RESOLUTION NO. 2023-11

**A RESOLUTION OF THE CITY OF VALPARAISO, INDIANA, REDEVELOPMENT
COMMISSION DECLARING AN AREA IN THE CITY OF VALPARAISO, INDIANA AS
AN ECONOMIC DEVELOPMENT AREA AND APPROVING AN ECONOMIC
DEVELOPMENT PLAN FOR SAID AREA AND REGARDING RELATED MATTERS**

WHEREAS, the City of Valparaiso, Indiana (the "City"), Porter County, Indiana, Redevelopment Commission (the "Commission"), the governing body of the Department of Redevelopment of the City and the Redevelopment District of the City (the "District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in Indiana Code ("I.C.") 36-7-14, *et seq.*, (the "Act") and I.C. 36-7-25 *et seq.*;

WHEREAS, the Commission has thoroughly studied that area of the City, as described on Exhibit A attached hereto and depicted on Exhibit B attached hereto, and hereby designated as the West Street Economic Development Area (the "Area"); and

WHEREAS, there has been presented to this meeting for consideration and approval of the Commission an economic development plan for the Area entitled "Economic Development Plan for the West Street Economic Development Area" (the "Plan") a copy of which is attached hereto as Exhibit C; and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Area, the location of various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning, economic development or redevelopment of the Area, and the parts of the Area that are to be devoted to public ways, sewerage and other public purposes under the Plan; and

WHEREAS, the Commission has caused to be prepared estimates of the costs of the economic development projects as set forth in the Plan; and

WHEREAS, the Plan and supporting data were reviewed and considered by the Commission at this meeting; and

WHEREAS, Section 39 of the Act permits the creation of "allocation areas" to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said section; and

WHEREAS, Sections 41 and 43 of the Act permit the creation of "economic development areas" and provide that all of the rights, powers, privileges and immunities that may be exercised by this Commission in an area needing redevelopment or urban renewal area may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, the Commission deems it advisable to apply the provisions of said Sections 39, 41, and 43 of the Act to the Plan and financing of the Plan;

WHEREAS, the Commission also proposes to then establish a new allocation area within the Area to be known as West Street Allocation Area (the "West Street Allocation Area,");

NOW, THEREFORE, BE IT RESOLVED, by the Valparaiso Redevelopment Commission of the City of Valparaiso, Porter County, Indiana, as follows:

1. The Plan for the Area promotes significant opportunities for the gainful employment of the citizens of the City, will assist in attracting major new business enterprises to the City, may result in the retention or expansion of significant business enterprises existing in the City, and meets other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation, benefiting the public health, safety and welfare, increasing the economic well-being of the City and the State of Indiana (the "State"), and serving to protect and increase property values in the City and the State.

2. The Plan for the Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of local public improvements, existence of improvements or conditions that lower the value of the land below that of nearby land, or other similar conditions, including without limitation the cost of the projects contemplated by the Plan and the necessity for requiring the proper use of land so as to best serve the interests of the City and its citizens.

3. The public health and welfare will be benefited by the accomplishment of the Plan for the Area.

4. The accomplishment of the Plan for the Area will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.

5. The Plan for the Area conforms to other development and redevelopment plans for the City.

6. In support of the findings and determinations set forth in Sections 1 through 5 above, the Commission hereby adopts the specific findings set forth in the Plan.

7. The Plan does not contemplate the acquisition of property as a part of the economic development strategy, and the Commission does not at this time propose to acquire any specific parcel of land or interests in land within the boundaries of the Area. If the Commission proposes to acquire specific parcels of land, the required procedures for amending the Plan under the Act will be followed, including notice by publication and to affected property owners and a public hearing.

8. The Commission finds that no residents of the Area will be displaced by any project resulting from the Plan, and therefore finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for the residents.

9. The Plan is hereby in all respects approved, and the secretary of the Commission is hereby directed to file a certified copy of the Plan with the minutes of this meeting.

10. The Area is hereby designated as an “economic development area” under Section 41 of the Act.

11. The entire Area is hereby designated as an “allocation area” pursuant to Section 39 of the Act, to be known hereinafter as the “West Street Allocation Area” (the “Allocation Area”) for purposes of the allocation and distribution of property taxes on real property for the purposes and in the manner provided by said Section, with the related allocation fund to be known as the “West Street Allocation Fund.” The base assessment date for the Allocation Area shall be January 1, 2023. The Commission hereby specifically finds and determines, based upon its review of the proposed Area and its reasonable expectations relating to expected growth of assessed value in the Area following the completion of local public improvements as set forth in the Plan, that the adoption of the allocation provision as provided herein will result in new property taxes in the Area that would not have been generated but for the adoption of the allocation provision. Any property taxes subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for said allocation area that may be used by the District to do one (1) or more of the things specified in Section 39(b)(3) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. This allocation provision shall expire twenty-five (25) years from the date of issuance of debt secured by the allocated property taxes.

12. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(4) of the Act with respect to the Allocation Area.

13. The officers of the Commission are hereby directed to make any and all required filings with the Indiana Department of Local Government Finance, the Porter County Auditor and the Porter County Recorder in connection with the creation of the Allocation Area and the Allocation Funds.

14. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

15. Any member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this Resolution, and any such action taken prior to the date hereof is hereby ratified and approved.

16. This Resolution, together with any supporting data and together with the Plan, shall be submitted to the Valparaiso Plan Commission (the "Plan Commission") and the Common Council of the City (the "Common Council"), and if approved by the Plan Commission and the Common Council shall be submitted to a public hearing and remonstrance as provided in the Act, after public notice all as required by the Act.

17. This Resolution shall take effect immediately upon its adoption by the Commission.

HEREBY ADOPTED AND APPROVED at a meeting of the City of Valparaiso, Indiana, Porter County, Indiana, Redevelopment Commission held on the 14th day of September, 2023.

**VALPARAISO REDEVELOPMENT COMMISSION
CITY OF VALPARAISO, PORTER COUNTY, INDIANA**

By: Trish Sarkisian
Trish Sarkisian,
President of the Commission

ATTEST:

John Nuppau
John Nuppau, Secretary

EXHIBIT A

LEGAL DESCRIPTION OF WESTSIDE CORRIDOR ALLOCATION AREA

The *West Street Allocation Area* is an irregularly shaped parcel of land in the North ½ of Section 26 and the NE ¼ of Section 27, Township 35 North, Range 6 West, all West of the Second Principal Meridian, said area is in the City of Valparaiso, Center Township, Porter County, more particularly described as follows:

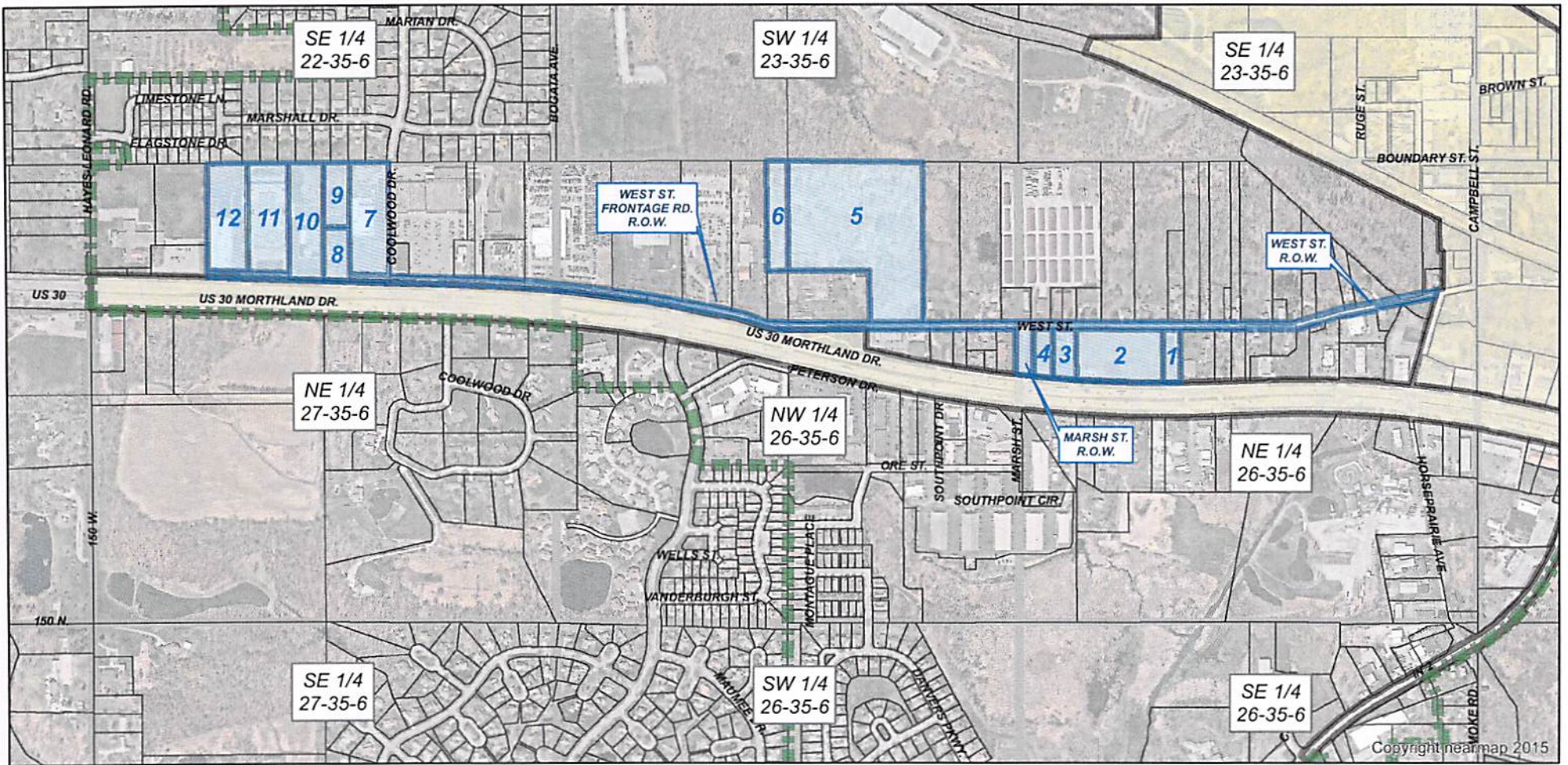
- West Street right-of-way from the existing Consolidated Valparaiso Allocation Area limits on West Street (beginning at the north extended west right-of-way line of Horseprairie Avenue) in the NE ¼ said Section 26 thence west along the right-of-way line(s) of West Street to the east line of the NW ¼ of the NW 1/4 in said Section 26.
- West Street/Frontage Road right of way beginning at the west line of the previously described West Street right-of-way (See Above), said West Street/Frontage right-of-way is also bounded on the south by the north line of the existing Consolidated Valparaiso Allocation Area limits located on the north line of the U.S. Highway 30 right-of-way, thence west along the right-of-way line(s) of West Street/Frontage Road and extending into said Section 27 to the west line of the south extended west line of Porter County Parcel 64-09-27-201-009.000-004, said west line of said West Street/Frontage Road is approximate 660.0' east of the west line of the NE ¼ of said Section 27.
- Marsh Street right-of-way extending north from the existing Consolidated Valparaiso Allocation Area limits located on the north line of the U.S. Highway 30 right-of-way to the south line of the West Street right-of-way.
- 12 Properties are contained within the West Street Allocation Area and are designated by the Porter County Parcel numbers shown below and as shown on the attached West Street Allocation Area Map:
 1. 64-09-26-202-004.000-004
 2. 64-09-26-202-004.000-004
 3. 64-09-26-202-009.000-004
 4. 64-09-26-202-010.000-004
 5. 64-09-26-126-001.000-004
 6. 64-09-26-101-005.000-004
 7. 64-09-27-226-012.000-004
 8. 64-09-27-226-002.000-004
 9. 64-09-27-226-001.000-004
 10. 64-09-27-201-008.000-004
 11. 64-09-27-201-010.000-004
 12. 64-09-27-201-009.000-004

Said West Street Allocation area contains 43 Acres, more-or-less.

EXHIBIT B






MAP OF THE AREA

(See attached)




WEST STREET ALLOCATION AREA MAP

Legend

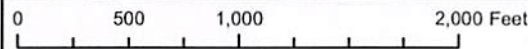
-  Valparaiso City Limits
-  West Street Allocation Area
-  Consolidated Valparaiso Allocation Area
-  Porter County Parcel Lines
-  Quarter Section Lines

Number	P.C. Parcel Number
1	64-09-26-202-004.000-004
2	64-09-26-202-008.000-004
3	64-09-26-202-009.000-004
4	64-09-26-202-010.000-004
5	64-09-26-126-001.000-004
6	64-09-26-101-005.000-004
7	64-09-27-226-012.000-004
8	64-09-27-226-002.000-004
9	64-09-27-226-001.000-004
10	64-09-27-201-008.000-004
11	64-09-27-201-010.000-004
12	64-09-27-201-009.000-004

N



0 500 1,000 2,000 Feet



Valparaiso CEO 09/12/2023

EXHIBIT C

ECONOMIC DEVELOPMENT AREA PLAN

(See attached)

CITY OF VALPARAISO, INDIANA
VALPARAISO REDEVELOPMENT COMMISSION

ECONOMIC DEVELOPMENT PLAN FOR THE
WEST STREET
ECONOMIC DEVELOPMENT AREA



Dated
September 14, 2023

Prepared for the
Valparaiso Redevelopment Commission for a Declaratory Resolution (Resolution No. xxxx, September 14, 2023)
Valparaiso Plan Commission Written Order and Resolution (Resolution No. xxxx, October 3, 2023)
Valparaiso Common Council Approval of Plan Commission Written Order (Resolution No. xxxx, October 23, 2023)
Valparaiso Redevelopment Commission Public Hearing (November 9, 2023)
Valparaiso Redevelopment Commission Confirmatory Resolution (Resolution No. xxxx, November 9, 2023)

Prepared By
 **Cender|Dalton**
Municipal Advisors

CITY OF VALPARAISO, INDIANA
VALPARAISO REDEVELOPMENT COMMISSION

Economic Development Plan for the
West Street Economic Development Area

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INTRODUCTION

The City of Valparaiso, Indiana (the "City") Redevelopment Commission (the "Commission") has prepared this **Economic Development Plan for the West Street Economic Development Area** in response to an economic development opportunity made available to the City and the Commission to implement its mission for the Redevelopment District to benefit the public health and welfare.

This Economic Development Plan (the "Plan") for the West Street Economic Development Area (the "Area") has been prepared in accordance with and in compliance with Indiana Code 36-7-14 titled Redevelopment of Areas Needing Redevelopment Generally; Redevelopment Commissions, but more specifically Sections 41 and 43 for the purpose of designating and establishing the Area and Section 39 (also including compliance with the Indiana Administrative Code 50 IAC 8-2-2) for the purpose of designating and establishing the **West Street Allocation Area** (the "Allocation Area") to utilize tax increment financing and tax increment from an allocation fund for qualified expenditures¹.

This Plan is the Commission's continued efforts to:

- Promote significant opportunities for gainful employment of its citizens and the citizens of northwest Indiana and the State of Indiana;
- Retain and facilitate the expansion of a significant business enterprise existing in the City.
- Provide for economic development initiatives and programs for economic development; and
- Improve the public utility and benefit of the Redevelopment District and the quality of life for residents of the City, northwest Indiana and the state of Indiana through the implementation of this Plan for the Area.

The process to approve this Plan will be conducted in compliance with the approval procedures set forth in the Act, more specifically Sections 15, 16 and 17 as indicated in Section 41(a).

STATEMENT OF PURPOSE

The Commission recognizes that there are certain areas in the City for which economic development opportunities presented to the City and the Commission will stimulate economic development and leverage public capital investment with private investment that benefits the public health and welfare for an economic development area as measured by: (i) the attraction or retention of permanent jobs; (ii) an increase in the property tax base; (iii) the diversification of the City's, northwest Indiana's and the State of Indiana's economic base; or (iv) other similar public benefits².

As a result, it is the responsibility of the Commission to protect the social and public welfare of the District and the City first and then Porter County, northwest Indiana and the State of Indiana and its residents whose lives are enhanced by Commission redevelopment and economic development projects and programs through its efforts related to job creation and retention as well as through business attraction and retention.

The Commission therefore finds that the planning, replanning, and development of the **West Street Economic Development Area** for economic development purposes related to the improvements will not only retain but promote significant employment opportunities and retain a major business in the District. In addition, implementation of this Plan is a public and governmental function that cannot be accomplished through the ordinary operations of private enterprise because of: (i) the necessity for requiring the proper use of the land so as to best serve the interests of the City and its citizens and (ii) the costs of the project³.

¹ Reference Indiana Code 36-7-14-39(b)(2) and Indiana Administrative Code 50 IAC 8-2-13 titled Tax Increment; Use.

² Reference Indiana Code 36-7-14-41(b)(4).

³ Reference Indiana Code 36-7-14, more specifically Section 2.5(a).

This **Economic Development Plan for the West Street Economic Development Area** has been prepared in compliance with the Act, Commission authority and its purposes.

GOALS AND OBJECTIVES OF THE PLAN

Planning requires a set of goals and objectives, identification of economic development opportunities, strategic land use planning, and interaction between the Commission, the City's Plan Commission, City administrators and key policy makers. The goals identified herein are long-term accomplishments the Commission desires to attain by implementing this Plan. Foremost, it is the goal of this Plan is to facilitate and encourage economic development to retain business and private investment in Valparaiso, Porter County, northwest Indiana and the state of Indiana in order to leverage public capital investments and/or incentives by the Commission or the City in the Area.

Additional goals and objectives identified as part of this Plan include:

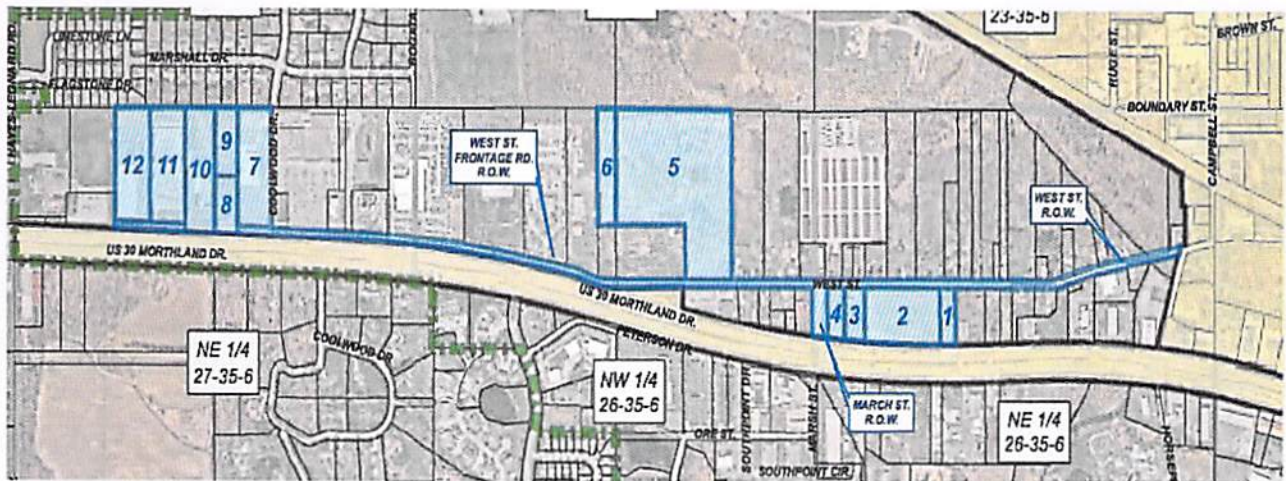
- Re-establishment of an environment within the Area which will once again contribute to the health, safety and general welfare of the City and enhance the value of properties in the Area and adjacent to the Area;
- Provision for community and economic development initiatives to stimulate economic development and private investment in the Area through the redevelopment of this site;
- Improvement of the quality of life for the City, Porter County and northwest Indiana through the implementation of economic development opportunities;
- Encouragement and facilitation of investment in the Area to improve the economic impact to local and regional enterprise.

These goals have been developed to guide the Commission, the City's Plan Commission, City administrators and key policy makers and developers in the economic development of the Area.

GENERAL BOUNDARIES OF THE AREA

The Area is generally located in the southwestern portion of the City of Valparaiso, Indiana along U.S. 30 (Morthland Drive) and West Street. The parcels consist of 43 acres, more or less. See **MAP 1: Economic Development Area Boundary** below.

MAP 1: Economic Development Area Boundary



The Area is further described in detail by a legal description identified within the Area as provided below.

West Street Economic Development Area

The **West Street Economic Development Area** is an irregularly shaped parcel of land in the North ½ of Section 26 and the NE ¼ of Section 27, Township 35 North, Range 6 West, all West of the Second Principal Meridian, said area is in the City of Valparaiso, Center Township, Porter County, more particularly described as follows:

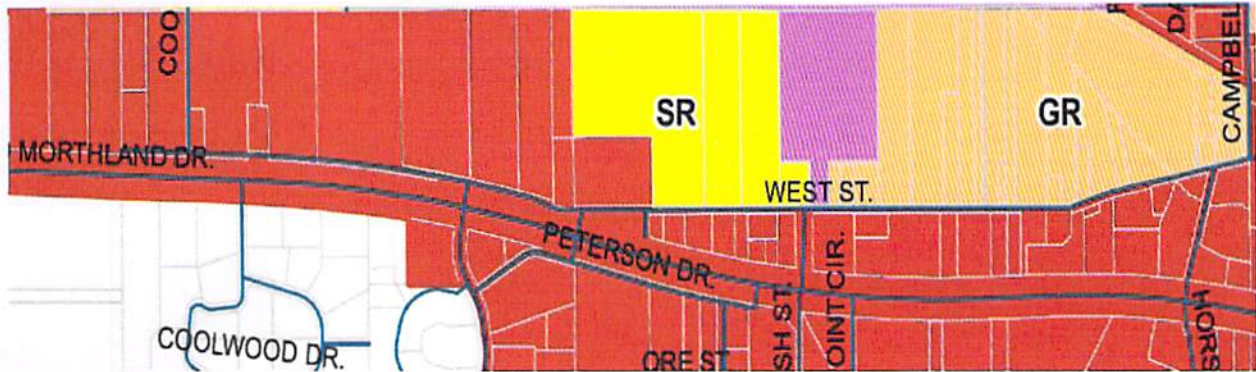
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 6. 64-09-26-101-005.000-004
 7. 64-09-27-226-012.000-004
 8. 64-09-27-226-002.000-004
 9. 64-09-27-226-001.000-004
 10. 64-09-27-201-008.000-004
 11. 64-09-27-201-010.000-004
 12. 64-09-27-201-009.000-004

Said West Street Allocation area contains 43 Acres, more-or-less.

EXISTING ZONING OF THE AREA

The existing zoning for the Area is generally CG (Commercial, General) zoning district and zoning classification, parcel numbers 5 and 6 are SR (Suburban Residential).

MAP 2: Economic Development Area Zoning Map



PLANNED ACTION FOR THE AREA

This Plan is the City's opportunity through the Commission to act as a catalyst for economic development in the Area that will plan and develop the Area to meet the anticipated economic development opportunity presented to the City to redevelop this site.

The Commission intends to initiate, apply, or utilize - individually or in combination - the following economic development actions in order to clear, replan, develop and/or revitalize real property land, improvements, both private and public, in the Area.

The economic development of the Area may include the capital improvements described as follows in, serving or benefiting the Area (collectively, "Projects");

- Construction/extension of sewer, water, road and gas infrastructure improvements;
- Access road infrastructure;
- Construct or reconstruct roads, including but not limited to an overpass and intersection improvements; retainage;
- Site preparation, excavation and drainage;
- Construct or reconstruct and extend sewer lines including possible expansion of sanitary sewer;
- Construct or reconstruct and extend water lines;
- Construct or reconstruct storm water drainage systems and address current storm water challenges in the area;
- Construct or reconstruct buffer zones/mounding;
- Construct or reconstruct beneficial environmental projects;
- Parking and lighting for parking areas;
- Equipment that promotes economic development (subject to useful life and financing issues);
- Construct or reconstruct facilities to house electronics and the installation of fiber optic cable;
- Construction, reconstruction and/or extension of any and all other utility infrastructure; and
- Construction of higher quality architectural and site design elements.

Economic development activities and investment proposed and planned for the Area (including but not limited to site and infrastructure improvements, land acquisition, demolition, etc.) are designed to meet the goals and objective of this Plan.

INFRASTRUCTURE COSTS

The anticipated infrastructure costs associated with the West Street Economic Development Area is \$2,000,000.

STATEMENT ON STATUTORY FINDINGS – ECONOMIC DEVELOPMENT AREA

In accordance with IC 36-7-14-41(b), the Commission determines that the Plan for the Area is an economic development area based upon the following statutory findings that:

- Under Section 41(b)(1), the plan for the economic development area:
 - Promotes significant opportunities for the gainful employment of its citizens;
 - Attracts a major new business enterprise to the unit; or
 - Retains or expands a significant business enterprise existing in the boundaries of the unit.
- Under Section 41(b)(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 Section 2.5 (as previously discussed) and -43 because of:
 - Lack of local public improvement;
 - Existence of improvements or conditions that lower the value of the land below that of nearby land;
 - Multiple ownership of land; or
 - Other similar conditions;
- Under Section 41(b)(3), the public health and welfare will be benefited by accomplishment of the plan for the economic development area;
- Under Section 41(b)(4), the accomplishment of the plan for the economic development area will be a public utility and benefit as measured by:
 - The attraction or retention of permanent jobs;
 - An increase in the property tax base;
 - Improved diversity of the economic base; or
 - Other similar public benefits; and
- Under Section 41(b)(5), the plan for the economic development area conforms to other development and official plans of the City and the Commission.

PUBLIC AVAILABILITY OF THE DOCUMENT

Upon adoption by the Commission as an official economic development and redevelopment planning policy for the City of Valparaiso, Indiana and the Valparaiso Redevelopment Commission, the City will have copies of this Plan available to the public for review and purchase upon request in the Office of the Redevelopment Commission located at 166 Lincolnway, Valparaiso, Indiana 46383.

For further information related to this Plan, the public may contact the following Commission representative during the regular business hours (Monday through Friday, except holidays):

Name of Representative:

George Douglas,
Director of Development

Address:

166 Lincolnway,
Valparaiso, Indiana 46383

Telephone Number:

(219) 462-1161, ext. 3342

Electronic Mail:

GDouglas@valpo.us

EXHIBIT D

LISTING OF PARCELS

West Street Allocation Area

1. 64-09-26-202-004.000-004
2. 64-09-26-202-004.000-004
3. 64-09-26-202-009.000-004
4. 64-09-26-202-010.000-004
5. 64-09-26-126-001.000-004
6. 64-09-26-101-005.000-004
7. 64-09-27-226-012.000-004
8. 64-09-27-226-002.000-004
9. 64-09-27-226-001.000-004
10. 64-09-27-201-008.000-004
11. 64-09-27-201-010.000-004
12. 64-09-27-201-009.000-004