

South Bend **Redevelopment Commission** 227 West Jefferson Boulevard, Room 1308, South Bend, IN

SOUTH BEND REDEVELOPMENT COMMISSION SCHEDULED REGULAR MEETING

February 8, 2024 – 9:30 am https://tinyurl.com/RedevelopmentCommission or Council Chambers, 4th Floor

Presiding: Marcia Jones, President

The meeting was called to order at 9:30 a.m.

1. ROLL CALL

Members Present:	Marcia Jones, President – IP Troy Warner, Vice-President - IP Vivian Sallie, Secretary – IP Eli Wax, Commissioner - IP David Relos, Commissioner – IP Leslie Wesley, Commissioner - IP	IP = In Person V = Virtual
Members Absent:		
Legal Counsel:	Sandra Kennedy, Esq. Danielle Campbell, Asst. City Attorney	
Redevelopment Staff:	Mary Sears, Board Secretary Joseph Molnar, Property Manager	
Others Present:	Caleb Bauer Erik Glavich Sarah Schaefer Zach Hurst Allie Dolz-Lane Allison Zeithhammer Angela Rose Barb Carmichael Bianca Tirado Cam Stillson Charlotte Brach Leslie Biek Gemma Stanton Hillary Horvath Nicole Lipschultz Jeff Young Jennifer Prawat	DCI DCI DCI Engineering Mayor's Office Mayor's Office DCI Resident Clerk's Office Resident Engineering Engineering Engineering Engineering Engineering Resident DCI Resident

	Kaine Kanczewski	Resident	
Others Present:	Karen Nye	Resident	
	KM		
	Laura Hensley	Resident	
	CDD	Engineering	
	Madeline Hostetler	Resident	
1		Resident	
	Magdalena	Resident	
	Marek Mazurek	Resident	
	Colleen	Resident	
	Debby	Resident	
	Marissa Frattini	Legal Dept.	
	Marty Kennedy	DCI	
	Mike Divita	DCI	
	Pam Wycliff	Resident	
	Robbie Karen Co.	Resident	
	Rachel Tomas Morgan	Common Council	
	Steve F	Resident	
	Steve S.	Resident	
	Hunter Stevens	Resident	
	Tim Corcoran	DCI	
	Tracy	Resident	
	Yesenia Garcilazo	Mayor's Office	
	Brandon Waggy	Resident	
	Claval Hunter	Resident	
	Zach Hurst	Engineering 1138 College Street	
	Sarah Foster		
	Matt Barrett	Resident	
	Carol Schimmoeller	Resident	
	Carl Hetler	DCI	
	Edward Jurkovic	Resident	
	JBH	Resident	
	Jason Isch	Resident	
	Kathy Schuth	NNN	
	Nicole Maclou	Resident	
	Mark Peterson	WNDU	
	WSBT	WSBT	
	WNDU	WNDU	
	ABC57	ABC57	
Rebekah Go		921 Cottage Grove	
	Sarah Foster	3210 Sugar Maple	
	Reed Anderstrom	3001 W Cleveland Road	
	Dennis Zmyslo	3201 Sugar Maple Court 24554 Rolling Oak Drive	
	Randall Crobot		
	Don Foster		
		1091 Riverside	
	Kathleen Anastos	51680 Orange Road	
	Ed Conlin	1122 Quigley Place	
	Joe Thomas	24538 Rolling Oaks	
	Daniel Armounfelder	937 S 25 th Street	
	Jordan Boileau (he/him)	237 N Michigan Street	
	Derek Dieter	County Council	

Barbara Jung 3224 W Maple Ct. #513 553 River Avenue Richard Story Resident Pam Wycliff DCI Kate Bolze Resident Karen Rabbi Jennifer Huddleston Neighborhoods Resident **JBH** Nicole MacLauglin, I support New Day Ctr Resident **Thomas Meisel** 51042 Prairie View Way Resident NW Elizabeth Curzan Travis K Resident 410 Marquette Street Nicole Lipschultz **County Council** Amy Drake 1138 College Street Logan Foster Resident Sue Eckman Robert Krushinsky Resident Resident Jane Casper Resident Casey Mulaney Dahlia Wortha Resident **Charity Stowe** Resident Becky Zarnacki Resident Resident Kim Gray **Emily McClements** Resident Resident Heather Zoeller Resident Trisha Jo Kusco Matt Graybill – I support Resident

2. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of Thursday, January 11, 2024

Upon a motion by Commissioner Relos, seconded by Commissioner Wax, the motion carried unanimously, the Commission approved the minutes of the regular meeting of Thursday, January 11, 2024.

B. Approval of Minutes of the Executive Commission Session, January 25, 2024

Upon a motion by Commissioner Relos, seconded by Commissioner Wax, the motion carried unanimously, the Commission approved the minutes of the Executive Commission Session, January 25, 2024.

3. Approval of Claims

A. Claims Allowance January 30, 2024

Upon a motion by Secretary Sallie, seconded by Commissioner Relos, the motion carried unanimously, the Commission approved the claims allowances of January 30, 2024.

4. Old Business

1. Real Estate Purchase Agreement (South Bend School Corporation)

Caleb Bauer, Executive Director Community Investment, Presented items 4A and 4B to the commission. These are related items that we had discussed at the last meeting which is a purchase agreement for a proposed site on Bendix Drive north of the current South Bend Community School Corporation bus depot.

The land that we are discussing today is the grass lot and smaller parking lot you can see on the exhibit. An exhibit of the subdivision breakdown was shown. It is a 5.17-acre site, and you can see it on the north side. The details of that purchase agreement are a purchase price of \$277,750 for 5.17 acres. That is the average of two appraisals. There is a 90-day due diligence period and closing period. At closing, the school corporation and RDC would execute a license which would allow continued use of the parking area by South Bend Community School Corporation until construction.

The purchase agreement would commit to a 25-foot buffer to the south and an eight-foot fence along the southern boundary. City staff would support a variance for that to be a ten-foot fence. The approval today before you is for the Redevelopment Commission purchase of the site for redevelopment. It does not set its use.

Mr. Bauer listed the approvals that would be required for the potential use proposed at the site which is the New Day Intake Center. There would be other bodies that would need to weigh in on that. This would return to the Redevelopment Commission before any center were constructed. The site would need to pursue a rezoning, which would go to the Plan Commission and the Common Council and appropriate funding for the site would have to be raised by the non-profit before they could move forward at the site. The Redevelopment Commission would have to approve a purchase agreement that actually sells the site to the New Day Intake Center non-profit. We do not anticipate this coming before you in the next couple of meetings. This will take time and I want to make clear that this is the first step in what would be a multi-step process.

Any Redevelopment Commission sale would include commitments from non-profit, much like you routinely see in sales to private developers or other buyers. We would have commitments to private investment, commitments on construction timelines and we would expect to add additional commitments related to operations at the site. We have received a lot of great feedback from residents, and we would plan to continue that feedback with individual stakeholder meetings, neighborhood association meetings and continued public meetings to hear that feedback and work through how best the operations of the site and the design of the site can be structured to alleviate those concerns.

If an alternative site were to become viable, and vetted, ready to move forward with a willing seller, staff would seek to redevelop this site as it is an industrial use which is currently zoned for that use. If we had a better site, we would be happy to move forward with that site and this site could be redeveloped. It has been vacant for forty years and we feel it is a good redevelopment parcel.

Conversations are ongoing in exploration of other sites. I am sure you will hear from folks with St. Joseph County; they have formed a task force to explore some sites. One was proposed yesterday. We are happy to look at all sites and continue to think creatively about where this can best fit.

Today is step one in the approval process in which the Redevelopment Commission approves the purchase of the site which does not set the use.

Additional approvals would be required for the use to change from Industrial. There would be a first reading from Common Council of rezoning and that would come after the closing of the site; we do not anticipate that happening before April 2024. Then it would be referred to the Plan Commission which would review the rezoning and make a recommendation to the Common Council for the Council members or former Council members on the Commission. Then Common Council would have their second and third readings of the rezoning and final action. If that rezoning were approved, then would we be able to move forward with the New Day capital campaigns. Completion commitments from the non-profit related to the site and then we would seek to sell the property to the non-profit via Redevelopment Commission actions.

Today we are considering a Redevelopment Commission purchase of the site for redevelopment. We have chosen to be open about the potential intended use because we know that there is significant public interest in that potential intended use. Today is not a decision on that potential intended use and that would be left to the Common Council first.

The New Day Intake Center would need to be located within the city limits of South Bend. The city is the only government partner committing funding at this point, though we would welcome other funding commitments from other governmental partners, it would need to be located on a parcel greater than three acres. It would need to be located within a quarter mile of a bus stop or bus line. We would suggest that Transpo add a new stop if there was not a stop. The parcel would need to be vacant and undeveloped. It cannot be a wetland or brownfields site. It would need to be purchased.

We have looked at the Portage Manor site which is currently off the table. There is a county owned site on old Cleveland Road that is approximately six acres that could be viable. We had been in discussion with South Bend International Airport for a site north of the airport, but they were not interested in selling that parcel. We are willing to explore other sites with those criteria. We know that there is a lot of public comments to hear.

Commissioner Relos stated to be clear, today is the purchase agreement of the possible acquisition of five acres that could be developed for any number of uses at the fair market value? We are here to judge this acquisition on it's merits and not the merits of anything else.

Mr. Bauer stated yes.

Commissioner Wax asked if we have an estimate, or will there be a future redevelopment contribution should this go through as part of a development agreement?

Mr. Bauer stated potentially yes. There is not an estimate of what that estimate would look like. There have been capital commitments for this project made from the state of Indiana's Department of Mental Health. The city's intent would be to explore a capital contribution as well, but whether or not it would come from Redevelopment funds or other funding sources is something we need to work through as we explore budgetary constraints of the city.

Commissioner Wax asked if the city has a spectrum of what that may look like. Obviously, you cannot make a firm prediction.

Mr. Bauer stated for operational commitments, we have looked at \$500k annually to the site. We believe the operational piece is sometimes more challenging to find contributors for. As they get further into design, we would have a more realistic number, not to say that \$12M to \$14M is not realistic, but we have seen construction pricing over the last few years, and it can escalate but there are also design decisions that could reduce cost.

Secretary Sallie asked if another viable project would come to the city after the purchase of this land, this parcel would be considered for that project.

Mr. Bauer stated absolutely. If we found another site for the New Day Intake Center, we would seek to redevelop this site at its current zoned use of Industrial.

Vice-President Warner asked how much money the New Day Intake Center has raised as the capital for their campaign.

Mr. Bauer stated he believes they are halfway there.

Vice-President Warner asked if final action would wait until that campaign is complete.

Mr. Bauer stated yes, we would not bring action before the Commission before the resources are in place for this project.

Commissioner Wax noted that this is premature but conversation of a phase two were brought up.

Mr. Bauer stated that there was a conversation about permanent supportive housing to be paired with an intake center site. This site does have the area to contain an intake center but at this time we do not believe it would be able to have significant paired permanent supportive housing. We have had two developments completed in recent years and we are working on two more, one of them being a scattered site PSH development. That would see single family homes throughout the city and another which is integrated permanent supportive housing at the South Bend Thrive facility on the east side of South Bend. That would just be a handful of units in an otherwise low-income qualified development.

President Jones opened the floor to public comment in opposition of the project.

- 1. Derek Dieter, 1740 Portage Ave, County Commissioner spoke in opposition
- 2. Don Foster, 132 Chapin Street spoke in opposition
- 3. Reed Anderstrom, Church at Cleveland, and Bendix spoke in opposition
- 4. Ed Conlin, 1122 Quigley Place spoke in opposition
- 5. Amy Drake, County Commissioner spoke in opposition
- 6. Joe Thomas, County Council, 24538 Rolling Oaks spoke in opposition
- 7. Sarah Foster, 3210 Sugar Maple Court spoke in opposition
- 8. Logan Foster, 1138 College Street spoke in opposition
- 9. Randy Crobat, resident spoke in opposition
- 10. Brendan Crumlish 1091 Riverside (Sugar Maple Ct.) spoke in opposition
- 11. Thomas Zmyslo, 51042 Prairie View Way spoke in opposition
- 12. Sue Eckman, Far West Side SB spoke in opposition
- 13. Elizabeth Curzan, NW side SB spoke in opposition
- 14. Dennis Mizelow. Tom's Car Care Center spoke in opposition
- 15. Robert Krushinsky, 7th Floor Cty-City Bldg spoke in opposition

President Jones closed the floor to public comment in opposition of the project.

President Jones opened the floor to public comment in favor of the project.

- 1. Rebekah Go, 921 Cottage Grove spoke in favor
- 2. Barbara Jung, 3224 W Maple Lane Court spoke in favor
- 3. Dr. Daniel Armounfelder, Memorial Hospital spoke in favor
- 4. Richard Strory, 553 River Avenue spoke in favor
- 5. Jane Casper, 1314 Wallback Drive spoke in favor
- 6. Casey Mulaney, 518 S. St. Joseph spoke in favor
- 7. Dahlia Wortha, 991 E Wayne Street spoke in favor
- 8. Charity Stowe, 614 S. St. Joseph spoke in favor
- 9. Becky Zarnacki, Arch Avenue spoke in favor
- 10. Kim Gray, Southside Twyckenham spoke in favor
- 11. Emily McClements, Wayne Street Sunnymede spoke in favor
- 12. Heather Zoeller, South Bend resident spoke in favor
- 13. Trisha Joe Kusco, NNW spoke in favor
- 14. Edward Jerkovic, Our Lady of the Road Board spoke in favor
- 15. Nicole Lipschultz, 410 Marquette St spoke in favor

President Jones closed the floor to public comment in favor of the project.

Danielle Campbell-Weiss, City Attorney noted that we would ask for a correction on a small scrivener's error in the recital's subsections D&E The Indiana Code should read 36-1-11-8 not 36-1-11-3. This portion speaks to the ability of governmental entities to transfer property using matching resolutions and then the resolution that follows on the agenda is the resolution that is referred to.

Commissioner Relos noted his original comment that the Commission is voting on an acquisition, and we do not know what will go into this property any time soon. It is not uncommon for the Redevelopment Commission to buy property and not know what will eventually go there. The county bought property at enterprise zone in hopes that it would be redeveloped and has had success out there. Going into the purchase, they did not know what would eventually be put there. To me this is a property acquisition.

Commissioner Wax stated that it has been a long couple of weeks since the initial receipt of item two weeks ago. Over that time, he has had the opportunity to sit through eight hours of public meetings and another several hours of private meetings with many people, in every position imaginable on this issue. It is important to consider this. It is important to stress that there's multiple separate questions that do not necessarily overlap or relate to each other. There is one question to whether or not this approach is a positive and effective approach and helping people that need help. I continue to have guestions that I want to learn more about. There is a separate independent question as to what impact this would have on the surrounding community. It has nothing to do with whether or not this approach is effective. It has nothing to do with whether or not this is the best way to help people in need. It is a separate question as to what impact putting this center in that neighborhood would cause. This is why two weeks ago I proposed that we table the item to hear more and have the opportunity to see what designs and plans would be in place to ensure that this would not have a negative impact in the neighborhood.

There are legitimate concerns, but part of that is alleviated through required planning around engaging with the neighborhood and surrounding constituents to make sure if this is going to go forward that it is designed in a way to eliminate the full success possible with minimized potential negative effects. In several hours of the meetings, it has not come up. Whether it is or not a good program has come up.

He appreciated the board and executives of the New Day Center who say that they look forward to engaging with the neighbors, but that has not happened yet in my years of experience in public projects, you see that often. Projects have a domino effect. Once the process gets started the process goes on one step after the other. Until those questions are addressed of how to put this in a neighborhood and design it so it has minimized risks, I do not see the project moving forward. There has to be an understanding or belief that this is the right project, and this is the direction you want to go before you start at step one. That is where I stand today. Those questions have not been answered and I really do

not see the rush. Caleb mentioned that before zoning could be approved by the Plan Commission and brought back to Common Council there will be significant public engagement to discuss the design and how it would impact surrounding neighborhoods. That is going to happen before the next step. I do not know why that cannot happen before this step. The public engagement meetings were not to discuss how to make sure we could do something that maximized everyone's interests. I would prefer to postpone the items to figure this out. I think it could be designed to really address some of those concerns. The role of the Redevelopment Commission has a singular purpose to improve the city or portions of the city with economic development. It is not supposed to be a project with the goal of helping people in all the ways that city government can and there are other divisions for that. Redevelopment Commission is to use funds to improve the economic area. It could be that this project could happen in this neighborhood, but we have not seen it today and I look forward to those conversations. If I had to decide today, I would vote no because I am not there vet.

President Jones read a portion of a letter from the Mayor to the Redevelopment Commission which states Resolution No. 3589 is a simple purchase agreement for approximately five acres of undeveloped property. To be clear, any action taken today would not be an approval of the New Day Center at this location. For that to happen, many public approvals would be necessary, including an official action by the Redevelopment Commission at a later date.

What we are doing here today is not a final step, it is not carte blanche of anything, simply the first step in a long process to make something happen.

Secretary Sallie noted that this issue is one of the most important that has come before us in a long time. That caused us all to think. We sat in those meetings this week and listened to all of the comments and one minute you are on one side the next minute on the other. There was an equal number of people there that were either for or against. This makes it very difficult to know what is best for the city because that is what our role is but also for the community. I looked up the role of this Commission and the role is responsible for stimulating development in designated areas of the city's achieved through acquisition, clearance, and disposition of land. If we live up to what we have been appointed to do, it is one thing, but then there is the personal side where you're either concerned about the people that are out there on the street and it should not be one or the other because the business in that area suffered in that area. I was shocked as anybody when McDonald's closed. She could not believe that. I talked with McDonald's representatives and learned why. So, this is difficult to address. The mayor is asking us to purchase the land and not anything else.

Vice-President Warner thanked the community that we have heard from over the last two weeks. He noted that there has been a bit of talking past each other and to have any success at any site, there needs to be direct engagement and not to talk past each other. He thanked the Commission and noted that everyone on the Commission is an unpaid volunteer and takes this matter and every matter that is voted on very seriously. He believes that taking the first step makes sense. It keeps the discussion moving forward. He has seen in the past if the first step is not taken that things get pushed aside and the discussion goes away. Then we would be looking for a site four or five years as in this intake center. This is not a final approval. There needs to be a whole lot more discussion, engagement, and input, planning workshops.

In 2020 there was a site for the homeless announced on the east side. We heard many of these same fears. He stood in front of a crowd of thirty people screaming that the site was going to ruin their lives and destroy their neighborhood and property values. It has been two years since they opened their doors and almost none of those things have developed. What the center did was to take in the concerns with a plan and engagement to address those concerns. They learned from other sites and prevented those problems.

These are concerns that must be addressed. As for the task force, in reality this is two years away from opening their doors. There is only 50% of the funding raised and they have been raising the funds for a couple years. There is plenty of time yet for the county task force to get together and for other sites to be considered. With all of these discussions, I am skeptical that there will be any site where you do not get a large amount of opposition every time there is a discussion about homeless. Tempers flare, fears flare and feelings get stoked. I think finding any site where you are not going to have opposition is not a realistic thought.

Upon a motion by Vice-President Warner, seconded by Secretary Sallie, the motion carried with four Yes (Ms. Jones, Mr. Warner, Ms. Sallie, and Mr. Relos), and one No (Mr. Wax) the Commission approved as amended by our city attorney Real Estate Purchase Agreement (South Bend School Corporation on February 8, 2024.

2. Resolution No. 3589 (South Bend School Corporation)

Upon a motion by Vice-President Warner, seconded by Secretary Sallie, the motion carried with four Yes (Ms. Jones, Mr. Warner, Ms. Sallie, and Mr. Relos), and one No (Mr. Wax) the Commission approved Resolution No. 3589 on February 8, 2024.

5. New Business

A. River West Development Area

1. Budget Request (SBMF Demolition)

Zach Hurst Presented a Budget Request (SBMF Demolition). This budget request for \$330k out of the River West TIF would cover engineering design and bid package preparations for demolition of the existing South Bend Medical Foundation, located on the memorial campus and then a new parking lot to replace the entirety of this parcel. This is a time sensitive critical path element for the overall Beacon District project. This request will allow a design team to finalize bid packages for the demolition of the building and replacement of a new parking lot and the critical element here is to get this done before the end of 2024 to keep the hospital project on track.

Mr. Bauer noted that we do not have the development agreement today. We have been in negotiations with Beacon Health system and Great Lakes Capital for more than a calendar year on this project. Those negotiations have been very constructive. We are close to bringing an agreement before you for your consideration. We are asking you to consider this in advance. The goal of the discussions is to facilitate parking for Beacon Health system employees at Memorial Hospital that is currently occupying the development site, which are two blocks south of Memorial Hospital.

We hope to move forward with design so we are in position to be completed in this construction season and the redevelopment project can move forward quickly at the beginning of next construction season. If you are to approve this today, the bond issuance that you previously authorized for the series B2023 tax increment finance funded bonds, would reimburse this cost. The bond proceeds would reimburse the cost from the River West TIF. We do hope and plan to bring all of the agreements before you in the near future. This has been a huge undertaking with all of DCI and engineering participating. Commission approval is requested.

Commissioner Relos asked when this item is anticipated to come to Commission.

Mr. Bauer states that agreement with Beacon Health System and Great Lakes Capital and the Indiana Economic Development Corporation for the Ready 2.0 Fund. These would encompass the district redevelopment for the parking. Parking lots on MLK north of the NIPSCO building.

Vice-President Warner asked so this is for design and put together the bid package which would be approximately ten weeks until bid.

Mr. Hurst noted that he is estimating the March 2nd meeting of BPW to request to advertise to start the bid process.

Vice-President Warner asked about location of the project. The roundabout down to Burger King?

Mr. Bauer stated the project is north of \$240M at this point and would support Beacon Memorial hospital's tower expansion project which is more that a\$400M project. This would support it by providing parking needs. The engineering partner is American Structure Point.

Commissioner Wax confirmed getting early notice on the future issues, to keep consistent with wanting to understand steps of the projects. This little portion is new, but it is part of something we have been engaging for over a year. He does ask that staff relay details on a project that they share with the Commission as much as they can prior to the meeting. He believes it is extremely important. He is excited about the potential of the project.

Mr. Bauer states his intent is to have the agreements in advance for review before the meeting. He is happy to send summaries to the Commission centered around the proposed commitments. He can even send draft agreements as well.

Commissioner Wax stated some renderings to make informed decisions.

Vice-President Warner stated that there are a lot of parts to this one and we have been engaging with this and there is a bond that has been approved and went through Common Council. Common Council would also like to be kept abreast of progress. It is very exciting and transformative for the whole north end. The purchase of the Tribune building by Notre Dame.

Secretary Sallie asked is a representative from Beacon going to come join for the presentation?

Mr. Bauer stated that President Larry Tracy from Memorial Hospital should be here.

Upon a motion by Commissioner Relos, seconded by Vice-President Warner, the motion carried unanimously, the Commission approved a Budget Request (SBMF Demolition) submitted on Thursday, February 8, 2024.

2. Fifth Amendment to Real Estate Purchase Agreement (Diamond View)
Joseph Molnar Presented a Fifth Amendment to Real Estate Purchase
Agreement (Diamond View). This amendment is for the RealAmerica project at
Main and Lafayette. This agreement dates back to 2021 where the property is
sold to develop affordable and market rate apartments. RealAmerica received
low-income tax credits in January 2023. This project has been pushed back due
to the tax credit date. RealAmerica took the six parcels and made them into two
clean parcels. One for the RealAmerica project and one for the LIHTC project.
RealAmerica is looking to break ground by March 2024. They have had some
environmental issues and once they receive their comfort letter from Indiana
Department of Environmental Management they will move forward. Closing may
be separate on the project due to the environmental report. An exhibit of the
subdivision and projects was shown to the Commission. Commission approval is
requested.

Commissioner Wax asked what is the closing date?

Mr. Molnar stated it is the end of February, so we are not in violation, but we want to have some room.

Commissioner Relos stated they are getting rid of the bad dirt.

Mr. Molnar stated yes, there was a low level of lead so they will remediate that section.

Upon a motion by Commissioner Relos, seconded by Vice-President Warner, the motion carried unanimously, the Commission approved Fifth Amendment to Real Estate Purchase Agreement (Diamond View) submitted on Thursday, February 8, 2024.

6. Progress Reports

- A. Tax Abatement
 - None
- B. Common Council
 - None
- C. Other
 - Mr. Bauer stated that conversations with Bear Brew are ongoing and hopefully
 we will have an agreement with you shortly. We did a walk through and on the
 Fourth Amendment we need to look at what items are valid and eligible for
 reimbursement to them.

7. Next Commission Meeting:

Thursday, February 22, 2024

8. Adjournment

Thursday, February 8, 2024, 11:45 a.m.

Vivian G Sallie, Secretary

Marcia I Jones, Presider