



## **SOUTH BEND COMMON COUNCIL**

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### **MEETING AGENDA**

Monday, March 13, 2017

7:00 P.M.

1. **INVOCATION- REV. JAMES B. MILLER, SUNNYSIDE PRESBYTERIAN CHURCH**
2. **PLEDGE TO THE FLAG**
3. **ROLL CALL**
4. **REPORT FROM THE SUB-COMMITTEE ON MINUTES**
5. **SPECIAL BUSINESS**

BILL NO.

- [17-13](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PUBLICLY CONGRATULATING THE SAINT JOSEPH HIGH SCHOOL GIRLS VARSITY BASKETBALL TEAM FOR WINNING THE IHSAA 3A GIRLS BASKETBALL STATE CHAMPIONSHIP

6. **REPORTS FROM CITY OFFICES**

7. **COMMITTEE OF THE WHOLE**

**TIME:** \_\_\_\_\_

BILL NO.

- [11-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE LEGAL DESCRIPTION AND MAP WITHIN ORDINANCE NO. 10165-12 AS PREVIOUSLY AMENDED TO EXPAND THE BOUNDARIES OF THE EXISTING RIVERFRONT DEVELOPMENT PROJECT AREA UNDER IND. CODE 7.1-3-20-16

8. **BILLS ON THIRD READING**

**TIME:** \_\_\_\_\_

BILL NO.

- [11-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE LEGAL DESCRIPTION AND MAP WITHIN ORDINANCE NO. 10165-12 AS PREVIOUSLY AMENDED TO EXPAND THE BOUNDARIES OF THE EXISTING RIVERFRONT DEVELOPMENT PROJECT AREA UNDER IND. CODE 7.1-3-20-16

9. **RESOLUTIONS**

BILL NO.

[17-05](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE AREA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1411 CARROLL STREET, LOTS 82, 83, 84, HANEY'S ADDITION

[17-10](#) A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS NORTHEAST CORNER OF ADAMS ROAD AND U.S. 31, SOUTH BEND, IN 46628 AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (6) SIX YEAR REAL PROPERTY TAX ABATEMENT FOR GLC PORTAGE PRAIRIE III, LLC

[17-11](#) A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 321 SOUTH MAIN STREET, SOUTH BEND, IN 46601 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (5) FIVE YEAR REAL PROPERTY TAX ABATEMENT FOR HIBBERD DEVELOPMENT, LLC

10. **BILLS ON FIRST READING**

BILL NO.

[12-17](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN CLAY TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 4, FOR 17330 STATE ROAD 23, SOUTH BEND, INDIANA

[13-17](#) FIRST READING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT SOUTHEAST CORNER OF COTTER AND KENDALL STREETS, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

[14-17](#) FIRST READING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 2605 AND 2623 WESTERN AVENUE, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

15-17 FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2017

16-17 FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS IN 2017 OF \$143,000 FROM GENERAL FUND (#101), \$225,347 FROM PARKS FUND (#201), \$200,000 FROM GIFT, DONATION, BEQUEST FUND (#217), \$10,000 FROM CENTRAL SERVICES FUND (#222), \$33,671 FROM EMERGENCY TELEPHONE SYSTEM FUND (#244), \$8 FROM EXCESS WELFARE DISTRIBUTION FUND (#252), \$1,000,000 FROM LOIT 2016 SPECIAL DISTRIBUTION FUND (#257), \$2,000,000 FROM LOCAL ROAD & BRIDGE MATCHING GRANT FUND (#265), \$400,000 FROM EMS CAPITAL FUND (#287), \$137,000 FROM EMS OPERATIONS FUND (#288), \$108,300 FROM COPS MORE GRANT FUND (#295), \$150,000 FROM COUNTY OPTION INCOME TAX FUND (#404), \$57,700 FROM ECONOMIC DEVELOPMENT INCOME TAX FUND (#408), \$735,236 FROM SOUTH BEND REDEVELOPMENT AUTHORITY FUND (#752), AND \$250 FROM ERSKINE VILLAGE BOND FUND (#758).

17-17 FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND ENTERPRISE OPERATIONS IN 2017 OF \$400,000 FROM SEWAGE WORKS DEPRECIATION FUND (#642) AND \$40,071 FROM 2011 SEWER BOND FUND (#659).

11. **UNFINISHED BUSINESS**

BILL NO.

17-12 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE AREA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 3701 PORTAGE RD. SOUTH BEND, IN 46628

12. **NEW BUSINESS**

13. **PRIVILEGE OF THE FLOOR**

14. **ADJOURNMENT**

**TIME:** \_\_\_\_\_

**Notice for Hearing and Sight Impaired Persons**

**Auxiliary Aid Or Other Services Are Available Upon Request At No Charge.  
Please Give Reasonable Advance Request When Possible.**

*In the interest of providing greater public access and to promote greater transparency, the South Bend Common Council agenda has been translated into Spanish. All agendas are available online from the Council's website, and also in paper format in the Office of the City Clerk, 4<sup>th</sup> Floor County-City Building. Reasonable efforts have been taken to provide an accurate translation of the text of the agenda, however, the official text is the English version. Any discrepancies which may be created in the translation, are not binding. Such translations do not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the Common Council or the City of South Bend, Indiana.*



## OFFICE OF THE CITY CLERK

KAREEMAH FOWLER, CITY CLERK

### MEMORANDUM

**TO:** MEMBERS OF THE COMMON COUNCIL  
**FROM:** KAREEMAH FOWLER, CITY CLERK  
**DATE:** MARCH 9, 2017  
**SUBJECT:** COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **MONDAY, MARCH 13, 2017** at:

Council Informal Meeting Room  
4<sup>th</sup> Floor County-City Building  
227 W. Jefferson Blvd.  
South Bend, IN 46601

- 3:30 P.M.**      **ZONING & ANNEXATION**      **OLIVER DAVIS, CHAIRPERSON**
1. [Bill No. 17-05](#)- Gloria Dei Special Exception
  2. Zoning & Annexation Organizational Meeting (*5 minutes*)
  3. [APC Briefing on Notification Boundaries](#), Larry Magliozzi
  4. South Bend's SolSmart Program Introduction & Briefing, Leah Thill (*15 minutes*)
- 4:15 P.M.**      **COMMUNITY INVESTMENT**      **GAVIN FERLIC, CHAIRPERSON**
1. [Bill No. 11-17](#)- Riverfront Development Project Expansion
- 4:35 P.M.**      **PARC**      **RANDY KELLY, CHAIRPERSON**
1. PARC Organizational Meeting (*10 minutes*)
  2. Blue Ways Project Update
- 5:05 P.M.**      **UTILITIES**      **DR. DAVID VARNER, CHAIRPERSON**
1. [Substitute Bill No. 66-16](#)- New Water Rates & Charges (*Discussion Only; No Committee Action*)

Council President Tim Scott has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Utilities Committee.

**INFORMAL MEETING OF THE COMMON COUNCIL**      **TIM SCOTT, COUNCIL PRESIDENT**

1. Discussion of Council Agenda
2. Update and Announcements
3. Adjournment

455 County-City Building • 227 W. Jefferson Boulevard • South Bend, Indiana 46601  
Phone 574-235-9221 • Fax 574-235-9173 • TDD 574-235-5567 • [www.SouthBendIN.gov](http://www.SouthBendIN.gov)

JENNIFER M. COFFMAN  
CHIEF DEPUTY  
DIRECTOR OF OPERATIONS

ALKEYNA M. ALDRIDGE  
DEPUTY CLERK  
DIRECTOR OF POLICY

JOSEPH R. MOLNAR  
ORDINANCE VIOLATION CLERK

cc: Mayor Pete Buttigieg  
Committee Meeting List  
News Media

**NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS**  
**Auxiliary Aid or Other Services may be Available upon Request at No Charge.**  
**Please give Reasonable Advance Request when Possible**



## 2017 COMMON COUNCIL STANDING COMMITTEES (Rev. 01-4-17)

### COMMUNITY INVESTMENT COMMITTEE

Oversees the various activities of the Department of Community Investment. This Committee reviews all real & personal tax abatement requests.

Gavin Ferlic, Chairperson

Regina Williams-Preston, Vice-Chairperson

Oliver Davis, Member

Randy Kelly, Member

### COMMUNITY RELATIONS COMMITTEE

Oversees the various activities of the Office of Community Affairs and is charged with facilitating partnerships & ongoing communications with other public and private entities operating within the City.

Regina Williams-Preston, Chairperson

Randy Kelly, Vice-Chairperson

Gavin Ferlic, Member

Karen White, Member

### COUNCIL RULES COMMITTEE

Oversees the regulations governing the overall operation of the Common Council, as well as all matters of public trust. Its duties are set forth in detail in Section 2-10.1 of the *South Bend Municipal Code*.

Tim Scott, Member

Jo Broden, Member

Dr. David Varner, Member

Karen White, Member

### HEALTH AND PUBLIC SAFETY COMMITTEE

Oversees the various activities performed by the Fire and Police Departments, EMS, Department of Code Enforcement, ordinance violations, and related health and public safety matters.

Jo Broden, Chairperson

John Voorde, Vice-Chairperson

Oliver Davis, Member

Karen L. White, Member

### INFORMATION AND TECHNOLOGY COMMITTEE

Oversees the various activities of the City's Division of Information Technologies in the Department of Administration & Finance so that the City of South Bend remains competitive and on the cutting edge of developments in this area. Reviewing and proposing upgrades to computer systems and web sites, developing availability & access to GIS data and related technologies are just some of its many activities.

Tim Scott, Chairperson

Gavin Ferlic, Vice-Chairperson

Dave Varner, Member

Randy Kelly, Member

### PARC COMMITTEE (Parks, Recreation, Cultural Arts & Entertainment)

Oversees the various activities of the Century Center, College Football Hall of Fame, Coveleski Regional Stadium, Morris Performing Arts Center, Studebaker National Museum, South Bend Regional Museum of Art, Potawatomi Zoo, and the many recreational and leisure activities offered by the Department of Parks and Recreation.

Randy Kelly, Chairperson

Dr. Dave Varner, Vice-Chairperson

Oliver Davis, Member

John Voorde, Member



## **2017 COMMON COUNCIL STANDING COMMITTEES (Rev. 01-4-17)**

### **PERSONNEL AND FINANCE COMMITTEE**

Oversees the activities performed by the Department of Administration and Finance, and reviews all proposed salaries, budgets, appropriations & other fiscal matters, as well as personnel policies, health benefits & related matters.

Karen L. White, Chairperson  
Gavin Ferlic, Vice-Chairperson

Regina Williams-Preston, Member  
John Voorde, Member

### **PUBLIC WORKS AND PROPERTY VACATION COMMITTEE**

Oversees the various activities performed by the Building Department, the Department of Public Works & related public works & property vacation issues.

John Voorde, Chairperson  
Randy Kelly, Vice-Chairperson

Jo M. Broden, Member  
Gavin Ferlic, Member

### **RESIDENTIAL NEIGHBORHOODS COMMITTEE**

Oversees the various activities & issues related to neighborhood development & enhancement.

Karen White, Chairperson  
Jo Broden, Vice-Chairperson

Regina Williams-Preston, Member  
John Voorde, Member

### **UTILITIES COMMITTEE**

Oversees the activities of all enterprise entities including but not limited to the Bureau of Waterworks, Bureau of Sewers and all related matters.

Dr. David Varner, Chairperson  
Oliver Davis, Vice-Chairperson

Randy Kelly, Member  
Regina Williams-Preston, Member

### **ZONING AND ANNEXATION COMMITTEE**

Oversees the activities related to the Board of Zoning Appeals, recommendations from the Area Plan Commission and the Historic Preservation Commission, as well as all related matters addressing annexation and zoning.

Oliver Davis, Chairperson  
John Voorde, Vice-Chairperson

Gavin Ferlic, Member  
Jo Broden, Member

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### **SUB-COMMITTEE ON MINUTES**

Reviews the minutes prepared by the Office of the City Clerk of the regular, special and informal meetings of the Common Council and makes a recommendation on their approval/modification to the Council

Tim Scott  
Dr. David Varner





## 2016 COMMON COUNCIL STANDING COMMITTEES (Rev.01-4-17)

### **TIM SCOTT, 1<sup>ST</sup> District Council Member**

#### **PRESIDENT**

Information and Technology, Chairperson

Council Rules Committee, Member  
Sub-Committee on Minutes, Member

### **REGINA WILLIAMS-PRESTON 2<sup>nd</sup> District Council Member**

Community Relations Committee, Chairperson  
Community Investment Committee, Vice-Chairperson

Residential Neighborhood Committee, Member  
Personnel & Finance Committee, Member  
Utilities Committee, Member

### **RANDY KELLY, 3<sup>rd</sup> District Council Member**

PARC Committee, Chairperson  
Community Relations Committee, Vice Chairperson  
Public Works & Property Vacation, Vice Chair

Community Investment Committee, Member  
Information & Technology Committee, Member  
Utilities Committee, Member

### **JO BRODEN, 4<sup>TH</sup> District Council Member**

Health and Public Safety Committee, Chairperson  
Residential Neighborhood Committee, Vice-Chairperson

Council Rules Committee, Member  
Public Works & Property Vacation, Member  
Zoning & Annexation Committee, Member

### **DR. DAVID VARNER, 5<sup>TH</sup> District Council Member**

Utilities Committee, Chairperson  
PARC Committee, Vice-Chairperson

Information & Technology Committee, Member  
Council Rules Committee, Member  
Sub-Committee on Minutes, Member

### **OLIVER DAVIS, 6<sup>TH</sup> District Council Member**

Zoning & Annexation Committee, Chairperson  
Utilities Committee, Vice-Chairperson

Community Investment Committee, Member  
Health & Public Safety Committee, Member  
PARC Committee, Member

### **GAVIN FERLIC, AT LARGE Council Member**

#### **Chairperson, Committee of the Whole**

Community Investment Committee, Chairperson  
Information & Technology Committee, Vice-Chairperson  
Personnel & Finance Committee, Vice-Chairperson

Community Relations Committee, Member  
Public Works & Property Vacation, Member  
Zoning & Annexation Committee, Member

### **KAREN L. WHITE, AT LARGE Council Member**

Residential Neighborhood Committee, Chairperson  
Personnel & Finance Committee, Chairperson

Community Relations Committee, Member  
Council Rules Committee, Member  
Health & Public Safety Committee, Member

### **JOHN VOORDE, AT LARGE Council Member**

Public Works & Property Vacation, Chairperson  
Health and Public Safety, Vice-Chairperson  
Zoning & Annexation Committee, Vice-Chairperson

Residential Neighborhood Committee, Member  
PARC Committee, Member  
Personnel & Finance Committee, Member





RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA,  
PUBLICLY CONGRATULATING THE SAINT JOSEPH HIGH SCHOOL  
GIRLS VARSITY BASKETBALL TEAM FOR  
WINNING THE IHSAA 3A GIRLS BASKETBALL STATE CHAMPIONSHIP**

*Whereas*, the Indiana High School Athletic Association (IHSAA) is a voluntary, not-for-profit organization that regulates, supervises and administers interschool athletic activities among its member high schools as an integral part of the secondary education program. Athletics play a significant part in student life at Saint Joseph High School. Whether as a participant or spectator, each student experiences a sense of pride, excitement, and accomplishment. At Saint Joseph High School, academics and athletics go hand-in-hand, success in sports is due to the quality of an experienced coaching staff and the overall enthusiastic response of student athletes; and

*Whereas*, on Saturday, February 25, 2017, the Saint Joseph High School Indians beat the North Harrison Lady Cats 57-49 to capture the 3A Girls Basketball State Championship at Bankers Life Fieldhouse in Indianapolis. The Indians defeated four schools ranked in the top ten to reach the championship. The Girls Varsity Basketball Team completed the regular season play 19-2 and post season play 7-0 with a total record of 26-2; and

*Whereas*, this victory makes Coach Smallbone, the first female in IHSAA history to win a state championship as both a player and a head coach. Coach Smallbone, along with her assistant coaches Melissa Lechlitner and Kristen Dockery, led the Indians to the state championship in 2005 as players. This is their first year as coaches at their alma mater; and

*Whereas*, on behalf of our entire community, the South Bend Common Council is honored to recognize the hard work and dedication of the coaches, manager, athletic director and school principal, namely, Head Coach Sydney Smallbone; Assistant Coach Melissa Lechlitner; Assistant Coach Kristen Dockery; Assistant Coach and JV Head Coach Tim Walsh; Manager Ruth Fackson; Athletic Director Debbie Brown; and School Principal Susan Richter. The members of the 2016-2017 Saint Joseph High School Girls Varsity Basketball Team include:

<u>Seniors</u>	<u>Juniors</u>	<u>Sophomores</u>	<u>Freshman</u>
No. 20 Nicole Konieczny	No. 0 Abby O'Dell	No. 5 Jessica Brandt	No. 2 Kashlin Biffle
No. 13 Killian Mountford	No. 41 Addison Quinn	No. 10 Kamryn Wieschhaus	No. 11 Keegan Sullivan
No. 4 Abby O'Connor	No. 33 Grace Quinn		
No. 23 Savannah Scott			
No. 1 Daly Sullivan			

*Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:*

Section I. The Common Council of the City of South Bend, Indiana, publicly honors and congratulates the **2016-2017 Saint Joseph High School Girls Varsity Basketball Team** for winning the 3A Girls Basketball State Championship. The Council extends a special thank you to all the parents, family, friends and volunteers who support and encourage these amazing athletes.

Section III. This Resolution shall be in full force and effect from and after its adoption by the Council and approval by the Mayor.

\_\_\_\_\_  
Tim Scott, 1<sup>st</sup> District

\_\_\_\_\_  
Regina Williams Preston, 2<sup>nd</sup> District

\_\_\_\_\_  
Randy Kelly, 3<sup>rd</sup> District

\_\_\_\_\_  
Jo M. Broden, 4<sup>th</sup> District

\_\_\_\_\_  
Dr. David Varner, 5<sup>th</sup> District

*Attest:*

\_\_\_\_\_  
Office of the City Clerk

\_\_\_\_\_  
Oliver J. Davis, 6<sup>th</sup> District

\_\_\_\_\_  
John Voorde, At Large

\_\_\_\_\_  
Gavin Ferlic, At Large

\_\_\_\_\_  
Karen L. White, At Large

\_\_\_\_\_  
Council Attorney

*Approved this \_\_\_\_\_ day of March, 2017*

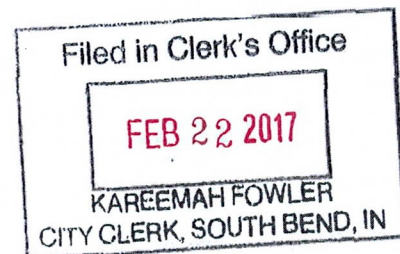
\_\_\_\_\_  
Pete Buttigieg, Mayor of South Bend

227 W. JEFFERSON BOULEVARD  
SUITE 1400 S.  
SOUTH BEND, IN 46601-1830



PHONE: 574/235-9371  
FAX: 574/235-9021

CITY OF SOUTH BEND     PETE BUTTIGIEG, MAYOR  
**COMMUNITY INVESTMENT**



February 21, 2017

Mr. Tim Scott  
President, South Bend Common Council  
4th Floor County City Building  
South Bend IN 46601

Re: An Ordinance of the Common Council of the City of South Bend, Indiana, amending the legal description and map of Ordinance No. 10165-12, expanding the current Riverfront Development Project Area

Dear President Scott:

Attached for filing with the South Bend Common Council is an ordinance amending the legal description and map within Ordinance No. 10165-12 to expand the boundaries of the existing Riverfront Development Project Area. The city reorganized its tax-increment funding districts which gave the city the opportunity to expand the Riverfront boundaries.

This Riverfront Development Project Area enables businesses within the boundaries of the area to acquire three way liquor licenses at a substantially reduced cost. Exhibits A and B attached to the ordinance contain the new map and legal description respectively of the expanded area. However, for your convenience, copies of exhibits A & B attached to this letter show exactly what parcels have been added to the original area.

To date, since the South Bend Common Council first passed the ordinance in June 2012 establishing the Riverfront Development Project Area, it has been amended in December 2013 and led to the issuing of sixteen licenses which thirteen are currently active and helped leverage economic development within the downtown and East Bank areas. Expansion of the district is expected to attract the development of more dining and cultural opportunities to South Bend.

Thank you for your consideration,

Brian Pawlowski  
Acting Executive Director of Community Investment

Enclosure (1)

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,  
INDIANA, AMENDING THE LEGAL DESCRIPTION AND MAP WITHIN  
ORDINANCE NO. 10165-12 AS PREVIOUSLY AMENDED  
TO EXPAND THE BOUNDARIES OF THE EXISTING RIVERFRONT  
DEVELOPMENT PROJECT AREA UNDER IND. CODE 7.1-3-20-16**

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**STATEMENT OF PURPOSE AND INTENT**

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On June 25, 2012, by Ordinance No. 10165-12, the South Bend Common Council first created a Riverfront Development Project Area within the City of South Bend that provides special alcoholic beverage permits for qualified businesses within the defined boundaries of the Project Area. That ordinance became effective June 26, 2012 upon signature by Mayor Pete Buttigieg. These special alcoholic beverage permits are authorized under Ind. Code § 7.1-3-20-16 (The Act), which allows the Indiana Alcohol and Tobacco Commission (ATC) to issue non-transferable alcoholic beverage permits in designated economically distressed areas within 1,500 feet of a river without regard to State controlled permit quotas.

Since South Bend's Riverfront Development Project Area was first established in 2012, its boundaries have been amended to incorporate additional qualified, contiguous land with the intent of spurring further economic growth in the downtown area and cultivating the St. Joseph River as a City asset, most recently by Ordinance No. 10281-13, passed on December 9, 2013. (One additional amendment was made to correct the original legal description, i.e., Ord. No.10178-12).

This special riverfront development project alcoholic beverage permit, granted solely to those qualified South Bend businesses which focus on a dining and cultural experience, has been a boost to the downtown and East Bank South Bend area. Since passage of the original ordinance, a total of fourteen (14) businesses now exist that have met the stringent qualifications for this permit. These qualifications were developed through the Department of Community Investment working with Downtown South Bend (DTSB). The popularity of the existing businesses prove that this is an effective economic development tool for business attraction and retention in the downtown and East Bank South Bend area.

Because of this program's success, the Riverfront License Application Review Committee met on February 14, 2017 and unanimously recommended that further extension of the Riverfront area boundaries is in the best interest of the City and its citizens. An increased area is expected to attract development of more dining and cultural opportunities primarily in the East Bank area of South Bend. The existing Riverfront Development area will be expanded slightly eastward along the entire downtown South Bend boundary, and mostly westward and southward along the East Bank of the St. Joseph River. The newly described area satisfies the criteria of IC 7.1-3-20-16.1 to qualify as a Riverfront Development Project Area.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA as follows:

SECTION I. The Map of the Municipal Riverfront Development Project Area, set forth in Exhibit "A" to Ordinance No. 10165-12 as amended by Ordinances No. 10178-12 and 10281-13, is further amended as set forth in Exhibit A hereto.

SECTION II. The Legal Description of the Municipal Riverfront Development Project Area established by Ordinance No. 10165-12, Exhibit B, as amended by Ordinances No. 10178-12 and 10281-13, is further amended retroactively as set forth in Exhibit B hereto which legal description shall constitute the original boundaries of Ordinance No. 10165-12.

SECTION III. Exhibits A and B hereto and incorporated herein shall now comprise, constitute, and identify the City of South Bend's Municipal Riverfront Development Project Area which was established June 26, 2012 by Ordinance No. 10165-12.

SECTION IV. This ordinance shall be effective from and after passage by the Common Council and approval by the Mayor.

\_\_\_\_\_  
Member, South Bend Common Council

Attest:

\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_\_\_ . m.

\_\_\_\_\_  
City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_\_\_ . m.

\_\_\_\_\_  
Mayor, City

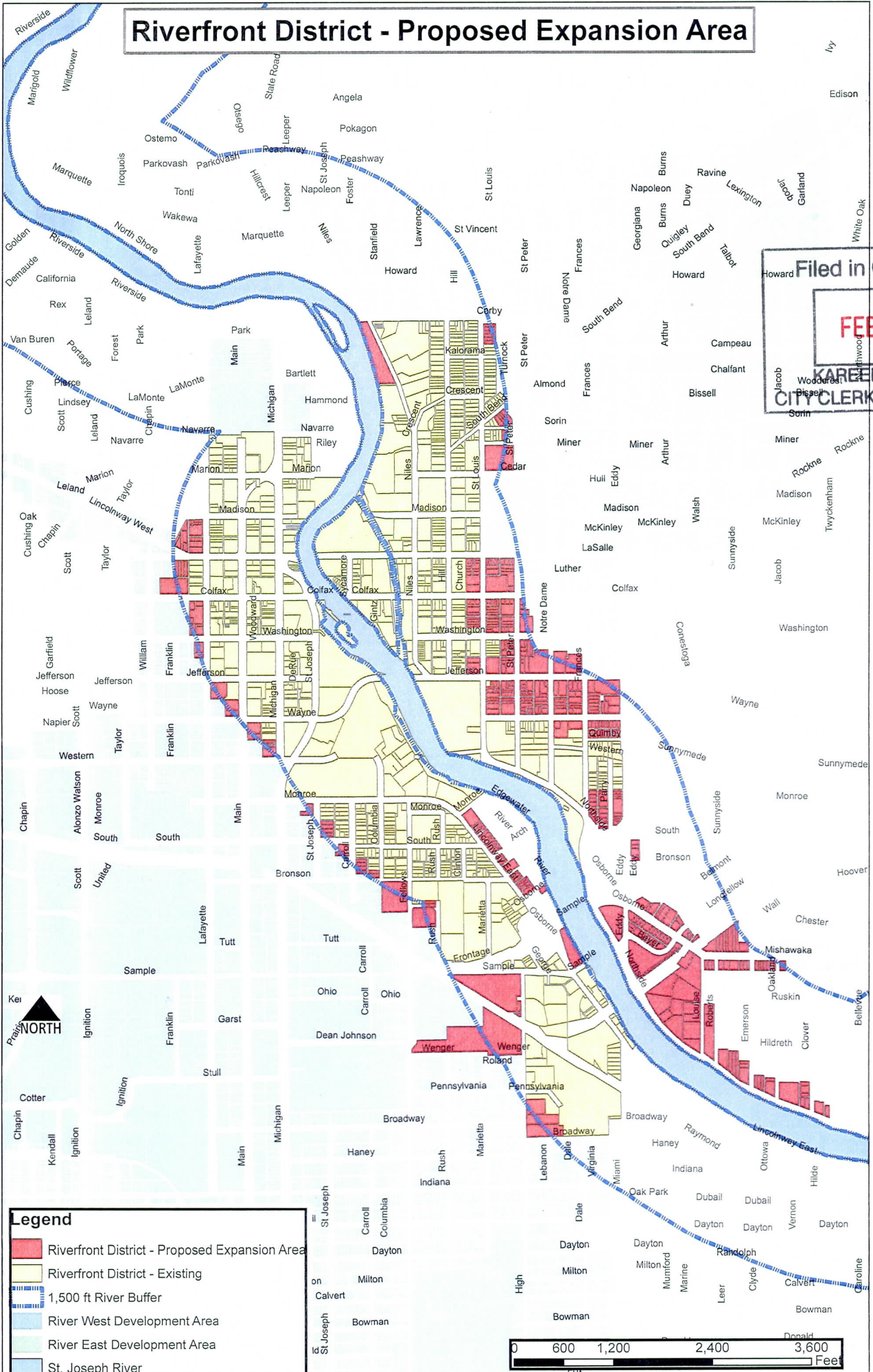
1st READING  
PUBLIC HEARING  
3rd READING  
NOT APPROVED  
REFERRED  
PASSED

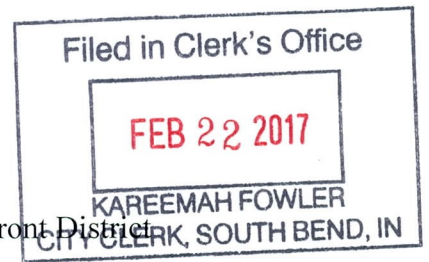
Filed in Clerk's Office  
**FEB 22 2017**  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

# Riverfront District - Proposed Expansion Area

EXHIBIT A  
February 2017

Filed in Clerk's Office  
**FEB 22 2017**  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN





## EXHIBIT B

### Legal Description for the Downtown Municipal Riverfront District

Beginning at the intersection of the Centerline of Corby Boulevard with the Centerline of St. Louis Boulevard; thence South along the Centerline of said St. Louis Boulevard a distance of 82.50 feet more or less; thence East a distance of 193 feet more or less to a point on the East right-of-way of a North-South Alley; thence South along said East line a distance of 795.25 feet more or less to a point of intersection with a 14-foot wide East-West Alley; thence East along the North line of said East-West Alley a distance of 62.5 feet more or less; thence South a distance of 14 feet more or less to a point on the South line of said Alley; thence Southeasterly a distance of 180 feet more or less to a point of the South right-of-way line of South Bend Avenue; thence Southwesterly along said South line a distance of 133.31 feet more or less to a point; thence Southeasterly a distance of 160 feet more or less to a point on the West line of a 12-foot wide North-South Alley; thence South a distance of 120 feet more or less to the South right-of-way line of Sorin Street; thence West along said South line a distance of 130 feet more or less; thence South a distance of 146.55 feet more or less to the North right-of-way line of Miner Street; thence East along said North line a distance of 140.8 feet more or less to the West right-of-way line of St. Peter Street; thence South along the extended West line of said St. Peter Street a distance of 427.50 feet more or less to a point of intersection with the South right-of-way line of Cedar Street; thence West along said South line a distance of 378.20 feet more or less to a point of intersection with the Centerline of St. Louis Boulevard; thence South along said Centerline a distance of 930 feet more or less to the Centerline of LaSalle Avenue; thence East along said Centerline a distance of 410 feet more or less to a point of intersection with the Centerline of St. Peter Street; thence South along said Centerline to a point of intersection with the Centerline of Colfax Avenue; thence East along said Centerline a distance of 96 feet more or less; thence South a distance of 173.25 feet more or less to a point on the North line of Lot # 302 as shown in the Plat of "Cottrell's Addition" as recorded in the Records of the St. Joseph County, Indiana Recorder's office; thence East along the North line of said Lot a distance of 56 feet more or less; thence South a distance of 66 feet more or less to a point on the North line of a 14-foot wide East-West Alley; thence East along said North line a distance of 60 feet more or less to a point on the East line of a 14-foot wide North-South Alley; thence South along the East line of said Alley and its Southerly extension a distance of 419.03 feet more or less to a point of intersection with the Centerline of a Vacated 8-foot wide East-West Alley; thence East along said Centerline and its Easterly extension a distance of 231 feet more or less to a point on the East right-of-way line of Notre Dame Avenue; thence South along said East line a distance of 22 feet more or less to the Northwest corner of Lot "A" in the Plat of "Johnson's Subdivision" as recorded in the Records of said County; thence East along the North line of said Lot a distance of 165 feet more or less to the Northeast corner of said Lot; thence East a distance of 14 feet more or less to the East line of a 14-foot wide North-South Alley; thence South along said East line a distance of 37.25 feet more or less; thence East a distance of 198 feet more or less to a point of intersection with the Centerline of Frances Street; thence South along said Centerline to a point of intersection with the Centerline of Jefferson Boulevard; thence



East along said Centerline to a point of intersection with the Centerline of Eddy Street; thence South along said Centerline to a point of intersection with the Centerline of South Street; thence East along said Centerline to a point of intersection with the East Line of the first 14-foot wide Alley, East of Eddy Street extended North; thence South along said extended East line, and the East line of said Alley to a point of intersection with the Centerline of Bronson Street; thence West along said Centerline to a point of intersection with the Centerline of said Eddy Street; thence South along said Centerline to a point of intersection with the Centerline of Belmont Avenue; thence Northeasterly along said Centerline to a point of intersection with the Easterly Line of the first 14-foot wide Alley, East of Eddy Street extended Northwesterly; thence Southeasterly along said extended Easterly line and the Easterly line of said Alley to the Southwest corner of Lot #430 in the Plat of "Whitcomb & Keller's 3<sup>rd</sup> Sunnymede" Subdivision as recorded in the Records of said County; thence East along the South line of Lots # 430, 431, 432, 433 and a portion of Lot # 434 in said Plat a distance of 157 feet more or less to a point of intersection with the Westerly line of Lot "P" of the Plat of "Whitcomb & Keller's Replat" of a portion of "Whitcomb & Keller's 3<sup>rd</sup> Sunnymede" Subdivision as recorded in the Records of said County, extended Northwesterly; thence Southeasterly along said extended line and the West line of Lot "P" and Lot "O" in said Plat to the Southeasterly corner of said Lot "O"; thence Southwesterly along the South line of a 14-foot wide Alley a distance of 35 feet more or less to a point which is 80 feet more or less Northeasterly of the Northwesterly corner of Lot # 485 in said Plat of "Whitcomb & Keller's 3<sup>rd</sup> Sunnymede" Subdivision; thence Southeasterly a distance of 130 feet more or less to a point on the North right-of-way line of Longfellow Avenue; thence Southeasterly a distance of 75 feet more or less to the Northwest corner of Lot # 507 in said Plat of "Whitcomb & Keller's 3<sup>rd</sup> Sunnymede" Subdivision; thence Southeasterly along the Westerly line of said Lot a distance of 122.1 feet more or less; thence Northeasterly a distance of 30 feet more or less to the West line of Lot # 508 in said Plat; thence Southeasterly a distance of 41.4 feet more or less to the Southwest corner of said Lot; thence Southeasterly a distance of 125 feet more or less to the Northwesterly corner of Lot # 713 in said Plat, said point also being on the South right-of-way line of the Grand Trunk Western Railroad; thence Northeasterly along said South line a distance of 450 feet more or less to a point of intersection with the West line of the first 14-foot wide North-South Alley located West of Emerson Avenue; thence South along said West line a distance of 270 feet more or less to a point on the South line of a 14-foot wide East-West Alley; thence East along said South line and its Easterly extension a distance of 170 feet more or less to a point of intersection with the Centerline of Emerson Avenue; thence South along said Centerline to a point of intersection with the Centerline of Mishawaka Avenue; thence East along said Centerline a distance of 409 feet more or less to a point which is 30 feet more or less North of the Northeast corner of Lot # 5 in the Plat of "Hibberd Place" Subdivision as recorded in the Records of said County; thence South a distance of 30 feet more or less to the Northeast corner of said Lot # 5; thence continuing South along said Lot and its Southerly extension a distance of 134 feet more or less to a point of intersection with the South line of a 14-foot wide East-West Alley; thence West along the South line of said Alley to a point of intersection with the East right-of-way line of Louise Street; thence South along said East line to a point of intersection with the Centerline of Ruskin Street; thence East along said Centerline to a point of intersection

with the Centerline of Roberts Street; thence South along said Centerline to a point of intersection with the Centerline of Vacated Hildreth Street; thence East along said Centerline of Vacated Hildreth Street and the Centerline of Hildreth Street to a point of intersection with the East line of a 8.5-foot wide North-South Alley extended North; thence South along said East line and its North extension to the Northwest corner of Lot # 35 in the Plat of "Oakland Park Revised Plat" as recorded in the Records of said County; thence East along the North line of said Lot and its Easterly extension to a point of intersection with the Centerline of Emerson Street; thence South along said Centerline to a point of intersection with the North line of the first 14-foot wide East-West Alley located South of Hildreth Street extended West; thence East along said extended line and the North of said Alley to its point of intersection with a 14-foot wide North-South Alley; thence South along the East line of said Alley to a point which is 2 feet more or less South of the Northwest corner of Lot # 115 in said Plat of "Oakland Park Revised Plat"; thence East a distance of 145 feet more or less to a point of intersection with the Centerline of Oakland Street; thence South along said Centerline to a point of intersection with the North line of the first 14-foot wide East-West Alley South of Hildreth Street extended West; thence East along said extended line and the North line of said Alley to its point of intersection with the East line of a 14-foot wide North-South Alley; thence South along said East line a distance of 7 feet more or less to the Centerline of a 14-foot wide East-West Vacated Alley; thence East along said Centerline to its point of intersection with the Centerline of Clover Street; thence South along said Centerline to a point of intersection with the North line of a 14-foot wide Vacated East-West Alley extended West; thence East along said extended line and said North line to a point which is North a distance of 14 feet more or less from the Northeast corner of Lot # 41 in the Plat of "Euclid Park" Subdivision as recorded in the Records of said County; thence South a distance of 14 feet more or less to the Northeast corner of said Lot # 41; thence East along the North line of Lot # 40 in said Plat to its point of intersection with the East line of a 14-foot wide North-South Alley; thence South along said East line to a point of intersection with the Centerline of a 14-foot wide Vacated East-West Alley; thence East along said Centerline to a point which is a distance of 7 feet more or less, North of the Northeast corner of Lot # 39 in said Plat; thence South a distance of 7 feet more or less to the Northeast corner of said Lot # 39; thence continuing South along the East line of said Lot and its Southerly extension to the Centerline of the St. Joseph River; thence meandering Northwesterly along said Centerline to the Easterly projection of the Southerly right-of-way line of Monroe Street; thence Southwesterly along said projection and the Southerly right-of-way line of Monroe Street to a point of intersection with the Northeasterly line of a 14-foot wide Northwesterly-Southeasterly Alley; thence Southeasterly along said Northeasterly line to its point of intersection with the Southerly right-of-way line of Arch Avenue; thence Southwesterly along said Southerly line to the Northwesterly corner of Lot #4 in the Plat of "Edgewater Place Addition" Subdivision as recorded in the Records of said County; thence Southeasterly along the Westerly line of said Lot a distance of 116 feet more or less to the Southwest corner of said Lot; thence Northeasterly along the South line of said Lot # 4 and the South line of Lot # 5 in said Plat to a point of intersection with the Northwesterly corner of the Plat of "Harper Court Addition" Subdivision as recorded in the Records of said County; thence Southeasterly along said Westerly Plat line to the Southerly line of said Plat; thence Northeasterly along

the Southerly line of said Plat to a point of intersection with the Westerly line of the St. Joseph River; thence meandering Southeasterly along said Westerly line to the South line of a parcel of ground with Tax Key No. 18-7017-0692 as shown in the records of the St. Joseph County, Indiana Auditor's office; thence Southwesterly along said South line and its Southwesterly extension a distance of 115 Feet more or less to the Westerly right-of-way line of Lincolnway East ( S. R. # 933); thence Southwesterly along said Westerly right-of-way line a distance of 62 feet more or less to a point of intersection with the West right-of-way line of Miami Street; thence South along said West right-of-way line a distance of 920 feet more or less to the Northeast corner of Lot # 37 in the Plat of "Wenger & Kriegbaum's 2<sup>nd</sup> Addition" Subdivision as shown in the Records of the St. Joseph County, Indiana Recorder's office; thence West along the North line of said Lot and its Westerly extension a distance of 151 feet to the West right-of-way line of a 14-foot wide Public Alley; thence South along said West line a distance of 224 feet more or less to the North right-of-way line of Broadway Street; thence West along said North right-of-way line to a point of intersection with the East right-of-way line of High Street; thence North along said East line to a point of intersection with the South right-of-way line of Vacated Wenger Street extended East; thence West along said South line and its Easterly extension to a point of intersection with the East right-of-way line of Marietta Street; thence North along said East line to the North right-of-way line of Wenger Street; thence West along said North line to a point of intersection with the East right-of-way line of Fellows Street; thence North along said East line to a point of intersection of the North line of the first 14-foot wide East-West Alley located North of Wenger Street, extended West; thence East along said North line and its West extension to a point of intersection with the West right-of-way line of Rush Street; thence North along said West line to the South line of Lot "AA" of the Plat of "Family & Children's Center 2<sup>nd</sup> Replat & Wenger's 4<sup>th</sup> Addition 2<sup>nd</sup> Replat" Subdivision as recorded in the Records of said County; thence East along said South line a distance of 434.46 feet more or less to the Southeast corner of said Lot; thence North along the East line of said lot a distance of 216.90 feet more or less to the South line of the Conrail Railroad (A.K.A. Penn Central) right-of-way; thence continuing North a distance of 105 feet more or less to the North line of said Railroad right-of-way; thence Northwesterly along said Northerly line to a point of intersection with the Centerline of Sample Street; thence West along said Centerline a distance of 120 feet more or less to a point of intersection with the West right-of-way line of Rush Street extended South; thence North along said West right-of-way line and its Southerly extension to the Southeast corner of Lot "T" of the Plat of "Monroe-Sample Replat" Subdivision as shown in the Records of said County; thence West along the South line of said Lot "T" to a point of intersection with the Centerline of Fellow Street; thence North along said Centerline a distance of 232 feet more or less to a point which is 30 feet more or less West of the Southwest corner of the Plat of "Rush's 4<sup>th</sup> Addition" Subdivision as recorded in the Records of said County; thence East a distance of 30 feet more or less to the Southwest corner of said Plat; thence continuing East along the South line of said Plat a distance of 150 feet more or less to the Southwest corner of lot # 74 in said Plat; thence North along the West line of said Lot # 74 and Lot # 73 in said Plat a distance of 80 feet more or less to the North line of said Plat; thence West along said North line and its Westerly extension to a point of intersection with the West right-of-way line of Fellows Street; thence South along said West line to the

Southeast corner of Lot "F" in the Plat of said "Monroe-Sample Replat" Subdivision; thence West along the South line of said Lot a distance of 309.95 feet more or less to the Southwest corner of said Lot; thence North along the West line of said Lot a distance of 370.86 feet more or less to the South right-way line of Bronson Street; thence West along said South line a distance of 120 feet more or less; thence North a distance of 40 feet more or less to a point on the North right-of-way line of Bronson Street, said point being 40 feet East of the Southwest corner of Lot # 15 of the Plat of "Birdsell M.F.G. Co's" Subdivision as recorded in the Records of said County; thence continuing North a distance of 47 feet more or less to the North line of said Lot # 15; thence West along the North line of said Lot # 15 and the North line of Lot # 16 in said Plat to a point of intersection with the Centerline of Carroll Street; thence North along said Centerline to a point which is 41.25 feet more or less East of the Southeast corner of Lot # 67 in the Plat of "Field Addition" Subdivision as recorded in the Records of said County; thence West a distance of 41.25 feet to the Southeast corner of said Lot # 67; thence continuing along the South line of said Lot, West a distance of 165 feet more or less to the Southwest corner of said Lot; thence North along the West line of said lot a distance of 49.5 feet more or less to the Northwest corner of said Lot; thence East along the North line of said Lot a distance of 36 feet more or less; thence North a distance of 140.25 feet more or less to the Centerline of South Street; thence West along said Centerline to a point of intersection with the Centerline of St. Joseph Street; thence North along said Centerline to a point which is North a distance of 13 feet more or less and East a distance of 41.25 feet more or less from the Northeast corner of Lot # 12 in the "Field Addition" Subdivision; thence West a distance of 206.50 feet more or less to the West line of Lot # 11 in said Plat; thence North along the West line of said lot a distance of 50 feet more or less; thence East a distance of 70 feet more or less; thence North a distance of 136.25 feet more or less to the Centerline of Monroe Street; thence West along said Centerline to a point of intersection with the Centerline of Michigan Street; thence Northeasterly along said Centerline to a point of intersection with the Centerline of Western Avenue; thence West along said Centerline to a point of intersection with the Centerline of the first 14-foot wide North-South Alley located West of Michigan Street; thence North along said Centerline to a point of intersection with the Centerline of the first 14-foot wide Vacated East-West Alley located North of Western Avenue; thence West along said Centerline to a point of intersection with the Centerline of Main Street; thence North along said Centerline to a point of intersection with the Centerline of Wayne Street; thence West along said Centerline to a point of intersection with the Centerline of the first 14-foot wide North-South Alley located West of Main Street; thence North along said Centerline to a point of intersection with the Centerline of the first 14-foot wide East-West Alley located North of Wayne Street; thence West along said Centerline to a point of intersection with the Centerline of Lafayette Boulevard; thence North along said Centerline to a point of intersection with the Centerline of the first 14-foot wide East-West Alley located North of Jefferson Boulevard; thence West along said Centerline a distance of 146.25 feet more or less; thence North a distance of 246.25 feet more or less to the Centerline of Washington Street; thence West along said Centerline a distance of 67 feet more or less to a point of intersection with the first 14-foot wide North-South Alley located West of Lafayette Boulevard, said Alley in some places known as St. James Court; thence North along said Centerline to a point of intersection with the Centerline of

Colfax Avenue; thence West along said Centerline to a point which is 41.25 feet more or less South of the Southwest corner of Lot # 13 of the Plat of "State Bank of Indiana Plat of Out Lots, Town of South Bend" as recorded in the Records of said County; thence North a distance of 41.25 feet more or less to the Southwest corner of said Lot # 13; thence continuing North along the West line of said Lot to a point of intersection with the Centerline of the first 14-foot wide East-West Alley located North of Colfax Avenue; thence East along said Centerline to a point which is South a distance of 7 feet more or less from the Southwest corner of Lot # 3 of the Plat of "Miller's Subdivision of Bank Out Lot # 10 and a part of Bank Out Lot # 11" as recorded in the Records of said County; thence North a distance of 7 feet more or less to the Southwest corner of said Lot # 3; thence continuing North along the West line of said Lot to a point of intersection with the Centerline of Lincolnway West (A.K.A. Business U.S. 20); thence Northwesterly along said Centerline to a point of intersection with the first 14-foot wide Northeasterly-Southwesterly Alley located East of William Street; thence Northeasterly along said Centerline to a point of intersection with the Centerline of Madison Street; thence East on said Centerline to a point of intersection with the West right-of-way line of Lafayette Boulevard projected South; thence North along said projection and West line to a point of intersection with the Centerline of Navarre Street; thence East along the Centerline of Navarre Street to a point of intersection with the East right-of-way line of St. Joseph Street projected North; thence South along said projection and the East right-of-way line of said St. Joseph Street to the North right-of-way line of Marion Street; thence East along said North right-of-way and its projection to the East to the Centerline of the St. Joseph River; thence Northeasterly along the Centerline of the St. Joseph River to a point of intersection with the Centerline of Corby Boulevard projected West; thence East along said projected Centerline and the Centerline of Corby Boulevard to the Point of Beginning.

Containing 749.39 acres more or less.

Revised 8-23-12.

Revised 7-28-13.

Revised 11-17-13.

Revised 2-17-17.

FEB 22 2017

KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN**EXHIBIT B**

## Legal Description for the Downtown Municipal Riverfront District

Beginning at the intersection of the Centerline of Corby Boulevard with the Centerline of St. Louis Boulevard; thence South along the Centerline of said St. Louis Boulevard a distance of 82.50 feet more or less; thence East a distance of 193 feet more or less to a point on the East right-of-way of a North-South Alley; thence South along said East line a distance of 795.25 feet more or less to a point of intersection with a 14-foot wide East-West Alley; thence East along the North line of said East-West Alley a distance of 62.5 feet more or less; thence South a distance of 14 feet more or less to a point on the South line of said Alley; thence Southeasterly a distance of 180 feet more or less to a point of the South right-of-way line of South Bend Avenue; thence Southwesterly along said South line a distance of 133.31 feet more or less to a point; thence Southeasterly a distance of 160 feet more or less to a point on the West line of a 12-foot wide North-South Alley; thence South a distance of 120 feet more or less to the South right-of-way line of Sorin Street; thence West along said South line a distance of 130 feet more or less; thence South a distance of 146.55 feet more or less to the North right-of-way line of Miner Street; thence East along said North line a distance of 140.8 feet more or less to the West right-of-way line of St. Peter Street; thence South along the extended West line of said St. Peter Street a distance of 427.50 feet more or less to a point of intersection with the South right-of-way line of Cedar Street; thence West along said South line a distance of 378.20 feet more or less to a point of intersection with the Centerline of St. Louis Boulevard; thence South along said Centerline a distance of 930 feet more or less to the Centerline of LaSalle Avenue; thence East along said Centerline a distance of 410 feet more or less to a point of intersection with the Centerline of St. Peter Street; thence South along said Centerline to a point of intersection with the Centerline of Colfax Avenue; thence East along said Centerline a distance of 96 feet more or less; thence South a distance of 173.25 feet more or less to a point on the North line of Lot # 302 as shown in the Plat of "Cottrell's Addition" as recorded in the Records of the St. Joseph County, Indiana Recorder's office; thence East along the North line of said Lot a distance of 56 feet more or less; thence South a distance of 66 feet more or less to a point on the North line of a 14-foot wide East-West Alley; thence East along said North line a distance of 60 feet more or less to a point on the East line of a 14-foot wide North-South Alley; thence South along the East line of said Alley and its Southerly extension a distance of 419.03 feet more or less to a point of intersection with the Centerline of a Vacated 8-foot wide East-West Alley; thence East along said Centerline and its Easterly extension a distance of 231 feet more or less to a point on the East right-of-way line of Notre Dame Avenue; thence South along said East line a distance of 22 feet more or less to the Northwest corner of Lot "A" in the Plat of "Johnson's Subdivision" as recorded in the Records of said County; thence East along the North line of said Lot a distance of 165 feet more or less to the Northeast corner of said Lot; thence East a distance of 14 feet more or less to the East line of a 14-foot wide North-South Alley; thence South along said East line a distance of 37.25 feet more or less; thence East a distance of 198 feet more or less to a point of intersection with the Centerline of Frances Street; thence South along said Centerline to a point of intersection with the Centerline of Jefferson Boulevard; thence

East along said Centerline to a point of intersection with the Centerline of Eddy Street; thence South along said Centerline to a point of intersection with the Centerline of South Street; thence East along said Centerline to a point of intersection with the East Line of the first 14-foot wide Alley, East of Eddy Street extended North; thence South along said extended East line, and the East line of said Alley to a point of intersection with the Centerline of Bronson Street; thence West along said Centerline to a point of intersection with the Centerline of said Eddy Street; thence South along said Centerline to a point of intersection with the Centerline of Belmont Avenue; thence Northeasterly along said Centerline to a point of intersection with the Easterly Line of the first 14-foot wide Alley, East of Eddy Street extended Northwesterly; thence Southeasterly along said extended Easterly line and the Easterly line of said Alley to the Southwest corner of Lot #430 in the Plat of "Whitcomb & Keller's 3<sup>rd</sup> Sunnymede" Subdivision as recorded in the Records of said County; thence East along the South line of Lots # 430, 431, 432, 433 and a portion of Lot # 434 in said Plat a distance of 157 feet more or less to a point of intersection with the Westerly line of Lot "P" of the Plat of "Whitcomb & Keller's Replat" of a portion of "Whitcomb & Keller's 3<sup>rd</sup> Sunnymede" Subdivision as recorded in the Records of said County, extended Northwesterly; thence Southeasterly along said extended line and the West line of Lot "P" and Lot "O" in said Plat to the Southeasterly corner of said Lot "O"; thence Southwesterly along the South line of a 14-foot wide Alley a distance of 35 feet more or less to a point which is 80 feet more or less Northeasterly of the Northwesterly corner of Lot # 485 in said Plat of "Whitcomb & Keller's 3<sup>rd</sup> Sunnymede" Subdivision; thence Southeasterly a distance of 130 feet more or less to a point on the North right-of-way line of Longfellow Avenue; thence Southeasterly a distance of 75 feet more or less to the Northwest corner of Lot # 507 in said Plat of "Whitcomb & Keller's 3<sup>rd</sup> Sunnymede" Subdivision; thence Southeasterly along the Westerly line of said Lot a distance of 122.1 feet more or less; thence Northeasterly a distance of 30 feet more or less to the West line of Lot # 508 in said Plat; thence Southeasterly a distance of 41.4 feet more or less to the Southwest corner of said Lot; thence Southeasterly a distance of 125 feet more or less to the Northwesterly corner of Lot # 713 in said Plat, said point also being on the South right-of-way line of the Grand Trunk Western Railroad; thence Northeasterly along said South line a distance of 450 feet more or less to a point of intersection with the West line of the first 14-foot wide North-South Alley located West of Emerson Avenue; thence South along said West line a distance of 270 feet more or less to a point on the South line of a 14-foot wide East-West Alley; thence East along said South line and its Easterly extension a distance of 170 feet more or less to a point of intersection with the Centerline of Emerson Avenue; thence South along said Centerline to a point of intersection with the Centerline of Mishawaka Avenue; thence East along said Centerline a distance of 409 feet more or less to a point which is 30 feet more or less North of the Northeast corner of Lot # 5 in the Plat of "Hibberd Place" Subdivision as recorded in the Records of said County; thence South a distance of 30 feet more or less to the Northeast corner of said Lot # 5; thence continuing South along said Lot and its Southerly extension a distance of 134 feet more or less to a point of intersection with the South line of a 14-foot wide East-West Alley; thence West along the South line of said Alley to a point of intersection with the East right-of-way line of Louise Street; thence South along said East line to a point of intersection with the Centerline of Ruskin Street; thence East along said Centerline to a point of intersection

with the Centerline of Roberts Street; thence South along said Centerline to a point of intersection with the Centerline of Vacated Hildreth Street; thence East along said Centerline of Vacated Hildreth Street and the Centerline of Hildreth Street to a point of intersection with the East line of a 8.5-foot wide North-South Alley extended North; thence South along said East line and its North extension to the Northwest corner of Lot # 35 in the Plat of "Oakland Park Revised Plat" as recorded in the Records of said County; thence East along the North line of said Lot and its Easterly extension to a point of intersection with the Centerline of Emerson Street; thence South along said Centerline to a point of intersection with the North line of the first 14-foot wide East-West Alley located South of Hildreth Street extended West; thence East along said extended line and the North of said Alley to its point of intersection with a 14-foot wide North-South Alley; thence South along the East line of said Alley to a point which is 2 feet more or less South of the Northwest corner of Lot # 115 in said Plat of "Oakland Park Revised Plat"; thence East a distance of 145 feet more or less to a point of intersection with the Centerline of Oakland Street; thence South along said Centerline to a point of intersection with the North line of the first 14-foot wide East-West Alley South of Hildreth Street extended West; thence East along said extended line and the North line of said Alley to its point of intersection with the East line of a 14-foot wide North-South Alley; thence South along said East line a distance of 7 feet more or less to the Centerline of a 14-foot wide East-West Vacated Alley; thence East along said Centerline to its point of intersection with the Centerline of Clover Street; thence South along said Centerline to a point of intersection with the North line of a 14-foot wide Vacated East-West Alley extended West; thence East along said extended line and said North line to a point which is North a distance of 14 feet more or less from the Northeast corner of Lot # 41 in the Plat of "Euclid Park" Subdivision as recorded in the Records of said County; thence South a distance of 14 feet more or less to the Northeast corner of said Lot # 41; thence East along the North line of Lot # 40 in said Plat to its point of intersection with the East line of a 14-foot wide North-South Alley; thence South along said East line to a point of intersection with the Centerline of a 14-foot wide Vacated East-West Alley; thence East along said Centerline to a point which is a distance of 7 feet more or less, North of the Northeast corner of Lot # 39 in said Plat; thence South a distance of 7 feet more or less to the Northeast corner of said Lot # 39; thence continuing South along the East line of said Lot and its Southerly extension to the Centerline of the St. Joseph River; thence meandering Northwesterly along said Centerline to the Easterly projection of the Southerly right-of-way line of Monroe Street; thence Southwesterly along said projection and the Southerly right-of-way line of Monroe Street to a point of intersection with the Northeasterly line of a 14-foot wide Northwesterly-Southeasterly Alley; thence Southeasterly along said Northeasterly line to its point of intersection with the Southerly right-of-way line of Arch Avenue; thence Southwesterly along said Southerly line to the Northwesterly corner of Lot #4 in the Plat of "Edgewater Place Addition" Subdivision as recorded in the Records of said County; thence Southeasterly along the Westerly line of said Lot a distance of 116 feet more or less to the Southwest corner of said Lot; thence Northeasterly along the South line of said Lot # 4 and the South line of Lot # 5 in said Plat to a point of intersection with the Northwesterly corner of the Plat of "Harper Court Addition" Subdivision as recorded in the Records of said County; thence Southeasterly along said Westerly Plat line to the Southerly line of said Plat; thence Northeasterly along



the Southerly line of said Plat to a point of intersection with the Westerly line of the St. Joseph River; thence meandering Southeasterly along said Westerly line to the South line of a parcel of ground with Tax Key No. 18-7017-0692 as shown in the records of the St. Joseph County, Indiana Auditor's office; thence Southwesterly along said South line and its Southwesterly extension a distance of 115 Feet more or less to the Westerly right-of-way line of Lincolnway East ( S. R. # 933); thence Southwesterly along said Westerly right-of-way line a distance of 62 feet more or less to a point of intersection with the West right-of-way line of Miami Street; thence South along said West right-of-way line a distance of 920 feet more or less to the Northeast corner of Lot # 37 in the Plat of "Wenger & Kriegbaum's 2<sup>nd</sup> Addition" Subdivision as shown in the Records of the St. Joseph County, Indiana Recorder's office; thence West along the North line of said Lot and its Westerly extension a distance of 151 feet to the West right-of-way line of a 14-foot wide Public Alley; thence South along said West line a distance of 224 feet more or less to the North right-of-way line of Broadway Street; thence West along said North right-of-way line to a point of intersection with the East right-of-way line of High Street; thence North along said East line to a point of intersection with the South right-of-way line of Vacated Wenger Street extended East; thence West along said South line and its Easterly extension to a point of intersection with the East right-of-way line of Marietta Street; thence North along said East line to the North right-of-way line of Wenger Street; thence West along said North line to a point of intersection with the East right-of-way line of Fellows Street; thence North along said East line to a point of intersection of the North line of the first 14-foot wide East-West Alley located North of Wenger Street, extended West; thence East along said North line and its West extension to a point of intersection with the West right-of-way line of Rush Street; thence North along said West line to the South line of Lot "AA" of the Plat of "Family & Children's Center 2<sup>nd</sup> Replat & Wenger's 4<sup>th</sup> Addition 2<sup>nd</sup> Replat" Subdivision as recorded in the Records of said County; thence East along said South line a distance of 434.46 feet more or less to the Southeast corner of said Lot; thence North along the East line of said lot a distance of 216.90 feet more or less to the South line of the Conrail Railroad (A.K.A. Penn Central) right-of-way; thence continuing North a distance of 105 feet more or less to the North line of said Railroad right-of-way; thence Northwesterly along said Northerly line to a point of intersection with the Centerline of Sample Street; thence West along said Centerline a distance of 120 feet more or less to a point of intersection with the West right-of-way line of Rush Street extended South; thence North along said West right-of-way line and its Southerly extension to the Southeast corner of Lot "T" of the Plat of "Monroe-Sample Replat" Subdivision as shown in the Records of said County; thence West along the South line of said Lot "T" to a point of intersection with the Centerline of Fellow Street; thence North along said Centerline a distance of 232 feet more or less to a point which is 30 feet more or less West of the Southwest corner of the Plat of "Rush's 4<sup>th</sup> Addition" Subdivision as recorded in the Records of said County; thence East a distance of 30 feet more or less to the Southwest corner of said Plat; thence continuing East along the South line of said Plat a distance of 150 feet more or less to the Southwest corner of lot # 74 in said Plat; thence North along the West line of said Lot # 74 and Lot # 73 in said Plat a distance of 80 feet more or less to the North line of said Plat; thence West along said North line and its Westerly extension to a point of intersection with the West right-of-way line of Fellows Street; thence South along said West line to the

Southeast corner of Lot "F" in the Plat of said "Monroe-Sample Replat" Subdivision; thence West along the South line of said Lot a distance of 309.95 feet more or less to the Southwest corner of said Lot; thence North along the West line of said Lot a distance of 370.86 feet more or less to the South right-way line of Bronson Street; thence West along said South line a distance of 120 feet more or less; thence North a distance of 40 feet more or less to a point on the North right-of-way line of Bronson Street, said point being 40 feet East of the Southwest corner of Lot # 15 of the Plat of "Birdsell M.F.G. Co's" Subdivision as recorded in the Records of said County; thence continuing North a distance of 47 feet more or less to the North line of said Lot # 15; thence West along the North line of said Lot # 15 and the North line of Lot # 16 in said Plat to a point of intersection with the Centerline of Carroll Street; thence North along said Centerline to a point which is 41.25 feet more or less East of the Southeast corner of Lot # 67 in the Plat of "Field Addition" Subdivision as recorded in the Records of said County; thence West a distance of 41.25 feet to the Southeast corner of said Lot # 67; thence continuing along the South line of said Lot, West a distance of 165 feet more or less to the Southwest corner of said Lot; thence North along the West line of said lot a distance of 49.5 feet more or less to the Northwest corner of said Lot; thence East along the North line of said Lot a distance of 36 feet more or less; thence North a distance of 140.25 feet more or less to the Centerline of South Street; thence West along said Centerline to a point of intersection with the Centerline of St. Joseph Street; thence North along said Centerline to a point which is North a distance of 13 feet more or less and East a distance of 41.25 feet more or less from the Northeast corner of Lot # 12 in the "Field Addition" Subdivision; thence West a distance of 206.50 feet more or less to the West line of Lot # 11 in said Plat; thence North along the West line of said lot a distance of 50 feet more or less; thence East a distance of 70 feet more or less; thence North a distance of 136.25 feet more or less to the Centerline of Monroe Street; thence West along said Centerline to a point of intersection with the Centerline of Michigan Street; thence Northeasterly along said Centerline to a point of intersection with the Centerline of Western Avenue; thence West along said Centerline to a point of intersection with the Centerline of the first 14-foot wide North-South Alley located West of Michigan Street; thence North along said Centerline to a point of intersection with the Centerline of the first 14-foot wide Vacated East-West Alley located North of Western Avenue; thence West along said Centerline to a point of intersection with the Centerline of Main Street; thence North along said Centerline to a point of intersection with the Centerline of Wayne Street; thence West along said Centerline to a point of intersection with the Centerline of the first 14-foot wide North-South Alley located West of Main Street; thence North along said Centerline to a point of intersection with the Centerline of the first 14-foot wide East-West Alley located North of Wayne Street; thence West along said Centerline to a point of intersection with the Centerline of Lafayette Boulevard; thence North along said Centerline to a point of intersection with the Centerline of the first 14-foot wide East-West Alley located North of Jefferson Boulevard; thence West along said Centerline a distance of 146.25 feet more or less; thence North a distance of 246.25 feet more or less to the Centerline of Washington Street; thence West along said Centerline a distance of 67 feet more or less to a point of intersection with the first 14-foot wide North-South Alley located West of Lafayette Boulevard, said Alley in some places known as St. James Court; thence North along said Centerline to a point of intersection with the Centerline of

Colfax Avenue; thence West along said Centerline to a point which is 41.25 feet more or less South of the Southwest corner of Lot # 13 of the Plat of "State Bank of Indiana Plat of Out Lots, Town of South Bend" as recorded in the Records of said County; thence North a distance of 41.25 feet more or less to the Southwest corner of said Lot # 13; thence continuing North along the West line of said Lot to a point of intersection with the Centerline of the first 14-foot wide East-West Alley located North of Colfax Avenue; thence East along said Centerline to a point which is South a distance of 7 feet more or less from the Southwest corner of Lot # 3 of the Plat of "Miller's Subdivision of Bank Out Lot # 10 and a part of Bank Out Lot # 11" as recorded in the Records of said County; thence North a distance of 7 feet more or less to the Southwest corner of said Lot # 3; thence continuing North along the West line of said Lot to a point of intersection with the Centerline of Lincolnway West (A.K.A. Business U.S. 20); thence Northwesterly along said Centerline to a point of intersection with the first 14-foot wide Northeasterly-Southwesterly Alley located East of William Street; thence Northeasterly along said Centerline to a point of intersection with the Centerline of Madison Street; thence East on said Centerline to a point of intersection with the West right-of-way line of Lafayette Boulevard projected South; thence North along said projection and West line to a point of intersection with the Centerline of Navarre Street; thence East along the Centerline of Navarre Street to a point of intersection with the East right-of-way line of St. Joseph Street projected North; thence South along said projection and the East right-of-way line of said St. Joseph Street to the North right-of-way line of Marion Street; thence East along said North right-of-way and its projection to the East to the Centerline of the St. Joseph River; thence Northeasterly along the Centerline of the St. Joseph River to a point of intersection with the Centerline of Corby Boulevard projected West; thence East along said projected Centerline and the Centerline of Corby Boulevard to the Point of Beginning.

Containing 749.39 acres more or less.

Revised 8-23-12.

Revised 7-28-13.

Revised 11-17-13.

Revised 2-17-17.

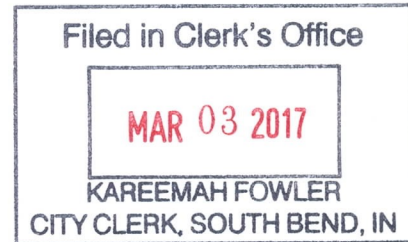


AREA BOARD OF ZONING APPEALS

125 S. Lafayette Blvd.  
Suite 100  
South Bend, Indiana 46601  
(574)235-9554  
FAX: (574)235-5541

March 2, 2017

The Honorable Common Council South Bend  
Of the City of South Bend  
4th Floor, County-City Building  
South Bend, Indiana 46601



RE: Petition for Special Exception  
Gloria Dei Lutheran Church  
03/01/2017

Dear Council Members:

The above referenced petition of Gloria Dei Lutheran Church was legally advertised on February 9, 2017. The Area Board of Zoning Appeals gave it a public hearing on March 1, 2017, at which time the following action was taken:

Upon a motion by Ms. Schuth, being seconded by Mr. Matthys and by a unanimous vote, the petition for Special Exception to allow an accessory parking lot, on property located at 1411 Carroll Street, Portage Township. Zoned "SF2" sent to the Common Council with a **Favorable Recommendation**.

The deliberations of the Area Board of Zoning Appeals and points considered in arriving at the above decision as shown in the Minutes of the Public Hearing, and will be forwarded to you at a later date, to be made part of this report.

Sincerely,

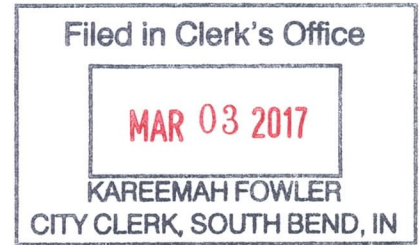
A handwritten signature in black ink, appearing to read "Charles C. Bulot".

Charles C. Bulot, C.B.O. Building  
Commissioner

CCB/cah

PETITION

SPECIAL EXCEPTION PURSUANT 21-09.3(D)  
AREA BOARD OF ZONING APPEALS  
**GLORIA DEI LUTHERAN CHURCH**



FINDINGS OF FACT

1. THE PROPOSED *USE* WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, COMFORT, COMMUNITY MORAL STANDARDS, CONVENIENCE OR GENERAL WELFARE BECAUSE:  
Development and use as presented will comply with all building, fire safety, traffic, and parking-regulations as to not being injurious to the public health, safety, morals, and general welfare of the community.
2. THE PROPOSED *USE* WILL NOT INJURE OR ADVERSELY AFFECT THE *USE* OF THE ADJACENT AREA OR PROPERTY VALUES THEREIN BECAUSE:  
The variance or use shall improve the appearance of the neighborhood and will not devalue the surrounding properties.
3. THE PROPOSED *USE* WILL BE CONSISTENT WITH THE CHARACTER OF THE *DISTRICT* IN WHICH IT IS LOCATED AND THE LAND USES AUTHORIZED THEREIN BECAUSE:  
Conditions on the property predate the Zoning Ordinance, which creates a different condition for this property.
4. THE PROPOSED *USE* IS COMPATIBLE WITH THE RECOMMENDATIONS OF THE CITY OF SOUTH BEND *COMPREHENSIVE PLAN* BECAUSE:  
It is the feeling of the Board that the variance is blending into the overall Comprehensive Plan and is not deviating from its intent.

CONDITIONS OR REVISIONS:  
Click here to enter text.

DECISION

IT IS THEREFORE the decision of the Board that this request for Special Exception shall be passed onto the City of South Bend Common Council with a **FAVORABLE RECOMMENDATION**

ADOPTED this 1<sup>ST</sup> Day of MARCH, 2017

<u>MOTION</u>	<u>SECOND</u>	<u>RECUSED</u>	<u>ABSENT</u>	<u>YES</u>	<u>NO</u>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	MICHAEL URBANSKI
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANDALL MATTHYS
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KATHY SCHUTH
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	JOHN LESZCZYNSKI
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	JACK YOUNG
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ROBERT HAWLEY
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRENDAN CRUMLISH

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE COMMON COUNCIL OF  
THE CITY OF SOUTH BEND, INDIANA,  
APPROVING A PETITION OF THE  
AREA BOARD OF ZONING APPEALS  
FOR THE PROPERTY LOCATED AT  
1411 Carroll St., Lots 82, 83, 84, Haney's Addition**

**WHEREAS**, Indiana Code Section 36-7-4-918.6, requires the Common Council to give notice pursuant to Indiana Code Section 5-14-1.5-5, of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

**WHEREAS**, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

**WHEREAS**, the Common Council is required to make a determination in writing on such requests pursuant to Indiana Code Section 36-7-4-918.4, and

**WHEREAS**, the Area Board of Zoning Appeals has made a recommendation, pursuant to applicable state law.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA** as follows:

**SECTION I.** The Common Council has provided notice of the hearing on the Petition from the Area Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for the property located at:

1411 Carroll St., South Bend, Indiana

in order to permit

an accessory parking lot in an SF2 zone, and variance from the required 16 sq. ft. to 32 sq.ft. and from the maximum 4' height to 5'6" for a sign.

**SECTION II.** Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Area Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

**SECTION III.** The Common Council of the City of South Bend, Indiana, hereby finds that:

1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
2. The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;

3. The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive plan;

**SECTION IV.** Approval is subject to the Petitioner complying with the reasonable conditions established by the Area Board of Zoning Appeals which are on file in the office of the City Clerk.

**SECTION V.** The Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

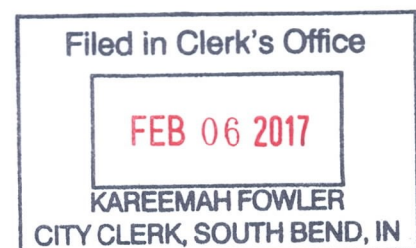
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Member of the Common Council

PRESENTED

NOT APPROVED

ADOPTED







greater visibility and immediate recognition. It is a professionally made sign by a nationally known company and exceptionally pleasing aesthetically. Also, there will be no alteration to existing property other than the installation of the sign.

3. The proposed use will be consistent with the character of the district in which is located and the land uses authorized therein because Gloria Dei has been a rock on the southeast side since 1948 and a boulder in this city since 1880. Our outreach to the neighbors and places of worship that surround us is without equal. Gloria Dei is planted here and these roots grow deeper every year..
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan because the proposed sign is consistent with those used by many houses of worship. The only difference is that we are asking approval to install it on a lot we own but which is not contiguous to our church building.

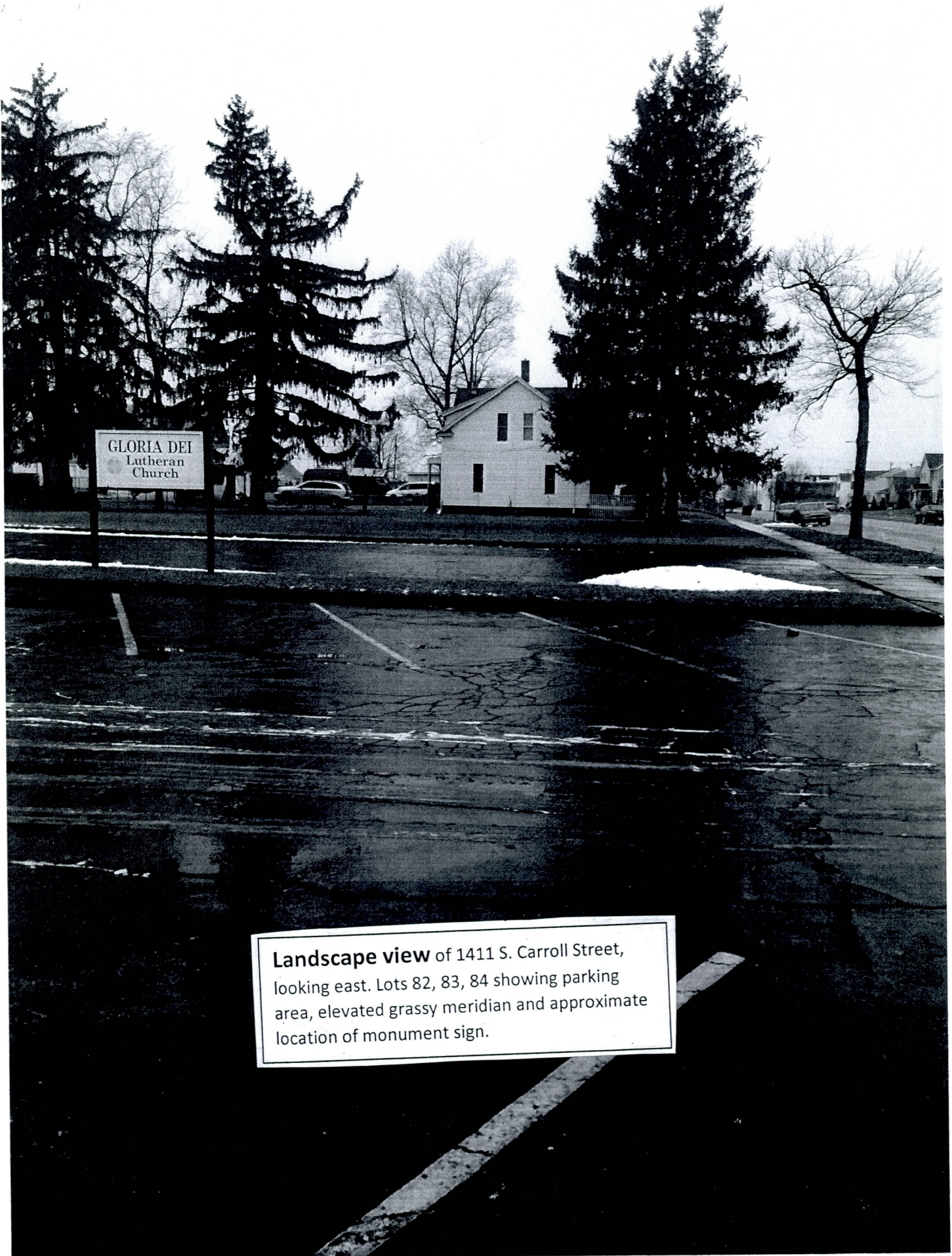
**VARIANCE APPROVAL STANDARDS**

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community because the sign will be setback from the public sidewalk and not impeded drivers' vision or obstruct the flow of traffic.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because it will improve the "face value" of our property and assure our neighbors of our continuing commitment to the southeast side. The sign will be used solely to announce our worship times and special events and perhaps other events in the southeast side..
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because the sign is necessary to identify and welcome guests and visitors to our services and special events. On occasion, newcomers still come to the Haney Avenue entrance and are temporarily "lost." .

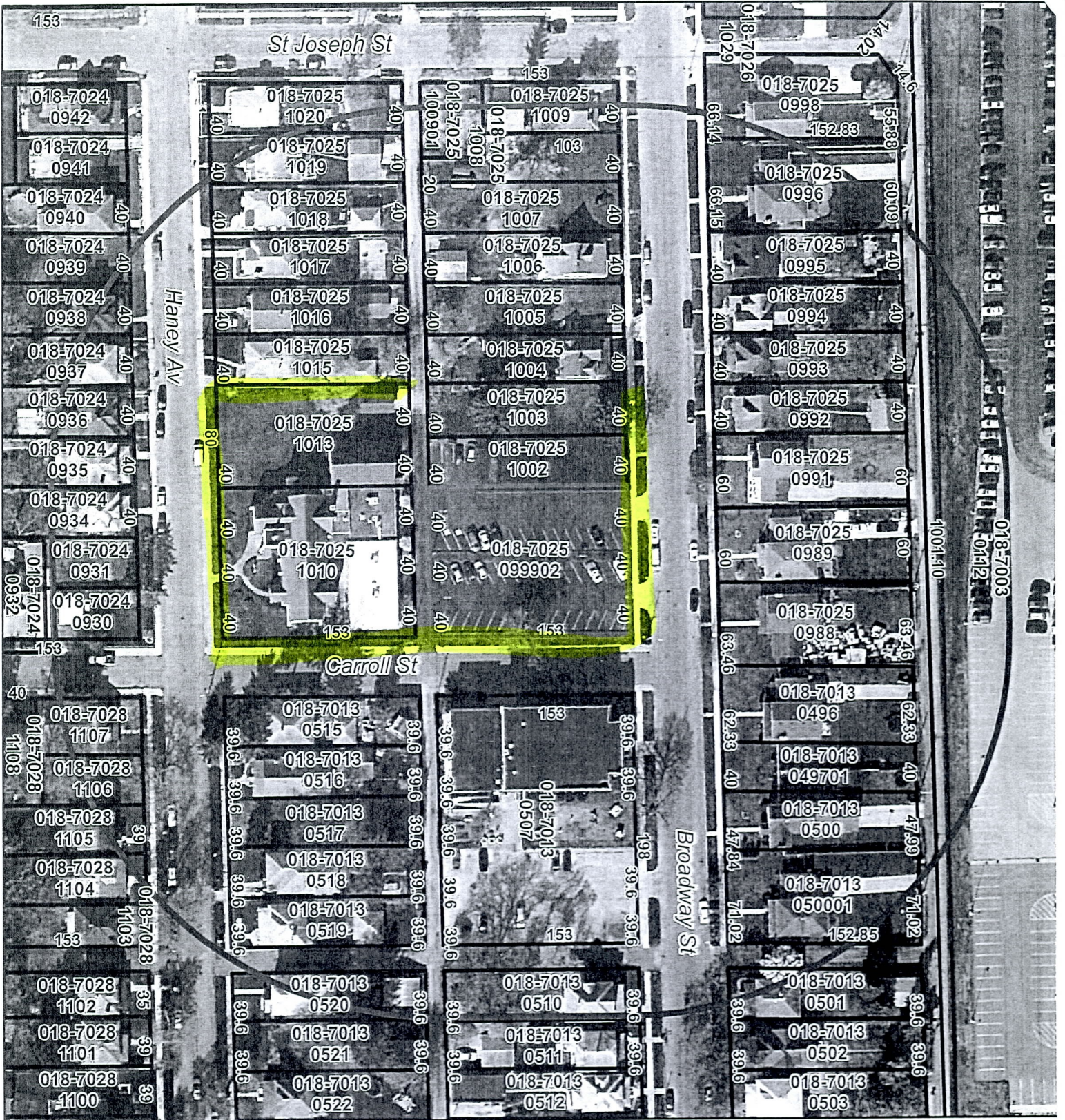
  
\_\_\_\_\_  
APPLICANT SIGNATURE

Brian A Saine  
\_\_\_\_\_  
Name Saine

Tuesday, February 7, 2017

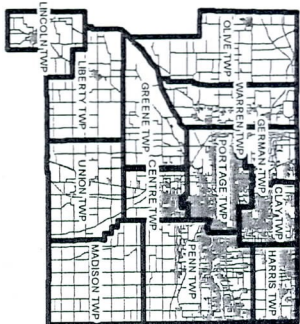


**Landscape view** of 1411 S. Carroll Street, looking east. Lots 82, 83, 84 showing parking area, elevated grassy meridian and approximate location of monument sign.



Information shown on this map is not warranted for accuracy or merchantability. Reproduction of this material is not possible without written permission of St. Joseph County, Indiana.

1 inch = 104,166667 feet



Date Printed: 2015  
Photography: Spring 2015



Prepared by:  
St. Joseph County Auditor's Office  
227 W. Jefferson Blvd.  
South Bend, Indiana 46601  
Phone: (574) 235-9463

ParcelIdCounty	OwnerName	OwnerAddress	OwnerCity	OwnerState	OwnerZIP	PropAddress	PropCity	PropState	PropZIP
018-7028-1107	BYRD PATRICIA A	P.o. Box 11013	South Bend	IN	46634	304 HANEY	SOUTH BEND	IN	46613
018-7013-0518	LIU HUI	14435 North Hampton Dr	Granger	IN	46530	313 HANEY	SOUTH BEND	IN	46613
018-7013-0507	UNITED METHODIST CHURCH BROADWAY CHRISTIAN PARISH	1412 S Carroll St	South Bend	IN	46613	1412 CARROLL	SOUTH BEND	IN	46613
018-7025-1005	ALEXANDER TERMAINE & EBONY U WILLIAMS AS JT W/ROS	222 E Broadway Street	South Bend	IN	46601	218 BROADWAY	SOUTH BEND	IN	46613
018-7013-0515	GROVES J D AND JOELLA	301 Haney Av	South Bend	IN	46613	301 HANEY	SOUTH BEND	IN	46613
018-7025-1007	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	1400 County City Bldg	South Bend	IN	46601	210 BROADWAY	SOUTH BEND	IN	46613
018-7028-1104	SAYLOR SR FAMILY TRUST SAYLOR WALTER SR & SHARON L TRUSTEES	51870 Emmons Rd	South Bend	IN	46637	314 HANEY	SOUTH BEND	IN	46613
018-7025-1003	GLORIA DEI LUTHERAN CHRUCH	228 Broadway St	South Bend	IN	46614	228 BROADWAY	SOUTH BEND	IN	46613
018-7025-0992	BEYER JEFF S	1628 S Michigan St	South Bend	IN	46613	227 BROADWAY	SOUTH BEND	IN	46601
018-7025-1016	OROZCO ISRAEL	1245 Echo Drive	South Bend	IN	46614	217 HANEY	SOUTH BEND	IN	46613
018-7025-100901	BUENO CLAUDIO	201 East Haney St	South Bend	IN	46613	1410 ST JOSEPH	SOUTH BEND	IN	46613
018-7013-0517	SMITH DEBRA PHILLIPS	305 Haney	South Bend	IN	46613	309 HANEY	SOUTH BEND	IN	46613
018-7024-0931	BROWN ROBERT KEITH	5 S Elm St Unit B	Fellsmere	FL	32948	236 HANEY	SOUTH BEND	IN	46613
018-7013-0501	RESTORPRIDE SP	PO Box 10014	South Bend	IN	46680	401 BROADWAY	SOUTH BEND	IN	46601
018-7028-1106	ISLAS TERESA M	624 Notabene Dr	Alexandria	VA	22305	308 HANEY	SOUTH BEND	IN	46613
018-7025-0994	GALICIA JOSE A & JAVIER	1013 Oakland St	South Bend	IN	46615	219 BROADWAY	SOUTH BEND	IN	46601

018-7025-0996	MUNOZ JOSE & DIAZ MARIA	209 E Broadway St	South Bend	IN	46601	209 BROADWAY	SOUTH BEND	IN	46601
018-7013-0519	WILKESON GENE A AND ELLEN M REV TRUST AND AS TRUSTEES	20578 Hynes Dr	South Bend	IN	46614	317 HANEY	SOUTH BEND	IN	46613
018-7024-0936	CALDERON LAURA H	226 Haney St	South Bend	IN	46613	226 HANEY	SOUTH BEND	IN	46613
018-7025-1013	EVANGELICAL LUTHERAN CHURCH GLORIA DEI CHURCH	237 Haney St	South Bend	IN	46613	225 HANEY	SOUTH BEND	IN	46613
018-7025-1004	ALEXANDER TERMAINE & EBONY U WILLIAMS AS JT W/ROS	222 E Broadway Street	South Bend	IN	46601	222 BROADWAY	SOUTH BEND	IN	46613
018-7024-0935	STUDIO ZELLA LLC	60598 Crown Ridge Dr	South Bend	IN	46614	230 HANEY	SOUTH BEND	IN	46613
018-7013-0520	WILKESON GENE A AND ELLEN M REV TRUST AND AS TRUSTEES	20578 Hynes Dr	South Bend	IN	46614	401 HANEY	SOUTH BEND	IN	46613
018-7025-1002	GLORIA DEI EVANGELICAL LUTHERAN CH	230 Broadway	South Bend	IN	46601	230 BROADWAY	SOUTH BEND	IN	46613
018-7013-049701	DEL VALLE MAGDALENE & CARMEN	1236 Pyle Ave	South Bend	IN	46615	309 BROADWAY	SOUTH BEND	IN	46601
018-7025-0995	MARTINEZ RUBEN A	215 Broadway	South Bend	IN	46601	215 BROADWAY	SOUTH BEND	IN	46601
018-7003-0112	IVY TECH STATE COLLEGE	One W 26th St Po Box 1763	Indianapolis	IN	46206	1120 MICHIGAN	SOUTH BEND	IN	46601
018-7025-1010	EVANGELICAL LUTHERAN CHURCH GLORIA DEI CHURCH	237 Haney St	South Bend	IN	46613	237 HANEY	SOUTH BEND	IN	46613
018-7025-0991	MILLER HENRY MARLOWE & TRACY	229 E BROADWAY ST	South Bend	IN	46601	229 BROADWAY	SOUTH BEND	IN	46601
018-7024-0934	BROWN-JONES TANVA R	234 E Haney Avenue	South Bend	IN	46613	234 HANEY	SOUTH BEND	IN	46613
018-7013-0500	BROWN ELLA	309 E Broadway	South Bend	IN	46601	309 BROADWAY	SOUTH BEND	IN	46601

018-7025-1015	MILLER TODD & DEBORAH H	10440 Lindwood Ct	Osceola	IN	46561	221 HANEY	SOUTH BEND	IN	46613
018-7025-1019	PITTMAN GREGORY D & PATRICIA	205 E Haney Ave	South Bend	IN	46613	205 HANEY	SOUTH BEND	IN	46613
018-7025-1009	OROZCO SONIA	1245 Echo Drive	South Bend	IN	46614	204 BROADWAY	SOUTH BEND	IN	46613
018-7024-0938	THE JOHNSON FAMILY TRUST	2205 S Michigan Blvd	South Bend	IN	46613	218 HANEY	SOUTH BEND	IN	46613
018-7025-1006	OROZCO ESMERALDA	214 Broadway	South Bend	IN	46601	214 BROADWAY	SOUTH BEND	IN	46613
018-7025-1008	OROZCO FERNANDO	1245 Echo Dr	South Bend	IN	46614	206 BROADWAY	SOUTH BEND	IN	46613
018-7025-0988	LEITENBURG MONIC	623 E Lasalle	South Bend	IN	46617	243 BROADWAY	SOUTH BEND	IN	46601
018-7028-1105	FLOWERS LISA & DAVID & GINGER JT W/FROS NOT TIC	52836 Searer Dr	South Bend	IN	46635	310 HANEY	SOUTH BEND	IN	46613
018-7025-1018	SCHROEDER BRENT	209 Haney	South Bend	IN	46613	209 HANEY	SOUTH BEND	IN	46613
018-7025-0998	HARRIS MARILYN F	201 E Broadway St	South Bend	IN	46601	201 BROADWAY	SOUTH BEND	IN	46601
018-7024-0937	REO LOGIC INDIANA HOLDINGS LLC	555 Middle Creek Pkwy #10	Colorado Springs	CO	80921	222 HANEY	SOUTH BEND	IN	46613
018-7025-1020	BUENO CLAUDIO & MARTA	201 E Haney St	South Bend	IN	46613	201 HANEY	SOUTH BEND	IN	46613
018-7025-0993	BEYER JEFF S	1628 S Michigan	South Bend	IN	46613	221 BROADWAY	SOUTH BEND	IN	46601
018-7013-0496	WALKER RONALD	4310 River Bend Pl	Savage	MN	55378	301 BROADWAY	SOUTH BEND	IN	46601
018-7013-0510	WIESEN SHOSHANA AND TAMAR	2043 South Bend Ave Ste 20	South Bend	IN	46637	402 BROADWAY	SOUTH BEND	IN	46613
018-7013-0516	ALSTON ANNIE W	305 E Haney Av	South Bend	IN	46613	305 HANEY	SOUTH BEND	IN	46613
018-7025-1017	OROZCO CRESENCIANA	215 Haney	South Bend	IN	46613	215 HANEY	SOUTH BEND	IN	46613
018-7024-0930	GROVES EFFIE & L J	1509 S Carroll	South Bend	IN	46613	240 HANEY	SOUTH BEND	IN	46613

018-7024-0939	BUENO ESPERANZA	210 E Haney Ave	South Bend	IN	46613	214 HANEY	SOUTH BEND	IN	46613
018-7025-0989	FIELDER FRANKLIN D & ALLISON Y	235 E Broadway	South Bend	IN	46601	235 BROADWAY	SOUTH BEND	IN	46601
018-7025-099902	GLORIA DEI EVANGELICAL LUTHERAN CH	237 E Haney	South Bend	IN	46613	1411 CARROLL	SOUTH BEND	IN	46613
018-7013-050001	ALEXANDER EDGAR L SR & GLORIA J	315 E Broadway St	South Bend	IN	46601	315 BROADWAY	SOUTH BEND	IN	46601



227 W. JEFFERSON BOULEVARD  
SUITE 1400 S.  
SOUTH BEND, IN 46601-1830

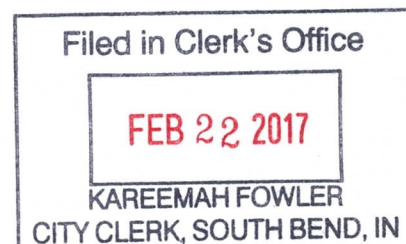


PHONE: 574/235-9371  
FAX: 574/235-9021

CITY OF SOUTH BEND      PETE BUTTIGIEG, MAYOR  
**COMMUNITY INVESTMENT**

February 22, 2017

Council Member Gavin Ferlic, Chairperson  
Community Investment Committee  
South Bend Common Council  
4th Floor, County City Building  
South Bend, IN 46601



RE: Real Property Tax Abatement Petition for: **GLC Portage Prairie III, LLC**

Dear Council Member Ferlic:

Please find the attached information pertaining to a real property tax abatement petition for GLC Portage Prairie III, LLC:

- Department of Community Investment's summary report
- Copy of the petition
- Statement of Benefits form
- Supporting information.

The report contains the Department's findings relative to the above petition. The total cost for the construction is estimated at \$13,500,000. The project meets the qualifications for a (9) nine year real property tax abatement. As discussed with Council, DCI's ability to flexibly approach projects has led staff to conclude that a 6 (six) year abatement best meets the needs of both the developer and the City. A representative from GLC Portage Prairie III, LLC will be available to meet with the Committee on Monday, February 27, 2017.

Should you or any of the other Council members have any questions concerning the report, or need additional information, please feel free to call me at 235-5823.

Sincerely,

Aaron Kobb  
Director of Economic Resources

## **TAX ABATEMENT REPORT**

Filed in Clerk's Office

FEB 22 2017

KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

TO: SOUTH BEND COMMON COUNCIL

FROM: AARON KOB

SUBJECT: REAL PROPERTY TAX ABATEMENT PETITION FOR:  
**GLC Portage Prairie III, LLC**

DATE: February 22, 2017

On Wednesday February 22, 2017, a petition from GLC Portage Prairie III, LLC was received and subsequently filed with the City Clerk for real property tax abatement consideration for property to be located at the northeast corner of Adams Road and U.S. 31, South Bend, IN 46628. Pursuant to Chapter 2, Article 6, Section 2-84.2 of the Municipal Code of the City of South Bend, this petition was referred to the Department of Community Investment for purposes of investigation and preparation of a report determining whether the area qualifies as an Economic Revitalization Area pursuant to I.C.6-1.1-12.1 and whether all zoning requirements have been met.

The Department of Community Investment has reviewed the petition (a copy of which is attached), investigated the area, and makes the following report.

### **PROJECT SUMMARY**

- Construction of a new approximately 315,000 sq. ft. spec commercial distribution and light assembly facility (and related paving/parking and other site improvements) to serve and support the needs of commercial/distribution users considering South Bend as a business site
- \$13,500,000 investment in new building construction
- Total project taxes during the six year abatement period – \$1,822,500
- Estimated taxes being abated during the six year abatement period – \$1,822,500
- Total taxes to be paid during the six year abatement period – \$0
- Annual tax generation beginning after six year abatement period - \$303,750

### **EMPLOYMENT IMPACT**

Per the petition, it is estimated that the total project will:

- Create (100) one hundred permanent full-time jobs, representing an approximate new annual payroll of \$4,784,000.

### **ABATEMENT QUALIFICATION**

1. A review of the tax abatements previously granted finds that the petitioner has been granted previous abatements and were deemed to be in compliance.
2. The Building Commissioner has reviewed the petition and finds the property to be properly zoned for the proposed project or a variance will be sought by the petitioner.
3. A review of the South Bend Redevelopment designation areas finds that the property is located in the River West Development Area.
4. A review of the Tax Abatement Ordinance No. 9394-03 finds that the petitioner meets the qualifications for a (9) nine-year real property tax abatement under section 2-84.2, Real Property Tax Abatement. As discussed with Council, DCI's ability to flexibly approach projects has led staff to conclude that a 6 year abatement best meets the needs of both the developer and the City.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION CONFIRMING THE ADOPTION OF A  
DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS  
WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY  
KNOWN AS

**Northeast Corner of Adams Road and U.S. 31, South Bend, IN 46628**

AS AN ECONOMIC REVITALIZATION AREA FOR  
PURPOSES OF A (6) SIX YEAR REAL  
PROPERTY TAX ABATEMENT FOR

**GLC Portage Prairie III, LLC**

---

WHEREAS, the Common Council of the City of South Bend, Indiana, has adopted a Declaratory Resolution designating certain areas within the City as Economic Revitalization Areas for the purpose of tax abatement consideration; and

WHEREAS, a Declaratory Resolution designated the area commonly known as the Northeast corner of Adams Road and U.S. 31, South Bend, IN 46628 and which is more particularly described as follows:

**S PT NW & W END N SW & W END S SW EX 11.653 AC TO STATE & NE PT SW SEC 8 38 2E TOTAL 119.107 AC ANNXD 06-07 ORD #9638-05**

and which has Key Number 025-1002-001301 be designated as an Economic Revitalization Area; and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for Real Property tax abatement only and is limited to (2) two calendar years from the date of adoption of the Declaratory Resolution by the Common Council.

SECTION II. The Common Council hereby determines that the property owner is qualified for and is granted real property tax deduction for up to a period of six (6) years as provided in the abatement schedule below pursuant to Indiana Code 6-1.1-12.1-17 and further determines that the petition, the Memorandum of Agreement between the Petitioner and the City of South Bend, and the Statement of Benefits comply with Chapter 2, Article 6, of the Municipal Code of the City of South Bend and Indiana Code 6-1.1-12 et seq.

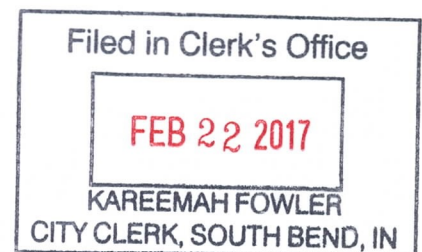
<u>Year</u>	<u>Real Property Abatement</u>
1	100%
2	100%
3	100%
4	100%
5	100%
6	100%

SECTION III. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approved by the Mayor.

---

Member of the Common Council

PRESENTED  
NOT APPROVED  
ADOPTED



6 YEAR

22-Feb-17

**GLC Portage Prairie III, LLC**

South Bend Portage Township Real Property Tax Abatement Schedule\*

South Bend German Township

Tax Key Number	0	100%	100%	100%	100%	100%	100%	100%	100%
Current Assessed Value:	0	0	0	0	0	0	0	0	0
Estimated Project Cost:	13,500,000								
Assessed Value:									
Current Assessed Value	0	0	0	0	0	0	0	0	0
Base Assessed Value	10,125,000	10,125,000	10,125,000	10,125,000	10,125,000	10,125,000	10,125,000	10,125,000	10,125,000
Less Abatement Deduction	0	(10,125,000)	(10,125,000)	(10,125,000)	(10,125,000)	(10,125,000)	(10,125,000)	(10,125,000)	(10,125,000)
Net Assessed Value	0	0	0	0	0	0	0	0	0

Property Taxes:									
Assume constant tax rate of	5.4637%	5.4637%	5.4637%	5.4637%	5.4637%	5.4637%	5.4637%	5.4637%	5.4637%
Gross Tax (tax rate x net assessed value)	0	553,204	0	0	0	0	0	0	0
Less Circuit Breaker Credit	0	(249,454)	0	0	0	0	0	0	0
Net Tax	0	303,750	0	0	0	0	0	0	0

Circuit Breaker Cap	3.0000%	303,750	303,750	303,750	303,750	303,750	303,750	303,750	303,750
Circuit Breaker	0.00000%	0	0	0	0	0	0	0	0
Debt Service									
Circuit Braker Cap									
Totals		0	1,822,500	1,822,500	1,822,500	1,822,500	1,822,500	1,822,500	1,822,500

Year	Existing Taxes	New Project Taxes	Combined Existing & New Taxes	Tax Abated	Net Tax Paid
1	0	303,750	303,750	303,750	0
2	0	303,750	303,750	303,750	0
3	0	303,750	303,750	303,750	0
4	0	303,750	303,750	303,750	0
5	0	303,750	303,750	303,750	0
6	0	303,750	303,750	303,750	0
Totals	0	1,822,500	1,822,500	1,822,500	0

Filed in Clerk's Office  
**FEB 22 2017**  
 KAREEMAH FOWLER  
 CITY CLERK, SOUTH BEND, IN

\*This schedule is for estimation purposes only and assumes constant tax rates. The true tax values will ultimately be determined by the actual assessed valuation and the then current tax rates.

# City of South Bend Petition for Incentives

*Petition must include a \$250 filing fee payable to the City Clerk's Office or online via the City's website at <http://southbendin.gov/government/content/tax-abatement> before processing can be complete*



General Information		Project Name	Project Number
Legal name as registered with Secretary of State	GLC Portage Prairie III, LLC		
Business structure	Indiana limited liability company		
Company website	Please see website of Company's affiliate Great Lakes Capital, LLC ( <a href="http://www.greatlakescapital.com">www.greatlakescapital.com</a> )		
Proposed Project Information			
Proposed project address	TBD: NE Corner of Adams Road and US 31	Parent company name	N/A
City, State, Zip	South Bend, Indiana 46628	Legal owner	Waggoner's Dairy Farm, Inc.
Site acreage or acreage required	~28.7 Acres +/-	Is the real estate owned or leased	Owned
Square feet of facility	315,000	If leased by whom	N/A
Primary Contact Information			
Primary company contact name	Ryan C. Rans	Title	Managing Member
Address of company contact	112 West Jefferson Blvd., Suite 200	Phone	(574) 251-4400
City, State, Zip	South Bend, Indiana 46601	Email	rrans@greatlakescapital.com
Senior Official Information			
Company senior official name	Jeff Smoke	Title	Director of Development
Address of company contact (if different from above)	112 West Jefferson Blvd., Suite 200	Phone	(574) 855-5700
City, State, Zip	South Bend, Indiana 46601	Email	jsmoke@greatlakescapital.com
Consultant Information/Agent			
Hired business consultant/agent name	Richard J. Deahl, Barnes & Thornburg LLP	Consultant release (Y/N)	Yes
Address	100 N. Michigan Street, Suite 700	Local economic development partners approval (Y/N)	
City, State, Zip	South Bend, Indiana 46601	Email	rdeahl@btlaw.com
Project Overview			
Brief description of your company, project, and why the property is necessary for economic growth	<p>Great Lakes Capital ("GLC"), the sponsor/affiliate of GLC Portage Prairie III, LLC, is a real estate development firm with experience in public-private development initiatives. The proposed project involves an investment of between \$15.0 and \$16.0 million in the property acquisition, development and construction of a new commercial distribution and light assembly facility containing approximately 315,000 square foot (or more) together with related site improvements (paving/parking, etc.). The applicant is proposing to make this a build to suit development for a global tenant. The proposed tenant is looking to consolidate operations (including sites in South Bend) and to increase new employment by over 100 additional jobs to the area (in addition to keeping the current workforce of 300 local). The tenant also desires frontage along US 31 for advertising and visibility purposes.</p>		
Certified Technology Park appropriate	N/A		
Is the project in a Tax Incremental Financing (TIF) area? If so, which?	Yes (Airport Economic Development Area)		
Certify that the Building Permit has not been issued (Y/N)	No Permit	Number of residential units created by project	N/A (0)
If this is a petition for personal property tax abatement, has the equipment been installed	N/A		

**Filed in Clerk's Office**

FEB 22 2017

**KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN**

Investment Details			
Public Infrastructure needs (Off-site of project in dollars)	Has any 504 funding been received?	What is the value of any equipment being purchased in Indiana for the project?	What is the value of any equipment being purchased from out of state for the project?
	N/A	N/A	N/A

New Project Investments								
Calendar Year	2016	2017	2018	2019	2020	2021	2022	2023
Land Acquisition		\$ 750,000						
Building Lease Payments								
Building Purchase Costs								
New Building Construction		\$ 13,500,000						
Existing Building Improvements								
New Machinery & Equipment								
Special Tooling/Retooling								
New Furniture/Fixtures								
New Computer/IT Hardware								
New Software								
On-site Rail Infrastructure								
On-site Fiber Infrastructure								
<b>TOTAL</b>		14250000		\$ 0			\$ 0	\$ 0

Full-Time Permanent Indiana-Resident Positions by Calendar Year						
Calendar Year	Jobs retained	Total hourly wage w/o fringe or bonuses	Cumulative # of net <u>NEW</u> full time permanent jobs created at project	Hourly <u>average</u> wage, w/o benefits or bonuses, of cumulative net new jobs	Total training expenditure - not cumulative	Total # to be trained - not cumulative
2016	300					
2017			0			
2018			100+	\$23		
2019						
2020						
2021						
2022						
2023						
2024						
2025						
2026						
2027						

Provide hourly wage information for new employees in the following positions.		
	Full time	Part time
Laborers	N/A	N/A
Technical		
Managerial		
Administrative		

Who will be the individual responsible for coordinating with WorkOne on recruiting?	N/A
Does your company have an EEO hiring policy?	N/A
Are you an EEO employer?	

Please list the number of full time and part time minority and/or female employees for each of the last three years:							Please describe your commitment to diversity and inclusion by detailing your outreach and recruitment efforts for the last three years as well as current policies.
Year	N/A		N/A		N/A		
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	
Black							
Hispanic							
Asian							
Indian							
Female							
Other							



**Complete below for Real or Personal Property Tax Abatement only.  
Please sign for all requested incentives.**

**Public Benefit Item:**

Information is required on both the construction companies and the companies which will provide materials purchased for this project. Please complete the table below with the appropriate information. If you qualify for the points, please enter the full amount of available points.

		Qualify (Yes or No)	Earned Points	Available Points	
1	<b>Construction Related (Contractors):</b>				
	A.	Employ Local Companies (75%)	Yes	20	20
	B.	Purchase Materials from Local Companies (75%)	Yes	20	20
	C.	Require Employees vs. Independent Contractors	Yes	19	19
	D.	Require Prevailing Wage (Davis Bacon)	No		22
	E.	Require Health Benefits	Yes	22	22
	F.	Require Pension Benefits	No		18
	G.	Maintain Affirmative Action Plan	Yes	20	20
		<b>Sub-total Construction Related:</b>		101	141
	2	<b>Wage &amp; Benefit Related (Owner):</b>			
A.		Pay Target Wage Levels	Yes	33	33
B.		Provide Health Benefits	Yes	34	34
C.		Provide Pension Benefits	Yes	29	29
D.		Provide Training	Yes	28	28
E.		Provide Child Care	No		15
F.		Provide Transportation Assistance	No		14
G.		Provide Employer Assisted Housing program	No		9
		<b>Sub-total Wage &amp; Benefit Related:</b>		124	162
3	<b>Workforce Related:</b>				
	A.	Create New Jobs	Yes	42	42
	B.	Retain Existing Jobs	Yes	41	41
	C.	Maintain Affirmative Action Plan	Yes	35	35
	D.	Provide Targeted Hiring Preference			34
	<b>Sub-total Workforce Related:</b>		118	152	
4	<b>Support a Municipal Facility:</b>				
	A.	Support a SB Municipal Facility (donations to the zoo, conservatory, museum, etc.)		84	84
		Name of Facility	Zoo		
	<b>Sub-total Municipal Facility:</b>		84	84	
<b>Sub-total from Above:</b>			427	539	

The undersigned owner(s) of real property, located within the City of South Bend, hereby petition the Common Council of the City of South Bend for a real and/or personal property tax abatement consideration and pursuant to I.C., 6-1.1-12.1-1, et seq., and South Bend Municipal Code Sec. 2-76 et seq., for this petition state the above.

Submitted By: Jeff Smoke Date: 12/27/2016

**For Staff Use Only Below This Line**

What is the current assessed value?	Real Property:	170,700	Personal Property:	
What is the projected assessed value?	Real Property:	10,125,000	Personal Property:	
What is the tax key number for this project?	025-1002-001301			

What is the six digit NAICS code?

Please attach a Google map and street view of the location.

Please list the amount of real and personal property taxes paid for the last five years when applicable.		Real Property Taxes:	Personal Property Taxes:
Year One		\$4757	
Year Two		\$4665	
Year Three		\$4013	
Year Four		\$5622	
Year Five		\$3607	

Please fill out the following Public Benefit Summary Information and add to total from above.

Public Benefit Item:			(Y or N)	Points	Points
<b>Project Related:</b>					
5	A.	Redevelop a Site that has Special Needs	No		49
	B.	Develop Based on Local University Research	No		35
	C.	Achieve a Physical Element of a Plan	Yes		36
	<b>Sub-total Project Related:</b>		36		120
6	<b>Super Size Projects (point values are cumulative):</b>				
	A.	100% to 199%	Yes	25	25
	B.	200% to 299%	Yes	68	68
	C.	300% to 399%	Yes	65	65
	D.	400% and Over	Yes	52	52
<b>Sub-total Super Size Projects:</b>				210	
7	<b>Pay for Municipal Infrastructure:</b>				
	A.	Pay for Oversizing or Upgrading			14
	B.	Pay for 26-50% of Extension Cost			26
	C.	Pay for 51-75% of Extension Cost			39
	D.	Pay for 76-100% of Extension Cost			52
<b>Sub-total Infrastructure Related:</b>				131	
<b>Total from Applicant Section:</b>				427	539
<b>Total from Staff Section:</b>				210	461
<b>Total Public Benefit Points:</b>				637	1000



**STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)  
Prescribed by the Department of Local Government Finance

Filed in Clerk's Office  
**FEB 22 2017**  
KARLEMAA-OWENS  
CITY CLERK, SOUTH BEND, IN

20__ PAY 20__
FORM SB-1 / Real Property
<b>PRIVACY NOTICE</b>
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following **PROPERTY OWNER** box:  
 Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)  
 Residentially distressed area (IC 6-1.1-12.1-4.1)

**INSTRUCTIONS:**

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer GLC PORTAGE PRARIE III, LLC					
Address of taxpayer (number and street, city, state, and ZIP code) 112 W Jefferson Suite 200 South Bend IN 46601					
Name of contact person Jeff Smoke		Telephone number ( ) 574-251-4400		E-mail address jsmoke@greatlakescapital.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Common Council of City of South Bend				Resolution number	
Location of property NE Corner of Adams Rd. and US 31		County St. Joseph		DLGF taxing district number 71-003	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Proposed investment of at least \$13,250,000 in the development and construction of a commercial "spec" facility containing approximately 315,000 square feet (or more)				Estimated start date (month, day, year) Feb 15, 2017	
Estimated completion date (month, day, year) December 1, 2017					
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 300	Salaries \$11-35+	Number retained 300	Salaries \$11-35+	Number additional 100	Salaries \$11-35+
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
			REAL ESTATE IMPROVEMENTS		
			COST		ASSESSED VALUE
Current values					
Plus estimated values of proposed project			14,250,000		
Less values of any property being replaced					
Net estimated values upon completion of project			14,250,000		
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) _____			Estimated hazardous waste converted (pounds) _____		
Other benefits					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative Ryan C. Rans				Date signed (month, day, year) 12/13/16	
Print name of authorized representative Ryan C. Rans			Title Managing Member of Manager		

**FOR USE OF THE DESIGNATING BODY**

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ calendar years\* (*see below*). The date this designation expires is \_\_\_\_\_.
- B. The type of deduction that is allowed in the designated area is limited to:  
 1. Redevelopment or rehabilitation of real estate improvements  Yes  No  
 2. Residentially distressed areas  Yes  No
- C. The amount of the deduction applicable is limited to \$ \_\_\_\_\_.
- D. Other limitations or conditions (*specify*) \_\_\_\_\_
- E. Number of years allowed:  Year 1  Year 2  Year 3  Year 4  Year 5 (\* see below)  
 Year 6  Year 7  Year 8  Year 9  Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?  
 Yes  No  
 If yes, attach a copy of the abatement schedule to this form.  
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved ( <i>signature and title of authorized member of designating body</i> )	Telephone number ( )	Date signed ( <i>month, day, year</i> )
Printed name of authorized member of designating body	Name of designating body	
Attested by ( <i>signature and title of attester</i> )	Printed name of attester	

\* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

**IC 6-1.1-12.1-17**

**Abatement schedules**

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.



Imagery ©2017 Google, Map data ©2017 Google 500 ft

Filed in Clerk's Office

**FEB 22 2017**

KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN



227 W. JEFFERSON BOULEVARD  
SUITE 1400 S.  
SOUTH BEND, IN 46601-1830

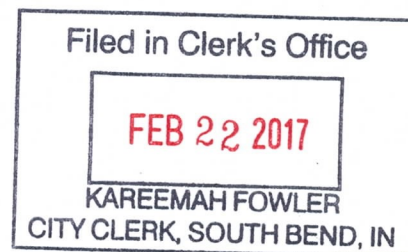


PHONE: 574/235-9371  
FAX: 574/235-9021

CITY OF SOUTH BEND      PETE BUTTIGIEG, MAYOR  
**COMMUNITY INVESTMENT**

February 22, 2017

Council Member Gavin Ferlic, Chairperson  
Community Investment Committee  
South Bend Common Council  
4th Floor, County City Building  
South Bend, IN 46601



RE: Real Property Tax Abatement Petition for: **Hibberd Development, LLC**

Dear Council Member Ferlic:

Please find the attached information pertaining to a real property tax abatement petition for Hibberd Development, LLC:

- Department of Community Investment's summary report
- Copy of the petition
- Statement of Benefits form
- Supporting information.

The report contains the Department's findings relative to the above petition. The total cost for the project is estimated at \$5,250,000. The project meets the qualifications for a (6) six year real property tax abatement. As discussed with Council, DCI's ability to flexibly approach projects has led staff to conclude that a 5 (five) year abatement best meets the needs of both the developer and the City. A representative from Hibberd Development, LLC will be available to meet with the Committee on Monday, February 27, 2017.

Should you or any of the other Council members have any questions concerning the report, or need additional information, please feel free to call me at 235-5823.

Sincerely,

Aaron Kobb  
Director of Economic Resources

## **TAX ABATEMENT REPORT**

TO: SOUTH BEND COMMON COUNCIL

FROM: AARON KOB

SUBJECT: REAL PROPERTY TAX ABATEMENT PETITION FOR:  
**Hibberd Development, LLC**

DATE: February 22, 2017

On Wednesday February 22, 2017, a petition from Hibberd Development, LLC was received and subsequently filed with the City Clerk for real property tax abatement consideration for property to be located at 321 South Main Street, South Bend, IN 46601. Pursuant to Chapter 2, Article 6, Section 2-84.2 of the Municipal Code of the City of South Bend, this petition was referred to the Department of Community Investment for purposes of investigation and preparation of a report determining whether the area qualifies as an Economic Revitalization Area pursuant to I.C.6-1.1-12.1 and whether all zoning requirements have been met.

The Department of Community Investment has reviewed the petition (a copy of which is attached), investigated the area, and makes the following report.

### **PROJECT SUMMARY**

- Redevelopment of an abandoned downtown building to be converted into a mixed use development containing office, retail, and residential spaces including a street level green space and rooftop amenity, both of which will be open to the public.
- \$5,250,000 private investment
- Total project taxes during the five year abatement period – \$472,500
- Estimated taxes being abated during the five year abatement period – \$472,500
- Total taxes to be paid during the five year abatement period – \$0
- Annual tax generation beginning after five year abatement period - \$94,500

### **EMPLOYMENT IMPACT**

Per the petition, it is estimated that the total project will:

- Create (32) thirty two permanent full-time jobs, representing an approximate new annual payroll of \$1,397,760.



### ABATEMENT QUALIFICATION

1. A review of the tax abatements previously granted finds that the petitioner has been granted or associated with previous abatements and were deemed to be in compliance.
2. The Building Commissioner has reviewed the petition and finds the property to be properly zoned for the proposed project or a variance will be sought by the petitioner.
3. A review of the South Bend Redevelopment designation areas finds that the property is located in the River West Development Area.
4. A review of the Tax Abatement Ordinance No. 9394-03 finds that the petitioner meets the qualifications for a (6) six-year real property tax abatement under section 2-84.2, Real Property Tax Abatement. As discussed with Council, DCI's ability to flexibly approach projects has led staff to conclude that a 5 (five) year abatement best meets the needs of both the developer and the City.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION CONFIRMING THE ADOPTION OF A  
DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS  
WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY  
KNOWN AS

**321 South Main Street, South Bend, IN 46601**

AS AN ECONOMIC REVITALIZATION AREA FOR  
PURPOSES OF A (5) FIVE YEAR REAL  
PROPERTY TAX ABATEMENT FOR

**Hibberd Development, LLC**

---

WHEREAS, the Common Council of the City of South Bend, Indiana, has adopted a Declaratory Resolution designating certain areas within the City as Economic Revitalization Areas for the purpose of tax abatement consideration; and

WHEREAS, a Declaratory Resolution designated the area commonly known as 321 South Main Street, South Bend, IN 46601 and which is more particularly described as follows:

**018-3008-0263**  
**LOT 274 EX 22'X90' NE COR O P SOUTH BEND**

**018-3008-0264**  
**LOT 275 34'N SIDE O P SO BEND**

and which has Key Numbers 018-300-0263 and 018-3008-0264 be designated as an Economic Revitalization Area; and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of

South Bend, Indiana, as follows:

SECTION I. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for Real Property tax abatement only and is limited to (2) two calendar years from the date of adoption of the Declaratory Resolution by the Common Council.

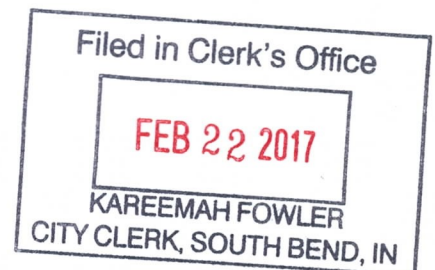
SECTION II. The Common Council hereby determines that the property owner is qualified for and is granted real property tax deduction for up to a period of five (5) years as provided in the abatement schedule below pursuant to Indiana Code 6-1.1-12.1-17 and further determines that the petition, the Memorandum of Agreement between the Petitioner and the City of South Bend, and the Statement of Benefits comply with Chapter 2, Article 6, of the Municipal Code of the City of South Bend and Indiana Code 6-1.1-12 et seq.

<u>Year</u>	<u>Real Property Abatement</u>
1	100%
2	100%
3	100%
4	100%
5	100%

SECTION III. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approved by the Mayor.

\_\_\_\_\_  
Member of the Common Council

PRESENTED  
NOT APPROVED  
ADOPTED



5 YEAR

22-Feb-17

# Hibberd Development, LLC

South Bend Portage Township  
Real Property Tax Abatement Schedule\*

Tax Key Number: 0  
 Current Assessed Value: 0  
 Estimated Project Cost: 5,250,000

Assessed Value:	Current	Without	100%	100%	100%	100%	100%	100%
Current Assessed Value	AV & Tax	Abatement	Year 1	Year 2	Year 3	Year 4	Year 5	Year 5
Base Assessed Value	0	0	0	0	0	0	0	0
Less Abatement Deduction	3,150,000	3,150,000	3,150,000	3,150,000	3,150,000	3,150,000	3,150,000	3,150,000
Net Assessed Value	0	3,150,000	(3,150,000)	(3,150,000)	(3,150,000)	(3,150,000)	(3,150,000)	(3,150,000)

**Property Taxes:**

Assume constant tax rate of	5.4979%	5.4979%	5.4979%	5.4979%	5.4979%	5.4979%	5.4979%	5.4979%
Gross Tax (tax rate x net assessed value)	0	173,183	0	0	0	0	0	0
Less Circuit Breaker Credit	0	(78,683)	0	0	0	0	0	0
Net Tax	0	94,500	0	0	0	0	0	0

**Circuit Breaker Cap**

Circuit Breaker Cap	3.0000%	94,500	94,500	94,500	94,500	94,500	94,500	94,500
Debt Service	0.0000%	0	0	0	0	0	0	0
Circuit Braker Cap	0	94,500	94,500	94,500	94,500	94,500	94,500	94,500

Year	Existing Taxes	New Project Taxes	Combined Existing & New Taxes	Tax Abated	Net Tax Paid
1	0	94,500	94,500	94,500	0
2	0	94,500	94,500	94,500	0
3	0	94,500	94,500	94,500	0
4	0	94,500	94,500	94,500	0
5	0	94,500	94,500	94,500	0
Totals	0	472,500	472,500	472,500	0

\*This schedule is for estimation purposes only and assumes constant tax rates. The true tax values will ultimately be determined by the actual assessed valuation and the then current tax rates.

Filed in Clerk's Office

FEB 22 2017

KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

# City of South Bend Petition for Incentives

*Petition must include a \$250 filing fee payable to the City Clerk's Office or online via the City's website at <http://southbendin.gov/government/content/tax-abatement> before processing can be complete*



General Information		Project Name	Project Number
Legal name as registered with Secretary of State	Hibberd Development, LLC		
Business structure	Limited Liability Company		
Company website	N/A		
Proposed Project Information			
Proposed project address	321 South Main Street	Parent company name	N/A
City, State, Zip	South Bend, Indiana 46601	Legal owner	Individual Members
Site acreage or acreage required	~0.34 Acre	Is the real estate owned or leased	Owned
Square feet of facility	~33,600sf	If leased by whom	N/A
Primary Contact Information			
Primary company contact name	Mark Neal	Title	Manager
Address of company contact	1329 East Washington Street	Phone	574-339-9406
City, State, Zip	South Bend, Indiana 46617	Email	kmneal@aol.com
Senior Official Information			Filed in Clerk's Office
Company senior official name	Same as above	Title	<div style="border: 2px solid black; padding: 5px; display: inline-block;"> <b>FEB 22 2017</b> </div> <b>KAREEMAH FOWLER</b> <b>CITY CLERK, SOUTH BEND, IN</b>
Address of company contact (if different from above)		Phone	
City, State, Zip		Email	
Consultant Information/Agent			
Hired business consultant/agent name	N/A	Consultant release (Y/N)	
Address		Local economic development partners approval (Y/N)	
City, State, Zip		Email	
Project Overview			
Brief description of your company, project, and why the property is necessary for economic growth	<p>Hibberd Development, LLC is a single purpose business committed to the site redevelopment of an abandoned printing manufacturing company built in 1926 by John and Carl Hibberd, Sr. city businessmen, statesmen and local philanthropists. The building is situated on Main St. in the heart of downtown South Bend directly across from the main branch of the St. Joseph County Public Library. The building will be converted into a mixed use development containing office, retail and residential spaces including a street level green space and rooftop amenity both of which will be open to the public. The site is an essential component to the revitalization of the city's Renaissance Center and nearby Four Winds Field connecting vibrant street level economic development activity to the central downtown.</p>		
Certified Technology Park appropriate	N/A		
Is the project in a Tax Incremental Financing (TIF) area? If so, which?	Yes, River West		
Certify that the Building Permit has not been issued (Y/N)	Yes	Number of residential units created by project	14
If this is a petition for personal property tax abatement, has the equipment been installed	N/A		

Investment Details			
Public Infrastructure needs (Off-site of project in dollars)	Has any 504 funding been received?	What is the value of any equipment being purchased in Indiana for the project?	What is the value of any equipment being purchased from out of state for the project?
No	No	TBD	TBD

New Project Investments								
Calendar Year	2016	2017	2018	2019	2020	2021	2022	2023
Land Acquisition								
Building Lease Payments								
Building Purchase Costs	\$ 240,000							
New Building Construction								
Existing Building Improvements		\$ 3,750,000	\$ 1,500,000					
New Machinery & Equipment								
Special Tooling/Retrofitting								
New Furniture/Fixtures								
New Computer/IT Hardware								
New Software								
On-site Rail Infrastructure								
On-site Fiber Infrastructure								
<b>TOTAL</b>	<b>\$ 240,000</b>	<b>\$ 3,750,000.00</b>	<b>\$ 1,500,000.00</b>					

Full-Time Permanent Indiana-Resident Positions by Calendar Year						
Calendar Year	Jobs retained	Total hourly wage w/o fringe or bonuses	Cumulative # of net NEW full time permanent jobs created at project	Hourly average wage, w/o benefits or bonuses, of cumulative net new jobs	Total training expenditure - not cumulative	Total # to be trained - not cumulative
2016						
2017			N/A			
2018			32	21		
2019			32	21		
2020			32	21		
2021			32	21		
2022			32	21		
2023			32	21		
2024			32	21		
2025			32	21		
2026			32	21		
2027			32	21		

Provide hourly wage information for new employees in the following positions.		
	Full time	Part time
Laborers	-	11
Technical	34	
Managerial	31	
Administrative	12	

Who will be the individual responsible for coordinating with WorkOne on recruiting? N/A

Does your company have an EEO hiring policy? Yes

Are you an EEO employer? Yes

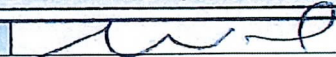
Please list the number of full time and part time minority and/or female employees for each of the last three years:							Please describe your commitment to diversity and inclusion by detailing your outreach and recruitment efforts for the last three years as well as current policies.
Year	N/A		N/A		N/A		
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	
Black							Seek to hire a diverse workforce reflective of our community and adhering to EEO laws.
Hispanic							
Asian							
Indian							
Female							
Other							

**Complete below for Real or Personal Property Tax Abatement only.  
Please sign for all requested incentives.**

**Public Benefit Item:**

Information is required on both the construction companies and the companies which will provide materials purchased for this project. Please complete the table below with the appropriate information. If you qualify for the points, please enter the full amount of available points.		Qualify (Yes or No)	Earned Points	Available Points	
1	<u>Construction Related (Contractors):</u>				
	A.	Employ Local Companies (75%)	Yes	20	20
	B.	Purchase Materials from Local Companies (75%)	Yes	20	20
	C.	Require Employees vs. Independent Contractors	Yes	19	19
	D.	Require Prevailing Wage (Davis Bacon)	No		22
	E.	Require Health Benefits	Yes	22	22
	F.	Require Pension Benefits	No		18
	G.	Maintain Affirmative Action Plan	Yes	20	20
			101	141	
2	<u>Wage &amp; Benefit Related (Owner):</u>				
	A.	Pay Target Wage Levels	Yes	33	33
	B.	Provide Health Benefits	Yes	34	34
	C.	Provide Pension Benefits	No		29
	D.	Provide Training	Yes	28	28
	E.	Provide Child Care	No		15
	F.	Provide Transportation Assistance	Yes	14	14
	G.	Provide Employer Assisted Housing program	No		9
			109	162	
3	<u>Workforce Related:</u>				
	A.	Create New Jobs	Yes	42	42
	B.	Retain Existing Jobs	N/A		41
	C.	Maintain Affirmative Action Plan	Yes	35	35
	D.	Provide Targeted Hiring Preference	Yes	34	34
			111	152	
4	<u>Support a Municipal Facility:</u>				
	A.	Support a SB Municipal Facility (donations to the zoo, conservatory, museum, etc.)	Yes	84	84
		Name of Facility			
			84	84	
Sub-total from Above:			405	539	

The undersigned owner(s) of real property, located within the City of South Bend, hereby petition the Common Council of the City of South Bend for a real and/or personal property tax abatement consideration and pursuant to I.C., 6-1.1-12.1-1, et seq., and South Bend Municipal Code Sec. 2-76 et seq., for this petition state the above.

Submitted By:  Date: 2/22/17

**For Staff Use Only Below This Line**

What is the current assessed value?	Real Property:	\$193,900; \$10,500	Personal Property:	
What is the projected assessed value?	Real Property:		Personal Property:	
What is the tax key number for this project?	018-3008-0263; 018-3008-0264			
What is the six digit NAICS code?				
Please attach a Google map and street view of the location.				
Please list the amount of real and personal property taxes paid for the last five years when applicable.	Real Property Taxes:	Personal Property Taxes:		
	Year One	\$6981; \$378		
	Year Two	\$7227; \$376		
	Year Three	\$11,076; \$333		
	Year Four	\$11,235; \$330		
	Year Five	\$9257; \$639		
Please fill out the following Public Benefit Summary Information and add to total from above.				
		(Y or N)	Points	Points
<b>Public Benefit Item:</b>				
<b>Project Related:</b>				
5	A.	Redevelop a Site that has Special Needs		49
	B.	Develop Based on Local University Research		35
	C.	Achieve a Physical Element of a Plan	36	36
	Sub-total Project Related:		36	120
6	<b>Super Size Projects (point values are cumulative):</b>			
	A.	100% to 199%		25
	B.	200% to 299%		68
	C.	300% to 399%		65
	D.	400% and Over		52
Sub-total Super Size Projects:			210	
7	<b>Pay for Municipal Infrastructure:</b>			
	A.	Pay for Oversizing or Upgrading		14
	B.	Pay for 26-50% of Extension Cost		26
	C.	Pay for 51-75% of Extension Cost		39
	D.	Pay for 76-100% of Extension Cost		52
Sub-total Infrastructure Related:			131	
<b>Total from Applicant Section:</b>			405	539
<b>Total from Staff Section:</b>			36	461
<b>Total Public Benefit Points:</b>			441	1000





**STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)  
Prescribed by the Department of Local Government Finance

Filed in Clerk's Office  
**FEB 22 2017**  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

20__ PAY 20__
FORM SB-1 / Real Property
<b>PRIVACY NOTICE</b>
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Residentially distressed area (IC 6-1.1-12.1-4.1)

**INSTRUCTIONS:**

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer Hibberd Development, LLC					
Address of taxpayer (number and street, city, state, and ZIP code) 1329 East Washington Street, South Bend, IN 46601					
Name of contact person Mark Neal		Telephone number ( 574)339-9406		E-mail address kmneal@aol.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body					Resolution number
Location of property 321 - 325 South Main Street, South Bend, IN 46601		County St. Joseph		DLGF taxing district number	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Development				Estimated start date (month, day, year) 05/01/2017	
				Estimated completion date (month, day, year) 04/01/2018	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 0	Salaries 0	Number retained N/A	Salaries N/A	Number additional 32	Salaries \$42,906 avg
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
<b>REAL ESTATE IMPROVEMENTS</b>					
			<b>COST</b>		<b>ASSESSED VALUE</b>
Current values			\$240,000		\$197,700
Plus estimated values of proposed project			\$5,250,000		\$3,150,000
Less values of any property being replaced			-		-
Net estimated values upon completion of project			\$5,490,000		\$3,347,700
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) N/A			Estimated hazardous waste converted (pounds) N/A		
Other benefits					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative 				Date signed (month, day, year) 2/22/2017	
Printed name of authorized representative Mark W. Neal			Title Manager		

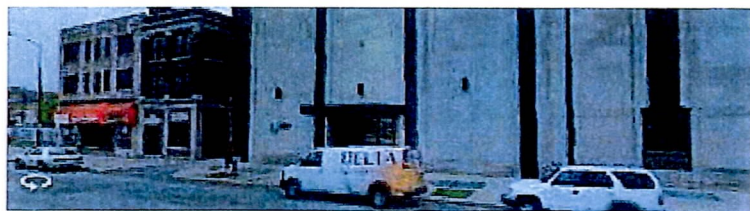


# Google Maps 321 S Main St



Filed in Clerk's Office  
**FEB 22 2017**  
 KAREEMAH FOWLER  
 CITY CLERK, SOUTH BEND, IN

321 S Main St  
 South Bend, IN 46601







AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

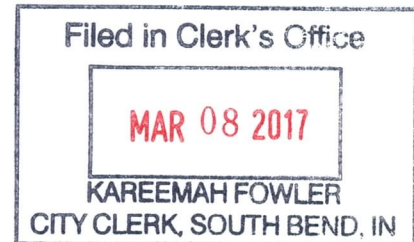
LAWRENCE P. MAGLIOZZI  
EXECUTIVE DIRECTOR

Angela M. Smith  
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

March 7, 2017

South Bend Common Council  
4<sup>th</sup> Floor, County-City Building  
South Bend, IN 46601



RE: Rezoning for 17330 State Road 23  
APC# 2818-17

Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your March 13, 2017 Council meeting, and set it for public hearing at your April 24, 2017 Council meeting. The petition is tentatively scheduled for public hearing at the April 18, 2017 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Stanton'.

David M. Stanton, Jr.  
Planner

CC: Adriana Rodriguez

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN CLAY TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 4, FOR 17330 STATE ROAD 23, SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

To allow for uses in CB Community Business

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION 1. That the following described real estate situated in St. Joseph County, Indiana, being contiguous by more than one-eighth (1/8) of its aggregate external boundaries with the present boundaries of the City of South Bend, Indiana, shall be and hereby is annexed to and brought within the City of South Bend:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT "A" IN STANDARD FEDERAL BANK REPLAT OF LOTS 1 AND 2 IN TOWER MINOR SUBDIVISION, RECORDED AUGUST 29, 1994 AS INSTRUMENT NUMBER 94-32933 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA ; THENCE WEST ALONG THE EXISTING CITY LIMIT LINE 122' MORE OR LESS TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 23, ALSO BEING THE EAST LINE OF LOT 2A OF FOUNDATION CENTER FIRST REPLAT SUBDIVISION; THENCE SOUTHWESTERLY ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 23, 417 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD; THENCE EAST 120 FEET, MORE OR LESS, TO THE EAST RIGHT-OF-WAY LINE OF STATE ROAD 23; THENCE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF STATE ROAD 23 TO THE EXISTING CITY LIMIT; THENCE WEST 18 FEET, MORE OR LESS, AND NORTHEASTERLY 127 FEET, MORE OR LESS, ALONG THE EXISTING CITY LIMIT LINE; THENCE SOUTHEASTERLY 30 FEET MORE, OR LESS, AND EASTERLY 215 FEET, MORE OR LESS, ALONG THE EXISTING CITY LIMIT LINE TO THE SOUTHEAST CORNER OF LOT "A" IN STANDARD FEDERAL BANK REPLAT OF LOTS 1 AND 2 IN TOWER MINOR SUBDIVISION, RECORDED AUGUST 29, 1994 AS INSTRUMENT NUMBER 94-32933 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 160 FEET; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 102.3 FEET; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 80 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 143.6 FEET TO THE POINT OF BEGINNING.

SECTION II. That the boundaries of the City of South Bend, Indiana, shall be and are hereby declared to be extended so as to include the real estate of the above described

parcel as part of the City of South Bend, Indiana.

SECTION III. Ordinance No. 9495-04, as amended which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the above described real estate, with the exception of all adjacent right-of-ways, in the City of South Bend, St. Joseph County, Indiana be and the same is hereby established as CB COMMUNITY BUSINESS DISTRICT, provided, however, that the required established, and stated procedures for review of such zoning classification by the Area Plan Commission have been fully satisfied.

SECTION IV. This Ordinance shall be in full force and effect 30 days from and after its passage by the Common Council, approval by the Mayor, and legal publication.

\_\_\_\_\_  
Member of the Common Council

Attest:

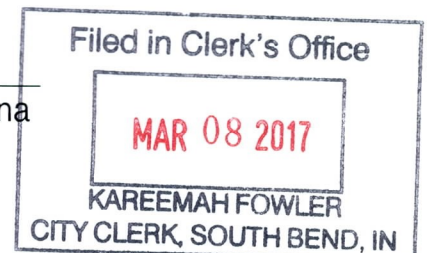
\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

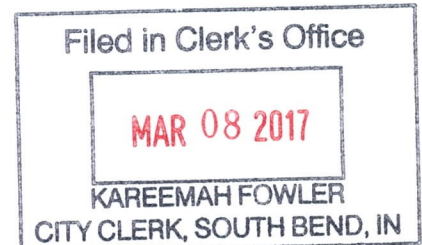
\_\_\_\_\_  
Mayor, City of South Bend, Indiana



PETITION FOR ANNEXATION AND ZONE MAP AMENDMENT  
*City of South Bend, Indiana*

**I (we) the undersigned make application to the City of South Bend Common Council to amend the zoning ordinance as herein requested.**

- 1) The property sought to be rezoned is located at:  
*17330 State Road 23  
South Bend, IN 46635*
- 2) The property Tax Key Number(s) is/are: *002-2019-041102*



3) Legal Descriptions: *A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID QUARTER QUARTER 200 FEET NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER QUARTER; THENCE NORTH ALONG SAID EAST LINE TO A POINT THAT IS 259 FEET SOUTH OF THE INTERSECTION OF THE CENTER LINE OF STATE ROAD 23 AND THE EAST LINE OF SAID QUARTER QUARTER; THENCE WEST PARALLEL TO THE SOUTH LINE OF SECTION 29 AND ALONG THE SOUTH LINE OF A PARCEL OF LAND CONVEYED TO JOHN LANDON HAHN AND CATHERINE IRENE HAHN, HUSBAND AND WIFE, BY DEED RECORDED IN DEED RECORD 774, PAGE 634, TO THE CENTER LINE OF STATE ROAD 23; THENCE SOUTHWESTERLY ALONG THE CENTER LINE OF STATE ROAD 23 TO ITS INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 29; THENCE EAST ALONG SAID SOUTH LINE 350 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO WALTER L. RHODES AND SOPHIE A. RHODES, HUSBAND AND WIFE, BY DEED RECORDED IN DEED RECORD 645, PAGE 458; THENCE NORTH ALONG THE WEST LINE OF SAID RHODES PARCEL 200 FEET; THENCE EAST 300 FEET TO THE POINT OF BEGINNING.*

*BEING ALSO KNOWN AS: "LOT A" IN STANDARD FEDERAL BANK REPLAT, A REPLAT OF LOT 1 AND 2 TOWER MINOR SUBDIVISION, IN CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA RECORDED AUGUST 29, 1994 AS INSTRUMENT NUMBER 94-32933.*

- 4) Total Site Area: *0.92 Acre +/-*
- 5) Name and address of property owner(s) of the petition site:  
*Old National Bank(Attn: Doug Gregurich)  
PO Box 718  
Evansville, IN 47705-0718  
(812) 465-0678  
doug.gregurich@oldnational.com*

Name and address of additional property owners, if applicable: *N/A*

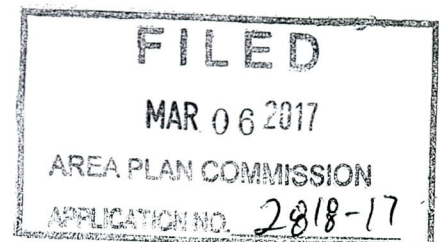
- 6) Name and address of contingent purchaser(s), if applicable:  
*Star 001, Inc.  
2754 Lincoln Way East  
Mishawaka, IN 465544  
260-602-6655  
ronvpatel@kanorgroup.com*

Name and address of additional property owners, if applicable: *N/A*

- 7) It is desired and requested that this property be rezoned:

From: *C: Commercial District (County)*      *N/A*

To:      *CB Community Business District*



- 8) This rezoning is requested to allow the following use(s): *Gas Station and Convenience Store*



IF VARIANCE(S) ARE BEING REQUESTED (if not, please skip to next section):

- 1) *List each variance being requested. Contact Commission Staff if you need assistance.*
- 2) A statement on how each of the following standards for the granting of variances is met:
  - (a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: *See attached.*
  - (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: *See attached.*
  - (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: *See attached.*

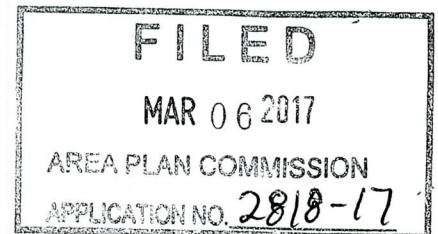
IF A SPECIAL EXCEPTION USE IS BEING REQUESTED, (if not, please skip to next section):

- 1) A detailed description and purpose of the Special Exception Use(s) being requested: *N/A*
- 2) A statement on how each of the following standards for the granting of a Special Exception Use is met:
  - (a) The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: *N/A*
  - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein: *N/A*
  - (c) The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein; and: *N/A*
  - (d) The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan. *N/A*

\* In the case of a Special Exception Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.

CONTACT PERSON:

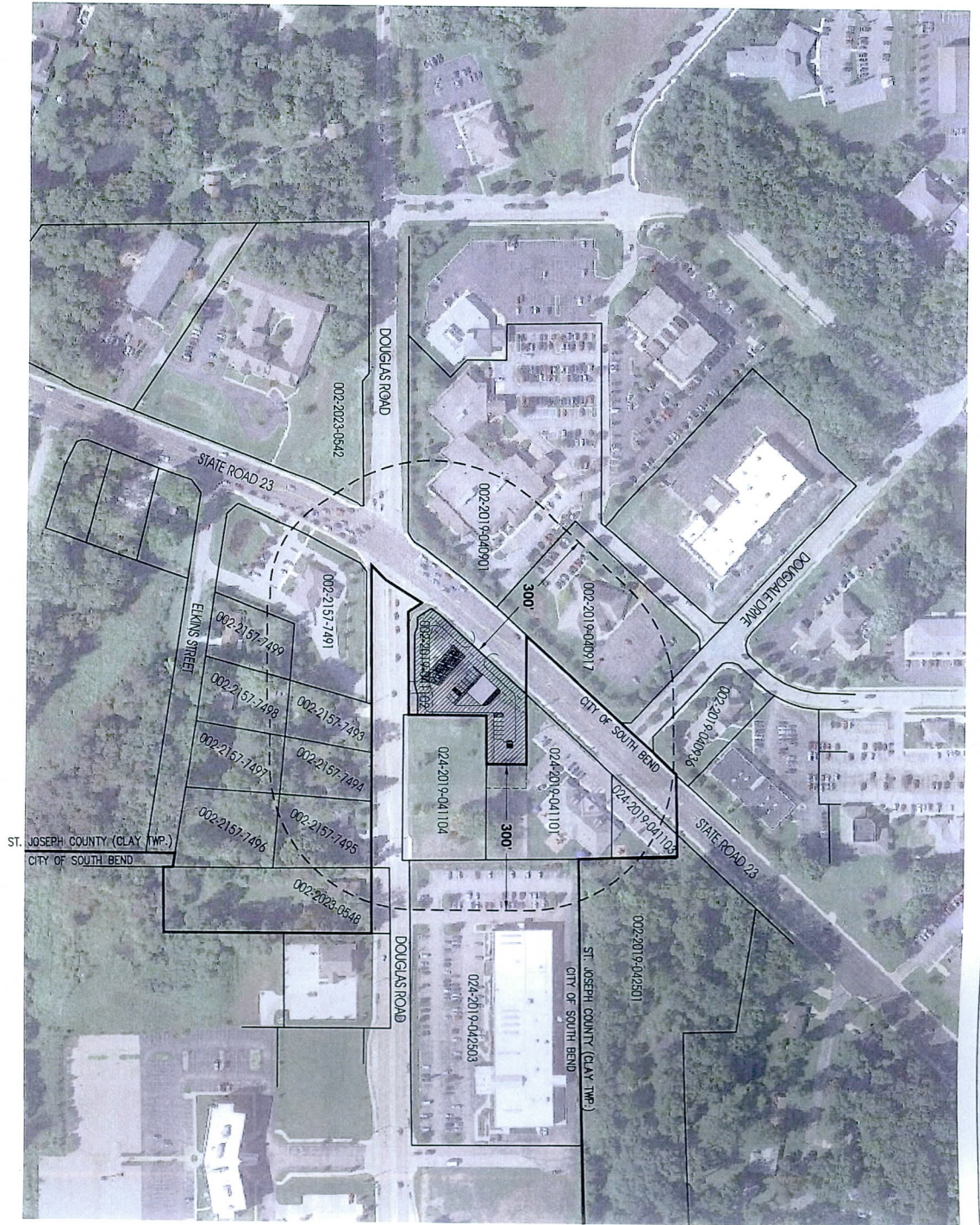
*Abonmarche Consultants, Inc. (Attn: Brian McMorrow)  
750 Lincoln Way East  
South Bend, IN 46601  
(574) 314-1022  
bmcmorrow@abonmarche.com*



**BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA PLAN COMMISSION AND COUNTY COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS THEREON.**

Signature(s) of all property owner(s), or signature of Attorney for all property owner(s):

*Sam C. [Signature] SUP - Tax & Real Estate  
Old National Bank*



**LEGEND**  
 [Hatched Box] SUBJECT PROPERTY (#002-2019-041102) (0.92 ACRES)  
 [Dashed Line] CITY OF SOUTH BEND LIMITS

Filed in Clerk's Office  
**MAR 08 2017**  
 KAREEMAH FOWLER  
 CITY CLERK, SOUTH BEND, IN

- REFERENCES**
- ST. JOSEPH COUNTY GIS - CITY/COUNTY LIMIT
  - GOOGLE EARTH - AERIAL PHOTO BACKGROUND (IMAGE DATE 10/13/16)

**FILED**  
 MAR 08 2017  
 AREA PLAN COMMISSION  
 2818-17

NO. DATE

**ABONMARCHE**  
 730 Lincolnway East  
 South Bend, IN 46601  
 T 574.232.8700  
 F 574.231.4442  
 abonmarche.com

Barrie Cook  
 Benjamin Trotter  
 Monique Southaven  
 Vishal

Colleen  
 Lorraine  
 South Bend  
 Wisconsin

Engineering Architecture Land Surveying

**PROJECT:**  
 OLD NATIONAL BANK  
 PROPERTY  
 17330 STATE ROAD 23  
 ST. JOSEPH CO., INDIANA

**SITE DEVELOPMENT PLAN**

SHEET TITLE:	DATE:
PROJECT:	DATE:
DESIGNED BY:	DATE:
CHECKED BY:	DATE:
IN CHARGE:	DATE:
SCALE:	DATE:
HORIZ: 1" = 100'	DATE:
VERT: N/A	DATE:
APP'D:	DATE:
P17-0300	DATE:
1 of 2	DATE:







AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

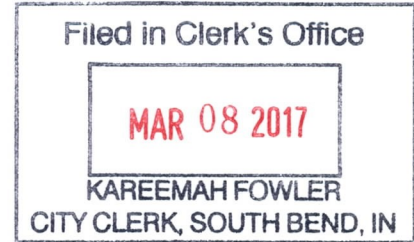
LAWRENCE P. MAGLIOZZI  
EXECUTIVE DIRECTOR

Angela M. Smith  
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

March 6, 2017

South Bend Common Council  
4<sup>th</sup> Floor, County-City Building  
South Bend, IN 46601



RE: Southeast corner of Cotter and Kendall Streets  
APC#2817-17

Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your March 13, 2017 Council meeting, and set it for public hearing at your April 24, 2017 Council meeting. The petition is tentatively scheduled for public hearing at the April 18, 2017 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

David M. Stanton, Jr.  
Planner

CC: Adriana Rodriguez

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT SOUTHEAST CORNER OF COTTER AND KENDALL STREETS, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Expansion of corporate headquarters-distribution center and related uses

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION 1. Ordinance No. 9495-04, is amended, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

Lot 3 of Ignition Park Major Subdivision, Section 1

be and the same is hereby established as LI Light Industrial District.

SECTION II.

This ordinance is and shall be subject to commitments as provided by Chapter 21-09.02(d) Commitments, if applicable.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, legal publication, and full execution of any conditions or Commitments placed upon the approval.

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1st READING  
PUBLIC HEARING  
3rd READING  
NOT APPROVED  
REFERRED  
PASSED

Filed in Clerk's Office  
MAR 08 2017  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

PETITION FOR ZONE MAP AMENDMENT  
City of South Bend, Indiana

**I (we) the undersigned make application to the City of South Bend Common Council to amend the zoning ordinance as herein requested.**

- 1) The property sought to be rezoned is located at:  
*Southeast corner of Cotter and Kendall Streets  
South Bend, IN 46601*
- 2) The property Tax Key Number(s) is/are: *018-8021-084905*
- 3) Legal Descriptions: *Lot 3 of Ignition Park Major Subdivision, Section 1*
- 4) Total Site Area: *2.83 acres +/-*
- 5) Name and address of property owner(s) of the petition site:  
*Martin's MO LLC  
c/o Martin's Super Markets, Inc., Manager  
Attention: Gregory L. Freehauf  
PO Box 2709  
South Bend, IN 46680-2709  
(574) 239-1818  
gfreehauf@martins-supermarkets.com*

Name and address of additional property owners, if applicable:

- 6) Name and address of contingent purchaser(s), if applicable:

*Name  
Address  
City, State Zip Code  
Phone number with Area Code  
E-Mail Address*

Name and address of additional property owners, if applicable:

- 7) It is desired and requested that this property be rezoned:

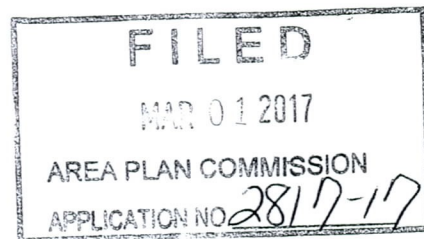
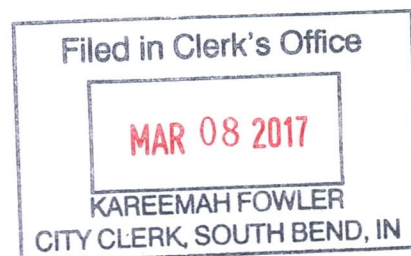
From: PUD Planned Unit Development District      Additional zoning district, if applicable

To: LI Light Industrial District

- 8) This rezoning is requested to allow the following use(s): *Expansion of corporate headquarters-distribution center and related uses*

IF VARIANCE(S) ARE BEING REQUESTED (if not, please skip to next section):

- 1) *List each variance being requested. (None)*
- 2) A statement on how each of the following standards for the granting of variances is met:
  - (a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: *Insert text*
  - (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: *Insert text*





- (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: *Insert text*

IF A SPECIAL EXCEPTION USE IS BEING REQUESTED, (if not, please skip to next section):

- 1) A detailed description and purpose of the Special Exception Use(s) being requested: *(None)*
- 2) A statement on how each of the following standards for the granting of a Special Exception Use is met:
  - (a) The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: *Insert text*
  - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein: *Insert text*
  - (c) The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein; and: *Insert text*
  - (d) The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan. *Insert text*

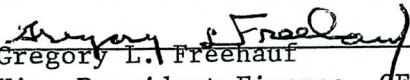
- \* In the case of a Special Exception Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.

CONTACT PERSON:

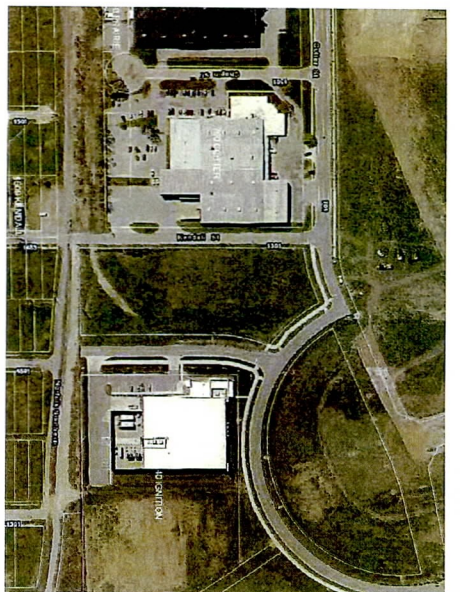
*Tim Corcoran*  
City of South Bend Department of Community Investment  
227 W. Jefferson Boulevard, Suite 1400S  
South Bend, IN 46601  
(574) 235-7692  
[tcorcora@southbendin.gov](mailto:tcorcora@southbendin.gov)

**BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA PLAN COMMISSION AND COMMON COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS THEREON.**

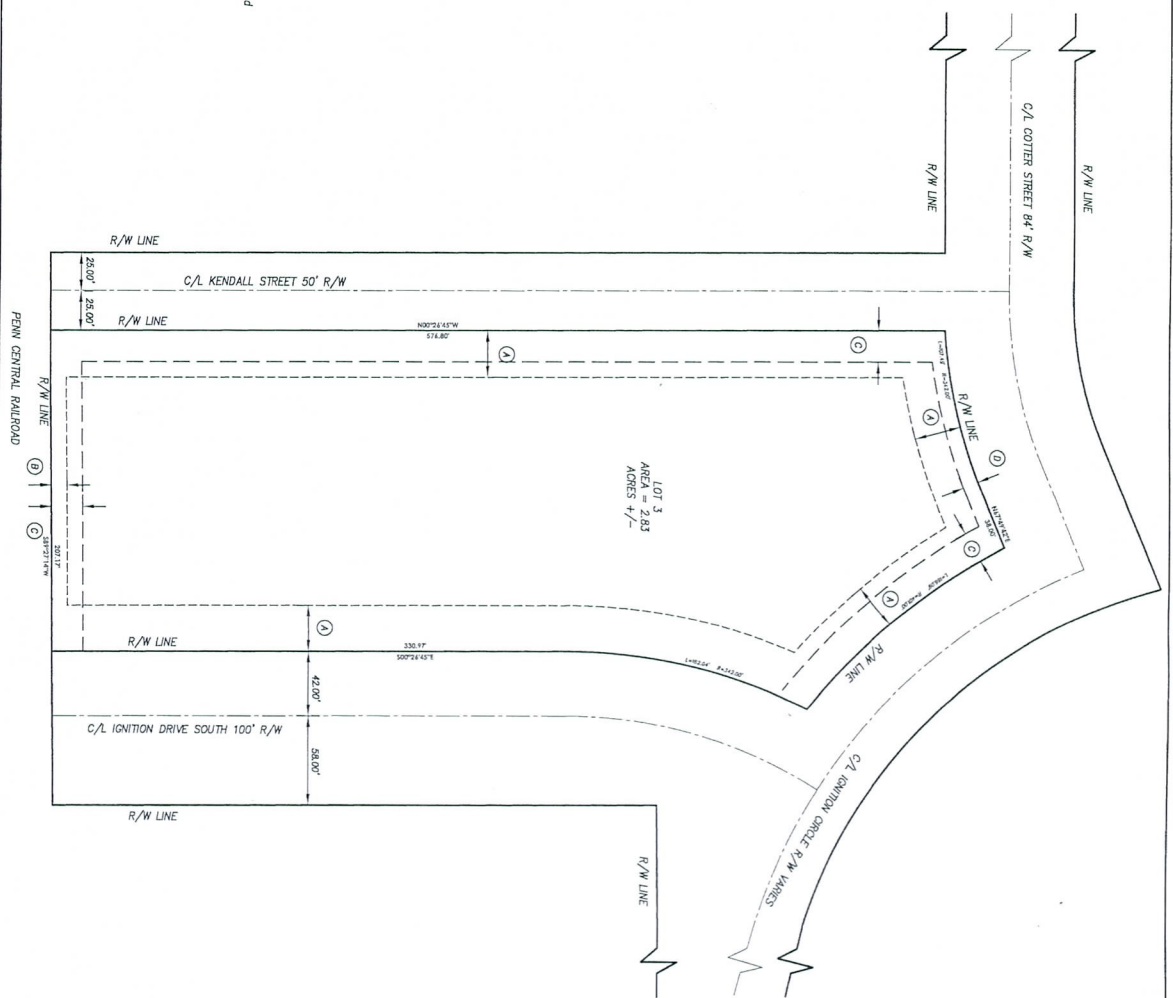
Signature(s) of all property owner(s), or signature of Attorney for all property owner(s):

  
\_\_\_\_\_  
Gregory L. Freehauf  
\_\_\_\_\_  
Vice President Finance, CFO  
\_\_\_\_\_  
Martin's Super Markets, Inc.  
\_\_\_\_\_  
Manager of Martin's MO LLC  
\_\_\_\_\_





SITE AERIAL



- LEGEND**
- (A) 30' Front Yard Setback
  - (B) 10' Side Yard Setback
  - (C) 20' Fronting & Utility Easmt. per Sect. 12.8.2.6.3 City Esmt.
  - (D) per Sect. 12.8.2.6.3

**NOTE:**  
 Future development will need all details of development of the South Bend Zoning & Subdivision Ordinance

LOCATIONS SHOWN FOR APPROVAL OF THE CITY OF SOUTH BEND, INDIANA. THE CITY ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.



DEPARTMENT OF PUBLIC WORKS  
 DIVISION OF ENGINEERING  
 CITY OF SOUTH BEND, INDIANA

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**PRELIMINARY SITE PLAN**  
 IGNITION PARK MAJOR SUBDIVISION  
 SECTION 1, LOT 3

NO.	REVISIONS	DATE	BY	CHK	SHEETS
1					1
2					1

Filed in Clerk's Office  
**MAR 08 2017**  
 KAREMAH FOWLER  
 CITY CLERK, SOUTH BEND, IN

**FILED**  
 MAR 01 2017  
 AREA OF AM COMMISSION  
 2817-17



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

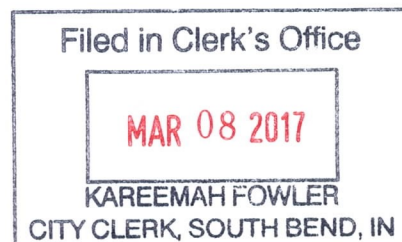
LAWRENCE P. MAGLIOZZI  
EXECUTIVE DIRECTOR

Angela M. Smith  
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

March 7, 2017

South Bend Common Council  
4<sup>th</sup> Floor, County-City Building  
South Bend, IN 46601



RE: Rezoning for 2605 and 2623 Western Avenue  
APC# 2819-17

Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your March 13, 2017 Council meeting, and set it for public hearing at your April 27, 2017 Council meeting. The petition is tentatively scheduled for public hearing at the April 18, 2017 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

David M. Stanton, Jr.  
Planner

CC: Adriana Rodriguez

# **DHA**

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***Danch, Harner & Associates, Inc.***

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Land Surveyors    ■    Professional Engineers

Landscape Architects    ■    Land Planners

Office: (574)234-4003 / (800)594-4003    ■    Fax: (574)234-4009

---

1643 Commerce Drive    ■    South Bend, IN 46628

Honorable Members of the City of  
South Bend Common Council  
4<sup>th</sup> Floor County-City Building  
South Bend, Indiana 46601

March 3, 2017

RE: Rezoning Petition for 2605 & 2623 Western Avenue,  
South Bend, Indiana;

Dear Council Members:

Our clients are requesting the approval of a Rezoning Petition for the properties located at 2605 and 2623 Western Avenue, South Bend, Indiana.

This requested Rezoning would allow for the approval of an automotive sales and repair facility. This use is being relocated from another location on Western Avenue to this new site. As part of the relocation process the Petitioner will be making improvements to the existing buildings and adding new landscaping, fencing and screening plant material to create buffer zones within the site.

Our clients believe the improvements proposed for the properties would be a compatible use in the surrounding mixed use neighborhood.

If you have any questions concerning this matter, please feel free to give me a call at 234-4003.

Sincerely,

*Michael J. Danch*

Michael J. Danch  
President  
Danch, Harner & Associates, Inc.

File No. 170116 "C" Md

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY  
LOCATED AT 2605 AND 2623 WESTERN AVENUE, COUNCILMANIC DISTRICT NO.  
2 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT  
Automotive Sales and Repair

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of  
South Bend, Indiana as follows:

SECTION 1. Ordinance No. 9495-04, is amended, which ordinance is commonly  
known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same  
hereby is amended in order that the zoning classification of the following described real  
estate in the City of South Bend, St. Joseph County, State of Indiana:

Lots # 816, 817, 818, 819, 820 and the vacated alley located between said Lots # 816 and  
817 all as shown in the plat of "Summit Place 3<sup>rd</sup> Addition" as recorded in the records of the  
St. Joseph County, Indiana Recorder's Office.

Subject to all legal highways, easements and restrictions of record.

Be and the same is hereby established as GB General Business District.

SECTION II.

This ordinance is and shall be subject to commitments as provided by Chapter 21-  
09.02(d) Commitments, if applicable.

SECTION III. This ordinance shall be in full force and effect from and after its passage  
by the Common Council, approval by the Mayor, legal publication, and full execution of  
any conditions or Commitments placed upon the approval.

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1st READING  
PUBLIC HEARING  
3rd READING  
NOT APPROVED  
REFERRED  
PASSED

Filed in Clerk's Office  
**MAR 08 2017**  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

PETITION FOR ZONE MAP AMENDMENT  
City of South Bend, Indiana

**I (we) the undersigned make application to the City of South Bend Common Council to amend the zoning ordinance as herein requested.**

- 1) The property sought to be rezoned is located at:  
*Address(es) -, 2605 & 2623 Western Avenue, South Bend, Indiana 46619.*
  
- 2) The property Tax Key Number(s) is/are: *Enter property tax key number(s): 018-4034-1216, 018-4034-1218*
  
- 3) Legal Descriptions: *Enter full legal description: See attached.*
  
- 4) Total Site Area: *Enter total acres to be rezoned: 0.60 Acres.*
  
- 5) Name and address of property owner(s) of the petition site:  
*Daixy Torres  
2617 Western Avenue  
South Bend, Indiana 46619  
Ph. No. 574-288-5830  
E-Mail Address N/A*

Name and address of additional property owners, if applicable:

- 6) Name and address of contingent purchaser(s), if applicable:  
*N/A*

*E-mail N/A*

Name and address of additional property owners, if applicable:

- 7) It is desired and requested that this property be rezoned:

From: MU Mixed Use District N/A

To: GB General Business District

- 8) This rezoning is requested to allow the following use(s): *Insert intended use(s): Automotive Sales & Repair*

IF VARIANCE(S) ARE BEING REQUESTED (if not, please skip to next section):

- 1) *List each variance being requested. See attached.*
  
- 2) A statement on how each of the following standards for the granting of variances is met:
  - (a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: *See Attached*

- (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: *See Attached*
- (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: *See Attached*

IF A SPECIAL EXCEPTION USE IS BEING REQUESTED, (if not, please skip to next section):

- 1) A detailed description and purpose of the Special Exception Use(s) being requested: *N/A*
- 2) A statement on how each of the following standards for the granting of a Special Exception Use is met:
  - (a) The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare:
  - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein:
  - (c) The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein; and:
  - (d) The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan.

\* In the case of a Special Exception Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.

CONTACT PERSON:

*Name: Danch, Harner & Associates, Inc.  
 Address: 1643 Commerce Drive  
 South Bend, Indiana 46628  
 574-234-4003 mdanch@danchharner.com*

**BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA PLAN COMMISSION AND COMMON COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS THEREON.**

Signature(s) of all property owner(s), or signature of Attorney for all property owner(s):

*Daisy Torres*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



REQUESTED VARIANCES:

- 1). From the minimum 30 ft. Side Residential Bufferyard and Type “B” Landscaping along the East property line to allow within 10 ft. of the property line a proposed parking area and a 8 ft. high solid screening fence and landscaping as shown;
- 2). From the minimum 30 ft. Rear Residential Bufferyard and Type “B” Landscaping along the North property line to allow within 10 ft. of the property line a proposed parking area, dumpster and a 8 ft. high solid screening fence and landscaping as shown;
- 3). From the minimum allowed parking aisle width of 24 ft. to a minimum of 21 ft.;
- 4). From the requirement of providing perimeter landscaping to perimeter landscaping along south property line (Western Avenue);
- 5). From the requirement of providing foundation landscaping to no foundation landscaping;

The Petitioner and their tenant of the shown real estate desire to take the existing old automotive repair facility and automotive sales facility and renovate the buildings. They propose to add improvements to the vehicle sales area, add landscaping and screening fence along the north and east buffer yards and improve the streetscape along Western Avenue. The building shown has existed for decades and is located in an area of mixed uses along the Western Avenue business corridor. The uses range from residential homes to the north, one residential and mixed uses to the east, mixed uses to the south and commercial use to the west. The Petitioners’ tenant did have an automotive sales and repair facility located several blocks to the west on Western Avenue. They desire to move to this location and are presently in the process of buying of the property. This property was previously used for an automotive sales and repair service for several years. This is based on a review of available aerial photography back to 1998. That use was allowed per the zoning codes. Then several years back as part of an update to the Western Avenue corridor land uses, the City revised the zoning classification for properties fronting on Western Avenue. This property was rezoned to the MU Mixed Use zoning classification. At the time it appears the previous automotive use was grandfathered in for the property. But then at some point, the owner/tenant stopped or closed the automotive use. The use was closed long enough that the grand fathered legal conforming use status was lost. The owner/tenant may not have understood that they had lost the ability to continue to use the property for an automotive use. The owner’s tenant now desires to purchase the property on a land contract and would like to make renovations to the buildings and the property and continue to have an automotive sales area and a repair shop. After discussions with the various city agencies it was determined that in order to now use the property for the proposed automotive use, it would require a rezoning of the property. The choices available were to either request rezoning to CB Community Business District with approval of a Special Exception Use and some variances or rezone to the GB General Business District with some variances. The choice was to go to the GB General Business District and request approval of a few variances. The attached site plan details the proposed layout for the property with the existing buildings and the vehicle sales area and related landscape improvements. Based on the shown plan the following variances are required for the shown site plan:

The first and second Variance requests are from the minimum 30 ft. Side and Rear Residential Bufferyard and Type "B" Landscaping along the east and north property lines to allow within 10 ft. of the property lines a proposed parking area, dumpster and a 6 ft. high solid screening fence as shown. This property is located in an area between the Western Avenue on the south and a public alley on the north. There is an existing home to the east of the property which is owned by the proposed tenant. Presently there is an existing metal fence which will be removed and replaced with an 8 ft. high vinyl screening fence. This will create a new clean buffer between the Petitioner's property and the existing residential homes to the north and the east. There will also be added a landscape screen of evergreen trees to increase the size of the buffer area and provide a natural landscape area in addition to the screening fence. The result will be a barrier between the vehicle display area and the adjacent residential uses. The owners do not believe approval of this variance request would be detrimental to surrounding properties.

Third variance request is from the minimum allowed parking aisle width of 24 ft. to a minimum of 21 feet. This request is to allow for flexibility in the aisle width of the driveways within the site. The owners would use the required 24 ft. aisle width for the main driveway in the site to access the shown buildings and the sales office. The use of a 21 ft. wide driveway would be limited to the back aisle driveway and the north aisle driveway where the display area for vehicles for sale would be located. The vehicles in this area would be accessed by the sales person to bring the vehicle out for inspection by the customer. The full aisle width would not be needed in these areas. The owners do not believe approval of this variance request would be detrimental to surrounding properties.

The fourth Variance request is from the requirement of providing perimeter landscaping to perimeter landscaping only along south property line (Western Avenue). The site plan shows there will be trees added along the Western Ave. streetscape as required by ordinances. The request is to have no required perimeter trees along the east and north property lines since that is here evergreen trees being used for screening will be located. Along the west the area is very limited due to the location of the existing building. They do not believe approval of this variance request will have a negative impact on any surrounding properties.

The last variance request is from the requirement of providing foundation landscaping to foundation landscaping as shown. The owners are working with the existing buildings. As this will be an automotive sales and repair facility the placement of foundation landscaping in the area where there is access to the garage doors would make landscaping beds impractical. The site plan does show foundation plantings along the south portion of the west building where the impact from the street would be greatest. They do not believe approval of this variance request would be detrimental to any adjacent properties.

The owners would ask the Commission members to agree that the approval of the above requested Variances, will not be injurious to the public health, safety, morals and general welfare of the community and the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and, that the strict application of the terms of this Ordinance would result in practical difficulties in the use of the property.

LEGAL DESCRIPTION:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 37 NORTH, RANGE 2 EAST, PORTAGE TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS : LOTS # 816, 817, 818, 819, 820 AND THE VACATED ALLEY LOCATED BETWEEN SAID LOTS # 816 AND 817 ALL AS SHOWN IN THE PLAT OF "SUMMIT PLACE 3<sup>RD</sup> ADDITION" AS RECORDED IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE.

CONTAINING 0.60 ACRES MORE OR LESS.

SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.



1200N COUNTY-CITY BUILDING  
227 W. JEFFERSON BLVD.  
SOUTH BEND, INDIANA 46601-1830



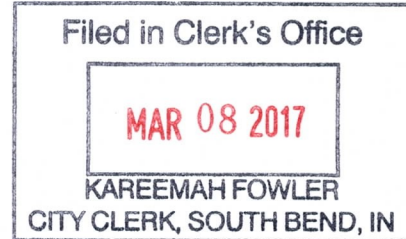
PHONE 574/ 235-7678  
FAX 574/ 235-9928

CITY OF SOUTH BEND    PETE BUTTIGIEG, MAYOR  
**DEPARTMENT OF ADMINISTRATION AND FINANCE**

March 8, 2017

Mr. Tim Scott, President  
City of South Bend Common Council  
227 W. Jefferson Boulevard, 4<sup>th</sup> Floor  
South Bend, Indiana 46601

RE: March 2017 Transfer Ordinance



Dear President Scott,

During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2017, we plan to propose adjustments during four time periods—March, June, September and December.

I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1<sup>st</sup> reading on March 13, 2017 with 2<sup>nd</sup> reading, public hearing and 3<sup>rd</sup> reading scheduled for March 27, 2017.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,

John H. Murphy  
City Controller



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2017

STATEMENT OF PURPOSE AND INTENT

Unforeseen conditions have developed since the adoption of the existing budgets (Ordinances #10457-16 and 10458-16 passed on October 24, 2016) which necessitate the increase and reduction of appropriations within the various departments of the General Fund and other funds of the City of South Bend during 2017.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. All accounts as set forth in the detailed attachment hereto which are incorporated herein shall be adjusted by increase or reduction of appropriation in the designated sums.

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

\_\_\_\_\_  
Member of the Common Council

Attest:

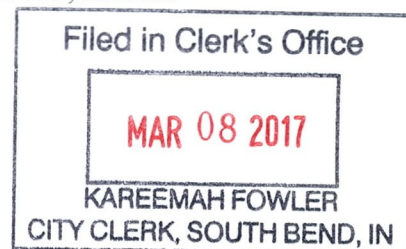
\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_ . m.

\_\_\_\_\_  
Deputy City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_ . m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana



1st READING  
PUBLIC HEARING  
3rd READING  
NOT APPROVED  
REFERRED  
PASSED

City of South Bend, Indiana  
 March 2017 Budget Transfers  
 March 6, 2017  
 (budget transfers between expenditure categories or departments within the same fund)

Fund Name	Department Name	Account Name	Fiscal Officer/ Account Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
Parks & Recreation	Golf Division	Regular Salaries	Cecil Eastman	203-1102-452-10-01	KZELM	18,545	To establish the budget for the new Experience Division within the Parks Nonreverting Fund. Made up of Marketing and Special Events Functions. Budget transferred from the Recreation Division (1103) to the new Experience Division (1110).
Parks & Recreation	Golf Division	OverTime	Cecil Eastman	203-1102-452-10-04	KZELM	16,000	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-10-09	KZELM	16,000	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-10-09	KZELM	16,000	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-10-09	KZELM	6,562	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-10-09	KZELM	12,500	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-10-09	KZELM	12,500	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	1,224	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	459	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(2,225)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	996	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	996	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	2,300	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	2,300	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(78,960)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(37,490)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	2,000	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	2,190	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	154	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	1,025	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	125	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	29,440	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	5,000	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	2,641	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	1,630	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	1,670	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	28	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	25,560	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	285	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	2,328	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	65,242	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(2,000)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(2,180)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(1,541)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(1,025)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(29,425)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(2,641)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(1,630)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(1,670)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(28)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(25,560)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(285)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(2,328)	II
Parks & Recreation	Golf Division	Permanent Part Time	Cecil Eastman	203-1102-452-11-01	KZELM	(65,242)	II
Covatski Stadium	Parks Maintenance	Repairs & Maintenance - Building	Cecil Eastman	401-0001-452-36-01	RECOV	30,000	Conrad department/division of the budgeted amount, change division from Administration & Finance to VPA
Covatski Stadium	Parks Maintenance	Repairs & Maintenance - Building	Cecil Eastman	401-0001-452-36-01	RECOV	(30,000)	Conrad department/division of the budgeted amount, change division from Administration & Finance to VPA
General Fund	Legal Department	Other Professional Services	Jen Hockenhull	101-0501-415-31-06		1,785	Additional costs on Legal Department remodel project
General Fund	Legal Department	Unemployment Costs	Jen Hockenhull	101-0501-415-11-07		(1,785)	Unemployment cost allocation not charged to departments during 2017 due to low claims and good cash reserves
COIT	Community Investment	Miscellaneous Charges & Services	Elizabeth Leonard Inks	404-1050-460-39-89		(350,347)	Transfer to VPA for maintenance of City-owned property, mowing, snow removal, etc.
COIT	Community Investment	Interfund Transfers	Elizabeth Leonard Inks	404-1050-452-50-02		350,347	Transfer to VPA for maintenance of City-owned property
EDIT	Community Investment	Salt Supplies	Elizabeth Leonard Inks	408-1050-460-23-40		(1,000)	Transfer to VPA for maintenance of City-owned property
EDIT	Community Investment	Building Maintenance	Elizabeth Leonard Inks	408-1050-460-36-01		(28,837)	Transfer to VPA for maintenance of City-owned property
EDIT	Community Investment	Miscellaneous	Elizabeth Leonard Inks	408-1050-460-39-89		(69,146)	Transfer to VPA for maintenance of City-owned property
EDIT	Community Investment	Interfund Transfers	Elizabeth Leonard Inks	408-1050-452-50-02		69,000	Transfer to VPA for maintenance of City-owned property
EDIT	Community Investment	Miscellaneous	Elizabeth Leonard Inks	408-1050-460-39-89		(251,000)	Transfer to VPA for maintenance of City-owned property/Move funds to more appropriate account
EDIT	Community Investment	Amplas	Elizabeth Leonard Inks	408-1050-460-31-05		40,000	Move funds to more appropriate account
EDIT	Community Investment	Surveys	Elizabeth Leonard Inks	408-1050-460-31-11		19,000	Move funds to more appropriate account
EDIT	Community Investment	Title Work	Elizabeth Leonard Inks	408-1050-460-31-12		12,000	Move funds to more appropriate account
EDIT	Community Investment	Tree Maintenance Contract	Elizabeth Leonard Inks	408-1050-460-31-16		130,000	Move funds to more appropriate account
EDIT	Community Investment	Advertisement Fees	Elizabeth Leonard Inks	408-1050-460-31-16		5,000	Move funds to more appropriate account
EDIT	Community Investment	Property Acquisition Costs	Elizabeth Leonard Inks	408-1050-460-41-01		45,000	Move funds to more appropriate account
LOIT SPECIAL DIST	Public Works	Capital - Major Projects	Eric Horvath	257-0808-431-42-36		(237,000)	To offset Preliminary Engineering Costs for the Brank Road Project
LOIT SPECIAL DIST	Public Works	Other Professional Services	Eric Horvath	257-0808-431-51-06		237,000	To offset Preliminary Engineering Costs for the Brank Road Project
LOIT SPECIAL DIST	Public Works	Capital - Major Projects	Eric Horvath	257-0808-431-42-36		(280,000)	To offset Preliminary Engineering Costs for the Olive Road Project
LOIT SPECIAL DIST	Public Works	Other Professional Services	Eric Horvath	257-0808-431-51-06		280,000	To offset Preliminary Engineering Costs for the Olive Road Project
				Grand Total		-	

Filed in Clerk's Office  
 MAR 08 2017  
 KAREMAH FOWLER  
 CITY CLERK, SOUTH BEND, IN



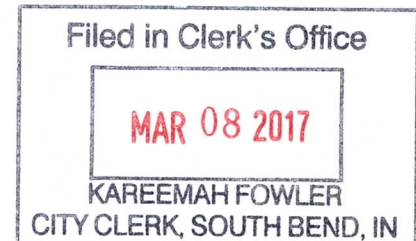




CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR  
**DEPARTMENT OF ADMINISTRATION AND FINANCE**

March 8, 2017

Mr. Tim Scott, President  
City of South Bend Common Council  
227 W. Jefferson Boulevard, 4<sup>th</sup> Floor  
South Bend, Indiana 46601



RE: March 2017 Appropriation Ordinance – Civil City Funds

Dear President Scott,

During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2017, we plan to propose adjustments during four time periods—March, June, September and December.

Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1<sup>st</sup> reading on March 13, 2017 with 2<sup>nd</sup> reading, public hearing and 3<sup>rd</sup> reading scheduled for March 27, 2017.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,

John H. Murphy  
City Controller

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS IN 2017 OF \$143,000 FROM GENERAL FUND (#101), \$225,347 FROM PARKS FUND (#201), \$200,000 FROM GIFT, DONATION, BEQUEST FUND (#217), \$10,000 FROM CENTRAL SERVICES FUND (#222), \$33,671 FROM EMERGENCY TELEPHONE SYSTEM FUND (#244), \$8 FROM EXCESS WELFARE DISTRIBUTION FUND (#252), \$1,000,000 FROM LOIT 2016 SPECIAL DISTRIBUTION FUND (#257), \$2,000,000 FROM LOCAL ROAD & BRIDGE MATCHING GRANT FUND (#265), \$400,000 FROM EMS CAPITAL FUND (#287), \$137,000 FROM EMS OPERATIONS FUND (#288), \$108,300 FROM COPS MORE GRANT FUND (#295), \$150,000 FROM COUNTY OPTION INCOME TAX FUND (#404), \$57,700 FROM ECONOMIC DEVELOPMENT INCOME TAX FUND (#408), \$735,236 FROM SOUTH BEND REDEVELOPMENT AUTHORITY FUND (#752), AND \$250 FROM ERSKINE VILLAGE BOND FUND (#758).

## STATEMENT OF PURPOSE AND INTENT

The Common Council passed the City's 2017 operating and capital budgets in 2016 (Ordinance #10457-16 passed on October 24, 2016) which included expenditures for various City operations. It is now necessary to appropriate additional funds for operational and capital expenditures necessary for the City to effect provision of services to its citizens which were not anticipated at the time the City budget was adopted.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The following amounts are hereby appropriated in fiscal year 2017 and set apart within the following designated funds for expenditures as follows:

<u>Fund</u>	<u>Amount</u>
General Fund (#101)	\$ 143,000
Parks Fund (#201)	225,347
Gift, Donation, Bequest Fund (#217)	200,000
Central Services Fund (#222)	10,000
Emergency Telephone System Fund (#244)	33,671
Excess Welfare Distribution Fund (#252)	8
LOIT 2016 Special Distribution Fund (#257)	1,000,000
Local Road & Bridge Matching Grant Fund (#265)	2,000,000
EMS Capital Fund (#287)	400,000
EMS Operations Fund (#288)	137,000
COPS MORE Grant Fund (#295)	108,300
County Option Income Tax Fund (#404)	150,000
Economic Development Income Tax Fund (#408)	57,700

South Bend Redevelopment Authority Fund (#752)	735,236
Erskine Village Bond Fund (#758)	<u>250</u>
<b>TOTAL</b>	<b><u>\$ 5,200,512</u></b>

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at \_\_\_\_\_ o'clock \_\_ . m.

\_\_\_\_\_  
Deputy City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at \_\_\_\_\_ o'clock \_\_ . m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1st READING  
PUBLIC HEARING  
3rd READING  
NOT APPROVED  
DEFERRED  
PASSED

Filed in Clerk's Office  
**MAR 08 2017**  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

**City of South Bend, Indiana**  
**March 2017 Additional Appropriation Requests - Civil City Funds**  
 (increase or decrease in total fund expenditures)  
 March 6, 2017

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
General Fund	Fire Department	Radio Equipment	T. Skwarcan/D. Cocanower	101-0901-422-36-06	--	125,000	Replacement radios missed in 2016 appropriation; should have been encumbered in 2016 blue card (incidence command system) training for all employees with a rank of Captain and above
General Fund	Fire Department	Education & Training	T. Skwarcan/D. Cocanower	101-0901-422-39-70	--	18,000	
						<b>143,000</b>	
Parks Department	Maintenance	Part-time Seasonal	Cecil Eastman	201-1101-452-10-03	K1PROP	114,500	Parks now performs maintenance on City-owned properties.
Parks Department	Maintenance	Overtime	Cecil Eastman	201-1101-452-10-04	K1PROP	1,000	Appropriation is for the cost of their maintenance. Funded by interfund transfers from COIT and EDIT.
Parks Department	Maintenance	FICA	Cecil Eastman	201-1101-452-11-01	K1PROP	9,300	
Parks Department	Maintenance	UIC	Cecil Eastman	201-1101-452-11-07	K1PROP	2,267	
Parks Department	Maintenance	Gas	Cecil Eastman	201-1101-452-22-01	K1PROP	4,200	
Parks Department	Maintenance	Oil	Cecil Eastman	201-1101-452-22-03	K1PROP	400	
Parks Department	Maintenance	Medical/Safety	Cecil Eastman	201-1101-452-22-22	K1PROP	830	
Parks Department	Maintenance	Maint Supplies	Cecil Eastman	201-1101-452-22-24	K1PROP	3,400	
Parks Department	Maintenance	Chemicals, seed & fertilizer	Cecil Eastman	201-1101-452-22-25	K1PROP	500	
Parks Department	Maintenance	Repair Parts	Cecil Eastman	201-1101-452-23-10	K1PROP	5,000	
Parks Department	Maintenance	Small Tools	Cecil Eastman	201-1101-452-23-20	K1PROP	2,500	
Parks Department	Maintenance	R&M Materials	Cecil Eastman	201-1101-452-23-99	K1PROP	70,100	
Parks Department	Maintenance	Contracted Services	Cecil Eastman	201-1101-452-50-02	K1PROP	1,500	
Parks Department	Maintenance	Transfers Out	Cecil Eastman	201-1101-452-50-02	K1PROP	9,850	Transfer to Parks Cap Fund (466)
						<b>225,347</b>	
Gifts, Donations & Bequest	Community Investment	Miscellaneous Charges & Services	Jilin Kain/Beth Leonard-Inks	217-1086-415-39-89		200,000	Expenses of erecting a statue of Dr. King & Fr. Hesburgh in Leighton Plaza. Funded by corporate donations, crowdfunding, state revenue, etc. \$72,000 paid in January plus \$128,000 to complete the project. \$97,000 paid in 2016. Total estimated project costs in 2016/2017 - \$297,000.
Central Services	Sustainability Grants	Grants & Subsidies	Therese Dorau	222-0627-419-39-30		10,000	To appropriate NLC Resilience Event Grant funds received for use in 2017
Emergency Phone System	Emergency Phone System	PSAP Payment	Jen Hockenhuil	244-0602-423-31-07		33,671	To appropriate remaining cash balance to close out fund; will reduce regular PSAP transfer to County from EDIT of \$2,054,124 for 2017. Cash balance in Fund 244 is \$33,671 and represents unspent monies from State 911 distributions of \$215,000 per year received prior to consolidation.
Excess Welfare Distribution	Police	Operating Supplies	Jen Hockenhuil	252-0801-421-22-24		8	To appropriate remaining cash balance to close out fund. Fund formerly used for police and fire radios.
LOIT 2016 Special Distribution	Public Works	Interfund Operating Transfers	Ron O'Connor	257-0608-452-50-02		1,000,000	Transferring to new fund #265 which is State required to be set up to account for Community Crossings Grant revenues and expenditures.
Local Road & Bridge Matching Grant	Public Works	Street Maintenance	Ron O'Connor	265-0608-431-36-10		2,000,000	Community Crossing Matching Funds - 50% of expenditures covered by community crossings grant. \$1.0 million dollar grant revenue received from INDOT on 2/2/17.
EMS Capital Fund	Fire Department	Land	Danny Cocanower	287-0902-422-42-01		400,000	Land purchase for Fire Station 9; balance of fire station to be paid from TIF. Land acquisition costs funded with a \$1.79 million dollar medicare reimbursement payment for fiscal year 2014 received on 2/8/17.
EMS Operations Fund	Fire Department	Refunds, Rewards, Indemnities	Danny Cocanower	288-0902-422-39-01		60,000	Higher Neo-Natal charges and collections causing higher payment to Memorial Hospital
EMS Operations Fund	Fire Department	Education & Training	Danny Cocanower	288-0902-422-39-70		77,000	International Association of Fire Fighters (IAFF) Survival School Hosting
						<b>137,000</b>	
COPS More Grant	Police Department	Miscellaneous Charges & Services	Ken Glowacki	295-0801-421-39-89		108,300	Reimbursing sub recipients of grant funding. Claims not submitted to City until after 2017 budget was set. Cash balance available for reimbursements.
COIT	Community Investment	Streets & Alleys	Elizabeth Leonard Inks	404-1001-460-42-03		150,000	Bus shelter project budgeted in 2016, bid in late 2016 but not awarded until 2017. Thus, the City could encumber the funds
EDIT	Parks Maintenance	Motorized Equipment	Cecil Eastman	408-1101-452-43-02	K6TEMT	57,700	Re-appropriate for (2) ATVs with plows for downtown sidewalks; missed in 2016 encumbrance process.
South Bend Redevelopment Authority	Debt Service	Interfund Transfer	Jen Hockenhuil	752-0000-472-50-02		735,236	Close out trustee account - bonds paid off in 2017 - transfer in to EDIT Fund 408. Final payment on 2009 Morris Performing Arts Center bonds was made on 2/1/17.
Erskine Village Bonds	Community Investment	Interfund Transfer	Elizabeth Leonard Inks	758-1001-460-50-02		250	Transfer cash from escrow account to pay off bond. Early payoff of 2005 Erskine Village bonds of \$3,961,667 made on 1/18/17
		<b>Grand Total</b>				<b>5,200,512</b>	



CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR  
**DEPARTMENT OF ADMINISTRATION AND FINANCE**

March 8, 2017

Mr. Tim Scott, President  
City of South Bend Common Council  
227 W. Jefferson Boulevard, 4<sup>th</sup> Floor  
South Bend, Indiana 46601

RE: March 2017 Appropriation Ordinance – Enterprise Funds

Dear President Scott,

During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2017, we plan to propose adjustments during four time periods—March, June, September and December.

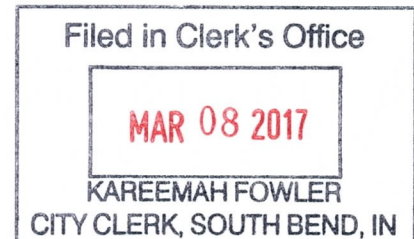
Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1<sup>st</sup> reading on March 13, 2017 with 2<sup>nd</sup> reading, public hearing and 3<sup>rd</sup> reading scheduled for March 27, 2017.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,

John H. Murphy  
City Controller



OK  
AD

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND ENTERPRISE OPERATIONS IN 2017 OF \$400,000 FROM SEWAGE WORKS DEPRECIATION FUND (#642) AND \$40,071 FROM 2011 SEWER BOND FUND (#659).

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STATEMENT OF PURPOSE AND INTENT

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The Common Council passed the City’s 2017 operating and capital budgets in 2016 (Ordinance #10458-16 passed on October 24, 2016), which included expenditures for various City enterprise operations. It is now necessary to appropriate additional funds for operational expenditures necessary for the City to effect provision of services to its citizens which were not anticipated at the time the City budget was adopted.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The following amounts are hereby appropriated in fiscal year 2017 and set apart within the following designated funds for operational expenses as follows:

<u>Fund</u>	<u>Amount</u>
Sewage Works Depreciation Fund (#642)	\$ 400,000
2011 Sewer Bond Fund (#659)	<u>40,071</u>
<b>TOTAL</b>	<b><u>\$ 440,071</u></b>

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_\_\_ . m.

\_\_\_\_\_  
Deputy City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at  
\_\_\_\_\_ o'clock \_\_ . m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

1st READING  
PUBLIC HEARING  
3rd READING  
NOT APPROVED  
REFERRED  
FILED

Filed in Clerk's Office  
MAR 08 2017  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana

**March 2017 Additional Appropriation Requests - Enterprise Funds**  
(increase or decrease in total fund expenditures)

March 6, 2017

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
Sewage Works Depreciation Fund	Wastewater	Treatment & Disposal Equipment	Carol Kurzhal	642-0630-415-43-66	16T008	400,000	The Pokagon Band agreed to contribute \$400,000 to the City to assist with the cost of replacement and upgrading the Calvert Street Lift station. Funds were received on 2/15/17.
2011 Sewer Bond	Wastewater	Capital Improvements - Wastewater	Carol Kurzhal	659-0630-415-42-06		40,071	To encumber remaining unencumbered cash balance in bond. Change order for project #114-053 approved 12/13/16 by BPW. Fund 659 has a remaining cash balance of \$57,718.38 at 1/31/17.
		<b>Grand Total</b>				<b>440,071</b>	

Filed in Clerk's Office

MAR 08 2017

KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN





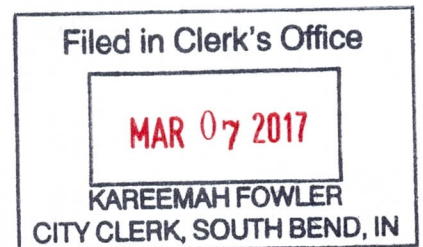
3. The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive plan;

**SECTION IV.** Approval is subject to the Petitioner complying with the reasonable conditions established by the Area Board of Zoning Appeals which are on file in the office of the City Clerk.

**SECTION V.** The Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

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Member of the Common Council



## Additional Packet Information



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

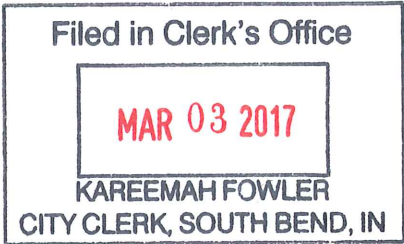
LAWRENCE P. MAGLIOZZI  
EXECUTIVE DIRECTOR

Angela M. Smith  
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

March 3, 2017

South Bend Common Council  
4<sup>th</sup> Floor, County City Building  
South Bend, IN 46601



Dear Council Members,

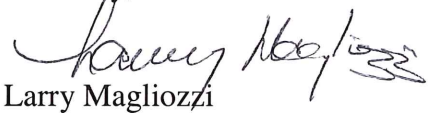
Several months ago, the St. Joseph County Council had asked the Area Plan Commission staff to research the feasibility of extending the 300' notification requirement for rezoning petitions. After research by the Staff, and discussion with the Area Plan Commission, it was determined that extending the notification requirement from 300' to 660' was appropriate for petitions in the unincorporated area.

I would like to approach the Council, through its Zoning and Annexation Committee, on whether the Council would want the proposed requirement applied to City rezoning petitions. The Staff's initial recommendation would be to retain the 300' notification radius for a variety of reasons. We will have maps available to show the impact of such a proposal based on recent petitions.

I can attend the Council's Committee session of March 13, 2017. Please confirm.

If you have any question, please contact me.

Sincerely,

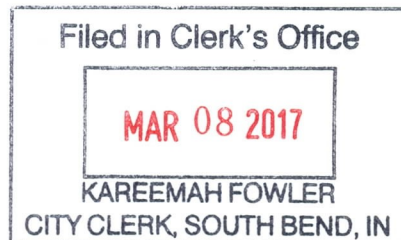
  
Larry Magliozzi



CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR  
**DEPARTMENT OF PUBLIC WORKS**  
Eric Horvath, Director

March 7, 2017

Mr. Tim Scott  
President, South Bend Common Council  
4<sup>th</sup> Floor, County-City Building  
South Bend, IN 46601



Re: Bill No. 66-16 Water Rates & Charges

Dear President Scott:

I am requesting that Bill No. 66-16, an Ordinance amending various sections of the South Bend Municipal Code at Chapter 17, Articles 4 and 6 to address new Water Rates & Charges, that was continued indefinitely, be heard at the Council Utilities Committee meeting and placed on the Council Agenda for 2<sup>nd</sup> and 3<sup>rd</sup> hearing on March 13, 2017.

In consideration of Council requests, I will be submitting a substitute bill that reflects a 20% increase in year 1 and an additional 20% increase in year 2. I have discussed these changes with most of the Council members, and I will present changes to the ordinance at the committee meeting. If you have any further questions or need additional information, please let me know.

As always, thank you for your consideration.

Sincerely,

Eric C. Horvath  
City of South Bend  
Executive Director Public Works



Substitute Bill No. 66-16

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING VARIOUS SECTIONS OF THE SOUTH BEND MUNICIPAL CODE AT CHAPTER 17, ARTICLES 4 AND 6 TO ADDRESS NEW WATER RATES AND CHARGES**

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**STATEMENT OF PURPOSE AND INTENT**

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The City of South Bend owns and operates a water utility and this Council has caused to be prepared a study which recommends new water rates and charges. Per the recommendations of this study, the City has determined that water rates and charges should be increased per the revised rates set forth herein, and those should become the new water rates and charges, subject to approval of the Indiana Utility Regulatory Commission (“IURC”). This Ordinance also reinserts former Article 6 of Municipal Code Chapter 17 covering a water service charge to be used for repair or replacement of leaking water service lines. These provisions which were previously, inadvertently deleted, are codified at their former location within the Municipal Code, i.e., Chapter 17, Article 6, Sections 17-44 through 17-49. This reinserted Article 6 may also be subject to IURC approval.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of South Bend:

**SECTION I.** Chapter 17, Article 4, Section 17-45 of the South Bend Municipal Code shall be amended to read in its entirety as follows:

**Sec. 17-45. Water Works rates and charges.**

There shall be and are hereby established for the use of and the services rendered by the Water Works System of the City of South Bend, the following rates and charges, based upon the use of water and facilities furnished by said Water Works System:

<i>(a) Usage per Monthly Billing Period</i>	<i>Rate per 100 Cubic Feet (upon effective date)</i>	<i>Rate per 100 Cubic Feet (12 months after effective date)</i>
First 500 cubic feet .....	<del>\$1.716</del> <u>2.094</u>	<u>2.554</u>
Next 1,500 cubic feet .....	<del>1.490</del> <u>1.818</u>	<u>2.218</u>
Next 5,500 cubic feet .....	<del>1.340</del> <u>1.598</u>	<u>1.950</u>
Next 22,500 cubic feet .....	<del>1.153</del> <u>1.407</u>	<u>1.716</u>
Next 90,000 cubic feet .....	<del>0.905</del> <u>1.104</u>	<u>1.347</u>

Over 120,000 cubic feet ...~~0.701~~ 0.855 1.043

(b) *Minimum charge:*

<i>Meter size</i>	<u>Allowed Usage (in cubic feet)</u>	<u>Minimum Monthly (upon effective date)</u>	<u>Minimum Monthly (12 months after Effective date)</u>
5/8-inch meter .. <del>\$ 7.76</del>	<u>452</u>	<u>9.46</u>	<u>11.54</u>
3/4-inch meter ..... <del>11.19</del>	<u>675</u>	<u>13.65</u>	<u>16.65</u>
1-inch meter ..... <del>19.90</del>	<u>1,260</u>	<u>24.28</u>	<u>29.63</u>
1½-inch meter ..... <del>44.72</del>	<u>3,053</u>	<u>54.56</u>	<u>66.57</u>
2-inch meter ..... <del>79.54</del>	<u>5,711</u>	<u>97.04</u>	<u>118.39</u>
3-inch meter ..... <del>178.96</del>	<u>14,090</u>	<u>218.33</u>	<u>266.37</u>
4-inch meter ..... <del>318.16</del>	<u>26,163</u>	<u>388.16</u>	<u>473.56</u>
6-inch meter ..... <del>716.02</del>	<u>69,073</u>	<u>873.54</u>	<u>1,065.72</u>
8-inch meter ..... <del>1,272.95</del>	<u>133,701</u>	<u>1,553.00</u>	<u>1,894.66</u>
10-inch meter ..... <del>1,988.53</del>	<u>235,781</u>	<u>2,426.01</u>	<u>2,959.73</u>
12-inch meter ..... <del>2,863.10</del>	<u>360,542</u>	<u>3,492.99</u>	<u>4,261.45</u>

(c) *Computation of charges.* Metered water charges shall be the larger of the minimum charges of Subsection (b) and or the rate charges of Subsection (a) of this Section. In the case of multiple meters under a single billing entity, the charges shall be computed for each meter separately, not the summation of usage.

(d) *Monthly public fire protection charges.* All customers located within the corporate limits and all customers outside the corporate limits and located within one thousand (1,000) feet of a public fire hydrant shall also pay a monthly public fire protection charge based upon the size of the customer's meter as follows:

	<u>Upon Effective date</u>	<u>12 Months After effective date</u>
5/8-inch connection ..... <del>\$ 2.25</del>	<u>2.75</u>	<u>3.35</u>
3/4-inch connection ..... <del>2.25</del>	<u>2.75</u>	<u>3.35</u>
1-inch connection ..... <del>5.77</del>	<u>7.04</u>	<u>8.59</u>
1½-inch connection ..... <del>12.98</del>	<u>15.84</u>	<u>19.32</u>
2-inch connection ..... <del>23.06</del>	<u>28.13</u>	<u>34.32</u>
3-inch connection ..... <del>51.90</del>	<u>63.32</u>	<u>77.25</u>



4-inch connection .....	<del>92.28</del>	<u>112.58</u>	<u>137.35</u>
6-inch connection .....	<del>207.62</del>	<u>253.30</u>	<u>309.02</u>
8-inch connection .....	<del>369.08</del>	<u>450.28</u>	<u>549.34</u>
10-inch connection .....	<del>576.70</del>	<u>703.57</u>	<u>858.36</u>

(e) *Private Fire Protection Service, Automatic Sprinkler, per annum.*

1-inch connection .....	<del>\$ 35.62</del>	<u>43.46</u>	<u>53.02</u>
2-inch connection .....	<del>71.77</del>	<u>87.56</u>	<u>106.82</u>
3-inch connection .....	<del>143.53</del>	<u>175.11</u>	<u>213.63</u>
4-inch connection .....	<del>286.80</del>	<u>349.90</u>	<u>426.87</u>
6-inch connection .....	<del>355.56</del>	<u>433.78</u>	<u>529.22</u>
8-inch connection .....	<del>610.60</del>	<u>744.93</u>	<u>908.82</u>
10-inch connection .....	<del>954.38</del>	<u>1,164.34</u>	<u>1,420.50</u>
12-inch connection .....	<del>1,375.98</del>	<u>1,678.70</u>	<u>2,048.01</u>

(f) *Temporary Service.* Temporary service where metered shall be calculated upon the registration of a meter or meters installed at the approved meter rates. In such cases as the Utility may deem it impracticable to install a meter for temporary service, there shall be a minimum monthly charge of twenty-nine dollars (\$29.00). If the water consumption computed at approved rates is known to be in excess of the twenty-nine dollars (\$29.00) minimum charge, an authorized agent of the Utility shall have the right to estimate said water usage and the estimated usage shall be billed at the approved meter rates.

**SECTION II.** Chapter 17, Article 4, Section 17-46 of the South Bend Municipal Code shall be amended to read in its entirety as follows:

**Sec. 17-46. Collection or deferred payment charge.**

All bills for water services, not paid within five (5) days from the due date thereof, as stated in such bills, shall be subject to a collection or deferred payment charge of ~~six (6) percent of the current monthly bill.~~ ten percent (10%) of the first three dollars (\$3.00) of the water charge and three percent (3%) on any amount in excess of three dollars (\$3.00) of the water charge. All bills for water services which are turned over to a collection agency shall be subject to a collection charge equal to twenty (20) percent of the unpaid bill.

**SECTION III.** Chapter 17, Article 4, Section 17-46.1 shall be amended to read in its entirety as follows:

**Sec. 17-46.1 Suburban rates.**

Customers with water service outside the City limits shall incur an additional surcharge of ~~twenty (20) percent~~ fourteen percent (14%) of the rates and charges. The surcharge is to recover additional costs including capital expenditures incurred by the Water Works to furnish services to customers outside the City limits.

**SECTION IV.** Chapter 17, Article 4, Section 17-46.4 shall be deleted in its entirety and is not replaced.

**SECTION V.** Chapter 17, Article 4, Section 17-47 of the South Bend Municipal Code shall be amended to read in its entirety as follows:

**Sec. 17-47. Nonrecurring charges.**

(a) *Deposits:* Security deposits, payable upon service initiation and refundable upon service termination, shall be no more than one-sixth of the estimated annual bill for each meter size. Governmental entities shall be exempt from deposits.

(b) *Tap charges:* The charge for installation of a one-inch tap shall be ~~three hundred seventy dollars (\$370.00)~~ Five hundred dollars (\$500.00), which shall include the installed tapping valve and the material for the curb valve and box, but shall not include any service line. Charges for taps larger than one (1) shall be at cost.

(c) *Other nonrecurring charges:*

<del>Disconnect for non-payment</del>		<del>\$11.00</del>
<del>Reconnection</del>		<del>\$8.00</del>
<u>Delinquency Processing fee (Disconnect/reconnect)</u>		<u>\$33.00</u>
<del>Bad checks</del> <u>Non-Sufficient Funds/Charge-back Fee</u>		20.00
<u>Service initiation fee</u>	<del>20.00</del>	30.00
<u>Meter downsize (to change a meter that is</u>		
<u>1" inch and or smaller without re-plumbing )</u>		32.00
<u>Inspection and testing fee for backflow prevention devices;</u>		
<u>-1- 1/2" inch meter and or smaller</u>		50.00
<u>Inspection and testing fee for backflow prevention devices;</u>		
<u>-2" inch or and larger</u>		75.00
<u>Frozen/Damaged/Missing or lost meter, at cost depending upon size and type of meter.</u>		At cost

<u>Missed or R-return trip fee</u>	15.00
Unauthorized use of water system	200.00
<u>Water sewer verification fee</u>	<u>4.00</u>
<u>Stop Box Disconnection &amp; Reconnection fee</u>	<u>750.00</u>
<u>Demolition fee (inspection fee)</u>	<u>75.00</u>

**SECTION VI.** Chapter 17, Article 6, of the South Bend Municipal Code shall be amended to reinsert Sections 17-49 through 17-55 regarding water service charges to be used for repair or replacement of leaking water service lines, to read in its entirety as follows:

**ARTICLE 6. RESERVED. WATER SERVICE FUND AND CHARGES**

**Sec. 17-49. Assessment of charges; purpose.**

- (a) The sum of two dollars and ten cents (\$2.10) per month shall be added to the water service charge of all water users.
- (b) All of said sums of money so collected shall be used solely for the repair and/or replacement of leaking water service lines.

**Sec. 17-50. Application of funds.**

Funds so collected shall be used for the payment of repairs and/or replacement as provided herein from the water main to the front wall of any building, or line extended therefrom, but it shall not insure any water service line under any porch, steps, slab foundation, hard surface driveway, parking lot, crawl space or in any room or space under any sidewalk. In the case of two-inch lines or larger, the repairs provided hereunder shall extend from the water main to the property line only.

**Sec. 17-51. Limitation on use of funds.**

Water sprinkler service lines shall not be insured under this article; however, if the domestic service line has a lawn-sprinkler connection tee in it, said domestic service line and the tee will be insured, but not beyond the tee nor any costs of repair to the lawn-sprinkling system proper.

**Sec. 17-52. Use of funds when accounts delinquent prohibited.**

The insurance for repair and/or replacement shall not be in force on any account if the charge for such insurance has not been paid for four (4) consecutive months.

**Sec. 17-53. Approval of repair orders.**

No claim for the repair of a water service line under this article will be honored unless said repair order is approved by the Department of Water Works .

**Sec. 17-55. Maintenance of service line excluded from provisions of article.**

This article shall not cover the maintenance of any service line.

**SECTION VII.** The paragraphs, sentences and words of this Ordinance are severable, and if any portion hereof is declared unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance.

**SECTION VIII.** This Ordinance shall take effect the first day of the month immediately following all of the following: passage by this Common Council, approval by the Mayor, approval by the IURC, and any publication required by law.

PASSED AND ADOPTED by the Common Council of the City of South Bend, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Member, Common Council of the  
City of South Bend

ATTEST:

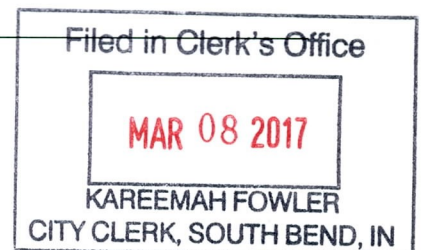
\_\_\_\_\_  
Kareemah Fowler, Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City for his approval on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kareemah Fowler, Clerk

Having examined the foregoing Ordinance, I do now, as the Mayor of the City of South Bend, approve said Ordinance and return the same to the Clerk of the City of South Bend this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Pete Buttigieg, Mayor



DMS 4295261v1

AN ORDINANCE OF THE COMMON COUNCIL OF THE  
CITY OF SOUTH BEND, INDIANA AMENDING VARIOUS  
SECTIONS OF THE SOUTH BEND MUNICIPAL CODE AT  
CHAPTER 17, ARTICLES 4 AND 6 TO ADDRESS  
NEW WATER RATES AND CHARGES

Filed in Clerk's Office  
MAR 08 2017  
KAREEMAH FOWLER  
CITY CLERK, SOUTH BEND, IN

STATEMENT OF PURPOSE AND INTENT

The City of South Bend owns and operates a water utility and this Council has caused to be prepared a study which recommends new water rates and charges. Per the recommendations of this study, the City has determined that water rates and charges should be increased per the revised rates set forth herein, and those should become the new water rates and charges, subject to approval of the Indiana Utility Regulatory Commission ("IURC"). This Ordinance also reinserts former Article 6 of Municipal Code Chapter 17 covering a water service charge to be used for repair or replacement of leaking water service lines. These provisions which were previously, inadvertently deleted, are codified at their former location within the Municipal Code, i.e., Chapter 17, Article 6, Sections 17-44 through 17-49. This reinserted Article 6 may also be subject to IURC approval.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of South Bend:

**SECTION I.** Chapter 17, Article 4, Section 17-45 of the South Bend Municipal Code shall be amended to read in its entirety as follows:

**Sec. 17-45. Water Works rates and charges.**

There shall be and are hereby established for the use of and the services rendered by the Water Works System of the City of South Bend, the following rates and charges, based upon the use of water and facilities furnished by said Water Works System:

(a) <i>Usage per Monthly Billing Period</i>	<i>Rate per 100 Cubic Feet (upon effective date)</i>	<i>Rate per 100 Cubic Feet (12 months after effective date)</i>
First 500 cubic feet ....\$1.716	<del>2.454</del> 2.094	<u>2.554</u>
Next 1,500 cubic feet ....1.490	<del>2.131</del> 1.818	<u>2.218</u>
Next 5,500 cubic feet ....1.310	<del>1.873</del> 1.598	<u>1.950</u>
Next 22,500 cubic feet ....1.153	<del>1.649</del> 1.407	<u>1.716</u>
Next 90,000 cubic feet ....0.905	<del>1.294</del> 1.104	<u>1.347</u>
Over 120,000 cubic feet ...0.701	<del>1.002</del> 0.855	<u>1.043</u>

(b) *Minimum charge:*

<i>Meter size</i>	<u><i>Allowed Usage (in cubic feet)</i></u>	<u><i>Minimum Monthly (upon effective date)</i></u>	<u><i>Minimum Monthly (12 months after Effective date)</i></u>
5/8-inch meter ..\$ <del>7.76</del>	<u>452</u>	<u>\$11.09</u>	<u>9.46</u>
3/4-inch meter ..... <del>11.19</del>	<u>675</u>	<u>16.00</u>	<u>13.65</u>
1-inch meter ..... <del>19.90</del>	<u>1,260</u>	<u>28.47</u>	<u>24.28</u>
1½-inch meter ..... <del>44.72</del>	<u>3,053</u>	<u>63.96</u>	<u>54.56</u>
2-inch meter ..... <del>79.54</del>	<u>5,711</u>	<u>113.74</u>	<u>97.04</u>
3-inch meter ..... <del>178.96</del>	<u>14,090</u>	<u>255.92</u>	<u>218.33</u>
4-inch meter ..... <del>318.16</del>	<u>26,163</u>	<u>455.00</u>	<u>388.16</u>
6-inch meter ..... <del>716.02</del>	<u>69,073</u>	<u>1,023.88</u>	<u>873.54</u>
8-inch meter ..... <del>1,272.95</del>	<u>133,701</u>	<u>1,820.16</u>	<u>1,553.00</u>
10-inch meter ..... <del>1,988.53</del>	<u>235,781</u>	<u>2,843.00</u>	<u>2,426.01</u>
12-inch meter ..... <del>2,863.10</del>	<u>360,542</u>	<u>4,093.11</u>	<u>3,492.99</u>

(c) *Computation of charges.* Metered water charges shall be the larger of the minimum charges of Subsection (b) ~~and~~ or the rate charges of Subsection (a) of this Section. In the case of multiple meters under a single billing entity, the charges shall be computed for each meter separately, not the summation of usage.

(d) *Monthly public fire protection charges.* All customers located within the corporate limits and all customers outside the corporate limits and located within one thousand (1,000) feet of a public fire hydrant shall also pay a monthly public fire protection charge based upon the size of the customer's meter as follows:

	<u><i>Upon Effective date</i></u>	<u><i>12 Months After effective date</i></u>
5/8-inch connection .....\$ <del>2.25</del>	<u>\$3.22</u>	<u>2.75</u>
3/4-inch connection ..... <del>2.25</del>	<u>3.22</u>	<u>2.75</u>
1-inch connection ..... <del>5.77</del>	<u>8.25</u>	<u>7.04</u>
1½-inch connection ..... <del>12.98</del>	<u>18.56</u>	<u>15.84</u>
2-inch connection ..... <del>23.06</del>	<u>32.98</u>	<u>28.13</u>
3-inch connection ..... <del>51.90</del>	<u>74.22</u>	<u>63.32</u>
4-inch connection ..... <del>92.28</del>	<u>131.96</u>	<u>112.58</u>

6-inch connection .....	207.62	<u>296.90</u>	<u>253.30</u>	<u>309.02</u>
8-inch connection .....	369.08	<u>527.78</u>	<u>450.28</u>	<u>549.34</u>
10-inch connection .....	576.70	<u>824.68</u>	<u>703.57</u>	<u>858.36</u>

(e) *Private Fire Protection Service, Automatic Sprinkler, per annum.*

1-inch connection .....	\$ 35.62	<u>\$50.94</u>	<u>43.46</u>	<u>53.02</u>
2-inch connection .....	71.77	<u>102.63</u>	<u>87.56</u>	<u>106.82</u>
3-inch connection .....	143.53	<u>205.25</u>	<u>175.11</u>	<u>213.63</u>
4-inch connection .....	286.80	<u>410.12</u>	<u>349.90</u>	<u>426.87</u>
6-inch connection .....	355.56	<u>508.45</u>	<u>433.78</u>	<u>529.22</u>
8-inch connection .....	610.60	<u>873.16</u>	<u>744.93</u>	<u>908.82</u>
10-inch connection .....	954.38	<u>1,364.26</u>	<u>1,164.34</u>	<u>1,420.50</u>
12-inch connection .....	1,375.98	<u>1,967.65</u>	<u>1,678.70</u>	<u>2,048.01</u>

(f) *Temporary Service.* Temporary service where metered shall be calculated upon the registration of a meter or meters installed at the approved meter rates. In such cases as the Utility may deem it impracticable to install a meter for temporary service, there shall be a minimum monthly charge of twenty-nine dollars (\$29.00). If the water consumption computed at approved rates is known to be in excess of the twenty-nine dollars (\$29.00) minimum charge, an authorized agent of the Utility shall have the right to estimate said water usage and the estimated usage shall be billed at the approved meter rates.

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additional costs including capital expenditures incurred by the Water Works to furnish services to customers outside the City limits.

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<u>Missed or R-return trip fee</u>		15.00

Unauthorized use of water system	200.00
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**SECTION VII.** The paragraphs, sentences and words of this Ordinance are severable, and if any portion hereof is declared unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance.

**SECTION VIII.** This Ordinance shall take effect the first day of the month immediately following all of the following: passage by this Common Council, approval by the Mayor, approval by the IURC, and any publication required by law.

PASSED AND ADOPTED by the Common Council of the City of South Bend, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Member, Common Council of the  
City of South Bend

ATTEST:

\_\_\_\_\_  
Kareemah Fowler, Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City for his approval on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kareemah Fowler, Clerk

Having examined the foregoing Ordinance, I do now, as the Mayor of the City of South Bend, approve said Ordinance and return the same to the Clerk of the City of South Bend this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Pete Buttigieg, Mayor