RESOLUTION NO. 24-2025

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA ADOPTING A WRITTEN FISCAL PLAN AND ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN ANNEXATION AREA IN CLAY TOWNSHIP (WILLIS-DUNN ANNEXATION AREA)

WHEREAS, there has been submitted to the Common Council of the City of South Bend, Indiana, an Ordinance and a petition by all (100%) property owners which proposes the annexation of real estate located in Clay Township, St. Joseph County, Indiana, which is more particularly described at Page 13 of Exhibit "A" attached hereto; and

WHEREAS, the territory proposed to be annexed encompasses approximately 4.9 acres of land, which property is at least 12.5% contiguous to the current City limits, i.e., 49.8% contiguous, generally located south east of the intersection of Willis Street and Dunn Road (54528 WILLIS ST to 54650 WILLIS ST). It is anticipated that the annexation area will be used for dwellings, multi-family; and

WHEREAS, the development will require a basic level of municipal public services of a non-capital improvement nature, including street and road maintenance, street sweeping, flushing, snow removal, and sewage collection, as well as services of a capital improvement nature, including street and road construction, street lighting, a sanitary sewer system, a water distribution system, and a storm water system and drainage plan; and

WHEREAS, the Board of Public Works now desires to establish and adopt a fiscal plan and establish a definite policy showing: (1) the cost estimates of services of a non-capital nature, including street and road maintenance, street sweeping, flushing, and snow removal, and sewage collection, and other non-capital services normally provided within the corporate boundaries; and services of a capital improvement nature including street and road construction, street lighting, a sanitary sewer extension, a water distribution system, and a storm water system to be furnished to the territory to be annexed; (2) the method(s) of financing those services; (3) the plan for the organization and extension of those services; (4) that services of a non-capital nature will be provided to the annexed area within one (1) year after the effective date of the annexation, and that they will be provided in a manner equivalent in standard and scope to similar non-capital services provided to areas within the corporate boundaries of the City of South Bend, regardless of similar topography, patterns of land use, and population density; (5) that services of a capital improvement nature will be provided to the annexed area within three (3) years after the effective date of the annexation within the same manner as those services are provided to areas within the corporate boundaries of the City of South Bend regardless of similar topography, patterns of land use, or population density, and in a manner consistent with federal, state and local laws, procedures, and planning criteria; and (6) the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA, AS FOLLOWS:

<u>Section I.</u> It is in the best interest of the City of South Bend and the area proposed to be annexed that the real property described more particularly at Page 13 of Exhibit "A" attached hereto be annexed to the City of South Bend.

Section II. That it shall be and hereby is now declared and established that it is the policy of the City of South Bend, by and through its Board of Public Works, to furnish to said territory services of a non-capital nature, such as street and road maintenance, street sweeping, flushing, and snow removal, within one (1) year of the effective date of the annexation in a manner equivalent in standard and scope to services furnished by the City to other areas of the City regardless of similar topography, patterns of land utilization, and population density; and to furnish to said territory, services of a capital improvement nature such as street and road construction, a street light system, a sanitary sewer system, a water distribution system, a storm water system and drainage plan, within three (3) years of the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries of the City of South Bend regardless of similar topography, patterns of land use, or population density.

Section III. That the Board of Public Works shall and does hereby now establish and adopt the Fiscal Plan, attached hereto and incorporated herein as Exhibit "A", and made a part hereof, for the furnishing of said services to the territory to be annexed, which provides, among other things, that the public sanitary sewer and water network is available with capacity sufficient to service this area with costs for extensions, any improvements in sewer or water capacity, and a City-approved drainage system to be paid for by the developer, all in compliance with state and local law; that no additional street lighting will be necessary and any future lighting especially of a decorative nature or with underground wiring will be at the developer/owner's expense; and that no new public streets will be required.

<u>Section IV.</u> To the extent required by the City, sidewalks should be provided by the owner/developer along public streets and must comply with the Americans with Disabilities Act (ADA) under the PROWAG standards.

<u>Section V.</u> It is required as a condition of annexation that any future alterations to the property meet the City of South Bend's building and zoning requirements.

Adopted the 14th day of October, 2025.

CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS

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Elizabeth A. Maradik, President

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Gary A. Gilot, Member

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Murray L. Miller, Member

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Joseph R. Molnar, Vice President

Breana Micou, Member

Hillay M. Howeth

Attest: Hillary R. Horvath, Clerk

Date: October 14, 2025

Exhibit "A"

THE CITY OF SOUTH BEND

FISCAL PLAN

WILLIS DUNN (ROCKNE'S RESERVE) ANNEXATION AREA

Prepared by
City of South Bend
Department of Community Investment

September 11, 2025

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SECTION I. INTRODUCTION

This Fiscal Plan represents the City of South Bend's (hereinafter, "City") policy for the annexation of property in Clay Township, St. Joseph County, Indiana (hereinafter, "Annexation Area"), and was developed through the cooperative efforts of the following City Departments:

Legal Department
Department of Public Works
South Bend Fire Department
South Bend Police Department
Department of Community Investment
Department of Administration & Finance

SECTION II. GENERAL DATA

A. Location

The Annexation Area is located southeast of the intersection of Willis Avenue and Dunn Road (54528 Willis Avenue to 54650 Willis Avenue). See *Map 1*.

B. Legal Description

The Annexation Area is part the A PART OF THE SOUTHEAST AND NORTHEAST QUARTERS OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA. For a complete legal description, see Page 13.

C. Contiguity

The Annexation Area is at least 1/8 (12.5%) contiguous to the current City limits:

Contiguous	1,075.81 feet	49.8%
Non-Contiguous	1,083.09 feet	50.2%
Total	2.631.4 feet	100.0%

D. Size of Annexation Area

The Annexation Area is approximately 4.9 acres.

E. Buildings & Land Use

The Annexation Area contains nine buildings totaling 18,954 square feet. The petitioner seeks to utilize the site for multifamily residential development of 148 units.

F. Zoning & Subdivisions

The seven properties in the Annexation Area are currently zoned R Residential District in St. Joseph County. With the annexation ordinance, the properties would be rezoned as U3 Urban Neighborhood 3 in the City. The Annexation Area falls within the Vaness Plat.

G. Population

Five people currently reside in the Annexation Area. After development, 200 residents are proposed to live in the Annexation Area.

H. Tax Rate & Impact

The tax rates used are those of 2024 payable 2025. The total tax rate for unincorporated Clay Township is 2.5281 per \$100 of taxable real estate. The total tax rate for South Bend Clay Township is 5.3384 per \$100 of taxable real estate.

Per State law, the tax caps expressed as a percentage of the gross assessed value for different classifications of property are as follows, regardless of the property's location being within South Bend or unincorporated St. Joseph County:

Property Type	Cap
Homestead Residential	1.0%
Non-Homestead Residential	2.0%
Agricultural	2.0%
Other (Commercial)	3.0%

For at least the four years after the effective date of the annexation, the expected tax rates, tax levies, expenditure levels, service levels, and annual debt service payments are estimated to be approximately the same as those in effect at the time of annexation for each of the political subdivisions to which the proposed annexation applies.

Because of the relatively small size of the Annexation Area and its assessed value relative to the total size and tax base of the various political subdivisions, this annexation is expected, for at least four years after the effective date of this annexation, to have a negligible impact on the finances and tax revenues of South Bend and other political subdivisions to which the proposed annexation applies, on the political subdivisions in St. Joseph County not part of this annexation, and on taxpayers not part of this annexation.

I. Parcel Ownership & Assessments

Parcel Identification Number	Address	Parcel Owner	Assessed Value (Total)
002-1106-5375	54650 Willis Avenue	Trematerra Family Land Holdings Inc	\$194,200
002-1106-5368	54638 Willis Avenue	Trematerra Family Land Holdings Inc	\$900
002-1106-536801	54610 Willis Avenue	Trematerra Family Land Holdings Inc	\$57,100
002-1106-5364	54606 Willis Avenue	Trematerra Family Land Holdings Inc	\$139,200
002-1106-5359	54570 Willis Avenue	Trematerra Family Land Holdings Inc	\$201,400
002-1106-5354	54550 Willis Avenue	Trematerra Family Land Holdings Inc	\$200,800
002-1106-5346	54528 Willis Avenue	Trematerra Family Land Holdings Inc	\$221,100

Total Assessments

Land: \$512,700 Improvements: \$502,000 Total (Gross): \$1,014,700 Total (Net): \$1,014,700

Assessments are based on 2025 payable 2026 St. Joseph County property tax records.

J. Municipal Legislative District

The Annexation Area will be in the 4th District.

K. Hiring Plan

This annexation is not anticipated to result in the elimination of jobs for employees of any other governmental entities. The Clay Township Trustee has been notified of this proposed annexation.

SECTION III. MUNICIPAL SERVICES

A. Public Works

Sewer – The nearest available public sewer is on Willis Avenue and Dunn Road. The sewer cannot be extended without approval from the Board of Public Works. Any extension of sewer is the sole expense of the developer.

Water - The nearest water line is located north of the edge of pavement in the Dunn Road right of way. The line is an 8" ductile iron main. There is a pressure regulating valve along this main. A Utility Verification Form and System Development Charges would be required to connect to the existing water main. The next nearest water line is located west across Willis Avenue in the right-of-way.

Extensions of taps into sanitary sewer and water lines shall be governed by state law and the rules and regulations of the South Bend Water Works and Sewer Utility. The Annexation Area may be subject to system development charges for both water and sewer services.

Development of the site requires development of a drainage plan. No public storm sewer is available to the site. Retention basins and low impact means to promote infiltration of surface water will be required. The developer will also be required to generate an erosion control plan and obtain a permit.

Streets – Upon annexation, 818 feet of Willis Avenue and 265 feet of Dunn Road will be added to the City. A City permit will be needed to add or change driveway access to the property. The developer may be required to build public sidewalk as part of the development process.

Street Lighting – There is no street lighting on Willis Avenue and Dunn Road. No additional street lighting is necessary for this annexation area. Should any additional street lighting be desired, it can be provided on wood poles with overhead wiring through an ongoing contract with Indiana Michigan Power.

Waivers of Annexation - No waiver of annexation is in effect for this area.

2024 Actual Budget Report for the Department:

Expenditures: \$35,811,357

Miles of Roadway in City: @502 Cost per Mile: @\$71,337

New Mileage within Area: @0.2 miles (1,032.14 feet)

Estimated Maintenance Cost

for Annexation Area per year: @\$9,987

B. Police Department

The Annexation Area would be added to the existing Beat 11. Police patrols and emergency responses will be part of the services the City will offer to this area. This proposed annexation would require officers to cover a relatively small additional area on this beat.

At this time, it is not expected that this annexation would cause calls for service to increase significantly, and it is not anticipated that it will be necessary to increase police patrols beyond the existing beat patrol. The addition of this Annexation Area will not significantly increase response time.

The cost for servicing the proposed area is not expected to impact the existing budget of the Police Department with any significance. The patrol costs would be assumed by the Police Department budget. However, this area, as well as all other areas of the City, will continually be monitored for level of service demands and other criteria that would necessitate additional resources through budgetary increases or possible shifting of existing resources, such as a beat restructure.

Police services and response time in this area may be slightly longer than that found in all other areas of the City. Police coverage to this area could begin immediately upon annexation.

Note: The cost of service for this Annexation Area is based on the number of parcels. Household information is provided for comparative purposes.

2024 Actual Budget Report for the Department:

Expenditures (including pension cost): \$54,972,592

Number of Households in City (2022): @41,488

Cost per Household: @\$1,325

Number of Parcels in City (2024): @47,400

Cost per Parcel: @\$1,160

Proposed Number of Households in Area: 148
Proposed Number of Parcels in Area: 7

Cost for Annexation Area per year: \$8,120 (7 parcels x \$1,160 / parcel)

C. Fire Department & EMS

Fire Response – The South Bend Fire Department provides a fully staffed, full-time fire department. The Annexation Area will be serviced primarily by Station #3, located at 1805 E. McKinley Avenue, approximately 2.0 miles away. Additional Fire Department units would respond from Fire Station #2 at 402 Charles Martin Sr. Drive, which is approximately 3.1 miles away.

Fire department response times are evaluated using NFPA 1710, which states the first unit should arrive within 4 minutes. After evaluating other emergency responses to nearby streets, it was found response times were anywhere from 3 – 5 minutes. Most of the time companies were right at the 4-minute mark for arrival to an emergency.

The South Bend Fire Department does not foresee any unusual fire protection problems related to this annexation. Considering the small area of annexation (4.9 acres), no improvements need to be considered at this time. The bigger concern would be to analyze the increase in buildings, apartments, condos, and housing in and around Notre Dame over time. The influx of housing is ultimately increasing the number of people living in the district and leading to an increase in emergency responses. The full effect may not be realized for several years. The district should be reevaluated continuously to be sure the needs of the residents are met. With the above information, it is reasonable to assume that current response time standards can be met with the annexation area.

Emergency Medical Response – The City will provide emergency medical response to the Annexation Area. This area will be serviced by Fire Station #3, located at 1805 E. McKinley Avenue (approximately 2.0 miles away).

Response times will be comparable to other areas of the City. No additional equipment will need to be purchased or personnel hired to service the Annexation Area. Emergency medical services are supported by user fees and would be available upon annexation.

Note: The cost of service for this Annexation Area is based on the number of parcels. Household information is provided for comparative purposes.

2024 Actual Budget Report for the Department:

Expenditures (including pension cost): \$45,654,950

Number of Households in City (2022): @41,488

Cost per Household: @\$1,100

Number of Parcels in City (2024): @47,400

Cost per Parcel: @\$963

Proposed Number of Households in Area: 148
Proposed Number of Parcels in Area: 7

Cost for Annexation Area per year: \$6,741 (7 parcels x \$963 / parcel)

D. Neighborhood Services & Enforcement

The Annexation Area will be added to Area 6. The Division of Neighborhood Services & Enforcement will be able to provide services to the Annexation Area with comparable response times. The Division will respond to calls for service upon the effective date of the annexation. Full and dedicated response will be in place within one year of the effective date of the annexation.

2024 Actual Budget Report for the Division:

Expenditures: \$7,311,315 Number of Parcels in City (2024): @47,400 Cost per Parcel: @\$154

Proposed Number of Parcels in Area: 7

Cost for Annexation Area per year: \$1,078 (7 parcels x \$154 / parcel)

E. Environmental Services

Wastewater Treatment - Wastewater treatment services are supported by user fees and are paid through the Water Works billing system.

Solid Waste – Larger scale residential customers are generally not served by the Bureau of Solid Waste.

F. Administrative Services

The City of South Bend provides a wide range of services other than those noted above, such as the Mayor's Office, the Legal Department, and Venues Parks & Arts.

These services are available upon the effective date of the annexation. Full and dedicated response for non-capital services will be in place within one year of the effective date of the annexation. Costs for these services have not been calculated.

The incorporation of the Annexation Area will not affect the provision of other services currently provided to this property on a countywide basis. The St. Joseph County Health Department, the St. Joseph County Public Library, and the St. Joseph County/South Bend Building Department are among the countywide agencies that will continue to provide the same type and level of services to the Annexation Area. Countywide services will continue to be supported by the County and Township taxes that will remain in effect.

SECTION IV. LAND USE ANALYSIS & DEVELOPMENT CRITERIA

This proposed annexation will bring seven properties into the City of South Bend. The petitioner proposes utilizing the Annexation Area for multifamily residential use using stacked flats building types. The Annexation Area is presently zoned R Single Family District in unincorporated St. Joseph County. Land zoned U3 Urban Neighborhood 3 in the City is located to the south and east. To the west, across Willis Avenue, are residential dwellings zoned PUD Planned Unit Development and R-2 Multi Family District in unincorporated St. Joseph County. To the north, across Dunn Road, are residential dwellings zoned R Single Family District in unincorporated St. Joseph County.

According to a preliminary site plan, the petitioner proposes to demolish the existing residential dwellings and construct 148 new units in stacked flats building types.

Any improvements or future changes must meet the City's applicable building, zoning, and subdivision ordinances.

SECTION V. FISCAL IMPACT

- 1) Essential city services can be made available to the residents (and territory) of the Annexation Area in a timely and comparable fashion per the requirements of State law and this fiscal plan.
- 2) The City is financially able to support city services to the territory sought to be annexed.
- 3) Required improvements made by the petitioner and/or owner of the parcel(s) must be made in accordance with the standards of the City of South Bend.
- 4) Required improvements made by the City, if any, will be completed within the time frames provided by State law and this fiscal plan.
- 5) All figures are estimates. Final cost of capital expenditures, if any, will not be determined until bids are publicly solicited, contracts are awarded, and projects are closed out.
- 6) Property tax revenue and land assessment estimates are based on 2025 payable 2026 tax information, assessments of comparable developments, estimates of units built, estimates of unit values and land assessments, and tax abatements or adjustments, if any. Tax rates are subject to change every year, and property tax revenues may be subject to tax caps.
- 7) Department expenditures and revenues are derived from the City of South Bend Budget.
- 8) The estimated costs to provide services, noted in Section III, Municipal Services, is a Citywide average based on a particular budget year. In the case of the proposed development in the Annexation Area, some of these services may not be required or possibly requested for many years. Hence, the cost of providing services over the first five years should be evaluated with this in mind.

TABLE 1
Summary Table – Estimated Fiscal Impact

Expenditures	Capital (Est.)	Non-Capital Per Year (Est.)	Notes	5-Year Total
Street Construction	\$0			\$ O
Sewer Extension	\$0		Connection at petitioner's expense	\$0
Water Extension	\$0		Connection at petitioner's expense	\$0
Street Lights	\$0			\$0
Street Maintenance	\$0	\$9,987		\$49,935
Police	\$0	\$8,120		\$40,600
Fire	\$0	\$6,741		\$33,705
Neighborhood Services	\$0	\$1,078		\$5,390
Approximate 5-Year Ex	\$129,630			

Revenues	Notes	Total (Est.)	5-Year Total	
	Year 1	\$12,222.77	\$4,975,282.86	
	Year 2	\$12,222.77		
Property Taxes (to City)	Year 3	\$990,167.46		
(to oity)	Year 4	\$1,980,334.93		
	Year 5	\$1,980,334.93		
MVH/LRSA	IVH/LRSA Estimated at revenue per mile of \$32,487		\$32,487	
Approximate 5-Year Rev	\$5,007,769.86			

Revenue estimate based on \$512,700 net land value assessment after the homes are demolished, going to \$46,399,600 net assessment after half of the units are built by Year 3 and \$92,799,200 when complete in Year 4. They are capped tax rate of 2% of \$512,700 gross assessment in Year 1 and 2.. Using comparables, a capped 1.75% tax rate was estimated with the assumption that 25% of the units will qualify for the homestead exemption. This would apply to the net assessment of \$46,399,600 in Year 3 and \$92,799,200 in Years 4 and 5.

LEGAL DESCRIPTION

A PART OF THE SOUTHEAST AND NORTHEAST QUARTERS OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS FOLLOWS:

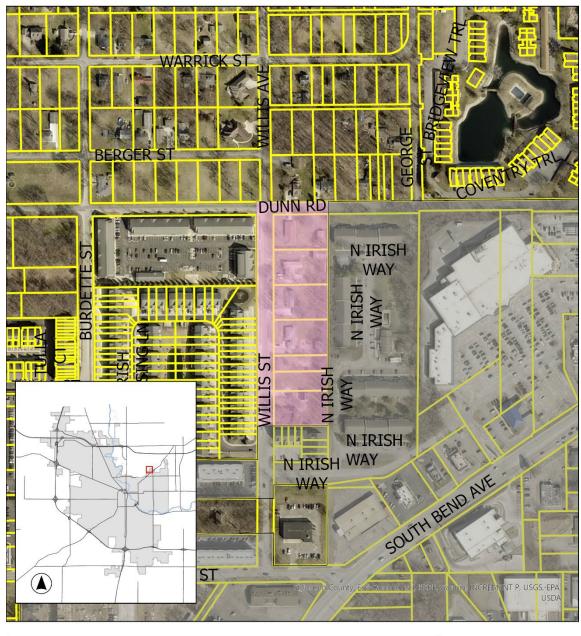
BEGINNING AT THE SOUTHEAST CORNER OF LOT # 40 IN THE PLAT OF "VANESS PLAT" SUBDIVISION AS RECORDED IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE: THENCE WEST (ALL BEARINGS ASSUMED) ALONG THE SOUTH LINE OF SAID LOT AND ITS' WESTERLY EXTENSION (CROSSING WILLIS AVENUE 60 FT. R/W), A DISTANCE OF 260 FEET MORE OR LESS TO THE WEST RIGHT-OF-WAY LINE OF SAID WILLIS AVENUE: THENCE NORTH ALONG SAID WEST LINE AND ITS' NORTHEASTERLY EXTENSION (CROSSING DUNN ROAD 40 FT. R/W). A DISTANCE OF 830.30 FEET MORE OR LESS TO A POINT WHICH IS THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF DUNN ROAD WITH THE WEST RIGHT-OF-WAY LINE OF WILLIS AVENUE: THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID DUNN ROAD (CROSSING WILLIS AVENUE 40 FT. R/W), A DISTANCE OF 250 FEET MORE OR LESS TO A DIRECTLY NORTH OF THE NORTHEAST CORNER OF LOT # 35 IN SAID "VANESS PLAT" SAID POINT ALSO BEING ON THE PRESENT CITY OF SOUTH BEND CORPORATE LIMIT LINE: THENCE SOUTH ALONG SAID CORPORATE LINE (CROSSING DUNN ROAD 40 FT. R/W), A DISTANCE OF 40 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE CONTINUING SOUTH ALONG SAID CORPORATE LIMIT LINE AND THE EAST LINE OF SAID "VANESS PLAT", A DISTANCE OF 778.80 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 4.90 ACRES MORE OR LESS.

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

MAP 1

Rockne's Reserve Annexation Area



BOARD OF PUBLIC WORKS AGENDA ITEM REVIEW REQUEST FORM

Date	October 6, 20)25						
Name	Tim Staub		Department <u>DCI</u>					
BPW Date	October 14, 2	2025	Phone Extension 7625					
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Diversity (Review and Approval Required Prior to Submittal to Board Diversity Compliance							
and Inclusi	-		Officer Name					
BPW Attor	rney [Attorney Name	e				
Dept. Attor	rney		Attorney Nam	ne	Tom P	<u>'anowicz</u>		
Purchasing	[
					Require	ed for All Submissio	ons	
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			Requir	ed Info	rmation			
Company or 'New Vendor	Vendor Name	-	No —	es, App	proved b	y Purchasing		
MBE/WBE C	Contractor		☐ MBE Co	omplete	ed E-Vei	rify Form Attached	l	☐ Yes ☐ No
Project Name Project Numb Funding Sour Account No. Amount Terms of Con Purpose/Desc	eer ece atract	-	Adoption of a Fi	iscal Pla	an for th	e Willis-Dunn (Ro	ckne's Re	eserve) Annexation
For Change Orders Only								
Amount of	I	Increas Decrea	ise (\$)				
Previous Amo	ount		\$ Increase		%			
Current Perce New Amount	ent of Change:		Decrease \$ Increase		%) %)			
Total Percent Time Extension	on Amount:	-	Decrease	(%))		