

Introduction: August 26, 2024
Public Hearing: September 9, 2024

PETITIONER(S): _____
Department of Planning & Development
Mayor's Office of Economic Development

SPONSOR(S): _____
Council Member: Mark Kalwinski, 1st District

RESOLUTION NO.: 24 R. 13

A DECLARATORY RESOLUTION DETERMINING THAT A CERTAIN AREA OF THE CITY OF HAMMOND, INDIANA BE DESIGNATED AS THE TOWNPLACE SUITES ECONOMIC REVITALIZATION AREA IN WHICH DEDUCTIONS FROM ASSESSED VALUATION MAY BE REQUESTED BY AN APPLICANT TO THE COMMON COUNCIL OF THE CITY OF HAMMOND, INDIANA PURSUANT TO INDIANA CODE 6-1.1-12.1

WHEREAS, A Deduction for Rehabilitated or Redevelopment of Real Property in Economic Revitalization Areas is authorized under Indiana Code 6-1.1-12.1 *et seq.* (the "Act") in the form of deductions of assessed value for: (i) qualified real property improvements under Section 3; (ii) the installation of qualified personal property under Section 4.5; and (iii) of the occupancy of an eligible vacant building primarily used for commercial or industrial purposes under Section 4.8, each as a result of new development, redevelopment and/or rehabilitation; and

WHEREAS, The Common Council of the City of Hammond, Indiana ("Common Council") desires to offer assessed valuation deductions to the gross assessment of qualified tangible (real and personal) property in a certain area of the City of Hammond, Indiana (the "City") to stimulate private investment of new construction, development, redevelopment and rehabilitation and including the installation of depreciable personal property in order to: (i) attract, retain and expand existing manufacturing enterprise, (ii) increase and/or diversify the City's primary manufacturing and commercial assessed valuation base, and (iii) provide employment opportunities for residents of the City, northwest Indiana and the State of Indiana; and

WHEREAS, The Act provides for assessed valuation deductions as a public financial incentive resource, also known as tax abatement, to encourage private enterprise to: (i) develop, redevelop and rehabilitate real property and/or (ii) install depreciable personal property within the City as a means to attract, retain or expand private enterprise and economic development in the City through the designation of certain areas within its jurisdiction to be Economic Revitalization Areas (an "ERA"); and

WHEREAS, The Act provides that an ERA is an area as defined under Section 1(1) of the Act "...which has become undesirable for, or impossible of, normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements or character or occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent normal development of property or use of property" for which said term also includes "any area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenue;" and

WHEREAS, The City's Department of Planning & Development and the Mayor's Office of Economic Development in accordance with Section 2.5(a) of the Act have: (i) prepared maps identifying a certain area as an ERA and prepared a simplified description of the boundaries of said ERA by describing its location in relation to public ways, streams, or otherwise, attached hereto as **EXHIBIT A** and (ii) submitted said documents to the Common Council for review and consideration of this area for designation as an ERA; and

WHEREAS, The Common Council has; (i) reviewed said documents as submitted as it relates to the designation of said area within the City as an ERA and (ii) desires to take formal action in order to designate said certain area of the City as an ERA for the purpose of providing assessed valuation deductions for the investment in, redevelopment to or rehabilitation of qualified real and personal provided as provided in the Act to eligible and qualified applicants as a public financial incentive resource to encourage private enterprise to develop, redevelop, and rehabilitate real property within and to invest in personal property for installation and placement into service as a means to attract, retain or expand private enterprise and economic development;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Hammond, Indiana, that based upon all of the evidence presented and a presentation by the City's Department of Planning & Development and Mayor's Office of Economic Development pursuant to the Act, the Common Council hereby finds that a certain area of the City as described and detailed in **EXHIBIT A** as attached hereto is determined to be, designated as and established as the **Townplace Suites Economic Revitalization Area** (the "Townplace Suites ERA") as defined under Section 1(1) of the Act.

BE IT FURTHER RESOLVED that Townplace Suites ERA is located within the Marina Development Area, an "area needing redevelopment" as designated under Hammond Redevelopment Commission Declaratory Resolution No. 03-2013, adopted by the Commission on February 26, 2013.

BE IT FURTHER RESOLVED that Townplace Suites ERA is located within and contiguous with the boundaries of the Townplace Suites Economic Development Target Area (the "Townplace Suites EDTA" as designated by the Common Council under Ordinance No. 9641 passed and approved on September 9, 2024.

BE IT FURTHER RESOLVED that in accordance with Section 7(a)(1) of the Act, the Common Council re-affirms the determination and finding of this area as an "area needing redevelopment" pursuant to the Marina Development Area Declaratory Resolution No. 03-2013, meaning this area which includes the Townplace Suites EDTA has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property; therefore, meeting the criteria and findings required for the designation of an ERA pursuant to Section 1(1) of the Act.

BE IT FURTHER RESOLVED that Common Council has determined and discloses pursuant to and in accordance with Section 2(l) of the Act that the Townplace Suites ERA is in a designated allocation area (as defined in IC 36-7-14-39) of the Hammond Redevelopment District, namely the Roby Allocation Area as designated by the Hammond Redevelopment Commission pursuant to declaratory Resolution No. 503-2013 approved on February 26, 2013.

BE IT FURTHER RESOLVED that in accordance Section 2(i)(1) of the Act, the Townplace Suites ERA shall be limited to a period of five (5) years such that said ERA designation shall expire on the earlier of: (i) five (5) years from the date of the confirming resolution of this Declaratory Resolution or (ii) December 31, 2029.

BE IT FURTHER RESOLVED that in accordance Section 2.5(b) of the Act, a determination of the number of years a deduction under Sections 3 of the Act (as it relates to qualified real property assessed valuation deductions) is allowed and shall not exceed 10 years, as based upon the "Cost" and "Assessed Value" of "Estimated Total Cost and Value of Proposed Project" that may be found in Section 4 of a Statement of Benefits (FORM SB-1), as submitted to the Common Council for consideration and approval.

BE IT FURTHER RESOLVED that pursuant to Section 11.3(b) of the Act, a property owner or an applicant for an assessed valuation deduction is **not** exempt from filing the appropriate FORM SB-1 with the City for submission to the Common Council prior to and for consideration by the Common Council as the designating body.

BE IT FURTHER RESOLVED that the Common Council by an appropriate resolution approving a FORM SB-1 may impose a fee in accordance with Section 14 of the Act on any development, redevelopment, and rehabilitation of qualified real property within the Townplace Suites ERA, for which said imposed fee shall be distributed to one or more identified public or non-profit entities established to promote economic development in the City.

BE IT FURTHER RESOLVED that the Common Council directs the Mayor's Office of Economic Development upon its passage and approval, as executed and signed, to:

- 1) File this Resolution including all exhibits attached hereto, as a declaratory resolution, with the Office of the Lake County, Indiana Assessor in accordance with Section 2.5(b) of the Act.
- 2) Publish notice in accordance Sections 2.5(c)(1) of the Act the adoption and substance of this Resolution, as a declaratory resolution, in accordance with IC 5-3-1 for a public hearing scheduled of the Common Council for a date, time and place to be determined by the Common Council.
- 3) File in accordance Section 2.5(c)(2) of the Act the following information with each taxing unit that has authority to levy property taxes in the geographic area where the Townplace Suites ERA is designated and located:
 - i. A copy of the notice published in accordance with IC 5-3-1; and
 - ii. A statement containing substantially the same information as a statement of benefits filed with the City Council (a "Report on Economic and Tax Impact Analysis") before a public hearing required by Sections 2.5 of the Act under Sections 3, 4.5 and 4.8 of the Act.

BE IT FURTHER RESOLVED that this Resolution shall have full force and effect from and after its passage and approval by the Common Council, its execution and signing by the President thereof and approval by the Mayor, all as attested by the Clerk of the City.


ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Lake County,

Indiana on this 26th day of August, 2024.




Scott Rakos, President
Common Council, City of Hammond, Indiana

Attest:



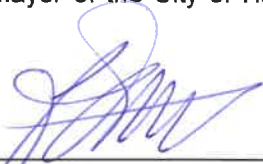
Robert J. Golec, City Clerk
City of Hammond, Indiana

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 27th day of August, 2024.



Robert J. Golec, City Clerk
City of Hammond, Indiana

The foregoing Resolution No. R13 consisting of (5) typewritten pages, including this page, was **APPROVED AND SIGNED BY ME**, the undersigned Mayor of the City of Hammond, Indiana, this 28^e day of August 2024.



Thomas M. McDermott, Jr., Mayor
City of Hammond, Indiana

PASSED by the Common Council on this 26th day of August, 2024 and approved by the Mayor on the 28th day of August 2024.



Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

EXHIBIT A

Townplace Suites Economic Revitalization Area: Boundary Description and Map

A general description of the boundaries of the **Townplace Suites Economic Revitalization Area** (the "Townplace Suites ERA") predominantly includes real estate land currently zoned for commercial land uses as permitted¹ under the C4 (General Commercial District) Zoning classification.

A general boundary description and map is provided below.

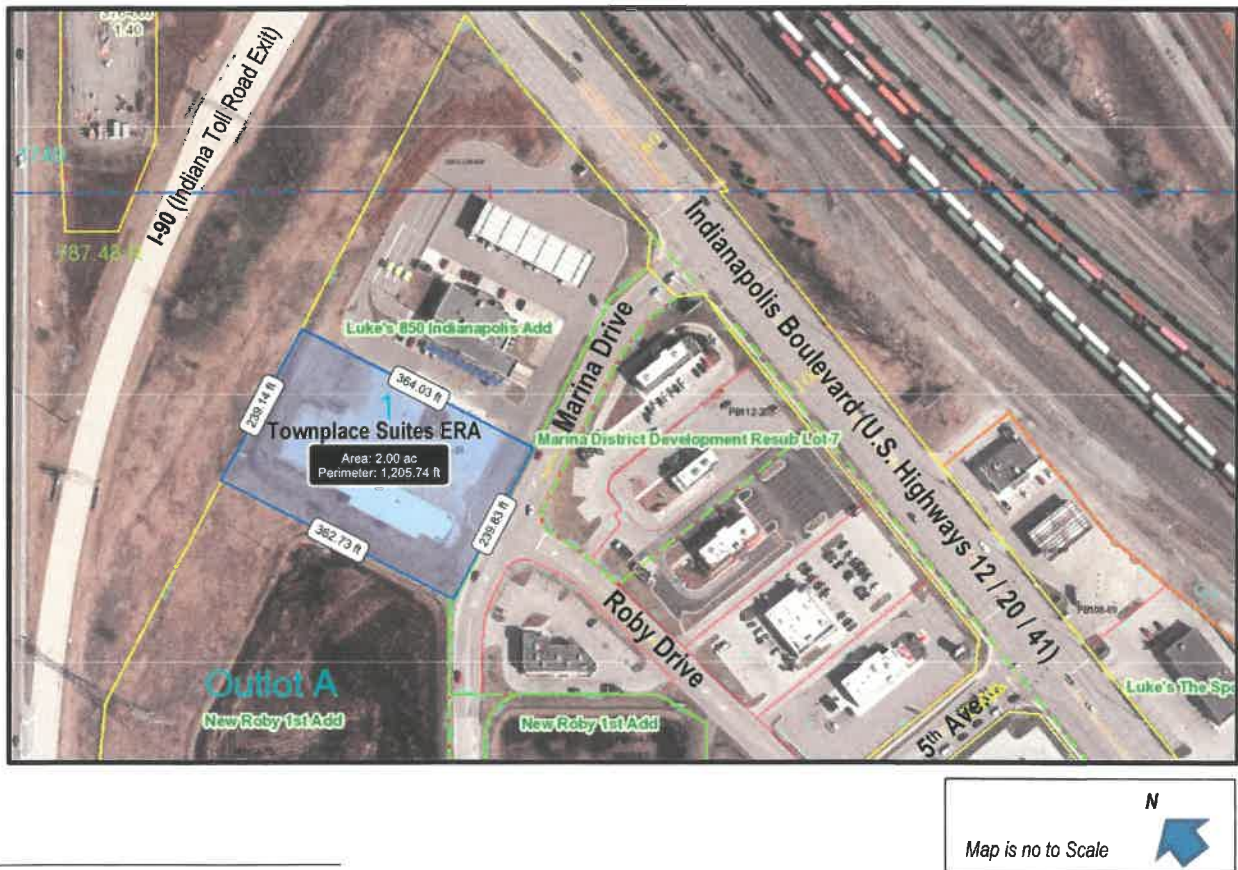
The Townplace Suites ERA has a legal description as identified on an assessment record card of the Lake County, Indiana Office of the Assessor identified under the legal description:

The Townplace Suites ERA consists of approximately 1.996 acres of area.

Real Property Key Numbers within the Townplace Suites ERA

Real Property Key Number	Owner (as of January 1, 2024)
45-02-01-126-017.000-023	NH Vegas, LLC

MAP 1: Townplace Suites ERA Boundary



¹ City of Hammond, Indiana Zoning Ordinance 8514, as amended, pursuant to TITLE X - C-4 General Commercial District, Section 10.01 titled Intended Uses, more specifically, "This district is designed to provide for automotive, service, and freestanding commercial activities which require limited comparison shopping. Customers usually arrive by automobile, making a separate stop for each errand. Uses permitted in this district require larger sites and building and often provide services which are not compatible with other commercial or residential districts. These commercial areas are usually located along major arterials or adjacent to limited access highway interchanges. Further reference Section 10.10 titled Permitted Uses for individual permitted land uses within the C-4 General Commercial District.