

19R-35

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

SPONSOR(S): \_\_\_\_\_  
Councilman: Pete Torres, 2<sup>nd</sup> District

RESOLUTION NO.:   R35  

**A DECLARATORY RESOLUTION DESIGNATING THAT A CERTAIN AREA OF THE CITY OF HAMMOND, INDIANA BE ESTABLISHED AS THE 24 MARBLE STREET ECONOMIC REVITALIZATION AREA TO WHICH DEDUCTIONS FROM ASSESSED VALUE MAY BE REQUESTED BY AN APPLICANT TO THE COMMON COUNCIL OF THE CITY OF HAMMOND 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 of the Act, each as a result of new development, redevelopment and/or rehabilitation; and

**WHEREAS,** The Common Council of the City of Hammond, Indiana ("City Council") desires to offer assessed valuation deductions to the gross assessment of 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 an 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 Mayor's Office of Economic Development in accordance with Section 2.5(a) of the Act have: (i) prepared maps identifying an ERA and a simplified description of the boundaries of an 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 City Council for review and consideration as to the designation of an ERA in the City; and

**WHEREAS,** The City Council has; (i) reviewed said documents as submitted as it relates to the designation of an ERA in the City and (ii) desires to take formal action in order to designate a certain area of the City as an ERA for the purpose of providing for assessed valuation deductions to qualified applicants as an incentive resource to encourage private enterprise to develop, redevelop and rehabilitate real property within the City 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 City Council hereby finds that a certain area of the City as described and detailed in **EXHIBIT A** as attached hereto is determined to be, established as and designated as the **24 Marble Street Economic Revitalization Area** (the "24 Marble Street ERA") as defined under Section 1(1) of the Act.

**BE IT FURTHER RESOLVED** that the 24 Marble Street ERA is located within the Downtown No. 1 Urban Renewal Area pursuant to Section 39 of the Act and as approved in accordance with the Act, is a redevelopment project area defined as "an area needing redevelopment," being undesirable for, or impossible of, normal development because of deterioration of improvements, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent 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 the 24 Marble Street ERA is located in an allocation area (as defined in IC 36-7-14-39) pursuant to and in accordance with Section 2(l) of the Act, namely the Downtown Urban Renewal Area Allocation Area designated pursuant to declaratory Resolution No. 4-95 approved on September 5, 1995 as amended through amending declaratory Resolution No. 08-2011 as approved on July 21, 2011

**BE IT FURTHER RESOLVED** that in accordance Section 2(i)(1) of the Act, the 24 Marble Street ERA shall be limited to a period of ten (10) years such that said ERA designation shall expire on the earlier of: (i) ten (10) 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, 4.5 and 4.8 of the Act (as it relates to qualified real property, personal property and vacant building 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 City 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 City Council for consideration.

**BE IT FURTHER RESOLVED** that the City 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 real or personal property or for the occupation of a qualified vacant building within the 24 Marble Street 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 City Council directs the Mayor's Office of Economic Development to file this resolution including all exhibits attached hereto, as the declaratory resolution, with the Office of the Lake County, Indiana Assessor in accordance with Section 2.5(b) of the Act.

**BE IT FURTHER RESOLVED** that in accordance Sections 2.5(c)(1) of the Act, the City Council directs and authorizes the Mayor's Office of Economic Development to publish notice of 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 City Council for a date, time and place to be determined by the City Council.

**BE IT FURTHER RESOLVED** that in accordance Section 2.5(c)(2) of the Act, the City Council directs the Mayor's Office of Economic Development to file the following information with each taxing unit that has authority to levy property taxes in the geographic area where the 24 Marble Street ERA is located:

1. A copy of the notice published in accordance with IC 5-3-1; and
2. 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 by the City Council, 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 16th day of December 2019.

**HAMMOND COMMON COUNCIL**



Robert A. Markovich, President  
Common Council, City of Hammond, Indiana

**ATTEST:**



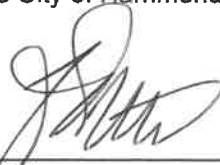
Robert J. Golec, City Clerk  
City of Hammond, Indiana

**PRESENTED BY ME**, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 17th day of December 2019.



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

The foregoing Resolution No. R35 consisting of six (6) typewritten pages, including this page, was Approved, by the Mayor of the City of Hammond, Indiana, this 17<sup>th</sup> day of December 2019.



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

**PASSED** by the Common Council on this 16th day of December 2019, and approved by the Mayor on the 17<sup>th</sup> day of December 2019.



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

## EXHIBIT A

### **24 Marble Street Economic Revitalization Area: Boundary Description and Map**

A general description of the boundaries of the **24 Marble Street Economic Revitalization Area** (the "24 Marble Street ERA") predominantly includes industrially zoned land uses. A general boundary description and map is provided below.

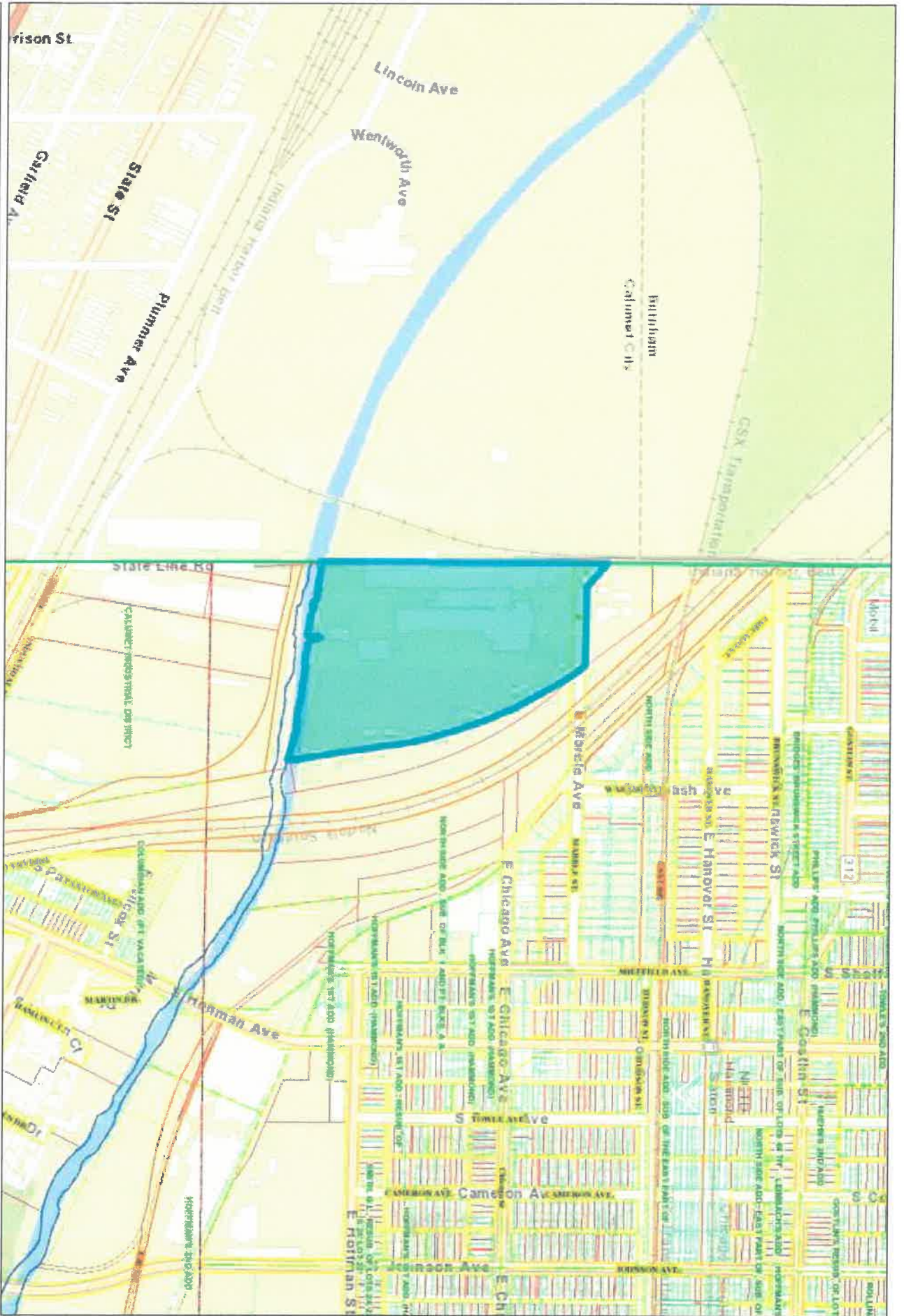
General boundary description of the 24 Marble Street ERA as follows:  
24 Marble Street PT. L.2 SW. S.25 T.37 R.10 19.42A with a common address of 24 Marble Street in the City of Hammond, Lake County, Indiana.

#### **Real Property Key Numbers within the 24 Marble Street ERA**

<u>Real Property Key Number</u>	<u>Owner (as of September 26, 2018)</u>
45-02-25-351-001.000-023	Park 24 Hammond LLC
45-02-25-351-901.000-023	Park 24 Hammond LLC

**MAP 1: 24 Marble Street ERA Boundary**



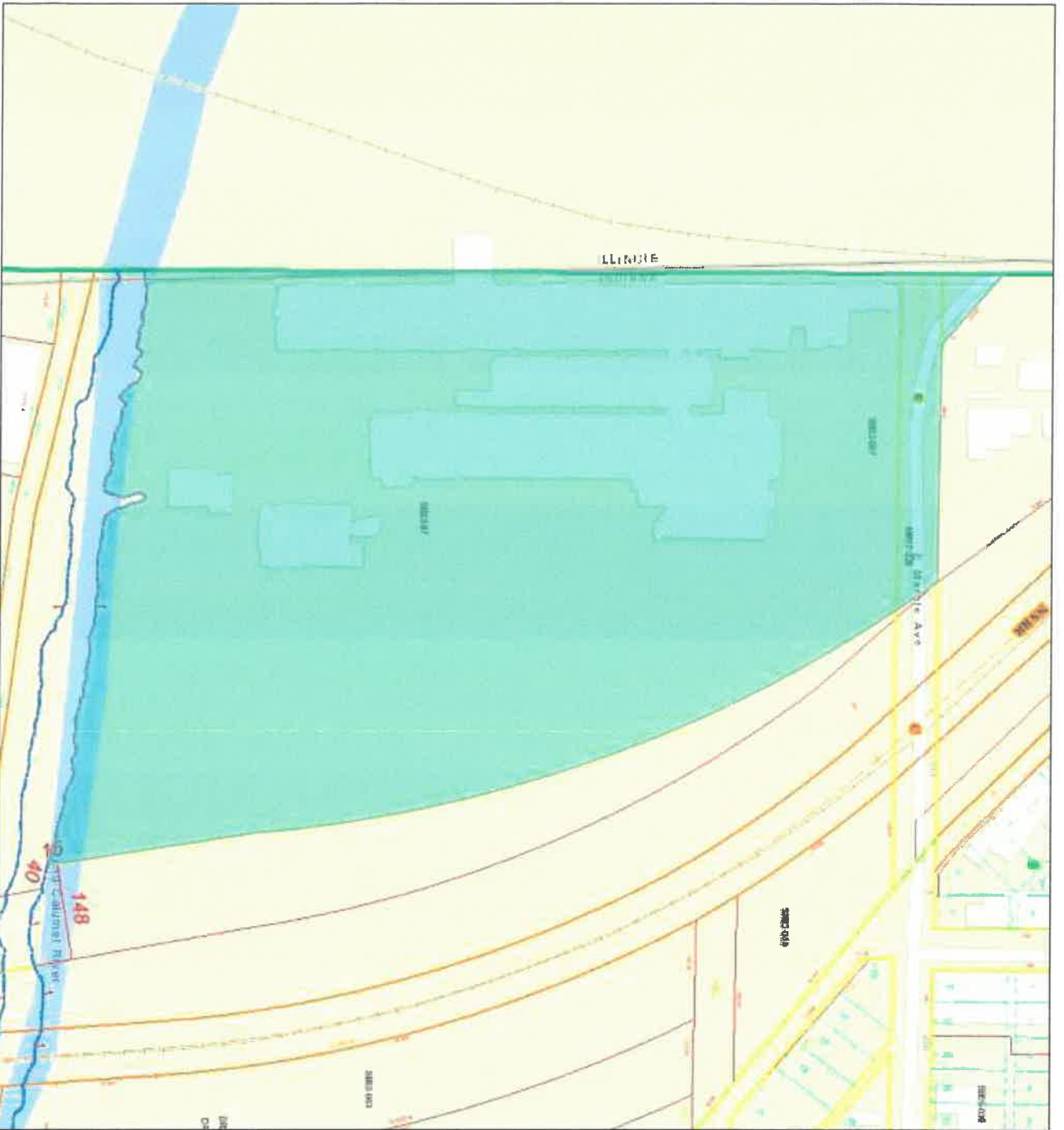


**24 Marble Street ERA Boundary Map**  
 Web Print: 11/17/2019

0 752 1,505 Feet

This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

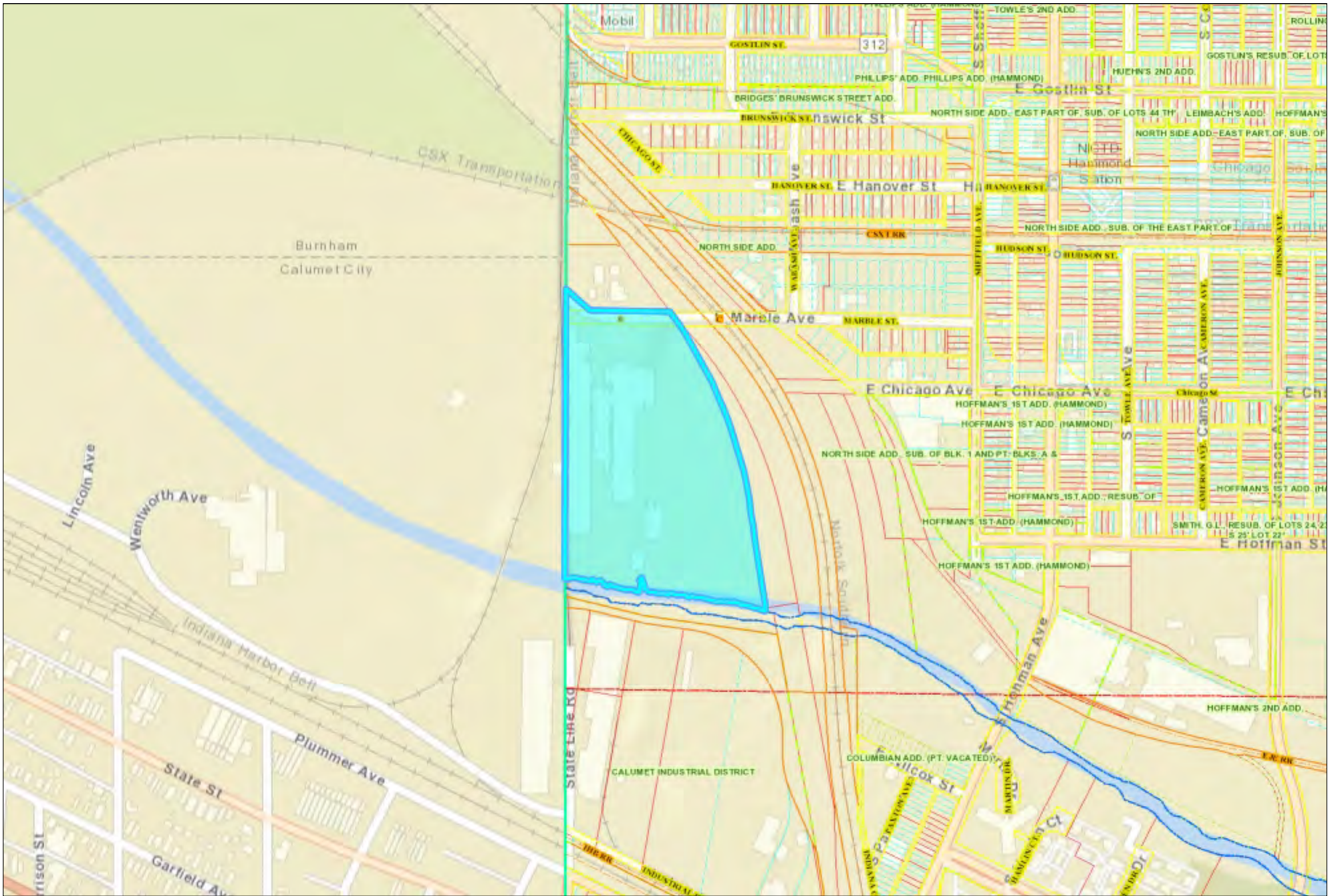
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Parcel Number: 45-02-25-351-001.000-023  
 Owner: Park 24 Hammond LLC  
 Mailing Address: 112 W Jefferson Blvd Ste 200  
 South Bend IN 46601  
 Site Address: 24 MARBLE ST HAMMOND IN  
 46320  
 Tax Code: 023  
 Tax Description: Hammond  
 Legal Description: PT. L.2 SW.1/4. S.25 T.37  
 R.10 19.42A  
 Net Acreage: 0  
 Sec Twp Rng: 25 37 10  
 Property Class: Industrial warehouse  
 Zoning Code: 0  
 Use Code: 0  
 TIF: 023 DOWNTOWN

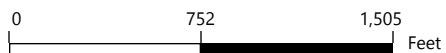
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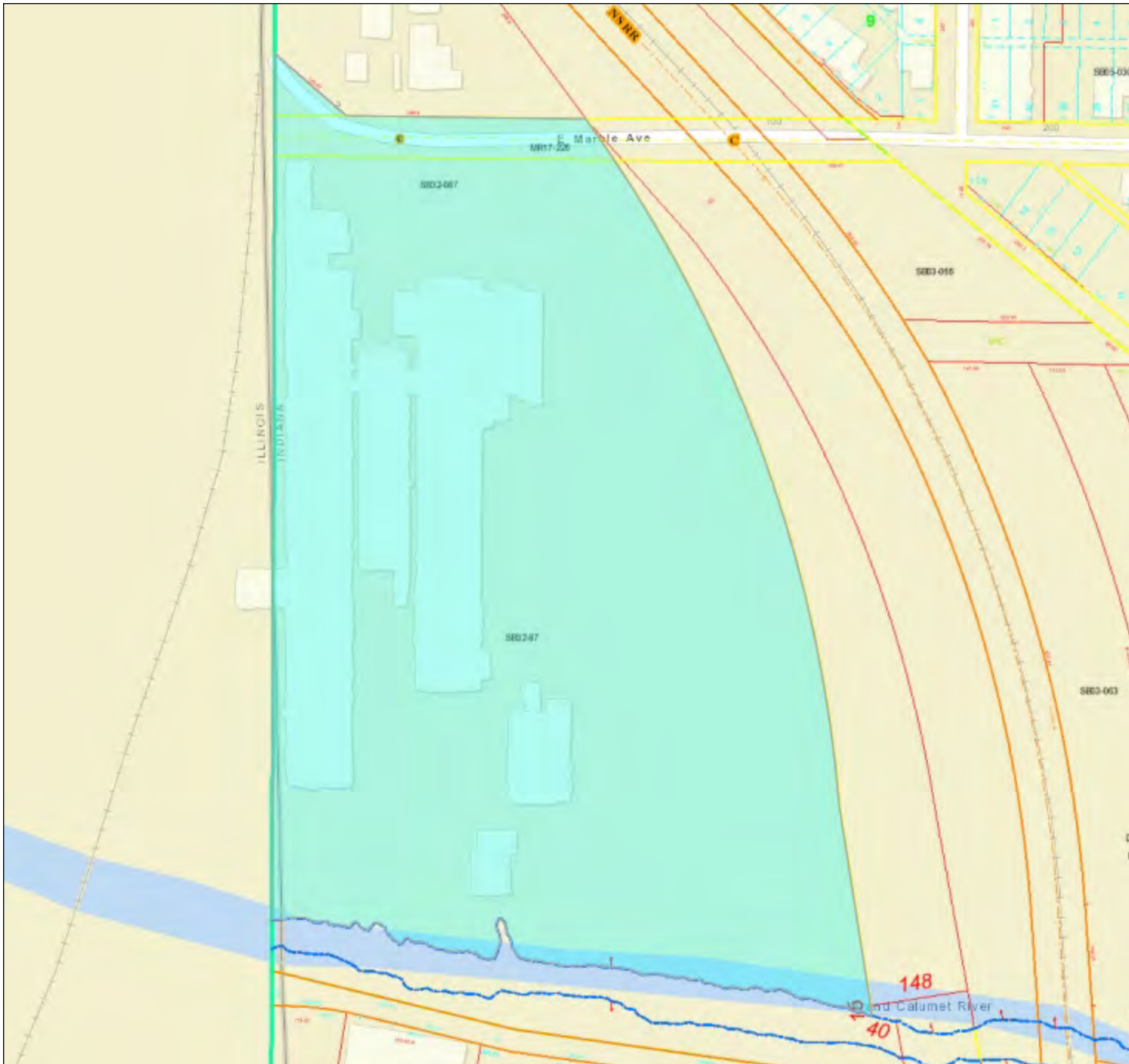




24 Marble Street ERA Boundary Map  
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Parcel Number: 45-02-25-351-001.000-023  
Owner1: Park 24 Hammond LLC  
Mailing Address: 112 W Jefferson Blvd Ste 200  
South Bend IN 46601  
Site Address: 24 MARBLE ST HAMMOND IN  
46320  
Tax Code: 023  
Tax Description: Hammond  
Legal Description: PT. L.2 SW.1/4. S.25 T.37  
R.10 19.42A  
Net Acreage: 0  
Sec Twp Rng: 25 37 10  
Property Class: Industrial warehouse  
Zoning Code: 0  
Use Code: 0  
TIF: 023 Downtown

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.