

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

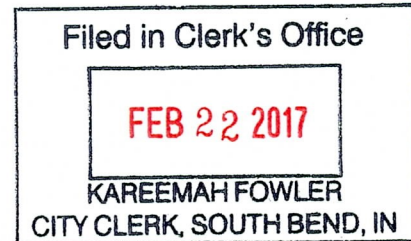


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CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
COMMUNITY INVESTMENT

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. (BLANK), 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. (BLANK) 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**

STATEMENT OF PURPOSE AND INTENT

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

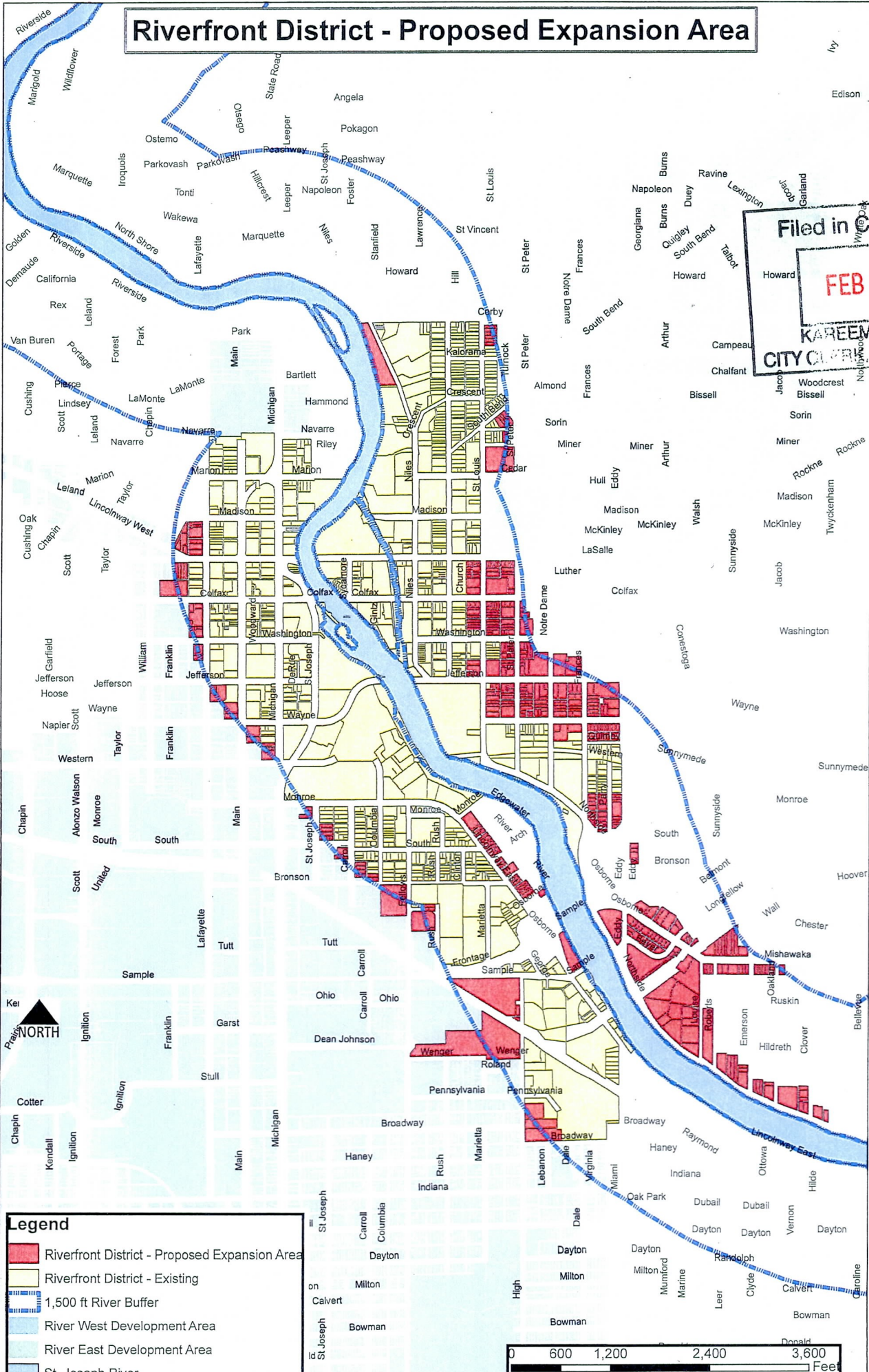
1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED

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



Legend

- Riverfront District - Proposed Expansion Area
- Riverfront District - Existing
- 1,500 ft River Buffer
- River West Development Area
- River East Development Area
- St. Joseph River



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 3rd 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 3rd 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 3rd 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 3rd 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 & Kriehbaum's 2nd 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 2nd Replat & Wenger's 4th Addition 2nd 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 4th 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.