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CITY OF HAMMOND

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RESOLUTION NO. 8-2011

PEGGY HOLINGA KATONA
LAKE COUNTY CLERK

A RESOLUTION OF THE HAMMOND REDEVELOPMENT COMMISSION AMENDING THE DECLARATORY RESOLUTION THAT ESTABLISHED THE URBAN RENEWAL PLAN DOWNTOWN NO. 1 URBAN RENEWAL AREA TO AMEND FURTHER THE URBAN RENEWAL PLAN

WHEREAS, the City of Hammond ("City"), Lake County, Indiana, Redevelopment Commission (the "Commission"), the governing body of the City Department of Redevelopment (the "Department") and the Redevelopment District of the City ("District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in Indiana Code ("I.C.") 36-7-14, as amended from time to time, (the "Act"); and

WHEREAS, the Commission in 1972, adopted and approved a resolution declaring (the "Declaratory Resolution") the Downtown No. 1 Urban Renewal Area (the "Area") as amended to be a blighted area within the meaning of the Act and approving an Urban Renewal Plan (the "Original Plan") for the Area; and

WHEREAS, the Commission subsequently adopted and approved a resolution (the "Confirming Resolution") confirming the Declaratory Resolution; and

WHEREAS, the Commission in 1995 adopted and approved Resolution No. 9-96 (the "Amending Declaratory Resolution No. 1") amending the Original Plan for the Area (the Original Plan and the plan amendment hereinafter known as the "Plan") and designating the Area as the Downtown Urban Renewal Area Allocation Area No. 1 (the "Allocation Area") under Section 39 of the Act for the purpose of utilizing tax increment financing to stimulate economic development in the Area; and

WHEREAS, the Commission on May 6, 2003 adopted and approved Resolution No. 11-2003 approving the Hammond Technology Park and Business Incubator Business Plan, declaring the Area to be Certified Technology Park under I.C. 36-7-32-1 and declaring the designating the Area as an allocation area under I.C. 36-7-32-15 for distribution under I.C. 36-7-32-17 with said allocation provision expiring 30 years after the effective date of said Resolution No. 11-2003 or on May 6, 2033; and

WHEREAS, the Commission on June 24, 2003 adopted and approved Resolution No. 15-2003 confirming Resolution No. 11-2003; and

WHEREAS, the Commission, on February 19, 2008 adopted and approved Resolution 2-2008 (the "Amending Declaratory Resolution No. 2") for the purposes of amending the allocation provisions of Amending Declaratory Resolution No. 1 regarding the Allocation Area such that Amending Declaratory Resolution No. 2 did not change: (i) any part of the Plan devoted to public way, levy, sewerage, park, playground, or other public purpose; (ii) the proposed use for the land for the Area in the Plan, or (iii) the requirements for rehabilitation building requirements, proposed zoning, maximum density or similar requirements; and

WHEREAS, the Commission now desires to further amend the Declaratory Resolution and Amending Declaratory Resolution No. 1 for the purpose of amending the Plan in order to revise the land use provisions and to include and identify certain real property for inclusion on the Acquisition List.

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WHEREAS, the Department and the Commission have analyzed, investigated and studied the actions and impacts of the proposed amendment to the Plan; and

WHEREAS, the Department on July 21, 2011 presented to the Commission the 2011 plan amendment to the Plan titled the "2011 Plan Amendment to the Downtown No. 1 Urban Renewal Area Plan" and dated July 21, 2011 (the "2011 Plan Amendment") as attached hereto as **EXHIBIT A** and presented this amending declaratory resolution (the "Amending Declaratory Resolution No. 3") to the Commission for its consideration, adoption and approval in order to initiate the 2011 Plan Amendment approval process pursuant to Sections 15 through 17.5 of the Act;

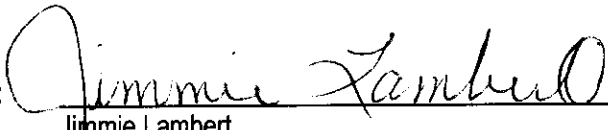
NOW, THEREFORE, BE IT RESOLVED, by the Hammond Redevelopment Commission of the City of Hammond, Lake County, Indiana, as follows:

1. Pursuant to Section 15(d)(1) of the Act, after review and consideration of a presentation to the Commission of the evidence as it applies to the 2011 Plan Amendment, the Commission hereby finds that the 2011 Plan Amendment will be of public utility and benefit to amend the Declaratory Resolution and Amending Declaratory Resolution No. 1.
2. Pursuant to Section 15(d)(2) of the Act, after review and consideration of a presentation to the Commission of the evidence as it applies to the 2011 Plan Amendment, the Commission hereby finds that any additional area to be acquired under Amending Declaratory Resolution No. 3 is designated as part of the existing Downtown No. 1 Urban Renewal Area for the purposes of the Act.
3. After review and consideration, the Commission finds that the 2011 Plan Amendment does:
 - a. Materially change parts of the Plan provisions devoted to public way and park;
 - b. Amend or change the proposed use for the land in the Downtown No. 1 Urban Renewal Area; and
 - c. Add one (1) or more parcels to the list of parcels (the "Acquisition List") to be acquired.
4. After review and consideration, the Commission finds that the 2011 Plan Amendment does not:
 - a. Amend the current allocation provisions adopted and approved for the Allocation Area (of Amending Declaratory Resolution No. 2);
 - b. Materially change any parts of the Plan provisions devoted to levee, sewerage, playground, or other public purpose;
 - c. Amend the requirements for rehabilitation, building requirements, proposed zoning, maximum density, or similar requirements, as documented in the Plan; and
 - d. Enlarge or modify the boundaries of the Downtown No. 1 Urban Renewal Area.
5. The Commission hereby finds that the 2011 Plan Amendment, as attached hereto as **EXHIBIT A**, shall amend and supplement previously approved Plan such that hereafter the previous Plan as supplemented by the 2011 Plan Amendment shall be known as the Downtown No. 1 Urban Renewal Area Urban Renewal Plan (the "Plan").
6. The secretary of the Commission is hereby directed to file a copy of the attached 2011 Plan Amendment with the minutes of this Commission meeting.
7. The secretary of the Commission further shall submit this Declaratory Resolution, together with any supporting data and the 2011 Plan Amendment (as attached hereto under **EXHIBIT A**), to the Hammond Plan Commission pursuant to Section 16(a) of the Act for conformity with other official plans for the development of the City; and, if approved by the Plan Commission and subsequently approved the City Council pursuant to Section 16(d) of the Act, the 2011 Plan Amendment shall be subject to a public hearing and remonstrance pursuant to Section 17 of the Act prior to the consideration of a confirming resolution of the Commission, after all appropriate public notices and filing as required by Sections 17 and 17.5 of the Act.

8. This Amending Declaratory Resolution No. 3 shall be in full force and effect after its approval and adoption by the Commission.

HEREBY ADOPTED AND APPROVED at a meeting of the Hammond Redevelopment Commission of the City of Hammond, Lake County, Indiana held on the 21st day of July 2011 in the Hammond City Hall Council Chamber located at 5925 Calumet Avenue, Hammond, Indiana, 46324.

**HAMMOND REDEVELOPMENT COMMISSION
CITY OF HAMMOND, LAKE COUNTY, INDIANA**

By: 
Jimmie Lambert
President of the Commission

ATTESTATION


Miriam Soto Pressley, Secretary

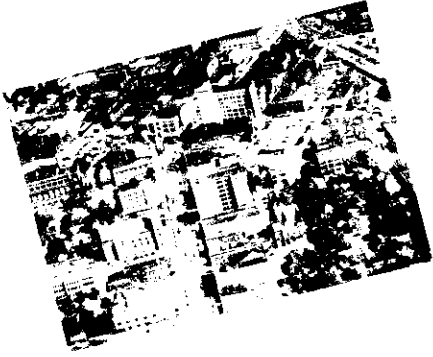


EXHIBIT A

2011 Plan Amendment to the Downtown No. 1 Urban Renewal Area Plan

As Dated
July 21, 2011





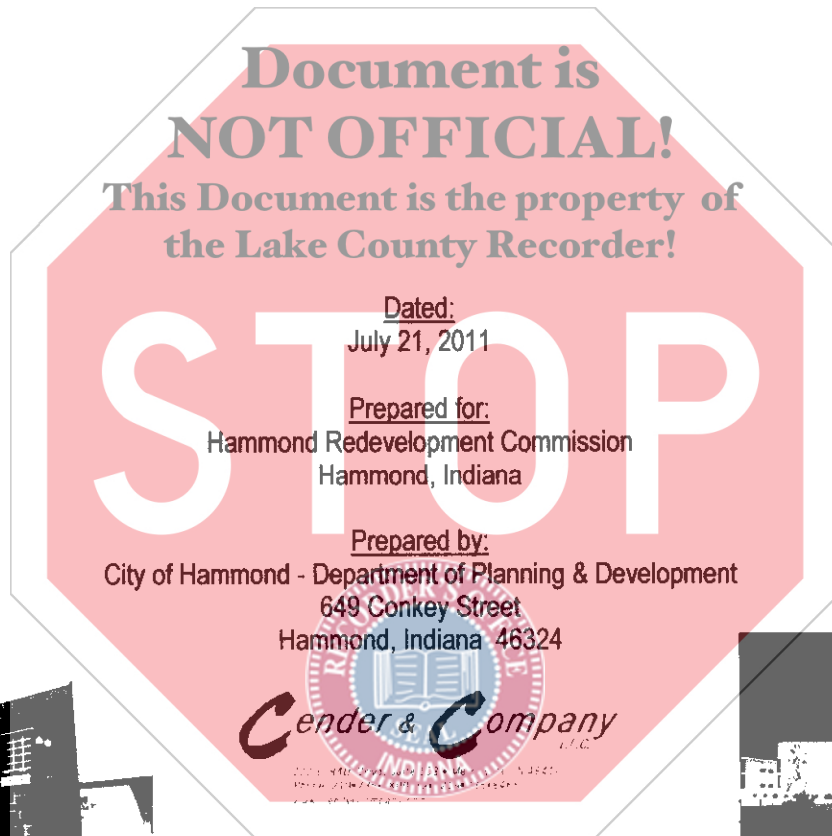
2011 Plan Amendment to the Downtown No. 1 Urban Renewal Area Plan

An Amendment to the

Downtown No. 1 Urban Renewal Area, establishing the Original boundaries and adoption of Original Plan, 1972.

Amending Declaratory Resolution No. 1 to expand the boundaries, establishing an allocation area, and adopting an amended plan (1995 Plan Amendment) [Declaratory Resolution 4-95, September 5, 1995; Confirmatory Resolution 9-96, July 1996].

Amending Declaratory Resolution No. 2, amending provisions of the Allocation Area [Resolution 2-2008, February 19, 2008].



Submitted to the
City of Hammond Redevelopment Commission by
Brian L. Poland, AICP, Director of City Planning

**HAMMOND REDEVELOPMENT COMMISSION
HAMMOND, INDIANA**

**2011 Plan Amendment to the
Downtown No. 1 Urban Renewal Area Plan**

TABLE OF CONTENTS

I.	PURPOSE	1
II.	AREA NEEDING REDEVELOPMENT PROVISION	1
III.	GOALS AND OBJECTIVES	2
IV.	BACKGROUND RELATED TO THE CHANGES IN THE BOUNDARY DESCRIPTION	2
V.	BACKGROUND RELATED TO THE CHANGES IN THE LAND USE PLAN	3
VI.	ACTION ONE: Specific Changes to the 1995 Amendment	4
VII.	ACTION TWO: Amendment to the Acquisition List	11
VIII.	FUNDING, FINANCING, ALLOCATION AREA	12
IX.	COMPLIANCE AND CONSISTENCY WITH OFFICIAL PLANS	12
X.	APPLICABILITY OF LAND USE OBJECTIONS, PROVISIONS AND REQUIREMENTS	12
XI.	OTHER FEDERAL, STATE, AND LOCAL REQUIREMENTS	13
XII.	PROCEDURE FOR MODIFICATION	13
XIII.	RECORDING AND FILING	13
XIV.	PUBLIC AVAILABILITY OF DOCUMENT	13



MAPS

MAP 4-A	DOWNTOWN NO. 1 URBAN RENEWAL AREA BOUNDARIES	5
MAP 1-A	LAND USE DISTRICTS	7
MAP 2-A	PROPOSED ACTIVITIES	10

TABLES

TABLE 1-A	AMENDED LAND ACQUISITION DATA	11
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HAMMOND REDEVELOPMENT COMMISSION
HAMMOND, INDIANA

2011 Plan Amendment to the
Downtown No. 1 Urban Renewal Area Plan

PURPOSE

This 2011 Plan Amendment to the Downtown No. 1 Urban Renewal Area Plan (the "2011 Plan Amendment") specifically makes modifications to the Hammond Redevelopment Commission's (the "Commission") Downtown No. 1 Urban Renewal Area Plan, as amended and as dated July 1995 (the "1995 Plan Amendment"). The purpose of this 2011 Plan Amendment is to:

- Reconcile the discrepancy between the boundaries described within the 1995 Plan Amendment and the boundaries that were adopted via the Declaratory Resolution 4-95 adopted on September 5, 1995; Council Resolution 7851 R4 adopted on March 12, 1996; and Confirmatory Resolution 9-96 adopted on July 1996; but does not otherwise alter or modify the boundaries of the Downtown No. 1 Urban Renewal Area (the "URA") as it currently exists based upon amendments to date.
- Amend the land use provisions and land use district map for portions of the URA to reflect the reconciliation of the boundaries in the documents.
- Amend the revised land use provisions and land use district map for certain areas.

Furthermore,

- Only portions of the 1995 Plan Amendment are being amended. Those portions not identified herein as being amended are unchanged and remain in effect.
- This 2011 Plan Amendment does modify the Acquisition List of the 1995 Plan Amendment.
- This 2011 Plan Amendment does not modify the Downtown Allocation Area or any allocation provisions previously approved by the Commission.

AREA NEEDING REDEVELOPMENT PROVISION

At the time of the approval of the original 1972 Urban Renewal Plan and the 1995 Plan Amendment, the Commission made the finding of blight. In 2005, new legislation for governing redevelopment project areas and urban renewal plans was passed. As effective July 1, 2005 pursuant to IC 36-7-14-1.3(a), the statute states "A reference in any statute, rule, ordinance, resolution, contract, or other document or record to a blighted, deteriorated, or deteriorating area established under this chapter shall be treated as a reference to an 'area needing redevelopment' (as defined in IC 36-7-1-3)." Therefore, any reference to "blight" or "blighted area" in the **Urban Renewal plan Downtown No. 1 Urban Renewal Area (NDP Area 1)** (the "1972 Original Urban Renewal Plan") and the **Urban Renewal Plan Downtown No. 1 Urban Renewal Area** dated July 1995 (the "1995 Plan Amendment") shall be interpreted to mean "area needing redevelopment."



III. GOALS AND OBJECTIVES

The overall goal of the 2011 Plan Amendment is to facilitate and encourage the development based upon proposal submitted to the City of Hammond for the URA which is different from what was contemplated in the 1995 Plan Amendment.

A secondary goal is to reconcile the land use provisions and the land use map with the final boundaries of the URA that had changed during the 1995 adoption process.

The objectives of the 2011 Plan Amendment are to:

- 1) Facilitate diversified land use development and expand the mix and type of land uses within the URA to make it a vibrant place to work, learn, and recreate.
- 2) Provide for an alternative educational facility to improve the quality of life and educational experiences for the residents of the City of Hammond.
- 3) Provide for appropriate infrastructure development, relocation of utilities, and the construction, improvement, relocation, closing, and/or upgrades to public right-of-ways, streets, utilities, or other public facilities located in, serving or benefitting the URA.
- 4) Provide for appropriate buffering between the alternative educational facility and the existing or future developed adjacent commercial, retail, and business land uses.
- 5) Amend the land use districts to reconcile the differences in the boundaries as reflective of the various documents previous approved and adopted by the City of Hammond and the Commission
- 6) Provide for appropriate parking facilities and flexible open and green space to service the URA and the City of Hammond Hohman Avenue commercial corridor.
- 7) Amend the Acquisition List for redevelopment and development purposes and 2011 Plan Amendment implementation.

IV. BACKGROUND RELATED TO THE CHANGES IN THE BOUNDARY DESCRIPTION

Between 1995 and 1996, there were various public meetings regarding the boundary expansion of the URA. In the 1995 Plan Amendment, the boundary description and the various maps reflected that the southern boundary of the redevelopment area was to extend to Condit Street. The Plan Commission first reviewed the 1995 Plan Amendment and the Amending Declaratory Resolution No. 1 under CP-95-10 at the July 1995 meeting. However, as a result of the public discussions, the Plan Commission reheard the matter and the boundaries of the URA were modified and redrawn resulting in the removal of three (3) primarily residential blocks at the southern end of the proposed URA boundary expansion. These blocks were the block between Ogden Street and Condit Street, west of Hohman Avenue, and the two blocks between Douglas Street and Condit Street, east of Hohman Avenue. The Plan Commission forwarded to the City Council a favorable recommendation of the Amending Declaratory Resolution No. 1 as modified in order for the City Council to approve a resolution that reflected the Plan Commission's modification in the URA boundaries. The Redevelopment Commission's confirmatory resolution reflected the modified URA boundaries. However, for some unknown reason, the 1995 Plan Amendment document was not modified to reflect the modified URA boundaries.



V. BACKGROUND RELATED TO THE CHANGES IN THE LAND USE PLAN

On May 18, 1999 the City of Hammond (the "City") through the Commission purchased the Orak Masonic Temple located at 45 Muenich Court in the City. The City entered into an agreement with the previous owner, the Masonic Building Association of Hammond, which allowed the 'Masons' to continue to use the building through December 15, 1999. The building was vacated on that date and remained vacant.

In June of 1997 a Design Reuse Study was completed by RATIO Architects for the purpose of assessing the existing condition of the building and developing recommendations for possible reuse opportunities. At the time of the study, the building was partially occupied and its overall condition was described as "fair." The structural study noted that the building was significantly damaged and that the most severe problems with the building were wood decay and water damage. The mechanical analysis indicated that the piping was in poor condition and wrapped in asbestos; the electrical system was found to be outdated and dangerous; the plumbing was found to be out of compliance with current codes and ADA regulations; and mold, mildew, asbestos, pigeons and pigeon excrement, and lead-based paint were found in the building. Cost analyses performed at this time estimated that the costs to reuse the building could range from about \$1.5 million to fix only life safety and code issues, to about \$9.5 million to reuse the building as a residential building. The cost estimates did not include a structural reconstruction or major environmental remediation.

In 2005, at the direction of Mayor Thomas M. McDermott, Jr., a task force, consisting of representatives from the Civil City, School City of Hammond, and Purdue University-Calumet, was formed to look into the development of an alternative educational opportunity for City residents. Eventually the task force evolved into the non-profit Hammond Urban Academy, Inc. Early on, the Masonic Temple was one of the original potential locations within the downtown, but it was deemed to be not cost effective. There was always the intent of locating the facility in downtown Hammond as a catalyst for ancillary redevelopment in the URA, bringing workers and visitors.

In 2005, the City again retained Ratio Architects, Inc. to complete a second reuse study of the building and Lawson & Elser, Inc. Engineering Consultants to perform a structural review of the building. The studies found that the building, which had been vacant since December 1999, had suffered extensive damage and was in extreme disrepair. The building contained hazardous materials, including PCB's, asbestos, an underground storage tank, and animal carcasses and excrement. The building, in its current condition, posed a threat to the health and safety of City residents. The analysis performed by Ratio Architects found that reuse of the building would not be feasible. According to the study, "A significant amount of selective demolition" would need to be done before and assessment could be made regarding the feasibility of reusing the building.

In 2008, the City concluded and determined that the Masonic Temple has deteriorated beyond the point of adaptive reuse, redevelopment, rehabilitation or renovation as it was cost prohibitive and not feasible. This left the City with no choice but to seek the demolition of the building providing for an opportunity to reuse the site for other land purpose(s) directly related and integrated into the redevelopment of the URA.

As the project changed and evolved, the Hammond Urban Academy, Inc. pursued the idea of developing a charter school as a joint venture between the Civil City of Hammond and Purdue University-Calumet. Under the authority granted by the state, Ball State University was added into the venture as it had the authority to issue the school a charter. A charter was granted in June of 2009. The Hammond Academy for Science and Technology ("HAST") is an accredited middle/high school for serving grades 6 through 12 ultimately, with the initial phase to serve grades 6 through 9, with a fully designed capacity of 550 students. The Academy uses the Comer Process, created by



James P. Comer, M.D., M.P.H., an East Chicago native, which provides a structure as well as a process for mobilizing adults to support students' learning and overall development.

The occupancy of the new HAST building in September 2011 will result in an anchor development for downtown Hammond.

Between April and December of 2009, the Commission worked with Teska Associates to analyze land use and potential development conditions in the URA specific to the downtown area. This study led to several recommendations for street improvements, parking facilities, street lighting, public sidewalk amenities, and other recommendations. As the business climate improves over time in the URA and in downtown Hammond, the location of convenient parking becomes a major development issue. For many years, the parcel at the southwest corner of Hohman Avenue and Sibley Street (affectionately called the "Goldblatt's site") has been used as a public gathering and event space. As of 2011, most of the area bounded by Hohman Avenue, Rimbach Street, Morton Court, and Sibley Street has been cleared of the structures as contemplated in the 1995 Plan Amendment. The future usage of this area is evolving and needs to respond to the changing land use conditions and the needs to develop a vibrant mixed-use downtown Hammond and the URA.

VI. ACTION ONE Specific changes to the 1995 Plan Amendment

A. In Section D. Specific Objectives of the Plan.

This Section is hereby amended to incorporate the seven (7) objectives identified in Section III above.

B. In Section B. Boundaries of the Urban Renewal Area.

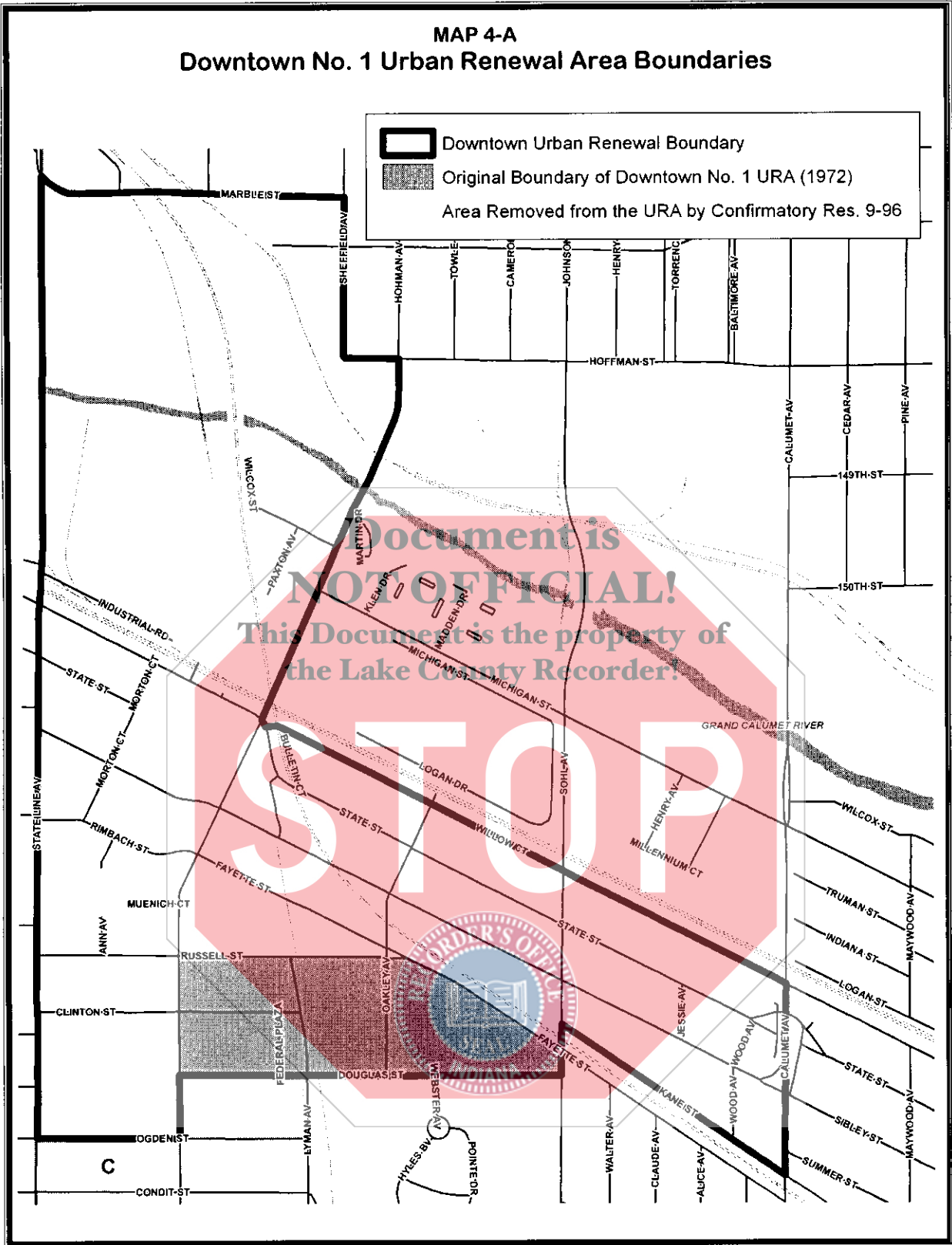
The boundaries of the URA are modified and amended as follows to incorporate the boundaries as adopted by City Council Resolution 7851 R.4 adopted and approved on March 12, 1996 and by the Commission's Confirmatory Resolution 9-96 adopted and approved on July 2, 1996. The modified and amended boundary description as reconciled is as follows:

Commencing at the north side of Ogden Street at State Line Avenue, running east to the centerline of Hohman Avenue as the **Point of Beginning**; thence along the centerline of Hohman Avenue north to the intersection with the centerline of Douglas Street; thence along the centerline of Douglas Street east to the centerline of Sohl Avenue; thence along the centerline of Sohl Avenue north to the centerline of Fayette Street; thence along the centerline of Fayette Street west to the west side of Sohl Avenue; thence along the west side of Sohl Avenue north to the northerly side of Kane Street; thence along the northerly side of Kane Street southeasterly to the west side of Calumet Avenue; thence along the west side of Calumet Avenue to the south side of Willow Court; thence along the south side of Willow Court northwesterly to the west side of Hohman Avenue; thence along the west side of Hohman Avenue northerly to the south side of Hoffman Street; thence along the south side of Hoffman Street west to the west side of Sheffield Avenue; thence along the west side of Sheffield Avenue north to the south side of Marble Street, thence along the south side of Marble Street and extended Marble Street right-of-way west to the Indiana-Illinois state line, thence south along the state line and State Line Avenue to the **Point of Beginning**, being the north side of Ogden Street.

See **MAP 4-A** titled Downtown No. 1 Urban Renewal Area Boundaries herein.



MAP 4-A:
Downtown No. 1 Urban Renewal Area Boundaries



C. In Section C. Land Use Districts

District C: Medical Center District

The provisions for District C are no longer applicable to the properties located south of Ogden Street as those properties are not included within the boundaries of the URA, as adopted in the 1995 Plan Amendment and as reconciled herein.

District G: Residential Improvement District

The provisions for District G are no longer applicable as the properties located within the boundaries of this district are not included within the boundaries of the URA, as adopted in the 1995 Plan Amendment and as reconciled herein.

Two new land use districts are hereby added into this section.

District K: Charter School Overlay District

The Charter School Overlay District is centered at Ann Avenue and Muenich Court and is an Overlay District over portions of **District A: Office and Commercial Core** which lies east of Ann Avenue and portions of **District H: Commercial Services District** which lies west of Ann Avenue. The boundaries are roughly defined as the east/west alley south of Rimbach Street on the north, the north/south alley between Hohman Avenue and Ann Avenue on the east, Russell Street on the south, and State Line Avenue on the west. The Charter School Overlay District is intended to be developed as a location for the urban academy and the ancillary services necessary for the HAST. Any properties within the boundaries that are not developed for educational or for HAST related purposes are subject to the respective provisions of the **District A** and **District H**.

District L: Open Space and Parking Facilities Overlay District

The Open Space and Parking Facilities Overlay District is bounded by Hohman Avenue, Rimbach Street, Morton Court, and Sibley Street and is an overlay district over portions of **District A: Office and Commercial Core**. The purpose of the Open Space and Parking Facilities Overlay District is to allow for open space and green space for active or passive recreational facilities; display of public art; outdoor space for public events, ceremonies, and organized gatherings; and public or private parking facilities. Green technology, permeable pavers, sensitive design, landscape buffers, or similar design features that allow for the flexible use of a parking field are encouraged.

Reference **MAP 1-A** titled Land Use Districts showing the various land use districts of the URA and this 2011 Plan Amendment which amends Map 1 in the 1995 Plan Amendment.

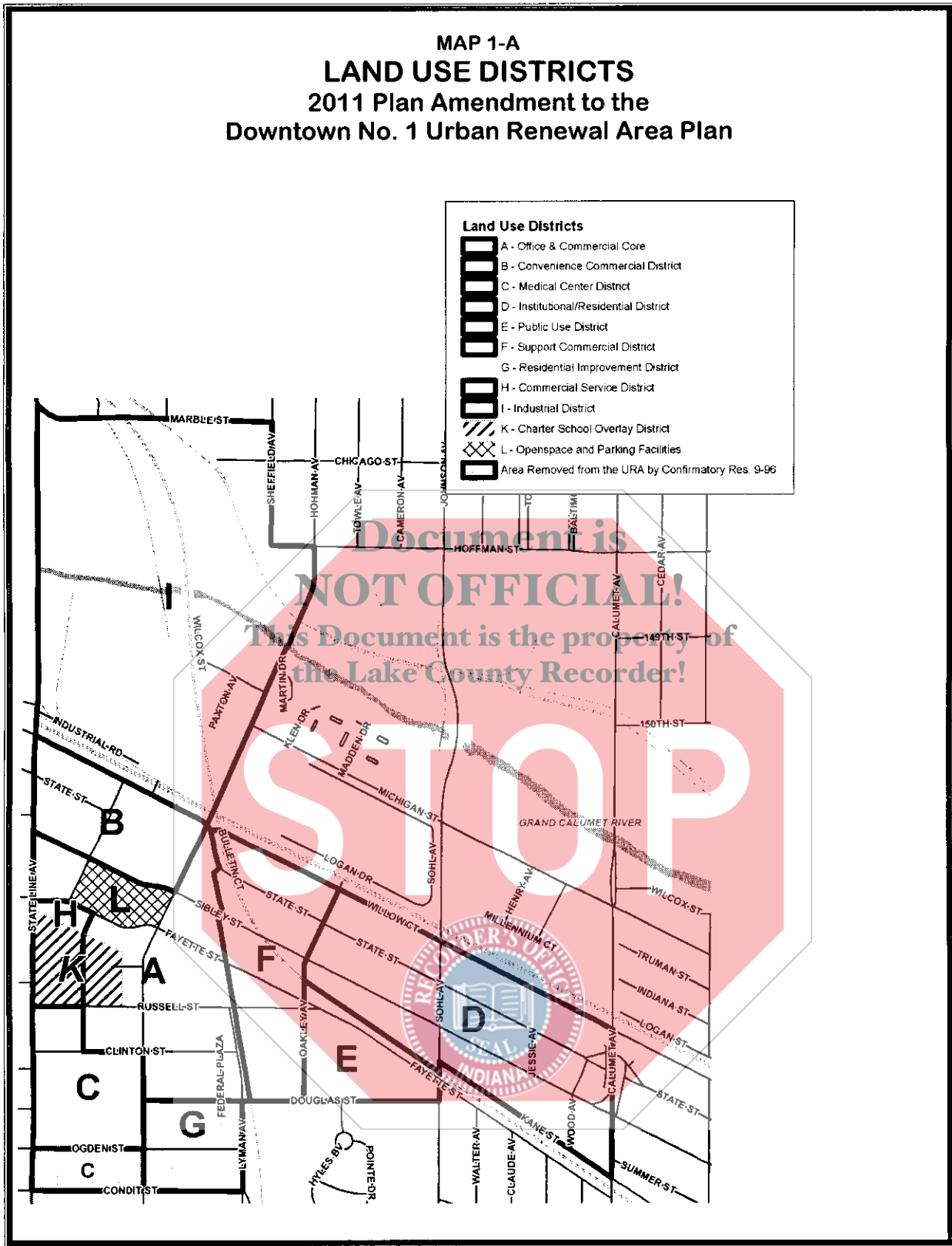
D. In II. Land Use Plan B. Proposed Activities.

Proposed activity Number 8 Re-Use Plan for the Masonic Temple Site is modified as follows:

8. **Re-Use Plan for the Masonic Temple Site**

The feasibility of the adaptive re-use of the Masonic Temple site was evaluated in two studies conducted by Ratio Architects in 1997 and 2002. It was determined that it was not feasible and cost effective to re-use the building. Therefore, it was determined that the building was substandard and it was demolished. The site was made available for redevelopment.

MAP 1-A:
Land Use Districts



Proposed activity Number 10 Public Infrastructure Improvements is modified as follows:

10. Public Infrastructure Improvements

Development within the area may require accompanying infrastructure improvements. Reconfiguration of streets and intersections; curb cuts; sidewalk improvements; handicapped accessibility; usage of paving materials that enhance the design or act as traffic control; consistent and/or themed public directional and wayfinding signage; sidewalk trees and public planters; and architecturally appropriate streetlighting are encouraged.

Proposed activities Number 13 to 16 are hereby added as follows:

13. Development of a Charter School

This activity is for the development of a charter school centered on the former Masonic Temple site and incorporates adjacent parcels as may be necessary. The charter school will consist of a structure or structures to house a middle/high school educational facility up to a designed capacity of 550 students.

14. Relocation of City Hall

In order to bring additional activity to the downtown area, the relocation of City Hall or departmental functions to existing underutilized office buildings in the URA may be considered.

15. Consolidation of Off-Street Parking

The parking area located behind the buildings fronting on the streets of Hohman Avenue, Russell Street, and Fayette Street should be consolidated under singular control in order to better utilize the existing parking. Relocation of or burying of public, quasi-public or private utilities should be considered in order to utilize the area to its maximum potential. Appropriate buffers and landscaping, green-paving technology should also be considered.

16. Flexible Parking/Public Space

The property at the southwest corner of Hohman Avenue and Sibley Street (formerly the "Goldblatt's site") may be developed as a parking field using permeable pavers and other alternative paving materials to provide for public parking as well as an outdoor event space. Appropriate buffering and landscaping is to be considered. Direct vehicular access from Hohman Avenue is not appropriate.

Reference **MAP 2-A** titled Proposed Activities showing the various land use districts of the URA and this 2011 Plan Amendment, which amends the Map 2 in the 1995 Plan Amendment.

E. In Section E. Development Standards

District C: Medical Center District

These development standards are no longer applicable to the properties located south of Ogden Street as these properties are not included within the boundaries of the URA, as adopted in the 1995 Plan Amendment and as reconciled herein.

District G: Residential Improvement District

These development standards are no longer applicable as the properties located within the boundaries of this district are not included within the boundaries of the URA, as adopted in the 1995 Plan Amendment and as reconciled herein..

District K: Charter School Overlay District

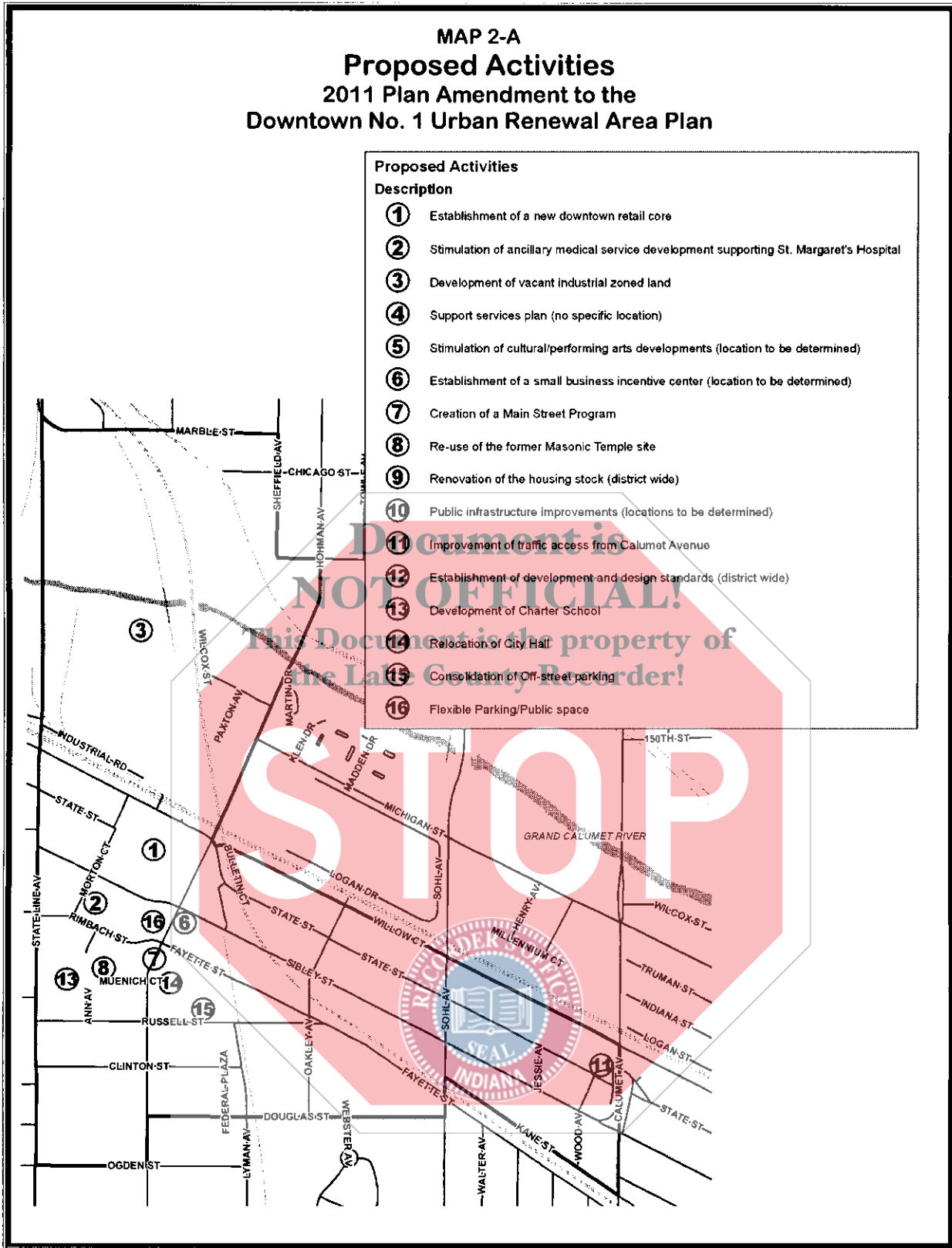
- i. The *Charter School Overlay District* is an overlay district for the purpose of developing the HAST and its ancillary services. Properties within the *Charter School Overlay District* that are not being developed for the HAST purposes are to be developed in accordance with the provisions for **District A: Office and Commercial Core** (east of Ann Avenue) or **District H: Commercial Service District** (west of Ann Avenue).
- ii. Permitted uses within the *Charter School Overlay District* include any use or structure necessary for the charter school and its ancillary services.
- iii. Portions of the streets and alleys within the *Charter School Overlay District* are to be vacated. The vacations of the rights-of-way shall be done so in accordance with the provision of the Board of Public Works and Safety and the City Engineer's office in order to maintain appropriate access to the charter school including client traffic, emergency services, utility services, sanitation services as well as similar appropriate access to any adjacent properties that are not being developed for the charter school purposes. The use of cul-de-sac's are encouraged.
- iv. Adequate parking shall be provided for school purposes on off-street lots that are designed, landscaped, and buffered in accordance with applicable zoning provisions.

District L: Open Space and Parking Facilities Overlay District

- i. In areas not developed for buildings as contemplated in **District A: Office and Commercial Core**, permitted uses of the property include: green space; open space for active or passive recreational facilities; display of public art; and space for public events, ceremonies, and organized gatherings. Appropriate fencing (such as "wrought iron" or contemporary equivalent) and appropriate landscaping is encouraged to provide for a buffer from the street, as well as an appropriate separation from the street traffic for public safety purposes.
- ii. In areas where parking is provided, the parking fields should be developed with green technology for drainage facilities including but not limited to permeable pavers, swales, rain gardens, etc. Parking fields are to be landscaped in accordance with the standards in the Zoning Ordinance. Usage of shade trees is encouraged. Adequate lighting and appropriate placement of landscaping to ameliorate concerns regarding public safety or act as a crime deterrent is encouraged.
- iii. A parking field located at Hohman Avenue should be screened from the street, and provide for handicapped accessibility. Direct vehicular access from Hohman Avenue is not appropriate.



Map 2-A
Proposed Activities

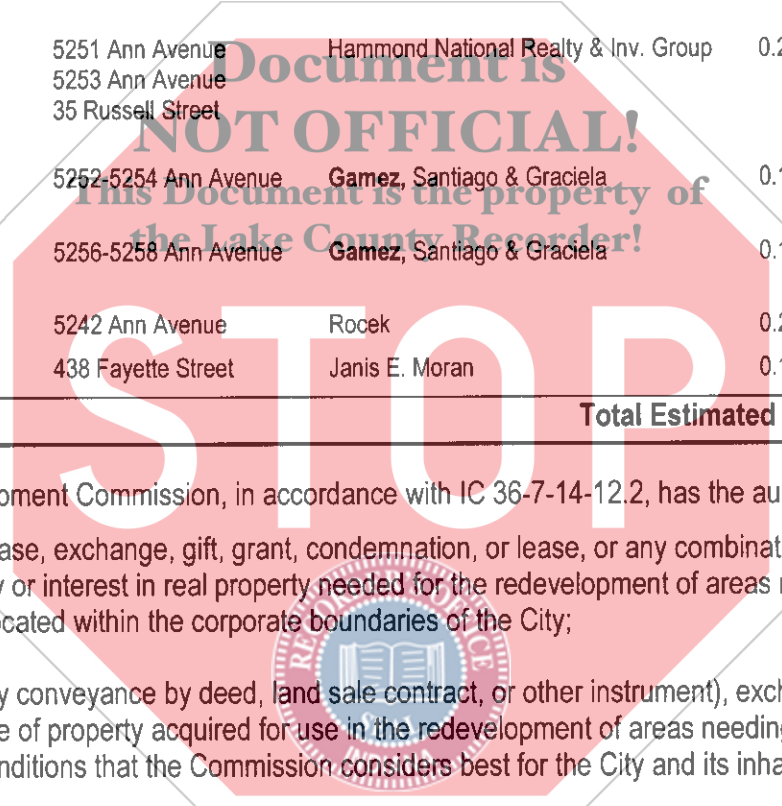


VII. ACTION TWO
Amendment to the Acquisition List

The Commission has determined that it is necessary to amend list of properties subject to acquisition by the Redevelopment Commission as shown originally in Table 1 titled "Land Acquisition Data" and Map 3 titled Land Acquisition Area of the 1995 Plan Amendment in order to acquire certain additional parcels located within the Downtown No. 1 Urban Renewal Area for the purposes of redeveloping certain properties in need of redevelopment in accordance with the land use provisions stated herein in the 2011 Plan Amendment and the 1995 Plan Amendment.

TABLE 1-A: Amended Land Acquisition Data

Real Property Key Number	Property Address	Owner (Most Current)	(Acres) Land Area	Estimated Cost of Acquisition
45-02-36-302-003.000-023 45-02-35-302-004.000-023	5247 Ann Avenue	Gamez, Santiago & Graciela	0.13	\$ 40,000
45-02-36-301-010.000-023 45-02-36-301-011.000-023	5248-5250 Ann Avenue	Gamez, Graciela (corr 4/14/08-OTD 7/	0.17	37,500
45-02-36-302-005.000-023	5249 Ann Avenue	Gamez, Santiago & Graciela	0.065	50,000
45-02-36-302-006.000-023 45-02-36-302-007.000-023 45-02-36-302-008.000-023	5251 Ann Avenue 5253 Ann Avenue 35 Russell Street	Hammond National Realty & Inv. Group	0.23	55,000
45-02-36-301-013.000.023	5252-5254 Ann Avenue	Gamez, Santiago & Graciela	0.17	20,000
45-02-36-301-.013.000-023	5256-5258 Ann Avenue	Gamez, Santiago & Graciela	0.17	65,000
45-02-36-301-014.000-023	5242 Ann Avenue	Rocek	0.21	80,000
45-02-36-184-006.000-023	438 Fayette Street	Janis E. Moran	0.10	125,000
			Total Estimated Cost	\$472,500



The Hammond Redevelopment Commission, in accordance with IC 36-7-14-12.2, has the authority and power to:

1. Acquire by purchase, exchange, gift, grant, condemnation, or lease, or any combination of methods, any personal property or interest in real property needed for the redevelopment of areas needing redevelopment located within the corporate boundaries of the City;
2. Hold, use, sell (by conveyance by deed, land sale contract, or other instrument), exchange, lease, rent, or otherwise dispose of property acquired for use in the redevelopment of areas needing redevelopment on the terms and conditions that the Commission considers best for the City and its inhabitants;
3. Sell, lease, or grant interests in all or part of the real property acquired for redevelopment purposes to any other department of the City or to any other governmental agency for public ways, levees, sewerage, parks, playgrounds, schools, and other public purposes on any terms that may be agreed on;



4. Clear real property acquired for redevelopment purposes;
5. Repair and maintain structures acquired for redevelopment purposes; and
6. Remodel, rebuild, enlarge, or make major structural improvements on structures acquired for redevelopment purposes.

The Commission may acquire real property through those procedures outlined in IC 36-7-14-19 and upon the approval and adoption of a list of real property and interests to be acquired.

The Commission has prepared **TABLE 1-A** titled "Amended Land Acquisition Data" as its list of real property to be considered for acquisition in addition to the list identified in the 1995 Plan Amendment. This amended Acquisition List is developed to clear real property and/or remodel, rebuild, enlarge, or make structural improvements to buildings within the Area to overcome the conditions of why an area is in need of redevelopment to improve the overall quality of life for the City.

The amended Acquisition List provided herein shall serve as a guide to focus redevelopment and rehabilitation economic and community development initiatives over the next ten-year period (2011 through 2020) and shall act as a stimulus to and catalyst for private and public investment in the URA. However, should the Commission find that additional acquisition of real property is necessary to reach the goals and objectives of this 2011 Plan Amendment or to implement this 2011 Plan Amendment; the Commission may amend this Acquisition List in accordance with the Act.

VIII. FUNDING, FINANCING, ALLOCATION AREA

This 2011 Plan Amendment does not alter or modify any existing funding, financing, or allocation area provisions established prior to its consideration and adoption.

IX. COMPLIANCE AND CONSISTENCY WITH OFFICIAL PLANS

During the preparation of the 2011 Plan Amendment, the Commission took measures to consider the official plans of the City. The 1992 Comprehensive/Land Use Plan and the Official Zoning Ordinance and Map were reviewed.

This 2011 Plan Amendment is in conformity with the Zoning Map and does not propose any property to be rezoned.

However, any rezoning of property is not precluded by this 2011 Plan Amendment should circumstances change and as determined by the Plan Commission and the City Council. If a land-use is proposed to the Commission which does not conform to the Zoning Ordinance, the Commission will notify the prospect of any requirement for the appropriate action to take place.

X. APPLICABILITY OF LAND USE OBJECTIVES, PROVISIONS AND REQUIREMENTS

Every reasonable effort will be made by the Commission to apply the land-use objectives, provisions, and requirements stated herein in an equitable manner to new development, rehabilitation, redevelopment and the retrofit or adaptive use of existing land or improvement and structures in the URA.

XI. OTHER FEDERAL, STATE, AND LOCAL REQUIREMENTS

Any determination by the Commission regarding a proposed development shall be subject to any applicable federal, state, and local provisions.

XII. PROCEDURE FOR MODIFICATION

This 2011 Plan Amendment may be modified or amended by the Commission at any time in accordance with the applicable statutory procedures pursuant to Indiana Code 36-7-14, Indiana REDEVELOPMENT LAW (the "Act").

XIII. RECORDING AND FILING

Office of the Lake County Recorder

In accordance with IC 36-7-14-17.5, after considering the evidence presented, the Commission shall take final action determining the public utility and benefit of this 2011 Plan Amendment by a confirming resolution. The final action taken by the Commission shall be recorded with the Office of the Lake County Recorder and is final and conclusive. The original date and recordation number stamped "Document on File" with the Office of the Lake County Recorder shall be filed with the Secretary of the Commission.

XIV. PUBLIC AVAILABILITY OF THE DOCUMENT

During the approval process initiated by the adoption and approval of a declaratory resolution of the Commission and upon approval as an official redevelopment and economic development planning policy of the City of Hammond, Indiana and the Hammond Redevelopment Commission, the City of Hammond will have copies of this 2011 Plan Amendment available for public for review and for purchase upon request to the Office of the Redevelopment Commission in care of the City of Hammond - Department of Planning and Development located at 649 Conkey Street, Hammond, Indiana 46324.

For further information related to this 2011 Plan Amendment, the public may contact the following Commission representative during the regular business hours (between 8:30 a.m. and 4:30 p.m. – Monday through Friday, except for City designated holidays):

Name of Representative

Phil Taillon, Executive Director
Department of Planning and Development

Telephone Number

(219)-853-6508



PREPARER'S AFFIRMATION STATEMENT

This form has been signed by the preparer of a document and recorded with each document in accordance with House Enrollment Act (HEA) 1114 – Redact Legislation.

A Declaration, County Form 170, was designed for the purpose of making the affirmation and was no longer required to be filed as of March 24, 2006. However, HEA 1114 requires an affirmation statement be included on the instrument. Whether or not the affirmation statement is required, it is unlawful for anyone under Indiana Code 36-2-7.5-2 to submit to the county recorder for recording or filing a document that contains the social security number of an individual, unless that social security number is required by law.

The law does not provide where the affirmation statement is to be located, however, the State Board of Accounts recommends¹ that the affirmation statement be located near (either before or after) the Preparer's statement and that maps, plats and surveys typically would be required to contain the affirmation statement.

Now therefore,

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."

NOT OFFICIAL!
This Document is the property of
the Lake County Recorder

Dan Botich
Signature of the Declarant

Dan Botich, Executive
Printed Name of the Declarant

Cender & Company L.L.C.
233 E. 84th Drive, Suite 103
Merrillville, IN 46410

8/4/2011
Date

¹ State Board of Accounts (State of Indiana) Memorandum dated June 22, 2006 by Bruce A. Hartman, C.P.A. and State Examiner.