

DOWNTOWN SOUTH BEND MUNICIPAL RIVERFRONT DISTRICT

LIQUOR LICENSE ELIGIBILITY REQUIREMENTS AND EVALUATION CRITERIA



DT DOWNTOWN
SB SOUTH BEND



APPROVAL PROCESS



1. Applicant completes the Riverfront License Application and submits it to Downtown South Bend, Inc. (DTSB) along with a copy of their completed ATC Application for New or Transfer permit.
2. The Riverfront License Review Committee will review the application electronically and then schedule a public meeting with the applicant.
3. The Riverfront License Review Committee will make a recommendation to either approve or deny. Approved applications will be forwarded to the Mayor's office - denied applications will not.
4. The approved applicant will enter into a written commitment/contract with the City to comply with any Local Rules and conditions that the City places on the operation (see eligibility requirements below). Full contract execution is ultimately contingent on Mayoral approval.
5. The mayor will review the recommendation of the Riverfront License Review Committee. If the mayor also approves, then the applicant will be provided with the approval letter from the Mayor needed for the ATC application.

WHO WILL BE INVOLVED?

1. The Applicant
2. Downtown South Bend, Inc. as a process coordinator
3. A 5-person Riverfront License Application Review Committee consisting of:
 - a. The Community Investment Director or designee.
 - b. City Council designee.
 - c. A member of the Redevelopment Commission.
 - d. A DTSB representative
 - e. A mayoral designee.
4. The Mayor





ELIGIBILITY REQUIREMENTS

In addition to complying with all building, health, zoning laws, ordinances and all rules and regulations of the Indiana State Alcohol and Tobacco Commission (ATC), local, state, and federal government applicants must also meet the following local requirements annually in order to be eligible to apply or renew:

1. Applicant's establishment must be located within the Downtown South Bend Municipal Riverfront Development District boundaries.
2. The focus of operation must be on a dining, or cultural experience rather than an alcohol consumption experience.
3. Beverages must be served in glass containers.
4. Patrons consume food at either a counter or a table.
5. Must be a non-smoking establishment (exception made for upscale cigar lounge).
6. Cannot be a private club, nightclub, or adult entertainment venue.
7. No temporary exterior signage will be permitted. Permanent, attached signage is required.
8. Establishments located within the district with an existing 3-way license may not sell their
9. existing license in order to apply for a 221-3 Riverfront license. There will be a minimum 1-year wait between the time any business with an existing license sells their license and will be able to apply for a new license.
10. Applicant must agree to pay an annual community partnership or administration fee of \$1,000 to Downtown South Bend, Inc.





EVALUATION CRITERIA

The recommendation to the mayor will be based on how strongly the committee determines:

1. Granting of the license will benefit the purposes of the district, i.e. to become a cultural and dining destination for the region.
2. Granting of the license and the business activity will not be detrimental to the property values and business interests of others in the district.

The above will be evaluated based on the strength of the following: 1. The Physical Location

2. The Operation Itself
3. The Economic Impact
4. Reputation/Experience of Ownership

I/We certify that I/We have read and understand the above eligibility requirements and evaluation criteria.

Applicant

Date



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APPLICATION

DOWNTOWN SOUTH BEND MUNICIPAL RIVERFRONT DISTRICT LIQUOR LICENSE

6. Please outline any other factors that will aid the Riverfront License Review Committee in the consideration of your application.

7. Please provide information on the number of jobs this operation will add to or be retained within the City of South Bend.

8. Explain how you will jointly market your restaurant with other restaurants in the District, and how you will work with the community.

9. Describe how your restaurant will draw people to downtown South Bend, specifically the riverfront area.

10. Please verify that you do not currently hold or have held an active 3-way license for this location within the past 12 months.





APPLICATION

DOWNTOWN SOUTH BEND MUNICIPAL RIVERFRONT DISTRICT LIQUOR LICENSE

Please submit this form and all attachments to: Riverfront License Review Committee C/O Downtown South Bend, Inc. 217 S. Michigan Street, South Bend, NI 46601.

Please attach:

1. Your completed Indiana State form entitled "Application for New or Transfer Permit" and any attachments.
2. A signed copy of the Eligibility Requirements & Evaluation Criteria sheet.
3. A copy of the executive summary of your business plan (should include financial and ownership strengths).
4. A copy of your proposed permanent signage.
5. A tentative food and drinks menu.

Permits are not transferable, not portable within or without the District and any renewal is subject to compliance with the terms of these local rules and any agreement negotiated with the Riverfront License Review Committee. The permits shall not be pledged as collateral or subject to any lien, judgment, property settlement agreement, or third-party claim.

APPLICANT'S CERTIFICATION

The Applicant certifies that all information in this application and all information furnished in support of this application are true and complete to the best of the Applicant's knowledge and belief. I have read and understand the procedures and agree to follow the Riverfront License Review Committee Process. I am submitting documentation as requested.

Applicant

Date





FREQUENTLY ASKED QUESTIONS

I hear that it is possible to apply for a 3-way license in parts of Downtown South Bend that only costs \$1,000. Is this true?

- Yes, within the boundaries of the defined Municipal Riverfront Development District.

What in the world is a Municipal Riverfront Development District (District)?

- A district where 3-way licenses are made available to eligible establishments for \$1,000 as a way to spur development near a river.

How did South Bend find a way to create this District?

A piece of state legislation made it available and the Common Council approved the District with the goal of spurring development in the District.

Where can I see a map of the District?

- A map showing the boundaries of the Municipal Riverfront Development District is available at the following [link](#).

Where can I find a copy of the local ordinance establishing the District?

- You can find a copy of the ordinance at the following [link](#).

Does my business need to be located next to the river to be eligible?

- Your space can be up to 3 blocks or 3,000 feet from the river as long as it is located within the defined Municipal Riverfront Development District boundaries.





FREQUENTLY ASKED QUESTIONS

Are there any locations within the District that might not be eligible?

- Yes. The same state restrictions apply within the District as outside the District. For instance, if your desired location falls within 200 feet of a church or a school, you will need to go through the variance process to see if you might be granted an exception.

Why isn't the District bigger?

For two reasons:

1. The District was developed as a tool to encourage the development in such a way that builds critical mass in a defined area.
2. The District had to meet certain criteria as defined by the Indiana State Code such as be within 3,000 feet or three blocks from the river and fall within a redevelopment area.

What types of establishments was the District designed to attract?

- Dining and cultural establishments.

Is there any limit to the number of riverfront licenses that can be issued within the District?

- No. The idea behind the District is to further cement downtown as a destination for dining, and culture, by encouraging rather than limiting these types of establishments. There are, however, requirements above and beyond those set by the Alcohol and Tobacco Commission (ATC) that any business applying for a riverfront license must meet. Thus the limitations are not about numbers but type.

What is the role of Downtown South Bend, Inc. (DTSB)?

- DTSB administrates the local Riverfront Application Review process.

How do I contact DTSB?

- You may phone DTSB at 574-282-1110 during regular business hours.





FREQUENTLY ASKED QUESTIONS

How will I know if my business concept is eligible?

- Review the eligibility requirements at the following link. You may also schedule a meeting with DTSB to review the requirements.

Who issues the license?

- The license is issued by the state of Indiana through the Alcohol and Tobacco Commission.

How much does a 3-way riverfront license cost?

- \$1,000 payable to the state.

Why is it a requirement that those with riverfront licenses maintain a community partnership with Downtown South Bend, Inc.?

- DTSB spearheaded the initiative to establish the District and administers the program to acquire a license. One of the purposes of the District is to free up funds for marketing that would otherwise be spent on the acquisition of the license itself. Businesses save on average \$58,000 in startup costs. The \$1,000 annual community partnership donation/ administrative fee to DTSB, helps make this program possible.

How do I pay my community partnership or administrative fee to Downtown South Bend, Inc.?

- Businesses will be invoiced annually by Downtown South Bend, Inc. and payment can be made by check or cash. Online payments will incur an additional 4% processing fee.



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FREQUENTLY ASKED QUESTIONS

What are the steps to apply?

1. Check to see that your location is within the District and that you meet the local requirements.
2. Fill out the ATC Application for New or Transfer Permit and submit it in duplicate with payment to the ATC.
3. Fill out the local application form and submit it to DTSB along with the requested attachments (including a copy of your ATC application).
4. Meet with the local Riverfront License Review Committee (scheduled for you by DTSB).
5. If your application is approved, a copy of the Mayor's approval letter will be sent to the ATC.
6. Appear before the local alcoholic beverage board for their recommendation.
7. Submit to a final inspection of the premises by the State Excise Police.

How long will it take for me to go through the local approval process?

- Typically no longer than 30 days from the submission of a completed application.

How long does it typically take to receive approval from the State?

- Typically, 90-120 days from submission of a completed application.

I am in a hurry. Do I need to wait for local approval before I send my application to the ATC?

- No. You may submit your completed application to the ATC along with the required attachments and a note indicating that the letter from the Mayor is to follow. If you are approved at the local level, we will send the letter directly to the ATC for you.

If I do not receive local approval for a riverfront license am I still eligible to apply for a regular 221-3 license from the State?

- Yes.





FREQUENTLY ASKED QUESTIONS

Where can I find the Application for a New or Transfer Permit?

- You can find this form on the ATC website in the following location:
<http://www.in.gov/atc/24O9.htm>

How do I indicate to the State that I wish to apply for a Riverfront license?

- At the bottom of page 3 of the ATC Application for New or Transfer Permit check "Yes" in the section titled "AIRPORT, REDEVELOPMENT, RIVERFRONT, RAILWAY STATION, CULTURAL CENTER" and then fill in the word "Riverfront" in the blank.

When applying for a riverfront license do I need to send additional documents along with my completed Application for New or Transfer Permit?

- Yes. You will need to send:
 - a copy of the local ordinance,
 - an aerial map showing the entire boundaries of the District with the location of your establishment clearly marked, and
 - a letter from the Mayor in support of their application*

* This letter is obtained through the local Riverfront Application Review process and will be provided if your local application is approved.

I am located within the District and I have an operational 3-way license now. Can I sell it and apply for a riverfront license?

- No. This program is only for new licenses.

I am located within the District and I have an operational 2-way license now. I would love a 3-way license. Can I apply for a riverfront license if I meet the eligibility requirements?

- Yes.

Can I sell my Riverfront license to anyone else once I have it?

- No, unlike a regular 221-3 license, the Riverfront license cannot be sold or transferred.

