

Ordinance No. 12-67

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, APPROVING THE PROPOSED COOK COUNTY TAX INCREMENT FINANCING REDEVELOPMENT PLAN**

**WHEREAS**, the Village President and Board of Trustees (collectively, the "*Corporate Authorities*") of the Village of East Dundee, Cook and Kane Counties, Illinois (the "*Municipality*"), have determined that the stable economic and physical development of the Municipality is endangered by the presence of blighting factors as often manifested by progressive and advanced deterioration of structures, by a lack of physical maintenance of such structures, by obsolete and inadequate community facilities, by obsolete platting, and by deleterious land use and layout, all of which impair the value of private investments, threaten the sound growth and the tax base of the Municipality and the taxing districts having the power to tax real property in the Municipality (the "*Taxing Districts*"), and threaten the health, safety, morals, and welfare of the public; and,

**WHEREAS**, the Corporate Authorities have determined that in order to promote and protect the health, safety, morals, and welfare of the public, blighted conditions in the Municipality need to be eradicated and redevelopment of the Municipality be undertaken in order to remove and alleviate adverse conditions, encourage private investment, and restore and enhance the tax base of the Municipality and the Taxing Districts; and,

**WHEREAS**, the Municipality has authorized an eligibility study to determine whether the proposed Cook County Redevelopment Project Area (the "*Proposed Area*") qualifies as a "redevelopment project area" pursuant to the Illinois Tax Increment Allocation Redevelopment Act (the "*TIF Act*") 65 ILCS 5/11-74.4-1, *et seq.*; and,

**WHEREAS**, the Municipality has heretofore evaluated various lawfully available programs to provide such assistance and has determined that the use of tax increment allocation

financing is necessary to achieve the redevelopment goals of the Municipality for the Proposed Area; and,

**WHEREAS**, the Municipality has been advised by Vandewalle & Associates in May of 2012 that the Proposed Area qualifies as a "redevelopment project area" under Section 11-74.4-3 of the TIF Act; and,

**WHEREAS**, it is therefore concluded by the Corporate Authorities that the Proposed Area remains qualified as a "redevelopment project area" under Section 11-74.4-3 of the TIF Act as of the date hereof; and,

**WHEREAS**, the Municipality has further caused the preparation of and made available for public inspection the *Redevelopment Project Plan and Eligibility Report for the Cook County Project Area* which includes a proposed redevelopment plan for the Proposed Area (the "Plan"); and,

**WHEREAS**, the Plan sets forth in writing the program to be undertaken to accomplish the objectives of the Municipality and includes estimated redevelopment project costs proposed for the Proposed Area, evidence indicating that the Proposed Area on the whole has not been subject to growth and development through investment by private enterprise, an assessment of the financial impact of the Proposed Area on or any increased demand for services from any taxing district affected by the Plan, any program to address such financial impact or increased demand, the sources of funds to pay costs, the nature and term of any obligations to be issued, the most recent equalized assessed valuation of the Proposed Area, an estimate as to the equalized assessed valuation after redevelopment, the general land uses to apply in the Proposed

Area, and a commitment to fair employment practices and an affirmative action plan, and the Plan accordingly complies in all respects with the requirements of the TIF Act; and,

**WHEREAS**, pursuant to Section 11-74.4-5 of the TIF Act, the Corporate Authorities by an ordinance adopted the 4<sup>th</sup> of June, 2012, called a public hearing (the "*Hearing*") relative to the Plan and the designation of the Proposed Area as a redevelopment project area under the TIF Act, and fixed the time and place for such Hearing for the 30th day of July, 2012, at 5:00 p.m., at the Village Hall, Village of East Dundee, 120 Barrington Avenue, East Dundee, Illinois; and,

**WHEREAS**, due notice in respect to such Hearing was given pursuant to Sections 11-74.4-5 and 11-74.4-6 of the TIF Act, said notice, together with a copy of the Plan, was sent to the Taxing Districts and to the Illinois Department of Commerce and Economic Opportunity of the State of Illinois by certified mail on \_\_\_\_\_, 2012, was published on \_\_\_\_\_ and \_\_\_\_\_, and sent by certified mail to taxpayers within the Proposed Area on \_\_\_\_\_, 2012; and,

**WHEREAS**, the Municipality has established and gave public notice of an "interested parties registry" for the Proposed Area in compliance with the requirements of the TIF Act; and,

**WHEREAS**, the Municipality gave such notice to all persons and organizations who have registered for information with such registry, all in the manner and at the times as provided in the TIF Act; and,

**WHEREAS**, the Municipality gave due notice of the availability of the Plan to all residents within 750 feet of the boundaries of the Proposed Area, in compliance with the requirements of the TIF Act; and,

**WHEREAS**, the Municipality convened a Joint Review Board on June 25, 2012, as required by and in all respects in compliance with the provisions of the TIF Act; and,

**WHEREAS**, the Joint Review Board met at the time and as required by the TIF Act, and reviewed the public record, planning documents, and a form of proposed ordinance approving the Plan; and,

**WHEREAS**, the Joint Review Board adopted by a majority vote an advisory, non-binding recommendation that the Municipality proceed to implement the Plan and to designate the Proposed Area as a redevelopment project area under the TIF Act; and,

**WHEREAS**, the Joint Review Board based its decision to approve the proposal on the basis of the Proposed Area satisfying the eligibility criteria defined in Section 11-74.4-3 of the TIF Act, all as provided in Section 11-74.4-5(b) of the TIF Act; and,

**WHEREAS**, the Municipality held the Hearing on July 30, 2012, at the Village Hall, Village of East Dundee, 120 Barrington Avenue, East Dundee, Illinois; and,

**WHEREAS**, at the Hearing, any interested party or affected Taxing District was permitted to file with the Municipal Clerk written objections and was heard orally in respect to any issues embodied in the notice of said Hearing, and the Municipality heard and determined all protests and objections at the Hearing; and,

**WHEREAS**, the Hearing was adjourned on the 30th day of July, 2012; and,

**WHEREAS**, the Plan set forth the factors which cause the Proposed Area to be a blighted area, and the Corporate Authorities have reviewed the information concerning such factors presented at the Hearing, and are generally informed of the conditions in the Proposed Area which could cause the area to be a "blighted area," as defined in the TIF Act; and,

**WHEREAS**, the Corporate Authorities have reviewed evidence indicating that the Proposed Area on the whole has not been subject to growth and development through investment by private enterprise, and have reviewed the conditions pertaining to lack of private investment in the Proposed Area to determine whether private development would take place in the Proposed Area as a whole without the adoption of the proposed Plan; and,

**WHEREAS**, the Corporate Authorities have reviewed the conditions pertaining to real property in the Proposed Area to determine whether contiguous parcels of real property and improvements thereon in the Proposed Area would be substantially benefited by the proposed Project improvements; and,

**WHEREAS**, the Corporate Authorities have made an assessment of any financial impact of the Proposed Area on or any increased demand for services from any Taxing District affected by the Plan, and any program to address such financial impact or increased demand; and,

**WHEREAS**, the Corporate Authorities have reviewed the proposed Plan and the existing comprehensive plan for development of the Municipality as a whole, to determine whether the proposed Plan conform to the comprehensive plan of the Municipality.

**NOW THEREFORE, BE IT ORDAINED** by the President and the Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

***Section 1. Findings.*** The Corporate Authorities hereby make the following findings:

- (a) The Proposed Area is legally described in *Exhibit A*, attached hereto and incorporated herein as if set out in full by this reference. The map of the Proposed Area showing the street location is depicted in *Exhibit B*,

attached hereto as and incorporated herein as if set out in full by this reference.

- (b) There exist conditions which cause the Proposed Area to be subject to designation as a redevelopment project area under the TIF Act and to be classified as a blighted area, as defined in Section 11-74.4-3 of the TIF Act.
- (c) The Proposed Area on the whole has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Plan.
- (d) The Plan conform to the comprehensive plan for the development of the Municipality as a whole.
- (e) As set forth in the Plan and in the testimony at the public hearing, the estimated date of completion of the Project is December 31, 2035, and the estimated date of the retirement of any obligation incurred to finance redevelopment project costs as defined in the Plan is December 31, 2035.
- (f) The parcels of real property in the Proposed Area are contiguous, and only those contiguous parcels of real property and improvements thereon which will be substantially benefited by the proposed Project improvements are included in the Proposed Area.

***Section 2. Exhibits Incorporated by Reference.*** The Plan entitled, “*Redevelopment Project Plan and Eligibility Report for the Cook County Project Area*” which were the subject

matter of the public hearing held on the 30th day of July, 2012, are hereby adopted and approved. A copy of the Plan is set forth in *Exhibit C*, attached hereto and incorporated herein.

**Section 3. Invalidity of Any Section.** If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

**Section 4. Superseder and Effective Date.** All ordinances, resolutions, motions, or orders in conflict with this Ordinance are repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.


**ADOPTED** this 20<sup>th</sup> day of August 2012, pursuant to a roll call vote as follows:

AYES: 7 - Trustees Ruffalo, Gorman, Lynam, Miller, VanOstenbruge, Skellicorn & Pres. Bartels

NAYS: 0

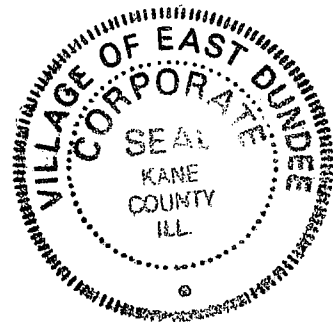
ABSENT: 0

**APPROVED:**

  
President

*Attest:*

  
Village Clerk



**EXHIBIT A**

**Legal Description**



**EXHIBIT B**  
**Project Area Boundary**

**EXHIBIT C**

**Plan**  
**(see attached)**

**LEGAL DESCRIPTION FOR THE COOK COUNTY TIF**

THAT PART OF THE EAST HALF OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE WEST HALF OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE AND COOK COUNTIES, ILLINOIS, DESCRIBED AS FOLLOWS:

LOTS 3 THRU 11 IN ROCK ROAD BUSINESS PARK, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

LOT 1 IN ROCK ROAD INDUSTRIAL SUBDIVISION UNIT 3, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF DUNDEE, KANE COUNTY, ILLINOIS (EXCEPT THAT PART OF LOT 1 LYING WITHIN ROCK ROAD BUSINESS PARK, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.)

**PARCEL "A"**

THAT PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF LOT 2 IN ROCK ROAD INDUSTRIAL SUBDIVISION UNIT NO. 1, SAID POINT BEING 66.0 FEET WESTERLY OF (MEASURED NORMAL TO) THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 0 DEGREES 16 MINUTES 07 SECONDS EAST, PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER 400.00 FEET; THENCE NORTH 80 DEGREES 26 MINUTES 00 SECONDS WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT 2, 400.00 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 16 MINUTES 07 SECONDS WEST, 374.66 FEET TO A POINT 25.0 FEET NORTHERLY OF (MEASURED NORMAL TO) THE NORTH LINE OF SAID LOT 2; THENCE NORTH 80 DEGREES 26 MINUTES 00 SECONDS WEST, 473.68 FEET TO A POINT ON A LINE 60.0 FEET EAST OF (MEASURED NORMAL TO) AND PARALLEL TO THE EAST LINE OF PREMISES CONVEYED TO JAMES K. SMITH BY DEED DATED FEBRUARY 3, 1861 AND RECORDED FEBRUARY 7, 1881 IN BOOK 200, PAGE 253 AS DOCUMENT NO. 13594; THENCE SOUTH 0 DEGREES 18 MINUTES 00 SECONDS WEST ALONG SAID PARALLEL LINE 25.33 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE NORTH 80 DEGREES 26 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 2, 60.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, AND THE EAST LINE OF SAID SMITH TRACT; THENCE NORTH 0 DEGREES 18 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF SAID SMITH TRACT, 450.00 FEET; THENCE SOUTH 75 DEGREES 13 MINUTES 49 SECONDS EAST, 544.56 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

**PARCEL "B"**

THE SOUTH HALF OF LOT 1 AND THE SOUTH 5 ACRES OF THE NORTH HALF OF SAID LOT 1 (EXCEPT THAT PART OF SAID LOT 1 AND OF SAID SOUTH 5 ACRES LYING SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF HEALY ROAD) IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS ALSO THE SOUTH HALF OF LOT 2 AND THE SAID SOUTH 5 ACRES OF THE NORTH HALF OF SAID LOT 2 (EXCEPT THAT PART OF SAID LOT 2 AND OF SAID SOUTH 5 ACRES LYING SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF HEALY ROAD) IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

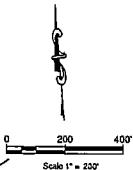
**PARCEL "C"**

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE NORTH RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE 72 AND COMMONLY KNOWN AS NEW HIGGINS ROAD AND WESTERLY OF THE EASTERLY RIGHT OF WAY LINE OF HEALY ROAD, IN COOK COUNTY, ILLINOIS.

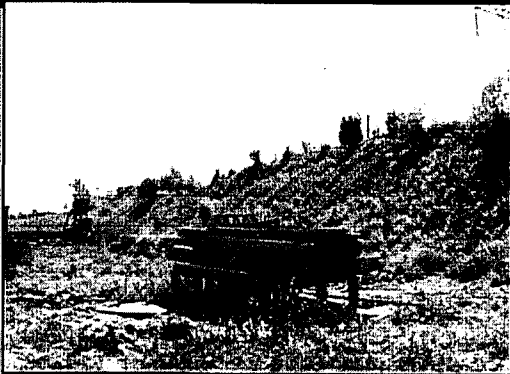
ALSO THAT PART OF DEDICATED HEINZ DRIVE, COMMONWEALTH DRIVE, AND ILLINOIS STATE ROUTE 72 RIGHT OF WAY ADJACENT TO THE ABOVE DESCRIBED PARCELS.

ALSO POWER DRIVE RIGHT OF WAY AS DEDICATED IN ROCKY ROAD POWER SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS, RECORDED AS DOCUMENT NO. 1999K018491, ON FEBRUARY 19<sup>TH</sup>, 1999.

1501



DATE:	4/4/2012
JOB NO.:	ED-1945
SCALE:	1"=200'
SHEET	1 OF 1



Redevelopment Project Plan and Eligibility Report for the:  
Cook County Project Area

## Village of East Dundee, Illinois

August 16, 2012

Created By:  
Vandewalle & Associates  
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## TABLE OF CONTENTS

Table of Contents .....	i
Executive Summary .....	1
<b>Part I: Redevelopment Project and Plan .....</b>	<b>5</b>
A. Project Background.....	6
1. <i>Redevelopment Project Objectives</i> .....	6
2. <i>Redevelopment Project Activities</i> .....	7
B. Itemized List of Estimated Redevelopment Project Costs.....	8
C. Eligible Project Costs.....	8
D. Lack of Growth and Development through Private Enterprise .....	14
E. Financial Impact of the Redevelopment Project on the Taxing Districts.....	14
F. Demand on Taxing District Services .....	14
G. Source of Funds to Pay Costs .....	15
H. Issuance of Obligations – Nature and Term .....	16
I. Equalized Assessed Value of Redevelopment Project Area.....	16
J. Equalized Assessed Value after Redevelopment and General Land Uses.....	17
K. Generalized Land Use Plan .....	17
L. Fair Employment Practices and Affirmative Action Plan .....	17
M. Industrial Park Conservation Area .....	17
N. Annexation of Property by the Municipality .....	17
O. Redevelopment Project and a Strategy for its Implementation .....	17
1. <i>Proposed Land Uses</i> .....	18
2. <i>Public Infrastructure</i> .....	18
3. <i>Acquisition and Relocation</i> .....	18
4. <i>Disposition of Property</i> .....	18
5. <i>Renovation of Commercial and Industrial Properties</i> .....	19
6. <i>Displacement of Inhabited Residential Units</i> .....	19
P. Conformity to the Comprehensive Plan.....	19
Q. Provisions for Amending this Plan.....	19
R. Scheduling of the Redevelopment Project and Plan.....	20
<b>Part II: Eligibility Report .....</b>	<b>21</b>
A. Basis for Redevelopment .....	22
B. Redevelopment Project Area.....	23
C. Project Area Description.....	23
D. Eligibility Survey and Analysis Findings .....	23
E. Improved Area.....	23
1. <i>Obsolescence</i> .....	24
2. <i>Deterioration</i> .....	24
3. <i>Deleterious Land-Use or Layout</i> .....	25
4. <i>Lack of Community Planning</i> .....	25
5. <i>Excessive Land Coverage</i> .....	25
6. <i>Decline or Low Growth Rate in Equalized Assessed Value</i> .....	26
F. Vacant Area .....	26
1. <i>Unused Quarried, Mines, or Stripe Mine Ponds</i> .....	26
G. DETERMINATION OF RPA ELIGIBILITY .....	27



<b>Appendices .....</b>	<b>29</b>
Appendix I: Legal Description and Boundary Map of RPA.....	30
Appendix II: Map of Parcel Identification Numbers included in the RPA .....	35
Appendix III: List of Parcel Identification Numbers included in the RPA .....	39
Appendix IV: Future Land Use Map.....	40

# EXECUTIVE SUMMARY

The purpose of the Redevelopment Project and Plan (the "Plan") discussed in Part I of this document is to provide a comprehensive program for the Village of East Dundee (the "Village") to promote sound growth and development in an area established as a Redevelopment Project Area ("RPA") as defined by the Tax Increment Allocation Redevelopment Act (the "Act"). (65 ILCS 5/11-74.4-1, et seq.)

The Act has been established to assist Illinois municipalities to "promote and protect the health, safety, morals, and welfare of the public, that blighted conditions need to be eradicated and conservation measures instituted, and that redevelopment of such areas be undertaken; that to remove and alleviate adverse conditions it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in such areas by the development or redevelopment of project areas." (65 ILCS 5/11-74.4-2(b))

The Eligibility Report for the "Cook County" RPA included in Part II of this document can be used to support the establishment of a RPA as a Blighted Area with regard to improved and vacant parcels. The Act states "on and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where "if improved, industrial, commercial and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of five or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area." (65 ILCS 5/11-74.4-3(a))

The Blight Factors for improved parcels (the "factors") include:

1. Dilapidation
2. Obsolescence
3. Deterioration
4. Presence of Structures Below Minimum Code Standards
5. Illegal Use of Individual Structures
6. Excessive Vacancies
7. Lack of Ventilation, Light, or Sanitary Facilities
8. Inadequate Utilities
9. Excessive Land Coverage and Overcrowding of Structures and Community Facilities
10. Deleterious Land-Use or Layout
11. Lack of Community Planning
12. Illinois Environmental Protection Agency ("IEPA") or United States Environmental Protection Agency ("U.S. EPA") Issues
13. Decline of the Equalized Assessed Value of the Proposed Redevelopment Project Area three of the last five years, or Growth of the Equalized Assessed Value of the Proposed Redevelopment Project Area at a lesser rate than that of the Municipality

The Act states that "if vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains." (65 ILCS 5/11-74.4-3(a)(2))

The Blight Factors for vacant parcels (the "factors") include:

1. Obsolete Platting
2. Diversity of Ownership
3. Tax and Special Assessment Delinquency
4. Deterioration of Structures or Site Improvements in Neighboring Areas Adjacent to the Vacant Land

5. The Area has Incurred Illinois EPA or U.S. EPA Issues
6. Decline of the Equalized Assessed Value of the Proposed Redevelopment Project Area three of the last five years, or Growth of the Equalized Assessed Value of the Proposed Redevelopment Project Area at a lesser rate than that of the Municipality

The Act states that "if vacant, the sound growth of the redevelopment project area is impaired by one of the following factors, that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains" (65 ILCS 5/11-74.4-3(a)(3)).

The Blight Factors (the "factors") for vacant parcels include:

1. Unused Quarries, Mines, or Strip Mine Ponds
2. Unused Railways, Rail Tracks, or Railroad Right-of-Ways
3. Chronic Flooding or Surface Water Discharges
4. Unused or Illegal Disposal Site
5. Identified as Town or Village Center
6. Qualified as Blighted Improvement immediately prior to becoming Vacant

The resources used to define and qualify each of the factors in the boundaries of the proposed RPA include independent research, site surveys, and discussions with Village staff.

The Eligibility Report provides support that the proposed RPA meets the requirements of the Act and should be considered eligible for designation as a Blighted Area. This support includes findings that at least five or more of the factors are reasonably distributed throughout the improved parcels within the proposed RPA and are present to a meaningful extent.

The Eligibility Report and the Redevelopment Project and Plan (the "Designation Reports") were prepared in conjunction with each other and will outline the following:

- The proposed RPA meets the requirements set forth in the Act to be designated as a Blight Area. (65 ILCS 5/11-74.4-1, et seq.)
- With regard to improved parcels, of the thirteen factors identified in the Act, the presence of six of the thirteen factors is present to a Meaningful Extent and these factors are reasonably distributed throughout the proposed RPA
- With regard to vacant parcels, a large portion of the proposed RPA consists of vacant and unused former mining and quarry operations. Vacant mining and quarry operations are present to a meaningful extent and are reasonably distributed throughout the vacant part of the redevelopment project area.
- The area is in need of revitalization and guided growth to ensure that it will contribute to the long-term physical, economic, and social well-being for the Village
- The decline of areas in need of redevelopment "impairs the value of private investment and threatens the sound growth and the tax base of the taxing districts in such areas". (65 ILCS 5/11-74.4-2(a))
- The area is not likely to be appropriately redeveloped without public assistance

As defined in the Act "no redevelopment plan shall be adopted unless a municipality complies with all of the following requirements: the Act (65 ILCS 5/11-74.4-3(n)(j))

1. "The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan". (65 ILCS 5/11-74.4-3(n)(1))
2. "The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the

redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality". (65 ILCS 5/11-74.4-3(n)(2))

3. "The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981...". (65 ILCS 5/11-74.4-3(n)(3))

In addition to outlining the criteria needed to implement the Plan as defined by the Act, (65 ILCS 5/11-74.4-3(n)(J) et seq.) the Plan also includes the following:

- Provisions for amending the Plan
- Scheduling of the Plan

The following resources are included in the Appendices of this report:

Appendix I: Legal Description and boundary map of the proposed RPA

Appendix II: RPA Parcel Identification Map

Appendix III: RPA list of Parcels and EAVs

Appendix IV: RPA Land Use Map from the Comprehensive Plan

# **PART I: REDEVELOPMENT PROJECT AND PLAN**

## A. Project Background

The Plan as defined, "means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area". (65 ILCS 5/11-74.4-3(n) et seq.)

The proposed Cook County RPA is approximately 122 acres of land (excluding roadway infrastructure) located in an area on the far east side of the Village of East Dundee along the north side of Illinois Route 72. The proposed RPA includes 18 parcels (see Appendix II for proposed boundary map). All of the parcels are currently in the Village of East Dundee. The largest parcel in the proposed RPA is the only parcel in the Village of East Dundee that is located in Cook County - all other parcels in the RPA and in the Village are in Kane County. For reasons hereinafter described, the Village Board concluded that appropriate development of the area would not occur without the creation of a Tax Increment Financing (TIF) district. Accordingly, the Village Board has proposed the creation of the Redevelopment Project Area (RPA).

The public assistance necessary to bring about redevelopment of the proposed RPA could include any form of assistance authorized by the Act including, without limitation, the assembly and sale of developable parcels, demolition and clearance of improvements, installation and repair of streets, and the installation and repair of utilities.

The proposed TIF is intended to provide a mechanism to finance needed public improvements that will help spur redevelopment and private investment in the redevelopment project area and to create a physical and economic relationship between the redeveloped Cook County RPA and the rest of the Village and region. The Village intends to use this "Redevelopment Project and Plan and Eligibility Report for the Cook County Redevelopment Project Area" to demonstrate that future private investments would not occur but for the creation of this proposed RPA and the associated public benefits it can provide.

The Eligibility Report documents the conditions that qualify the TIF for designation as a redevelopment project area within the meaning of the Act and the Redevelopment and Project Plan will serve as a guide to eliminate the conditions that qualify the area for such designation.

### 1. Redevelopment Project Objectives

The objectives for implementing the Plan include:

- Preparing the Cook County area for redevelopment through activities including, but not limited to, enhancement of public infrastructure, assistance to development projects, marketing and economic development activities, and planning and administration activities;
- Encouraging redevelopment and reuse of vacant land including former mining areas in the district;
- Promoting and protecting the health, safety, morals, and welfare of the public by establishing sustainable land uses;
- Promoting economic growth and development in the Village;
- Restoring and enhancing the Village's tax base;
- Enhancing the value of the proposed RPA;
- Improving the environmental quality of the proposed RPA;

- Establishing a physical and economic relationship between the redeveloped RPA and the surrounding area;
- Retaining and attracting employment opportunities within the proposed RPA.

## 2. Redevelopment Project Activities

To achieve the objectives of the Plan, the Village proposes to assist with redevelopment of the proposed RPA by pledging future annual property tax increments to pay for eligible redevelopment project costs.

Actions needed to implement this Plan include:

- Approval of the Plan and determination of qualifications as outlined in the Eligibility Report;
- Designation of a proposed RPA and use of incremental property tax revenues to provide reimbursement of eligible costs associated with private investment;
- The possible issuance of obligations to provide up-front funding of eligible costs;
- The possible use of revenues for meeting debt service requirements and/or to pay for additional eligible costs.

As defined in the Act (65 ILCS 5/11-74.4-3(n)(A)-(J)) "each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:"

- A. An itemized list of estimated redevelopment project costs
- B. Evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise
- C. An assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand
- D. The sources of funds to pay costs
- E. The nature and term of the obligations to be issued
- F. The most recent equalized assessed valuation of the redevelopment project area
- G. An estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area
- H. A commitment to fair employment practices and an affirmative action plan
- I. If it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class, and number of new employees to be employed in the operation of the facilities to be developed, and
- J. If property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement



## B. Itemized List of Estimated Redevelopment Project Costs

To stimulate public and private investment in the proposed RPA, the Village may reimburse eligible redevelopment project costs ("Project Costs").

Project Costs may include:

Description of Activity	Estimated Cost
A. Public Works Projects and Infrastructure Improvements	\$10,000,000
B. Site Preparation/Acquisition	\$5,000,000
C. Redevelopment project costs	\$8,000,000
E. Financing & Interest Costs	\$4,000,000
F. Job Training	\$500,000
G. Administration, Studies, Survey, Development Plans, and Specifications	\$500,000
H. Marketing	\$1,000,000
I. Other Eligible Costs (as permitted by the Act and described below)	\$1,000,000
<b>Total Estimated Redevelopment Project Costs**</b>	<b>\$30,000,000</b>

\*\*This is only an estimate of the eligible redevelopment project costs associated with the proposed investment. The Village may reallocate the estimated line item costs above among various line items without amendment to the Plan, to the extent permitted by law. This budget of eligible costs does not obligate the Village to fund specific improvements.

### Notes:

1. All costs are in 2011 dollars. Amounts can be adjusted annually to reflect the general rate of inflation as measured by the United States Department of Labor.
2. Certain costs may include fees of consulting engineers, architects, planning consultants, attorneys, and other professionals.
3. Estimated costs may be shifted among line items to reflect actual experience in the implementation of the Plan.
4. Cost estimate includes proceeds of bonded indebtedness and other indebtedness incurred to finance the payment of eligible redevelopment project costs.
5. Cost of acquired property includes unrecovered cost of property acquired by the Village and subsequently sold for less than the cost of acquisition.
6. Certain costs may represent estimated local match requirements for projects whose full costs may be defrayed, in part, by other sources of funding including, but not limited to, grants through the state and federal government. As a consequence, actual project costs may be higher.
7. Incremental revenues generated from this proposed RPA may also be spent on eligible redevelopment project costs in adjacent RPAs.

## C. Eligible Project Costs

"Redevelopment project costs" mean and include "the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:" (65 ILCS 5/11-74.4-3(q) et seq)

- (1) Costs of studies, surveys, development of plans, and specifications, implementation, and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however

that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of three years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor.

- (1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan.
- (1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors.
- (2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land.
- (3) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment; including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification
- (4) Costs of the construction of public works or improvements, including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan.
- (5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area.
- (6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any

redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto.

- (7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.
- (7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows: (A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations: (i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than \$5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; (ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than \$5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and (iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than \$5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act. (B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than \$5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations: (i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; (ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and (iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue

produced by those housing units that have received tax increment finance assistance under this Act. (C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5): (i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity; (ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and (iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement. Any school district seeking payment under this paragraph shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects.

- (7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum. The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed \$120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund. A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area. Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year,

it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects.

- (8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n); of the Act.
- (9) Payment in lieu of taxes.
- (10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code.
- (11) Interest cost incurred by a redeveloper related to the construction, renovation, or rehabilitation of a redevelopment project provided that: (A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act; (B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year; (C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund; (D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and (E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11). (F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing. The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a

residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

- (11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.
- (12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.
- (13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman. If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

## D. Lack of Growth and Development through Private Enterprise

As defined by the Act “the municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.” (65 ILCS 5/11-74.4-3(n)(J)(1))

Without implementation of the Plan and the establishment of a RPA, it is expected that the properties identified in the proposed RPA will not receive the required private investment to support redevelopment and eradicate the factors that support the findings of a Blighted Area (provided in the following Eligibility Report). The lack of private investment is evidenced by the numerous Blighted Area factors that are reasonably distributed throughout the proposed RPA. Economic growth and development in the Project Area are endangered by the presence of these factors.

In summary, it anticipated that through implementation of the Plan and establishment of a RPA the Village will encourage public and private investment and development in the proposed RPA; however, without the implementation of the Plan, the area is not expected to attract necessary future developments and private investment.

## E. Financial Impact of the Redevelopment Project on the Taxing Districts

The activities contained in the Plan are not anticipated to impose a substantial burden on the taxing districts. The taxing districts may be affected by the additional public and private investment achieved by the plan but that effect is anticipated to be minimal.

Not implementing the Plan may result in a deterioration of existing tax base which will negatively impact the finances of the taxing districts including the Village itself. In the long term, inadequate reinvestment in the proposed RPA may lead to further deterioration of existing facilities and structures. This in turn will lead to a decline in the Equalized Assessed Value (“EAV”) of the properties within the proposed RPA, which will reduce taxing district revenues and may adversely affect the health, safety, and morals of the Village. Therefore, it is essential that the Village implement the Plan to promote public and private investment and the health, safety, and welfare of the Village while ensuring the long-term value of the proposed RPA.

## F. Demand on Taxing District Services

The Village has several taxing districts that currently levy taxes against parcels in the proposed RPA. Implementation of the Plan and establishing a RPA is not anticipated to significantly increase the Village or County population; therefore, a minimal incremental demand on most of the taxing districts is anticipated even with a substantial amount of additional public and private investment.

Based on this assumption the estimated impact on the taxing districts are as follows:

**Village of East Dundee:** It is anticipated, as of the finalized date of this report, that there should be minimal increased demand on Village services.

**East Dundee Fire District:** It is anticipated, as of the finalized date of this report, that there should be minimal increased demand on Fire District protection services.

**Dundee Township:** It is anticipated, as of the finalized date of this report, that there should be minimal increased demand on Township services.

**Dundee Township Road District:** It is anticipated, as of the finalized date of this report, that there should be minimal increased demand on Township Road District services.

**Dundee Township Park District:** It is anticipated, as of the finalized date of this report, that there should be minimal additional demand for Park District services.

**Dundee Township Library:** It is anticipated, as of the finalized date of this report, that there should be minimal additional demand for Library services.

**Barrington Township:** It is anticipated, as of the finalized date of this report, that there should be minimal increased demand on Township services.

**Kane County:** It is anticipated, as of the finalized date of this report, that there should be minimal increased demand on Kane County services.

**Kane Forest Preserve:** It is anticipated, as of the finalized date of this report, that there should be minimal additional demand for Kane Forest District services.

**Cook County:** It is anticipated, as of the finalized date of this report, that there should be minimal increased demand on Cook County services.

**School District 300:** It is anticipated, as of the finalized date of this report, that there should be minimal increased demand on School District 300 services.

**Elgin College 509:** It is anticipated, as of the finalized date of this report, that there should be minimal additional demand for services from Elgin College 509.

**Cook County Forest Preserve:** It is anticipated, as of the finalized date of this report, that there should be minimal additional demand for services from the Cook County Forest Preserve

**Cook County Consolidated Elections:** It is anticipated, as of the finalized date of this report, that there should be minimal additional demand for services from Cook County Consolidated Elections

**Cook County/Barrington Township General Assistance:** It is anticipated, as of the finalized date of this report, that there should be minimal additional demand for services from Cook County/Barrington Township General Assistance:

**Barrington Public Library District:** It is anticipated, as of the finalized date of this report, that there should be minimal additional demand for services from the Barrington Public Library District

**Northwest Mosquito Abatement District:** It is anticipated, as of the finalized date of this report, that there should be minimal additional demand for services from the Northwest Mosquito Abatement District

No program is provided in this report to address service impacts because it is anticipated that there should be minimal incremental demand resulting from the implementation of the Plan.

The long-term financial impact to the taxing districts is expected to be positive and result in the retention of existing jobs, possible creation of new jobs, and enhancement to the tax base of the Village.

It is also anticipated that an increase in the EAV should be generated by the reassessment of existing properties within the proposed RPA and future public and private investments made in the proposed RPA during the life of the proposed RPA.

## G. Source of Funds to Pay Costs

It is anticipated that the Village will use incremental property taxes from the proposed RPA to fund eligible Project Costs and may also use such revenue for the payment and security of obligations.

In addition to using incremental property taxes to fund Project Costs, the Village may also choose to utilize a variety of available sources of revenue to fund the implementation of this Plan including, but not limited to, the following:

1. The revenue available as a result of development agreements, purchase agreements, and leases entered into between the Village and other individuals and entities



2. Incremental real estate tax revenue from this and adjoining TIFs
3. State and Federal Grants
4. Bonds issued under authority of the TIF Statute
5. Any state or federal economic stimulus program that becomes available during the life of the TIF District

Project Costs funded by the above sources will depend upon the availability of funds from those sources. The Village can attempt wherever possible to utilize grants, incremental tax revenue, and other sources of revenue, which the Village may not be required to repay. To the extent that such sources of revenue are not available or that such sources of revenue are insufficient, the Village may utilize borrowed funds.

The Village may incur any and all categories of expenses necessary to bring about the completion of this plan and project that fall within the definition of the term "redevelopment project costs" as defined in the Act as it currently exists or may from time to time in the future be amended.

TIF funds generated by this RPA may be used to fund projects in adjoining TIFs. Likewise, TIF funds generated by adjoining TIF districts may be used to fund projects in the proposed Cook County RPA.

## H. Issuance of Obligations – Nature and Term

Funding of redevelopment projects in the RPA may be provided for through the utilization of the annual incremental property tax deposits into the Special Tax Allocation Fund. The reimbursement of eligible costs shall be funded from future annual incremental property taxes associated with investment of new real property in the RPA.

Incremental property taxes will be determined by the increased EAV of real property in the RPA. Funds deposited into the Special Tax Increment Allocation Fund may be used to reimburse public and private Project Costs.

As defined in the Act "the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge. Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide.." (65 ILCS 11-74.4-7 et seq)

One or more series of obligations may be issued to implement the Plan for the proposed RPA. Subsequent obligations, if any, may be issued as junior lien obligations or as parity obligations. The Village may also choose to refinance, refund, or retire in advance of the maturity date certain obligations, in accordance with applicable laws and regulations.

## I. Equalized Assessed Value of Redevelopment Project Area

The most recent equalized assessed valuation ("EAV") for the proposed RPA is based on the most recent EAV available, which is 2011, and is estimated to be \$2,630,917. At the time this Plan was prepared, 18 total property identification numbers ("PINs") are anticipated to be included in the proposed RPA.

Appendix III provides the complete list of PINs for the proposed RPA.

Assessment Year: 2011	
Equalized Assessed Value:	\$ 2,630,917

*Kane County Assessor and Cook County Assessor*

It is anticipated the estimated Base EAV for establishment of the proposed RPA is the 2011 EAV.

## **J. Equalized Assessed Value after Redevelopment and General Land Uses**

Based upon implementation of the Plan, growth and development of the proposed RPA should occur. The establishment of this proposed RPA is intended to promote future public and private investment and this investment will result in an increased EAV for the properties in the proposed RPA.

Based on the amount of developable land in the proposed RPA and the type and character of development planned for the area, it is estimated that the EAV for the area will increase from \$2.6 million to approximately **\$18 million** in 2011 dollars once fully redeveloped (based on benchmarking the total land area of the proposed RPA with the per square foot value of commercial/industrial development in East Dundee).

## **K. Generalized Land Use Plan**

The Generalized Land Use Plan (see map in Appendix IV) shows the preferred types of land use in the RPA. The Future Land Use Plan identifies most of the parcels included in the proposed RPA for "Industrial/Office-Research." The one exception is the frontage on Illinois Route 72. The Plan recommends "General Business" uses for this area. Also, the Land Use Plan recommends a landscaped "buffer" on the north edge of the large easternmost parcel in the District. The redevelopment activities pursued through the proposed RPA will be consistent with this Land Use Plan. The proposed Plan is intended to promote and support new business growth and investment in the proposed RPA in conformance with the Comprehensive Plan and current zoning.

## **L. Fair Employment Practices and Affirmative Action Plan**

The Village shall not, in connection with the implementation of this plan and project, discriminate against any person or organization on the basis of race, national origin, sex, age, or any other suspect classification identified in the Illinois Human Rights Act. The Village will welcome and encourage participation by all persons and organizations at all levels including planning, construction of improvements, and occupation of facilities within the TIF.

## **M. Industrial Park Conservation Area**

Not Applicable. The proposed RPA is under consideration for a Blighted Area, not an Industrial Park Conservation Area. As defined in the Act, item M must be included in the Plan.

## **N. Annexation of Property by the Municipality**

Not Applicable. All of the property proposed to be included in the RPA is currently within the Village of East Dundee.

## **O. Redevelopment Project and a Strategy for its Implementation**

The goal of the redevelopment plan is to provide a comprehensive program for the Village of East Dundee to promote sound growth and development in an area established as a Redevelopment Project Area. The Village is implementing a redevelopment plan in accordance with the Comprehensive Plan.

### **1. Proposed Land Uses**

The private activities that are proposed for the Cook County RPA include, but are not limited to; industrial uses, wholesale business, retail business, service business, and possibly office. The Village's Comprehensive Plan (adopted, 2002/amended, 2010) calls for "Industrial/Office - Research" land uses for most of the parcels included in the proposed RPA. The one exception is the Route 72 frontage for which the Comprehensive Plan's Future Land Use Map recommends "General Business" uses. A future land use map from the Comprehensive Plan is provided in Appendix IV. The Village's redevelopment efforts for the area will pursue land uses that are consistent with the Plan's "Industrial/Office-Research" and "General Business" designations for the parcels.

### **2. Public Infrastructure**

Required public improvements within the proposed RPA may include the following: street reconstruction, curb and gutter reconstruction, sidewalk construction, bike path construction, sanitary sewers, water mains, stormwater sewers and retention/detention areas, open space areas, landscaping, lighting, signage, and utility relocations.

Located along a primary commercial corridor in the Village and at the eastern gateway to the community, streetscape and other improvements are needed to establish a strong visual identity for the area to support existing and future businesses. In 2008, the Village created and adopted a detailed streetscape plan for public improvements in the Route 72 corridor and the proposed RPA will provide a tool to support implementation of that vision. The Village reserves the right to vary the composition and location of all public improvements based on future refinements to the overall redevelopment plan for the area.

### **3. Acquisition and Relocation**

The Village can acquire such property within the proposed RPA as it deems necessary to facilitate the uses proposed in the Plan. The Village also reserves the right, where necessary, to acquire property through the power of eminent domain as authorized by the Act. Where applicable, relocation assistance can be provided in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations promulgated under authority of that statute.

In lieu of acquiring title to property within the proposed RPA, the Village may also, to the extent that it deems appropriate, facilitate the assembly or subdivision of property by private persons or organizations.

### **4. Disposition of Property**

The Village may utilize property that it acquires for various municipal purposes including, without limitation, public buildings, and other facilities, street rights-of-way, and parking facilities. However, except for property to be devoted to such public uses, any property acquired by the Village can ultimately be sold to private individuals or organizations that commit to utilize the property in a manner consistent with this Plan. The Village may, in its sole discretion, accept less than the fair cash market value for any parcel which it chooses to convey as a means of encouraging appropriate development. The Village can incorporate the terms and conditions of any conveyance into a written disposition agreement which may, in the sole discretion of the Village, contain more specific design controls than those set forth in this Plan.

The Village can also promote redevelopment of the proposed RPA in an environmentally responsible fashion while not incurring unnecessary costs. The Village can utilize or encourage utilization by private property owners of a "tiered approach to corrective objectives" ("TACO"). Promulgated by IEPA, TACO contemplates the use of institutional controls such as deed restrictions, land use restrictions, and engineered barriers.

The Village may choose to assist in resolving any environmental issues that may arise. Such assistance may include payment of all or a portion of both the cost of a Phase II environmental audit and the cost of any remediation efforts, which may be indicated by the results of the Phase II audit.

**5. Renovation of Commercial and Industrial Properties**

The Village may use incremental tax revenues to renovate, relocate, or enhance the value of existing commercial and industrial properties within the proposed RPA to leverage private investment.

**6. Displacement of Inhabited Residential Units**

The Act requires that a housing impact study be performed if the life of the redevelopment plan would result in the displacement of residents from ten or more inhabited residential units. The Cook County Project Area contains no inhabited units. No new residential units are proposed and no residents will be displaced.

**P. Conformity to the Comprehensive Plan**

The proposed RPA is located in an area of the Village identified as the "Eastern Growth Area" in the Village's Comprehensive Plan (2002). The Comprehensive Plan and corresponding Future Land Use Map for this area was updated in 2010 to reflect the changing real estate market in the area and the most appropriate uses given the constraints and features of properties in the Eastern Growth Area. The updated Comprehensive Plan calls for "Industrial/Office - Research" uses for all of the parcels included in the proposed RPA except for the frontage of Illinois Route 72 which is identified for "General Business" uses. According to the Plan, the "Industrial/Office - Research category, "Is intended to provide for employment opportunities near established and proposed residential areas of the Village, while contributing to a balanced tax base. Because of their high trip general rates, these uses are located adjacent to or near regional highways or arterial roadways". For the General Business land use classification, the Plan states that it, "Is intended to provide for office and retail establishments which offer a wide range of goods and services in locations which abut or front, and have access to, either directly or via frontage roads, heavily traveled major arterials. The purpose is to provide for commercial uses which are oriented to the automobile and to not encourage or depend upon pedestrian traffic."

The 2010 amendment to the Comprehensive Plan provides additional detail on the suggested future land uses for this area. The Plan identifies the largest parcel in the proposed RPA as "Development Area H". This area is a 75-acre parcel within Cook County on the eastern edge of the Village. Based on changing market conditions, the site's challenging soils and topography, as well as the parcel's location adjacent to high voltage power lines and heavy industrial uses, the updated Comprehensive Plan changed the suggested future land use of this parcel from residential to Industrial/Office-Research. However, the Plan notes that a green landscape "buffer" should be provided on the north edge of this property to minimize impacts on the residential area immediately north of the parcel.

Redevelopment activities pursued through creation of the RPA will be consistent with these recommendations and future land use classifications from the Comprehensive Plan. This includes adhering to the suggested landscape buffer on the Cook County parcel and using the RPA to pursue commercial and industrial development in the district that is in-keeping with the recommendations of the Plan.

**Q. Provisions for Amending this Plan**

The Plan may be amended in accordance with the Act, following discussion of the proposed changes with the Joint Review Board.

## **R. Scheduling of the Redevelopment Project and Plan**

The Village can implement the Plan for the proposed RPA to ensure the Factors outlined in the following Eligibility Report for the Cook County Redevelopment Project Area are eliminated and public and private investments and development are encouraged.

To achieve this goal, the Village can implement the Plan with appropriate timeliness to maximize private sector investments in the proposed RPA. It is anticipated that the Plan can be fully implemented along with the establishment of the proposed RPA by 23 years from the date of its adoption by the Village Board.

## **PART II: ELIGIBILITY REPORT**

## A. Basis for Redevelopment

The Tax Increment Allocation Redevelopment Act (the "Act") (65 ILCS 5/11-74.4-1, et seq.) provides Illinois municipalities the means to designate areas within the boundaries of a municipality as Redevelopment Project Areas (RPA), otherwise known as Tax Increment Financing (TIF) districts. Municipally designated RPAs can be redeveloped through incremental real property tax assistance. The incremental property taxes associated with an increase in private investment can be used to reimburse eligible redevelopment project costs.

Incremental property taxes are derived from the increase in the current Equalized Assessed Value (EAV) of real property improvements within the RPA over and above the Certified Initial EAV ("Base EAV") of real property within the same district. The Certified Initial EAV is established when the RPA is established by a municipality. In summary, investment in new real property in the redevelopment area increases the EAV of the property, thus creating incremental real property tax revenues.

RPAs generate incremental tax revenues by allowing the municipality's Special Tax Allocation Fund to capture the incremental revenues produced by the enhanced valuation of properties resulting from private investment and the reassessment of properties within the RPA. The assets of the Special Tax Allocation Fund shall be used to pay for redevelopment project costs in the RPA.

By establishing a RPA, all taxing districts continue to receive property taxes levied on the initial valuation of properties within the RPA. Additionally, taxing districts may receive distributions of excess incremental property taxes when annual property taxes are collected if the amount of taxes collected is greater than the amount of taxes pledged toward specific redevelopment project costs or obligations.

In addition to the potential of excess incremental tax distributions, the benefit of a RPA to taxing districts is the increase in their respective property tax bases after the RPA has expired and all costs and obligations have been paid.

The use of incremental property taxes from the RPA will benefit the Village, its residents, and taxing districts by generating the following benefits:

- Increased property tax base derived from investment in real property;
- Increased sales tax base resulting from new development;
- Increase in construction and other employment opportunities from the direct and indirect spin-off investment in the Project Area; and
- Improved public systems, including utilities, roadways, and other infrastructure items.

Under recent legislative changes, municipalities must prepare and submit annual reports to the State of Illinois Comptroller's Office. These reports include, but are not limited to, the following:

- Date of Designation or Termination
- Audited Financials
- Mayor's Certifications
- Opinions from Legal Counsel
- Analysis of Each Special Allocation Fund
- Description of Property
- Statement of Activities
- Documents Relating to Obligations Issued by the Municipality
- Analysis of Debt Service
- Certified Audit Report
- General Description

## B. Redevelopment Project Area

The proposed RPA includes 18 Parcel Identification Numbers ("PINs"). A proposed RPA boundary map is provided in Appendix III, and the parcels proposed to be included in the RPA are also identified in Appendix III.

## C. Project Area Description

A legal description of the Project Area boundaries is provided in Appendix I. The area generally consists of approximately 122 acres of land on the north side of Illinois Route 72 at the eastern edge of the Village boundary.

## D. Eligibility Survey and Analysis Findings

Representatives from Vandewalle & Associates ("V&A") performed a site visit to review the conditions and factors of the proposed RPA. Based on a parcel-by-parcel site analysis, data collection, map analysis, and interviews with Village officials and staff, the proposed RPA meets the minimum requirements necessary for establishment.

An analysis was made of each of the factors listed in the Act to determine whether each or any are present in the proposed RPA, and if so, to what extent and in what locations.

Surveys and analyses of improved parcels within the proposed RPA include, but are not limited to:

- Exterior survey of the condition and use of the buildings;
- Field survey of conditions of parking lots, buildings, landscaping, and general property maintenance;
- Analysis of existing structures and development plans for future structures;
- Research of relevant local government records; and
- Interviews with governmental personnel.

In this report, six of a possible thirteen factors are found to be present to a meaningful extent and reasonably distributed throughout the improved parcels within the proposed RPA. For vacant parcels in the proposed RPA, the area largely consists of vacant former mining properties, and that factor makes the area eligible to be deemed blighted.

## E. Improved Area

The Act states that "if improved, industrial, commercial and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of five or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area." (65 ILCS 5/11-74.4-3(a))

The following discusses the blight factors for improved properties necessary to establish a proposed RPA.

The Blight Factors for improved parcels (the "factors") include:

1. Dilapidation
2. Obsolescence
3. Deterioration
4. Presence of Structures Below Minimum Code Standards
5. Illegal Use of Individual Structures
6. Excessive Vacancies
7. Lack of Ventilation, Light, or Sanitary Facilities



8. Inadequate Utilities
9. Excessive Land Coverage and Overcrowding of Structures and Community Facilities
10. Deleterious Land-Use or Layout
11. Lack of Community Planning
12. Illinois Environmental Protection Agency ("IEPA") or United States Environmental Protection Agency ("USEPA") Issues
13. Decline of the Equalized Assessed Value of the Proposed Redevelopment Project Area or Growth of the Equalized Assessed Value of the Proposed Redevelopment Project Area at a Rate that is Slower than that of the Greater Municipality

The following six factors were found to be present to a meaningful extent:

## 1. Obsolescence

The condition or process of falling into disuse. Structures have become ill-suited for the original use. (65 ILCS 5/11-74.4-3(a)(1)(B))

### Conclusion – Present to a Meaningful Extent

As of the completion of the blight survey (May 2012), several of the buildings in the proposed RPA are falling into disuse and/or no longer suited to their original use. The improved parcels in the proposed RPA include a large gravel processing facility, storage and logistics facilities, and miscellaneous light manufacturing and landscaping service businesses. Several of these uses are overcrowded in small buildings and located on small parcels that are no longer suited to these uses. Additionally, the prevalence of outdoor storage and excessive paving (or complete lack of paving) throughout the improved areas of the RPA reflect the obsolescence of the facilities in the district. Further, the improved areas of the district are located in an area targeted for higher-value business/industrial usage.

These conditions of obsolescence are present to a meaningful extent and reasonable distributed throughout the proposed RPA. Further, these conditions have persisted for an extended period of time and will likely continue without action by the local government to encourage redevelopment and new uses for the area.

## 2. Deterioration

### *Buildings:*

"With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia." (65 ILCS 5/11-74.4-3(a)(1)(C))

### *Surface Improvements:*

"With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces." (65 ILCS 5/11-74.4-3(a)(1)(C))

### Conclusion – Present to a Meaningful Extent

The existence of deterioration was recorded through a visual survey of the exterior conditions of each building and the conditions of each property that could be determined from their visual appearance. Structures and surface improvements in the RPA are experiencing deterioration. This includes widespread cracked and missing paving, extensive outdoor storage including rusting vehicles and equipment, poorly maintained storm drainage systems, deteriorating signage, leaning and

damaged chain link fencing, damaged exterior paint, deteriorating overhead doors, weeds, poorly maintained landscaping, and unpaved storage, parking, and industrial operations areas.

These conditions are visible and reasonably distributed throughout the improved areas of the RPA and are present to a meaningful extent. The condition of deterioration has worsened over time and action by the local government is required to stem the tide.

### 3. Deleterious Land-Use or Layout

Deleterious Land Use or Layout refers to "the existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area." (65 ILCS 5/11-74.4-3(a)(1)(J))

#### Conclusion – Present to a Meaningful Extent

Incompatible land use relationships were observed in the improved areas of the proposed RPA. This includes a large gravel processing operation as well as large and unsightly outdoor storage areas adjacent to a new office/business building. The RPA includes land uses that are incompatible with one another and unsuitable for their location in an area targeted for higher-value commercial and industrial development. The prevalence of incompatible land uses within the proposed RPA supports a conclusion that deleterious land use or layout is present to a meaningful extent in the proposed RPA.

### 4. Lack of Community Planning

Lack of Community Planning refers to "the proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning." (65 ILCS 5/11-74.4-3(a)(1)(L))

#### Conclusion – Present to a Meaningful Extent

Most of the proposed RPA has historically been used for mining and related operations. As such, the area was not planned and developed to support the types of commercial and industrial uses the Village believes are most appropriate for this area now that the active mining operations have largely ended. As a result, the parcel layout, land use relationships, and street layout of the district is not planned for and not compatible with the types of development and land uses the Village hopes to achieve for this key commercial/industrial area of the community. The shape and size of several parcels in the proposed RPA are inappropriate, irregular, and incompatible with redevelopment. Further, the district includes "stranded" parcels that lack any street frontage. Overall, the lack of planning and resulting conditions are present to a meaningful extent within the area and are a hindrance to redevelopment.

### 5. Excessive Land Coverage

The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire

due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

The improved parcels in the proposed RPA exhibit the condition of excessive land coverage. The combination of buildings and paving on the improved parcels results in limited greenspace and inadequate setbacks. Several of the improved parcels lack adequate street frontage, vehicle circulation areas, and are nearly entirely paved. Further, several of the paved areas of the improved parcels are currently used for outdoor storage. Another parcel that is currently a gravel and cement operation is located on a corner lot that is too small for this use and has limited setbacks from either of the two street frontages. The current configuration of buildings and paving does not meet present-day standards for development, limits vehicle circulation, does not provide for adequate parking, and creates safety hazards. The condition of excessive land coverage is present to a meaningful extent and reasonable

#### **6. Decline or Low Growth Rate in Equalized Assessed Value**

The total equalized assessed value of the proposed redevelopment project area has declined for three of the last five calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for three of the last five calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index (CPI) for All Urban Consumers published by the United States Department of Labor or successor agency for three of the last five calendar years prior to the year in which the redevelopment project area is designated. 65 ILCS 5/11-74.4-3(a)(1)(M)

#### **Conclusion – Present to a Meaningful Extent**

Data on equalized assessed values of the properties in the proposed RPA is available for 2006 to 2011. During this period, growth in the total EAV of the proposed RPA was below the growth rate of the Consumer price index for three of the last five years.

### **F. Vacant Area**

Most of the land area within the proposed RPA is vacant. The Act states that “if vacant, the sound growth of the redevelopment project area is impaired by a one of the following factors, that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains” (65 ILCS 5/11-74.4-3(a)(3)).

The Blight Factors (the “factors”) for vacant parcels include:

1. Unused Quarries, Mines, or Strip Mine Ponds
2. Unused Railways, Rail Tracks, or Railroad Right-of-Ways
3. Chronic Flooding or Surface Water Discharges
4. Unused or Illegal Disposal Site
5. Identified as Town or Village Center
6. Qualified as Blighted Improvement immediately prior to becoming Vacant

#### **1. Unused Quarried, Mines, or Stripe Mine Ponds**

“The area consists of one or more unused quarries, mines, or strip mine ponds.” (65 ILCS 5/11-74.4-3(a)(3)(A).

#### **Conclusion –Present to a Meaningful Extent**

##### *Specific Factors Noted:*

Several of the properties in the proposed RPA were formerly used for mining and quarry operations. The largest parcel in the proposed RPA is an approximately 80-acre property in Cook County on the

eastern edge of the Village that was a former mining site. This parcel alone is approximately 65% of the total land area in the proposed RPA and is essentially one large former mining site. In addition, several other vacant properties in the proposed RPA were also once used for mining. In totally, approximately 72% of the total land area in the district consists of former mining areas and unused mine sites are the predominant land use in the vacant areas of the district. Therefore, it is the conclusion of this report that the presence of unused mines in the proposed RPA is a condition that is present to a meaningful extent and reasonably distributed. The resulting condition of these properties resulting from this former use has created a barrier to future development.

## G. DETERMINATION OF RPA ELIGIBILITY

The proposed RPA meets the requirements of the Act for designation as a blighted area. There is a reasonable presence and distribution of six of the thirteen factors listed in the Act for improved areas of the proposed RPA. These include:

*Present to a Meaningful Extent and Reasonably Distributed*

1. Deterioration
2. Obsolescence
3. Excessive Vacancy
4. Deleterious Land use or Layout
5. Lack of community planning
6. Low Growth Rate in EAV

The following blight factor for vacant parcels was found to be present to a meaningful extent in the proposed RPA. Among the proposed district's vacant parcels, the area primarily consists of unused mining sites. As such, the vacant areas qualifies as blighted due to this factor alone

*Meaningful Extent*

1. Unused Quarries, Mines, or Strip Mine Ponds

Because the proposed RPA meets six criteria for improved areas and the vacant area automatically qualifies do to the predominance of unused mining areas, the conclusion of this Eligibility Study is that the proposed RPA meets the standard and is eligible. The proposed RPA is in need of revitalization and guided growth to ensure that it will contribute to the long-term physical, economic, and social well being of the Village. The presence of blighting factors indicates that the proposed RPA has not been subject to sound growth and development through investment by private enterprise, and likely will not be redeveloped adequately without public action.



# APPENDICES

## **Appendix I: Legal Description and Boundary Map of RPA**

Legal Description and Map Prepared by: Gerald L. Heinz & Associates, Inc.

### **LEGAL DESCRIPTION FOR THE COOK COUNTY TIF**

THAT PART OF THE EAST HALF OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE WEST HALF OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE AND COOK COUNTIES, ILLINOIS, DESCRIBED AS FOLLOWS:

LOTS 3 THRU 11 IN ROCK ROAD BUSINESS PARK, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

LOT 1 IN ROCK ROAD INDUSTRIAL SUBDIVISION UNIT 3, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF DUNDEE, KANE COUNTY, ILLINOIS (EXCEPT THAT PART OF LOT 1 LYING WITHIN ROCK ROAD BUSINESS PARK, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.)

#### **PARCEL "A"**

THAT PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF LOT 2 IN ROCK ROAD INDUSTRIAL SUBDIVISION UNIT NO. 1, SAID POINT BEING 66.0 FEET WESTERLY OF (MEASURED NORMAL TO) THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 0 DEGREES 16 MINUTES 07 SECONDS EAST, PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER 400.00 FEET; THENCE NORTH 80 DEGREES 26 MINUTES 00 SECONDS WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT 2, 400.00 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 16 MINUTES 07 SECONDS WEST, 374.66 FEET TO A POINT 25.0 FEET NORTHERLY OF (MEASURED NORMAL TO) THE NORTH LINE OF SAID LOT 2; THENCE NORTH 80 DEGREES 26 MINUTES 00 SECONDS WEST, 473.68 FEET TO A POINT ON A LINE 60.0 FEET EAST OF (MEASURED NORMAL TO) AND PARALLEL TO THE EAST LINE OF PREMISES CONVEYED TO JAMES K. SMITH BY DEED DATED FEBRUARY 3, 1861 AND RECORDED FEBRUARY 7, 1881 IN BOOK 200, PAGE 253 AS DOCUMENT NO. 13594; THENCE SOUTH 0 DEGREES 18 MINUTES 00 SECONDS WEST ALONG SAID PARALLEL LINE 25.33 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE NORTH 80 DEGREES 26 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 2, 60.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, AND THE EAST LINE OF SAID SMITH TRACT; THENCE NORTH 0 DEGREES 18 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF SAID SMITH TRACT, 450.00 FEET; THENCE SOUTH 75 DEGREES 13 MINUTES 49 SECONDS EAST, 544.56 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

**PARCEL "B"**

THE SOUTH HALF OF LOT 1 AND THE SOUTH 5 ACRES OF THE NORTH HALF OF SAID LOT 1 (EXCEPT THAT PART OF SAID LOT 1 AND OF SAID SOUTH 5 ACRES LYING SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF HEALY ROAD) IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS ALSO THE SOUTH HALF OF LOT 2 AND THE SAID SOUTH 5 ACRES OF THE NORTH HALF OF SAID LOT 2 (EXCEPT THAT PART OF SAID LOT 2 AND OF SAID SOUTH 5 ACRES LYING SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF HEALY ROAD) IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PARCEL "C"**

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE NORTH RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE 72 AND COMMONLY KNOWN AS NEW HIGGINS ROAD AND WESTERLY OF THE EASTERLY RIGHT OF WAY LINE OF HEALY ROAD, IN COOK COUNTY, ILLINOIS.

ALSO THAT PART OF DEDICATED HEINZ DRIVE, COMMONWEALTH DRIVE, AND ILLINOIS STATE ROUTE 72 RIGHT OF WAY ADJACENT TO THE ABOVE DESCRIBED PARCELS.

ALSO POWER DRIVE RIGHT OF WAY AS DEDICATED IN ROCKY ROAD POWER SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS, RECORDED AS DOCUMENT NO. 1999K018491, ON FEBRUARY 19<sup>TH</sup>, 1999.





KANE TOWNSHIP PLANNING DISTRICT MAP

KANE COUNTY LINE  
COOK COUNTY LINE

0 200 400  
Scale 1" = 200'

POND GATE RD.

POWER DR.

ROCK ROAD CT.

ROCK ROAD DR.

HEALY DR.

COMMONWEALTH DRIVE  
COMMONWEALTH EDISON COMPANY ROW

ILLINOIS ROUTE 72

HEALY RD.

LEGAL DESCRIPTION FOR THE COOK COUNTY TRP  
THAT PART OF THE EAST HALF OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 4E, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE WEST HALF OF SECTION 36, TOWNSHIP 42 NORTH, RANGE 4E, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE TOWNSHIP, COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

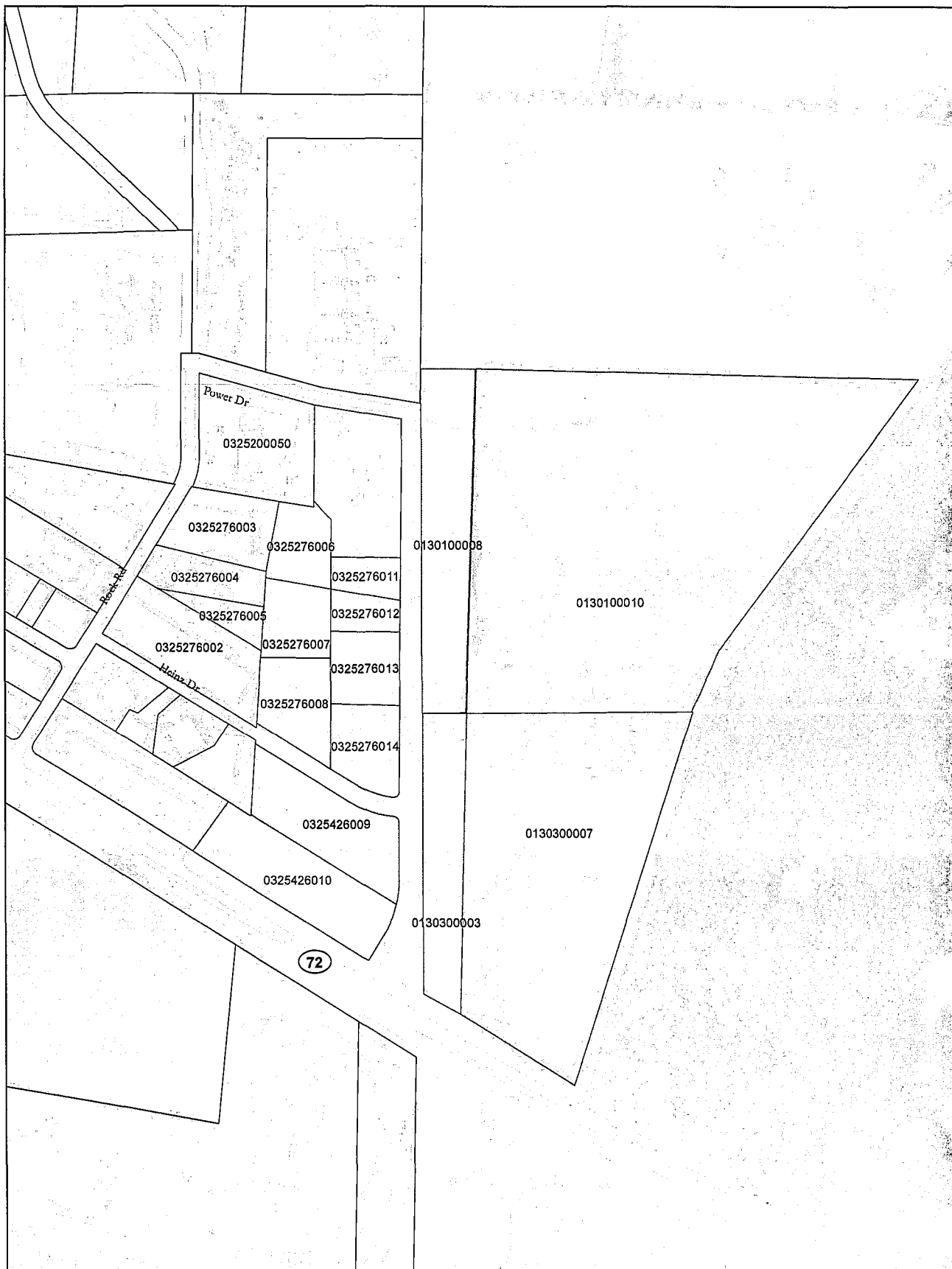
DATE:	4/4/2012
JOB NO.:	ED-1946
SCALE:	1"=200'
SHEET	1 OF 1



## **Appendix II: Map of Parcel Identification Numbers included in the RPA**

Prepared by Vandewalle & Associates






## Village of East Dundee - Proposed Cook County TIF Parcels

☐ Proposed TIF parcels

0 650 1,300 2,600 Feet

N



Source: Kane Co, V&A

**VANDEWALLE & ASSOCIATES INC.**

Shaping places. Shaping change.



### Appendix III: List of Parcel Identification Numbers included in the RPA

PINs	
1	0325200050
2	0325276002
3	0325276003
4	0325276004
5	0325276005
6	0325276006
7	0325276007
8	0325276008
9	0325276011
10	0325276012
11	0325276013
12	0325276014
13	0325426009
14	0325426010
15	0130100010
16	0130300007
17	0310300003
18	0310300007



## **Appendix IV: Future Land Use Map**

Prepared by Vandewalle & Associates



\*Note: This map is not a stand alone document and must be used in conjunction with the text of the comprehensive plan and 2010 addendum

#### Legend

- Village of East Dundee Boundary
- County Boundary
- Kane County Parcels

- Surface Water
- Existing/Proposed Streets
- Road Centerline

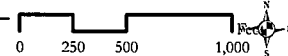
- Future Land Use Categories**
- General Business
  - Industrial/Office Research
  - Conservation
  - Planned Development Residential
  - Proposed Revisions

- Proposed Cook County TIF Boundary

Source: Kane Co, V&A

## 2010 Future Land Use Plan Addendum

### Village of East Dundee Comprehensive Plan



March 12, 2010  
**VANDEWALLE & ASSOCIATES INC.**  
 Shaping places, shaping change