

Request For Board Action

REFERRED TO BOARD: December 10, 2018

AGENDA ITEM NO: 5

ORIGINATING DEPARTMENT: Community Development

SUBJECT: Consideration of an Ordinance Approving Amendment No. 1 to the Redevelopment Plan and Project for the Route 83 Redevelopment Project Area and the Addition of Parcels Thereto

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

On May 14, 2018 the Village Board approved the creation of a Tax Increment Finance District for the Route 83 Redevelopment area which is approximately 70 acres between Route 83 and Route 173.

Since its adoption, additional parcels at the Kunes Dealership were identified to be included in the Tax Increment Finance District. The proposed amendment was filed with the Village Clerk on July 29, 2018, and a revision was filed on August 28, 2018 to include the parking lot area which will also be improved. Pursuant to state statute, Joint Review Board hearings were held on August 14 and October 16, and a public hearing was held on November 19, 2018, where there was no public comment objecting to the amendment.

Financial Impact

The proposed TIF will incentivize the development of approximately 70 acres between Route 83, Route 173, and Grimm Road and assist the Village in economic development recruitment.

Documents Attached

- 1) Ordinance

Recommended Motions –

Move to approve an Ordinance Approving Amendment No. 1 to the Redevelopment Plan and Project for the Route 83 Redevelopment Project Area and the Addition of Parcels Thereto, waiving the second reading.

VILLAGE OF ANTIOCH

18-12-xx

***AN ORDINANCE APPROVING AMENDMENT NO. 1 TO THE REDEVELOPMENT
PLAN AND PROJECT FOR THE ROUTE 83 REDEVELOPMENT PROJECT AREA
AND THE ADDITION OF PARCELS THERETO***

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

DECEMBER 10, 2018

Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this -- day of December, 2018.

LAWRENCE M. HANSON	President	MARY C. DOMINIAK	Trustee
LORI K. ROMINE	Clerk	JERRY T. JOHNSON	Trustee
ROBERT J. LONG	Attorney	JAY JOZWIAK	Trustee
		ED MACEK	Trustee
		SCOTT A. PIERCE	Trustee
		TED P. POULOS	Trustee

EXTRACT OF MINUTES of a regular public meeting of the President and Board of Trustees of the Village of Antioch, Lake County, Illinois, held at the Board Room, Village Hall, in said Village, at 847 Main Street, Antioch, Illinois 60002, on the 10th day of December, 2018.

* * *

The President called the meeting to order and directed the Village Clerk to call the roll.

Upon the roll being called, the President and the following Trustees answered present: _____

The following were absent from the meeting: _____

The President and Board of Trustees then gave a public recital of the nature and purpose of the ordinance, which included a reading of the title aloud and an explanation that the ordinance approves Amendment No. 1 to the redevelopment plan and project for the Route 83 Redevelopment Project Area and the addition of parcels thereto.

Trustee _____ then made a motion, which was seconded by Trustee _____ that the first amendment to the redevelopment plan and project for the Route 83 Redevelopment Project Area and the addition of parcels thereto be approved:

AYE: _____

and the following Trustees voted **NAY:** _____

The President declared the motion carried, and upon further discussion, Trustee _____ presented to the Village Clerk the following ordinance, which was read to the Village Board as follows:

ORDINANCE NO. 18-__-__

**An Ordinance Approving Amendment No. 1 to the
Redevelopment Plan and Project for the
Route 83 Redevelopment Project Area and the Addition of Parcels Thereto**

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, as supplemented and amended (the “**TIF Act**”), the President and Board of Trustees (the “**Corporate Authorities**”) of the Village of Antioch, Lake County, Illinois (the “**Municipality**”), has heretofore determined and does hereby determine that it is advisable and in the best interests of the Municipality and certain affected taxing districts that the Municipality amend the redevelopment plan (the “**Redevelopment Plan**”) and project (the “**Project**”) for the redevelopment project area known as the Route 83 Redevelopment Project Area (the “**Redevelopment Project Area**”) and the addition of parcels thereto as further described in **EXHIBIT A** attached hereto; and

WHEREAS, the Municipality is a non-home rule unit of local government organized under the laws of the State of Illinois and as such has authority to promote the health, safety and welfare of the Municipality and its citizens; authority to encourage private investment in business and commercial areas in order to enhance the tax base of the Municipality and other affected taxing districts and jurisdictions, including the State of Illinois and its political subdivisions, and to provide employment opportunities; authority to ameliorate blight; and, authority to enter into contractual agreements with nongovernmental persons to achieve these purposes; and

WHEREAS, on December 22, 2017, the Municipality identified certain areas within its municipal boundaries where there was a need for economic assistance in order to address the extraordinary measures which must be undertaken to accomplish private investment and make the development and redevelopment of such areas economically viable; and

WHEREAS, on January 8, 2018, the Municipality adopted its Ordinance No. 18-01-01, authorizing the Municipality to propose to designate a redevelopment project area and approve a redevelopment plan in connection with the potential development and redevelopment of the Redevelopment Project Area and to authorize other actions and procedures, all in conformity with the TIF Act; and

WHEREAS, on May 14, 2018, the Corporate Authorities approved and adopted Ordinance No. 18-05-20 entitled, “AN ORDINANCE APPROVING A TAX INCREMENT REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT FOR THE ROUTE 83 REDEVELOPMENT PROJECT AREA IN THE VILLAGE OF ANTIOCH, ILLINOIS”; and

WHEREAS, on May 14, 2018, the Corporate Authorities approved and adopted Ordinance No. 18-05-21 entitled, “AN ORDINANCE DESIGNATING THE ROUTE 83 REDEVELOPMENT PROJECT AREA IN THE VILLAGE OF ANTIOCH, ILLINOIS PURSUANT TO THE ILLINOIS TAX INCREMENT ALLOCATION REDEVELOPMENT ACT”; and

WHEREAS, on May 14, 2018, the Corporate Authorities approved and adopted Ordinance No. 18-05-22 entitled, “AN ORDINANCE ADOPTING TAX INCREMENT ALLOCATION REDEVELOPMENT FINANCING FOR THE ROUTE 83 REDEVELOPMENT PROJECT AREA IN THE VILLAGE OF ANTIOCH, ILLINOIS”; and

WHEREAS, pursuant to Section 11-74.4-4.2 of the TIF Act the Municipality is required to create an interested parties registry for activities related to the Redevelopment Project Area, to adopt reasonable registration rules, and to prescribe requisite registration forms for residents and organizations active within the Municipality that seek to be placed on said interested parties registry, and the Corporate Authorities have heretofore, and it hereby expressly is, determined that the Municipality has created such registry, adopted such registration rules and prescribed such requisite registration forms and give public notice thereof; and

WHEREAS, pursuant to the terms thereof, the TIF Act requires the Municipality also to convene a joint review board and conduct a public hearing prior to the adoption of an ordinance amending a redevelopment plan and project and adding parcels to a redevelopment project area, at which hearing any interested person or affected taxing district may file with the Municipal Clerk written objections to and may be heard orally with respect to such proposals; and

WHEREAS, the TIF Act further requires that the time and place of such public hearing be fixed by ordinance or resolution adopted by the Corporate Authorities; and

WHEREAS, the TIF Act further requires that not less than 10 days prior to adopting such ordinance or resolution fixing the time and place of a public hearing, the Municipality must make available for public inspection the amended redevelopment plan; and

WHEREAS, on June 29, 2018 and August 28, 2018, the Municipality announced the availability for public inspection of various Proposed Amendment to the Redevelopment Plan and Project; and

WHEREAS, the TIF Act requires that notice of the public hearing be given by publication and mailing, said notice having been given by the Municipality; and

WHEREAS, the Corporate Authorities have heretofore found and determined that it was advisable to convene a joint review board and hold a public hearing to consider the approval of the proposed amendment to the Redevelopment Plan and Project and the addition of parcels thereto; and

WHEREAS, the Corporate Authorities have heretofore found and determined that the amended Redevelopment Plan and Project and the addition of parcels thereto does not contain 75 or more inhabited residential units and will not displace residents from 10 or more inhabited residential units; and

WHEREAS, based on changes in market conditions and in response to a new development proposal for the Redevelopment Project Area, the Corporate Authorities have caused to be prepared and made available for inspection an amendment to the Redevelopment Plan and Project which would amend the redevelopment plan and add additional properties to the redevelopment project area (collectively, the “**Proposed Amendment**”); and

WHEREAS, pursuant to Section 11-74.4-5 of the TIF Act and Ordinance No. 18-07-28 adopted on July 9, 2018, and Ordinance No. 18-09-32 adopted on September 10, 2018, the Corporate Authorities convened meetings of the Joint Review Board on August 14, 2018 and October 16, 2018, at which meetings the Joint Review Board prepared, approved and submitted recommendations to the Municipality to approve the Proposed Amendment and the addition of parcels thereto; and

WHEREAS, pursuant to Section 11-74.4-5 of the Act and Ordinance No. 18-07-28, the Corporate Authorities also conducted a public hearing concerning the Proposed Amendment on November 19, 2018. At the hearing, the Corporate Authorities (i) reviewed the Proposed Amendment, (ii) heard testimony and received written information concerning the Proposed Amendment, and (iii) reviewed other information, documentation, and studies so as to be generally informed about the current conditions of the Project Area and the addition of parcels thereto; and

WHEREAS, pursuant to the findings and determinations as provided in this Ordinance, the Corporate Authorities hereby find that it is desirable and in the best interest of the public and the Municipality for the Corporate Authorities to approve the Proposed Amendment to the Redevelopment Plan and Project and the addition of parcels thereto.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Antioch, Lake County, Illinois, as follows:

1. **Preambles.** The Corporate Authorities hereby adopt by reference the foregoing preamble clauses as if fully set forth herein.

2. **Redevelopment Plan and Project Amendments; Addition of Parcels.** The Proposed Amendment and therefore the amended Redevelopment Plan and Project and the addition of parcels thereto, is hereby adopted in the form of **EXHIBIT B** hereto. The Municipality hereby authorizes and directs the Village Clerk to send a copy of this Ordinance and all appropriate materials to the Lake County Clerk to inform the Lake County Clerk about Amendment No. 1 to the Redevelopment Plan and Project and the addition of parcels to the Route 83 Redevelopment Project Area.

3. **Superseder; Effective Date.** All ordinances, resolutions, motions or orders in conflict with the provisions of the Ordinance are, to the extent of such conflict, hereby repealed. This Ordinance shall become effective upon its adoption.

4. **Adoption Clause.** This Ordinance shall be in full force and effect from and after its approval, adoption and publication as required by law.

AYE: _____

NAY: _____

ABSENT: _____

ADOPTED: _____

APPROVED AND ADOPTED: December 10, 2018

Lawrence M. Hanson, Village President, Village of Antioch, Lake County, Illinois

Recorded in Village Records: December 10, 2018

Published in pamphlet form by authority of the President and Board of Trustees at the Village Hall on December 11, 2018.

Attest:

Lori K. Romine, Village Clerk, Village of Antioch Lake County, Illinois

Attach as:

Exhibit A – Legal Description of the Route 83 Redevelopment Project Area, including Amendment No. 1 Expansion Area

Exhibit B – Amendment No. 1 to the Village of Antioch Route 83 Redevelopment Plan and Project

Trustee _____ moved and Trustee _____ seconded the motion that said ordinance as presented and read by the Village Clerk be adopted.

After a full and complete discussion thereof including a public recital of the nature of the matter being considered and such other information as would inform the public of the nature of the business being conducted, the Village President directed that the roll be called for a vote upon the motion to adopt the ordinance as read.

Upon the roll being called, the following Trustee voted

AYE: _____

NAY: _____

Whereupon the Village President declared the motion carried and the ordinance adopted, and henceforth did approve and sign the same in open meeting and did direct the Village Clerk to record the same in full in the records of the President and the Board of Trustees of the Village.

Other business not pertinent to the adoption of said ordinance was duly transacted at said meeting.

Upon motion duly made and seconded, the meeting was adjourned.

Lori K. Romine,
Village Clerk

Exhibit A

Legal Description of the Route 83 Redevelopment Project Area – Including Properties to be Added as Amendment No. 1

A part of the Northwest, Northeast Southeast and Southwest fractional Quarters of Section 17, Township 46 North, Range 10 East of the Third Principal Meridian described as follows:

Beginning at the Northeast corner of Lot 1 in Boylan Subdivision No. 2, according to the plat thereof recorded December 12, 2017 as Document No. 7450413; thence East along the North line of Lot 2 in said Boylan Subdivision No. 2 to the Southwest corner of a parcel of land described by Document No. 7199566; thence Northeasterly along the Northwesterly line of said parcel to the Southeast corner of a parcel of land described by Document No. 6774769; thence Northwesterly along the Southwesterly line of said parcel to the Southwesterly corner thereof; thence Northeasterly along the Northwesterly line of said parcel and the Northeasterly extension thereof to the Northeasterly line of Illinois Route 173 per Document No. 405386; thence Southeasterly along said Northeasterly line to the Northeasterly extension of the Southeasterly line of said parcel of land described by Document No. 7199566; thence Southwesterly along said Northeasterly extension and said Southeasterly line of said parcel to the Southeast corner thereof and the North line of said Lot 2; thence East along said North line of Lot 2 to said Southwesterly line of Illinois Route 173; thence Southeasterly along said Southwesterly line to the Northeasterly corner of said Lot 2; thence Southerly along the East line of said Lot 2 and the Southerly extension thereof to the center line of Grimm Road; thence Westerly along said center line to the East line of the Wisconsin Central Railroad; thence Southerly along said East line to the South line of the North half of the Southeast Quarter of said Section 17; thence West along said South line to the West line of said Railroad; thence Southerly along said West line to the North line of the South 52 rods of said Section 17 said line also being the South line of "Parcel 3" in Document No. 7276566; thence Westerly along said North line to the West line of Illinois Route 83; thence Northerly along said West line to the Southeast corner of that part of Lot 106 in Antioch Hills Subdivision, according to the plat thereof recorded October 2, 1924 in Book M of Plats Page 94 lying within the Northwest Quarter of said Section 17; thence Easterly along the South line of said Northwest Quarter to the center line of said Illinois Route 83; thence Northerly along said center line to the Westerly extension of the North line of a parcel of land described as "Parcel 1" in Document No. 7276566; thence Easterly along said Westerly extension and said North line to the West line of said Railroad; thence Northerly along said West line to the South line of the Northwest Quarter of the Northeast Quarter of said Section 17; thence Easterly along said South line to the East line of said Railroad; thence Southerly along said East line to the Northwest corner of a parcel of land described as "Parcel 2" in Document No. 7349394; thence Easterly along a Northerly line of said parcel to a Northerly corner thereof; thence Northerly along a Westerly line of said parcel to a Northerly corner thereof; thence Easterly along the North line of said parcel to a Northerly corner thereof; thence Southeasterly along a Northeasterly line of said parcel to a Northeasterly corner thereof; thence Southwesterly along the Easterly line of said parcel to an Easterly corner thereof; thence Southeasterly along the Easterly line of said parcel to an Easterly corner thereof; thence Southerly along the most Easterly line of said parcel to the Southeast corner of said parcel said point being on the North line of Lot 1 in said Boylan Subdivision No. 2; thence Easterly along said North line to the Point of Beginning, all in Lake County, Illinois.

Excepting therefrom that part of the following described parcel falling within the Right of Way of Illinois Route 83:

That part of the South 15 Chains of Section 17, Township 46 North, Range 10 East of the Third Principal Meridian, described as beginning at the Northwest corner of Lot 1 in Rosing's Subdivision; thence North 60 feet to the North line of said South 15 Chains; thence East along the North line of said South 15 chains to the center of the Fox River Road (Now State Route No. 83); thence Southerly along the center of State Route No. 83, a distance of 60.05 feet; thence West along the North line and the North line extended of said Lot 1 to the Place of Beginning, in Lake County, Illinois.

Also including the following described parcels (per Amendment No. 1):

A part of the Northeast fractional Quarters of Section 17, Township 46 North, Range 10 East of the Third Principal Meridian described as follows:

Beginning at the Southeast corner of a parcel of land described by Document No. 4457862; thence Westerly along the Southerly line of said parcel to the Southwesterly corner thereof; thence Northerly and Northeasterly along the Westerly and Northwesterly line and the Northeasterly extension thereof to the Northeasterly Right of Way line of Illinois Route 173 per Document No. 405386; thence Southeasterly along said Northeasterly line to the Northeasterly extension of the Southeasterly line of a parcel of land described by Document No. 6774769; thence Southwesterly along said Northeasterly extension and said Southeasterly line to the most Easterly corner of said parcel of land described by Document No. 4457862; thence Southwesterly along the Southeasterly line of said parcel to the Point of Beginning, all in Lake County, Illinois.

Record #	PIN	2017 EAV
1	02-17-200-020 [1]	\$ 350,953
2	02-17-200-021	\$ 40,445
3	02-17-200-042 [1]	\$ 27,123
4	02-17-200-044	\$ -
5	02-17-200-057	\$ -
6	02-17-400-003 [2]	\$ -
7	02-17-400-028 [2]	\$ -
8	02-17-400-029 [2]	\$ -
9	02-17-400-045 [2]	\$ -
10	02-17-400-046	\$ -
11	02-17-400-049	\$ -
12	02-17-400-050 [2]	\$ -
13	02-17-200-038 [3]	\$ 3
14	02-17-400-023 [3]	\$ -
15	02-17-300-019 [3]	\$ -
16	02-17-300-022 [3]	\$ -
17	02-17-301-067 [3]	\$ -
18	02-17-301-069 [3]	\$ -

Record #	PIN	2017 EAV
19	02-17-400-041 [3]	\$ -
20	02-17-400-044 [3]	\$ -
21	02-17-400-047 [3]	\$ -
SUBTOTAL — EXPANSION AREA		\$ 378,076
TOTAL		\$ 418,524

Source: Lake County, SB Friedman

- [1] Expansion Area per Amendment No. 1
- [2] Subdivision for parcel recorded on November 1, 2017
- [3] Parcelized rights-of-way excluded From analysis

Exhibit B

**Amendment No. 1 (Dated June 29, 2018, revised August 28, 2018) to the
Village of Antioch Route 83 Redevelopment Plan and Project**

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**CERTIFICATION OF ORDINANCE AND MINUTES AND
PUBLICATION IN PAMPHLET FORM**

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Antioch, Lake County, Illinois (the “**Village**”), and as such officer I am the keeper of the books, records, files, and journal of proceedings of the Village and of the President and Board of Trustees (the “**Corporate Authorities**”) thereof.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the legally convened meeting of the Corporate Authorities held on the 10th day of December, 2018, insofar as same relates to the adoption of an ordinance (the “**Ordinance**”) numbered 18-__-__ and entitled:

AN ORDINANCE Approving Amendment No. 1 to the
Redevelopment Plan and Project for the Route 83 Redevelopment
Project Area and the Addition of Parcels Thereto

a true, correct and complete copy of which the Ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Corporate Authorities on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Corporate Authorities at least 48 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 48-hour period preceding said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as Exhibit A, that notice of said meeting was duly given to all news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, The Municipal Code of the State of Illinois, as amended, and the Local Government Debt Reform Act of the State of Illinois, that the Board has complied with all of the provisions of said Acts and said Code and with all of the procedural rules of the Corporate Authorities in the passage of said ordinance.

I do further certify that the Ordinance was published by authority of the Corporate Authorities in pamphlet form on the 11th day of December, 2018, and the Ordinance as so published was on said date readily available for public inspection and distribution, in sufficient number to meet the needs of the general public, at my office as Village Clerk located in the Village.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of the Village, this 11th day of December, 2018.

Lori K. Romine, Village Clerk

EXHIBIT A - AGENDA

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of Lake, Illinois, and as such official I do further certify that on the ____ day of December, 2018, there was filed in my office a duly certified copy of an ordinance numbered 18-__ - __ and entitled:

AN ORDINANCE Approving Amendment No. 1 to the
Redevelopment Plan and Project for the Route 83 Redevelopment
Project Area and the Addition of Parcels Thereto

duly adopted by the President and Board of Trustees of the Village of Antioch, Lake County, Illinois, on the 10th day of December, 2018, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this ____ day of December, 2018.

County Clerk of Lake County,
Illinois

[SEAL]