

Request For Board Action

REFERRED TO BOARD: February 11, 2019

AGENDA ITEM NO: 5

ORIGINATING DEPARTMENT: Community Development

SUBJECT: Consideration of Ordinances calling for a Public Hearing to consider the adoption of the Antioch Business District Plan and the designation of the Antioch Business District in the Village of Antioch, Lake County, Illinois.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

As the Village Board will recall, Staff is working with S. B. Freidman on the creation of a Business District. The “Business District Eligibility Study and Business Plan” was filed with the Village Clerk on February 8th, 2019 and a public hearing on the creation of this district has been scheduled for February 27, 2019.

In view of several contiguity issues, the first phase of this “Business District” will contain 36 parcels, including right-of-way parcels. The area generally encompasses the commercial parcels east of Brown Road and Deep Lake Road, both the north and south sides of Route 173. The proposed district also includes the northeast and southeast corners of Route 173 and Deep Lake Road. Staff is taking this opportunity to include the Eligibility and Business Plan for the Village Board’s review and consideration. This report outlines the eligibility factors for the Business District based on state statute.

Staff is planning that this district will be amended to include the Downtown and the commercial areas along Route 173 west of Brown Road in addition to portions of Route 83 once we are able to resolve the contiguity issues. Currently, Staff has agreement with two of the three property owners that are necessary for contiguity.

Documents Attached

- 1) Ordinances

Recommended Motions

Based on the foregoing analysis, Staff would make the following recommendations:

We move that the Village Board approve an Ordinance calling for a public hearing to consider the adoption of the Antioch Business District Plan and the designation of the Antioch Business District in the Village of Antioch, Lake County, Illinois.

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 Village Hall, located at 874 Main Street, Antioch, Illinois 60002, in said Village, at 7:00 p.m., on the 11th day of February, 2019.

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

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

The following were absent: _____

The President 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 would call for a public hearing to consider the adoption of the Antioch Business District Plan and the designation of the Antioch Business District of the Village of Antioch, Lake County, Illinois.

The ordinance in its entirety reads as follows:

ORDINANCE NO. 19-__-__

AN ORDINANCE calling for a public hearing to consider the adoption of the Antioch Business District Plan and the designation of the Antioch Business District in the Village of Antioch, Lake County, Illinois.

* * * *

WHEREAS, the Village of Antioch, Lake County, Illinois (the “**Village**”) is considering adopting the Antioch Business District Plan (the “**Plan**”) for the development and redevelopment of the Antioch Business District (the “**Business District**”), pursuant to the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1, et seq., as amended (the “**Law**”); and

WHEREAS, pursuant to Section 11-74.3-2(a) of the Law, the Village must fix a time and place for a public hearing prior to the adoption of an ordinance to approve a business district plan and designate a business district; and

WHEREAS, pursuant to Section 11-74.3-2(b) of the Law, the Village must give certain notices prior to this public hearing; and

WHEREAS, it is the desire of the Village to conduct a public hearing as described above and hereby proposes the approval of the Plan and the designation of the Business District:

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Antioch, Lake County, Illinois, as follows:

Section 1. The statements set forth in the preambles to this Ordinance are found to be true and correct and are adopted as part of this Ordinance.

Section 2. The President and Board of Trustees hereby fixes the date and time of the public hearing to be Wednesday, February 27, 2019, at the hour of 7:00 p.m. in the Board

Room at the Antioch Village Hall, 874 Main Street, Antioch, Illinois 60002, for the purposes of hearing from any interested persons regarding the Plan for the Business District legally described in Exhibit A, attached to and made part of this Ordinance. The public hearing shall be conducted in accordance with the Law. A copy of the Plan in the form of Exhibit B hereof shall be on file in the office of the Village Clerk and shall be available for public inspection during regular business hours.

Section 3. Notice of the public hearing described in Section 2 above, shall be given twice in a timely manner by publication as required by the Law. The public hearing notice shall be substantially in the form attached and incorporated to this Ordinance as Exhibit C, Notice by Publication. The Village Clerk and Miller, Canfield, Paddock and Stone, P.L.C., Chicago, Illinois are authorized and directed to take all actions necessary to provide proper notice in accordance with the Law and any and all other notices necessary to achieve compliance with the Law.

Section 4. At the public hearing described in section 2 above, any interested person may file with the Village Clerk written comments and/or objections to, and may be heard orally with respect to, any issues embodied in the notice.

Section 5. All ordinances and resolutions or parts of ordinances and resolutions in conflict with the provisions of this Ordinance shall be and the same are hereby repealed.

Section 6. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED by the Corporate Authorities on February 11, 2019.

APPROVED: February 11, 2019.

President

AYES: _____

NAYS: _____

ABSENT: _____

RECORDED in the Village Records on February 12, 2019.

Attest:

Village Clerk

(SEAL)

Exhibit A: General and Legal Description of the Antioch Business District

Exhibit B: Copy of the Antioch Business District Plan

Exhibit C: Notice by Publication

Trustee _____ moved and Trustee _____ seconded the motion that said ordinance as presented 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 business being conducted, the 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 Trustees voted

AYE: _____

NAY: _____

ABSENT: _____

Whereupon the 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 Corporate Authorities 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.

Village Clerk

EXHIBIT A

**GENERAL AND LEGAL DESCRIPTION
OF THE ANTIOCH BUSINESS DISTRICT**

*Exhibit A to the
Ordinance Calling for a Public Hearing to Consider the Adoption of the
Antioch Business District*

The Antioch Business District boundary has been carefully drawn to include only those contiguous parcels of real property and improvements substantially benefited by the proposed business district development and redevelopment activities to be undertaken by the Village as part of its Business District Plan.

General Description

The Business District is generally bounded along Illinois Route 173, mainly between Brown Avenue on the west and Deep Lake Road on the east.

Legal Description

The legal description of the Antioch Business District is as follows.

[Insert to be Attached]

EXHIBIT B

ANTIOCH BUSINESS DISTRICT PLAN

EXHIBIT C

NOTICE BY PUBLICATION

LEGAL NOTICE OF A PUBLIC HEARING TO CONSIDER THE APPROVAL AND DESIGNATION OF THE ANTIOCH BUSINESS DISTRICT

PLEASE TAKE NOTICE that, pursuant to the Business District Development and Redevelopment Law of the State of Illinois, 65 ILCS § 5/11-74.3-1 *et seq.* (the “**Law**”) and particularly § 5/11-74.3-2, the Village of Antioch, Lake County, Illinois (the “**Village**”) will conduct a public hearing regarding the possible adoption of the Antioch Business District Plan (the “**Plan**”), designation of the Antioch Business District (the “**Business District**”), being the approval of a business district plan and designation of a business district. The Plan is on file with the Village contact person listed below.

The public hearing will be held on Wednesday, February 27, 2019, at 7:00 p.m. in the Board Room of the Antioch Village Hall, 874 Main Street, Antioch, Illinois 60002.

All persons are hereby invited to attend the public hearing to express comments concerning the Plan and the Business District. At the public hearing any interested person may file with the Village Clerk written comments and/or objections to, and may be heard orally with respect to, any issues embodied in this notice. The Village shall give all interested persons an opportunity to be heard and shall hear all protests and objections at the hearing and the hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. The corporate authorities of the Village may establish reasonable rules regarding the length of time provided to members of the general public.

Comments may be submitted prior to the public hearing with the following Village contact person: Michael S. Garrigan, Community Development Director, Village of Antioch, 874 Main Street, Antioch, Illinois 60002. Phone: (847) 395-1000 (extension 311).

The Plan proposes to allow the Village the ability to encourage the development and redevelopment of properties within the Business District, and specifically to address four major needs, being (i) rehabilitation of existing buildings, (ii) infrastructure and capital improvements, (iii) resources for new commercial development, and (iv) site preparation. The components of the Plan are described as follows: (i) to support improvements to public and private property, including improvements to existing structures within the Business District, (ii) to facilitate and encourage development of under-utilized properties within the Business District, and (iii) foster the construction, improvement, replacement and/or repair of public infrastructure, including, but not limited to, utility lines, trails and streetscaping.

The maximum rate of any tax to be imposed pursuant to Section 11-74.3-3 of the Law, being a retailers' occupation tax and a service occupation tax, in the Business District is 1%. The Village anticipates the initial rate being 1.00%.

The Village owns no land or rights in land in the proposed Business District, other than public rights of way, and it does not propose to convey, lease, mortgage or otherwise dispose of its land or rights in land located in the Business District. Obligations secured by the business district tax allocation fund may be issued to provide for the payment or reimbursement of business district project costs.

The Business District is generally bounded along Illinois Route 173, mainly between Brown Avenue on the west and Deep Lake Road on the east.

The legal description of the Business District is as follows.

[Insert to be Attached]

Dated February [__], 2019

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

[To be published at least twice, the first publication to be not more than 30 nor less than 10 days prior to the hearing, in a newspaper of general circulation in the Village.]

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFICATION OF ORDINANCE AND MINUTES

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 11th day of February, 2019, insofar as same relates to the adoption of an ordinance entitled:

AN ORDINANCE calling for a public hearing to consider the adoption of the Antioch Business District Plan and the designation of the Antioch Business District in the Village of Antioch, Lake County, Illinois

a true, correct and complete copy of which said 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 taken openly; that the vote on the adoption of said ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all of the news media requesting such notice of said meeting was duly given to all of the news media requesting such notice; that an agenda for said meeting was posted at the principal office of the Corporate Authorities at least forty-eight (48) hours in advance of the holding of such meeting; that said meeting was called and held in strict accordance with the provisions of the Open Meetings Act of the State of Illinois, as

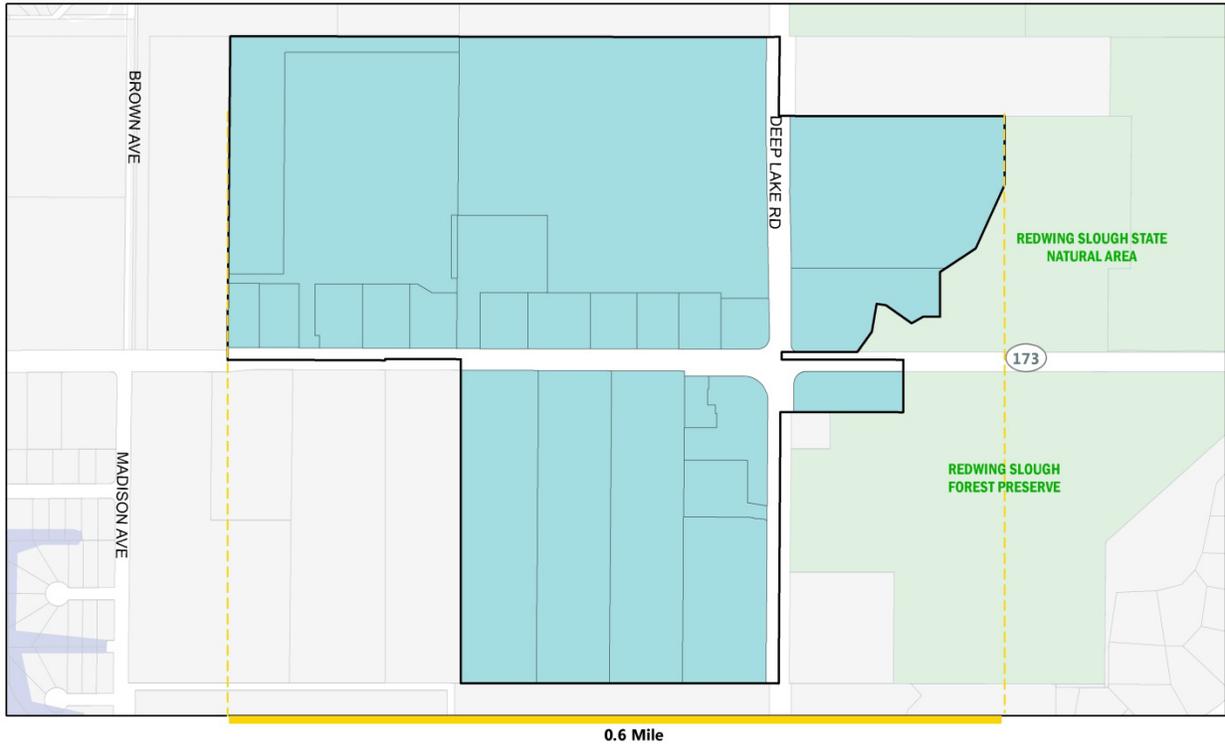
amended; and that the Corporate Authorities have complied with all of the applicable provisions of said Act and their procedural rules in the adoption of said ordinance.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of the Village, this 12th day of February, 2019.

Village Clerk

(SEAL)

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VILLAGE OF ANTIOCH, IL

Antioch Business District

Eligibility Study and Business District Plan

FINAL REPORT | February 8, 2019



VILLAGE OF ANTIOCH, IL

Antioch Business District

Eligibility Study and Business District Plan

February 8, 2019

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VILLAGE OF ANTIOCH, IL
Antioch Business District

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1. Introduction

The Village of Antioch, Illinois (the "Village") engaged SB Friedman Development Advisors ("SB Friedman") to conduct an Eligibility Study and prepare a Business District Plan for the designation of a commercial area in the Village ("Study Area") as the Antioch Business District (the "Business District") under the provisions of the Illinois Business District Development and Redevelopment Law (65 ILCS 5/11-74.3-1 et seq., as amended) (the "Act"). This Business District Plan (the "Plan") includes: a description of the Study Area; detailed information on the eligibility factors and other findings necessary to designate the Study Area as a business district under the Act; a description of the proposed redevelopment project; and the financial plan for the Business District.

The Village has determined that economic development, and, specifically, infrastructure improvements and redevelopment within the Study Area will reduce or remove blighting influences within the Study Area and enhance the welfare of the Village and its residents by encouraging economic growth within the Study Area.

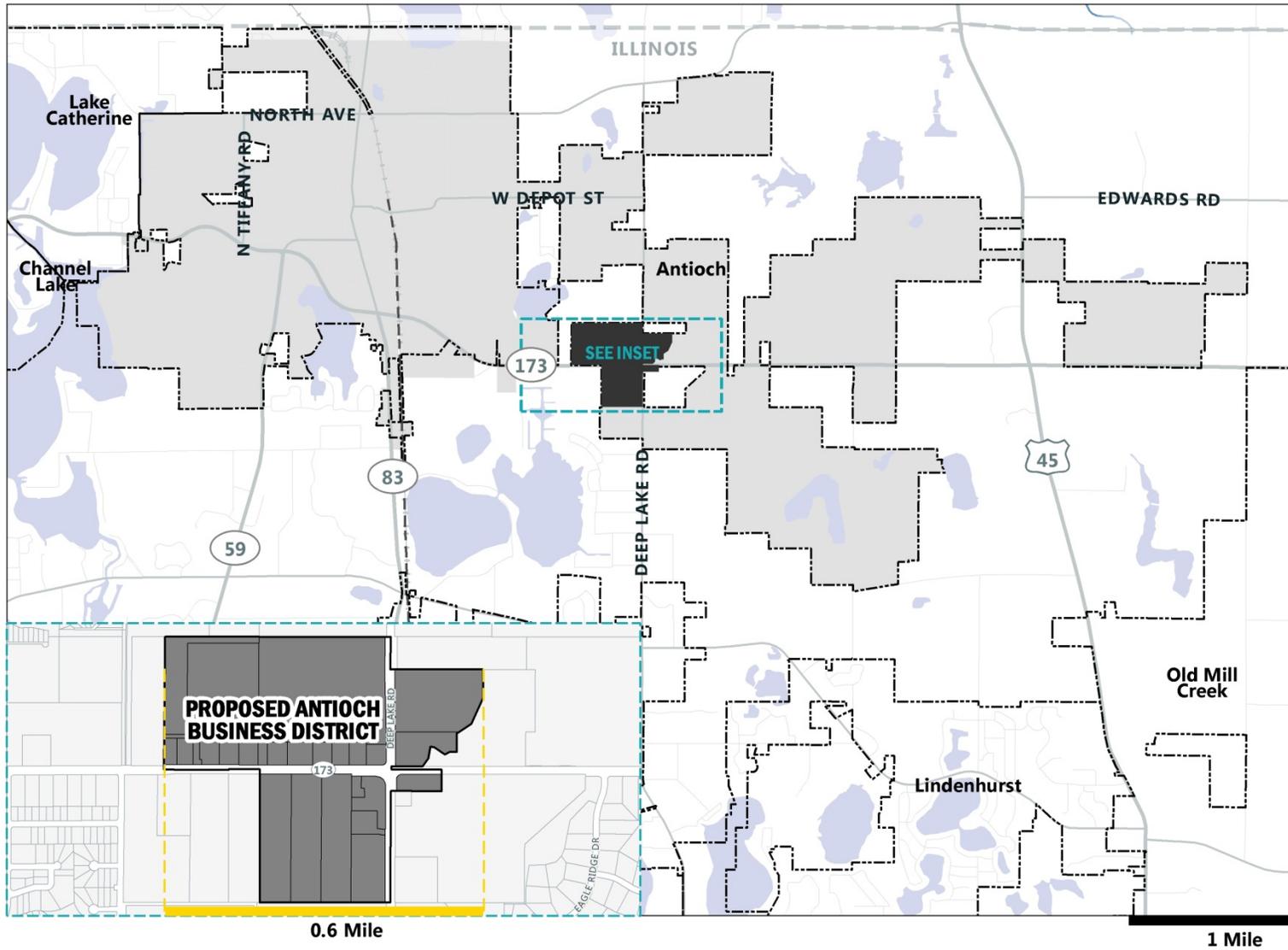
The Study Area

The Study Area for the proposed Business District encompasses properties along Illinois Route 173 mainly between Brown Avenue on the west and Deep Lake Road on the east. The area constitutes one of the primary commercial clusters in the Village.

The proposed Business District consists of a total of 35 parcels. Nine parcels are public rights-of-way according to Lake County Assessor data, and were therefore excluded from the eligibility analysis. Eligibility was assessed for the remaining 26 tax parcels in the Study Area. The Study Area contains approximately 128 acres of land, of which approximately 119 acres are improved commercial or vacant property and 9 acres are rights-of-way.

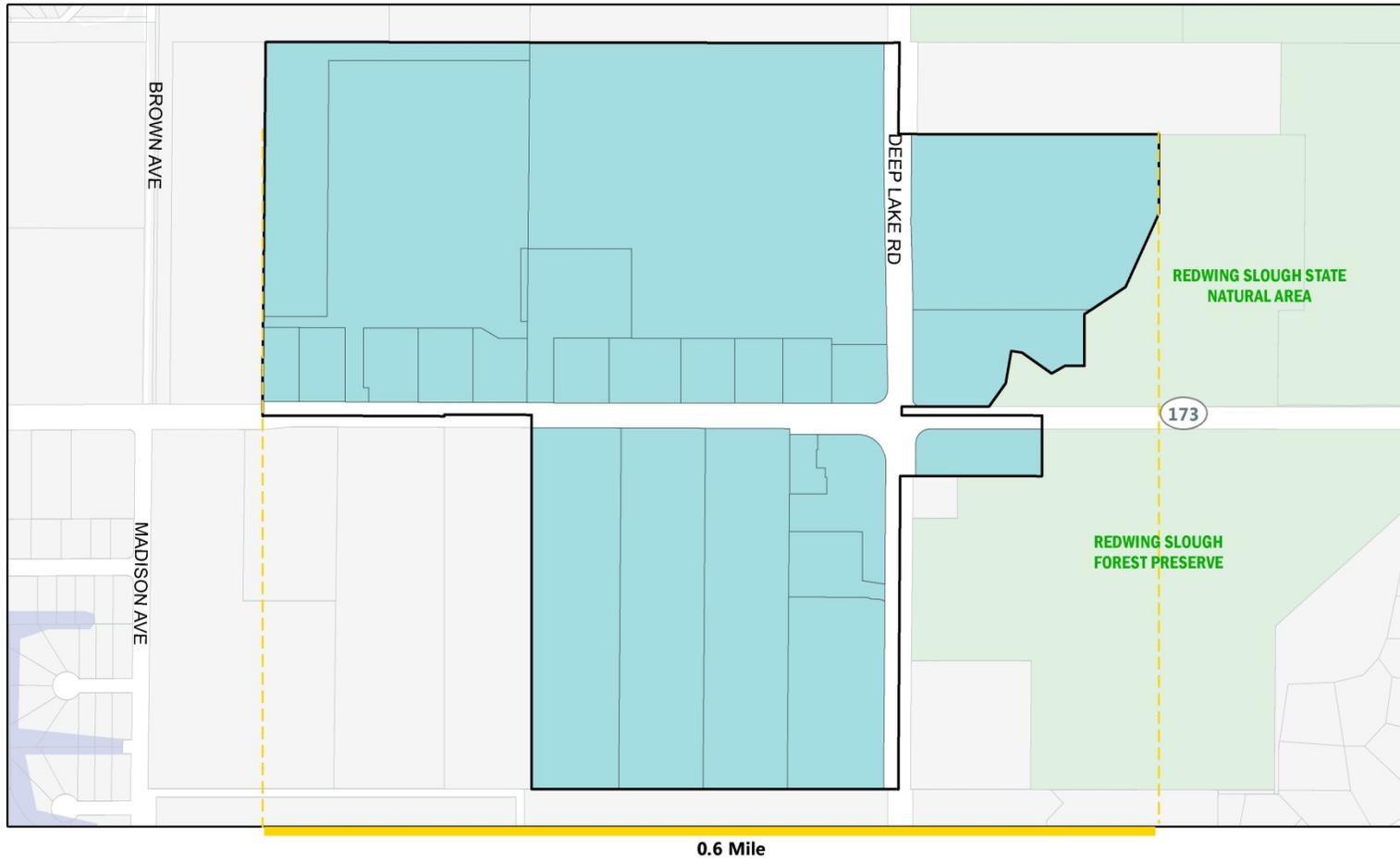
The general location of the Study Area is displayed in **Map 1** on the following page, with a more detailed boundary presented in **Map 2**. The legal description of the proposed Business District and a list of PINs in the District are included in **Appendix 1 and Appendix 2**.

Map 1: Context Map



Sources: Esri; Lake County; SB Friedman; Village of Antioch

Map 2: Proposed Boundary



- ▭ Proposed Business District Boundary
- Proposed Business District Parcels

Sources: Esri; Lake County; SB Friedman; Village of Antioch

2. Eligibility Factors and Other Required Findings

The Study Area suffers from deteriorated site improvements and buildings and obsolete platting, which appear to be hindering the economic potential of the Study Area. In order to enhance its economic viability, it is critical that the physical conditions of the Study Area be improved. Without required infrastructure, buildings, and development sites that meet modern business and development standards, the economic viability of the Study Area will continue to be challenged. The proposed Business District will benefit from a strategy that improves physical conditions and addresses deteriorating infrastructure, allowing for economic growth and redevelopment.

The eligibility findings presented herein cover events and conditions that were determined to support the designation of the Business District as a “blighted area” under the Act at the completion of our field research in November 2018 and finalization of our analysis in January 2019 and not thereafter. SB Friedman’s findings do not consider events or conditions that may have occurred after this time period, including, without limitation, governmental actions and additional development.

This report summarizes the analysis and findings of the consultant’s work, which, unless otherwise noted, is solely the responsibility of SB Friedman. The Village is entitled to rely on the findings and conclusions of this Plan in designating the Business District under the Act.

SB Friedman has prepared this Plan with the understanding that the Village would rely on: (1) the findings and conclusions of this Plan in proceeding with the designation of the Business District and the adoption and implementation of this Plan; and (2) the fact that SB Friedman obtained the necessary information, including, without limitation, information relating to the equalized assessed value of parcels comprising the Business District, so that this Plan would comply with the Act and that the Study Area could be designated a business district in compliance with the Act.

Provisions of the Illinois Business District Development and Redevelopment Act

A proposed business district in which a municipality seeks to impose taxes must meet the “blighted area” provision under the Act, in addition to satisfying several other findings and tests to qualify as a business district. These eligibility criteria are summarized below.

BLIGHTED AREA DEFINITION

A study area can be considered a blighted area under the Act by the predominance of at least one of the following five factors:

- Defective, Non-Existent or Inadequate Street Layout
- Unsanitary or Unsafe Conditions
- Deterioration of Site Improvements
- Improper Subdivision or Obsolete Platting
- Existence of Conditions which Endanger Life or Property by Fire or Other Causes

In addition, the presence of the factor(s) must have one of the following four effects on the study area:

- Retard(s) the Provision of Housing Accommodations
- Constitute(s) an Economic or Social Liability
- Constitute(s) an Economic Underutilization of the Area
- Constitute(s) a Menace to the Public Health, Safety, Morals or Welfare

OTHER REQUIRED FINDINGS AND TESTS

In addition to the blighted requirement for areas in which taxes will be imposed, the Act specifies four separate findings and tests required for designation of a business district, including:

1. **Lack of Growth and Development through Private Investment.** The Village is required to evaluate whether the study area has been subject to growth and development through private investment and must substantiate a finding of lack of such investment prior to establishing a business district.
2. **“But For” the Business District, Study Area Would Not Be Redeveloped.** The Village must find that the study area would not reasonably be anticipated to be redeveloped without the adoption of the business district.
3. **Contiguity of Parcels.** The boundaries of the business district must contain contiguous parcels that are directly and substantially benefited by the proposed Plan.
4. **Conformance to the Plans of the Village.** The Plan must conform to the comprehensive plan of the Village.

Methodology Overview

SB Friedman conducted the following analyses to determine whether the Study Area qualifies as a blighted area, as defined by the Act:

- Parcel-by-parcel fieldwork documenting external property conditions of commercial properties and infrastructure;
- Analysis of historic trends in equalized assessed value for the last six years (five year-to-year periods) for which data are available and final (2012-2017) from the Lake County Assessor’s Office;
- Review of building permit records (November 2013-November 2018);
- Review of GIS parcel shapefile data from Lake County; and
- Review of the Village’s current comprehensive plan (the “2019 Comprehensive Plan”).

All properties were examined for qualification factors consistent with the blighted area requirements of the Act. Based upon these criteria, SB Friedman concluded that the properties within the Study Area exhibit the necessary eligibility factors to qualify for business district designation.

To arrive at this designation, SB Friedman calculated the number of eligibility factors present on a parcel-by-parcel basis, and analyzed the spatial distribution of the eligibility factors. When appropriate, the presence of eligibility factors was calculated on adjacent infrastructure and ancillary properties associated with the structures. The eligibility factors were correlated to tax parcels and buildings using aerial photographs, property files created from field observations, and record searches. The information was then graphically plotted on a

parcel map of the Study Area to establish the distribution of eligibility factors, and to determine which factors were present to a meaningful extent and reasonably distributed throughout the Study Area.

Eligibility Findings

BLIGHTED AREA FINDING

Our research indicates the Study Area would qualify as a blighted area due to the predominance of the following factor:

1. Deterioration of Site Improvements

SB Friedman observed deterioration on a majority of parcels throughout the Study Area. **Map 3** displays the factor's spatial distribution.

In addition, one supporting eligibility factor has been found to be present, though to a lesser extent, in the Study Area:

1. Improper Subdivision and Obsolete Platting

SB Friedman identified improper subdivision or obsolete platting on approximately one-third of the geographic area of eligibility parcels in the Study Area. **Map 4** displays the spatial distribution of this factor.

MAJOR FACTOR: DETERIORATION

Of the 26 eligible tax parcels in the Study Area, physical deterioration of surface improvements and/or buildings was observed on 22 parcels (85%). The most common form of deterioration was on surface improvements, especially parking surfaces. Catalogued surface improvement deterioration included cracking and alligating in asphalt and concrete. Catalogued building deterioration included water-damaged and cracking brick walls. Deterioration of buildings and surface improvements can make it appear as though the Study Area lacks investment and can make it more difficult to attract new businesses or consumers. This factor was found to be meaningfully present and reasonably distributed throughout the Study Area.

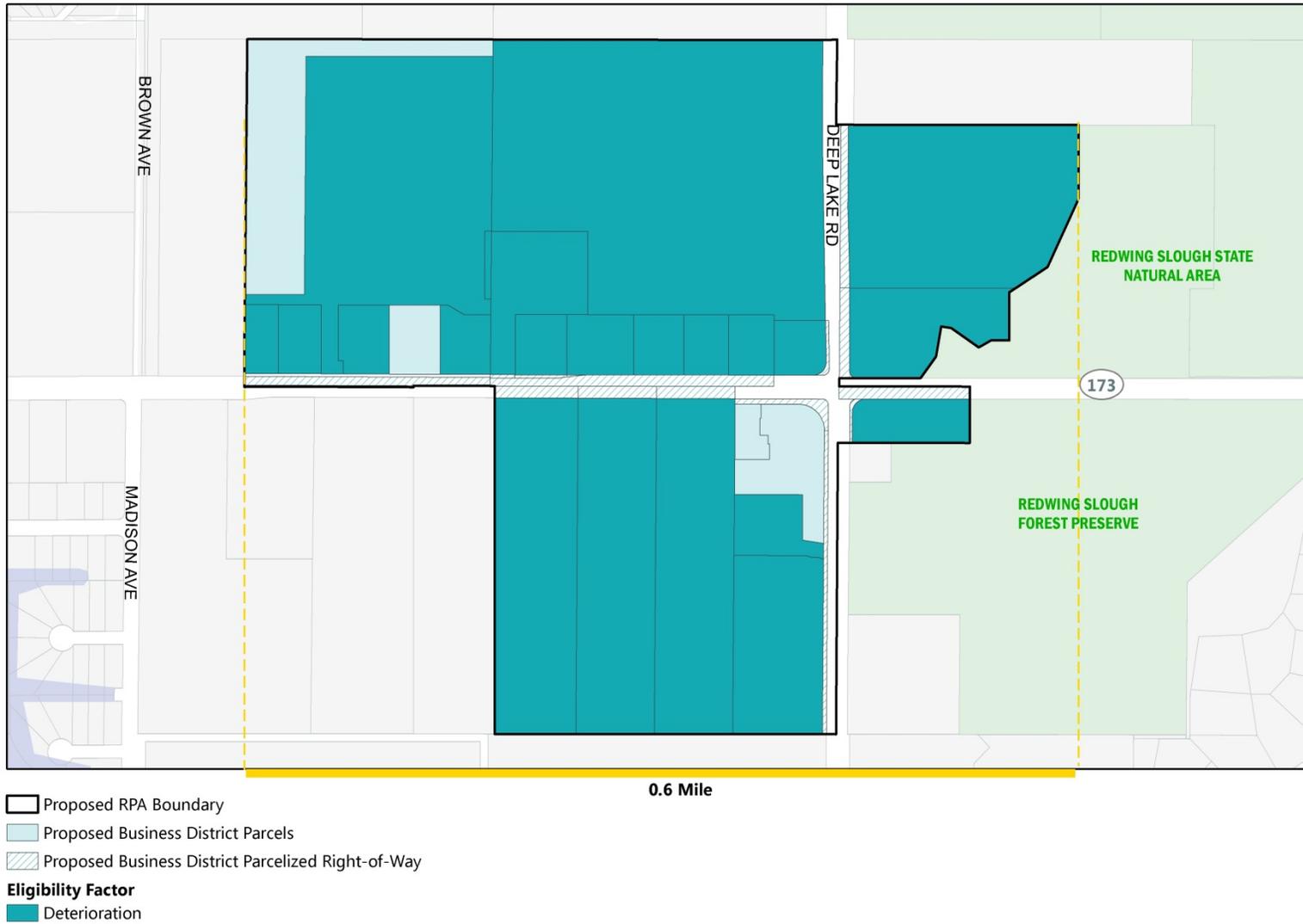
MINOR SUPPORTING FACTOR: IMPROPER SUBDIVISION AND OBSOLETE PLATTING

Within the Study Area, 31% of the geographical area of tax parcels for which eligibility was analyzed is characterized by improper subdivision or obsolete platting. The existing platting does not meet current standards or the needs of the contemporary commercial users, making the area difficult to redevelop on a planned basis. The characteristics of the area are described further below:

- Several parcels throughout the Study Area are irregularly sized or shaped, making them difficult to fully develop on a planned basis.
- The platting in some parts of the Study Area failed to create rights-of-way for streets adjacent to parcels, leaving several parcels without access to rights-of-way.

This factor was found to be present and meaningfully distributed throughout the Study Area, though to a lesser extent than deterioration.

Map 3: Deterioration of Site Improvements



Sources: Esri; Lake County; SB Friedman; Village of Antioch

Map 4: Improper Subdivision or Obsolete Platting



Sources: Esri; Lake County; SB Friedman; Village of Antioch

Findings Regarding Effect of Blighting Factors on Study Area

It appears the blighting factors have the following effect on the Study Area:

1. Constitutes an Economic Underutilization of the Area

ECONOMIC UNDERUTILIZATION OF THE AREA

An evaluation of change in property values over time is one of the clearest indicators of whether an area is meeting its economic potential. SB Friedman analyzed change in the equalized assessed value (EAV) – property values as determined by the Lake County Assessor – of the properties in the Study Area from 2012 to 2017 in comparison to the remainder of the Village and the consumer price index (CPI) for the Chicago-Gary-Kenosha Metropolitan Statistical Area.

The EAV of properties in the Study Area has declined in three of the past five year-to-year periods. The Study Area has also grown more slowly or declined more quickly than the balance of the Village in four of the past five periods. While EAV for the balance of the Village decreased by 5% overall from 2012 to 2017, EAV in the Study Area declined by 12%. Study Area EAV growth has, similarly, been less than the change in CPI in all five of the past five periods. These results are shown in **Table 1** below.

Table 1: Percent Change in Equalized Assessed Value: Study Area Compared to Balance of Village and CPI

	2012-13	2013-14	2014-15	2015-16	2016-17
EAV Change - Study Area (%)	-2.4%	-6.1%	-4.0%	0.6%	0.1%
Decline in Study Area EAV	YES	YES	YES	NO	NO
EAV Change –Balance of Village (%)	-7.2%	-2.9%	-0.7%	1.9%	3.9%
Growth Less Than Balance of Village	NO	YES	YES	YES	YES
Change in CPI (%)	1.1%	1.7%	-0.3%	0.7%	1.9%
Growth Less than CPI	YES	YES	YES	YES	YES

Sources: Bureau of Labor Statistics, CPI: Chicago-Gary-Kenosha Metropolitan Statistical Area, Lake County Assessor, SB Friedman

The overall decline in property values within the Study Area since 2012 suggests that deterioration and obsolete platting may be affecting the economic potential of the area, reducing its commercial appeal to both businesses and consumers. Despite being one of the primary commercial centers in the Village, the Study Area’s property values have declined more between 2012 and 2017 than the remainder of the Village. Existing physical conditions, including deterioration and obsolete platting, appear to be hindering the ability of the Study Area to attract sufficient investment and development to reverse declining property value trends, and therefore, constitutes an economic underutilization of the area.

Other Required Findings and Tests

In addition to finding of blight, the Act specifies four separate required findings and tests for designation. Our research, as described below, indicates that the Study Area will satisfy these requirements.

LACK OF GROWTH AND DEVELOPMENT THROUGH PRIVATE INVESTMENT

The Village is required to evaluate whether the Study Area has been subject to growth and private investment and must substantiate a finding of lack of such investment prior to establishing a business district. As described above and shown in **Table 1**, the EAV of the properties in the Study Area has declined in three of the last five year-to-year periods analyzed, and has also grown more slowly or declined more quickly than the balance of the Village (four of five periods) and CPI (five of five periods). Each of these metrics indicates a lack of growth and private investment in the Study Area.

A second key indicator of private investment is construction-related permit activity. According to Village data for November 2013 to November 2018, there was only one new construction permit issued in the Study Area, totaling \$1.3 million, in 2016. During the five-year period, 14 commercial alteration permits for rehabilitation of existing buildings were issued within the Study Area, averaging about \$575,000 annually in construction value. Despite some renovation and maintenance, these investments have been insufficient to reverse the trend of declining EAV, which declined to a greater extent than the remainder of the Village over the five-year period. Thus, the Study Area as a whole has not been subject to growth and development through private investment.

“BUT FOR” BUSINESS DISTRICT, STUDY AREA WOULD NOT BE REDEVELOPED

The Village is required to find that, but for the designation of the Business District, it is unlikely that significant investment would occur in the Study Area.

Without the support of public resources, the redevelopment objectives for the Study Area would most likely not be realized. The area-wide improvements and development assistance resources needed to upgrade existing infrastructure, provide infrastructure to undeveloped properties, rehabilitate commercial buildings, and support new development and redevelopment are extensive and costly, and the private market, on its own, has shown little ability to absorb all such costs. The Village has limited capacity to fund capital improvements of the sort that appear necessary to remove blighting factors.

Given the overall decline in property value, limited new private investment, obsolete platting, and existing surface and building deterioration, it appears unlikely that significant private investment would occur in the Study Area without creation of the Business District. Accordingly, but for the designation of the Business District, projects which would contribute substantially to area-wide redevelopment and economic growth are unlikely to occur.

CONTIGUITY OF PARCELS

No business district can be designated unless a plan is approved prior to the designation of the district; and the district can only include those contiguous parcels that are to be directly and substantially benefited by the Business District Plan.

All parcels in the Study Area are contiguous, and are expected to directly and substantially benefit from the Plan.

CONFORMANCE TO THE PLANS OF THE VILLAGE

The Plan must conform to the Village’s comprehensive plan and other Village strategic plans, or include land uses that have been approved by the Village.

Based on a review of the 2019 Comprehensive Plan, the proposed Business District Plan conforms to the Village’s Comprehensive Plan.

3. Business District Redevelopment Plan and Project

Redevelopment Needs of the Business District

The economic potential of the Study Area is currently hampered by deterioration of surface improvements and buildings and obsolete platting. Investment in buildings, infrastructure and improvements in roadways, parking and sidewalks in the Study Area are necessary to increase the economic viability within and adjacent to the proposed Business District. The existing conditions of the Study Area suggest four major redevelopment needs for the Business District:

1. Rehabilitation of existing buildings;
2. Infrastructure and capital improvements;
3. Resources for new commercial development; and
4. Site preparation.

This Redevelopment Plan identifies tools for the Village to support the development and redevelopment of the Study Area through provision of necessary infrastructure improvements and other public and private improvements to best serve the interests of the Village, local business owners and residents.

The public and private improvements outlined in this Redevelopment Plan are expected to create an environment conducive to economic growth and development within the proposed Business District and the Village overall.

Goals and Objectives

The overall goal of this Business District Redevelopment Plan is to reduce or eliminate conditions that qualify the Study Area as a blighted area under the Act and to provide the direction and mechanisms necessary to create a vibrant commercial district that will strengthen the economic base and enhance the quality of life of the Study Area and Village as a whole.

The following five objectives support the overall goal of area-wide revitalization of the proposed Business District:

1. Enhance the Village's tax base by encouraging investment and redevelopment within the Business District;
2. Foster the construction, improvement, replacement and/or repair of public infrastructure;
3. Provide improved pedestrian and bicycle access throughout the Business District;
4. Promote the improvement of façades and signage within the Business District; and
5. Promote private investment within the Village.

Redevelopment Project

The proposed redevelopment project is intended to ameliorate blighting conditions so as to promote economic growth in the proposed Business District and the Village overall. Public and private improvements along Illinois Route 173 will increase the economic viability of businesses within and adjacent to the proposed

Business District. The anticipated components of the business district development and redevelopment project are as follows:

- Support improvements to public and private property, including improvements to existing structures within the Study Area;
- Facilitate and encourage development of underutilized properties within the Study Area; and
- Foster the construction, improvement, replacement and/or repair of public infrastructure, including but not limited to, utility lines, trails and streetscaping.

The redevelopment project is expected to affect each of the properties in the proposed Business District.

4. Financial Plan

Eligible Costs

Under the Act, eligible Business District Project Costs include all costs incurred by the municipality, other governmental entity or nongovernmental entity in the furtherance of the Business District Plan, and may include:

- Costs of studies, surveys, development of plans and specifications, implementation and administration of a Plan, and personnel and professional service costs including architectural, engineering, legal, market, financial, planning, or other professional services, provided no charges for professional services may be based on a percentage of tax revenues received by the municipality;
- Property assembly costs, including but not limited to, acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other nongovernmental persons as reimbursement for property assembly costs incurred by that developer or other nongovernmental person;
- Site preparation costs including but not limited to, clearance, demolition or removal of any existing buildings, structures, fixtures, utilities, and improvements, and clearing and grading of land;
- Costs of installation, repair, construction, reconstruction, extension, or relocation of public streets, public utilities, and other public site improvements within or without the business district which are essential to the preparation of the business district for use in accordance with the Plan, and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by the developer or nongovernmental person;
- Costs of renovation, rehabilitation, reconstruction, relocation, repair or remodeling of any existing buildings, improvements and fixtures within the business district, and specifically including payments to developers or other nongovernmental persons as reimbursement for costs incurred by such developer or nongovernmental person;
- Costs of installation or construction within the business district of buildings, structures, works, streets, improvements, equipment, utilities, or fixtures, and specifically including payments to developers or other nongovernmental persons as reimbursements for such costs incurred by such developer or nongovernmental person;
- Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued under the Act that accrues during the estimated period of construction of any redevelopment project for which obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of those obligations; and
- 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.

Anticipated Project Costs

The estimated eligible costs of this Business District Plan are shown in **Table 2** below. The Total Business District Project Costs shown in **Table 2** provides an upper limit on expenditures that are to be funded using Business District revenues, exclusive of capitalized interest, issuance costs, interest, and other financing costs. Additional funding in the form of county, state and federal grants, private developer contributions, and other outside sources may be pursued by the Village as a means of financing improvements and facilities that are of benefit to the general community.

Table 2. Total Business District Project Costs

Eligible Cost Categories [1]	Budget
Professional Services (including analysis, administration, studies, surveys, legal, marketing, etc.)	\$500,000
Property Assembly (including acquisition, reimbursement for developer assembly costs)	\$2,000,000
Site Preparation (including clearance, demolition, clearing & grading)	\$5,000,000
Public Works or Improvements (within or without Business District, which are essential to Plan, including streets, utilities and other public site improvements)	\$15,000,000
Rehabilitation of Existing Buildings, Fixtures and Leasehold Improvements (including renovation, relocation, repair and remodeling)	\$15,000,000
Construction or Installation of Buildings, Improvements, Fixtures, Equipment or Utilities	\$10,000,000
Financing Costs (including expenses related to issuance, interest and reserves related to obligations)	\$1,500,000
Relocation Costs (to the extent municipality deems necessary)	\$1,000,000
TOTAL BUSINESS DISTRICT PROJECT COSTS [2] [3]	\$50,000,000

[1] Costs are shown in 2019 dollars and shall be adjusted from time to time to reflect changes in the cost of living, as measured by the U. S. Department of Labor's Consumer Price Index.

[2] Increases in estimated Total Business District Project Costs of more than 5%, after adjustment for inflation from the date this Redevelopment Plan is approved, are subject to the amendment procedures as provided under the Act.

[3] Adjustments may be made among line items in the budget without amendment, as provided under the Act.

Each individual Business District Project Cost will be evaluated in light of Business District goals as it is considered for public financing under the provisions of the Act. The totals of line items set forth in **Table 2** are not intended to place a limit on the described expenditures. Adjustments may be made in line items within the total, either increasing or decreasing line item costs because of changed business district development and redevelopment costs and needs. Within the Total Business District Project Costs limit, adjustments to the estimated line item costs in **Table 2** are expected and may be made by the Village without amendment to this Business District Plan.

The Business District Project Costs described above are intended to further the goals outlined in this Plan, and will benefit the owners and tenants of commercial businesses in the proposed Business District, as well as Village residents and patrons of local businesses.

Anticipated Sources of Funds to Pay Project Costs

As required by the Act, the Village shall establish and maintain a Business District Tax Allocation Fund (“the Fund”) to which Business District revenues generated through the Business District Retailers’ Occupation Tax and Business District Service Occupation Tax shall be deposited or credited. The Business District Taxes shall be administered as provided in the Act. Eligible Business District Project Costs are to be paid or reimbursed from these sources of revenue, as described below.

BUSINESS DISTRICT RETAILERS’ OCCUPATION TAX

A Business District Retailers’ Occupation Tax will be imposed upon persons engaged in the business of selling tangible personal property at retail (excluding property titled or registered with an agency of the State of Illinois government) in the District at a rate of 1.0% of the gross receipts from the sales made in the course of such business. The tax may not be imposed on food for human consumption that is to be consumed off the premises from which it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purposes of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

BUSINESS DISTRICT SERVICE OCCUPATION TAX

A Business District Service Occupation Tax will be imposed upon all persons in the District engaged in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the Business District, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. This tax will be imposed at a rate of 1.0% and may not be imposed on food for human consumption that is to be consumed off the premises from which it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purposes of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

OTHER SOURCES OF FUNDS

Other sources of funds that may be used to pay for business district development and redevelopment costs and associated obligations issued or incurred include land disposition proceeds, state and federal grants, investment income, private investor and financial institution funds, and all other lawful sources of funds and revenues as the municipality and developer or other non-governmental entity from time to time may deem appropriate.

Issuance of Obligations

To finance Business District Project Costs, the Village may issue bonds or obligations secured by the anticipated Business District Retailers' Occupation Tax and Business District Service Occupation Tax generated within the Business District, or such other bonds or obligations as the Village may deem as appropriate.

All obligations issued by the Village pursuant to this Business District Plan and the Act shall be retired in the manner provided in the ordinance authorizing issuance of such obligations, by the receipts of taxes from the Business District and by any other revenue designated or pledged by the Village. The final maturity date of any such obligations that are issued may not be later than 20 years from their respective dates of issue or the dissolution of the Business District, whichever is earlier.

In addition to paying or reimbursing Business District Project Costs, Business District revenues may be used for the scheduled and/or early retirement of obligations, as provided in the ordinance issuing such obligations. As provided in the Act, following payment or reimbursement for all Business District Project Costs, any surplus funds in the Fund will be deposited into the Village's general corporate fund.

5. Establishment and Term of Business District

Pursuant to the Act, the term of the Business District shall not exceed 23 years from the date the ordinance approving this Plan and designating the District is approved. The Business District Retailers' Occupation Tax and Business District Service Occupation Tax will be imposed for no longer than the term of the Business District.

6. Provisions for Amending Business District Plan

This Business District Plan may be amended pursuant to the provisions of the Act.

Appendix 1: Boundary Legal Description

A part of the Northeast Quarter and Southeast Quarter of Section 16, and part of the Northwest Quarter and Southwest Quarter of Section 15, Township 46 North, Range 10 East of the Third Principal Meridian in Lake County, Illinois, described as follows:

Beginning at the northwest corner of Outlot 6 in Antioch Crossing Phase 2 Amended Plat of Subdivision according to the plat thereof Recorded August 30, 2006 as Document No. 6050640; thence easterly along the north line of said Outlot 6, to the northwest corner of Lot 1 in Wal-Mart Subdivision according to the plat thereof Recorded October 15, 2004 as Document No. 5664657; thence easterly along the north line of said Lot 1, to the northeast corner of said Lot 1; thence easterly along the easterly extension of said north line, to the northeast corner of the Southeast Quarter of said Northeast Quarter of Section 16; thence southerly along the east line of said Southeast Quarter of the Northeast Quarter, to the north line of a parcel of land described in Quit Claim Deed in Trust recorded as Document No. 2676871, also being the south line of the North 330 feet of the South Half of the Northwest Quarter of said Section 15; thence easterly along said north line, to the westerly line of the Illinois Department of Natural Resources Redwing Slough Parcel 701-2A according to the Agreed Final Judgment Order filed in the Circuit Court of the Nineteenth Circuit Lake County, Illinois as Case No. 00ED22; thence in a general southerly and southwesterly direction along ten described courses of said westerly lines of the Illinois Department of Natural Resources Redwing Slough Parcel 701-2A, to the northerly right of way line of Illinois Route 173 according to Document No. 374073; thence westerly along said northerly right of way line, to the west line of the said Northwest Quarter of Section 15; thence southerly along said west line, to the north line of the Southwest Quarter of said Section 15; thence easterly along said north line, to the east line of the West 500 feet of the North 215 feet of the Northwest Quarter of said Southwest Quarter as described in Independent Executor's Deed recorded as Document No. 4512609; thence southerly along said east line, to the south line of said North 215 feet; thence westerly along said south line, to the east line of the Southeast Quarter of said Section 16; thence southerly along said east line, to the southeast corner of the Northeast Quarter of said Southeast Quarter of said Section 16, also being the southeast corner of Lot 19 in the School Trustee's Subdivision according to the plat thereof recorded March 2, 1914 as Document No. 151825; thence westerly along the south line of said Northeast Quarter of the Southeast Quarter, also being the south line of Lot 19 and 18 of said School Trustee's Subdivision and the south line of Lot 4 of Lavelle Subdivision according to the plat thereof Recorded March 15, 2012 as Document No. 6830374, to the west line of a parcel of land described in Warranty Deed recorded as Document No. 6245768; thence northerly along said west line, to the north line of said Southeast Quarter of Section 16; thence westerly along said north line, to the southerly extension of the west line of Outlot 5 in said Antioch Crossing Phase 2; thence northerly along said west line, the most westerly west line of said Lot 1, and the west line of said Outlot 6, to the northwest corner of said Outlot 6 and the Point of Beginning, all in Lake County, Illinois.

Appendix 2: List of PINs in Business District

PIN	2017 EAV
02-15-100-013	\$69,393
02-15-300-022 *	-
02-15-300-023	\$22,044
02-16-200-026 *	-
02-16-200-031 *	-
02-16-200-032 *	-
02-16-200-033 *	-
02-16-200-035 *	-
02-16-201-001	\$3,664,847
02-15-100-015	\$20,299
02-16-200-034	\$333,300
02-16-201-002	\$988,916
02-16-201-003	\$390,480
02-16-201-004	\$467,785
02-16-201-005	\$180,787
02-16-201-006	\$329,088
02-16-201-007	\$240,638
02-16-201-008	\$11,325
02-16-201-009	\$2,407,803
02-16-201-010	\$2,958
02-16-201-013	\$278,753
02-16-201-014	\$524,068
02-16-201-015	\$405,536
02-16-201-016 *	-
02-16-201-017	\$247,320
02-16-201-018	\$349,965
02-16-400-013	\$397,098
02-16-400-015	\$203,395
02-16-400-023 *	-
02-16-400-025	\$284,505
02-16-400-026 *	-
02-16-407-001	\$17,918
02-16-407-002	\$450,814
02-16-407-003	\$320,531
02-16-407-004	\$969
TOTAL EAV	\$12,610,535

* Parcelized rights-of-way excluded from analysis.

Sources: Lake County; SB Friedman

Appendix 3. Limitations of Engagement

The Eligibility Study covers events and conditions that were determined to support the designation of the Study Area as a “blighted area” under the Act at the completion of our field research in November 2018 and finalization of our analysis in January 2019 and not thereafter. These events or conditions include, without limitation, governmental actions and additional developments.

This Eligibility Study and Business District Plan document (the “Report”) summarizes the analysis and findings of the consultant’s work, which, unless otherwise noted, is solely the responsibility of SB Friedman. The Village is entitled to rely on the findings and conclusions of the Report in designating the Study Area as a business district under the Act. SB Friedman has prepared the Report with the understanding that the City would rely: (1) on the findings and conclusions of this Report in proceeding with the designation of the business district and the adoption and implementation of this Business District Plan; and (2) on the fact that SB Friedman has obtained the necessary information including, without limitation, information relating to the equalized assessed value of parcels comprising the RPA, so that the Report will comply with the Act and that the Study Area can be designated as a business district in compliance with the Act.

The Report is based on estimates, assumptions, and other information developed from research of the market, knowledge of the industry, and meetings during which we obtained certain information. The sources of information and bases of the estimates and assumptions are stated in the Report. Some assumptions inevitably will not materialize, and unanticipated events and circumstances may occur. Therefore, actual results achieved will necessarily vary from those described in our Report, and the variations may be material.

The terms of this engagement are such that we have no obligation to revise the Report to reflect events or conditions which occur subsequent to the date of the Report. These events or conditions include, without limitation, economic growth trends, governmental actions, additional competitive developments, interest rates, and other market factors. However, we will be available to discuss the necessity for revision in view of changes in economic or market factors.

Preliminary business district revenue projections were prepared for the purpose of estimating the approximate level of revenues that could be generated by proposed projects and other properties within the proposed business district boundary and from inflationary increases in sales. These projections were intended only to assist in preparing a budget for the Business District Plan.

As such, our Report and the preliminary projections prepared under this engagement are intended solely for your information, for the purpose of establishing a business district. These projections should not be relied upon for purposes of evaluating potential debt obligations or by any other person, firm or corporation, or for any other purposes. Neither the Report nor its contents, nor any reference to our Firm, may be included or quoted in any offering circular or registration statement, appraisal, sales brochure, prospectus, loan, or other agreement or document intended for use in obtaining funds from individual investors, without prior written consent.