



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning and Economic Development Division*

**m e m o r a n d u m**

**TO:** Bruce K. Walden, Chief Administrative Officer

**FROM:** Elizabeth H. Tyler, AICP, Planning Manager

**DATE:** October 4, 2001

**SUBJECT:** An Ordinance Fixing a Time and Place for a Public Hearing in Connection with the Proposed Designation of a Redevelopment Project Area, Approval of a Redevelopment Plan and Redevelopment Projects and Adoption of Tax Increment Financing and Related Matters

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A Draft Ordinance fixing a time and place for a public hearing on the proposed Cunningham Avenue Corridor Redevelopment Plan, Redevelopment Projects and adoption of tax increment financing has been prepared by TIF Attorney Ken Beth and is attached to this Memorandum for Council review and consideration.

The Ordinance would set the public hearing for **December 3, 2001** at **7:15 p.m.** in accordance with the schedule of TIF-related activities previously provided to Council. A copy of the Redevelopment Plan, including the update to the Feasibility Study, will be forwarded to Council under separate cover.

Please refer to the September 20, 2001 Staff Memorandum regarding the North Urbana Tax Increment Financing (TIF) District Status Report for further background information regarding this request.

Attachment: Draft Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE FIXING A TIME AND PLACE FOR A PUBLIC HEARING IN CONNECTION WITH THE PROPOSED DESIGNATION OF A REDEVELOPMENT PROJECT AREA, APPROVAL OF A REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECTS AND ADOPTION OF TAX INCREMENT FINANCING AND RELATED MATTERS**

**WHEREAS**, the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4.1 *et seq.*), as supplemented and amended (the “**Act**”), authorizes any municipality within the State of Illinois to designate a “redevelopment project area” with respect to any area which is not less in the aggregate than 1½ acres and in respect to which such municipality has made a finding that there exist conditions which cause such area to be classified as an “industrial park conservation area” or a “blighted area” or a “conservation area”, or a combination of both “blighted areas” and “conservation areas”, as all such quoted terms are defined in the Act; and

**WHEREAS**, the City of Urbana, Champaign County, Illinois (the “**Municipality**”) is a “municipality” within the meaning of the Act; and

**WHEREAS**, the City Council (the “**Corporate Authorities**”) of the Municipality have caused a Tax Increment Feasibility Study For The North Urbana (TIF No. 4) Study Area, dated as of December 8, 2000 (the “**Feasibility Study**”) to be conducted by PGAV Urban Consulting, Planning Consultants, of St. Louis, Missouri (“**PGAV**”) to determine the qualifying conditions in such area within and contiguous to the Municipality as is located, shown and identified on the Exhibit attached to and made a part of Resolution No. 2000-08-021R, A RESOLUTION PROVIDING FOR A FEASIBILITY STUDY ON THE DESIGNATION OF CERTAIN TERRITORY AS A REDEVELOPMENT PROJECT AREA AND DECLARING AN INTENT TO REIMBURSE CERTAIN PROJECT COSTS, passed and approved by the Corporate Authorities on September 11, 2000 (the “**Study Area**”); and

**WHEREAS**, a copy of Resolution No. 2000-08-021R was sent to all taxing districts that would be affected by such designation on or about October 12, 2000; and

**WHEREAS**, a complete and final copy of the Feasibility Study has been delivered to the Municipality, placed on file with the City Clerk, sent to all taxing districts that would be affected by such designation, and made available for public inspection on or about January 23, 2001; and

**WHEREAS**, the Corporate Authorities of the Municipality have determined that it is advisable for the Municipality to afford itself of the provisions of the Act and to undertake preliminary proceedings related to a proposed redevelopment plan, a draft copy of which was placed on file with the City Clerk of the Municipality on September 28, 2001 and is now before the meeting of the Corporate Authorities at which this Ordinance is adopted (the “**Redevelopment Plan**”), including certain proposed redevelopment projects identified therein to further the

objectives of the Act (the “**Redevelopment Projects**”) for such proposed part of the Study Area and other additional areas as are more particularly identified in Section 2 of this Ordinance below (the “**Cunningham Avenue Corridor Redevelopment Project Area**” or the “**Redevelopment Project Area**”) in connection with the adoption of tax increment allocation financing therefor, all as provided in the Act; and

**WHEREAS**, a revised Tax Increment Feasibility Study For the North Urbana (TIF No. 4) Study Area, dated September 28, 2001, has been prepared by PGAV to provide in reasonable detail the basis for the eligibility of the proposed Redevelopment Project Area (the “**Revised Feasibility Study**”), a copy of which is further included within and made a part of the proposed Redevelopment Plan; and

**WHEREAS**, the Act requires the Municipality to conduct a public hearing prior to the adoption of an ordinance or ordinances approving the proposed Redevelopment Plan and Redevelopment Projects, establishing the proposed Redevelopment Project Area and adopting the proposed tax increment allocation financing therefor, at which public hearing any interested person or any affected taxing district may file written objections with the City Clerk of the Municipality and may be heard orally with respect to the proposed approval of the proposed Redevelopment Plan and Redevelopment Projects, the proposed establishment of the Redevelopment Project Area and the proposed adoption of tax increment allocation financing therefor; and

**WHEREAS**, the Act requires that certain notices of the availability of the proposed Redevelopment Plan and of such public hearing be given by publication and by mailing; and

**WHEREAS**, the Act further requires that the Municipality convene a joint review board consisting of a representative designated by each community college district, local community unit school district, park district, library district, township, fire protection district, and county that will have the authority to directly levy taxes on the property within the proposed Redevelopment Project Area at the time the Redevelopment Project Area is to be approved, including a representative designated by the Municipality and a public member, for the purpose of reviewing the public record, planning documents and proposed ordinances approving the Redevelopment Plan and Redevelopment Projects proposed to be adopted by the Municipality.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS**, as follows:

**Section 1. Findings.** The Corporate Authorities hereby find, determine and declare as follows:

A. that the matters hereinabove set forth in the preambles and recitals to this Ordinance are true, correct and complete and are hereby incorporated herein by this reference thereto;

B. that the proposed approval of the Redevelopment Plan and Redevelopment Projects, establishment of the Redevelopment Project Area and adoption of tax increment allocation financing therefor are necessary and proper public purposes in order to promote and protect the health, safety, morals and welfare of the public and thereby eradicate

blighted conditions, institute conservation measures, undertake the redevelopment of the proposed Redevelopment Project Area, remove and alleviate adverse conditions and encourage private investment and enhance the tax base of the various taxing districts; and

C. that the Redevelopment Project Area, as proposed and identified in Section 2. of this Ordinance below, meets the requirements of a “redevelopment project area” as defined in the Act, except for the subsequent approval and certification thereof by an ordinance or ordinances adopted by the Corporate Authorities of the Municipality under and pursuant to the Act.

**Section 2. Proposed Establishment of Economic Development Project Area.** The boundaries of the proposed Redevelopment Project Area shall be substantially as more particularly described on Exhibit A attached hereto and hereby incorporated herein by this reference thereto.

**Section 3. Public Hearing.** Under and pursuant to the requirements of the Act, the Corporate Authorities of the Municipality shall hold a public hearing on the proposed Redevelopment Plan and Redevelopment Projects, Redevelopment Project Area and adoption of tax increment allocation financing therefor. The time, date and place of such public hearing is hereby fixed to be at 7:15 p.m. on Monday, December 3, 2001, at the Municipal Building, 400 S. Vine Street, Urbana, Illinois.

**Section 4. Notices of Public Hearing.** The appropriate officers, employees and agents of the Municipality are hereby ordered and directed to give or cause to be given notice of such public hearing by publication and by mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the proposed Redevelopment Project Area, to all taxing districts that have taxable property included within the proposed Redevelopment Project Area and to the Illinois Department of Commerce and Community Affairs, each such notice to include such information and be given at such times and in such manner as may be specified under and pursuant to the applicable provisions of the Act.

**Section 5. Public Inspection of Feasibility Study and Proposed Redevelopment Plan.** The Revised Feasibility Study as included within the proposed Redevelopment Plan was placed on file with the City Clerk on or about September 28, 2001, and both such documents have been and shall continue to be made available for public inspection since at least ten (10) days prior to the adoption of this Ordinance. The appropriate officers, employees and agents of the Municipality are hereby ordered and directed to: (i) publish notice in a newspaper of general circulation within the Municipality that interested persons may register with the Municipality in order to receive information on the proposed designation of the Redevelopment Project Area or the proposed approval of the proposed Redevelopment Plan; (ii) send by certified mail within a reasonable time after the adoption of this Ordinance a copy of the proposed Redevelopment Plan, which includes the Revised Feasibility Study, along with the name of the person to contact for further information, to each affected taxing district; and (iii) give or cause to be given notice of the availability of the proposed Redevelopment Plan, which includes the Revised Feasibility Study, including how to obtain this information, by mail within a reasonable time after the adoption of this Ordinance to all residential addresses that, after a good faith effort, are determined to be located within 750 feet of the boundaries of the proposed Redevelopment Project Area.

**Section 6. Joint Review Board.** A joint review board as specified in the Act shall be convened by the Municipality and such joint review board shall meet, review the public record, planning documents and proposed ordinances approving the Redevelopment Plan and Redevelopment Projects and submit any recommendation or report on the proposed approval of the Redevelopment Plan and Redevelopment Projects, establishment of the Redevelopment Project Area and adoption of tax increment allocation financing therefor within thirty (30) days after the convening of such joint review board. The first meeting of such joint review board shall be held at least 14 but not more than 28 days after the mailing of notice by the Municipality to the taxing districts as specified under and pursuant to the Act at the Municipal Building, 400 S. Vine Street, Urbana, Illinois. The Mayor of the Municipality, or his designee, shall be the representative of the Municipality on such joint review board.

**Section 7. Effective Date.** This Ordinance shall become effective upon its passage and approval as required by law.

This ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the City Council of the City of Urbana, Illinois, at a duly noticed special meeting of said City Council on the 8th day of October, 2001, A.D.

**PASSED** by the City Council this 8th day of October, 2001.

“Ayes” \_\_\_\_\_  
\_\_\_\_\_  
“Nays” \_\_\_\_\_  
\_\_\_\_\_  
“Absent or Not Voting” \_\_\_\_\_

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

**APPROVED** by the Mayor this 8th day of October, 2001.

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Tod Satterthwaite, Mayor