

**CITY OF BLOOMINGTON**

**2016-08**

**An Ordinance of the City of Bloomington, McLean County, Illinois, Approving the TIF  
Redevelopment Plan for the Empire Street Corridor Redevelopment Project Area**

**Adopted by the City Council  
Of the City of Bloomington  
on February 22, 2016**

Published in pamphlet form by authority of the City Council of the  
City of Bloomington, McLean County, Illinois, on February 25, 2016.

STATE OF ILLINOIS        )  
  ) ss.  
COUNTY OF MCLEAN     )

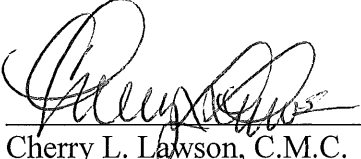
CERTIFICATE

I, Cherry L. Lawson, certify that I am the duly appointed and qualified municipal clerk of the City of Bloomington, County of McLean, Illinois.

I further certify that on the Corporate Authorities of the above municipality passed and approved Ordinance No. 2016-08 entitled, An Ordinance of the City of Bloomington, McLean County, Illinois, Approving the TIF Redevelopment Plan for the Empire Street Corridor Redevelopment Project Area, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of this Ordinance, including the Ordinance and cover sheet thereof, was prepared, and a copy of the Ordinance was posted in the municipal building, commencing on February 25, 2016 and continuing for at least ten days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Bloomington, Illinois, on 02/25/2016

  
\_\_\_\_\_  
Cherry L. Lawson, C.M.C.  
City Clerk

**Ordinance No. 2016-08**

**AN ORDINANCE OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS, APPROVING THE TIF REDEVELOPMENT PLAN FOR THE EMPIRE STREET CORRIDOR REDEVELOPMENT PROJECT AREA**

**WHEREAS**, the Mayor and City Council (collectively, the “*Corporate Authorities*”) of the City of Bloomington, McLean County, 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 obsolete structures, by progressive and advanced deterioration of structures and site improvements, by a lack of physical maintenance of such structures, excessive vacancies, inadequate utilities, and by a decline in the equalized assessed value, 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, blighting factors and 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 Empire Street Corridor 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 PGAV PLANNERS, in November of 2015, that the Proposed Area qualifies as a “redevelopment project area” as a “conservation 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 “conservation 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 Empire Street Corridor Tax Increment Financing Redevelopment Plan 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 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, 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 #85 adopted on December 14, 2015, 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 8th day of February 2016, at 7:00 p.m., at the Bloomington City Hall, 109 East Olive Street, Bloomington, 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 December 18, 2015, was published on January 20, 2016 and January 27, 2016, and sent by certified mail to taxpayers within the Proposed Area on January 26, 2016; and,

**WHEREAS**, the Municipality has established and published 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, 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 a 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 designate the Proposed Area as a redevelopment project area under the TIF Act; and,

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

**WHEREAS**, the Municipality held the Hearing on February 8, 2016 at the Bloomington City Hall, 109 East Olive Street, Bloomington, Illinois at 7:00 p.m.; 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 8<sup>th</sup> day of February, 2016; and,

**WHEREAS**, the Plan, which contains the basis for eligibility set forth the factors which cause the parcels in the Proposed Area to be a conservation area by the Corporate Authorities having 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 Proposed Area to be a “conservation 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 found that the redevelopment projects proposed by Plan will not cause any significant financial impact or increased demand for facilities or services by any local taxing body; and,

**WHEREAS**, the Corporate Authorities have reviewed the proposed Plan and the existing comprehensive plan of the Municipality for development as a whole and finds that the proposed Plan conforms to the comprehensive plan of the Municipality.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Bloomington, McLean County, 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 for the parcels included therein to be classified as a conservation 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 conforms 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, 2040, and the estimated date of the retirement of any obligation incurred to finance redevelopment project costs as defined in the Plan is December 31, 2040.
- (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, *Tax Increment Financing Redevelopment Plan Empire Street Corridor Redevelopment Project Area*, dated November 20, 2015, which was the subject matter of the public hearing held on the 8th day of February, 2016, is hereby adopted and approved. A copy of the Plan, which incorporates the eligibility findings is attached as *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.

Passed this 22<sup>nd</sup> day of February, 2016.

AYES:        8

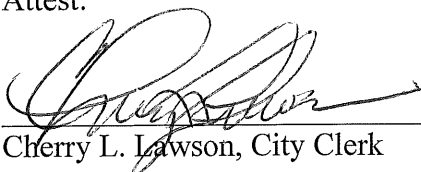
NAYS:        0

ABSENT:     1 (Alderman Scott Black)

Approved this 23<sup>rd</sup> day of February, 2016.

  
\_\_\_\_\_  
Tari Renner, Mayor

Attest:

  
\_\_\_\_\_  
Cherry L. Lawson, City Clerk

Published in pamphlet form:

February 25, 2016



## *Exhibit A*

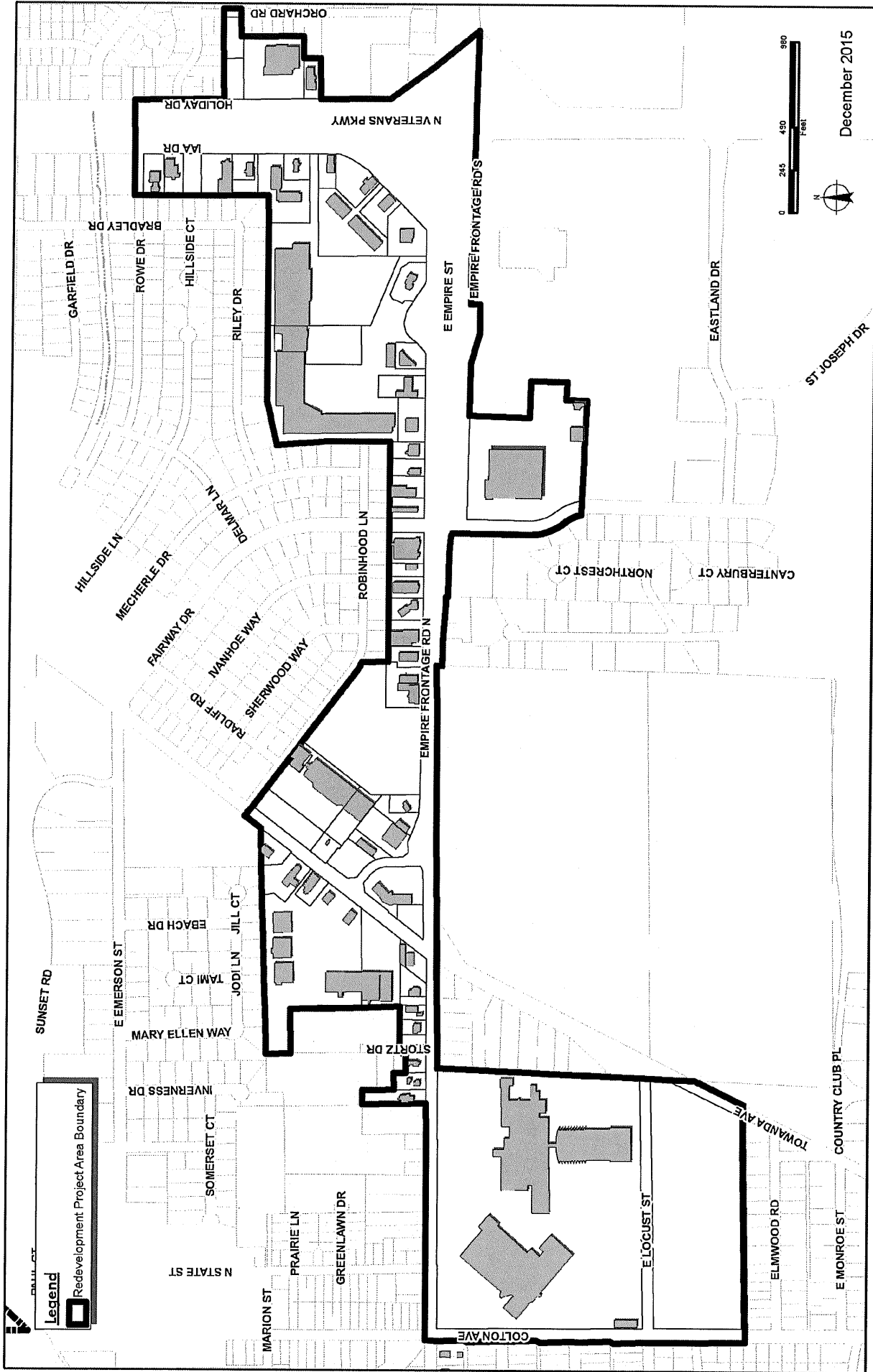
### *Legal Description of the Redevelopment Project Area*

A part of Section 34 and 35 in Township 24 North, Range 2 East and a part of Section 2 and 3 in Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the point of intersection of the west right of way line of Colton Avenue and the north right of way line of Empire Street; thence Easterly on said north right of way line of Empire Street to the southwest corner of a tract of land described in Executor's Deed recorded as Document No. 2015-18668 in the McLean County Recorder of Deeds Office; thence Northerly to the northwest corner of said tract described in Document No. 2015-18668; thence Easterly to the northeast corner of said tract described in Document No. 2015-18668; thence Southerly on the east line of said tract described in Document No. 2015-18668 to the northwest corner of a tract described in a Quit Claim Deed recorded as Document No. 2013-25879 in said Recorder Office; thence Easterly to the northeast corner of said tract described in Document No. 2013-25879; thence Southerly on the east line of said tract described in Document No. 2013-25879 to the northwest corner of the West 115 feet of the East 145 feet of the South 115 feet of Lot 1 in County Clerk's Subdivision of the south end of the SW $\frac{1}{4}$  of Section 34, Township 24 North, Range 2 East of the Third Principal Meridian; thence Easterly on the north line of said West 115 feet of the East 145 feet of the South 115 feet of said Lot 1 to the west right of way line of Stortz Drive; thence Northerly on said west right of way line of Stortz Drive to the point of intersection with the westerly extension of the north line of Greenbriar Subdivision; thence Easterly 253.64 feet on said westerly extension and the north line of said Greenbriar Subdivision; thence Northerly 623.81 feet to a point lying 253.64 feet east of the west line of the SE $\frac{1}{4}$  of said Section 34; thence Westerly 253.64 feet to said west line of the SE $\frac{1}{4}$  of Section 34, said point lying 397.69 feet north of the north right of way line of said Stortz Drive; thence Northerly on said west line of the SE $\frac{1}{4}$  of Section 34 to the south line of Pinebach Subdivision; thence Easterly on said south line of Pinebach Subdivision and the easterly extension thereof to the northwesterly right of way line of Towanda Avenue; thence Northeasterly on said northwesterly right of way line of Towanda Avenue to the point of intersection with the southwest right of way line of Robinhood Lane; thence Southeasterly on said southwest right of way line of Robinhood Lane to the east line of Lot 1 Verizon Empire Street Subdivision; thence Southerly on said east line of said Lot 1 Verizon Empire Street Subdivision to the northwest corner of Lot 148 in Fairway Knolls 2<sup>nd</sup> Addition; thence Easterly on the north line of Lots 148, 149, 150, 151, 152, 135 and the easterly extension thereof and 134 in said Fairway Knolls 2<sup>nd</sup> Addition and Lots 500, 501, 502 and 503 in Fairway Knolls 9<sup>th</sup> Addition to the southeast corner of Fairway Knolls 6<sup>th</sup> Addition; thence Northerly on the east line of said Fairway Knolls 6<sup>th</sup> Addition to the point of intersection with the south line of Fairway Knolls 7<sup>th</sup> Addition; thence Easterly on said south line of Fairway Knolls 7<sup>th</sup> Addition and Fairway Knolls 10<sup>th</sup> Addition to the southeast corner of said Fairway Knolls 10<sup>th</sup> Addition; thence Northerly on the east line of said Fairway Knolls 10<sup>th</sup> Addition and the east line of Lots 245 and 246 in Fairway Knolls 5<sup>th</sup> Addition and the northerly extension thereof to the north right of way line of Rowe Drive; thence Easterly on said north right of way line of Rowe Drive and the easterly extension thereof to the east right of way line of Veterans Parkway / Holiday Drive; thence Southerly on said east right of way line of Veterans Parkway / Holiday Drive to the

northwest corner of Lot 9 in Resubdivision of Lot 2 Circle Lanes Subdivision; thence Easterly on the north line of said resubdivision to the northeast corner of Lot 10 in said Resubdivision of Lot 2 Circle Lanes Subdivision; thence Southerly to the southeast corner of said Lot 10; thence Westerly on the south line of said Lot 10 to the northerly extension of the east line of Lot 11 in said Resubdivision of Lot 2 Circle Lanes Subdivision; thence Southerly to the southeast corner of said Lot 11; thence Westerly on the south line of said Lot 11 to the northeast corner of Lot 1 in Makewi Subdivision; thence Southerly to the southwest corner of said Lot 1 Makewi Subdivision; thence Westerly on the south line of said Lot 1 Makewi Subdivision to said east right of way line of Veterans Parkway / Holiday Drive; thence Southerly on the easterly right of way line of Veterans Parkway / Holiday Drive to the south right of way line of Empire Street; thence Westerly on said south right of way line of Empire Street to the northwest corner of Lot 1 in Eastland Mall Subdivision; thence Southerly 345.00 feet on the westerly line of said Lot 1 Eastland Mall Subdivision; thence Easterly 204.87 feet on said westerly line of Lot 1; thence Southerly 228.58 feet on said westerly line; thence Westerly 105.00 feet on said westerly line; thence Southerly 112.00 feet on said westerly line to a line lying 525.04 feet north of and parallel with the south line of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 2, Township 23 North, Range 2 East of the Third Principal Meridian; thence Westerly on said line lying 525.04 feet north of and parallel with the south line of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 2 and the westerly extension thereof to the westerly right of way line of Fairway Drive; thence Northerly on said westerly right of way line of Fairway Drive to the south right of way line of Empire Street; thence Westerly on said south right of way line of Empire Street to the northwest corner of Lot 7 in Country Club View Subdivision; thence Southerly on the west line of said County Club View Subdivision, Maxine Lartz Subdivision, Pershall Subdivision, part of Lot 2 Davis Subdivision, Shepard's Subdivision and the southerly extension thereof to the southeast right of way line of Towanda Avenue; thence Southwesterly on said southeast right of way line of Towanda Avenue to the easterly extension of the south right of way line of a public alley lying north of and adjoining Blocks 4, 5 and 6 in Davis 4<sup>th</sup> Addition to Bloomington; thence Westerly on said easterly extension and the south right of way line of said alley and the westerly extension thereof to the west right of way line of Colton Avenue; thence Northerly on said west right of way line of Colton Avenue to the Point of Beginning.

*Exhibit B*

*Map of Redevelopment Project Area*



Base Data Source: McLean County Regional Planning Commission

### Redevelopment Project Area Boundary

Empire Street Redevelopment Project Area



*Exhibit C*

*Empire Street Corridor Redevelopment Plan*