

Committee Members:
Justin Gough
Bill Poletti
Frank Menn
Pat Baeske
Harry Zimmerman

A G E N D A
COMMUNITY COMMITTEE
Wednesday, June 22, 2016 – 7:00 p.m.
Council Chambers
Fairview Heights City Hall
10025 Bunkum Road

Public Participation
Approval of Minutes – May 18, 2016

Development
Alderman Bill Poletti, Chairman

1. Economic Development Director's Report
2. Consider approval of the Ludwig Drive TIF Redevelopment Plan and Project
3. Consider approval of the State Route 159 North TIF Redevelopment Plan and Project
4. Consider designating and approving Ludwig Drive TIF Tax Increment Financing Area
5. Consider designating and approving the State Route 159 North TIF Tax Increment Financing Area
6. Consider adopting Tax Increment Financing for the Ludwig Drive TIF
7. Consider adopting Tax Increment Financing for the State Route 159 North TIF
8. Consider approval of an Intergovernmental Agreement template between the City of Fairview Heights and the taxing districts of the Ludwig Drive TIF, as recommended by the Joint Review Board
9. Consider approval of an Intergovernmental Agreement template between the City of Fairview Heights and the taxing districts of the State Route 159 North TIF, as recommended by the Joint Review Board

Planning
Alderman Pat Baeske, Chairman

1. Land Use & Development Director's Report
2. PC 10-16 Longacre Drive Development Plan Self-storage units

Parks & Recreation
Alderman Justin Gough, Chairman

1. Parks and Recreation Director's Report: General discussion regarding items in report
2. Lexington Park Playground: Motion for request to solicit bids
3. Grant Request: Resolution to apply for a St. Clair County Grant for a pavilion at Moody Park

THE CITY OF FAIRVIEW HEIGHTS
COMMUNITY COMMITTEE MINUTES
Wednesday, May 18, 2016 - 7:00 p.m.
City Council Chambers
10025 Bunkum Road, Fairview Heights, IL

Committee Members in attendance – Justin Gough, Bill Poletti, Frank Menn, Pat Baeske, Harry Zimmerman, Mayor Mark Kupsky, Ex-officio

Committee Members absent –

Other Aldermen and Elected Official in attendance – Brenda Wagner, Pat Peck, City Clerk Karen Kaufhold

Staff in attendance - Parks & Recreation Director Angie Beaston, Land Use Director Tim Tolliver, Economic Development Director Mike Malloy, City Attorney Jim Gehrs

Recorder – Cheryl Kleb

Public Participation

None.

Approval of April 20, 2016 Minutes

Motion and second to approve said minutes as written were made by Aldermen Harry Zimmerman/Bill Polletti. The motion carried by voice vote and was unanimous.

Planning Committee

Alderman Pat Baeske, Chairman

ZBA 04-16 Area Bulk Variance – 10408 Lincoln Trail NAPA

Director Tolliver briefed Committee on Zoning Board of Appeals case ZBA 04-16. Zoning Board of Appeals recommended approval of the request.

Jim McKay was present and available to answer questions.

Susan Casey, property contract seller, spoke in favor of the variance.

Motion and second to recommend to City Council to approve said request in accordance with the Zoning Board of Appeals recommendation were made by Aldermen Bill Poletti/Frank Menn. The motion carried by voice vote and was unanimous.

Special Event – VFW Bike Night

Director Tolliver briefed Committee on a Special Event request to hold a Bike Night at the VFW Post 8677 located at 5325 North Illinois from 6:00 p.m. – 9:00 p.m. on consecutive Thursdays (16 total), May 19 – September 1, 2016.

Motion and second to recommend to City Council to approve the special event request to hold a Bike Night at the VFW Post 8677 located at 5325 North Illinois from 6:00 p.m. – 9:00 p.m. on

consecutive Thursdays (16 total), May 19 – September 1, 2016, were made by Aldermen Bill Poletti/Justin Gough. The motion carried by voice vote and was unanimous.

Labor Local 100 Development Plan/Zoning Amendment time extension

Director Tolliver briefed Committee on a request received from Labor Local 100 for an extension of time in regards to the initiation of development of their Union Hall at property located behind Dollar General at the terminus of Cari Drive.

Bobby Green, Labor Local 100, Business Manager, was present and available to answer questions.

Motion and second to recommend to City Council to approve a Development Plan/Zoning Amendment one year time extension until June 19, 2017, were made by Aldermen Justin Gough/Poletti. The motion carried by voice vote and was unanimous.

Development Committee

Alderman Bill Poletti, Chairman

Economic Development Director's Report

Director Malloy presented his written report to Committee for review. There were no questions.

Parks & Recreation Committee

Alderman Justin Gough, Chairman

Parks Director's Report

Director Beaston presented her written report for review by the Committee. There were no questions.

Scoreboard for George Lanxon Field: Request to Solicit Bids

Director Beaston requested approval to solicit bids for a scoreboard on George Lanxon Field.

Motion and second to authorize the Director to solicit bids for a scoreboard on George Lanxon Field were made by Aldermen Bill Poletti/Frank Menn. The motion carried by voice vote and was unanimous.

Tennis Court Repair/Resurface: Request to Solicit Bids

Director Beaston requested approval from Committee to solicit bids for the tennis court repair and resurfacing.

Motion and second to authorize the Director to solicit bids for tennis court repairs and resurfacing were made by Aldermen Frank Menn/ Bill Poletti. The motion carried by voice vote and was unanimous.

Municipal Complex Signage: Request to Solicit Bids

Director Beaston requested approval from Committee to solicit bids for the Municipal Complex signage.

Motion and second to authorize the Director to solicit bids for the Municipal Complex signage were made by Aldermen Bill Poletti/Frank Menn. The motion carried by voice vote and was unanimous.

5K Request for Approval

Director Beaston presented a request from the Christian Activity Center to hold the Black Friday Run for Peace 5k fundraiser at Everett Moody Park on November 26, 2016 from 7:00 a.m. – 12:00 p.m.

Motion and second to recommend to City Council to approve the request from the Christian Activity Center to hold the Black Friday Run for Peace 5k fundraiser at Everett Moody Park on November 26, 2016 from 7:00 a.m. – 12:00 p.m. and to allow the sale of items and collection of fees and donations during the event were made by Aldermen Frank Menn/ Bill Poletti. The motion carried by voice vote and was unanimous.

Recreation Center Update

Director Beaston updated Committee on the status of the new Recreation Center

Adjournment 7:46 p.m.

Submitted By:

Recorder

DRAFT

MEMORANDUM

TO: Elected Officials

FROM: Mike Malloy, Director of Economic Development

DATE: June 17, 2016

SUBJECT: Development Committee Agenda Overview

Economic Development Director Report:

1. There are eight (8) items on the June 22, 2016 Development Committee agenda for consideration. Four (4) of the items relate to the creation of the Ludwig Drive TIF. The other four (4) items relate to the creation of the State Route 159 North TIF.
2. The former Hobby Lobby space in the Crossroads Shopping Center will soon be the home of two (2) new tenants to the City. Sky Zone has signed a lease with Brixmor, owner of Crossroads Center, to utilize a portion of the former Hobby Lobby space for an Indoor Trampoline Park. The balance of the former Hobby Lobby space has been leased to a grocery store chain. Both the grocery store and Sky Zone anticipate to open in early September.
3. Outlet Max has leased 4,000 sq. ft. at Crossroads Center.
4. Sweet Pleasure Cupcakes and Cookies and a Touch of Bulgaria have recently opened in St. Clair Square.
5. Ruby's, an eatery and gaming establishment, opened June 14th in Winchester Plaza. A ribbon cutting is scheduled for Friday, June 24th at 11:00 a.m.
6. Staff successfully negotiated Intergovernmental Agreements with taxing districts in the Ludwig Drive TIF and the State Route 159 North TIF.
7. Staff continues to work with a developer concerning the placement of a large scale development project on a portion of the 72 acres, which is in process of being TIF'd
8. Staff is working with two (2) separate businesses considering placement in the proposed Ludwig Drive TIF.
9. Staff, in conjunction with the Park's Director, made a presentation to Caseyville Township concerning placement of a portion of the proposed Sothern Corridor Trail on Township property.
10. Staff obtained Sales Tax Exemption certificates from the IL Department of Revenue for the Perfect Finish and NAPA Auto Parts Store projects.
11. Staff developed the Program Agenda for the Downstate ICSC Alliance meeting to be held in Fairview Heights on August 25th at the Four Points by Sheraton.

12. Worked with Illinois South Tourism to develop a marketing program for the City for 2017.
13. Staff successfully concluded the sale of city property at 10408 Lincoln Trail to Jim McKay to construct a NAPA Auto Parts store.
14. Staff is working with a realtor to allow construction of a grocery store on Lincoln Trail.
15. Staff continues to work on individual site characteristics for the proposed Recreation Center.

Mike Malloy
Director of Economic Development



([HTTP://WWW.SKYZONE.COM](http://www.skyzone.com))



WHAT IS SKY ZONE?

Sky Zone is the world's first indoor trampoline park. We're the inventors of "fun fitness" and the makers of trampolines as far as the eye can see. We give you one of the greatest workouts ever combined with awesome, healthy fun. We've been voted the number one "out of the box" workout and the "best party ever." Experience WOW - the weightlessness of bouncing, flipping and landing in a pit filled with 10,000 foam cubes.

We are dedicated to providing you with the pure joy that comes with flying. We are sky lovers, thrill seekers and people who believe that jumping is freedom. We believe fitness can be fun and play can be smart. We are healthy and bursting with energy. We fly high and keep it safe. We are Sky Zone.

[BOOK NOW \(/LOCATIONS\)](#)

[BIRTHDAY PARTIES \(/BIRTHDAY-PARTIES\)](#)

[ACTIVITIES & PROGRAMS \(/ACTIVITIES-PROGRAMS\)](#)

[GROUP EVENTS \(/GROUP-EVENTS\)](#)

[FRANCHISE \(/FRANCHISE\)](#)

[SKY ZONE INDOOR TRAMPOLINE PARK](#)



© Copyright 2016 Sky Zone Trampoline Park. The Sky Zone Trampoline Park playing courts are protected by U.S. Patent # 5,624,122



L.
4387 N. Illinois St., Suite 200
Swansea, IL 62226
P. 618.257.1488 800.442.1488
F. 618.257.3403

**FY 17 Marketing Proposal
City of Fairview Heights**

FY 17 Commitment **\$10,000**

Ruby Membership **\$2,500**

Bureau Editorial:

- Visitors Guide: Fairview Heights attractions, parks, restaurants, lodging, golf, shopping, etc.
- Bureau website: inclusion in content and logo banner ad
- Monthly E-newsletter
- Submission of events, attractions, lodging to enjoyillinois.com & Illinois Travel Guide
- *Tourism Times*: Calendar of Events, seasonal inclusion in articles

Advertising/Promotion:

- Full page ad in 2016 Visitors Guide (115m) – 50 % discount **\$2,612**
- Brochure & map creative update/Craig Simon **\$500**
- Brochure reprint **\$2,549**
- Tear off maps reprint (10m) **\$664**
- KMOX radio drive time Campaign, promoting August 2016 Midwest Salute to the Arts & Midwest Wingfest **\$1500** — do together
- FY 16 Carry over **-\$325**

TOTAL: **\$10,000**

Ordinance No. _____

AN ORDINANCE APPROVING THE TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT FOR THE LUDWIG DRIVE TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA

WHEREAS, the City of Fairview Heights, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended (the "**TIF Act**"), within the municipal boundaries of the City of Fairview Heights and within the proposed Ludwig Drive Tax Increment Financing Redevelopment Project Area (the "**Redevelopment Project Area**") as described in the proposed Redevelopment Plan (hereinafter defined), which constitutes in the aggregate more than 1½ acres.

WHEREAS, due notice in respect to the availability of the proposed Redevelopment Plan for the Ludwig Drive Tax Increment Financing Redevelopment Project Area (the "**Redevelopment Plan**") including a proposed Redevelopment Project (the "**Redevelopment Project**"), which contains an eligibility report, was given by mail on April 20, 2016, pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all interested parties that have registered with the City concerning the proposed Redevelopment Project Area.

WHEREAS, due notice in respect to the availability of the proposed Redevelopment Plan, which contains an eligibility report, was given by mail on April 20, 2016, pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all residential addresses that, after a good faith effort, the City determined are located outside of the proposed Redevelopment Project Area and within 750 feet of the boundaries of the proposed Redevelopment Project Area.

WHEREAS, pursuant to Section 11-74.4-5 of the TIF Act, the City Council caused a public hearing (the "**Public Hearing**") to be held relative to the proposed Redevelopment Plan and Redevelopment Project and the proposed designation of the Redevelopment Project Area on June 14, 2016, at Fairview Heights City Hall.

WHEREAS, due notice in respect to such hearing was given pursuant to Section 11-74.4-5 and 6 of the TIF Act, said notice being given to taxing districts and to the Department of Commerce and Economic Opportunity by certified mail on April 20, 2016, by publication on May 26, 2016, and June 2, 2016, and by regular mail to all residential addresses that, after a good faith effort, the City determined are located outside of the proposed Redevelopment Project Area and within 750 feet of the boundaries of the proposed Redevelopment Project Area on April 20, 2016, and by certified 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 on June 2, 2016.

WHEREAS, the City has established and convened a Joint Review Board on May 11, 2016, as required by and in all respects in compliance with the provisions of the TIF Act.

WHEREAS, the proposed Redevelopment Plan and Redevelopment Project set forth the factors constituting the need for abatement of conditions in the proposed Redevelopment

Project Area that have led to its eligibility, and the City Council has reviewed testimony concerning such need presented at the public hearing and has reviewed the eligibility report and is generally informed of the conditions in the proposed Redevelopment Project Area as the term "blighted area" is defined in the TIF Act and as such term is applied to improved land.

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the proposed Redevelopment Project Area to determine whether private development would take place in the proposed Redevelopment Project Area as a whole without the adoption of the proposed Redevelopment Plan for the proposed Redevelopment Project Area.

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the proposed Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Redevelopment Project Area would be substantially benefited by the proposed redevelopment project improvements.

WHEREAS, the City Council has reviewed the *City of Fairview Heights, 2012 Comprehensive Plan* for the development of the municipality as a whole to determine whether the proposed Redevelopment Plan and Redevelopment Project conform to the City's Comprehensive Plan.

WHEREAS, the City Council has reviewed the public input at the Public Hearing.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1. The City Council of the City of Fairview Heights hereby makes the following findings:

- a. The area constituting the Ludwig Drive Redevelopment Project Area in the City of Fairview Heights, Illinois is described in **Exhibit A**, attached hereto and made part of this Ordinance, exceeds 1½ acres, and is located in its entirety within the City limits.
- b. There exist conditions which cause the proposed Redevelopment Project Area to be classified as a "*blighted area*" as such term is defined in Section 11-74.4-3 (a) of the TIF Act.
- c. The proposed Redevelopment Project Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan.
- d. The Redevelopment Plan and Redevelopment Project conform to the City's Comprehensive Plan for the development of the municipality as a whole.
- e. The parcels of real property in the proposed Redevelopment Project Area are contiguous and only those contiguous parcels of real property (and improvements thereon), which will be substantially benefited by the proposed Redevelopment Project

improvements, are included in the proposed Redevelopment Project Area.

- f. The estimated dates of completion of the Redevelopment Project and retirement of obligations issued to finance redevelopment project costs shall not be later than December 31 of the year in which payment to the City Treasurer is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the Redevelopment Project Area is adopted.

SECTION 2. The Redevelopment Plan and Redevelopment Project for the Ludwig Drive Redevelopment Project Area, marked as **Exhibit B** attached to and made a part of this Ordinance, is hereby approved.

SECTION 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

EXHIBIT A

Legal Description

PART OF US SURVEY 768, SECTIONS 21 AND 22, IN TOWNSHIP 2 NORTH, RANGE 8 WEST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 9 OF 4TH ADDITION TO FAIRVIEW HEIGHTS OFFICE PARK SUBDIVISION REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN BOOK OF PLATS 89 ON PAGE 77, SAID BEGINNING POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 9, 180.00 FEET TO THE SOUTHWEST CORNER OF LOT 10 OF FAIRVIEW HEIGHTS PLAZA PHASE 1 SUBDIVISION; REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN SAID RECORDER'S OFFICE IN BOOK OF PLATS 90 ON PAGE 50; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 10, THE FOLLOWING DISTANCES, 436.82 FEET AND 323.52 FEET TO THE SOUTH LINE OF THE CSX RR; THENCE EASTERLY ALONG THE SOUTHERLY LINES OF SAID CSX RR, TO THE NORTHWEST CORNER OF LOT 3 OF 1ST ADDITION TO FAIRVIEW OFFICE PARK; REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN SAID RECORDER'S OFFICE IN BOOK OF PLATS 85 ON PAGE 58; THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 3 AND THE SOUTHERLY EXTENSION THEREOF TO THE SOUTHERLY LINE OF A 40.00 FOOT WIDE PRIVATE ROAD AND UTILITY EASEMENT; THENCE EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 29.00 FEET TO THE NORTHWEST CORNER OF LOT 4 OF SAID SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 388.7 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4 OF FAIRVIEW OFFICE PARK 1ST ADDITION, ALSO BEING THE NORTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE NORTHEASTERLY, ALONG SAID RIGHT OF WAY LINE, TO ITS INTERSECTION WITH THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF LOT 1 OF DRURY SUBDIVISION NO. 1; THENCE LEAVING THE RIGHT OF WAY LINE AND CROSSING LUDWIG DRIVE TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LUDWIG DRIVE, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1 OF THE DRURY SUBDIVISION NO. 1; THENCE SOUTH, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 311.99 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF I-ROUTE 64; THENCE WESTERLY, ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 1 OF CELLULAR SITE SUBDIVISION; REFERENCE BEING HAD TO THE PLAT THEREOF IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN DOCUMENT NUMBER A02166126; THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 1, 258.36 FEET TO THE SOUTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE WEST, ALONG SAID RIGHT OF WAY, 755.00 FEET MORE OR LESS TO THE SOUTHERLY EXTENSION OF SAID WESTERLY LINE OF LOT 4 OF FAIRVIEW HEIGHTS OFFICE PARK SUBDIVISION; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, NORTH, 60.00 FEET, TO THE SOUTHWEST CORNER OF LOT 9 OF FAIRVIEW HEIGHTS OFFICE PARK 4TH ADDITION SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING.

EXCEPT LOT 8 OF FAIRVIEW HEIGHTS OFFICE PARK 4TH ADDITION; REFERENCE BEING HAD TO THE PLAT THEREOF IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN PLAT BOOK 89 PAGE 77.

EXHIBIT B

Redevelopment Plan and Redevelopment Project

[Attach Ludwig Drive Redevelopment Plan]

LUDWIG DRIVE
Redevelopment Project Area
Tax Increment Financing (TIF)

REDEVELOPMENT PLAN

City of Fairview Heights, Illinois

March 24, 2016



Economic Development Resources
St. Louis, Missouri

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SECTION I

INTRODUCTION

The proposed Ludwig Drive Redevelopment Project Area (the "Area") contains seven parcels within the City of Fairview Heights (the "City"). The location of this approximately 27.5 acre Area is illustrated on **Exhibit A - Boundary Map**. The Area is generally located along Ludwig Dr., west of Illinois Route 159 (N. Illinois St.). The legal description of the Area is attached in **Appendix 1**.

The purpose of this Redevelopment Plan is to provide a document which can be used to catalogue the eligibility for tax increment financing of the portion of the City selected to be included in the Area, to provide a plan of actions and activities to address the conditions found in this portion of the City, and to assist in the development and redevelopment of the Area in conformance with the City's Comprehensive Plan. This Redevelopment Plan also identifies those activities, sources of funds, procedures and various other necessary requirements in order to implement tax increment financing.

The redevelopment projects in the Area that are anticipated include both public and private activities: Private projects may include, but are not limited to: land acquisition; site preparation (including demolition, clearance and grading); the development and redevelopment of commercial uses; and the rehabilitation of existing buildings and improvements. Public projects that are anticipated for the Area are expected to include, but are not limited to: construction and upgrading of public works or improvements; and the marketing of sites within the Area to prospective businesses, developers and investors.

SECTION II

STATUTORY BASIS FOR TAX INCREMENT FINANCING

Tax increment financing was created by the Tax Increment Allocation Redevelopment Act (the "Act"). The Act is found at 65 ILCS 5.11-74.4-1 et seq.

Tax increment financing is a technique intended to be used by municipalities to address and eradicate problems which cause areas to qualify, as "blighted", "conservation", or "industrial park conservation" areas, and to carry out redevelopment projects which serve this end.

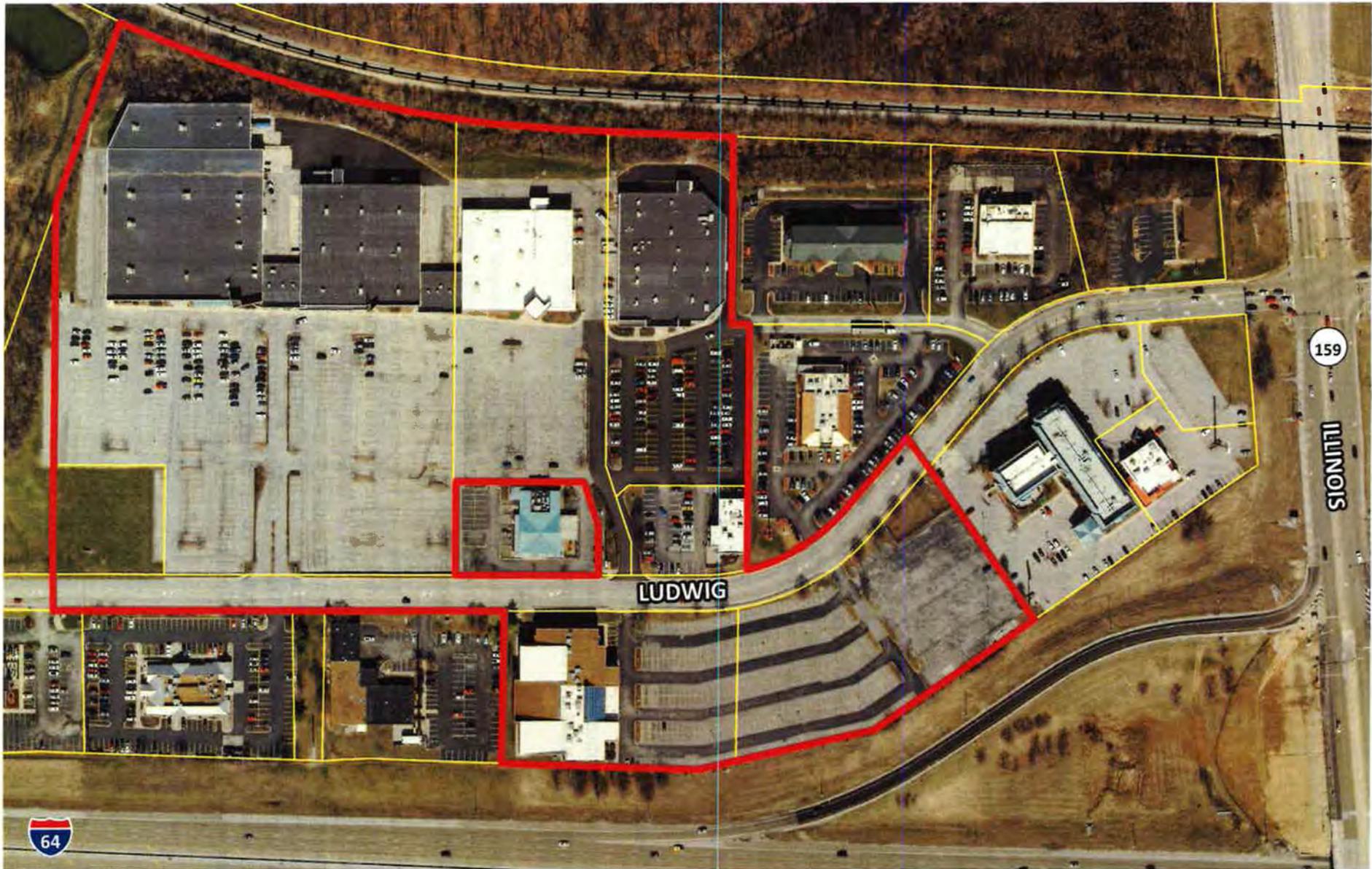
The concept behind the tax increment financing law is relatively straightforward and allows a municipality to perform redevelopment activities on a locally controlled basis. Redevelopment which occurs in a designated redevelopment project area will increase the equalized assessed valuation of the property and, thus, generate increased property tax revenues. This increase or "increment" can be used to finance "redevelopment project costs" such as land acquisition, site clearance, building rehabilitation, interest subsidy and the construction of public infrastructure.

The Illinois General Assembly made various findings in adopting the Act. Among them were:

- That there exists in many municipalities within the State blighted, conservation, and industrial park conservation areas; and
- That the eradication of blighted areas and the treatment and improvement of conservation areas by redevelopment projects are essential to the public interest and welfare.

These findings were made on the basis that in developed areas, the presence of blight, and/or conditions which lead to blight, are detrimental to the safety, health, welfare and morals of the public, and in vacant areas, impair the sound growth of the taxing districts.

To ensure that the exercise of these powers is proper and in the public interest, the Act specifies certain requirements which must be met before a municipality can proceed with implementing a redevelopment project. One of these requirements is that the municipality must demonstrate that a redevelopment project area qualifies as eligible for tax increment financing; such an area may be determined to be a "blighted area", "conservation area" or an "industrial park conservation area". The Act provides an enumeration of the factors which qualify an area as eligible for the "blight", "conservation", or "industrial park conservation" designation, as well as detailed descriptions of these factors.



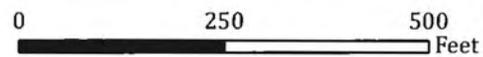
Ludwig Drive Redevelopment Project Area
Tax Increment Financing Redevelopment Plan
City of Fairview Heights, Illinois

EDIR
Economic Development Resources

 Area Boundary



EXHIBIT A Boundary Map



SECTION III

LUDWIG DRIVE REDEVELOPMENT PROJECT AREA

A. Boundary Delineation

There are a number of factors that were taken into consideration in determining the boundary of the Area. Established planning guidelines and standards, as described herein, have been followed in the delineation of the Area's boundary, as well as in the preparation of the Ludwig Drive Redevelopment Project Area Tax Increment Financing Redevelopment Plan ("Plan").

Field investigators employed by Economic Development Resources L.L.C. (EDR) conducted research of the Area and environs in order to ascertain the existence and prevalence of blighting factors in the Area. EDR was assisted by information obtained from the City and St. Clair County. Based upon these investigations, the eligibility requirements for tax increment financing, the determination of redevelopment needs within the City and the location of the various blighting factors found, the boundary of the Area was determined.

The boundary is delineated on **Exhibit A – Boundary Map**. This boundary encloses a portion of the City which meets the requirements for eligibility as a "Redevelopment project area" as found in the Act.

B. Program Requirements / Findings

The following findings are made with respect to establishing the Area.

1. The Area as a whole meets the statutory requirements as a "blighted area".
2. The Area exceeds the statutory minimum size of 1.5 acres.
3. The Area is contiguous and is contained within a single perimeter boundary.
4. All properties included in the Area will substantially benefit from being included in the Area.
5. The Area, in its entirety, is located within the City of Fairview Heights, Illinois.
6. The Plan conforms to the Comprehensive Plan for the development of the municipality as a whole.
7. The Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Plan.

Under the Act, powers extended to the municipality in creating a redevelopment project area include, but are not necessarily limited to, the following:

- To approve redevelopment plans and redevelopment projects, and designate redevelopment project areas, pursuant to notice and hearing required by the Act;
- To make and enter into all contracts with property owners, developers, tenants, overlapping taxing bodies, and others necessary or incidental to the implementation and furtherance of its redevelopment plan and project;
- Within a redevelopment project area:
 - acquire by purchase, donation, lease or eminent domain; own, convey, lease, mortgage or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project;
 - clear any area by demolition or removal of any existing buildings and structures;
 - renovate or rehabilitate or construct any structure or building;
 - acquire and construct public facilities;
 - fix, charge and collect fees, rents and charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;
- Install, repair, construct, reconstruct or relocate streets, utilities and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;
- Incur project redevelopment costs and reimburse developers who incur redevelopment project costs authorized by a redevelopment agreement;
- Make payment in lieu of taxes or a portion thereof to taxing districts; and,
- Exercise any and all other powers necessary to effectuate the purposes of the Act.

growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains: obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities; diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development; tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years; deterioration of structures or site improvements in neighboring areas adjacent to the vacant land; the area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area; the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated. Or, if vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains: the area consists of one or more unused quarries, mines, or strip mine ponds; the area consists of unused rail yards, rail tracks, or railroad rights-of-way; the area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding; the area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites; prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes

SECTION IV

BASIS FOR FINDING AS A BLIGHTED AREA

A. Introduction

A Redevelopment Project Area, according to the Tax Increment Allocation Redevelopment Act (the "Act"; 65 ILCS 5/11-74.4-1 et. seq.), is that area designated by a municipality (City, City, or incorporated town) in which the finding is made that there exist conditions which cause the area to be classified as a "blighted area", "conservation area", combination of "blighted" and "conservation" areas, or an "industrial park conservation area". The proposed Ludwig Drive Redevelopment Project Area (the "Area") contains seven parcels within the City of Fairview Heights (the "City"). The location of this approximately 27.5 acre Area is illustrated on **Exhibit A - Boundary Map**. It is generally located along Ludwig Dr., west of Illinois Route 159 (N. Illinois St.).

The properties reviewed for this Plan have been found to meet the eligibility requirements as a "blighted area" as found in the Act. The criteria and the individual factors that were utilized in conducting the evaluation of the physical conditions in the Area are outlined below.

B. Statutory Qualifications

1. Eligibility of a Blighted Area

"Blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where, if improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area: dilapidation; obsolescence; deterioration; presence of structures below minimum code standards; illegal use of individual structures; excessive vacancies; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage and overcrowding of structures and community facilities; deleterious land use or layout; environmental clean-up; lack of community planning, the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated. If vacant, the sound

C. Investigation and Analysis of Blighting Factors

In determining whether or not the Area meets the eligibility requirements of the Act, various methods of research and field surveys were utilized. These included:

1. Contacts with individuals knowledgeable as to conditions and history of, and within, this portion of the City; age of buildings and site improvements; development patterns; real estate matters and related items. Existing information related to public utilities in this portion of the City was also reviewed, as was information regarding the City on file with St. Clair County, Caseyville Township and City of O'Fallon Water;
2. Research of the condition of site improvements, streets, utilities, etc. within the Area;
3. On-site field examination of the conditions within the Area by the staff of Economic Development Resources L.L.C. in conjunction with the City's Building Official;
4. Use of the definitions of the factors enumerated in Sections B. 1, 2, and 3, (above) found in 65 ILCS/5-11-74.4-3 et seq.;
5. Review of the findings and determinations established by the Illinois General Assembly in establishing tax increment financing. These include:
 - i. There exists in many Illinois municipalities blighted, conservation and industrial park conservation areas, as defined in the Act;
 - ii. The eradication of blighted areas and the treatment and improvement of conservation areas and industrial park conservation areas by redevelopment projects are essential to the public interest;
 - iii. In order to promote and protect the health, safety, morals and welfare of the public, blighted conditions need to be eradicated, conservation measures instituted, and redevelopment of such areas undertaken; and,
 - iv. To remove and alleviate adverse conditions, it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in such areas by the development or redevelopment of redevelopment project areas.

To ensure that the exercise of these powers is proper and in the public interest, the Act also specifies certain requirements that must be met before a municipality can proceed with implementing a redevelopment project. To this end, the City has prepared an analysis of the eligibility of the Area for tax increment financing.

within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or City center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose; the area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

2. Eligibility of a Conservation Area

A conservation area means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area: dilapidation; obsolescence; deterioration; presence of structures below minimum code standards; illegal use of individual structures; excessive vacancies; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage and overcrowding of structures and community facilities; deleterious land use or layout; lack of community planning; the area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area; the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

3. Eligibility of an Industrial Park Conservation Area

“Industrial park conservation area” means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1½ miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

- **Obsolescence:**

The condition or process of falling into disuse. Structures have become ill-suited for the original use;

Obsolescence is evident at two buildings in the Area, impacting 54,666 square feet, or 24% of the total building square footage (see **Exhibit B - Vacancies**).

- Five spaces in the Gordman's/Guitar Center building are vacant, including 67 Ludwig Dr. (40,588 sq. ft., which has been unoccupied since Sports Authority vacated in early 2014) and four in-line retail units (#57, 59, 61 and 73, 8,023 sq. ft., which became vacant between 2003 and 2010); and,
- One space in the Planet Fitness/Ginger Buffet building (#53-101, 6,055 sq. ft.) has been vacant since 2009.

The retail space identified above is falling into disuse, as these spaces continue to remain unoccupied. The duration of time that such spaces have been unoccupied and unused (between two and 13 years) demonstrates that such spaces are ill-suited for their original use.

- **Deterioration:**

With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces;

The field survey of building and site conditions found that all five buildings (100%) in the Area had major defects in their secondary, and in some instances, their primary, building components. The field survey found instances of rotted, cracked, missing, broken, leaking and rusted gutters, downspouts, fascia, soffits, walls, windows and door frames. Examples of this condition include, but are not limited to:

- the cinderblock exterior of the Sears Outlet store at 55 Ludwig Dr. is cracked, crumbling, settling and water damaged; loading bay doors and garage access doors are rusted, cracked, dented and discolored; metal framing around each garage door is rusted; metal elements below each loading bay door are rusted and water damaged; fabric padding surrounding each loading bay door is ripped, torn and dangling from the loading bay; the building exterior below each loading bay is cracked and crumbled with holes, revealing rusted metal framing within; downspouts are rusted, discolored and dented; two downspouts on the

D. Analysis of Conditions in the Area

In making the determination of eligibility of the Area for tax increment financing, it is not required that each and every property or building in such an area be blighted or otherwise qualify. In this determination of eligibility, it is the area as a whole that must be determined to be eligible.

For an improved blighted area, five or more statutory “factors” must be present, with that presence documented to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and reasonably distributed throughout the improved part of the area. For a vacant blighted area, two or more statutory “factors” or one stand-alone “factor” must be present, with that presence documented to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and reasonably distributed throughout the vacant part of the area to which it pertains. For a conservation area, the area must be improved and 50% or more of the structures in the Area must be at least 35 years of age and three such factors must be present.

The findings, outlined below, demonstrate that the Area is a “blighted area” as defined in the Act.

E. Review of Qualifications of the Area

The Area is located along Ludwig Dr., west of Illinois Route 159 (N. Illinois St.). The Area consists of seven parcels (containing five buildings) on approximately 27.5 acres.

1. As a “Blighted Area”

An improved area may be found to be a “blighted area” because a combination of five or more of the following factors, (i) each of which is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of such area. Such factors include:

- **Dilapidation:**

An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed;

This factor was not found.

- rear of the building are missing any runoff system, causing the storm water to drain directly onto the pavement, eroding the building foundation below; and electric utility boxes and piping on the rear of the building are rusted;
- the restaurant at 47 Ludwig Dr. has holes in the exterior of the building; the sign on the west side of the building is cracked and peeling; all of the awnings on the front façade of the building are ripped, with holes; and the attached garbage enclosure has a rusted and decaying metal gate;
 - gutters on the St. Clair Cine building at 50 Ludwig Dr. are dented, rotted, moldy and water damaged; downspouts are dented and cracked; runoff drainage pipes are rusted throughout; the brick building exterior is cracked, settling, separating and water damaged; the protective sealant over the brick exterior is warped, bubbling and decaying; exterior stairwells are crumbling; the brick building foundation is cracked, crumbling and separating from the pavement; bricks around exterior access doors are cracked, crumbling and deteriorating, exposing rusted metal framing inside the brick; and metal access doors are rusted; and,
 - downspouts and run-off systems on the multi-tenant commercial building at 57-101, 59, 61, 67, 73, 79 and 81 Ludwig Dr. are dented, damaged, molded and cracked, with holes; the building exterior behind each downspout is cracked, crumbling and rusted; there is water damage at the bottom of numerous downspouts, eroding the building foundation and pavement below; the building exterior is cracking, crumbling and settling, with holes; there is evidence of the building exterior settling and separating; façade design elements on the front of the building are rusted and decaying; the building exterior below each access door is cracked and discolored; metal panels above storefronts are rusted and unsecured; fabric surrounding loading bay doors in the rear of the building is ripped, torn and dangling; metal elements below each loading bay door are rusted and water damaged; the building exterior and foundation below each loading bay is cracked and crumbled with holes, revealing rusted metal framing within; utility posts and controls on the building exterior are rusted, dented and damaged; there is exposed wiring; and the interior walls and floor tiles of 73 Ludwig Dr. are visibly stripped, damaged and decaying.

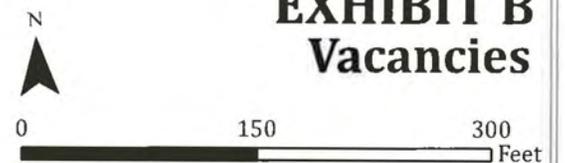
Deterioration of site improvements is evident throughout the Area as shown in the surface cracking, crumbling, base failure, depressions and potholes in the concrete and/or asphalt of the parking lots, driveways and storage areas throughout the Area. Metal light standards and sign posts located in parking areas in the Area are visibly rusted and dented. Wood garbage enclosures are rotted and decaying, and metal privacy fences are rusted, dented and leaning.



Ludwig Drive Redevelopment Project Area
 Tax Increment Financing Redevelopment Plan
 City of Fairview Heights, Illinois

EDR
 Economic Development Resources

73	4,030 Sq Ft	59	1,473 Sq Ft
67	40,588 Sq Ft	57-101	1,473 Sq Ft
61	1,047 Sq Ft	53-101	6,055 Sq Ft



- **Illegal Use of Individual Structures:**

The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards;

This factor was not found.

- **Excessive Vacancies:**

The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies;

Six of the 11 in-line retail units in the Fairview Heights Plaza shopping center are completely vacant, including the former Sports Authority (#67 Ludwig Dr., closed in early 2014) and five smaller retail spaces (#53-101, 57-101, 69, 61, and 73 Ludwig Dr.), which closed between 2003 and 2010 and have not been, subsequent to their closure, re-tenanted. These six vacancies consist of 54,666 square feet (approximately 28% of the 197,000 square feet of building in Fairview Heights Plaza), See **Exhibit B – Vacancies**.

Further, field research and discussions with City officials showed that Ginger Buffet and Grill (#53-102 Ludwig Dr.) uses 6,300 square feet of the total available 8,300 square feet in the space, leaving 2,000 square feet (approximately one quarter of the square footage) in the rear of the space under-utilized (which has remained unused during the entire tenure of this store's occupancy).

Fairview Heights Plaza leasing agents have stated that the frequency, extent and duration of the unoccupied and under-utilized buildings in the Plaza represents an adverse influence on the overall appearance and operation of, and are disadvantageous to attracting new tenants to, not only the Plaza, but the entire Area. The consequence of these vacancies, including the lessened amount of patrons and foot traffic, as well as the significant portions of the parking field which are then unused, make the Plaza, and the entire Area, less appealing for potential customers as well.

Field research and discussions with City officials and representatives of Fairview Heights Plaza have shown that this percentage of vacancy results in a visible lack of investment in the property. The vacancies also, then, generate significantly less revenue for affected taxing districts and property owners, revenue which is required to maintain, and improve, the Area's buildings, site improvements and infrastructure.

In total, approximately 57,000 square feet of the total 234,000 square feet of building in the Area (24%) are either entirely unoccupied or under-utilized. As described above, this situation represents an adverse influence on the area because of the extent and duration of the vacancies.

- **Presence of Structures below Minimum Code:**

All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes;

Field research and discussions with City officials have shown that all five structures in the Area (100%) do not meet the standards of zoning, subdivision, building, fire and other governmental codes applicable to property. Examples of this condition include:

- the multi-tenant commercial building at 57-81 Ludwig Dr. has insufficient exit signage and emergency lighting, electrical panels blocked by store equipment and merchandise, antiquated key locks, missing braces on exterior gas lines, insufficient height for rear doors and walls, inadequate handicap accessibility in restrooms, lack of screening surrounding HVAC rooftop units, lack of electrical power in a stock room, exposed and incomplete wiring, non-compliant sprinkler system, expired fire extinguishers, and lack of sealed fire separation wall (each condition is a violation of codes adopted by the City, including the International Building Code (IBC) 2006, the International Fire Code (IFC) 2006, the National Electrical Code (NEC) 2011, the International Mechanical Code (IMC) 2006, and the Illinois Accessibility Code (IAC) Part 400);
- the multi-tenant commercial building at 49, 53-101 and 53-102 Ludwig Dr. has inadequate emergency lighting, blocked electrical panels, antiquated key locks, and plumbing and sewer gas leaks, each violating codes adopted by the City (NEC 2011, IBC 2006, and the Illinois Plumbing Code);
- the restaurant at 47 Ludwig Dr. has insufficient emergency lighting, inadequate lighting in the restrooms, blocked electrical panels (with insufficient clearance), inadequate handicap accessibility, is lacking screening surrounding HVAC rooftop units, lacking occupant load identification on front exit, improper access through kitchen to exterior dumpster enclosure, and locked dumpster enclosure gates (each condition is a violation of codes adopted by the City, including IBC 2006, NEC 2011 and IAC Part 400);
- the commercial building at 55 Ludwig Dr. has insufficient exit signage lighting and is lacking screening surrounding HVAC rooftop units, violating IBC 2006 and City Revised Code Section 14-3-35, respectively;
- the movie theater at 50 Ludwig Dr. does not meet disabled accessibility requirements, does not have regular and bi-level drinking fountains, has antiquated key locks and blocked electrical panels, is lacking screening surrounding HVAC rooftop units, and is missing protective barriers surrounding gas utilization equipment, each violating codes adopted by the City (City Development Code, IBC 2006, IMC 2006, Illinois Plumbing Code (IPC) Part 890 and IAC Part 400).

- **Excessive Land Coverage and Overcrowding of Structures and Community Facilities:**

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

Three buildings in the Area (60%) demonstrate excessive land coverage and overcrowding of structures and community facilities, including:

- The Sears Outlet building (55 Ludwig Dr.) and Gordman's/Guitar Center building (57-81 Ludwig Dr.) are attached, although located on two separate parcels. These buildings are improperly situated on their respective parcels as their positioning creates a situation in which access to the rear of the Gordman's/Guitar Center building is available only from the drive east of the abutting (Sear's Outlet) parcel; and this drive, then, must be used for loading and service for both buildings. In addition, the positioning of these buildings increases the threat of spread of fire for each due to their close proximity to one another; and,
- The Planet Fitness/Ginger Buffet building (49-53 Ludwig Dr.) is improperly situated on its parcel, resulting in inadequate provision for loading and service. On its western side, the building's positioning results in parking stalls and a utility enclosure being located within the area that would otherwise have been used to provide access to loading and service at the rear of the building. Consequently, access to the rear of this building (from the west) is only available by using the drive on the abutting, western, parcel. Access to the rear of the building (from the east) is provided by an 18-foot wide access drive located immediately to the east of the building. Only ten feet of this drive is located on the Planet Fitness/Ginger Buffet parcel (the City's Development Code requires that access ways to loading areas be least 12 feet in width), and the Planet Fitness emergency exit door and exit stairs protrude three feet into this drive; field research identified protective yellow bollards, parked cars and stationary truck trailers blocking this inadequate access way.

- **Lack of Ventilation, Light, or Sanitary Facilities:**

The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building;

Field research identified inadequate sanitary facilities at one building in the Area, including three unenclosed garbage dumpsters, improper storage of industrial rock salt, and open dumping of miscellaneous debris (including wood pallets, plastic and paper food service products, cartons and soda bottles).

- **Inadequate Utilities:**

Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area;

Infrastructure information provided by City officials identified inadequate utilities throughout the Area, including:

- 6" Polyvinyl Chloride (PVC) water mains service the Planet Fitness/Ginger Buffet building (49-53 Ludwig Dr.); municipal development standards require at least an 8" PVC pipe, evidence that the size of this system is antiquated and obsolete;
- the water main that extends from Ludwig Dr. south across the St. Clair Cine (and parking lot) of 50 Ludwig Dr. from Interstate 64 is made of ductile iron; municipal development standards require the use of PVC pipe, demonstrating that the material of this system is antiquated and obsolete; and,
- pools of standing water and filled storm water drainage ditches were found throughout the Area, demonstrating inadequate storm drainage, Areas of such inadequate storm water drainage include parking lots and landscaped areas at 81 Ludwig Dr., 79 Ludwig Dr., and 55 Ludwig Dr., 50 Ludwig Dr., and 47 Ludwig Dr.

Lack of sidewalks on the north side of Ludwig Dr., from the main Fairview Heights Plaza driveway in front of Gordman's (81 Ludwig Dr.) to the west boundary of the Area (200 feet), and sidewalks on the remainder of the north side of Ludwig Dr. positioned immediately at the curb which do not have any buffer, or tree lawn, between the sidewalk and the active driving lanes. The City's Development Code requires that "sidewalks shall be separated from the curb by a planting strip between the curb and sidewalk";

Landscaped islands on the parking lot at Fairview Heights Plaza which are placed on every other parking aisle, with few landscaped islands within driving isles; as a result, significant portions of the parking field (and parking spaces) within the Area are located more than 50 feet from a tree, as required by the City's Development Code;

The Area being noticeably underserved by pedestrian amenities and safety measures. There are no crosswalks, stop signs, or other pedestrian safety measures anywhere on Ludwig Dr. within the Area, forcing pedestrians wishing to cross Ludwig Dr. (either to access neighboring amenities, or utilize available sidewalks on the south side of Ludwig Dr.) to do so at undesignated locations in the midst of oncoming traffic;

No sidewalks linking the in-line retailing at the Fairview Heights Plaza to neighboring businesses, forcing patrons wishing to access these businesses to either drive or walk across parking lots in active driving lanes; the City's Development Code states that "pedestrian access between developments and in parking lots is required";

Noticeable portions of the Area that pedestrians and vehicles use on a daily basis which had little, or no, measurable light (as identified by measuring the light levels throughout the Area), including active walkways, and off-street parking and loading areas which have levels of illumination below that recommended by the Illuminating Engineering Society of North America (IESNA), and required by the City's Development Code.

- **Lack of Growth in Equalized Assessed Value:**

The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated;

Table 1 - Change in Equalized Assessed Value (2009 - 2014) shows that the total equalized assessed value of the Area has declined for 3 of the last 5 calendar years, is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years and is increasing at an annual rate that is less than the Consumer

- **Deleterious land use or layout:**

The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area;

This factor was not found.

- **Environmental clean-up:**

The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area;

This factor was not found.

- **Lack of community planning:**

The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

Evidence demonstrating an absence of effective community planning includes development of, and in, the Area which has resulted in:

The improper situation of buildings on parcels, the close proximity of buildings in the Area to one another, and the lack of adequate access to the service and loading areas of buildings as required by the City's Development Code;

Active parking stalls and other areas used by vehicles at Fairview Heights Plaza which are separated from the Ludwig Dr. right-of-way by a landscape setback of less than 2.5 feet. The City's Development Code requires that "all vehicular use areas shall have a minimum ten (10) foot landscape setback from existing or proposed rights-of-way lines";

TABLE 1
CHANGE IN EQUALIZED ASSESSED VALUE
(2009-2014)

Time Frame	Area	Remainder of the City	Consumer Price Index (CPI)
Between 2009 and 2010	-18.37%	-2.10%	1.64%
Between 2010 and 2011	-1.11%	-1.41%	3.16%
Between 2011 and 2012	-3.59%	-3.52%	2.07%
Between 2012 and 2013	-2.22%	-2.50%	1.46%
Between 2013 and 2014	-14.79%	-1.98%	1.62%

Note: **BOLD** represents the Time Frame where the equalized assessed value has either declined for 3 of the last 5 calendar years, is increasing at an annual rate less than the balance of the City or is increasing at an annual rate that is less than the CPI.

Sources:

- St. Clair County Treasurer
- St. Clair County Clerk
- United States Bureau of Labor Statistics

Price Index for All Urban Consumers published by the United States Department of Labor for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

SECTION VI

FINDINGS OF NEED FOR TAX INCREMENT FINANCING

The Area, as a whole, is a blighted area. The Act requires that no redevelopment plan shall be adopted without meeting additional requirements, viz:

A. Area, on the Whole, not Subject to Growth and Development Through Investment by Private Enterprise

The City finds that the Area, on the whole, has not been subject to growth and development through investment by private enterprise. Building permits issued by the City and information provided by the St. Clair County Assessor's office show that no new buildings have been constructed in the Area in the last 24 years, and one parcel remains completely undeveloped. The buildings which are extant are excessively vacant, and these buildings, and the surface improvements in the Area, have deteriorated. Further, data provided by the St. Clair County Assessor's office shows that the total equalized assessed value of the Area has declined by 35.2% over the last five years. Such a situation demonstrates that the Area, on the whole, has not been subject to growth and development through investment by private enterprise.

B. Conformance with the City's Comprehensive Plan

The City finds that the Plan conforms to the comprehensive plan for the development of the municipality as a whole.

The *City of Fairview Heights, 2012 Comprehensive Plan*, identifies the land use within the Area as "Regional Commercial".

C. Estimated Dates for Completion of the Redevelopment Project

The estimated date for the completion of the Redevelopment Project shall be no later than December 31 of the year in which payment to the municipal treasurer is made for the ad-valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the Redevelopment Project Area is adopted by the City.

D. Would Not Reasonably be Anticipated to be Developed Without the Adoption of the Redevelopment Plan

The Area is significantly and negatively impacted by the blighting factors discussed in this Plan, conditions which militate against the Area's development and redevelopment.

The Area is accessed directly from State Route 159 (the City's primary retail corridor), fronts on Interstate 64 and is located at the northwest quadrant of one of the busiest interstate interchanges in the Metro East. Despite these locational advantages, vacant buildings,

SECTION V

SUMMARY

The Area is eligible as a “blighted area” due to the fact that the industrial, commercial and residential buildings or improvements are detrimental to the public safety, health or welfare because of the combination of nine blighting factors (obsolescence; deterioration; structures below minimum code; excessive vacancies; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; lack of community planning; lack of growth in equalized assessed value), seven of which (deterioration; structures below minimum code; excessive vacancies; inadequate utilities; excessive land coverage; lack of community planning; and lack of growth in equalized assessed value) are present to a meaningful extent, clearly present within the intent of the Act and reasonably distributed throughout the improved part of the Area.

SECTION VII

REDEVELOPMENT PLAN

A. Introduction

This section presents the Redevelopment Plan for the Area. Pursuant to the Act, when the finding is made that an area qualifies as either conservation, blighted, a combination of conservation and blighted areas, or industrial park conservation area, a redevelopment plan may be prepared. A "Redevelopment plan" is defined in the Act as "the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a 'blighted area' or 'conservation area' or combination thereof or 'industrial park conservation area,' and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area".

B. General Land Use Plan

The proposed General Land Use plan for the Area is presented as **Exhibit C - General Land Use**. This General Land Use plan identifies all parcels in the Area as "Regional Commercial".

All redevelopment projects will be subject to the provisions of the City of Fairview Heights's ordinances and other applicable codes as may be in existence, and may be amended or modified from time-to-time.

C. Objectives

The Objectives of the Redevelopment Plan are to:

1. Reduce or eliminate those conditions which qualify the Area as eligible for tax increment financing;
2. Prevent the recurrence of blighting conditions;
3. Enhance the real estate tax base for the City and all other taxing districts which extend into the Area;
4. Facilitate the implementation of public sector plans and projects within the Area, in a manner that is compatible with the *City of Fairview Heights, 2012 Comprehensive Plan*;
5. Address the impact of the Plan's Redevelopment Projects on the underlying taxing districts; and,

deteriorating structures, surface improvements and infrastructure, and a still undeveloped parcel are quite evident in the Area. Representatives of property owners in the Area have stated that, in particular, the vacancies and deteriorating condition of the buildings and site improvements make it difficult to attract new tenants and new businesses to the Area.

Because of this situation, without the adoption of this Plan, and the subsequent use of tax increment financing to overcome the costs of both development and redevelopment within the Area – including, but not limited to, costs associated with: site preparation; repair and rehabilitation of existing buildings, structures and site improvements; and extending and upgrading public infrastructure – the Area would not reasonably be anticipated to be developed.

F. Assessment of Financial Impact

The Act requires an assessment of the financial impact of the Area on or any increased demand for services from any taxing district affected by the Plan and any program to address such impact.

The General Land Use Plan shown in **Exhibit C** provides for commercial activities within the Area. As such, the land uses anticipated in the Area will not result in any residential development or redevelopment. The projects within the Area will not create any new residences, thus limiting the financial impact on the school and library districts. Further, the City will work with any affected taxing district to use TIF revenues to pay for all or a portion of such district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within such taxing district in furtherance of the objectives of the Plan and redevelopment project.

The re-tenanting of vacant spaces and the rehabilitation of deteriorated buildings and site improvements that will occur as a result of the redevelopment projects within the Area will likely make the Area less attractive for vandals, and will lessen the need for emergency services to be provided by the City and Fairview Caseyville Township Fire District.

Exhibit D - Estimated Redevelopment Project Costs, summarizes the use of TIF revenues to help address the costs for public improvements, property assembly, marketing and administration, and similar costs. Future incremental TIF revenues are proposed for use as a resource for to pay for such costs.

Upon the expiration of the Area, all taxing bodies will benefit from the increase in EAV anticipated within the Area. As this Plan provides for funds to be utilized to pay for defined redevelopment project costs which will assist and induce new private development within the Area, the City anticipates that such investment may result in new, private development occurring in proximity to the Area. The City will closely monitor its TIF program to determine if surplus funds are available for distribution to all taxing districts as identified in the Act.

The Act requires a housing impact study to be performed if the redevelopment project area contains 75 or more inhabited residential units, or if the redevelopment plan would result in the displacement of residents from ten (10) or more inhabited residential units. The City has determined that no housing impact study is needed as neither of these thresholds will be met.

- a. property assembly, including land acquisition for development and redevelopment efforts;
- b. site preparation, including demolition, clearance and grading, and underground coal mine remediation;
- c. the development of commercial activities which conform to those outlined in the City's Comprehensive Plan;
- d. the rehabilitation and reconstruction of existing buildings, structures and site improvements;
- e. increased safety lighting; and,
- f. extension of private utilities and other private infrastructure (including fiber optics) to parts of the Area not currently served.

2. Public Redevelopment Projects:

Public projects are intended to be used to induce and complement private investment. These improvements may include, but are not limited to:

- a. studies, surveys, development of plans and other professional services;
- b. marketing of specific sites within the Area to prospective businesses, developers and investors;
- c. property assembly, including land acquisition for public infrastructure and easements;
- d. extension of City utilities and other City infrastructure to parts of the Area not currently served, including storm water sewers, detention facilities, sidewalks, crosswalks, trails, traffic control signage, pavement markings, street lighting and the like; and,
- e. improvements to City utilities and other City infrastructure now serving the Area, including sanitary sewer lines, manholes and lift stations, storm water sewers and detention areas, and water mains and hydrants, and improvements to roadways and intersections (roads, curbs, gutters, curb cuts, signalization and turn lanes).

6. Encourage and assist private investment and development within the Area, in a manner that is compatible with the *City of Fairview Heights, 2012 Comprehensive Plan*, and this Plan.

D. Program for Accomplishing the Objective

In order to accomplish the Objectives, the City will:

1. Use TIF-derived revenues to assist the implementation of the public and private projects and activities envisioned in this Plan;
2. Use TIF-derived revenues to address site development issues, including but not limited to site preparation and storm water control;
3. Use TIF-derived revenues to mitigate the “capital costs” incurred or to be incurred by the underlying taxing districts, if any;
4. Utilize City staff and consultants to undertake those actions necessary to accomplish the specific public-side activities outlined in Objectives #7, 10 and 13 of Commercial Areas in the Goals and Objectives Section of the *City of Fairview Heights, 2012 Comprehensive Plan*;
5. Provide financial assistance, as permitted by the Act, to encourage private developers to complete those certain private actions and activities as outlined in this Plan;
6. Monitor the public and private actions and activities occurring within the Area; and,
7. Complete the specified actions and activities in an expeditious manner, striving to minimize the length of the “life” of the TIF area.

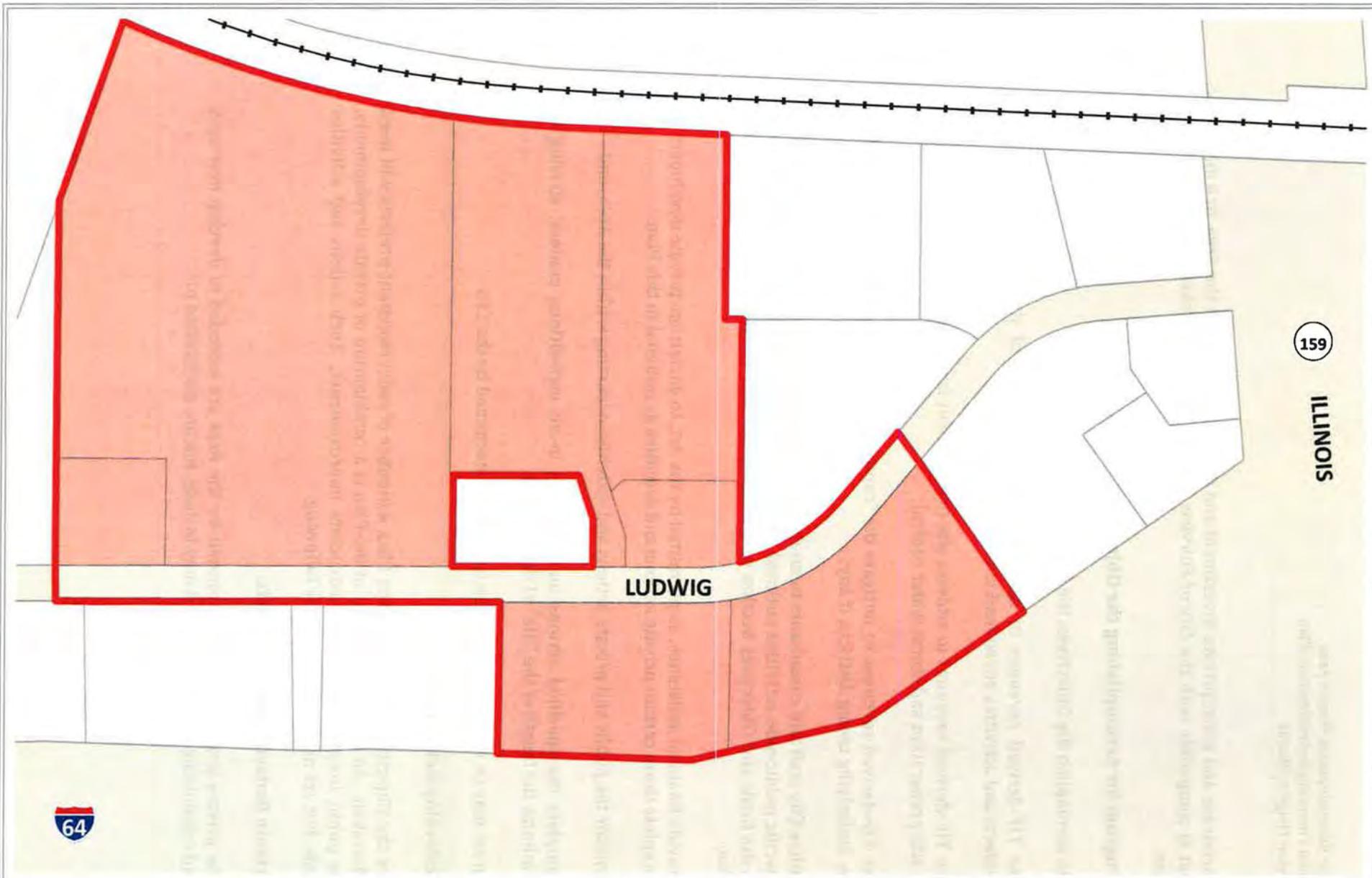
This Program may be amended from time to time as determined by the City.

E. Redevelopment Projects

To achieve the Objectives proposed in the Plan, a number of redevelopment projects will need to be undertaken. An essential element of the Plan is a combination of private developments, as well as public investments and infrastructure improvements. Such actions and activities may include, but are not restricted to, the following:

1. Private Redevelopment Projects:

The private projects that are proposed for the Area are intended to develop new uses and rehabilitate existing uses and may include, but are not limited to:



Ludwig Drive Redevelopment Project Area
 Tax Increment Financing Redevelopment Plan
 City of Fairview Heights, Illinois

EDR
 Economic Development Resources

-  Area Boundary
-  Commercial



SECTION VIII

IMPLEMENTATION STRATEGY

The development and follow through of a well-devised implementation strategy is a key element in the success of the Plan. In order to maximize program efficiency, and with full consideration of available funds, a phased implementation strategy will be employed. A combination of private investments and public improvements is an essential element of the Plan.

The City of Fairview Heights anticipates the following actions as its Implementation Strategy:

- Adopt the Plan;
- Negotiate Redevelopment Agreements with private parties to provide TIF revenues for eligible redevelopment project costs, in order to create development consistent with the general land uses shown in this Plan and the City's Comprehensive Plan; and,
- Provide public infrastructure and other public redevelopment projects to induce and complement private development and redevelopment projects.

A. Estimated Redevelopment Project Costs

The City may include as redevelopment project costs, all reasonable costs incurred, or estimated to be incurred, and any costs that are incidental to the redevelopment projects and the Plan as permitted by the statute.

Such costs include, without limitation, the following:

1. Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan.

Such costs shall include, but not be limited to, staff and professional service costs for architectural, engineering, legal, financial, planning or other services.

2. Costs of marketing sites within the redevelopment project area to prospective businesses, developers and investors.

3. Property assembly costs.

Such costs shall include, but not be limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparations, site improvements that serve as an engineered barrier addressing ground

EXHIBIT D

Estimated Redevelopment Project Costs

<u>Description</u>	<u>Estimated Costs</u>
Cost of studies, surveys, development of plans and specifications, implementation and administration of the redevelopment plan.	\$150,000
The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors.	\$50,000
Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements and the clearing and grading of land.	\$1,100,000
Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment.	\$1,000,000
Costs of the construction of public works or improvements, including but not limited to public rights-of-way, trails, signalization, extension and relocation of public utilities and other public infrastructure, streetscape improvements, and sidewalk construction and replacement.	\$3,200,000
Taxing districts' capital costs.	\$1,000,000
<u>Total Estimated Budget</u>	\$6,500,000

Note:

Expenditures in individual categories may differ from those shown above; however the total amount of the Estimated Redevelopment Project Costs will not exceed \$6,500,000 plus any additional increase in this figure permitted in the Act for any school district's, or public library district's increased costs attributable to housing assisted by tax increment financing, and for any interest or other financing costs as may be required.

10. A public library district's increased costs attributable to assisted housing units located within the redevelopment project area.

Such costs shall be those for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing.

11. 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.

12. Payment in lieu of taxes.

13. Costs of job training, retraining, advanced vocational education or career education.

Such costs shall include, but not be limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a Redevelopment Project Area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for same, and the term of the agreement.

14. Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

- a. Such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;
- b. Such payments in any one-year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;
- c. If insufficient funds are available in the special tax allocation fund to make the payment pursuant to this paragraph then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

level or below ground environmental contamination, including, but not limited to, parking lots and other concrete or asphalt barriers, and the clearing and grading of land.

4. Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures and leasehold improvements.

Such costs shall also include the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment.

5. Costs of the construction of public works or improvements.

Such redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building.

6. Cost of job training and retraining projects.

Such costs shall include the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area.

7. Financing costs.

Such costs shall include, but not be limited to, all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued thereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter, and including reasonable reserves related thereto.

8. To the extent the municipality by written agreement approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

9. An elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area.

Such costs shall be those for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing.

C. Redevelopment Valuation

Contingent upon the adoption of this Tax Increment Financing Redevelopment Plan and commitment by the City to the TIF program, it is anticipated that several private developments and/or improvements may occur within the Area.

The private redevelopment investment in this Redevelopment Project Area is expected to increase the equalized assessed valuation (EAV) to approximately \$9,000,000. Following completion of the private redevelopment projects, total EAV is anticipated to increase by approximately \$4,500,000.

D. Source of Funds

The primary source of funds to pay for redevelopment project costs associated with implementing the Plan will be funds collected pursuant to tax increment allocation financing to be adopted by the City. Under such financing, tax increment revenue (in the form of increases in the EAV of property, in the Area) will be allocated to a special fund (the "Special Tax Allocation Fund", or the "Fund"). The assets of the Fund will be used to pay redevelopment project costs and retire any obligations incurred to finance redevelopment project costs.

In order to expedite the implementation of the Plan and construction of the public improvements, the City of Fairview Heights, pursuant to the authority granted to it under the Act, may issue obligations to pay for the redevelopment project costs. These obligations may be secured by future amounts to be collected and allocated to the Fund.

If available, revenues from other funding sources will be utilized within the Area. These may include municipal, state and federal programs and revenues from any other tax increment financing area in the City which may, pursuant to the Act, provide such revenues to the Area. In turn, the Area may also provide TIF-generated revenues to other tax increment financing areas in the City as well.

E. Nature and Term of Obligation

In order to expedite the implementation of the Plan, the City of Fairview Heights, pursuant to the authority granted to it under the Act, may issue obligations to pay for the redevelopment project costs. These obligations may be secured by future amounts to be collected and allocated to the Fund. Such obligations may take the form of any loan instruments authorized by the Act.

Such loans or obligations may be issued pursuant to this Plan, for a term not to exceed 20 years, bearing an annual interest rate as permitted by law. The City anticipates that notes, bonds or similar obligations may be issued and secured by resources in the Fund to fund eligible redevelopment project costs.

- d. The total of such interest payments paid pursuant to this Act may not exceed 30% of the total (1) cost paid or incurred by the developer for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act.
 - e. The cost limits set forth in subparagraphs (b.) and (d.) above are modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (b.) and (d.) above for these situations.
 - f. The municipality may pay from tax increment revenues up to 50% of the cost of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of the construction of those units may be derived from the proceeds of bonds issued by the municipality.
15. **Unless explicitly stated within the Act, the cost of construction of new privately owned buildings shall not be an eligible redevelopment project cost.**
16. **None of the redevelopment project costs enumerated above shall be eligible redevelopment costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality.**

The cost estimate associated with the redevelopment activities to be funded from available revenues of the City as described in **D.**, below, is presented in **Exhibit D - Estimated Redevelopment Project Costs**. The estimate includes reasonable and necessary costs incurred or estimated to be incurred during the implementation of the Redevelopment Plan. These estimated costs are subject to refinement as specific plans and designs are finalized and experience is gained in implementing this Redevelopment Plan and do not include the tax increment financing revenues which will be applied to any interest or other financing costs which are eligible to be funded under the Act. As such, debt service and expenses associated with issuance of bonds or other obligations are in addition to costs stated above.

B. Most Recent Equalized Assessed Valuation

The most recent equalized assessed valuation for the Redevelopment Project Area is \$4,238,762, as provided by the St. Clair County Treasurer's Office.

SECTION IX

AMENDING THE TIF PLAN

The Ludwig Drive Redevelopment Project Area, Tax Increment Financing Redevelopment Plan may be amended in accordance with the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, et. seq.

Revenues received in excess of 100% of funds necessary for the payment of principal and interest on the obligations, and not identified for other redevelopment project costs or early retirement of such obligations, may be declared as surplus and become available for distribution annually to the taxing bodies to the extent that this distribution of surplus does not impair the financial feasibility of the redevelopment projects.

F. Completion of Redevelopment Project and Retirement of Obligations

The date for the completion of the Plan and retirement of obligations issued to finance redevelopment project costs is no later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of the Act, is to be made with respect to the ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area is adopted by the City.

G. Employment Practices, Affirmative Action and Wages

The City will ensure that any recipient of tax increment financing assistance will construct all private and public development and redevelopment projects in accordance with all fair employment practices, affirmative action and prevailing wage requirements, as provided for by the Act and applicable state law.

H. Certification

The City hereby certifies that the Ludwig Drive Redevelopment Project Area, Tax Increment Financing Redevelopment Plan will not result in displacement of residents from ten (10) or more inhabited residential units. The City has determined that no housing impact study is needed since the Act requires a housing impact study only if residents from ten (10) or more inhabited residential units are displaced or if the redevelopment project area contains 75 or more inhabited residential units.

APPENDIX 1

Legal Description

SECTION X

REPORTING AND MEETING

The City shall adhere to all reporting and meeting requirements as provided for in the Act.



Economic Development Resources
200 South Hanley Road
Suite #601
St. Louis, Missouri 63105

Legal Description

PART OF US SURVEY 768, SECTIONS 21 AND 22, IN TOWNSHIP 2 NORTH, RANGE 8 WEST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 9 OF 4TH ADDITION TO FAIRVIEW HEIGHTS OFFICE PARK SUBDIVISION REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE ST. CLAIR COUNTY RECORDER 'S OFFICE IN BOOK OF PLATS 89 ON PAGE 77, SAID BEGINNING POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 9, 180.00 FEET TO THE SOUTHWEST CORNER OF LOT 10 OF FAIRVIEW HEIGHTS PLAZA PHASE 1 SUBDIVISION; REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN SAID RECORDER'S OFFICE IN BOOK OF PLATS 90 ON PAGE 50; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 10, THE FOLLOWING DISTANCES, 436.82 FEET AND 323.52 FEET TO THE SOUTH LINE OF THE CSX RR; THENCE EASTERLY ALONG THE SOUTHERLY LINES OF SAID CSX RR, TO THE NORTHWEST CORNER OF LOT 3 OF 1ST ADDITION TO FAIRVIEW OFFICE PARK; REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN SAID RECORDER'S OFFICE IN BOOK OF PLATS 85 ON PAGE 58; THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 3 AND THE SOUTHERLY EXTENSION THEREOF TO THE SOUTHERLY LINE OF A 40.00 FOOT WIDE PRIVATE ROAD AND UTILITY EASEMENT; THENCE EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 29.00 FEET TO THE NORTHWEST CORNER OF LOT 4 OF SAID SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 388.7 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4 OF FAIRVIEW OFFICE PARK 1ST ADDITION, ALSO BEING THE NORTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE NORTHEASTERLY, ALONG SAID RIGHT OF WAY LINE, TO ITS INTERSECTION WITH THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF LOT 1 OF DRURY SUBDIVISION NO. 1; THENCE LEAVING THE RIGHT OF WAY LINE AND CROSSING LUDWIG DRIVE TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LUDWIG DRIVE, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1 OF THE DRURY SUBDIVISION NO. 1; THENCE SOUTH, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 311.99 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF I- ROUTE 64; THENCE WESTERLY, ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 1 OF CELLULAR SITE SUBDIVISION; REFERENCE BEING HAD TO THE PLAT THEREOF IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN DOCUMENT NUMBER A02166126; THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 1, 258.36 FEET TO THE SOUTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE WEST, ALONG SAID RIGHT OF WAY, 755.00 FEET MORE OR LESS TO THE SOUTHERLY EXTENSION OF SAID WESTERLY LINE OF LOT 4 OF FAIRVIEW HEIGHTS OFFICE PARK SUBDIVISION; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, NORTH, 60.00 FEET, TO THE SOUTHWEST CORNER OF LOT 9 OF FAIRVIEW HEIGHTS OFFICE PARK 4TH ADDITION SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING.

EXCEPT LOT 8 OF FAIRVIEW HEIGHTS OFFICE PARK 4TH ADDITION; REFERENCE BEING HAD TO THE PLAT THEREOF IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN PLAT BOOK 89 PAGE 77.

Ordinance No. _____

AN ORDINANCE APPROVING THE TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT FOR THE STATE ROUTE 159 NORTH TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA

WHEREAS, the City of Fairview Heights, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended (the "**TIF Act**"), within the municipal boundaries of the City of Fairview Heights and within the proposed State Route 159 North Tax Increment Financing Redevelopment Project Area (the "**Redevelopment Project Area**") as described in the proposed Redevelopment Plan (hereinafter defined), which constitutes in the aggregate more than 1½ acres.

WHEREAS, due notice in respect to the availability of the proposed Redevelopment Plan for the State Route 159 North Tax Increment Financing Redevelopment Project Area (the "**Redevelopment Plan**") including a proposed Redevelopment Project (the "**Redevelopment Project**"), which contains an eligibility report, was given by mail on April 20, 2016, pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all interested parties that have registered with the City concerning the proposed Redevelopment Project Area.

WHEREAS, due notice in respect to the availability of the proposed Redevelopment Plan, which contains an eligibility report, was given by mail on April 20, 2016, pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all residential addresses that, after a good faith effort, the City determined are located outside of the proposed Redevelopment Project Area and within 750 feet of the boundaries of the proposed Redevelopment Project Area.

WHEREAS, pursuant to Section 11-74.4-5 of the TIF Act, the City Council caused a public hearing (the "**Public Hearing**") to be held relative to the proposed Redevelopment Plan and Redevelopment Project and the proposed designation of the Redevelopment Project Area on June 14, 2016, at Fairview Heights City Hall.

WHEREAS, due notice in respect to such hearing was given pursuant to Section 11-74.4-5 and 6 of the TIF Act, said notice being given to taxing districts and to the Department of Commerce and Economic Opportunity by certified mail on April 20, 2016, by publication on May 26, 2016, and June 2, 2016, and by regular mail to all residential addresses that, after a good faith effort, the City determined are located outside of the proposed Redevelopment Project Area and within 750 feet of the boundaries of the proposed Redevelopment Project Area on April 20, 2016, and by certified 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 on June 2, 2016.

WHEREAS, the City has established and convened a Joint Review Board on May 11, 2016, as required by and in all respects in compliance with the provisions of the TIF Act.

WHEREAS, the proposed Redevelopment Plan and Redevelopment Project set forth the factors constituting the need for abatement of conditions in the proposed Redevelopment

Project Area that have led to its eligibility, and the City Council has reviewed testimony concerning such need presented at the public hearing and has reviewed the eligibility report and is generally informed of the conditions in the proposed Redevelopment Project Area as the term "blighted area" is defined in the TIF Act and as such term is applied to vacant land.

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the proposed Redevelopment Project Area to determine whether private development would take place in the proposed Redevelopment Project Area as a whole without the adoption of the proposed Redevelopment Plan for the proposed Redevelopment Project Area.

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the proposed Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Redevelopment Project Area would be substantially benefited by the proposed redevelopment project improvements.

WHEREAS, the City Council has reviewed the *City of Fairview Heights, 2012 Comprehensive Plan* for the development of the municipality as a whole to determine whether the proposed Redevelopment Plan and Redevelopment Project conform to the City's Comprehensive Plan.

WHEREAS, the City Council has reviewed the public input at the Public Hearing.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1. The City Council of the City of Fairview Heights hereby makes the following findings:

- a. The area constituting the State Route 159 North Redevelopment Project Area in the City of Fairview Heights, Illinois is described in **Exhibit A**, attached hereto and made part of this Ordinance, exceeds 1½ acres, and is located in its entirety within the City limits.
- b. There exist conditions which cause the proposed Redevelopment Project Area to be classified as a "*blighted area*" as such term is defined in Section 11-74.4-3 (a) of the TIF Act.
- c. The proposed Redevelopment Project Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan.
- d. The Redevelopment Plan and Redevelopment Project conform to the City's Comprehensive Plan for the development of the municipality as a whole.
- e. The parcels of real property in the proposed Redevelopment Project Area are contiguous and only those contiguous parcels of real property (and improvements thereon), which will be substantially benefited by the proposed Redevelopment Project

improvements, are included in the proposed Redevelopment Project Area.

- f. The estimated dates of completion of the Redevelopment Project and retirement of obligations issued to finance redevelopment project costs shall not be later than December 31 of the year in which payment to the City Treasurer is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the Redevelopment Project Area is adopted.

SECTION 2. The Redevelopment Plan and Redevelopment Project for the State Route 159 North Redevelopment Project Area, marked as **Exhibit B** attached to and made a part of this Ordinance, is hereby approved.

SECTION 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

EXHIBIT A

Legal Description

PART OF SECTIONS 21 AND 22, IN TOWNSHIP 2 NORTH, RANGE 8 WEST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF THE CSX RR WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE EAST ALONG THE NORTH LINE AND THE EASTERLY EXTENSION THEREOF, OF A TRACT OF LAND RECORDED AS DOCUMENT NUMBER A01942366 IN THE ST. CLAIR COUNTY RECORDER'S OFFICE, A DISTANCE OF 2,675.00 FEET MORE OR LESS, TO THE EAST LINE OF ILLINOIS STATE ROUTE 159; THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE 159 TO THE NORTH RIGHT OF WAY LINE OF CSX RR; THENCE WESTERLY AND NORTHERLY ALONG THE NORTHERLY AND EASTERLY RIGHT OF WAY LINE OF SAID RAILROAD TO THE POINT OF BEGINNING.

EXHIBIT B

Redevelopment Plan and Redevelopment Project

[Attach State Route 159 North Redevelopment Plan]

STATE ROUTE 159 NORTH
Redevelopment Project Area
Tax Increment Financing (TIF)

REDEVELOPMENT PLAN

City of Fairview Heights, Illinois

March 24, 2016



Economic Development Resources
St. Louis, Missouri

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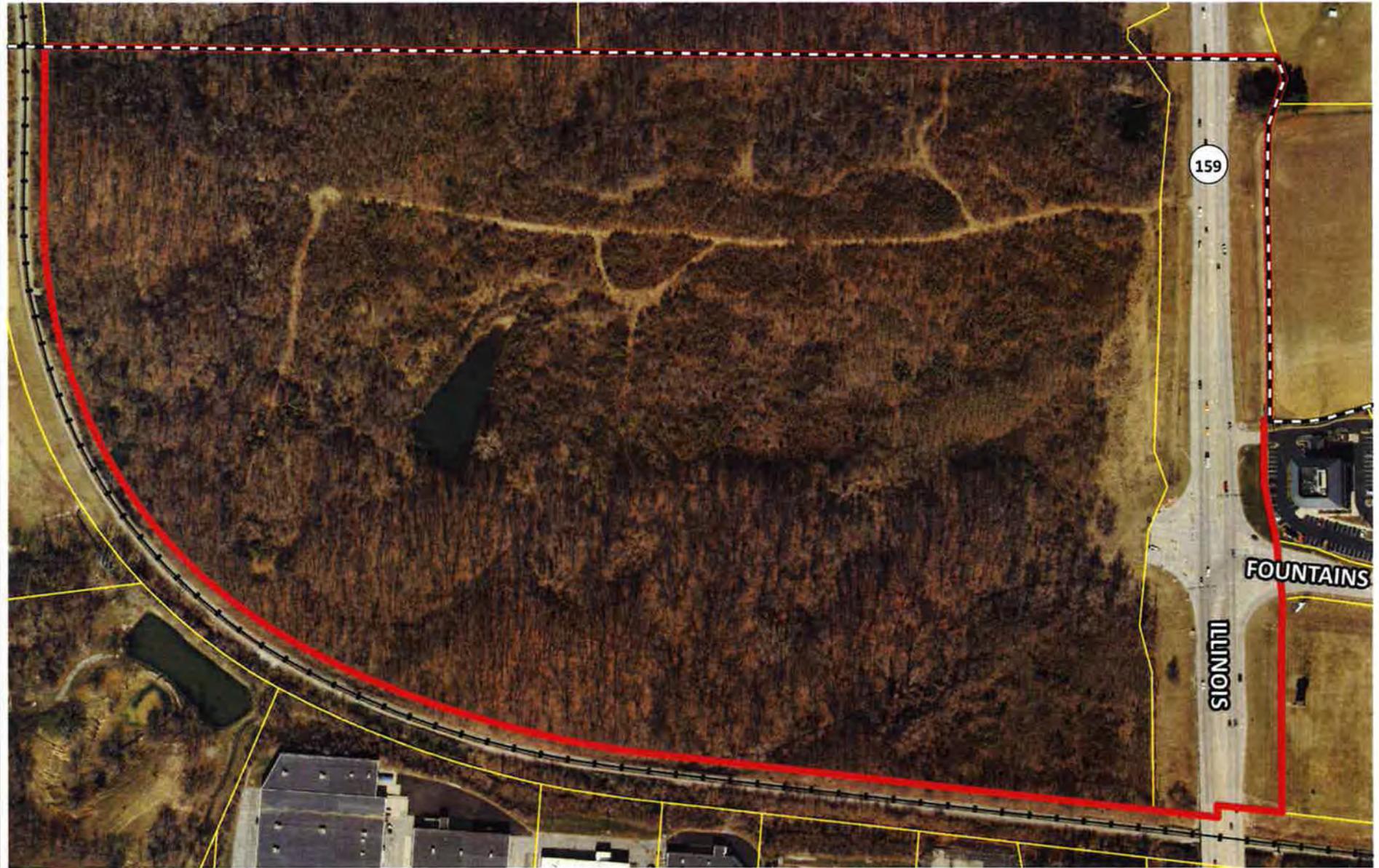
SECTION I

INTRODUCTION

The proposed State Route 159 North Redevelopment Project Area (the "Area") contains one vacant parcel, and abutting right-of-way, within the City of Fairview Heights (the "City"). The location of this approximately 81 acre Area is illustrated on **Exhibit A - Boundary Map**. It is positioned west of Illinois Route 159 (N. Illinois St.), north of the CSX Transportation rail line. The legal description of the Area is attached in **Appendix 1**.

The purpose of this Redevelopment Plan is to provide a document which can be used to catalogue the eligibility for tax increment financing of the portion of the City selected to be included in the Area, to provide a plan of actions and activities to address the conditions found in this portion of the City, and to assist in the development and redevelopment of the Area in conformance with the City's Comprehensive Plan. This Redevelopment Plan also identifies those activities, sources of funds, procedures and various other necessary requirements in order to implement tax increment financing.

The redevelopment projects in the Area that are anticipated include both public and private activities. Private projects may include, but are not limited to: land acquisition and property assembly; site preparation (including demolition, clearance and grading); and the development of commercial uses. Public projects that are anticipated for the Area are expected to include, but are not limited to: studies, surveys and professional services; construction and upgrading of public works or improvements; and the marketing of specific sites within the Area to prospective businesses, developers and investors.



State Route 159 North Redevelopment Project Area
Tax Increment Financing Redevelopment Plan
City of Fairview Heights, Illinois

EDR
Economic Development Resources

 Municipal Boundary
 Area Boundary



0 250 500
Feet

EXHIBIT A
Boundary Map

SECTION II

STATUTORY BASIS FOR TAX INCREMENT FINANCING

Tax increment financing was created by the Tax Increment Allocation Redevelopment Act (the "Act"). The Act is found at 65 ILCS 5.11-74.4-1 et seq.

Tax increment financing is a technique intended to be used by municipalities to address and eradicate problems which cause areas to qualify, as "blighted", "conservation", or "industrial park conservation" areas, and to carry out redevelopment projects which serve this end.

The concept behind the tax increment financing law is relatively straightforward and allows a municipality to perform redevelopment activities on a locally controlled basis. Redevelopment which occurs in a designated redevelopment project area will increase the equalized assessed valuation of the property and, thus, generate increased property tax revenues. This increase or "increment" can be used to finance "redevelopment project costs" such as land acquisition, site clearance, building rehabilitation, interest subsidy and the construction of public infrastructure.

The Illinois General Assembly made various findings in adopting the Act. Among them were:

- That there exists in many municipalities within the State blighted, conservation, and industrial park conservation areas; and
- That the eradication of blighted areas and the treatment and improvement of conservation areas by redevelopment projects are essential to the public interest and welfare.

These findings were made on the basis that in developed areas, the presence of blight, and/or conditions which lead to blight, are detrimental to the safety, health, welfare and morals of the public, and in vacant areas, impair the sound growth of the taxing districts.

To ensure that the exercise of these powers is proper and in the public interest, the Act specifies certain requirements which must be met before a municipality can proceed with implementing a redevelopment project. One of these requirements is that the municipality must demonstrate that a redevelopment project area qualifies as eligible for tax increment financing; such an area may be determined to be a "blighted area", "conservation area" or an "industrial park conservation area". The Act provides an enumeration of the factors which qualify an area as eligible for the "blight", "conservation", or "industrial park conservation" designation, as well as detailed descriptions of these factors.

Under the Act, powers extended to the municipality in creating a redevelopment project area include, but are not necessarily limited to, the following:

- To approve redevelopment plans and redevelopment projects, and designate redevelopment project areas, pursuant to notice and hearing required by the Act;
- To make and enter into all contracts with property owners, developers, tenants, overlapping taxing bodies, and others necessary or incidental to the implementation and furtherance of its redevelopment plan and project;
- Within a redevelopment project area:
 - acquire by purchase, donation, lease or eminent domain; own, convey, lease, mortgage or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project;
 - clear any area by demolition or removal of any existing buildings and structures;
 - renovate or rehabilitate or construct any structure or building;
 - acquire and construct public facilities;
 - fix, charge and collect fees, rents and charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;
- Install, repair, construct, reconstruct or relocate streets, utilities and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;
- Incur project redevelopment costs and reimburse developers who incur redevelopment project costs authorized by a redevelopment agreement;
- Make payment in lieu of taxes or a portion thereof to taxing districts; and,
- Exercise any and all other powers necessary to effectuate the purposes of the Act.

SECTION III

STATE ROUTE 159 NORTH REDEVELOPMENT PROJECT AREA

A. Boundary Delineation

There are a number of factors that were taken into consideration in determining the boundary of the Area. Established planning guidelines and standards, as described herein, have been followed in the delineation of the Area's boundary, as well as in the preparation of the State Route 159 North Redevelopment Project Area, Tax Increment Financing Redevelopment Plan ("Plan").

Field investigators employed by Economic Development Resources L.L.C. (EDR) conducted research of the Area and environs in order to ascertain the existence and prevalence of blighting factors in the Area. EDR was assisted by information obtained from the City and St. Clair County. Based upon these investigations, the eligibility requirements for tax increment financing, the determination of redevelopment needs within the City and the location of the various blighting factors found, the boundary of the Area was determined.

The boundary is delineated on **Exhibit A - Boundary Map**. This boundary encloses a portion of the City which meets the requirements for eligibility as a "Redevelopment project area" as found in the Act.

B. Program Requirements / Findings

The following findings are made with respect to establishing the Area.

1. The Area as a whole meets the statutory requirements as a "blighted area".
2. The Area exceeds the statutory minimum size of 1.5 acres.
3. The Area is contiguous and is contained within a single perimeter boundary.
4. All properties included in the Area will substantially benefit from being included in the Area.
5. The Area, in its entirety, is located within the City of Fairview Heights, Illinois.
6. The Plan conforms to the Comprehensive Plan for the development of the municipality as a whole.
7. The Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Plan.

SECTION IV

BASIS FOR FINDING AS A BLIGHTED AREA

A. Introduction

A Redevelopment Project Area, according to the Tax Increment Allocation Redevelopment Act (the "Act"; 65 ILCS 5/11-74.4-1 et. seq.), is that area designated by a municipality (City, City, or incorporated town) in which the finding is made that there exist conditions which cause the area to be classified as a "blighted area", "conservation area", combination of "blighted" and "conservation" areas, or an "industrial park conservation area". The proposed State Route 159 North Redevelopment Project Area (the "Area") contains one parcel within the City of Fairview Heights (the "City"). The location of this approximately 81 acre Area is illustrated on **Exhibit A - Boundary Map**. The Area is positioned west of Illinois Route 159 (N. Illinois St.), north of the CSX Transportation rail line.

The property reviewed for this Plan has been found to meet the eligibility requirements as a "blighted area" as found in the Act. The criteria and the individual factors that were utilized in conducting the evaluation of the physical conditions in the Area are outlined below.

B. Statutory Qualifications

1. Eligibility of a Blighted Area

"Blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where, if improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area: dilapidation; obsolescence; deterioration; presence of structures below minimum code standards; illegal use of individual structures; excessive vacancies; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage and overcrowding of structures and community facilities; deleterious land use or layout; environmental clean-up; lack of community planning, the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated. If vacant, the sound

growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains: obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities; diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development; tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years; deterioration of structures or site improvements in neighboring areas adjacent to the vacant land; the area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area; the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated. Or, if vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains: the area consists of one or more unused quarries, mines, or strip mine ponds; the area consists of unused rail yards, rail tracks, or railroad rights-of-way; the area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding; the area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites; prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes

within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or City center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose; the area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

2. Eligibility of a Conservation Area

A conservation area means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area: dilapidation; obsolescence; deterioration; presence of structures below minimum code standards; illegal use of individual structures; excessive vacancies; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage and overcrowding of structures and community facilities; deleterious land use or layout; lack of community planning; the area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area; the total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

3. Eligibility of an Industrial Park Conservation Area

"Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1½ miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

C. Investigation and Analysis of Blighting Factors

In determining whether or not the Area meets the eligibility requirements of the Act, various methods of research and field surveys were utilized. These included:

1. Contacts with individuals knowledgeable as to conditions and history of, and within, this portion of the City; age of buildings and site improvements; development patterns; real estate matters and related items. Existing information related to public utilities in this portion of the City was also reviewed, as was information regarding the City on file with St. Clair County, Caseyville Township, City of O'Fallon Water and Ameren Illinois;
2. Research of the condition of site improvements, streets, utilities, etc. within the Area;
3. On-site field examination of the conditions within the Area by the staff of Economic Development Resources L.L.C.;
4. Use of the definitions of the factors enumerated in Sections B. 1, 2, and 3, (above) found in 65 ILCS/5-11-74.4-3 et seq.;
5. Review of the findings and determinations established by the Illinois General Assembly in establishing tax increment financing. These include:
 - i. There exists in many Illinois municipalities, blighted, conservation and industrial park conservation areas, as defined in the Act;
 - ii. The eradication of blighted areas and the treatment and improvement of conservation areas and industrial park conservation areas by redevelopment projects are essential to the public interest;
 - iii. In order to promote and protect the health, safety, morals and welfare of the public, blighted conditions need to be eradicated, conservation measures instituted, and redevelopment of such areas undertaken; and,
 - iv. To remove and alleviate adverse conditions, it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in such areas by the development or redevelopment of redevelopment project areas.

To ensure that the exercise of these powers is proper and in the public interest, the Act also specifies certain requirements that must be met before a municipality can proceed with implementing a redevelopment project. To this end, the City has prepared an analysis of the eligibility of the Area for tax increment financing.

D. Analysis of Conditions in the Area

In making the determination of eligibility of the Area for tax increment financing, it is not required that each and every property or building in such an area be blighted or otherwise qualify. In this determination of eligibility, it is the area as a whole that must be determined to be eligible.

For an improved blighted area, five or more statutory “factors” must be present, with that presence documented to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and reasonably distributed throughout the improved part of the area. For a vacant blighted area, two or more statutory “factors” or one stand-alone “factor” must be present, with that presence documented to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and reasonably distributed throughout the vacant part of the area to which it pertains. For a conservation area, the area must be improved and 50% or more of the structures in the Area must be at least 35 years of age and three such factors must be present.

The findings, outlined below, demonstrate that the Area is a “blighted area” as defined in the Act.

E. Review of Qualifications of the Area

1. Determination of “Vacancy”

Undeveloped property must first be found to be “vacant land” in order to be eligible for tax increment financing. “Vacant land” means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. Under the Act, and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality. Once found to be “vacant land”, such property may be found to be a “blighted area” on the basis of those factors and conditions described previously.

The Area is without industrial, commercial, and residential buildings, and City officials have determined that the parcel has been subdivided; therefore the parcel meets the definition of "vacant land".

2. Determination of Blight

Once determined to be "vacant land", an area may qualify as a "blighted area" if the sound growth of the redevelopment project area is impaired by a combination of two (2) or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains. Such factors include:

- **Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.**

This factor was not found.

- **Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.**

This factor was not found.

- **Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.**

This factor was not found.

- **Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.**

If structures or site improvements in neighboring areas adjacent to the vacant land are found to be deteriorated (within the guidelines otherwise set forth for deterioration of a blighted area or conservation area), this factor may be found to be present.

Field survey of building and site conditions found structures and site improvements adjacent to the vacant land that had major defects in their secondary, and in some instances, their primary, building components. The field survey found instances of rotted, cracked, missing, broken and rusted gutters, downspouts, fascia, soffits, walls, windows and door frames. Examples of this condition include, but are not limited to, those enumerated below:

- The cinderblock exterior of the Sears Outlet store at 55 Ludwig Dr. is cracked, crumbling, settling and water damaged; loading bay doors and garage access doors are rusted, cracked, dented and discolored; metal framing around each garage door is rusted; metal elements below each loading bay door are rusted and water damaged; fabric padding surrounding each loading bay door is ripped, torn and dangling from the loading bay; the building exterior below each loading bay is cracked and crumbled with holes, revealing rusted metal framing within; downspouts are rusted, discolored and dented; two downspouts on the rear of the building are missing any runoff system, causing the storm water to drain directly onto the pavement, eroding the building foundation below; and electric utility boxes and piping on the rear of the building are rusted;
- The exterior of the standalone garage structure at 1235 Milburn School Rd. is rotted, cracked and peeling; the garage door is rotted and cracked; the wooden deck on the back of the structure is rotted; and exterior wooden boards are coming loose;
- The garages and storage sheds at 314 N. Ruby Ln. are rusted, dented, cracked and crumbling; the roofs have completely collapsed; there are holes in the exterior walls; asbestos siding is cracked and broken; there are broken windows; and the exterior walls are leaning;
- The exterior of the residence at 214 N. Ruby Ln. is cracked and crumbling; the chimney is missing its cap and is leaning; gutters are hanging from the roof line; the front façade is rusted and water damaged; the building foundation is cracked; there is a hole in the front porch; and the front stairs are cracked and crumbling; and,
- Gutters on the St. Clair Cine building at 50 Ludwig Dr. are dented, rotted, moldy and water damaged; downspouts are dented and cracked; runoff drainage pipes are rusted throughout; the brick building exterior is cracked, settling, separating and water damaged; the protective sealant over the brick exterior is warped, bubbling and decaying; exterior stairwells are crumbling; the brick building foundation is cracked, crumbling and separating from the pavement; bricks around exterior access doors are cracked, crumbling and deteriorating, exposing rusted metal framing inside the brick; and metal access doors are rusted.

Deterioration in site improvements adjacent to the vacant land are shown in the surface cracking, crumbling, depressions and potholes in the concrete and/or gravel of the parking lots, driveways, storage areas (some with protruding weeds and grass and pools of standing water) of 81 Ludwig Dr., 49 Ludwig Dr., 47 Ludwig Dr., 212 N. Ruby Ln., 1342 Milburn School Rd., and 130 Ludwig Dr., and in the public rights-of-way of Ludwig Dr., N. Ruby Ln., Milburn School Rd., and State Route 159.

- **The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.**

This factor was not found.

- **The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.**

Table 1 – Change in Equalized Assessed Value (2009 – 2014) shows that the total equalized assessed value of the Area has declined for 3 of the last 5 calendar years and is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

3. Determination of “Stand Alone” Factors

Such vacant land may also be found to be “blighted” if the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of such area to which it pertains. Such factors include:

- **The area consists of one or more unused quarries, mines, or strip mine ponds;**

Information provided by the Illinois State Geological Survey (ISGS) and the Department of Natural Resources (DNR) reveals that coal mining was conducted beneath the proposed Area more than 45 years, beginning in 1888 and ending in 1935.

The *Directory of Coal Mines in Illinois 7.5-Minute Quadrangle Series O’Fallon Quadrangle St. Clair County*, prepared by ISGS, reports that the Consumer’s Coal Co. and its successors (up to and including Howard E. Miller Co.) removed over 1.2 million tons of coal from beneath Area and adjoining properties. More than 90% of the Area is underlain by this unused mine. Virtually the entirety of the Area is at risk due to the fact that subsidence can occur beyond the area actually mined. See **Exhibit B – Ruby Mine**.

TABLE 1
CHANGE IN EQUALIZED ASSESSED VALUE
(2009-2014)

Time Frame	Area	Consumer Price Index (CPI)
Between 2009 and 2010	0.00%	1.64%
Between 2010 and 2011	-1.11%	3.16%
Between 2011 and 2012	-3.59%	2.07%
Between 2012 and 2013	-2.22%	1.46%
Between 2013 and 2014	-1.81%	1.62%

Note: **BOLD** represents the Time Frame where the equalized assessed value has either declined for 3 of the last 5 calendar years or is increasing at an annual rate that is less than the CPI.

Sources:

- St. Clair County Treasurer
- St. Clair County Clerk
- United States Bureau of Labor Statistics



State Route 159 North Redevelopment Project Area
 Tax Increment Financing Redevelopment Plan
 City of Fairview Heights, Illinois

EDR
 Economic Development Resources

-  Municipal Boundary
-  Area Boundary
-  Underground Coal Mine
-  Underground Mine Proximity Region

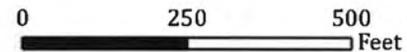


EXHIBIT B
Ruby Mine

- **The area consists of unused rail-yards, rail tracks, or railroad rights-of-way;**

This factor was not found.

- **The area, prior to its designation, is subject (i) to chronic flooding which adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency, or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding;**

This factor was not found.

- **The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites;**

This factor was not found.

- **Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in 65 ILCS 5/11-74.4-3 (a) (1), the area has been designated as a town or City center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose;**

This factor was not found.

- **The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area;**

This factor was not found.

SECTION V

SUMMARY

The Area is without industrial, commercial, and residential buildings, and City officials have determined that it has been subdivided; the Area therefore meets the definition of "vacant land". The Area qualifies as a "blighted area" as the sound growth of the Area is impaired by the combination of two factors (deterioration in neighboring areas adjacent to the vacant land, and lack of growth in equalized assessed value) as well as one "stand alone" blighting factor (one or more unused quarries, mines or strip mine ponds), all of which are clearly present within the intent of the Act and are reasonably distributed throughout the vacant part of the Area to which they pertain.

SECTION VI

FINDINGS OF NEED FOR TAX INCREMENT FINANCING

The Area, as a whole, is a blighted area. The Act requires that no redevelopment plan shall be adopted without meeting additional requirements, viz:

A. Area, on the Whole, not Subject to Growth and Development Through Investment by Private Enterprise

The City finds that the Area, on the whole, has not been subject to growth and development through investment by private enterprise. There have been no structures on the parcel since at least 1985 (historical aerial imagery and topographic maps show three small structures in the Area in 1982, which, according to these sources, had been removed by 1985). Data provided by the St. Clair County Assessor's office shows that the total equalized assessed value of the Area has declined by 8.5% over the last five years (an average of approximately 1.7% per year). Such a situation demonstrates that the Area has not been subject to growth and development through investment by private enterprise.

B. Conformance with the City's Comprehensive Plan

The City finds that the Plan conforms to the comprehensive plan for the development of the municipality as a whole.

The *City of Fairview Heights, 2012 Comprehensive Plan*, identifies the land use of the Area as "Regional Commercial".

C. Estimated Dates for Completion of the Redevelopment Project

The estimated date for the completion of the Redevelopment Project shall be no later than December 31 of the year in which payment to the municipal treasurer is made for the ad-valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the Redevelopment Project Area is adopted by the City.

D. Would Not Reasonably be Anticipated to be Developed Without the Adoption of the Redevelopment Plan

The Area is significantly and negatively impacted by the blighting factors discussed in this Plan, conditions which militate against the Area's development.

The Area is positioned on State Route 159 (the City's primary retail corridor), is located immediately west of the Fountains Parkway development area (including the Sheraton 4 Points hotel and Fountains Conference Center) and is located just north of one of the busiest interstate exits in the Metro East. Despite these locational advantages, the area remains undeveloped.

Without the adoption of this Plan, and the subsequent use of tax increment financing to overcome the costs of development in the Area – including, but not limited to those associated with site preparation and remediation, and extending and upgrading public infrastructure – the Area would not reasonably be anticipated to be developed.

SECTION VII

REDEVELOPMENT PLAN

A. Introduction

This section presents the Redevelopment Plan (the "Plan") for the Area. Pursuant to the Act, when the finding is made that an area qualifies as either conservation, blighted, a combination of conservation and blighted areas, or industrial park conservation area, a redevelopment plan may be prepared. A "Redevelopment plan" is defined in the Act as "the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a 'blighted area' or 'conservation area' or combination thereof or 'industrial park conservation area,' and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area".

B. General Land Use Plan

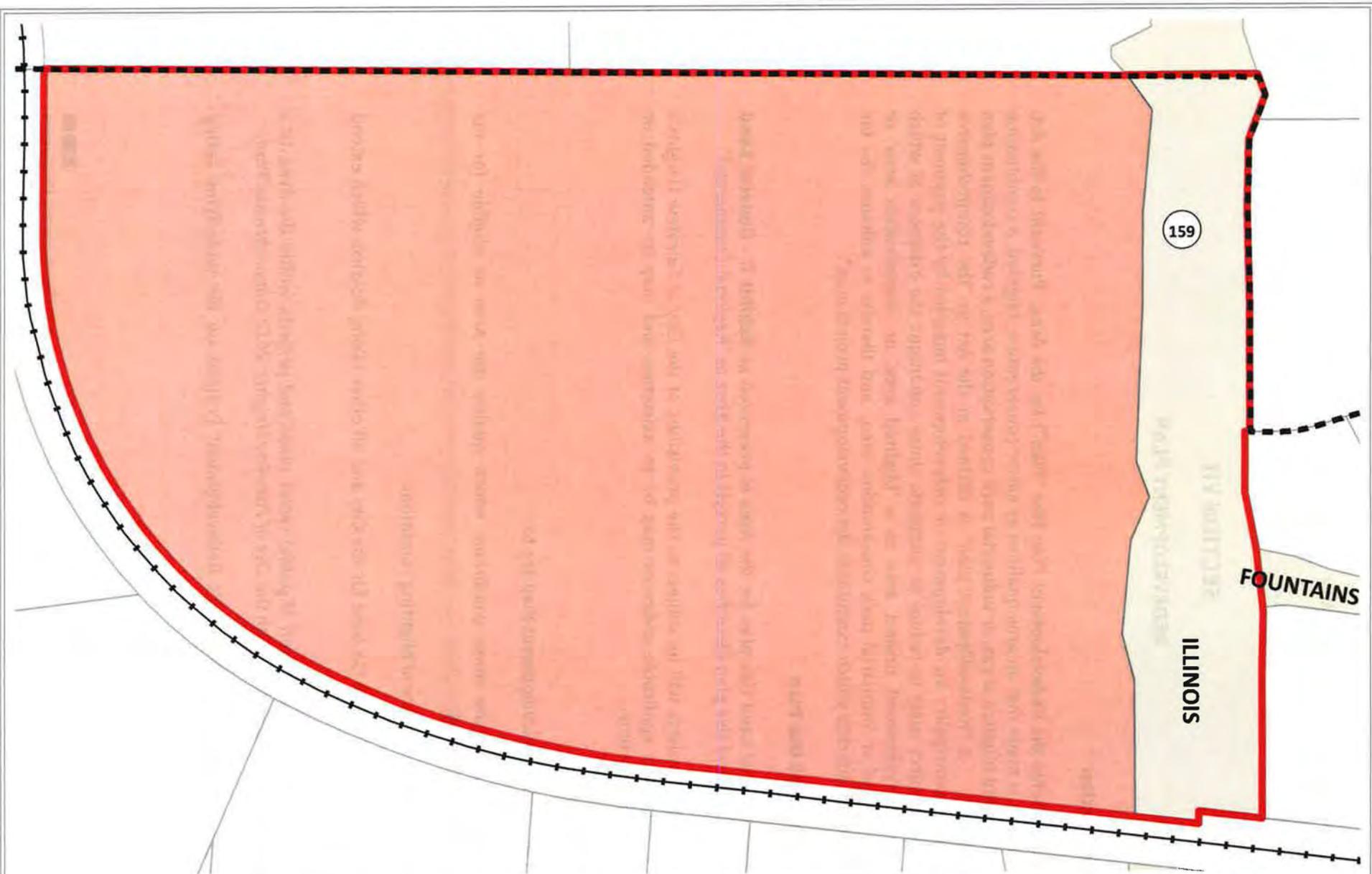
The proposed General Land Use plan for the Area is presented as **Exhibit C - General Land Use**. This General Land Use plan identifies all parcels in the Area as "Regional Commercial".

All redevelopment projects will be subject to the provisions of the City of Fairview Heights's ordinances and other applicable codes as may be in existence, and may be amended or modified from time-to-time.

C. Objectives

The Objectives of the Redevelopment Plan are to:

1. Reduce or eliminate those conditions which qualify the Area as eligible for tax increment financing;
2. Prevent the recurrence of blighting conditions;
3. Enhance the real estate tax base for the City and all other taxing districts which extend into the Area;
4. Facilitate the implementation of public sector plans and projects within the Area, in a manner that is compatible with the *City of Fairview Heights, 2012 Comprehensive Plan*;
5. Address the impact of the Plan's Redevelopment Projects on the underlying taxing districts; and,



State Route 159 North Redevelopment Project Area
 Tax Increment Financing Redevelopment Plan
 City of Fairview Heights, Illinois

EDIR
 Economic Development Resources

-  Municipal Boundary
-  Area Boundary
-  Commercial



EXHIBIT C
General Land Use

0 250 500
 Feet

6. Encourage and assist private investment and development within the Area, in a manner that is compatible with the *City of Fairview Heights, 2012 Comprehensive Plan*, and this Plan.

D. Program for Accomplishing the Objective

In order to accomplish the Objectives, the City will:

1. Use TIF-derived revenues to assist the implementation of the public and private projects and activities envisioned in this Plan;
2. Use TIF-derived revenues to address site development issues, including but not limited to site preparation;
3. Use TIF-derived revenues to mitigate the “capital costs” incurred or to be incurred by the underlying taxing districts, if any;
4. Utilize City staff and consultants to undertake those actions necessary to accomplish the specific public-side activities outlined in Objectives #7, 10 and 13 of Commercial Areas in the Goals and Objectives Section of the *City of Fairview Heights, 2012 Comprehensive Plan*;
5. Provide financial assistance, as permitted by the Act, to encourage private developers to complete those certain private actions and activities as outlined in this Plan;
6. Monitor the public and private actions and activities occurring within the Area; and,
7. Complete the specified actions and activities in an expeditious manner, striving to minimize the length of the “life” of the TIF area.

This Program may be amended from time to time as determined by the City.

E. Redevelopment Projects

To achieve the Objectives proposed in the Plan, a number of redevelopment projects will need to be undertaken. An essential element of the Plan is a combination of private developments, as well as public investments and infrastructure improvements. Such actions and activities may include, but are not restricted to, the following:

1. Private Redevelopment Projects:

The private projects that are proposed for the Area are intended to develop new uses and may include, but are not limited to:

- a. property assembly, including land acquisition for new development efforts;

- b. site preparation, including remediation, demolition, clearance and grading, and remediation of culturally significant or undermined areas;
- c. the development of commercial activities which conform to those outlined in the City's Comprehensive Plan; and,
- d. extension of private utilities and other private infrastructure (including fiber optics) to parts of the Area not currently served.

2. Public Redevelopment Projects:

Public projects are intended to be used to induce and complement private investment. These improvements may include, but are not limited to:

- a. studies, surveys, development of plans and other professional services;
- b. marketing of specific sites within the Area to prospective businesses, developers and investors;
- c. property assembly, including land acquisition for public infrastructure and easements;
- d. extension of City utilities and other City infrastructure to parts of the Area not currently served, including sewers (sanitary and storm water), detention facilities, water mains, sidewalks, crosswalks, roads, curbs, gutters, trails, traffic control signage, pavement markings, street lighting and the like; and,
- e. improvements to City utilities and other City infrastructure now serving the Area, including sanitary sewer lines, manholes and lift stations, storm water sewers and detention areas, and water mains and hydrants, and improvements to roadways and intersections (roads, curbs, gutters, curb cuts, signalization and turn lanes).

F. Assessment of Financial Impact

The Act requires an assessment of the financial impact of the Area on or any increased demand for services from any taxing district affected by the Plan and any program to address such impact.

The General Land Use Plan shown in **Exhibit C** provides for commercial activities within the Area. As such, the land uses anticipated in the Area will not result in any residential development or redevelopment. The projects within the Area will not create any new residences, thus limiting the financial impact on the school and library districts. The City will work with any taxing district, as permitted by the Act, to address the district's capital costs

resulting from the Redevelopment Projects necessarily incurred or to be incurred within the District in furtherance of the objectives of the Plan and the Redevelopment Projects.

Exhibit D – Estimated Redevelopment Project Costs, summarizes the use of TIF revenues to help address the costs for public improvements, property assembly, marketing and administration, and similar costs. Future TIF revenues are proposed for use as a resource for to pay for such costs.

Upon the expiration of the Area, all taxing bodies will benefit from the increase in EAV anticipated within the Area. As this Plan provides for funds to be utilized to pay for defined redevelopment project costs which will assist and induce new private development within the Area, the City anticipates that such investment may result in new, private development occurring in proximity to the Area. The City will closely monitor its TIF program to determine if surplus funds are available for distribution to all taxing districts as identified in the Act.

The Act requires a housing impact study to be performed if the redevelopment project area contains 75 or more inhabited residential units, or if the redevelopment plan would result in the displacement of residents from ten (10) or more inhabited residential units. The City has determined that no housing impact study is needed as neither of these thresholds will be met.

EXHIBIT D

Estimated Redevelopment Project Costs

<u>Description</u>	<u>Estimated Costs</u>
Cost of studies, surveys, development of plans and specifications, implementation and administration of the redevelopment plan.	\$750,000
The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors.	\$250,000
Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements and the clearing and grading of land.	\$13,000,000
Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment.	\$1,000,000
Costs of the construction of public works or improvements, including but not limited to public rights-of-way, trails, signalization, extension and relocation of public utilities and other public infrastructure, streetscape improvements, and sidewalk construction and replacement.	\$13,200,000
Taxing districts' capital costs.	\$2,800,000
<u>Total Estimated Budget</u>	\$31,000,000

Note:

Expenditures in individual categories may differ from those shown above; however the total amount of the Estimated Redevelopment Project Costs will not exceed \$31,000,000 plus any additional increase in this figure permitted in the Act for any school district's, or public library district's increased costs attributable to housing assisted by tax increment financing, and for any interest or other financing costs as may be required.

SECTION VIII

IMPLEMENTATION STRATEGY

The development and follow through of a well-devised implementation strategy is a key element in the success of the Plan. In order to maximize program efficiency, and with full consideration of available funds, a phased implementation strategy will be employed. A combination of private investments and public improvements is an essential element of the Plan.

The City of Fairview Heights anticipates the following actions as its Implementation Strategy:

- Adopt the Plan;
- Negotiate Redevelopment Agreements with private parties to provide TIF revenues for eligible redevelopment project costs, in order to create development consistent with the general land uses shown in this Plan and the City's Comprehensive Plan; and,
- Provide public infrastructure and other public redevelopment projects to induce and complement private development and redevelopment projects.

A. Estimated Redevelopment Project Costs

The City may include as redevelopment project costs, all reasonable costs incurred, or estimated to be incurred, and any costs that are incidental to the redevelopment projects and the Plan as permitted by the statute.

Such costs include, without limitation, the following:

1. Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan.

Such costs shall include, but not be limited to, staff and professional service costs for architectural, engineering, legal, financial, planning or other services.

2. Costs of marketing sites within the redevelopment project area to prospective businesses, developers and investors.

3. Property assembly costs.

Such costs shall include, but not be limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparations, site improvements that serve as an engineered barrier addressing ground

level or below ground environmental contamination, including, but not limited to, parking lots and other concrete or asphalt barriers, and the clearing and grading of land.

4. Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures and leasehold improvements.

Such costs shall also include the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment.

5. Costs of the construction of public works or improvements.

Such redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building.

6. Cost of job training and retraining projects.

Such costs shall include the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area.

7. Financing costs.

Such costs shall include, but not be limited to, all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued thereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter, and including reasonable reserves related thereto.

8. To the extent the municipality by written agreement approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

9. An elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area.

Such costs shall be those for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing.

10. A public library district's increased costs attributable to assisted housing units located within the redevelopment project area.

Such costs shall be those for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing.

11. 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.

12. Payment in lieu of taxes.

13. Costs of job training, retraining, advanced vocational education or career education.

Such costs shall include, but not be limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a Redevelopment Project Area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for same, and the term of the agreement.

14. Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

- a. Such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;
- b. Such payments in any one-year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;
- c. If insufficient funds are available in the special tax allocation fund to make the payment pursuant to this paragraph then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

- d. The total of such interest payments paid pursuant to this Act may not exceed 30% of the total (1) cost paid or incurred by the developer for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act.
- e. The cost limits set forth in subparagraphs (b.) and (d.) above are modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (b.) and (d.) above for these situations.
- f. The municipality may pay from tax increment revenues up to 50% of the cost of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of the construction of those units may be derived from the proceeds of bonds issued by the municipality.

- 15. **Unless explicitly stated within the Act, the cost of construction of new privately owned buildings shall not be an eligible redevelopment project cost.**
- 16. **None of the redevelopment project costs enumerated above shall be eligible redevelopment costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality.**

The cost estimate associated with the redevelopment activities to be funded from available revenues of the City as described in **D.**, below, is presented in **Exhibit D - Estimated Redevelopment Project Costs**. The estimate includes reasonable and necessary costs incurred or estimated to be incurred during the implementation of the Redevelopment Plan. These estimated costs are subject to refinement as specific plans and designs are finalized and experience is gained in implementing this Redevelopment Plan and do not include the tax increment financing revenues which will be applied to any interest or other financing costs which are eligible to be funded under the Act. As such, debt service and expenses associated with issuance of bonds or other obligations are in addition to costs stated above.

B. Most Recent Equalized Assessed Valuation

The most recent equalized assessed valuation for the Redevelopment Project Area is \$112,650 as provided by the St. Clair County Treasurer's Office.

C. Redevelopment Valuation

Contingent upon the adoption of this Tax Increment Financing Redevelopment Plan and commitment by the City to the TIF program, it is anticipated that several private developments and/or improvements may occur within the Area.

The private redevelopment investment in this Redevelopment Project Area is expected to increase the equalized assessed valuation (EAV) to approximately \$29,000,000. Following completion of the private redevelopment projects, total EAV is anticipated to increase by approximately \$28,880,000.

D. Source of Funds

The primary source of funds to pay for redevelopment project costs associated with implementing the Plan will be funds collected pursuant to tax increment allocation financing to be adopted by the City. Under such financing, tax increment revenue (in the form of increases in the EAV of property, in the Area) will be allocated to a special fund (the "Special Tax Allocation Fund", or the "Fund"). The assets of the Fund will be used to pay redevelopment project costs and retire any obligations incurred to finance redevelopment project costs.

In order to expedite the implementation of the Plan and construction of the public improvements, the City of Fairview Heights, pursuant to the authority granted to it under the Act, may issue obligations to pay for the redevelopment project costs. These obligations may be secured by future amounts to be collected and allocated to the Fund.

If available, revenues from other funding sources will be utilized within the Area. These may include municipal, state and federal programs and revenues from any other tax increment financing area in the City which may, pursuant to the Act, provide such revenues to the Area. In turn, the Area may also provide TIF-generated revenues to other tax increment financing areas in the City as well.

E. Nature and Term of Obligation

In order to expedite the implementation of the Plan, the City of Fairview Heights, pursuant to the authority granted to it under the Act, may issue obligations to pay for the redevelopment project costs. These obligations may be secured by future amounts to be collected and allocated to the Fund. Such obligations may take the form of any loan instruments authorized by the Act.

Such loans or obligations may be issued pursuant to this Plan, for a term not to exceed 20 years, bearing an annual interest rate as permitted by law. The City anticipates that notes, bonds or similar obligations may be issued and secured by resources in the Fund to fund eligible redevelopment project costs.

Revenues received in excess of 100% of funds necessary for the payment of principal and interest on the obligations, and not identified for other redevelopment project costs or early retirement of such obligations, may be declared as surplus and become available for distribution annually to the taxing bodies to the extent that this distribution of surplus does not impair the financial feasibility of the redevelopment projects.

F. Completion of Redevelopment Project and Retirement of Obligations

The date for the completion of the Plan and retirement of obligations issued to finance redevelopment project costs is no later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of the Act is to be made with respect to the ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area is adopted by the City.

G. Employment Practices, Affirmative Action and Wages

The City will ensure that any recipient of tax increment financing assistance will construct all private and public development and redevelopment projects in accordance with all fair employment practices, affirmative action and prevailing wage requirements, as provided for by the Act and applicable state law.

H. Certification

The City hereby certifies that the State Route 159 North Redevelopment Project Area, Tax Increment Financing Redevelopment Plan will not result in displacement of residents from ten (10) or more inhabited residential units. The City has determined that no housing impact study is needed since the Act requires a housing impact study only if residents from ten (10) or more inhabited residential units are displaced or if the redevelopment project area contains 75 or more inhabited residential units.

SECTION IX

AMENDING THE TIF PLAN

The State Route 159 North Redevelopment Project Area, Tax Increment Financing Redevelopment Plan may be amended in accordance with the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, et. seq.

SECTION X

REPORTING AND MEETING

The City shall adhere to all reporting and meeting requirements as provided for in the Act.

APPENDIX 1

Legal Description

Legal Description

PART OF SECTIONS 21 AND 22, IN TOWNSHIP 2 NORTH, RANGE 8 WEST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF THE CSX RR WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE EAST ALONG THE NORTH LINE AND THE EASTERLY EXTENSION THEREOF, OF A TRACT OF LAND RECORDED AS DOCUMENT NUMBER A01942366 IN THE ST. CLAIR COUNTY RECORDER'S OFFICE, A DISTANCE OF 2,675.00 FEET MORE OR LESS, TO THE EAST LINE OF ILLINOIS STATE ROUTE 159; THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE 159 TO THE NORTH RIGHT OF WAY LINE OF CSX RR; THENCE WESTERLY AND NORTHERLY ALONG THE NORTHERLY AND EASTERLY RIGHT OF WAY LINE OF SAID RAILROAD TO THE POINT OF BEGINNING.



Economic Development Resources
200 South Hanley Road
Suite #601
St. Louis, Missouri 63105

Ordinance No. _____

**AN ORDINANCE DESIGNATING AND APPROVING THE LUDWIG DRIVE
TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of Fairview Heights, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended (the "**TIF Act**"), for the proposed Redevelopment Plan for the Ludwig Drive Tax Increment Financing Redevelopment Project Area (the "**Redevelopment Plan**") within the municipal boundaries of the City of Fairview Heights and within the Ludwig Drive Tax Increment financing Redevelopment Project Area as described in **Exhibit A** attached to this Ordinance (the "**Redevelopment Project Area**"), which constitutes in the aggregate more than 1½ acres; and,

WHEREAS, the City Council has heretofore adopted Ordinance No. _____ approving the Redevelopment Plan and Redevelopment Project as described therein; and,

WHEREAS, due notice in respect to the availability of the Redevelopment Plan, which contains an eligibility report, was given by mail on April 20, 2016, pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all interested parties that have registered with the City concerning the proposed Redevelopment Project Area; and,

WHEREAS, due notice in respect to the availability of the Redevelopment Plan, which contains an eligibility report, was given by mail on April 20, 2016, pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all residential addresses that, after a good faith effort, the City determined are located within 750 feet of the boundaries of the Ludwig Drive Tax Increment Financing Redevelopment Project Area; and,

WHEREAS, pursuant to Section 11-74.4-5 of the TIF Act, the City Council caused a public hearing to be held relative to the Redevelopment Plan and Redevelopment Project and the proposed designation of the Redevelopment Project Area on June 14, 2016, at Fairview Heights City Hall; and,

WHEREAS, due notice in respect to such hearing was given pursuant to Section 11-74.4-5 and 6 of the TIF Act, said notice being given to taxing districts and to the Department of Commerce and Economic Opportunity by certified mail on April 20, 2016, by publication on May 26, 2016, and June 2, 2016, by regular mail to all residential addresses that, after a good faith effort, the City determined are located outside of the Redevelopment Project Area and within 750 feet of the boundaries of the Redevelopment Project Area on April 20, 2016, and by certified 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 Redevelopment Project Area on June 2, 2016; and,

WHEREAS, the City has established and convened a Joint Review Board on May 11, 2016, as required by and in all respects in compliance with the provisions of the TIF Act; and,

WHEREAS, the Redevelopment Plan and Redevelopment Project set forth the factors constituting the need for abatement of conditions in the proposed Redevelopment Project Area

that have led to its eligibility, and the City Council has reviewed testimony concerning such need presented at the public hearing and has reviewed the eligibility report and is generally informed of the conditions in the proposed Redevelopment Project Area as the term "blighted area" is defined in the TIF Act and as such term is applied to improved land; and,

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the proposed Redevelopment Project Area to determine whether private development would take place in the proposed Redevelopment Project Area as a whole without the adoption of the Redevelopment Plan for the proposed Redevelopment Project Area; and,

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the proposed Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Redevelopment Project Area would be substantially benefited by the proposed redevelopment project improvements; and,

WHEREAS, the City Council has reviewed the *City of Fairview Heights, 2012 Comprehensive Plan* for the development of the municipality as a whole to determine whether the Redevelopment Plan and Redevelopment Project conform to the City's Comprehensive Plan; and,

WHEREAS, the City Council has reviewed the public input at the Public Hearing.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follow:

SECTION 1. The area constituting the Ludwig Drive Tax Increment Financing Redevelopment Project Area in the City of Fairview Heights, Illinois, as described in **Exhibit A**, attached hereto and made part of this Ordinance is hereby designated and approved as a Redevelopment Project Area pursuant to 11-74.4-4 of the TIF Act. The maps of the Redevelopment Project Area are attached hereto as **Exhibit B** and made a part of this Ordinance.

SECTION 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

EXHIBIT A

Legal Description

PART OF US SURVEY 768, SECTIONS 21 AND 22, IN TOWNSHIP 2 NORTH, RANGE 8 WEST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

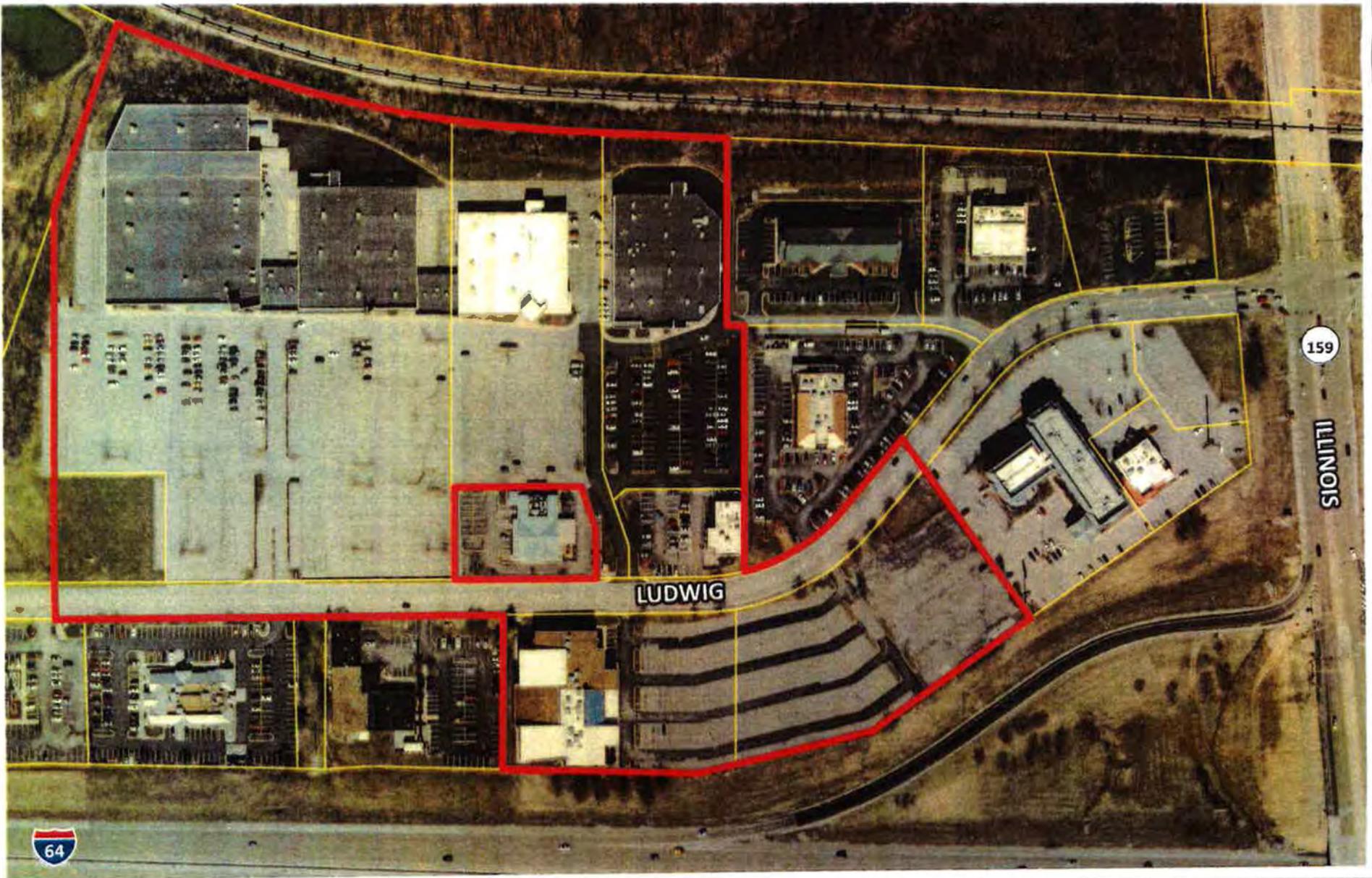
BEGINNING AT THE SOUTHWEST CORNER OF LOT 9 OF 4TH ADDITION TO FAIRVIEW HEIGHTS OFFICE PARK SUBDIVISION REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN BOOK OF PLATS 89 ON PAGE 77, SAID BEGINNING POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 9, 180.00 FEET TO THE SOUTHWEST CORNER OF LOT 10 OF FAIRVIEW HEIGHTS PLAZA PHASE 1 SUBDIVISION; REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN SAID RECORDER'S OFFICE IN BOOK OF PLATS 90 ON PAGE 50; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 10, THE FOLLOWING DISTANCES, 436.82 FEET AND 323.52 FEET TO THE SOUTH LINE OF THE CSX RR; THENCE EASTERLY ALONG THE SOUTHERLY LINES OF SAID CSX RR, TO THE NORTHWEST CORNER OF LOT 3 OF 1ST ADDITION TO FAIRVIEW OFFICE PARK; REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN SAID RECORDER'S OFFICE IN BOOK OF PLATS 85 ON PAGE 58; THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 3 AND THE SOUTHERLY EXTENSION THEREOF TO THE SOUTHERLY LINE OF A 40.00 FOOT WIDE PRIVATE ROAD AND UTILITY EASEMENT; THENCE EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 29.00 FEET TO THE NORTHWEST CORNER OF LOT 4 OF SAID SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 388.7 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4 OF FAIRVIEW OFFICE PARK 1ST ADDITION, ALSO BEING THE NORTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE NORTHEASTERLY, ALONG SAID RIGHT OF WAY LINE, TO ITS INTERSECTION WITH THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF LOT 1 OF DRURY SUBDIVISION NO. 1; THENCE LEAVING THE RIGHT OF WAY LINE AND CROSSING LUDWIG DRIVE TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LUDWIG DRIVE, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1 OF THE DRURY SUBDIVISION NO. 1; THENCE SOUTH, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 311.99 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF I-ROUTE 64; THENCE WESTERLY, ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 1 OF CELLULAR SITE SUBDIVISION; REFERENCE BEING HAD TO THE PLAT THEREOF IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN DOCUMENT NUMBER A02166126; THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 1, 258.36 FEET TO THE SOUTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE WEST, ALONG SAID RIGHT OF WAY, 755.00 FEET MORE OR LESS TO THE SOUTHERLY EXTENSION OF SAID WESTERLY LINE OF LOT 4 OF FAIRVIEW HEIGHTS OFFICE PARK SUBDIVISION; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, NORTH, 60.00 FEET, TO THE SOUTHWEST CORNER OF LOT 9 OF FAIRVIEW HEIGHTS OFFICE PARK 4TH ADDITION SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING.

EXCEPT LOT 8 OF FAIRVIEW HEIGHTS OFFICE PARK 4TH ADDITION; REFERENCE BEING HAD TO THE PLAT THEREOF IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN PLAT BOOK 89 PAGE 77.

EXHIBIT B

Redevelopment Project Area

[Attach Ludwig Drive Boundary Map]



Ludwig Drive Redevelopment Project Area
Tax Increment Financing Redevelopment Plan
City of Fairview Heights, Illinois

 Economic Development Resources

 Area Boundary



0 250 500 Feet

EXHIBIT A
Boundary Map

Ordinance No. _____

**AN ORDINANCE DESIGNATING AND APPROVING THE STATE ROUTE 159 NORTH
TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of Fairview Heights, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended (the "TIF Act"), for the proposed Redevelopment Plan for the State Route 159 North Tax Increment Financing Redevelopment Project Area (the "Redevelopment Plan") within the municipal boundaries of the City of Fairview Heights and within the State Route 159 North Tax Increment financing Redevelopment Project Area as described in **Exhibit A** attached to this Ordinance (the "Redevelopment Project Area"), which constitutes in the aggregate more than 1½ acres; and,

WHEREAS, the City Council has heretofore adopted Ordinance No. _____ approving the Redevelopment Plan and Redevelopment Project as described therein; and,

WHEREAS, due notice in respect to the availability of the Redevelopment Plan, which contains an eligibility report, was given by mail on April 20, 2016, pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all interested parties that have registered with the City concerning the proposed Redevelopment Project Area; and,

WHEREAS, due notice in respect to the availability of the Redevelopment Plan, which contains an eligibility report, was given by mail on April 20, 2016, pursuant to Section 11-74.4-5 of the TIF Act, said notice being given to all residential addresses that, after a good faith effort, the City determined are located within 750 feet of the boundaries of the State Route 159 North Tax Increment Financing Redevelopment Project Area; and,

WHEREAS, pursuant to Section 11-74.4-5 of the TIF Act, the City Council caused a public hearing to be held relative to the Redevelopment Plan and Redevelopment Project and the proposed designation of the Redevelopment Project Area on June 14, 2016, at Fairview Heights City Hall; and,

WHEREAS, due notice in respect to such hearing was given pursuant to Section 11-74.4-5 and 6 of the TIF Act, said notice being given to taxing districts and to the Department of Commerce and Economic Opportunity by certified mail on April 20, 2016, by publication on May 26, 2016, and June 2, 2016, by regular mail to all residential addresses that, after a good faith effort, the City determined are located outside of the Redevelopment Project Area and within 750 feet of the boundaries of the Redevelopment Project Area on April 20, 2016, and by certified 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 Redevelopment Project Area on June 2, 2016; and,

WHEREAS, the City has established and convened a Joint Review Board on May 11, 2016, as required by and in all respects in compliance with the provisions of the TIF Act; and,

WHEREAS, the Redevelopment Plan and Redevelopment Project set forth the factors constituting the need for abatement of conditions in the proposed Redevelopment Project Area

that have led to its eligibility, and the City Council has reviewed testimony concerning such need presented at the public hearing and has reviewed the eligibility report and is generally informed of the conditions in the proposed Redevelopment Project Area as the term "blighted area" is defined in the TIF Act and as such term is applied to vacant land; and,

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the proposed Redevelopment Project Area to determine whether private development would take place in the proposed Redevelopment Project Area as a whole without the adoption of the Redevelopment Plan for the proposed Redevelopment Project Area; and,

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the proposed Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Redevelopment Project Area would be substantially benefited by the proposed redevelopment project improvements; and,

WHEREAS, the City Council has reviewed the *City of Fairview Heights, 2012 Comprehensive Plan* for the development of the municipality as a whole to determine whether the Redevelopment Plan and Redevelopment Project conform to the City's Comprehensive Plan; and,

WHEREAS, the City Council has reviewed the public input at the Public Hearing.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follow:

SECTION 1. The area constituting the State Route 159 North Tax Increment Financing Redevelopment Project Area in the City of Fairview Heights, Illinois, as described in **Exhibit A**, attached hereto and made part of this Ordinance is hereby designated and approved as a Redevelopment Project Area pursuant to 11-74.4-4 of the TIF Act. The maps of the Redevelopment Project Area are attached hereto as **Exhibit B** and made a part of this Ordinance.

SECTION 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

EXHIBIT A

Legal Description

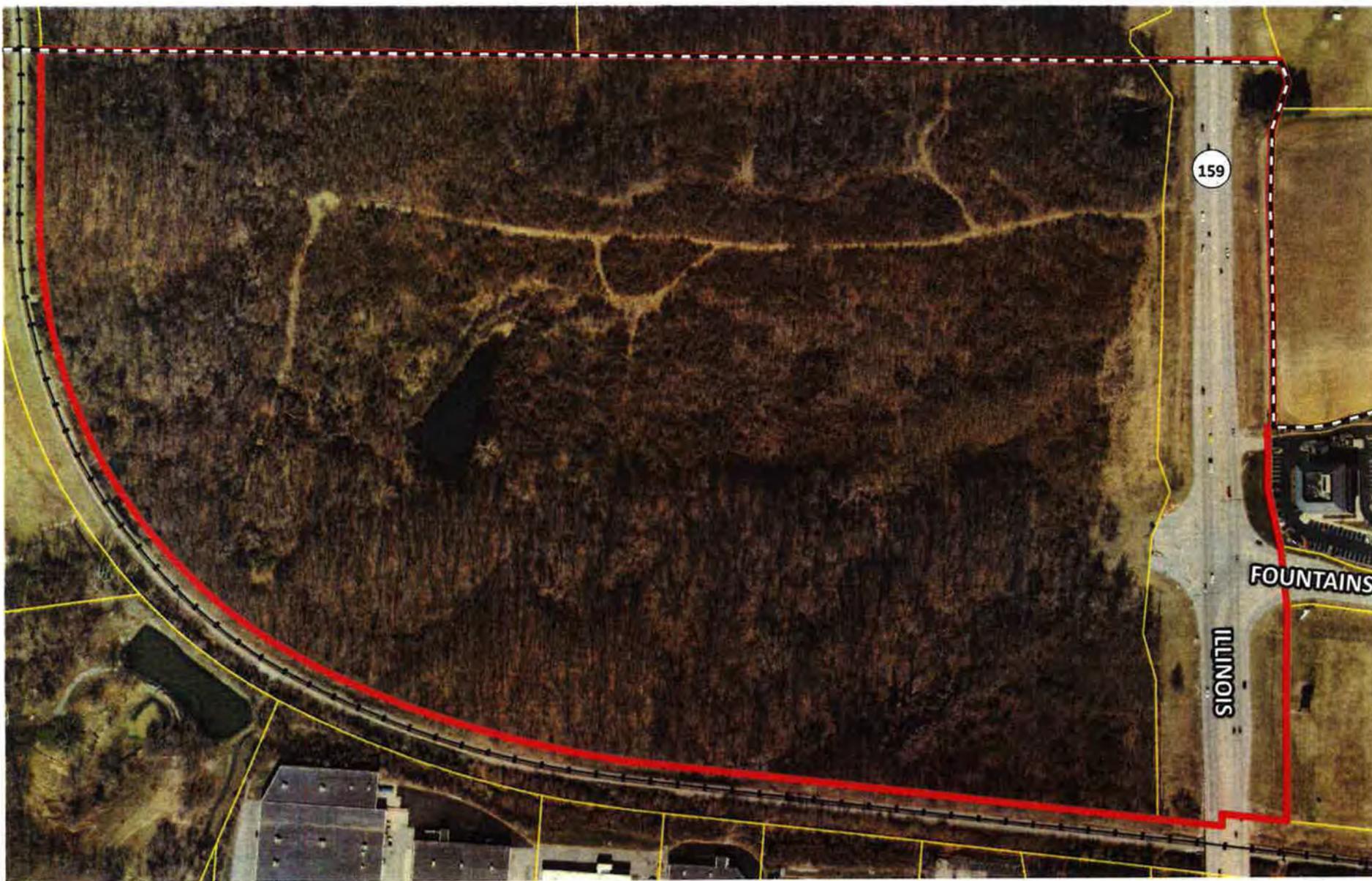
PART OF SECTIONS 21 AND 22, IN TOWNSHIP 2 NORTH, RANGE 8 WEST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF THE CSX RR WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE EAST ALONG THE NORTH LINE AND THE EASTERLY EXTENSION THEREOF, OF A TRACT OF LAND RECORDED AS DOCUMENT NUMBER A01942366 IN THE ST. CLAIR COUNTY RECORDER'S OFFICE, A DISTANCE OF 2,675.00 FEET MORE OR LESS, TO THE EAST LINE OF ILLINOIS STATE ROUTE 159; THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE 159 TO THE NORTH RIGHT OF WAY LINE OF CSX RR; THENCE WESTERLY AND NORTHERLY ALONG THE NORTHERLY AND EASTERLY RIGHT OF WAY LINE OF SAID RAILROAD TO THE POINT OF BEGINNING.

EXHIBIT B

Redevelopment Project Area

[Attach State Route 159 North Boundary Map]



State Route 159 North Redevelopment Project Area
Tax Increment Financing Redevelopment Plan
City of Fairview Heights, Illinois

EDRR
Economic Development Resources

 Municipal Boundary
 Area Boundary



EXHIBIT A
Boundary Map

0 250 500
Feet

Ordinance No. _____

**AN ORDINANCE ADOPTING TAX INCREMENT FINANCING IN THE
LUDWIG DRIVE TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of Fairview Heights, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended (the "**TIF Act**"), for the Redevelopment Plan for the Ludwig Drive Tax Increment Financing Redevelopment Project Area (the "**Redevelopment Plan**") within the municipal boundaries of the City of Fairview Heights and within the Ludwig Drive Tax Increment Financing Redevelopment Project Area as described in **Exhibit A** attached to this Ordinance (the "**Redevelopment Project Area**"), which constitutes in the aggregate more than 1½ acres.

WHEREAS, the City Council has heretofore adopted Ordinance No. _____ approving the Redevelopment Plan and Redevelopment Project as described therein (the "**Redevelopment Project**").

WHEREAS, the City Council has heretofore adopted Ordinance No. _____ designating and approving the Ludwig Drive Tax Increment Financing Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1. Tax increment financing is hereby adopted to pay or reimburse redevelopment project costs pursuant to the TIF Act and the Redevelopment Plan for the Ludwig Drive Tax Increment Financing Redevelopment Project Area in the City of Fairview Heights, Illinois, as described in **Exhibit A**. The maps of the Redevelopment Project Area are attached hereto as **Exhibit B** and made a part of this Ordinance.

SECTION 2. Pursuant to the TIF Act, the ad valorem taxes, if any, arising from the levies upon taxable real property in the Redevelopment Project Area by taxing districts and tax rates determined in the manner provided in Section 11-74.4-9(c) of the TIF Act each year after the effective dates of this ordinance until the Redevelopment Project Costs and all municipal obligations financing Redevelopment Project Costs incurred in respect thereto have been paid shall be divided as follows:

That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the Redevelopment Project Area shall be allocated to and when collected shall be paid by the County Collector of St. Clair County to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the

Redevelopment Project Area over and above the initial equalized assessed value of each property in the project area shall be allocated to and when collected shall be paid to the City Treasurer who shall deposit said taxes into a special fund called the special tax allocation fund of the City for the purpose of paying Redevelopment Project Costs and obligations incurred in the payment thereof.

SECTION 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

SECTION 5. The City Clerk shall forthwith transmit to the County Clerk of St. Clair County a certified copy of this Ordinance and Ordinances No. _____ and _____, a legal description of the Redevelopment Project Area, a map of the Redevelopment Project Area, identification of the year 2014 as the year that the County Clerk shall use for determining the total initial equalized assessed value of the Redevelopment Project Area consistent with subsection (a) of Section 11-74.4-9 of the TIF Act, and a list of the parcel or tax identification number of each parcel of property included in the Redevelopment Project Area.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

EXHIBIT A

Legal Description

PART OF US SURVEY 768, SECTIONS 21 AND 22, IN TOWNSHIP 2 NORTH, RANGE 8 WEST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

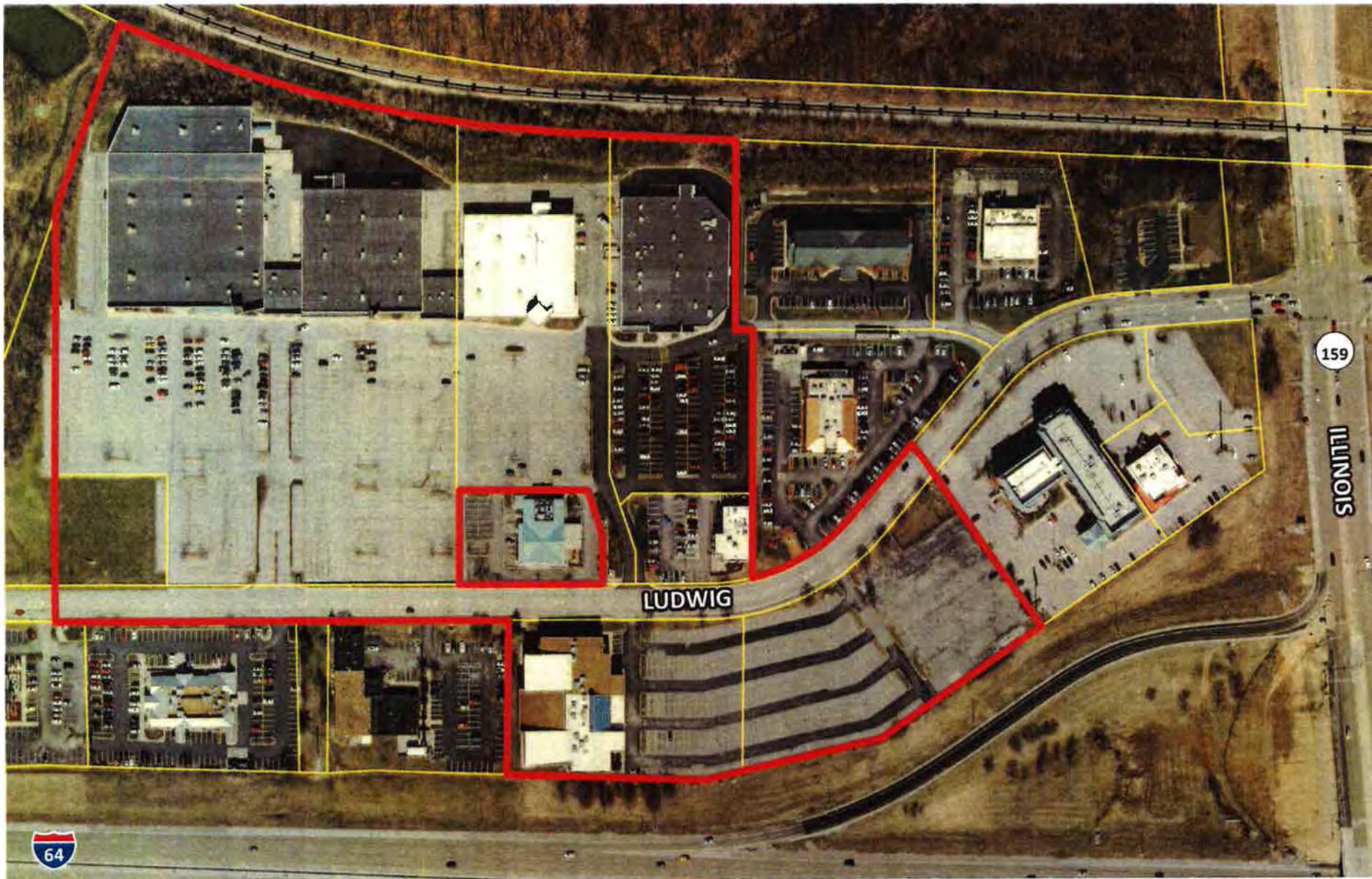
BEGINNING AT THE SOUTHWEST CORNER OF LOT 9 OF 4TH ADDITION TO FAIRVIEW HEIGHTS OFFICE PARK SUBDIVISION REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN BOOK OF PLATS 89 ON PAGE 77, SAID BEGINNING POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 9, 180.00 FEET TO THE SOUTHWEST CORNER OF LOT 10 OF FAIRVIEW HEIGHTS PLAZA PHASE 1 SUBDIVISION; REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN SAID RECORDER'S OFFICE IN BOOK OF PLATS 90 ON PAGE 50; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 10, THE FOLLOWING DISTANCES, 436.82 FEET AND 323.52 FEET TO THE SOUTH LINE OF THE CSX RR; THENCE EASTERLY ALONG THE SOUTHERLY LINES OF SAID CSX RR, TO THE NORTHWEST CORNER OF LOT 3 OF 1ST ADDITION TO FAIRVIEW OFFICE PARK; REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN SAID RECORDER'S OFFICE IN BOOK OF PLATS 85 ON PAGE 58; THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT 3 AND THE SOUTHERLY EXTENSION THEREOF TO THE SOUTHERLY LINE OF A 40.00 FOOT WIDE PRIVATE ROAD AND UTILITY EASEMENT; THENCE EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 29.00 FEET TO THE NORTHWEST CORNER OF LOT 4 OF SAID SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 388.7 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4 OF FAIRVIEW OFFICE PARK 1ST ADDITION, ALSO BEING THE NORTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE NORTHEASTERLY, ALONG SAID RIGHT OF WAY LINE, TO ITS INTERSECTION WITH THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF LOT 1 OF DRURY SUBDIVISION NO. 1; THENCE LEAVING THE RIGHT OF WAY LINE AND CROSSING LUDWIG DRIVE TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LUDWIG DRIVE, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1 OF THE DRURY SUBDIVISION NO. 1; THENCE SOUTH, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 311.99 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF I-ROUTE 64; THENCE WESTERLY, ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 1 OF CELLULAR SITE SUBDIVISION; REFERENCE BEING HAD TO THE PLAT THEREOF IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN DOCUMENT NUMBER A02166126; THENCE NORTH, ALONG THE EAST LINE OF SAID LOT 1, 258.36 FEET TO THE SOUTH RIGHT OF WAY LINE OF LUDWIG DRIVE; THENCE WEST, ALONG SAID RIGHT OF WAY, 755.00 FEET MORE OR LESS TO THE SOUTHERLY EXTENSION OF SAID WESTERLY LINE OF LOT 4 OF FAIRVIEW HEIGHTS OFFICE PARK SUBDIVISION; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, NORTH, 60.00 FEET, TO THE SOUTHWEST CORNER OF LOT 9 OF FAIRVIEW HEIGHTS OFFICE PARK 4TH ADDITION SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING.

EXCEPT LOT 8 OF FAIRVIEW HEIGHTS OFFICE PARK 4TH ADDITION; REFERENCE BEING HAD TO THE PLAT THEREOF IN THE ST. CLAIR COUNTY RECORDER'S OFFICE IN PLAT BOOK 89 PAGE 77.

EXHIBIT B

Redevelopment Project Area

[Attach Ludwig Drive Boundary Map]



Ludwig Drive Redevelopment Project Area
Tax Increment Financing Redevelopment Plan
City of Fairview Heights, Illinois

EDR
Economic Development Resources

 Area Boundary



EXHIBIT A Boundary Map

0 250 500
Feet

Ordinance No. _____

**AN ORDINANCE ADOPTING TAX INCREMENT FINANCING IN THE
STATE ROUTE 159 NORTH TAX INCREMENT FINANCING REDEVELOPMENT PROJECT
AREA**

WHEREAS, the City of Fairview Heights, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended (the "**TIF Act**"), for the Redevelopment Plan for the State Route 159 North Tax Increment Financing Redevelopment Project Area (the "**Redevelopment Plan**") within the municipal boundaries of the City of Fairview Heights and within the State Route 159 North Tax Increment Financing Redevelopment Project Area as described in **Exhibit A** attached to this Ordinance (the "**Redevelopment Project Area**"), which constitutes in the aggregate more than 1½ acres.

WHEREAS, the City Council has heretofore adopted Ordinance No. _____ approving the Redevelopment Plan and Redevelopment Project as described therein (the "**Redevelopment Project**").

WHEREAS, the City Council has heretofore adopted Ordinance No. _____ designating and approving the State Route 159 North Tax Increment Financing Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Fairview Heights, Illinois, as follows:

SECTION 1. Tax increment financing is hereby adopted to pay or reimburse redevelopment project costs pursuant to the TIF Act and the Redevelopment Plan for the State Route 159 North Tax Increment Financing Redevelopment Project Area in the City of Fairview Heights, Illinois, as described in **Exhibit A**. The maps of the Redevelopment Project Area are attached hereto as **Exhibit B** and made a part of this Ordinance.

SECTION 2. Pursuant to the TIF Act, the ad valorem taxes, if any, arising from the levies upon taxable real property in the Redevelopment Project Area by taxing districts and tax rates determined in the manner provided in Section 11-74.4-9(c) of the TIF Act each year after the effective dates of this ordinance until the Redevelopment Project Costs and all municipal obligations financing Redevelopment Project Costs incurred in respect thereto have been paid shall be divided as follows:

That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the Redevelopment Project Area shall be allocated to and when collected shall be paid by the County Collector of St. Clair County to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

That portion, if any, of such taxes which is attributable to the increase in the current

equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the Redevelopment Project Area over and above the initial equalized assessed value of each property in the project area shall be allocated to and when collected shall be paid to the City Treasurer who shall deposit said taxes into a special fund called the special tax allocation fund of the City for the purpose of paying Redevelopment Project Costs and obligations incurred in the payment thereof.

SECTION 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

SECTION 5. The City Clerk shall forthwith transmit to the County Clerk of St. Clair County a certified copy of this Ordinance and Ordinances No. _____ and _____, a legal description of the Redevelopment Project Area, a map of the Redevelopment Project Area, identification of the year 2014 as the year that the County Clerk shall use for determining the total initial equalized assessed value of the Redevelopment Project Area consistent with subsection (a) of Section 11-74.4-9 of the TIF Act, and a list of the parcel or tax identification number of each parcel of property included in the Redevelopment Project Area.

READ FIRST TIME: _____

READ SECOND TIME: _____

PASSED: _____

APPROVED: _____

MARK T. KUPSKY – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

SPONSORED BY:
COMMUNITY COMMITTEE

EXHIBIT A

Legal Description

PART OF SECTIONS 21 AND 22, IN TOWNSHIP 2 NORTH, RANGE 8 WEST, OF THE THIRD PRINCIPAL MERIDIAN, CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF THE CSX RR WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE EAST ALONG THE NORTH LINE AND THE EASTERLY EXTENSION THEREOF, OF A TRACT OF LAND RECORDED AS DOCUMENT NUMBER A01942366 IN THE ST. CLAIR COUNTY RECORDER'S OFFICE, A DISTANCE OF 2,675.00 FEET MORE OR LESS, TO THE EAST LINE OF ILLINOIS STATE ROUTE 159; THENCE SOUTH, ALONG THE EAST RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE 159 TO THE NORTH RIGHT OF WAY LINE OF CSX RR; THENCE WESTERLY AND NORTHERLY ALONG THE NORTHERLY AND EASTERLY RIGHT OF WAY LINE OF SAID RAILROAD TO THE POINT OF BEGINNING.

EXHIBIT B

Redevelopment Project Area

[Attach State Route 159 North Boundary Map]



State Route 159 North Redevelopment Project Area
Tax Increment Financing Redevelopment Plan
City of Fairview Heights, Illinois

 Economic Development Resources

 Municipal Boundary
 Area Boundary



EXHIBIT A
Boundary Map

0 250 500
Feet

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS
AND
TAXING DISTRICTS OF THE LUDWIG DRIVE TAX INCREMENT FINANCING
REDEVELOPMENT PROJECT AREA**

This Intergovernmental Agreement (the "Agreement") is entered into on _____, 2016, between the City of Fairview Heights, a Municipal Corporation (the "City"), and _____ (the "Taxing District").

WHEREAS, pursuant to the Illinois Tax Increment Allocation Redevelopment Act (65 ILCS 11-74.4-1 et seq., the "Act") the Council of the City adopted Ordinance ____-2016 approving the Ludwig Drive Tax Increment Financing Redevelopment Plan (the "Redevelopment Plan"), Ordinance ____-2016 designating the Ludwig Drive Tax Increment Redevelopment Area (the "TIF Area"), and Ordinance ____-2016 adopting real estate tax increment financing with respect to the Redevelopment Plan for the TIF Area (collectively, the "Ordinances"); and

WHEREAS, the purpose of the Redevelopment Plan is to encourage private development in the City, and enhance the tax base of the taxing districts within the TIF Area; and

WHEREAS, a portion of the Taxing District's territory is located within the boundaries of the TIF Area; and

WHEREAS, pursuant to Section 11-74.4-7 of the Act, the City may, annually, take actions to have certain money's in the TIF Area's special tax allocation fund (the "Special Fund") deemed as "Surplus Funds"; and

WHEREAS, pursuant to the Section 11-74.4-7 of the Act, all such "Surplus Funds" in the Special Fund shall be distributed annually within 180 days after the close of the City's fiscal year by being paid by the City Treasurer to the St. Clair County Collector (or the County office identified by the County to receive such payment), and the St. Clair County Collector (or the County office identified by the County to make such distribution) shall thereafter make distribution to the respective taxing districts, in the same manner and proportion as the most recent distribution by the appropriate County office to the respective districts, of real property taxes from real property in the TIF Area; and

WHEREAS, the City and other taxing districts are authorized and empowered by Article VII, Section 10 of the Constitution of the State of Illinois (1970) and 5 ILCS 220/1, *et seq.*, to enter into intergovernmental agreements for any purpose not prohibited by law; and

WHEREAS, pursuant to Section 11-74.4-4 of the Act, the City is authorized to enter into all contracts necessary or incidental to the implementation and furtherance of the Redevelopment Plan; and

WHEREAS, the continued provision of quality services by the Taxing District is important to the City and the public welfare of its citizens and is critical in furthering economic development in the City.

NOW THEREFORE, in consideration of the mutual promises and covenants set forth below, the City and the Taxing District do hereby agree as follows:

SECTION I

1.1 The above recitals are hereby incorporated into this Agreement as if fully set forth in this paragraph 1.1.

SECTION II

2.1 This Agreement shall become binding upon the City and the Taxing District upon approval of this Agreement by the City Council and the governing body of the Taxing District and the execution of this Agreement by each of their respective duly authorized agents.

2.2 This Agreement shall expire upon the earlier of the following: (a) December 31 of the year in which the payment to the City treasurer, as provided in Section 11-74.4-8 (b) of the Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the Ordinances were adopted; (b) any action by the City to terminate the tax increment allocation financing for the TIF Area; (c) by mutual agreement of the City and the Taxing District; and (d) any decree or judgment invalidating the ordinances listed in the preamble; provided, however, that the obligation of the City to make an annual payment which is due and owing to the Taxing District at the time of such expiration or termination shall survive such expiration or termination of this Agreement.

SECTION III
Duties of the City

3.1 Commencing with tax year 2016 payable in calendar year 2017, the City hereby pledges and agrees to declare 33.3% of the incremental property tax revenues generated each year within the TIF Area and deposited in the Special Fund to be "Surplus Funds," and to take all actions required by Section 11-74.4-7 of the Act to declare such Surplus Funds. The remaining 66.7% of the incremental property tax revenues generated each year within the TIF Area will remain in the Special Fund for allocation by the City as it deems appropriate pursuant to the provisions of the Redevelopment Plan and the Act.

3.2 The Surplus Funds shall be distributed annually within 180 days after the close of the City's fiscal year by being paid to the St. Clair County Collector (or the County office identified by the County), as directed by Section 11-74.4-7 of the Act. The County Collector shall thereafter make distribution to the taxing districts which have taxable property within the TIF Area for the tax year for which such distribution is being made, in the same manner and proportion as the most recent distribution by the County Collector to the affected taxing districts of real property taxes from real property in the TIF Area.

SECTION IV
Duties of the Taxing District

4.1 In consideration of the City's duties set forth in Section III hereof, the Taxing District hereby agrees to waive its right to any other amounts from the Special Fund, including but not limited to "capital costs" and other redevelopment project costs as defined in the Act. The Taxing District shall reimburse the Special Fund if there is a judicial determination that the "Surplus Funds" were paid to the Taxing District incorrectly, or in error. The amount to be reimbursed will be equal to the amount of the payment judicially determined to have been paid incorrectly or in error. The reimbursement shall be made by the Taxing District within thirty (30) days of any such court order or judgment becoming final. Nothing within this Section shall require the Taxing District to reimburse any money it receives from the Special Fund that is not the subject of a judicial order or judgment.

SECTION V
Indemnity

5.1 The City covenants and agrees to defend, indemnify and hold the Taxing District and the Taxing District's officers, board members, attorneys, agents, employees and representatives harmless from all costs and expenses (including expert witness and attorneys' fees, and costs of investigations) of defending any claims or actions contesting the validity or legality of the Redevelopment Plan, the TIF Area, the adoption of tax increment financing with respect to the Redevelopment Plan for the TIF Area, or this Agreement.

SECTION VI
Defaults and Remedies

6.1 Neither the City nor the Taxing District shall be considered to be in breach of its obligations with respect to any delay in the performance of any duty or responsibility under this Agreement in the event that the delay in such performance is due to either: (a) the performance of any governmental agency or body not a party to this Agreement whose performance is necessary to the performance of any duty or responsibility of either the City or the Taxing District under this Agreement; or (b) unforeseen causes beyond the control and without such party's fault or negligence including, but not limited to, acts of God, acts of a public enemy, fires, floods, epidemics or other similar causes that disrupt the operations of the City and/or District. The time for performance of any duty or responsibility under this Agreement delayed as a result of any of the foregoing shall be extended for the period that the condition exists.

6.2 In the event of any default in or breach of any term or condition of this Agreement by either party, the defaulting or breaching party shall, upon written notice from the other party, proceed immediately to cure or remedy such default or breach, and shall, in any event, within 30 days after receipt of such notice, commence to cure or remedy such default. If such cure or remedy is not taken or not diligently pursued, or the default or breach shall not be cured or remedied within a reasonable time, the aggrieved party may institute such legal proceedings as may be necessary or desirable in its opinion to cure and remedy such default or breach, including, but not limited to, proceedings to compel specific performance by the defaulting or breaching party. Any legal action concerning this Agreement shall be brought in the Circuit Court for St. Clair County, Illinois. In any such legal proceedings, the prevailing party shall be entitled to an award of its reasonable attorneys' fees and litigation costs.

SECTION VII
Miscellaneous Provisions

7.1 **Entire Agreement.** This Agreement contains the entire agreement between the City and the Taxing District regarding the City's declaring of certain moneys in the Special Fund as "Surplus Funds," and the distribution of such funds to the St. Clair County Collector (or the County office identified by the County to receive such payment); this Agreement supersedes all prior agreements, negotiations and discussions with respect thereto (if any), and shall not be modified, amended or changed in any manner whatsoever except by written agreement of the City and the Taxing District, where such agreement is duly approved by the City Council and the Taxing District's Board, except that no approval by the City Council or the Taxing District Board is required for any written agreement by the City and the Taxing District to modify the time of performance of any duty or responsibility under this Agreement.

7.2 **Assignability and Transfer.** The duties and responsibilities of the City and the Taxing District under this Agreement are not assignable or transferable.

7.3 **Limited Obligation.** The obligations of the City under this Agreement shall never constitute an indebtedness or a general obligation of the City within the meaning of the 1970 Constitution of the State of Illinois or any statutory provisions, and shall not give rise to any charge or lien against the City's general credit or taxing power.

7.4 **Notices.** Any notices to be served pursuant hereto shall be deemed properly delivered if delivered in writing by Federal Express or a comparable "over-night" courier service (which shall be deemed dated on the date of delivery thereof), or served by United States Postal Service, certified or registered mail, postage prepaid (which shall be deemed received on the third business day following the postmarked date thereof). Notices are to be directed to:

For the City:

Hon. Mark Kupsky (or then serving Mayor)
10025 Bunkum Road
Fairview Heights, Illinois 62208

Mr. Kevin Hoerner (or then serving City Attorney)
Becker, Hoerner, Thompson & Ysursa PC
5111 W. Main Street
Belleville, Illinois 62220

For the Taxing District:

7.5 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois.

7.6 **Counterparts.** Any number of counterparts of this Agreement may be signed on behalf of the City and the Taxing District, which counterparts, when fully executed shall constitute but one and the same agreement.

7.7 **Number of Pages.** This Agreement consists of seven (7) pages, including any signature pages.

7.8 **Severability.** In the event that any term or provision of this Agreement is held to be unenforceable by a court of competent jurisdiction, the remainder shall continue in full force and effect, to the extent the remainder can be given effect without the invalid provision.

SECTION VIII
Representations and Warranties

8.1 The City represents and warrants that it has full constitutional, statutory and lawful right, power and authority, under current applicable law, to execute, deliver and perform the terms, duties and responsibilities of this Agreement and all of the foregoing has been duly and validly authorized by all necessary City proceedings and procedures and that this Agreement constitutes a legal, valid and binding Agreement.

8.2 The Taxing District represents and warrants that it has full constitutional, statutory and lawful right, power and authority, under current applicable law, to execute, deliver and perform the terms, duties and responsibilities of this Agreement and all of the foregoing has been duly and validly authorized by all necessary Taxing District proceedings and procedures and that this Agreement constitutes a legal, valid and binding Agreement.

SECTION IX
Covenant Not to Sue

9.1 The Taxing District does hereby covenant to not take any direct or indirect action, whether through litigation or other means, to object to, contest, or attempt to invalidate any action or proceeding pertaining to the Redevelopment Plan, Redevelopment Project, or TIF Area, and shall forever refrain and desist from instituting or asserting against the City, its successors, elected officials, officers, employees, agents, representatives and attorneys, any and all claims, demands, obligations or causes of action relating to, concerning or arising out of any of the following: (a) the designation of the TIF Area; (b) the adoption and implementation of the Redevelopment Plan; and (c) the adoption and implementation of tax increment financing in the TIF Area; provided, however, that this provision shall not be binding on the Taxing District if:

- 1) The City shall be in default under any term or condition of this Agreement and fails to cure same within the applicable cure period, in which case the Taxing District may institute legal proceedings pursuant to Section 6.2 hereof; or
- 2) This Agreement should be determined to be unlawful or unenforceable against the City by the final order of a court of law having jurisdiction of the parties.

SECTION X
Mutual Assistance

10.1 The parties agree to take such actions, including the execution and delivery of such documents, instruments, petitions and certifications supplemental hereto as may be necessary or appropriate to carry out the terms, provisions and intent of this Agreement.

IN WITNESS WHEREOF, the City and the Taxing District have caused their respective corporate names to be subscribed hereto by their respective undersigned authorized officers and caused their respective corporate seals to be affixed hereto, and attested, all on and as of the date first above written.

DRAFT

THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS

TAXING DISTRICT

By: _____
Mayor

By: _____

ATTEST _____

ATTEST _____

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS
AND
TAXING DISTRICTS OF THE STATE ROUTE 159 NORTH TAX INCREMENT FINANCING
REDEVELOPMENT PROJECT AREA**

This Intergovernmental Agreement (the "Agreement") is entered into on _____, 2016, between the City of Fairview Heights, a Municipal Corporation (the "City"), and _____ (the "Taxing District").

WHEREAS, pursuant to the Illinois Tax Increment Allocation Redevelopment Act (65 ILCS 11-74.4-1 et seq., the "Act") the Council of the City adopted Ordinance ____-2016 approving the State Route 159 North Tax Increment Financing Redevelopment Plan (the "Redevelopment Plan"), Ordinance ____-2016 designating the State Route 159 North Tax Increment Redevelopment Area (the "TIF Area"), and Ordinance ____-2016 adopting real estate tax increment financing with respect to the Redevelopment Plan for the TIF Area (collectively, the "Ordinances"); and

WHEREAS, the purpose of the Redevelopment Plan is to encourage private development in the City, and enhance the tax base of the taxing districts within the TIF Area; and

WHEREAS, a portion of the Taxing District's territory is located within the boundaries of the TIF Area; and

WHEREAS, pursuant to Section 11-74.4-7 of the Act, the City may, annually, take actions to have certain money's in the TIF Area's special tax allocation fund (the "Special Fund") deemed as "Surplus Funds"; and

WHEREAS, pursuant to the Section 11-74.4-7 of the Act, all such "Surplus Funds" in the Special Fund shall be distributed annually within 180 days after the close of the City's fiscal year by being paid by the City Treasurer to the St. Clair County Collector (or the County office identified by the County to receive such payment), and the St. Clair County Collector (or the County office identified by the County to make such distribution) shall thereafter make distribution to the respective taxing districts, in the same manner and proportion as the most recent distribution by the appropriate County office to the respective districts, of real property taxes from real property in the TIF Area; and

WHEREAS, the City and other taxing districts are authorized and empowered by Article VII, Section 10 of the Constitution of the State of Illinois (1970) and 5 ILCS 220/1, *et seq.*, to enter into intergovernmental agreements for any purpose not prohibited by law; and

WHEREAS, pursuant to Section 11-74.4-4 of the Act, the City is authorized to enter into all contracts necessary or incidental to the implementation and furtherance of the Redevelopment Plan; and

WHEREAS, the continued provision of quality services by the Taxing District is important to the City and the public welfare of its citizens and is critical in furthering economic development in the City.

NOW THEREFORE, in consideration of the mutual promises and covenants set forth below, the City and the Taxing District do hereby agree as follows:

SECTION I

1.1 The above recitals are hereby incorporated into this Agreement as if fully set forth in this paragraph 1.1.

SECTION II

2.1 This Agreement shall become binding upon the City and the Taxing District upon approval of this Agreement by the City Council and the governing body of the Taxing District and the execution of this Agreement by each of their respective duly authorized agents.

2.2 This Agreement shall expire upon the earlier of the following: (a) December 31 of the year in which the payment to the City treasurer, as provided in Section 11-74.4-8 (b) of the Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the Ordinances were adopted; (b) any action by the City to terminate the tax increment allocation financing for the TIF Area; (c) by mutual agreement of the City and the Taxing District; and (d) any decree or judgment invalidating the ordinances listed in the preamble; provided, however, that the obligation of the City to make an annual payment which is due and owing to the Taxing District at the time of such expiration or termination shall survive such expiration or termination of this Agreement.

SECTION III
Duties of the City

3.1 Commencing with tax year 2016 payable in calendar year 2017, the City hereby pledges and agrees to declare 33.3% of the incremental property tax revenues generated each year within the TIF Area and deposited in the Special Fund to be "Surplus Funds," and to take all actions required by Section 11-74.4-7 of the Act to declare such Surplus Funds. The remaining 66.7% of the incremental property tax revenues generated each year within the TIF Area will remain in the Special Fund for allocation by the City as it deems appropriate pursuant to the provisions of the Redevelopment Plan and the Act.

3.2 The Surplus Funds shall be distributed annually within 180 days after the close of the City's fiscal year by being paid to the St. Clair County Collector (or the County office identified by the County), as directed by Section 11-74.4-7 of the Act. The County Collector shall thereafter make distribution to the taxing districts which have taxable property within the TIF Area for the tax year for which such distribution is being made, in the same manner and proportion as the most recent distribution by the County Collector to the affected taxing districts of real property taxes from real property in the TIF Area.

**SECTION IV
Duties of the Taxing District**

4.1 In consideration of the City's duties set forth in Section III hereof, the Taxing District hereby agrees to waive its right to any other amounts from the Special Fund, including but not limited to "capital costs" and other redevelopment project costs as defined in the Act. The Taxing District shall reimburse the Special Fund if there is a judicial determination that the "Surplus Funds" were paid to the Taxing District incorrectly, or in error. The amount to be reimbursed will be equal to the amount of the payment judicially determined to have been paid incorrectly or in error. The reimbursement shall be made by the Taxing District within thirty (30) days of any such court order or judgment becoming final. Nothing within this Section shall require the Taxing District to reimburse any money it receives from the Special Fund that is not the subject of a judicial order or judgment.

**SECTION V
Indemnity**

5.1 The City covenants and agrees to defend, indemnify and hold the Taxing District and the Taxing District's officers, board members, attorneys, agents, employees and representatives harmless from all costs and expenses (including expert witness and attorneys' fees, and costs of investigations) of defending any claims or actions contesting the validity or legality of the Redevelopment Plan, the TIF Area, the adoption of tax increment financing with respect to the Redevelopment Plan for the TIF Area, or this Agreement.

**SECTION VI
Defaults and Remedies**

6.1 Neither the City nor the Taxing District shall be considered to be in breach of its obligations with respect to any delay in the performance of any duty or responsibility under this Agreement in the event that the delay in such performance is due to either: (a) the performance of any governmental agency or body not a party to this Agreement whose performance is necessary to the performance of any duty or responsibility of either the City or the Taxing District under this Agreement; or (b) unforeseen causes beyond the control and without such party's fault or negligence including, but not limited to, acts of God, acts of a public enemy, fires, floods, epidemics or other similar causes that disrupt the operations of the City and/or District. The time for performance of any duty or responsibility under this Agreement delayed as a result of any of the foregoing shall be extended for the period that the condition exists.

6.2 In the event of any default in or breach of any term or condition of this Agreement by either party, the defaulting or breaching party shall, upon written notice from the other party, proceed immediately to cure or remedy such default or breach, and shall, in any event, within 30 days after receipt of such notice, commence to cure or remedy such default. If such cure or remedy is not taken or not diligently pursued, or the default or breach shall not be cured or remedied within a reasonable time, the aggrieved party may institute such legal proceedings as may be necessary or desirable in its opinion to cure and remedy such default or breach, including, but not limited to, proceedings to compel specific performance by the defaulting or breaching party. Any legal action concerning this Agreement shall be brought in the Circuit Court for St. Clair County, Illinois. In any such legal proceedings, the prevailing party shall be entitled to an award of its reasonable attorneys' fees and litigation costs.

**SECTION VII
Miscellaneous Provisions**

7.1 Entire Agreement. This Agreement contains the entire agreement between the City and the Taxing District regarding the City's declaring of certain moneys in the Special Fund as "Surplus Funds," and the distribution of such funds to the St. Clair County Collector (or the County office identified by the County to receive such payment); this Agreement supersedes all prior agreements, negotiations and discussions with respect thereto (if any), and shall not be modified, amended or changed in any manner whatsoever except by written agreement of the City and the Taxing District, where such agreement is duly approved by the City Council and the Taxing District's Board, except that no approval by the City Council or the Taxing District Board is required for any written agreement by the City and the Taxing District to modify the time of performance of any duty or responsibility under this Agreement.

7.2 Assignability and Transfer. The duties and responsibilities of the City and the Taxing District under this Agreement are not assignable or transferable.

7.3 Limited Obligation. The obligations of the City under this Agreement shall never constitute an indebtedness or a general obligation of the City within the meaning of the 1970 Constitution of the State of Illinois or any statutory provisions, and shall not give rise to any charge or lien against the City's general credit or taxing power.

7.4 Notices. Any notices to be served pursuant hereto shall be deemed properly delivered if delivered in writing by Federal Express or a comparable "over-night" courier service (which shall be deemed dated on the date of delivery thereof), or served by United States Postal Service, certified or registered mail, postage prepaid (which shall be deemed received on the third business day following the postmarked date thereof). Notices are to be directed to:

For the City:

Hon. Mark Kupsy (or then serving Mayor)
10025 Bunkum Road
Fairview Heights, Illinois 62208

Mr. Kevin Hoerner (or then serving City Attorney)
Becker, Hoerner, Thompson & Ysursa PC
5111 W. Main Street
Belleville, Illinois 62220

For the Taxing District:

7.5 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois.

7.6 **Counterparts.** Any number of counterparts of this Agreement may be signed on behalf of the City and the Taxing District, which counterparts, when fully executed shall constitute but one and the same agreement.

7.7 **Number of Pages.** This Agreement consists of seven (7) pages, including any signature pages.

7.8 **Severability.** In the event that any term or provision of this Agreement is held to be unenforceable by a court of competent jurisdiction, the remainder shall continue in full force and effect, to the extent the remainder can be given effect without the invalid provision.

SECTION VIII
Representations and Warranties

8.1 The City represents and warrants that it will require the owner of the real estate in the TIF Area (Parcel No. 03-21-0-400-001; St. Clair County Identified Acreage: 71.89 Acres; TIF Area: 80.86 Acres) to re-zone the westerly portion of said property to B-3 zoning district, in order to be in compliance with the City's comprehensive plan, before any City incentives are received by the owner or developer for the development of said 72 acres. The City further represents and warrants that it has full constitutional, statutory and lawful right, power and authority, under current applicable law, to execute, deliver and perform the terms, duties and responsibilities of this Agreement and all of the foregoing has been duly and validly authorized by all necessary City proceedings and procedures and that this Agreement constitutes a legal, valid and binding Agreement.

8.2 The Taxing District represents and warrants that it has full constitutional, statutory and lawful right, power and authority, under current applicable law, to execute, deliver and perform the terms, duties and responsibilities of this Agreement and all of the foregoing has been duly and validly authorized by all necessary Taxing District proceedings and procedures and that this Agreement constitutes a legal, valid and binding Agreement.

SECTION IX
Covenant Not to Sue

9.1 The Taxing District does hereby covenant to not take any direct or indirect action, whether through litigation or other means, to object to, contest, or attempt to invalidate any action or proceeding pertaining to the Redevelopment Plan, Redevelopment Project, or TIF Area, and shall forever refrain and desist from instituting or asserting against the City, its successors, elected officials, officers, employees, agents, representatives and attorneys, any and all claims, demands, obligations or causes of action relating to, concerning or arising out of any of the following: (a) the designation of the TIF Area; (b) the adoption and implementation of the Redevelopment Plan; and (c) the adoption and implementation of tax increment financing in the TIF Area; provided, however, that this provision shall not be binding on the Taxing District if:

- 1) The City shall be in default under any term or condition of this Agreement and fails to cure same within the applicable cure period, in which case the Taxing District may institute legal proceedings pursuant to Section 6.2 hereof; or
- 2) The City, contrary to its representation and warranty in Section 8.1 hereof, provides incentives to the owner or developer of the real estate in the TIF Area before the westerly portion of said property has been re-zoned to B-3 zoning district, in which case the City shall be deemed to be in breach of a material term of this Agreement and the Taxing District may immediately institute legal proceedings pursuant to Section 6.2 hereof; or
- 3) This Agreement should be determined to be unlawful or unenforceable against the City by the final order of a court of law having jurisdiction of the parties.

SECTION X
Mutual Assistance

10.1 The parties agree to take such actions, including the execution and delivery of such documents, instruments, petitions and certifications supplemental hereto as may be necessary or appropriate to carry out the terms, provisions and intent of this Agreement.

IN WITNESS WHEREOF, the City and the Taxing District have caused their respective corporate names to be subscribed hereto by their respective undersigned authorized officers and caused their respective corporate seals to be affixed hereto, and attested, all on and as of the date first above written.

THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS

TAXING DISTRICT

By: _____
Mayor

By: _____

ATTEST _____

ATTEST _____

INTEROFFICE MEMORANDUM

To: City Council
From: Timothy Tolliver
Subject: Director's Report
Date: June 17, 2016

- Planning Commission met June 12, 2016 with nine members present. Commissioners reviewed one PC case to be discussed as part of Committee agenda.
- Planning Commission subcommittee review of Development Code last met on June 2 and are currently reviewing the sign article.
- Attached are the May residential property maintenance and building permit reports.
- Attached is the June 10 reports for commercial building plans under review, commercial projects under construction and commercial occupancy permits issued.
- Albert Fite has decided that part time Assistant Code Enforcement\Animal Control officer position was not a good fit and has returned to Property Maintenance Inspector position through the application process.
- Justin Whitacre has been hired as the part time Assistant Code Enforcement\Animal Control officer effective Tuesday, June 21.
- Building Official and staff have completed the annual inspection of apartment complexes common areas and building exteriors as of June 8.

NEW COMMERCIAL PROPERTIES UNDER CONSTRUCTION

1. Petco – 6595 North Illinois – Façade Renovation and demolition
Tom George @216-520-1551
2. Fairview City Centre – US 50 & North Illinois – New Construction
Chris Leligdon @216-520-1551
3. FVFD – 1406 Second Ave – New Construction
Jim Stuckenberg @281-9710
4. AT&T Tower – 6701 North Illinois – Antenna Addition
APPROVAL – Jack Scheidt @ 636-922-3400
5. Fairview Liquor – 5329 North Illinois – Addition
Hans Koehl @234-6720
6. Perfect Finish – 10614 Lincoln Trail – Demolition
Steve Strube – 277-1054
7. Gateway Cancer Treatment Center – 326 Fountains Parkway – Renovations
Brian Dayton with Holland Const. @212-6702
8. Christ United Methodist Church – 339 Frank Scott parkway – Addition/Renov.
Will Stadjuhr @394-8400
9. Meineke – 10710 Lincoln Trail – Addition & new Development
Dirk Schaumleffler @781-3742
10. Grace Church – 5151 North Illinois – Exterior renovations
Matt Costello @973-5507
11. Longacre Ponds – 67-69-71-73 Northbrook Circle Re-Construction -Fire Damage
Todd Mayer – CATCO 314-568-5837
12. NCI Information System – 16 Executive Drive Ste 300 – Tenant Renovation
Environs Architect – 344-8699
13. Grand Rental – 5612 North Illinois – 2nd Story Installation of Storage Bldg
Chris Kwapis @277-7750
14. West Route 161 – Excavation-Soil & Sedimentation Control
Ray Miller @660-6567
15. Tinder Box – 10700 B Lincoln Trail – Relocation – Tenant Finish
Kent Scharf @407-2425
16. Cerebral Palsey of South Western IL – 10200 Old Lincoln Trail – Office
Jeanette Haege @233-0210 Ext 15
17. AT&T Tower – 10025 Bunkum Road – Antenna replacements
Sarah temme @636-922-3400
18. NHANES National Health Study–St Clair Sq–Mobile Units – Medical Assembly
Gessi Rincom @301-526-7533

CONTINUED:

19. Lam Lua Massage 5900 North Illinois Suite 9 – Tenant Finish
Susie @314-496-2868
20. Ashland Storage – 19 Ashland Ave – Excavation
Chris Korte @779-4910
21. Shoe Department Encore – St Clair Sq #172 – Retail
Crystal Green @704-782-4143
22. Tucker Allen - 331 Salem Place – Attorney’s Office
Rachael Berry @314-206-7122
23. Crazy 8 – St Clair Sq #149 – Retail
Phil Lindemann @636-928-9784 EXT 305
24. Bank of America ATM – 5231 North Illinois – Replacement
Robert Lee @314-647-5100

NEW UPCOMING COMMERCIAL PROJECTS AND UNDER REVIEW

1. Perfect Finish – 10614 Lincoln Trail – NEW CONSTRUCTION
Hans Koehl @234-6720
2. Ruler Food Store – 10850 Lincoln Trail Suite 12A – Tenant Finish
Chris Flottemesch @513-721-8080
3. Rue 21 – St Clair Sq #122 – Tenant remodel
Cortland Morgan @817-635-5696
4. TY-Mobile Sprint-Monticello 296 Monticello – Antenna Replacement
Russell Been @314-989-9810
5. JC Penney – 245 St Clair Square – Renovation
Douglas Thompson @316-268-0217
6. Christopher Banks – St Clair Sq Space #180 – Tenant Finish
Rebecca Olson @651-888-6885
7. Bath & Body Works – St Clair Sq #192 & 193 – Retail
Lyn Davies @616-493-9350
8. Ashland Storage – 113 Ashland Ave – Storage Units
Chris Korte @779-4910
9. T Mobile – 296 Monticello – additions to cell tower
Amanda @724-416-2315
10. St Clair Sq – New Food Court Exterior Stairs –
Miranda Stevens @277-8870
11. AT&T Tower – 13 Canty Lane – Antena replacement
Lindsey @636-922-3400

NEW BUSINESSES – Commercial Inspections & Change of Occupancy in last 30 days

1. Midwest Summit Academy 5601 Old Collinsville Rd – Private School
Wendy Fuchs @444-3207
2. A Touch of Bulgaria – St Clair sq T52 – KIOSK – Retail
Stoyka Mangan @980-5792
3. Christopher Banks – Temporary Space #103 During Construction
Mary Gehrieg @ 763-498-1054
4. JV Promotions – St Clair Square – Various locations
John Johnston @636-634-0580
5. Vector marketing Co. – 10400 Lincoln Trail – Temporary for summer
Gil Klein @974-8211
6. Sweet Pleasures – St Clair Sq #265 Retail
Catina Rupert @972-4820
7. STI Blue Line – St Clair Sq #T-258 Retail
Ed Fernandez @960-5614
8. Mother Earth Natural Gallery – 5900 N Illinois #14
Gloria Locket @722-3578 ZONING PENDING – Adding Use to Existing
Retail
9. Desserts out the Jar – St Clair Sq KIOSK T-63 Retail
Yashica McKinney @570-1981

**PROPERTY MAINTENANCE MONTHLY REPORT
2016 INSPECTIONS**

MONTH	APT.	S-F RNT	S-F SOLD	TOTAL
JANUARY - ISSUED	27	8	13	48
INSPECTIONS - COMPLETED	34	19	15	68
FEBRUARY - ISSUED	34	20	19	73
INSPECTIONS - COMPLETED	33	28	37	98
MARCH - ISSUED	40	16	26	82
INSPECTIONS - COMPLETED	29	28	39	96
APRIL - ISSUED	30	23	24	77
INSPECTIONS - COMPLETED	34	35	76	145
MAY -- ISSUED	37	24	39	100
INSPECTIONS - COMPLETED	30	34	58	122
JUNE -- ISSUED				0
INSPECTIONS - COMPLETED				0
JULY -- ISSUED				0
INSPECTIONS - COMPLETED				0
AUGUST - ISSUED				0
INSPECTIONS - COMPLETED				0
SEPT - ISSUED				0
INSPECTIONS - COMPLETED				0
OCTOBER - ISSUED				0
INSPECTIONS - COMPLETED				0
NOVEMBER - ISSUED				0
INSPECTIONS - COMPLETED				0
DECEMBER - ISSUED				0
INSPECTIONS - COMPLETED				0

PAID = OCCUPANCY PERMITS ISSUED

INSPECTIONS = HOUSING INSPECTIONS PERFORMED

YTD TOTAL IS: 380

YTD TOTAL IN: 529

OCCUPANCY PERMITS ISSUED
CITY OF FAIRVIEW HEIGHTS
 FIGURES INCLUDE PAID PERMITS AND EXEMPTIONS

	2005		2006		2007		2008		2009		2010		2011		2012		2013		2014		2015		2016	
	PAID	EXMPT																						
JANUARY	31	42	40	30	54	50	38	39	21	30	33	36	25	29	76	2	75	3	68	1	53	4	46	2
FEBRUARY	40	22	52	21	45	43	34	27	42	28	35	34	35	37	79	5	88	2	63	1	48	2	68	5
MARCH	49	77	42	29	48	41	34	39	33	54	40	41	52	43	90	4	66	5	85	1	66	1	78	4
APRIL	59	63	39	35	29	42	36	41	30	38	47	52	45	31	64	0	91	12	88	1	105	5	74	3
MAY	38	38	29	47	49	52	46	49	41	37	44	66	49	29	99	2	67	2	86	2	101	5	100	0
JUNE	57	49	28	37	45	56	45	44	31	43	56	56	73	4	116	4	59	3	85	2	98	2		
JULY	67	45	50	47	54	64	27	43	38	48	69	52	66	5	137	3	125	4	124	1	110	1		
AUGUST	56	46	54	55	61	58	60	37	56	55	62	36	106	7	142	6	123	0	83	5	92	3		
SEPTEMBER	48	29	48	47	60	34	47	49	36	31	43	31	80	5	71	1	88	2	77	2	74	2		
OCTOBER	58	34	71	103	48	42	55	47	35	33	42	24	73	6	90	5	75	5	61	5	80	4		
NOVEMBER	38	31	46	38	41	43	39	29	31	20	41	32	62	7	73	2	68	1	72	9	64	3		
DECEMBER	38	22	35	38	42	25	48	31	34	19	40	22	70	4	51	4	69	4	67	3	45	3		
TOTALS	579	498	534	527	576	550	509	475	428	436	552	482	736	207	1088	38	994	43	959	33	936	35	366	14

VALUE OF BUILDING PERMITS

2016

MONTH	NEW COMMERCIAL CONSTRUCTION	NEW RESIDENTIAL CONSTRUCTION	MISC. COMMERCIAL ALTERATIONS REMODELS	MISC. RESIDENTIAL CONSTRUCTION OR REMODEL/ALT	TOTALS ACROSS
JAN		\$155,700	\$246,100	\$1,733,300	\$ 2,135,100
FEB		\$911,900	\$108,743	\$201,953	\$ 1,222,596
MAR		\$0	\$1,243,029	\$289,794	\$ 1,532,823
APR	\$32,140	\$294,650	\$104,614	\$67,891	\$ 499,295
MAY	\$0	\$103,600	\$491,110	\$300,150	\$ 894,860
JUN					\$ -
JUL					\$ -
AUG					\$ -
SEP					\$ -
OCT					\$ -
NOV					\$ -
DEC					\$ -
YTD	\$32,140	\$1,465,850	\$2,193,596	\$2,593,088	\$6,284,674



CITY OF FAIRVIEW HEIGHTS

10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ www.cofh.org

June 17, 2016

Fairview Heights City Council
10025 Bunkum Road
Fairview Heights, IL 62208

Dear City Council:

The petition listed below is hereby transmitted for your consideration:

Petition No:	PC10-16
Petitioner:	JQP Properties, LLC
Request:	Development Plan
Area Size:	Approximately 2.9 acres
Location:	XXX Long Acre Drive
Hearing Date:	June 14, 2016
Proponents:	0
Opponents:	0
Recommendation:	Denial
Votes:	Yeas: Mensing, Wesemann, Barkley, Smith, Funk, Correale, McCarthy, Hoppe, & Bramstedt Nays: None Absent: Herrington & Sudja
Report:	Staff Advisory
Ward:	III

Respectfully,

Jim Bramstedt, Chairman
Planning Commission
TT/kt

PC10-16, Development Plan, Longacre Drive, JQP Properties LLC

AREA LAND USE AND ZONING

The subject property is an undeveloped 2.9 acre "L" shaped parcel located with frontage on Long Acre Drive zoned Planned Business District. The property is adjoined by Lincoln Place II Shopping Center to the east, the Lincoln Place storm water basin to the north, and a hair salon to the west all zoned Planned Business District. The properties to the immediate south across Long Acre Drive are zone R-4 Single Family Residential and are developed as such. The Longacre Ponds Apartments are located to the west and are zoned M-2 Multiple Family Residential.

DEVELOPMENT PLAN PROPOSAL

The applicant, JQP Properties, LLC, is requesting approval of a Development Plan to construct a self-storage facility. The facility will contain approximately 51,900 square feet of area in nine (9) structures of which 45,700 square feet will be rentable space with the balance to be utilized for office space and onsite manager's residence. Approximately 46% of total units will be climate controlled in buildings 1, 2, 3, & 4. Building 1 will also contain the office and a second floor manager's residence. The buildings fronting Long Acre Drive will have window systems on the facade and sides visible to Long Acre Dr. The facility will be contained by fencing and building walls being setback approximately ten (10) feet from side and rear perimeter property lines except, the western line adjoining the apartment complex being setback approximately 37 feet.

The exterior of the structures will be designed using various architectural features, such as hidden fastener metal panels with a stucco type masonry finish, and glass along with storefront entrance.

Access gate will be computer coded for access; hours of access have not been identified though office will operate 9:00 a.m. to 6:00 p.m. except on Saturday closing is at 5:00 p.m. or Sunday not open.

Applicant is proposing two separate curb cuts onto Long Acre Drive approximately 70' apart.

PLANNING CONSIDERATIONS

Comprehensive Plan

The 2012 Comprehensive Plan, Section 4 Land Use, has identified the subject parcel as multiple family residential.

Buffer and Setback

Section 14-4-23.1 "Buffer Standards, General Standards" which states that buffers shall be located

on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line, or between differing land uses on a single parcel, but may not occupy any portion of a dedicated or reserved public or private street or right of way. The table of buffer requirements details the width and density of the planting based on the intensity of the proposed development or use and the uses which are developed on the adjacent properties. Table 14.4.23.1 (D) is attached for reference. The Applicant is required to provide Buffer Yard B on the west side adjoining the multiple family residences, the buffer area is proposed to be approximately 37 at the closest point. In addition to the buffer yard, there is also additional landscaping proposed in front of the western most building fronting Long Acre Dr. and on the east side of the parking area. Detailed landscaping plan has not been submitted at this time type but areas are provided.

The building walls will being setback a minimum of approximately ten (10) feet from side and rear perimeter property lines except, the western line adjoining the apartment complex being setback approximately 37 feet.

The front building No. 2 and adjoining parking area are proposed to be set back 27' from the front property line.

Exterior Building Materials

Section 14-3-35 "Exterior Building Material and Design: Business and Industrial Districts" of the Development Code lists some general requirements for architectural design. This section of the code also lists a specific requirement that "all exterior walls shall consist of a minimum of sixty percent (60%) glass and/or masonry materials (brick, natural clay, natural stone and architectural concrete units, excluding smooth faced block except when used as an accent) on all sides." It also lists other building materials that are acceptable and unacceptable. The self-storage buildings are proposed to be constructed of stucco type material; plaster stucco is a material identified as not acceptable. Applicant proposed split face block as an alternative to the stucco panels.

Parking

Applicant is proposing 8 parking places in the front of the office/ building #1. Parking lot layouts including setback and landscape areas are code compliant. Drive/access aisles are proposed at a minimum of 24'. Parking at buildings 1, 2, 3 & 4 needs explanation since access is via building end doors for multiple interior units as compared to units immediately accessible from the exterior along the aisles.

Signs

Applicant is proposing a signage in compliance with code.

Exhibits

1. Staff Advisory

2. Application
3. Narrative (2)
4. Building Floor Plans w/rental unit table
5. Aerial View
6. Existing Topography
7. Site Plan
8. Building Perspectives (3)
9. Findings of Fact macro
10. Public Notice
11. Surrounding Property Owners

TT/kt

Planning Commissioner McCarthy introduced the following resolution and moved for its adoption:

RESOLUTION PC 010-16

A RESOLUTION ADOPTING FINDINGS OF FACT PC010-16 RELATING TO REQUEST FROM JQP PROPERTIES, LLC TO DENY A DEVELOPMENT PLAN ALLOWING SELF-STORAGE UNITS WITHIN THE PLANNED BUSINESS DISTRICT.

WHEREAS, JQP Properties, LLC, hereinafter referred to as the “Applicant,” has properly applied for a Development Plan approval for a self-storage unit development within the “PB” Planned Business District located on the north side of Long Acre Drive Dr., PIN # 03-28.0-409-021 and legally described as:

Lot 3 of Lincoln Place II, a subdivision according to the plat thereof recorded April 9, 2002, in Plat Book 101 on Page 63.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the findings of fact relating to the request are determined to be as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 14, 2016, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
2. The subject property is vacant and is zoned “PB” Planned Business District. The subject property is situated on one parcel, PIN# 03-28.0-4098-021 and is identified by the previous legal description.
3. That the Subject Property contains approximately 2.9 acres.
4. That this permit will require any changes to traffic circulation and ingress/egress.
5. That this permit will require any changes to lighting, landscaping, or the existing site usage.
6. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
7. That the proposed use will substantially adversely impair the use, enjoyment, or market value of any surrounding property.

8. That the proposed use will not be hazardous or disturbing to existing neighboring uses.
9. That the proposed use will be served adequately by public facilities and services such as highways and streets.
10. That the proposed use will create excessive additional requirements at public cost for public facilities and services, and it will be detrimental to the economic welfare of the community.
11. That the proposed use will involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.
12. The proposed use will not be consistent with the Comprehensive Plan.
13. That this Development Plan denial will not allow for the applicant's use of business zoned property for a 51,900 gross square feet a self-storage facility, including climate controlled space, office and onsite managers residence at the property as it is proposed per the Development Plan by the Applicant.

The motion for the adoption of the foregoing resolution was duly seconded by; Barkley upon vote being taken thereon, the following voted in favor thereof: Smith, Bramstedt, Wesemann, Funk, Correale, McCarthy, Hoppe, Mensing & Barkley

and the following voted against the same: NONE

and the following abstained: NONE

and the following were absent: Herrington & Sudja

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 14th day of June 2016.

Planning Commission Chairman

ATTEST:

Land Use Director

APPLICATION FOR SPECIAL USE PERMIT OR DEVELOPMENT PLAN



Land Use and Development Department
Fairview Heights City Hall
10025 Bunkum Road
Fairview Heights, IL 62208
Phone (618) 489-2060

(Do not write in this space – for office use only)	
Case Number Assigned: _____	Date Proof of Public Notice Sign Provided: _____
Date Application Received: _____	Zoning District of Property: _____
Date Set for Hearing: _____	Recommendation of Plan Commission: _____
Name of Newspaper and Publication Date: _____	Date of Final City Council Decision: _____
Publication Fee Paid: _____	Action by City Council: _____

Development Plan: _____ Amended Development Plan: _____
Special Use: _____

All information must be completed and submitted herewith. Applicants are encouraged to visit the Land Use and Development Department for any assistance needed in completing this form.

1. Name of property owner(s): Yogini Bhatia
 Mailing address: 1016 S. Church Belleville IL 62221
 Phone: 618-222-8998
 E-Mail: gsub3@yahoo.com

2. Name of applicant (if other than owner): JQP Properties LLC
 Relationship to owner (contractor, family member, lessee, etc.): contract to purchase
 Mailing address: 801 Midpoint Drive O'Fallon MO 63366
 Phone: (636) 379-0500 or 314 220-3100
 E-Mail: jqp@charter.net

3. Address of property: Long Acre Drive
Parcel (Tax) ID number: 03-28.0-409-021
Present use of property: vacant
Zoning district: PB

4. Type of Development for which permit is requested:
Storage Units

5. (For residential developments only) N/A
Density : _____
Number of structures: _____ Dwelling units per structure: _____
Total number of dwelling units: _____
Estimated number of persons per dwelling unit: _____
Density = Population of development = _____ = _____ persons/acre.

6. A special use permit or development plan approval is requested for the property described above in conformity with the documents submitted herewith.
I certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate; that I have read and understand the regulations pertaining to Special Uses and Development Plans and I believe to the best of my knowledge that the proposed will not violate any portion of said code.

I also understand that as the Applicant, it is my responsibility to obtain all other permits or licenses required by any applicable regulatory agencies for this Land Use Application.

I consent that the entry in or upon the premises described in this application by any authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

Signature of Owner: [Signature] Date: 5/9/16

Signature of Applicant: [Signature] Date: 5-9-16



801 Midpoint Drive
O'Fallon, MO 63366
Office: (636) 379-0500
Cell: (314) 220-3100
Fax: (636) 379-8141
Email: jqp@charter.net

May 19, 2016

Planning Commission
City of Fairview Heights
10025 Bunkum Road
Fairview Heights, IL 62208

RE: Proposal to develop Safe Lock Storage

Dear Planning Commission:

SAFE LOCK STORAGE is a local self-storage provider which opened its first facility over 20 years ago with locations in Missouri and Illinois. We have been proudly serving St. Clair County at our Shiloh location since 2003. The industry has grown and significantly evolved from the original concept of self-storage. Today's facilities, such as the one proposed, cater to both residential and small business users who need additional space for their storage needs. The facility provides an attractive appearance and service to the community. SAFE LOCK STORAGE is interested in locating a facility within Fairview Heights, and is submitting this proposed Development Plan for consideration.

The proposed project entails the development of an upscale self-storage facility to be constructed on a vacant 2.9 acre site located on Longacre Dr., Fairview Heights, IL 62208. A partial legal description of the parcel is just below, and also please reference the aerial photo previously submitted by TWM Engineers.

Lot 3 of Lincoln Place Phase II subdivision

SAFE LOCK STORAGE'S proposal is to construct nine (9) buildings with a rentable space of approximately 45,700 square feet. The Office and Onsite Manager's residence would also be a part of these buildings. The buildings will be attractively designed using various architectural features, such as hidden fastener metal architectural panels with a stucco type masonry finish, and glass along with a storefront entrance. A sample of the panels can be provided at the plan commission hearing if desired.

The buildings are considered "state of the art" in the industry, equipped with a climate controlled environment and a sophisticated security system. Approximately 46% of the total units will be climate-controlled, comprising 42% of the net rentable space. The user accesses the building through a main entrance and proceeds to their individual unit. The facility is supervised by one or two staff persona and the front office will operate from 9:00 a.m. to 6:00 p.m. Monday through Friday, 9:00 a.m. to 5:00 p.m. on Saturday, and will be closed on Sunday. A typical customer stays with us for 6-8 months during which time they come in, sign their lease and store their goods, paying their rent by credit card or online

through our automatic payment system. This type of customer base gives us very low traffic volume (lowest of any commercial use).

The facility makes limited demands on the municipality and these impacts can be assessed as follows:

Waste There is little to no waste generated both in terms of solid waste and sanitary waste as there are only one to two employees at any given time and a private hauler attends to the limited solid waste.

Noise The noise is limited because the facility has few employees, needs virtually no deliveries or restocking of supplies, and has limited traffic volume. The loading and unloading into the facility is typically done from cars or SUV's since it is primarily used by residential and small business users.

Public Water There is minimal demand on the public water supply since there are only one or two employees, and no water is required for the product or service it provides.

Municipal Services The facility makes minimal demands on the municipal services. i.e. roads, infrastructure and none on the school system. There are no large trucks (18 wheelers) at the site. The customer base we attract typically use a car or SUV.

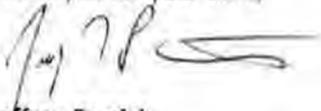
Security For security measures, we will utilize 6' fencing in areas that would prevent access to the grounds other than passing through the computer controlled electronic front gate. Our desire is to use the building itself as an access barrier to a portion of the perimeter. Additionally, we will utilize security monitors on the premises, well-lit driveways and personal access codes designed to open the automated gate.

We would like to begin construction in September 2016 and will likely finish in May 2017.

The sign or monument, as well as signage on the building itself, would be designed to meet City Code.

It is our desire to use the very large Retention Pond located just to the North of the property for any drainage issues. Since the site was once part of the Lincoln Place Phase II, we believe the site was part of the Master Plan to drain into the pond. A large drainage pipe currently exits the North perimeter of the site draining into this retention pond, furthering our belief that it was incorporated into the Plan.

Thank you for your time,

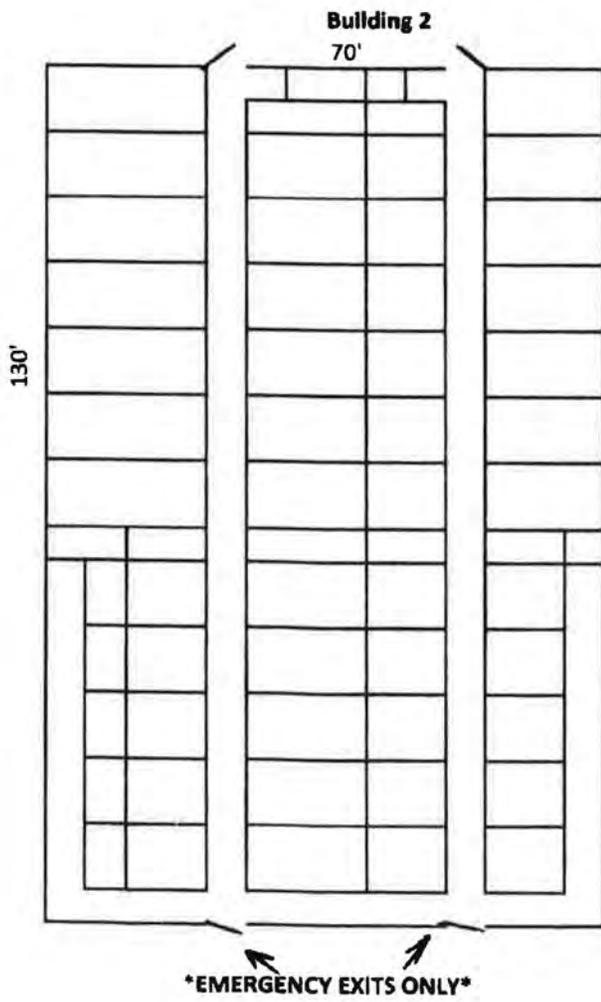
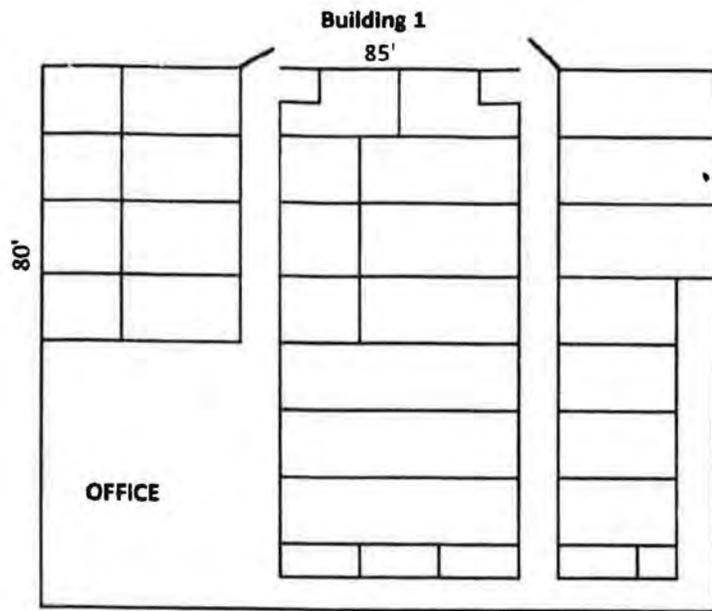


Jeffrey Parrish
Owner
Safe Lock Storage

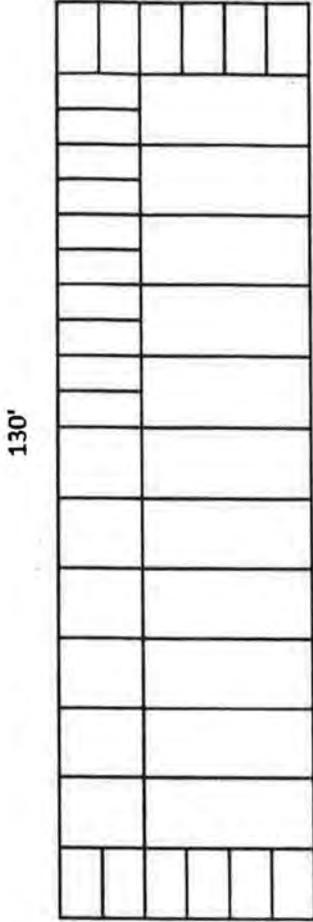
Climate Controlled	Bldg 1	Bldg 2	Bldg 3	Bldg 4	Bldg 5	Bldg 6	Bldg 7	Bldg 8	Bldg 9	Total	%	Sq Footage
5 x 5	1	2	0	1	0	0	0	0	0	4	1%	100
5 x 10	4	12	0	41	0	0	0	0	0	57	15%	2850
5 x 15	0	2	0	0	0	0	0	0	0	2	1%	150
10 x 10	3	22	10	0	0	0	0	0	0	35	9%	3500
10 x 12.5	2	0	0	0	0	0	0	0	0	2	1%	250
10 x 15	8	17	20	0	0	0	0	0	0	45	12%	6750
10 x 20	6	7	10	0	0	0	0	0	0	23	6%	4600
10 x 25	0	0	0	0	0	0	0	0	0	0	0%	0
10 x 30	3	0	0	0	0	0	0	0	0	3	1%	900
	27	62	40	42	0	0	0	0	0	171	46%	19100

Non-Climate	Bldg 1	Bldg 2	Bldg 3	Bldg 4	Bldg 5	Bldg 6	Bldg 7	Bldg 8	Bldg 9	Total	%	Sq Footage
5 x 5	0	0	2	0	0	0	0	0	0	2	1%	50
5 x 10	0	0	5	2	0	22	12	22	3	66	18%	3300
10 x 10	4	0	10	17	0	6	0	6	0	43	12%	4300
10 x 15	0	0	0	10	3	0	22	0	0	35	9%	5250
10 x 20	0	0	0	0	0	11	0	11	0	22	6%	4400
10 x 25	0	0	0	0	0	0	0	0	0	0	0%	0
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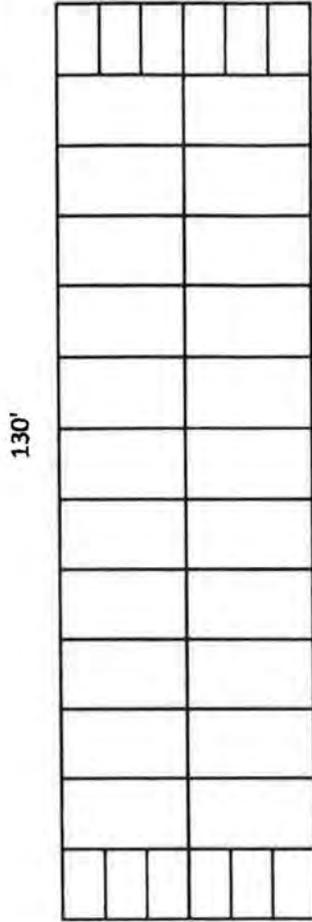
UNIT TOTALS 31 62 57 71 17 39 34 39 20 370 100% 45700



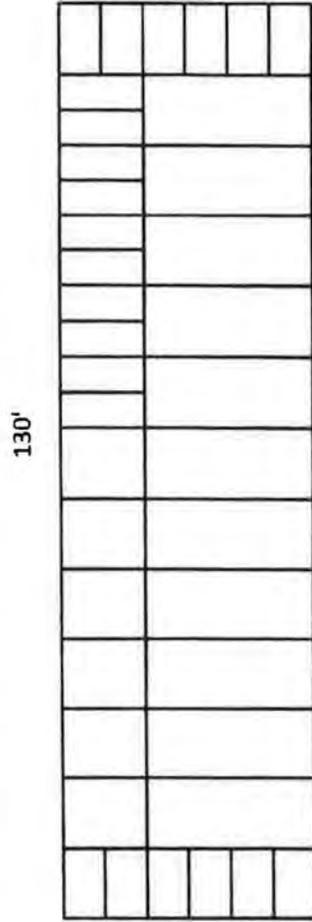
Building 6
30'

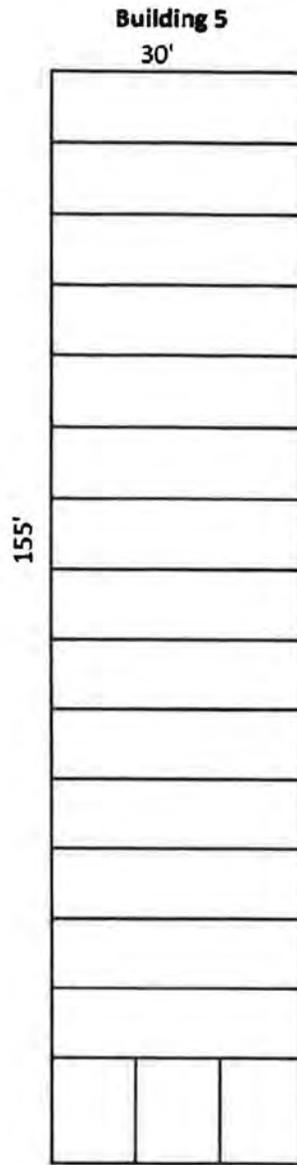
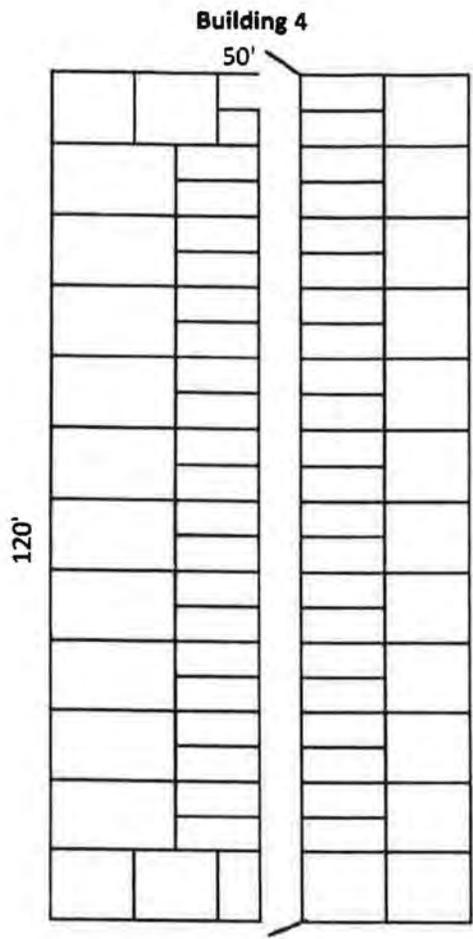


Building 7
30'



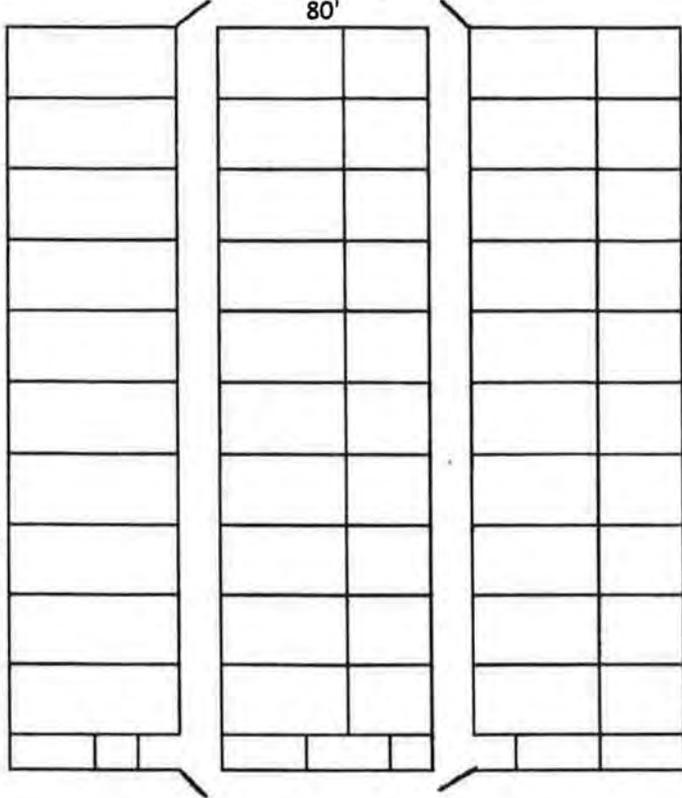
Building 8
30'





Building 3
80'

105'



**Special Use Permit
&
Development Plan Narrative**

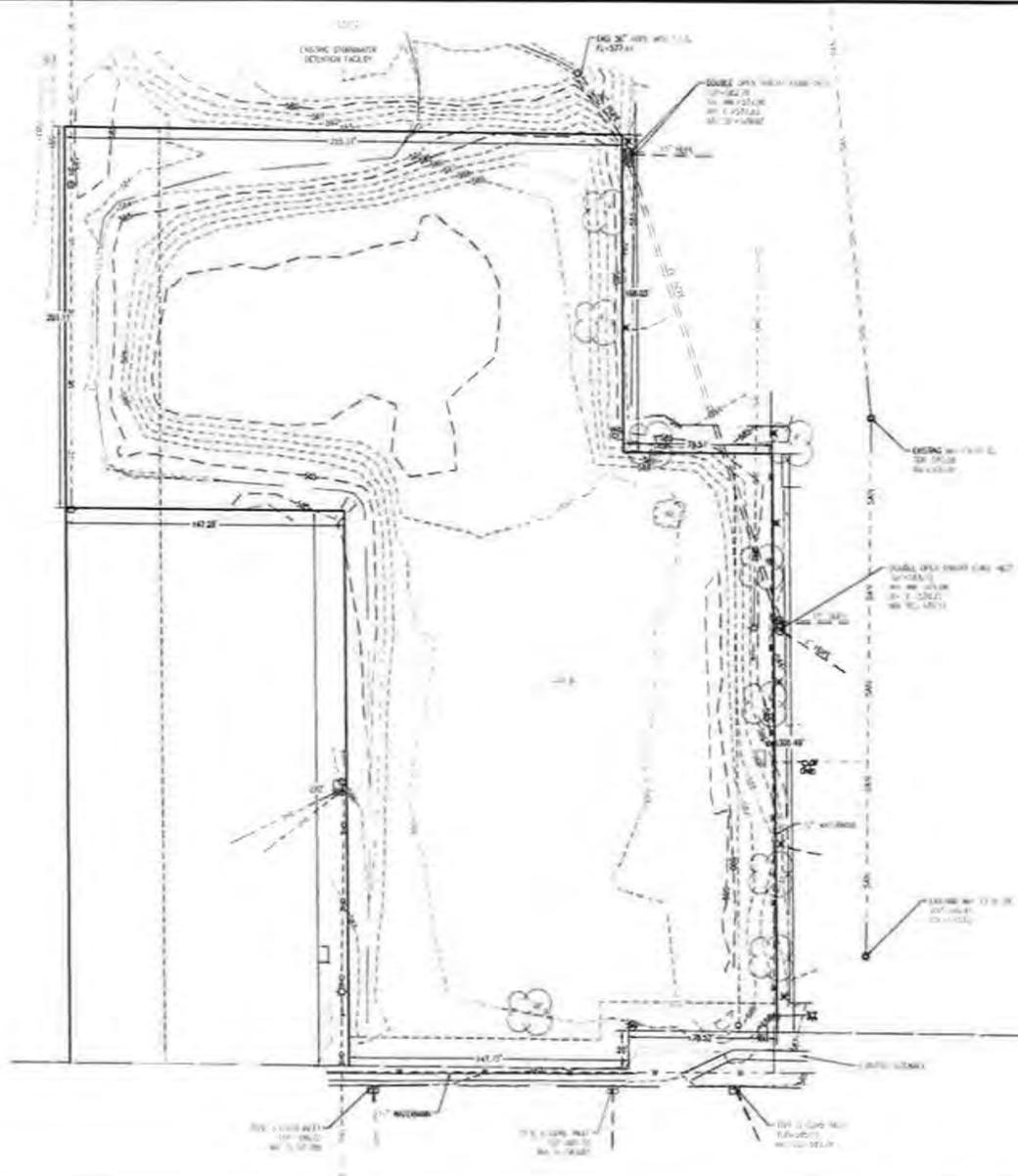
Lincoln Place Phase II

Lot 3

Fairview Heights, Illinois

The proposed special use request is for the development of storage facilities on Lot 3 of Lincoln Place Phase II. The site is 2.9 acres and is currently zoned Planned Business.

- A. Location - The proposed development is located along Longacre Drive just west of the Lincoln Place Shopping Complex. There is an existing entrance that will provide access to the parking lot and a proposed entrance that will serve as the main access to the gated storage area.
- B. Site & Site Characteristics – The site is currently vacant. The proposal includes storage facilities with small office space – Gross Floor Area is 51,900 square feet
- C. Setbacks for the proposed development are being proposed as follows;
 - Front Yard Setback – 27 feet minimum
 - Side Yard Setback – 10.03 feet minimum
 - Rear Yard Setback – 9.79 feet minimum
- D. The infrastructure for the project will consist of concrete drives and parking lot. Private utility services will be provided for the development. Storm water detention shall be provided in the existing detention facility adjacent to the northerly property line.
- E. There will be some small tree removal and site grading to establish the finish floor elevations for the proposed structures.



LEGEND (EXISTING)

- 10' TO 15' ELEVATION
- 15' TO 20' ELEVATION
- 20' TO 25' ELEVATION
- 25' TO 30' ELEVATION
- 30' TO 35' ELEVATION
- 35' TO 40' ELEVATION
- 40' TO 45' ELEVATION
- 45' TO 50' ELEVATION
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- 970' TO 975' ELEVATION
- 975' TO 980' ELEVATION
- 980' TO 985' ELEVATION
- 985' TO 990' ELEVATION
- 990' TO 995' ELEVATION
- 995' TO 1000' ELEVATION

THOUVENOT, WADE & MOERCHEN, INC.
 ENGINEERS • ARCHITECTS • LANDSCAPE ARCHITECTS

CONTRACT NO. 111111
 PROJECT NO. 111111
 SHEET NO. 111111

DATE: 11/11/11

SCALE: 1" = 10'

PROJECT: LINCOLN PLACE PHASE II, LOT 3
 CITY OF FAIRVIEW HEIGHTS
 ST. CLAIR COUNTY
 ILLINOIS

REVISIONS:

NO.	DATE	DESCRIPTION
1		
2		
3		

PROJECT NO. 111111

DATE: 11/11/11

SCALE: 1" = 10'

PROJECT: LINCOLN PLACE PHASE II, LOT 3

CITY OF FAIRVIEW HEIGHTS

ST. CLAIR COUNTY

ILLINOIS



SAFE LOCK STORAGE

Fairview Heights, Illinois





SAFE LOCK STORAGE

Fairview Heights, Illinois





SAFE LOCK STORAGE

Fairview Heights, Illinois





CITY OF FAIRVIEW HEIGHTS

10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ www.cofh.org

May 26, 2016

RE: **PC10-16, Development Plan- JQP Properties LLC, PIN #03-28.0-409-021**

DEAR SURROUNDING PROPERTY OWNERS:

Enclosed please find a copy of "Notice of Public Hearing" which appeared in the Thursday, May 26, 2016 issue of the Fairview Heights Tribune.

Please advise that this notice concerns property in the vicinity of the property owned by you.

We cannot contact everyone by mail, so feel free to share this information with your neighbors. You are welcome to attend the public hearing and voice your opinions regarding the case.

The public hearing will be held before the Fairview Heights Planning Commission in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, on Tuesday, June 14, 2016 beginning at approximately 7:00 p.m., in the City Council Chambers.

If you have any questions, please feel free to contact this office at 489-2063 or 489-2060.

Sincerely,

Kendra Tucker
Recording Secretary
Enclosure
PC10-16



CITY OF FAIRVIEW HEIGHTS

10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ www.cofh.org

PUBLIC NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, June 14, 2016 at approximately 7:00 p.m. in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, at which time and place the Commission will consider a Development Plan within the Planned Business to operate self-storage mini warehousing units containing approximately 51,900 square feet including climate controlled space on approximately 2.9 acres of ground for property located on 4X Longacre Drive, adjacent to Longacre Ponds Apartments, Property Identification Number 03-28.0-409-021 and legally described as follows:

Lot 3 of Lincoln Place II, a subdivision according to the plat thereof recorded April 9, in Plat book 101 on Page 63.

Request was made by JQP Properties LLC, 801 Midpoint Dr., O'Fallon MO, 63366.

All persons desiring to appear and be heard for or against said proposal may appear at said hearing and be heard thereon.

Dated the 25th Day of May, 2016.

FAIRVIEW HEIGHTS PLANNING COMMISSION

Jim Bramstadt, Chairman

PC10-16

OWNER	ADDRESS	ADDRESS2	CITYST	ZIP
YOGINI BHATIA	1016 S CHURCH		BELLEVILLE, IL	62220
COLE MT FAIRVIEW HEIGHTS II LL	ATTN:ASSET MANAGER	16767 N PERIMETER DR SUITE 210	SCOTTSDALE, AZ	85260
PARKVIEW CHURCH OF NAZARENE	50 LONG ACRE DR		FAIRVIEW HTS, IL	62208
JACQUELINE MAE WELLS	237 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
ANDREW J VELIZ	5709 BONITA BLVD		FAIRVIEW HEIGHTS, IL	62208
GARY E ADAMS	504 N 5TH ST		BALDWIN, IL	62217
JOHN RILEY	225 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
AGNES M LE RUEZ	213 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
H3 HOMES	310 E HIGHWAY 50 STE 4		OFALLON, IL	62269
DANIEL HARMS	217 CANDLELIGHT DR		FAIRVIEW HEIGHTS, IL	62208
SHAVONDA GIBBS	3121 BROMLEY LN		AURORA, IL	60502
KATHRYN R ESTRADA	209 CANDLEIGHT DR		FAIRVIEW HEIGHTS, IL	62208
ANGELIQUE R & ERIC M TAMMONS	205 CANDLELIGHT DR		FAIRVIEW HEIGHTS, IL	62208
JOHN E & JULIE E DALHAUS	228 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
MICHAEL HILL	224 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
MARY FAUSZ	1915 LLEWELLYN RD		SWANSEA, IL	62223
JASON D & VICTORIA L SNELL	606 HALLECK CT		DAYTON, OH	45433
VIRGINIA F CURTIS	212 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
LONGACRE PONDS LLC	622 N WATER ST		MILWAUKEE, WI	53202
RESIDENT	41 LONGACRE DR		FAIRVIEW HTS, IL	62208
RESIDENT	5905 N ILLINOIS ST		FAIRVIEW HTS, IL	62208
RESIDENT	5909 N ILLINOIS ST		FAIRVIEW HTS, IL	62208
RESIDENT	233 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
RESIDENT	219 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
RESIDENT	211 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
RESIDENT	220 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
RESIDENT	216 CANDLELIGHT DR		FAIRVIEW HTS, IL	62208
Fairview-Caseyville Fire Protection	214 ASHLAND AVE		FAIRVIEW HTS, IL	62208
Pontiac District #105	400 ASHLAND AVE		FAIRVIEW HTS, IL	62208
Belleville HS #201	920 N ILLINOIS ST		BELLEVILLE, IL	62220

PARKS AND RECREATION DEPARTMENT

INTER OFFICE MEMO

TO: Elected Officials

FROM: Angela Beaston, Director of Parks and Recreation

DATE: June 20, 2016

SUBJECT: Parks & Recreation Committee Agenda Overview

Director's Report

The following is a synopsis of the Parks and Recreation Department:

Daycamp: The Recreation Department is currently in the 3rd week of Camp Kodiak, the children are having a blast each week meeting new friends and enjoying all the new fun things they are learning at camp.

Bike/Multi-Use Trails: Mr. Malloy and I attended the Caseyville Township Meeting on Thursday, June 9th and gave a presentation to the board members on how the proposed trail would affect the Township property. The purpose of this presentation was to make the Township aware of the location of the trail and how the City could construct the trail around the sewer treatment plant and provide more security than what currently exists at the site. The Township agreed to discuss this plan further and get back with the City sometime in July.

Municipal Complex Landscaping: The initial phase of the Municipal Complex Landscaping is complete. Last week the Barberry bushes that lined the circle entrance were removed enabling visibility from Bunkum Road to the front of the Municipal Complex entrance.

Feasibility Study for the Recreation Facility: I would like to thank everyone for attending the meetings last week for the feasibility study. Evan and Thomas from SFA were very pleased with the information that was gathered during the sessions. These meetings were planned to be an introductory meeting to gain high level insight and also have an opportunity to meet with all the directors and Elected Officials of the City. As explained in the meetings, the beginning phase of the Feasibility Study is scheduled to be complete in approximately 2-3 weeks.

Current Projects: This is a brief description of the projects the Parks and Recreation Department is currently working on: signage in front of the Municipal Complex, installation and removal of the scoreboard at Moody Park – George Lanxon Field, resurfacing tennis courts at Moody Park, developing the new Lexington Park, possible grant opportunity for new pavilion at Moody Park, preparing bid information for Pavilion #5 renovations, bike/multi-purpose trails and Feasibility Study for the Recreation Center.

Agenda Review

Agenda Item #1 – Director's Report: General discussion regarding items in report.

Agenda Item #2 – Lexington Park Playground: Motion for request to solicit bids

Agenda Item #3 – Grant Request: Resolution to apply for a St. Clair County Grant for a pavilion at Moody Park.