



United City of Yorkville

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

www.yorkville.il.us

AGENDA ECONOMIC DEVELOPMENT COMMITTEE MEETING

Tuesday, January 5, 2016

6:00 p.m.

City Hall Conference Room
800 Game Farm Road, Yorkville, IL

Citizen Comments:

Minutes for Correction/Approval: December 1, 2015

New Business:

1. EDC 2016-01 Building Permit Report for November 2015
2. EDC 2016-02 Building Inspection Report for November 2015
3. EDC 2016-03 Property Maintenance Report for November 2015
4. EDC 2016-04 Economic Development Update
5. EDC 2016-05 Caledonia – Proposed Development Agreement

Old Business:

1. EDC 2015-37 Commercial / Industrial Incentive Plan
2. EDC 2015-43 BUILD T.O.O. Program
3. EDC 2015-47 Noise Ordinance Discussion

Additional Business:

2015/2016 City Council Goals – Economic Development Committee

| Goal | Priority | Staff |
|---|-----------------|-------------------------------------|
| “South Side Economic Development” | 1 | Bart Olson & Krysti Barksdale-Noble |
| “Revenue Growth (Industrial/Commercial Incentives)” | 2 | Bart Olson & Krysti Barksdale-Noble |
| “Downtown Planning and Development” | 3 | Krysti Barksdale-Noble |
| “Comprehensive Plan Update” | 15 | Krysti Barksdale-Noble |

UNITED CITY OF YORKVILLE
WORKSHEET
ECONOMIC DEVELOPMENT COMMITTEE
Tuesday, January 5, 2016
6:00 PM
CITY HALL CONFERENCE ROOM

CITIZEN COMMENTS:

MINUTES FOR CORRECTION/APPROVAL:

1. December 1, 2015

- ☐ Approved _____
- ☐ As presented
- ☐ With corrections

NEW BUSINESS:

1. EDC 2016-01 Building Permit Report for November 2015

- ☐ Moved forward to CC _____ consent agenda? Y N
 - ☐ Approved by Committee _____
 - ☐ Bring back to Committee _____
 - ☐ Informational Item
 - ☐ Notes _____
-
-

2. EDC 2016-02 Building Inspection Report for November 2015

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

3. EDC 2016-03 Property Maintenance Report for November 2015

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

4. EDC 2016-04 Economic Development Update

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

5. EDC 2016-05 Caledonia – Proposed Development Agreement

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

OLD BUSINESS:

1. EDC 2015-37 Commercial / Industrial Incentive Plan

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

2. EDC 2015-43 BUILD T.O.O. Program

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

3. EDC 2015-47 Noise Ordinance Discussion

☐ Moved forward to CC _____ consent agenda? Y N

☐ Approved by Committee _____

☐ Bring back to Committee _____

☐ Informational Item

☐ Notes _____

ADDITIONAL BUSINESS:



| Reviewed By: | |
|-----------------------|--------------------------|
| Legal | <input type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Engineer | <input type="checkbox"/> |
| City Administrator | <input type="checkbox"/> |
| Human Resources | <input type="checkbox"/> |
| Community Development | <input type="checkbox"/> |
| Police | <input type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Parks and Recreation | <input type="checkbox"/> |

Agenda Item Number

Minutes

Tracking Number

Agenda Item Summary Memo

Title: Minutes of the Economic Development Committee – December 1, 2015

Meeting and Date: EDC – January 5, 2016

Synopsis:

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Committee Approval

Submitted by: Minute Taker

Name

Department

Agenda Item Notes:

Have a question or comment about this agenda item?

Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/gov_officials.php

DRAFT

**UNITED CITY OF YORKVILLE
ECONOMIC DEVELOPMENT COMMITTEE
Tuesday, December 1, 2015, 6:00pm
Yorkville City Hall, Conference Room
800 Game Farm Road**

In Attendance:

Committee Members:

Chairman Ken Koch
Alderman Chris Funkhouser
Alderman Carlo Colosimo
Alderman Diane Teeling (left 7:57pm)

Other City Officials:

Mayor Gary Golinski
City Administrator Bart Olson
Community Development Director Krysti Barksdale-Noble
City Planner Chris Heinen
Code Official Pete Ratos
Administrative Intern Nicole Kathman

Other Guests:

Lynn Dubajic, Consultant City of Yorkville
Jeff Crane, GC Housing Development
Dawn Camp, GC Housing Development
Andy Block, GC Housing Development
Mr. Tracy Kasson, Attorney-Rathje & Woodward
Ben Moe, Resident

The meeting was called to order by Chairman Ken Koch at 6:00pm.

Citizen Comments: None

Previous Meeting Minutes: November 3, 2015

The minutes were approved as read on a unanimous voice vote.

New Business:

1. EDC 2015-49 Building Permit Report for October 2015

Mr. Ratos reported there were 7 BUILD permits in October and 1 detached single family home for a total of 74 permits so far this year. He said prices had increased by about \$40,000 from 2 years ago. No further action.

2. EDC 2015-50 Building Inspection Report for October 2015

There were 212 inspections for the month with 122 related to the BUILD program and 15 commercial buildouts. No further action.

3. EDC 2015-51 Property Maintenance Report for October 2015

Several cases were adjudicated and some for the downtown area were dismissed since they were corrected prior to the hearings. The house at 206 Heustis was found liable for a large amount of money and the citations were a last resort, said Mr. Ratos. This residence was in violation for 35 days.

(out of sequence)

9. PC 2015-16 GC Housing Developmet – Senior Independent Living Facility – Northeast Corner of Walnut and Freemont – Rezoning and Variance

Mr. Heinen presented the background regarding this property and said the petitioner would like to rezone the property for a 4-story senior housing building with 75 apartments. A density increase variance will be heard at the Zoning Board of Appeals meeting on January 6th. The petitioner is also trying to purchase a small property to the west of the site.

Jeff Crane gave a presentation of the details of this proposed project. He said his company chose Yorkville as being a receptive community where affordable senior housing is needed. He shared details of the construction and amenities of the project and said they have a similar facility in Glendale Heights (which Mr. Koch will visit). He said the residents of the building would have to meet age (55 years old minimum) and income requirements. He gave examples of rental costs for certain income levels. Extensive renter applications are required along with verification of income and a formula is used to determine eligibility. Mr. Olson discussed a possible rental assistance program through the City. Mayor Golinski asked if preference could be given to veterans.

The federal government issues tax credits to each state and Mr. Crane has made an application with the State to build. Builders receive points for certain qualifying factors to determine who receives the credits. There are 60 such projects that have applied for assistance. He will be notified by January 4th if this project will qualify, followed by other deadline dates. When tax credits are awarded, the developer must guarantee that the housing will stay affordable for 30 years and there are restrictions of the rents.

Mr. Crane said there is a contingent contract on the purchase of the property from the Catholic archdiocese of Joliet. There is also the possibility of purchasing a small strip of land nearby to help with density and parking. Density was discussed as a concern. It was noted that an existing facility, Heritage Woods, has greater density than proposed here.

There was concern for the height of the proposed building in comparison to a nearby single family home owned by Mr. Moe. It was noted that the City has fire equipment to reach 4-stories. Traffic was also discussed and a study is being planned.

Mr. Moe was asked to voice any concerns as a nearby homeowner. He said this housing would be a great asset for Yorkville, however, several apartment dwellers would have balconies that would overlook his property and trees. He is also concerned about density and his property value. Alderman Colosimo commented that the city must respect current residents and he will listen to his constituents when voting.

Chris Heinen said the following meetings will be scheduled for this proposed senior housing:

- January 6: Zoning Board of Appeals density variance
- January 13: Plan Commission rezoning hearing
- January 26: City Council

4. EDC 2015-52 Economic Development Update

Ms. Dubajic said that today was her first official day as consultant to the City. She added that many properties are being looked at for development and she will provide an update at each EDC meeting.

5. EDC 2015-53 Business Directory

Ms. Kathman said staff is trying to implement more features of the newly launched website. A business directory may be started and a letter is being sent to local businesses for business information. At the start, only businesses within incorporated Yorkville will be included. Comments favored only businesses in incorporated areas since the website is taxpayer funded. Alderman Koch suggested working with the Chamber so that businesses are not missed. However, Alderman Funkhouser noted that many Chamber businesses are not in the City. Maps may be provided to direct visitors to certain locations. Alderman Colosimo said he liked the idea of using the public access method rather than depending on businesses returning information letters. Mr. Ratos said information can also be provided upon issuance of occupancy permits. He said the Kendall County Soil and Water Cooperative is outside the City, however, they serve the City. These types of entities could be shown under governmental listings such as Waubensee College. Listings of elected official should also be included.

6. EDC 2015-54 Downtown Planning

Downtown planning has been discussed as part of the Comprehensive Plan. Ms. Noble said the Plan should be updated every 10 years. Strategies were prioritized by the Lakota Group and the top 5 priorities determined by survey respondents and other forums were:

1. Create park west of Rt. 47/purchase property along Fox River
2. Enhance Hydraulic Street with pedestrian amenities
3. Building and facade rehab
4. Riverfront trail extension/purchase land
5. "Clean and Green" legacy block

It was noted the City will have to find funding and cannot wait for State grants. The FS area does not qualify as a major project to receive funding. The downtown area was defined as Van Emmon Park on the east, Orange/E. Fox St. on the south, Morgan St. on the west and Fox River on the north.

The downtown TIF was also discussed and it was noted there might not be enough recapture time if someone invested in the downtown. Mr. Olson said the City might have to take on the repayment risk to make it successful, however, the City has not done this in the past. Alderman Colosimo said he would like to see money invested in the south side of town. Extending the TIF would take significant effort, said Mr. Olson. Mayor Golinski asked how current TIF members would be affected by extending it.

The hand railings on Rt. 47 were also discussed and it was suggested to paint them black, make them uniform height and place a handrail on the inside of the concrete wall.

A suggestion was made by Alderman Colosimo to purchase the former Old Second Bank building for a city hall. It would promote local businesses and represent an investment in the downtown. A second floor could be built on top of the existing structure. Administrator Olson noted that the priority list from the Lakota Group was suggested, but did not have to be followed.

7. EDC 2015-55 Lot Coverage

New standards were recently adopted for lot coverage and the new numbers now include all impervious surfaces. Alderman Funkhouser suggested incentivizing the use of permeable pavers. To incentivize, staff would have to remove language regarding permeable pavers as impervious surface. Staff gave 2 scenarios in their justification memo. Ms. Noble said the staff's position was that the present ordinance already has an implied benefit to using pavers with no need to further incentivize. It was decided to not make changes to the ordinance unless there are reasons to change later.

8. EDC 2015-56 Electronic Message Display Signs

Alderman Funkhouser had concerns with how the staff defines display panels. There are 3 different definitions which Ms. Noble detailed: 1) animation, 2) text, 3) video, moving, live action. She said staff feels the ordinance is clear and they also reviewed some signs that uses one of these 3 methods. Mr. Funkhouser said he did not envision scrolling video. There is to be 5 seconds between screens and one business was pointed out as being faster than that. The business owner will be notified. Brightness of signs was also discussed. It was decided to forego any changes at this time.

Old Business: None

Additional Business: None

There was no further business and the meeting was adjourned at 8:42pm.

Minutes respectfully submitted by
Marlys Young, Minute Taker



| Reviewed By: | |
|-----------------------|-------------------------------------|
| Legal | <input type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Engineer | <input type="checkbox"/> |
| City Administrator | <input type="checkbox"/> |
| Human Resources | <input type="checkbox"/> |
| Community Development | <input checked="" type="checkbox"/> |
| Police | <input type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Parks and Recreation | <input type="checkbox"/> |

Agenda Item Number

NB #1

Tracking Number

EDC 2016-01

Agenda Item Summary Memo

Title: Building Permit Report for November 2015

Meeting and Date: EDC – January 5, 2016

Synopsis: All permits issued in November 2015

Council Action Previously Taken:

Date of Action: N/A Action Taken: N/A

Item Number: N/A

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: D. Weinert Community Development
Name Department

Agenda Item Notes:



UNITED CITY OF YORKVILLE

BUILDING PERMIT REPORT

November 2015

TYPES OF PERMITS

| | Number of Permits Issued | SFD <i>Single Family Detached</i> | B.U.I.L.D <i>Single Family Detached Program Begins 1/1/2012</i> | SFA <i>Single Family Attached</i> | Multi- Family <i>Apartments Condominiums</i> | Commercial <i>Includes all Permits Issued for Commercial Use</i> | Industrial | Misc. | Construction Cost | Permit Fees |
|-----------------------|-----------------------------------|--|--|--|--|---|------------|-------|----------------------|----------------|
| November 2015 | 39 | 0 | 5 | 0 | 0 | 10 | 0 | 24 | 1,225,626.00 | 94,064.75 |
| Calendar Year 2015 | 580 | 8 | 71 | 0 | 0 | 126 | 0 | 375 | 48,446,931.00 | 1,127,373.89 |
| Fiscal Period | 434 | 7 | 49 | 0 | 0 | 89 | 0 | 289 | 12,910,921.00 | 737,136.13 |
| | | | | | | | | | | |
| November 2014 | 34 | 0 | 7 | 0 | 0 | 2 | 0 | 25 | 1,509,893.00 | 97,144.29 |
| Calendar Year 2014 | 553 | 7 | 61 | 0 | 0 | 106 | 0 | 379 | 23,312,431.00 | 1,045,499.18 |
| Fiscal Period | 413 | 2 | 43 | 0 | 0 | 73 | 0 | 295 | 18,442,586.00 | 716,632.15 |
| | | | | | | | | | | |
| November 2013 | 33 | 2 | 4 | 0 | 0 | 11 | 0 | 16 | 1,269,504.00 | 70,775.96 |
| Calendar Year 2013 | 574 | 33 | 49 | 0 | 0 | 119 | 0 | 373 | 18,634,137.00 | 1,079,998.07 |
| Fiscal Period | 410 | 20 | 29 | 0 | 0 | 75 | 0 | 286 | 12,135,046.00 | 614,408.69 |
| | | | | | | | | | | |
| November 2012 | 40 | 3 | 4 | 0 | 0 | 12 | 0 | 21 | 2,028,737.00 | 91,352.24 |
| Calendar Year 2012 | 550 | 32 | 37 | 0 | 0 | 105 | 0 | 376 | 18,262,827.00 | 901,396.96 |
| Fiscal Period | 415 | 21 | 26 | 0 | 0 | 80 | 0 | 288 | 13,008,855.00 | 609,722.83 |
| | | | | | | | | | | |



| Reviewed By: | |
|-----------------------|-------------------------------------|
| Legal | <input type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Engineer | <input type="checkbox"/> |
| City Administrator | <input type="checkbox"/> |
| Human Resources | <input type="checkbox"/> |
| Community Development | <input checked="" type="checkbox"/> |
| Police | <input type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Parks and Recreation | <input type="checkbox"/> |

Agenda Item Number

NB #2

Tracking Number

EDC 2016-02

Agenda Item Summary Memo

Title: Building Inspection Report for November 2015

Meeting and Date: EDC – January 5, 2016

Synopsis: All inspections scheduled in November 2015

Council Action Previously Taken:

Date of Action: N/A Action Taken: N/A

Item Number: N/A

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: D. Weinert Community Development
Name Department

Agenda Item Notes:

DATE: 12/01/2015
TIME: 16:22:34
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 1

INSPECTIONS SCHEDULED FROM 11/01/2015 TO 11/30/2015

| INSPECTOR | TIME | TYPE OF INSPECTION | PERMIT | ADDRESS | LOT | SCHED. DATE | COMP. DATE |
|-----------|-------|--|----------|----------------------|-----|----------------|---------------|
| BC | _____ | AM 006-PWK PRIVATE WALKS | 20140095 | 1478 CORNERSTONE DR | 16 | | 11/02/2015 |
| BC | _____ | 007-GAR GARAGE FLOOR | | | | | 11/13/2015 |
| TK | _____ | 017-REI REINSPECTION | 20140211 | 2455 WYTHE PL | 8 | | 11/02/2015 |
| | | Comments1: TREE ENGINEERING FINAL INSPECTION | | | | | |
| BH | _____ | 061-PPS PRE-POUR, SLAB ON GRADE | 20140360 | 2800 N BRIDGE ST | | | 11/02/2015 |
| | | Comments1: ALREADY POURED 1:25PM | | | | | |
| BC | _____ | 062-PPS PRE-POUR, SLAB ON GRADE | | | | 11/09/2015 | |
| PR | _____ | 063-PPS PRE-POUR, SLAB ON GRADE | | | | 11/10/2015 | |
| PR | _____ | 064-PPS PRE-POUR, SLAB ON GRADE | | | | 11/11/2015 | |
| PR | _____ | 065-PPS PRE-POUR, SLAB ON GRADE | | | | 11/12/2015 | |
| PR | _____ | 066-PPS PRE-POUR, SLAB ON GRADE | | | | 11/13/2015 | |
| BC | _____ | 067-PPS PRE-POUR, SLAB ON GRADE | | | | | 11/03/2015 |
| BC | _____ | 068-PPS PRE-POUR, SLAB ON GRADE | | | | | 11/02/2015 |
| BC | _____ | 069-PPS PRE-POUR, SLAB ON GRADE | | | | | 11/05/2015 |
| BC | _____ | 070-PPS PRE-POUR, SLAB ON GRADE | | | | | 11/06/2015 |
| BC | _____ | 072-PPS PRE-POUR, SLAB ON GRADE | | | | | 11/09/2015 |
| BC | _____ | 073-PPS PRE-POUR, SLAB ON GRADE | | | | | 11/10/2015 |
| BC | _____ | 074-PPS PRE-POUR, SLAB ON GRADE | | | | | 11/12/2015 |
| BC | _____ | 075-PPS PRE-POUR, SLAB ON GRADE | | | | | 11/13/2015 |
| PR | _____ | 076-FIN FINAL INSPECTION | | | | | 11/20/2015 |
| BC | _____ | 001-FIN FINAL INSPECTION | 20140556 | 96 CROOKED CREEK DR | 12 | | 11/04/2015 |
| BC | _____ | 016-INS INSULATION | 20150022 | 712 GREENFIELD TURN | 100 | | 11/05/2015 |
| BC | _____ | 013-PWK PRIVATE WALKS | 20150043 | 611 WINDETT RIDGE RD | 75 | | 11/02/2015 |
| BC | _____ | 014-EPW ENGINEERING- PUBLIC WALK | | | | | 11/02/2015 |
| _____ | _____ | 016-FGS FINAL GRADE SURVEY | 20150262 | 943 S CARLY CIR | 94 | | 11/16/2015 |

DATE: 12/01/2015
TIME: 16:22:34
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 2

INSPECTIONS SCHEDULED FROM 11/01/2015 TO 11/30/2015

| INSPECTOR | TIME | TYPE OF INSPECTION | PERMIT | ADDRESS | LOT | SCHED. DATE | COMP. DATE |
|-----------|-------|---|----------|--------------------|-----|----------------|---------------|
| PR | _____ | 017-FIN FINAL INSPECTION | | | | | 11/19/2015 |
| PR | _____ | 018-PLF PLUMBING - FINAL OSR READ | | | | | 11/19/2015 |
| TK | _____ | 019-EFL ENGINEERING - FINAL INSPE | | | | | 11/20/2015 |
| PR | _____ | 001-FIN FINAL INSPECTION | 20150279 | 1423 CANNONBALL TR | | | 11/10/2015 |
| TK | _____ | 013-EFL ENGINEERING - FINAL INSPE | 20150286 | 1432 RUBY DR | 358 | | 11/16/2015 |
| | | Comments1: PARKWAY TREE | | | | | |
| TK | _____ | 015-EFL ENGINEERING - FINAL INSPE | 20150289 | 1438 SLATE CT | 346 | | 11/16/2015 |
| PR | _____ | 016-FIN FINAL INSPECTION | | | | | 11/20/2015 |
| PR | _____ | 017-PLF PLUMBING - FINAL OSR READ | | | | | 11/20/2015 |
| PR | _____ | 002-FIN FINAL INSPECTION | 20150313 | 1219 WILLOW WAY | 211 | | 11/19/2015 |
| _____ | _____ | 015-FGS FINAL GRADE SURVEY | 20150321 | 931 S CARLY CIR | 95 | | 11/16/2015 |
| RE | _____ | 015-FIN FINAL INSPECTION | 20150340 | 775 KENTSHIRE DR | 140 | | 11/06/2015 |
| | | Comments1: SEAL ATTIC ACCESS MASTER CLOSET, NAIL BR | | | | | |
| | | Comments2: IDGING BASEMENT, BOND GROUND WIRE RACEWA | | | | | |
| | | Comments3: Y TO WATER PIPE BASEMENT | | | | | |
| RE | _____ | 016-PLF PLUMBING - FINAL OSR READ | | | | | 11/06/2015 |
| | | Comments1: MASTER SHOWER NOT TRIMMED, INSTALL WATER | | | | | |
| | | Comments2: HEATER EXPANSION TANK BETWEEN VALVE & T | | | | | |
| | | Comments3: ANK, MAIN TUB HOT WATER TEMP 104 OK | | | | | |
| PR | _____ | PM 017-REI REINSPECTION | | | | | 11/10/2015 |
| | | Comments1: FINAL INSPECTIONS | | | | | |
| PR | _____ | 014-SUM SUMP | 20150341 | 759 KENTSHIRE DR | 138 | | 11/13/2015 |
| PR | _____ | 015-FIN FINAL INSPECTION | | | | | 11/24/2015 |
| PR | _____ | 016-PLF PLUMBING - FINAL OSR READ | | | | | 11/24/2015 |
| TK | _____ | 017-EFL ENGINEERING - FINAL INSPE | | | | | 11/25/2015 |
| | | Comments1: PKWY TREE | | | | | |
| TK | _____ | 013-EFL ENGINEERING - FINAL INSPE | 20150342 | 747 KENTSHIRE DR | 137 | | 11/16/2015 |
| PR | _____ | 014-PLF PLUMBING - FINAL OSR READ | | | | | 11/16/2015 |
| PR | _____ | 015-FIN FINAL INSPECTION | | | | | 11/16/2015 |

DATE: 12/01/2015
TIME: 16:22:34
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 3

INSPECTIONS SCHEDULED FROM 11/01/2015 TO 11/30/2015

| INSPECTOR | TIME | TYPE OF INSPECTION | PERMIT | ADDRESS | LOT | SCHED. DATE | COMP. DATE |
|-----------|-------|---|----------|----------------------|-----|----------------|---------------|
| TK | _____ | 016-EFL ENGINEERING - FINAL INSPE | 20150343 | 701 WINDETT RIDGE RD | 84 | | 11/10/2015 |
| | | Comments1: TREE | | | | | |
| PR | _____ | 017-SUM SUMP | | | | | 11/13/2015 |
| TK | _____ | 016-EFL ENGINEERING - FINAL INSPE | 20150353 | 2762 LILAC CT | 329 | | 11/13/2015 |
| PR | _____ | 017-FIN FINAL INSPECTION | | | | | 11/13/2015 |
| PR | _____ | 018-PLF PLUMBING - FINAL OSR READ | | | | | 11/13/2015 |
| BH | _____ | 011-INS INSULATION | 20150370 | 876 N CARLY CIR | 47 | | 11/03/2015 |
| BC | _____ | 005-FIN FINAL INSPECTION | 20150387 | 1428 SLATE CT | 347 | | 11/05/2015 |
| | | Comments1: vinyl siding not installed in accordance | | | | | |
| | | Comments2: with manufactureres instructions R703.1 | | | | | |
| | | Comments3: 1.1, nails are tight to strip not allowi | | | | | |
| | | Comments4: ng expansion or contraction. not attache | | | | | |
| BC | _____ | 007-RFR ROUGH FRAMING | 20150423 | 2732 LILAC CT | 332 | | 11/04/2015 |
| BC | _____ | 008-REL ROUGH ELECTRICAL | | | | | 11/04/2015 |
| BC | _____ | 009-RMC ROUGH MECHANICAL | | | | | 11/04/2015 |
| | | Comments1: CONTINGENT UPON FIREPLACE GAS SHUT OFF V | | | | | |
| | | Comments2: ALVE BEING CODE COMPLIANT G2420.5.1 LOCA | | | | | |
| | | Comments3: TION WITHIN SAME ROOM | | | | | |
| RE | _____ | 010-PLR PLUMBING - ROUGH | | | | | 11/04/2015 |
| PR | _____ | 011-INS INSULATION | | | | | 11/09/2015 |
| PR | _____ | 012-EPW ENGINEERING- PUBLIC WALK | | | | | 11/19/2015 |
| PR | _____ | 005-BSM BASEMENT FLOOR | 20150429 | 633 BIRCHWOOD DR | 141 | | 11/30/2015 |
| PR | _____ | 006-RFR ROUGH FRAMING | | | | | 11/30/2015 |
| PR | _____ | 007-REL ROUGH ELECTRICAL | | | | | 11/30/2015 |
| PR | _____ | 008-RMC ROUGH MECHANICAL | | | | | 11/30/2015 |
| PR | _____ | 009-PLR PLUMBING - ROUGH | | | | | 11/30/2015 |
| PR | _____ | 001-PHF POST HOLE - FENCE | 20150433 | 591 WINDETT RIDGE RD | 73 | | 11/25/2015 |
| BC | _____ | 003-RMC ROUGH MECHANICAL | 20150457 | 301 E RIDGE ST | | | 11/02/2015 |
| | | Comments1: M114.3.3 SUPPORTS, M1506.2 EXHAUSTS | | | | | |

DATE: 12/01/2015
TIME: 16:22:34
ID: PT4A0000.WOW

UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

PAGE: 4

INSPECTIONS SCHEDULED FROM 11/01/2015 TO 11/30/2015

| INSPECTOR | TIME | TYPE OF INSPECTION | PERMIT | ADDRESS | LOT | SCHED. DATE | COMP. DATE |
|-----------|-------|---|----------|-----------------------|-----|----------------|---------------|
| RE | _____ | 019-FIN FINAL INSPECTION | 20150463 | 1448-1458 SYCAMORE ST | 1 | | 11/06/2015 |
| RE | _____ | 020-PLF PLUMBING - FINAL OSR READ | | | | | 11/06/2015 |
| PR | _____ | 021-REI REINSPECTION Comments1: PLUMBING EXPANSION TANK REQUIRED | | | | | 11/09/2015 |
| PR | _____ | 001-FIN FINAL INSPECTION Comments1: STARBUCK'S MENU BOARD | 20150464 | 1246 N BRIDGE ST | | | 11/24/2015 |
| PR | _____ | PM 009-INS INSULATION | 20150475 | 822 CAULFIELD PT | 109 | 11/24/2015 | |
| PR | _____ | 010-RFR ROUGH FRAMING | | | | | 11/20/2015 |
| PR | _____ | 011-REL ROUGH ELECTRICAL | | | | | 11/20/2015 |
| PR | _____ | 012-RMC ROUGH MECHANICAL | | | | | 11/20/2015 |
| PR | _____ | 007-SUM SUMP | 20150476 | 511 WINDETT RIDGE RD | 69 | | 11/10/2015 |
| PR | _____ | 008-RFR ROUGH FRAMING | | | | | 11/12/2015 |
| PR | _____ | 009-REL ROUGH ELECTRICAL | | | | | 11/12/2015 |
| PR | _____ | 010-RMC ROUGH MECHANICAL | | | | | 11/12/2015 |
| PR | _____ | 011-PLR PLUMBING - ROUGH | | | | | 11/12/2015 |
| PR | _____ | PM 012-INS INSULATION | | | | | 11/16/2015 |
| BC | _____ | 001-GAR GARAGE FLOOR | 20150481 | 305 E WASHINGTON ST | | | 11/09/2015 |
| BC | _____ | 002-GAR GARAGE FLOOR | | | | | 11/13/2015 |
| PR | _____ | 007-RFR ROUGH FRAMING | 20150485 | 1437 SLATE CT | 339 | | 11/24/2015 |
| PR | _____ | 008-REL ROUGH ELECTRICAL | | | | | 11/24/2015 |
| PR | _____ | 009-RMC ROUGH MECHANICAL | | | | | 11/24/2015 |
| PR | _____ | 010-PLR PLUMBING - ROUGH | | | | | 11/24/2015 |
| RE | _____ | 004-PLU PLUMBING - UNDERSLAB | 20150486 | 1453 RUBY DR | 353 | | 11/04/2015 |
| PR | _____ | AM 005-BSM BASEMENT FLOOR | | | | | 11/16/2015 |
| PR | _____ | 006-GAR GARAGE FLOOR | | | | | 11/16/2015 |

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INSPECTIONS SCHEDULED FROM 11/01/2015 TO 11/30/2015

| INSPECTOR | TIME | TYPE OF INSPECTION | PERMIT | ADDRESS | LOT | SCHED. DATE | COMP. DATE |
|-----------|-------|---|----------|----------------------|-----|----------------|---------------|
| PR | _____ | 007-REI REINSPECTION Comments1: BASEMENT & GARAGE | | | | | 11/19/2015 |
| BC | _____ | 005-BSM BASEMENT FLOOR | 20150488 | 1433 RUBY DR | 351 | | 11/03/2015 |
| BC | _____ | 006-GAR GARAGE FLOOR | | | | | 11/03/2015 |
| RE | _____ | 004-PLU PLUMBING - UNDERSLAB | 20150489 | 1458 SLATE CT | 344 | | 11/04/2015 |
| BC | _____ | 005-BSM BASEMENT FLOOR | | | | | 11/06/2015 |
| BC | _____ | 006-GAR GARAGE FLOOR Comments1: APPLY VAPOR BARRIER IN GARAGE PRIOR TO P Comments2: OUR | | | | | 11/06/2015 |
| PR | _____ | 007-SUM SUMP | | | | | 11/13/2015 |
| PR | _____ | 001-BND POOL BONDING | 20150494 | 301 DRAYTON CT | 52 | 11/10/2015 | |
| BC | _____ | 002-RFR ROUGH FRAMING | 20150504 | 1387 SLATE DR | 335 | | 11/04/2015 |
| BC | _____ | 001-RFR ROUGH FRAMING | 20150511 | 874 HALEY CT | 108 | | 11/10/2015 |
| PR | _____ | 002-FIN FINAL INSPECTION | | | | | 11/24/2015 |
| _____ | _____ | 001-PHF POST HOLE - FENCE Comments1: APPROVED TO CONTINUE BY CODE OFFICIAL PE Comments2: TE RATOS | 20150515 | 568 ARROWHEAD DR | 4 | | 11/11/2015 |
| RE | _____ | 004-PLU PLUMBING - UNDERSLAB | 20150521 | 691 WINDETT RIDGE RD | 83 | | 11/06/2015 |
| PR | _____ | 005-ESW ENGINEERING - SEWER / WAT | | | | | 11/10/2015 |
| PR | _____ | 006-BSM BASEMENT FLOOR | | | | 11/12/2015 | |
| PR | _____ | 007-GAR GARAGE FLOOR | | | | 11/12/2015 | |
| RE | _____ | 001-ESW ENGINEERING - SEWER / WAT | 20150526 | 867 GREENFIELD TURN | 43 | | 11/05/2015 |
| BC | _____ | 002-FTG FOOTING | | | | | 11/06/2015 |
| PR | _____ | 003-BKF BACKFILL | | | | | 11/23/2015 |
| BC | _____ | 004-PWK PRIVATE WALKS | 20150527 | 1986 MEADOWLARK LN | 144 | | 11/03/2015 |
| PR | _____ | 005-PLU PLUMBING - UNDERSLAB | | | | | 11/10/2015 |
| PR | _____ | 006-RFR ROUGH FRAMING | | | | | 11/13/2015 |

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INSPECTIONS SCHEDULED FROM 11/01/2015 TO 11/30/2015

| INSPECTOR | TIME | TYPE OF INSPECTION | PERMIT | ADDRESS | LOT | SCHED. DATE | COMP. DATE |
|-----------|-------|---|----------|---------------------|-----|----------------|---------------|
| PR | _____ | 007-REL ROUGH ELECTRICAL | | | | | 11/13/2015 |
| PR | _____ | 008-RMC ROUGH MECHANICAL | | | | | 11/13/2015 |
| PR | _____ | 009-PLR PLUMBING - ROUGH | | | | | 11/13/2015 |
| PR | _____ | 010-INS INSULATION | | | | | 11/16/2015 |
| PR | _____ | 011-GAR GARAGE FLOOR | | | | | 11/13/2015 |
| PR | _____ | 012-BSM BASEMENT FLOOR | | | | | 11/18/2015 |
| PR | _____ | 001-ESW ENGINEERING - SEWER / WAT | 20150528 | 868 GREENFIELD TURN | 128 | | 11/13/2015 |
| BH | _____ | 002-FIN FINAL INSPECTION | 20150533 | 302 N BRIDGE ST | | | 11/02/2015 |
| RE | _____ | 001-PLU PLUMBING - UNDERSLAB | 20150535 | 302 N BRIDGE ST | | | 11/04/2015 |
| | | Comments1: 3 BASIN SINK, SODA DISPENSOR WASTE | | | | | |
| PR | _____ | AM 002-REL ROUGH ELECTRICAL | | | | | 11/25/2015 |
| PR | _____ | 003-GTP GREASE TRAP | | | | | 11/25/2015 |
| BC | _____ | 001-PHF POST HOLE - FENCE | 20150543 | 1072 SPRING ST | 81 | | 11/09/2015 |
| BC | _____ | AM 003-RFR ROUGH FRAMING | 20150544 | 2932 ELLSWORTH DR | 368 | | 11/04/2015 |
| | | Comments1: LEDGER TO RIM JOIST ADD FASTENERS ADD FL | | | | | |
| | | Comments2: ASING TO TOP OF LEDGER | | | | | |
| BC | _____ | 002-BKF BACKFILL | 20150548 | 1388 SLATE DR | 383 | | 11/05/2015 |
| PR | _____ | 003-ESW ENGINEERING - SEWER / WAT | | | | | 11/10/2015 |
| PR | _____ | 004-PLU PLUMBING - UNDERSLAB | | | | | 11/17/2015 |
| PR | _____ | 002-ESW ENGINEERING - SEWER / WAT | 20150551 | 2678 LILAC WAY | 379 | | 11/10/2015 |
| PR | _____ | 003-ESW ENGINEERING - SEWER / WAT | | | | | 11/13/2015 |
| PR | _____ | 004-PLU PLUMBING - UNDERSLAB | | | | | 11/17/2015 |
| BC | _____ | 001-FTG FOOTING | 20150552 | 2752 LILAC CT | 330 | | 11/13/2015 |
| PR | _____ | PM 002-ESW ENGINEERING - SEWER / WAT | | | | | 11/30/2015 |
| PR | _____ | 003-BKF BACKFILL | | | | | 11/30/2015 |
| BC | _____ | 001-PHF POST HOLE - FENCE | 20150553 | 408 LIBERTY ST | | | 11/05/2015 |

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INSPECTIONS SCHEDULED FROM 11/01/2015 TO 11/30/2015

| INSPECTOR | TIME | TYPE OF INSPECTION | PERMIT | ADDRESS | LOT | SCHED. DATE | COMP. DATE |
|-----------|----------|---|----------|-----------------------------|-----|----------------|---------------|
| PR | _____ | 001-PHD POST HOLE - DECK | 20150555 | 1457 SLATE CT | 341 | | 11/19/2015 |
| PR | _____ | 002-RFR ROUGH FRAMING | | | | | 11/24/2015 |
| BC | _____ | 003-BKF BACKFILL | 20150556 | 882 N CARLY CIR | 48 | | 11/05/2015 |
| PR | _____ | 004-PLU PLUMBING - UNDERSLAB | | | | 11/10/2015 | |
| PR | _____ | 005-ESW ENGINEERING - SEWER / WAT | | | | | 11/10/2015 |
| PR | _____ | 001-PLU PLUMBING - UNDERSLAB | 20150563 | 934 N BRIDGE ST | | | 11/17/2015 |
| BC | _____ | 004-BKF BACKFILL | 20150564 | 1975 MEADOWLARK LN | 120 | | 11/10/2015 |
| BH | _____ | 001-PHF POST HOLE - FENCE | 20150578 | 1423 RUBY DR | 350 | | 11/02/2015 |
| BC | _____ | 001-PHF POST HOLE - FENCE | 20150581 | 1934 COUNTRY HILLS DR | 124 | | 11/06/2015 |
| BH | _____ PM | 001-PPS PRE-POUR, SLAB ON GRADE | 20150583 | 406 WALNUT ST | | | 11/03/2015 |
| BC | _____ | 001-ROF ROOF UNDERLAYMENT ICE & W | 20150584 | 306 E PARK ST | | | 11/10/2015 |
| PR | 10:00 | 001-FIN FINAL INSPECTION Comments1: FIRE MARSHAL TORRENCE APPROVED | 20150585 | 1308 SUNSET AVE 11-19-15 | | | 11/20/2015 |
| BC | _____ | 001-FIN FINAL INSPECTION Comments1: BREAKERS IN ELECTRICAL PANELS LP-1, LP-2 Comments2: NOT LABELED | 20150590 | 165 FOUNTAINVIEW DR | | | 11/04/2015 |
| PR | _____ | 002-REI REINSPECTION Comments1: FINAL FOR OCC | | | | | 11/09/2015 |
| BC | 12:00 | 001-ROF ROOF UNDERLAYMENT ICE & W | 20150594 | 408 COLTON ST | | | 11/05/2015 |
| BC | _____ | 002-ROF ROOF UNDERLAYMENT ICE & W | | | | | 11/06/2015 |
| PR | _____ | 001-FIN FINAL INSPECTION | 20150597 | 451 NORWAY CIR | 83 | | 11/20/2015 |
| _____ | _____ | 001-FIN FINAL INSPECTION Comments1: FIRE MARSHAL APPROVED | 20150603 | 1308 SUNSET AVE | 60 | | 11/19/2015 |
| PR | _____ | 001-PHF POST HOLE - FENCE | 20150606 | 2455 WYTHE PL | 8 | | 11/20/2015 |
| PR | 13:00 | 001-ROF ROOF UNDERLAYMENT ICE & W | 20150610 | 874 HALEY CT | 108 | 11/12/2015 | |
| PR | 11:00 | 001-ROF ROOF UNDERLAYMENT ICE & W | 20150611 | 701 STATE ST | | | 11/25/2015 |
| PR | _____ | 001-FIN FINAL INSPECTION | 20150619 | 492 BIRCHWOOD DR | | | 11/25/2015 |

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INSPECTIONS SCHEDULED FROM 11/01/2015 TO 11/30/2015

| INSPECTOR | TIME | TYPE OF INSPECTION | PERMIT | ADDRESS | LOT | SCHED. DATE | COMP. DATE |
|----------------------|------|------------------------------------|--------|---------|-----|----------------|---------------|
| ----- | | | | | | | |
| PERMIT TYPE SUMMARY: | | ADD ADDITION | | | 2 | | |
| | | AGP ABOVE-GROUND POOL | | | 1 | | |
| | | BDO COMMERCIAL BUILD-OUT | | | 3 | | |
| | | BIP BUILD INCENTIVE PROGRAM SFD | | | 87 | | |
| | | CCO COMMERCIAL OCCUPANCY PERMIT | | | 3 | | |
| | | COM COMMERCIAL BUILDING | | | 15 | | |
| | | CRM COMMERCIAL REMODEL | | | 4 | | |
| | | DCK DECK | | | 4 | | |
| | | FNC FENCE | | | 8 | | |
| | | FRH KITCHEN HOOD | | | 1 | | |
| | | GAR GARAGE | | | 2 | | |
| | | GEN STAND BY GENERATOR | | | 1 | | |
| | | OTH OTHER | | | 1 | | |
| | | REP REPAIR | | | 2 | | |
| | | ROF ROOFING | | | 7 | | |
| | | SFD SINGLE-FAMILY DETACHED | | | 9 | | |
| | | SHD SHED/ACCESSORY BUILDING | | | 1 | | |
| | | SID SIDING | | | 1 | | |
| | | WIN WINDOW REPLACEMENT | | | 1 | | |
| | | | | | | | |
| INSPECTION SUMMARY: | | BKF BACKFILL | | | 5 | | |
| | | BND POOL BONDING | | | 1 | | |
| | | BSM BASEMENT FLOOR | | | 6 | | |
| | | EFL ENGINEERING - FINAL INSPECTION | | | 7 | | |
| | | EPW ENGINEERING- PUBLIC WALK | | | 2 | | |
| | | ESW ENGINEERING - SEWER / WATER | | | 8 | | |
| | | FGS FINAL GRADE SURVEY | | | 2 | | |
| | | FIN FINAL INSPECTION | | | 20 | | |
| | | FTG FOOTING | | | 2 | | |
| | | GAR GARAGE FLOOR | | | 8 | | |
| | | GTP GREASE TRAP | | | 1 | | |
| | | INS INSULATION | | | 6 | | |
| | | PHD POST HOLE - DECK | | | 1 | | |
| | | PHF POST HOLE - FENCE | | | 7 | | |
| | | PLF PLUMBING - FINAL OSR READY | | | 7 | | |
| | | PLR PLUMBING - ROUGH | | | 5 | | |
| | | PLU PLUMBING - UNDERSLAB | | | 9 | | |
| | | PPS PRE-POUR, SLAB ON GRADE | | | 15 | | |
| | | PWK PRIVATE WALKS | | | 3 | | |
| | | REI REINSPECTION | | | 5 | | |
| | | REL ROUGH ELECTRICAL | | | 7 | | |
| | | RFR ROUGH FRAMING | | | 10 | | |
| | | RMC ROUGH MECHANICAL | | | 7 | | |
| | | ROF ROOF UNDERLAYMENT ICE & WATER | | | 5 | | |
| | | SUM SUMP | | | 4 | | |

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UNITED CITY OF YORKVILLE
CALLS FOR INSPECTION REPORT

INSPECTIONS SCHEDULED FROM 11/01/2015 TO 11/30/2015

| INSPECTOR | TIME | TYPE OF INSPECTION | PERMIT | ADDRESS | LOT | SCHED. DATE | COMP. DATE |
|--------------------|------|--------------------|--------|----------------|-----|----------------|---------------|
| ----- | | | | | | | |
| INSPECTOR SUMMARY: | | | | | | | |
| | | BC | | BOB CREADEUR | | | 4 |
| | | BH | | BRIAN HOLDIMAN | | | 42 |
| | | PR | | PETER RATOS | | | 5 |
| | | RE | | RANDY ERICKSON | | | 84 |
| | | TK | | TOM KONEN | | | 10 |
| | | | | | | | 8 |
| | | | | | | | |
| STATUS SUMMARY: | | C | | | | | 1 |
| | | C | BC | | | | 3 |
| | | C | BH | | | | 1 |
| | | C | PR | | | | 16 |
| | | C | RE | | | | 2 |
| | | C | TK | | | | 4 |
| | | I | | | | | 3 |
| | | I | BC | | | | 39 |
| | | I | BH | | | | 4 |
| | | I | PR | | | | 61 |
| | | I | RE | | | | 6 |
| | | I | TK | | | | 1 |
| | | T | PR | | | | 7 |
| | | T | RE | | | | 2 |
| | | T | TK | | | | 3 |
| | | | | | | | |
| REPORT SUMMARY: | | | | | | | 153 |



| Reviewed By: | |
|-----------------------|-------------------------------------|
| Legal | <input type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Engineer | <input type="checkbox"/> |
| City Administrator | <input type="checkbox"/> |
| Human Resources | <input type="checkbox"/> |
| Community Development | <input checked="" type="checkbox"/> |
| Police | <input type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Parks and Recreation | <input type="checkbox"/> |

Agenda Item Number

NB #3

Tracking Number

EDC 2016-03

Agenda Item Summary Memo

Title: Property Maintenance Report for November 2015

Meeting and Date: EDC – January 5, 2016

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Informational

Council Action Requested: None

Submitted by: Pete Ratos Community Development
Name Department

Agenda Item Notes:

Have a question or comment about this agenda item?

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Memorandum

To: Economic Development Committee
From: Pete Ratos, Code Official
CC: Bart Olson, Krysti Barksdale-Noble, Lisa Pickering
Date: December 3, 2015
Subject: November Property Maintenance

Property Maintenance Report November 2015

Adjudication:

14 Property Maintenance Cases heard in November

| Case Number | Offense Location | Offense | Outcome |
|-------------------|--------------------|----------------------|----------------|
| 11/02/2015 | | | |
| N 2185 | 1104 Sunset Ave | Swimming Pool | Dismissed |
| N 2186 | 1104 Sunset Ave | Enclosures | Dismissed |
| N2187 | 522 W Barberry Cir | Enclosures | Dismissed |
| N2243 | 522 W Barberry Cir | Weeds | Dismissed |
| 11/23/2015 | | | |
| N 2188 | 1063 Western Ln | Motor Vehicle | Dismissed |
| N2189 | 2508 Sumac Dr | Motor Vehicle | Liable/\$200 |
| N2190 | 902 Canyon Tr | Motor Vehicle | Liable/\$200 |
| 11/30/2015 | | | |
| N2676 | 206 Heustis St | Rubbish | Liable/\$750 |
| N2677 | 206 Heustis St | Outdoor Display | Liable/\$750 |
| N2678 | 206 Heustis St | Weeds | Liable/\$2,450 |
| N3122 | 206 Heustis St | Protective Treatment | Liable/\$750 |
| N3123 | 206 Heustis St | Motor Vehicle | Liable/\$750 |
| N3124 | 206 Heustis St | Address | Liable/\$750 |
| N3125 | 206 Heustis St | Prohibited Signs | Liable/\$750 |

November Property Maintenance Complaint Report Attached



Case Report

11/01/2015 - 11/30/2015

| Case # | Case Date | ADDRESS OF COMPLAINT | TYPE OF VIOLATION | STATUS | VIOLATION LETTER SENT | FOLLOW UP STATUS | CITATION ISSUED | FINDINGS |
|----------|------------|----------------------|---|-----------------|-----------------------|------------------|-----------------|-----------------|
| 20150153 | 11/24/2015 | 1222 | JUNK, REFUSE | COMPLIANT | | | | |
| 20150152 | 11/23/2015 | 1603 or 1605 | DUCKS | CLOSED | | | | |
| 20150151 | 11/19/2015 | 306 E RIDGE ST | TRAILER | IN VIOLATION | | | | |
| 20150150 | 11/19/2015 | 308 E RIDGE | WEEDS, DEBRIS MISSING GARAGE DOOR | IN VIOLATION | | | | |
| 20150149 | 11/18/2015 | 509 MADISON CT | DEAD TREES | TO BE INSPECTED | | | | |
| 20150148 | 11/9/2015 | 1901 S. Bridge | Signs in ROW | COMPLIANT | 11/9/2015 | COMPLIANT | | |
| 20150147 | 11/3/2015 | 2753 Goldenrod Dr | Vehicles | IN VIOLATION | 11/4/2015 | | 11/18/2015 | CITATION ISSUED |
| 20150146 | 11/3/2015 | 607 S. Main St. | Weeds, fence, roof and garage door | | | | | |
| 20150145 | 11/2/2015 | 1971 Banbury | Vehicles | COMPLIANT | 11/3/2015 | | | |
| 20150144 | 11/2/2015 | 355 Tyler Creek Ct. | Trash, Lawn clippings | COMPLIANT | | | | |
| 20150143 | 11/2/2015 | Rt. 47 @ Galena | Vehicles | COMPLIANT | | | | |
| 20150142 | 11/2/2015 | 175 E. Veterans | Signs in ROW | IN VIOLATION | 11/3/2015 | | | |
| 20150141 | 11/2/2015 | 607 S MAIN ST | WEEDS, FENCE, GARAGE DOOR. ROOF | COMPLIANT | | | | PENDING |
| | | | | | | | | |

Total Records: 13

12/21/2015



| Reviewed By: | |
|-----------------------|-------------------------------------|
| Legal | <input type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Engineer | <input type="checkbox"/> |
| City Administrator | <input checked="" type="checkbox"/> |
| Human Resources | <input type="checkbox"/> |
| Community Development | <input type="checkbox"/> |
| Police | <input type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Parks and Recreation | <input type="checkbox"/> |

Agenda Item Number

NB #4

Tracking Number

EDC 2016-04

Agenda Item Summary Memo

Title: Economic Development Update

Meeting and Date: EDC – January 5, 2016

Synopsis: An update will be given at the meeting.

Council Action Previously Taken:

Date of Action: N/A Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:

Have a question or comment about this agenda item?

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| Reviewed By: | |
|-----------------------|-------------------------------------|
| Legal | <input checked="" type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Engineer | <input type="checkbox"/> |
| City Administrator | <input checked="" type="checkbox"/> |
| Human Resources | <input type="checkbox"/> |
| Community Development | <input checked="" type="checkbox"/> |
| Police | <input type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Parks and Recreation | <input type="checkbox"/> |

Agenda Item Number

NB #5

Tracking Number

EDC 2016-05

Agenda Item Summary Memo

Title: Caledonia – Clarification and Restatement of Planned Unit Development Agreement

Meeting and Date: EDC – January 5, 2016

Synopsis: Proposed revisions to the current PUD Agreement regarding 95 lots within the Caledonia Subdivision.

Council Action Previously Taken:

Date of Action: 11-25-2003 Action Taken: Approval of a PUD Agreement

Item Number: N/A

Type of Vote Required: Majority

Council Action Requested: Vote

Submitted by: Krysti J. Barksdale-Noble, AICP Community Development
Name Department

Agenda Item Notes:

See attached memo.



Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: December 21, 2015
Subject: **Caledonia – Residential Subdivision**
Clarification and Restatement of Planned Unit Development

Request Summary:

Ziemia, LLC, and Romans Development Holdings, LCC, the current owners and successor developers of the Caledonia subdivision, have requested the City consider a clarification and restatement of the existing Planned Unit Development with regards to fees and obligations of the remaining undeveloped lots.

Development Background:

In November 2004, the City approved a planned unit development (PUD) agreement via Ordinance No. 2003-72 and 2003-72A for the Caledonia subdivision. The Caledonia subdivision is generally located west of IL Rte. 47 and just south of Corneils Road and consists of approximately 85-acres zoned R-2 One-Family Residence. Master planned as a 206 lot development to be built in three (3) phases as Units 1 (73 lots), Unit 2 (72 lots) and Unit 3 (61 lots), only Units 1 and 2 have been final platted.

While all public infrastructures such as streets, stormwater management systems, water mains and other utilities were subsequently constructed in this development and a majority of the lots within the platted portion of the subdivision were built upon, approximately 95 single family lots remain vacant in Units 1 and 2. Ziemia, LLC owns 68 of the vacant parcels and Romans Development Holdings, LLC owns 28 parcels. A detailed breakdown of parcel ownership of the remaining vacant lots within these units is attached for your reference.

In addition to the infrastructure, the original developer dedicated five (5) acres of land for a future City park, per the original PUD agreement (see attached). The developer was also responsible for providing cash in lieu of a park land donation in the amount of \$158,050 which has not occurred. Further, a development fee of \$2,000 per unit for connection of the sanitary sewer system to the Rob Roy Interceptor was to be paid at time of building permit issuance. Ziemia, LLC has prepaid \$114,000.00 to the City for 57 of its 68 lots and owes a balance of \$22,000 for the remaining 11 lots under their ownership. Romans Development Holdings, LLC owes a total of \$54,000.00 for the 27 lots under its ownership.

Proposed Clarification and Restatement:

Per the attached proposed Clarification and Restatement of the Planned Unit Development Agreement, the petitioners agree to the following:

1. That a payment of \$1,090.00 shall be due and payable at the time of the issuance of a building permit for any single family residence on the Subject Property in full satisfaction of the City's Land Cash Ordinance requirements for park development to serve the Caledonia Subdivision.

2. The creation of a Special Service Area in order to provide for the maintenance of open space and trail areas but only in the event the homeowners association for the Caledonia Subdivision fail to do so.
3. Acknowledge that a connection fee of \$2,000.00 is due and payable upon the issuance of a building permit for each residential unit in the Caledonia Subdivision for connection of the sanitary sewer system to the Rob Roy Interceptor until the total remaining unpaid balance of Seventy Six Thousand Dollars (\$76,000) is paid in full.
 - a. \$2,000 a lot for the remaining eleven (11) lots owned by Ziemia, LLC for a total remaining total payment of \$22,000 upon payment of which sum its obligation for the Rob Roy Interceptor connection fee shall be deemed paid in full.
 - b. \$2,000 a lot for the 27 lots owned by Roman Development Holding, LLC for a total balance due of \$54,000 upon which its obligation for the Rob Roy Interceptor connection fee shall be deemed paid in full.
4. The City hereby agrees to apply a policy of “early acceptance” of the roadway improvements required in the Caledonia Subdivision by deviating from the Standard Specification requirements that the roadway surface course must not be placed and accepted by the City unless seventy percent (70%) of the private improvements upon the adjacent properties (homes) have been completed.
5. On or before May 30, 2016, the Successor Ziemia agrees to erect all required streetlights in accordance with approved plans and specifications and to connect such streetlights as necessary for operation.
6. The City and the Successors agree that all parkway trees and sidewalk improvements required in connection with the development of the Caledonia Subdivision shall be the responsibility of the builder of the improvements on each lot and the Successors shall not be required to post security for such parkway trees and sidewalk improvements.
7. From the date of this Agreement until the issuance of the final occupancy permit for the Caledonia Property, the Developer would be permitted to construct, maintain and utilize up to three (3) offsite subdivision identification, marketing and location signs placed in or outside the corporate limits of the CITY. Each of the Offsite Signs may be double faced signs which shall not exceed twenty (20) feet in height with an area for each sign face not exceeding two hundred (200) square feet.

Proposed New Fee Schedule

Should the proposed Clarification and Restatement of the Planned Unit Development Agreement be approved, the following table provides a detail of the building permit fees to be paid for each of the remaining lots in Units 1 and 2 of the Caledonia Subdivision.

| Item Description | Current City Fee | Original Annexation Agreement Fee | Recommendation | Notes on Implementation |
|-------------------------|-------------------------|--|-----------------------|--------------------------------|
| School Transition | \$3,000 | \$3,000 | \$3,000 | Authorized by City |
| YBSD district | \$1,400 | \$1,400 | \$1,400 | Authorized by YBSD |

| | | | | |
|--------------------------------------|-------------------------|-------------------------|---------------------------------------|--------------------|
| fee | | | | |
| Building Permit | \$1,130 | \$1,130 | \$1,130¹ | Authorized by City |
| Water Connection | \$3,700 | \$2,660 | \$2,600 | Authorized by City |
| Water Meter Cost | \$490 | \$390 | Current Rate at time of permit | Authorized by City |
| City Sewer Connection Fees | \$2,000 | \$2,000 | \$2,000 | Authorized by City |
| Water and Sewer Inspection Fee | \$25 | \$25 | \$25 | Authorized by City |
| Public Walks Driveway Inspection Fee | \$35 | \$35 | \$35 | Authorized by City |
| PW Impact | \$700 | \$700 | \$700 | Authorized by City |
| Police Impact | \$300 | \$300 | \$300 | Authorized by City |
| Building Impact | \$1,759 | \$150 | \$150 | Authorized by City |
| Library Impact | \$500 | \$500 | \$500 | Authorized by City |
| BKFD Impact | \$1,000 | \$300 | \$300 | Authorized by City |
| Engineering impact | \$100 | \$100 | \$100 | Authorized by City |
| Parks and Recreation impact | \$50 | \$50 | \$50 | Authorized by City |
| Parks Land-Cash | \$ 619.95 ² | \$0 | \$1,090 | Authorized by City |
| School-land Cash | \$6,035.36 ³ | \$4,392.07 ⁴ | \$4,392.07 | Authorized by City |
| TOTAL | \$22,844.31 | \$17,132.07 | \$18,262.07⁵ | |

Staff Recommendation:

Staff is supportive of the request for clarification and restatement of the Planned Unit Development for the Caledonia Subdivision, as it will hopefully restart a stalled subdivision and generate construction activity within this development. For your reference, the City Attorney has prepared a draft agreement which outlines the provisions for the restated fees and obligations. Staff and the petitioner will be available at Tuesday night's meeting to answer questions regarding this request.

¹ Assumes a 2,400 square foot structure and a building permit fee of \$650.00 plus \$0.20 per square foot.

² Based upon the current Parks Land Cash calculated at \$101,000/acre, and assuming the 5-acre park donation.

³ Based upon the current School Land Cash calculated at \$101,000/acre.

⁴ Based upon the PUD Agreement School Land Cash calculated at \$73,500/acre.

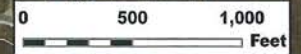
⁵ Assumes \$490 current rate for water meter cost.



Inland Cornells LLC
2250 Southwind Blvd.
Bartlett, IL 60103

Yorkville Business Center
202 W. Wheaton Avenue
Yorkville, IL 60560

BNSF RR



Engineering Enterprises, Inc.
 CONSULTING ENGINEERS
 11 Windsor Road
 Sugar Grove, Illinois 60076
 (815) 496-6700 / www.eeent.com

United City of Yorkville
 803 Game Farm Road
 Yorkville, IL 60560
 (815) 353-4350
<http://www.yorkville.il.us>

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|--------------|-------------------------------------|
| DATE: | AUGUST 2014 |
| PROJECT NO.: | Y04211 |
| PATH: | H:\2014\B.L\Y04211\YORKVILLE\081513 |
| FILE: | Y04211 LOCATION.MXD |

CALEDONIA
 UNITED CITY OF YORKVILLE
 KENDALL COUNTY, ILLINOIS

LOCATION MAP



**CLARIFICATION AND RESTATEMENT OF A PLANNED UNIT DEVELOPMENT
AGREEMENT BETWEEN THE UNITED CITY OF YORKVILLE AND INLAND LAND
APPRECIATION FUNDS, L.P., A DELAWARE LIMITED PARTNERSHIP, OWNER AND
DEVELOPER OF THE CALEDONIA SUBDIVISION**

THIS CLARIFICATION AND RESTATEMENT of a Planned Unit Development Agreement dated March 3, 2004 (hereinafter the “*Development Agreement*”), between the United City of Yorkville and Inland Land Appreciation Fund, L.P., a Delaware Limited Partnership, Owner and Developer of the Caledonia Subdivision (the “*Original Agreement*”) is hereby entered into among the United City of Yorkville (the “*City*”) and Ziemia, LLC, an Illinois limited liability (“*Ziemia*”), Romans Development Holdings, LLC, an Illinois limited company (“*Romans Development*”) and Chicago Title and Trust Company Trust Number 8002363609 (“*Chicago Title and Trust*”), successors in interest to certain parcels of property previously owned by the Original Developer (hereafter the collectively referred to as “*Successors*”) this ____ day of _____, 2015; and,

WHEREAS, in 2004, the City and the Original Developer entered into the Development Agreement which provided for specific performance standards for the development of certain real property commonly known as the Caledonia Subdivision and legally described on *Exhibit A* to the Development Agreement and comprising approximately 85.28 acres (the “*Subject Property*”); and,

WHEREAS, the Development Agreement also defined that the obligations of the Original Developer pursuant to the Annexation Agreement recorded against the Subject Property for a land contribution to the Yorkville Community School District #115 or cash in lieu of the land contribution; for a land dedication to the City for use as parks and open space or cash in lieu of land dedication; consent to a Special Service Area for maintenance of open space and trail areas in the event a homeowners’ association to be formed failed to do so; and, compliance with

the City Reimbursement of Consultants and Review Fee Ordinances, City School Transition Fee Ordinance, City Department Fee Ordinance and Siren Fee; and,

WHEREAS, over a decade has passed since the execution of the Development Agreement and while a Preliminary Plat and thereafter a Final Plat for Unit 1 and Unit 2 of the Subject Property was approved and recorded subdividing the Subject Property into 145 developable parcels, a majority of said parcels remain undeveloped; and Unit 3 remained unsubdivided but was to contain 61 developable parcels; and,

WHEREAS, the Successors, who jointly own 96 of the parcels (68 parcels owned by Ziemia, 27 parcels owned by Romans Development and 1 unsubdivided parcel owned by Chicago Title and Trust) now desire to proceed with the construction of single family residences in accordance with the performance standards as set forth in the Development Agreement and have requested clarification of certain outstanding obligations which remain and must be satisfied by the Successors; and,

WHEREAS, the Original Developer did satisfy the City's Land/Cash Ordinance through a contribution of cash rather than a conveyance of land for a school site to the Yorkville Community School District #115 and completed the dedication of open space as required for parks pursuant to City Code; however, the cash contribution as required for park development remains outstanding; and,

WHEREAS, the Successors also understand that a fee is required with each building permit for the sanitary sewer system connection to the Rob Roy Interceptor and a Special Service Area (as hereinafter defined) is to be put into place to provide for the maintenance to open space and trail areas in the event the homeowners association fails to do so; and,

WHEREAS, the Successors have also requested the City to apply its policy of accepting components of infrastructure upon completion of construction so long as such infrastructure component can operate independently; and,

WHEREAS, the City and the Successors have determined that it is necessary and in the best interest of the current and future residents of the Caledonia Subdivision to enter into this Development Agreement in order to clarify and restate the outstanding obligations of the parties hereto with respect to the future development of the Subject Property.

NOW, THEREFORE for and in consideration of the mutual promises and covenants hereinafter set forth, the parties agree as follows:

Section 1. The foregoing preambles are hereby incorporated into this Development Agreement as if fully restated herein.

Section 2. The Successors and the City hereby agree that a payment of \$1,006.68 shall be due and payable at the time of the issuance of a building permit for any single family residence on the Subject Property in full satisfaction of the City's Land Cash Ordinance requirements for park development to serve the Caledonia Subdivision.

Section 3. The Successors hereby agree to consent to the creation of a Special Service Area pursuant to the Illinois Special Service Area Tax Law (35 ILCS 200/27-5 *et seq.*) in order to provide for the maintenance of open space and trail areas but only in the event the homeowners association for the Caledonia Subdivision fail to do so.

Section 4. The Successors hereby acknowledge that a connection fee of \$2,000.00 is due and payable upon the issuance of a building permit for each residential unit in the Caledonia Subdivision for connection of the sanitary sewer system to the Rob Roy Interceptor until the total remaining unpaid balance of One Hundred and Ninety Eight Thousand Dollars (\$198,000) is

paid in full. At the time of purchasing its parcels, Ziemia prepaid the sum of \$114,000 for 57 of its owned parcels and consequently owes and will pay the balance of \$2,000 a lot for the remaining eleven (11) lots at the time of its requesting a building permit for its first eleven parcels for a total remaining total payment of \$22,000 upon payment of which sum its obligation for the Rob Roy Interceptor connection fee shall be deemed paid in full. Roman Development will pay the balance due on its lots of \$54,000 at the rate of \$2,000 per lot for the first 27 of its parcels at the time of its requesting a building for each lot upon payment of which sum its obligation for the Rob Roy Interceptor connection fee shall be deemed paid in full. Once platted and subdivided, Chicago Title and Trust will pay the balance due on its lots of \$122,000 at the rate of \$2,000 per lot for the first 61 of its parcels at the time of its requesting a building for each lot upon payment of which sum its obligation for the Rob Roy Interceptor connection fee shall be deemed paid in full.

Section 5. The City hereby agrees to apply a policy of “early acceptance” of the roadway improvements required in the Caledonia Subdivision by deviating from the Standard Specification requirements that the roadway surface course must not be placed and accepted by the City unless seventy percent (70%) of the private improvements upon the adjacent properties (homes) have been completed.

Section 6. On or before May 30, 2016, the Successor Ziemia agrees to erect all required streetlights in accordance with approved plans and specifications and to connect such streetlights as necessary for operation.

Section 7. The City and the Successors agree that all parkway trees and sidewalk improvements required in connection with the development of the Caledonia Subdivision shall

be the responsibility of the builder of the improvements on each lot and the Successors shall not be required to post security for such parkway trees and sidewalk improvements.

Section 8. Following the date of this Agreement and through the date of the issuance of the final occupancy permit for the Caledonia Property, DEVELOPER shall be entitled to construct, maintain and utilize up to three (3) offsite subdivision identification, marketing and location signs at such locations within or without the corporate limits of the CITY as DEVELOPER may designate (individually an "Offsite Sign" and collectively the "Offsite Signs"). DEVELOPER shall be responsible, at its expense, for obtaining all necessary and appropriate legal rights for the construction and use of each of the Offsite Signs. Each of the Offsite Signs may be double faced signs which shall not exceed twenty (20) feet in height with an area for each sign face not exceeding two hundred (200) square feet, subject to the requirements of any permitting authority other than the CITY.

Section 9. Any notice or communication required or permitted to be given under this Agreement shall be in writing and shall be deposited in the U.S. mail, postage prepaid. Unless otherwise provided in this Agreement, notices shall be deemed received on the date that is three (3) business days after deposit in the U.S. mail. By notice complying with the requirements of this Section, each party to this Agreement shall have the right to change the address or the addressee, or both, for all future notices and communications to them, but no notice of a change of addressee, or both, for all future notices and communications to them, but no notice of a change of addressee or address shall be effective until actually received.

Notices and communications to the City shall be addressed to, and delivered at, the following address:

To the City : United City of Yorkville
800 Game Farm Road

Yorkville, Illinois 60560

With a copy to : Kathleen Field Orr, City Attorney
Kathleen Field Orr & Associates
53 West Jackson Blvd., Suite 964
Chicago, Illinois 60604

Notices and communications to the Successor Developers shall be addressed to, and delivered at, the following address:

Successors: Roman Development Holdings, LLC

Chicago Title and Trust Company
Trust Number 8002363609
Attn: Wade Light
Wade Light & Associates, Atty at Law

Ziemia, LLC
Attn: Brian Lansu
2550 Southwind Blvd.
Bartlett, IL 60103

With a copy to: Richard Guerard
Guerard, Kalina & Butkus
310 S. County Farm Road
Wheaton, IL 60187

Section 9. All other matters relating to the development of the Caledonia Subdivision as set forth in the Development Agreement are hereby affirmed as if fully restated herein.

Section 10. The City hereby warrants and represents to the Successors that the persons executing this Clarification and Restatement on its behalf have been properly authorized to do so by the Corporate Authorities. The Successors hereby warrant and represent to the City that it has the full and complete right, powers and authority to enter into this Clarification and Restatement and to agree to the terms, provisions and conditions set forth herein; and it has taken all legal actions needed to authorize the execution, delivery and performance of this Clarification and Restatement.

Section 11. After the execution of this Clarification and Restatement, the City shall promptly cause this Clarification and Restatement be recorded in the office of the Recorder of Kendall County, Illinois.

Section 12. This Clarification and Restatement may be executed in several counterparts, each of which, when executed, shall be deemed to be an original, but all of which together shall constitute one and the instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Redevelopment Agreement to be executed by their duly authorized officers on the above date at Yorkville, Illinois.

United City of Yorkville, an Illinois
municipal corporation

By: _____
Mayor

Attest:

City Clerk

Romans Development Holdings, LLC, an
Illinois limited liability company

By: _____
President

Attest:

Secretary

Ziemia, LLC, an Illinois limited liability
company

By: _____

Attest:

Secretary

Chicago Title and Trust Company, an Illinois
limited liability company

By: _____

Attest:

Secretary

STATE OF ILLINOIS)
) ss
COUNTY OF KENDALL)

200500003178
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
02-01-2005 At 10:45 a.m.
ORDINANCE 57.00

ORDINANCE NO. 200372

**AN ORDINANCE AUTHORIZING THE EXECUTION
OF PLANNED UNIT DEVELOPMENT AGREEMENT OF
INLAND LAND APPRECIATION FUND, L.P.,
A DELAWARE LIMITED PARTNERSHIP
(CALEDONIA SUBDIVISION)**

WHEREAS, it is in the best interest of the UNITED CITY OF YORKVILLE, Kendall County, Illinois, that a certain Planned Unit Development Agreement pertaining to the development of the real estate described on Exhibit "A" attached hereto and made a part hereof entered into by the UNITED CITY OF YORKVILLE; and

WHEREAS, said Planned Unit Development Agreement has been drafted and has been considered by the City Council; and

WHEREAS, the legal owners of record of the territory which is the subject of said Agreement are ready, willing and able to enter into said Agreement and to perform the obligations as required hereunder; and

WHEREAS, the statutory procedures provided in 65 ILCS 5/11-15.1-1, as amended, for the execution of said Planned Unit Development Agreement has been fully complied with; and

WHEREAS, the property is already annexed to the City.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: That the Mayor and City Clerk are herewith authorized and directed to execute, on behalf of the City, a Planned Unit Development Agreement concerning the annexation and development of the real estate described therein, a copy of which Planned Unit Development Agreement is attached hereto and made a part hereof.

Section 2: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

WANDA OHARE

n

JOSEPH BESCO

y

VALERIE BURD

A

PAUL JAMES

y

LARRY KOT

y

MARTY MUNNS

y

ROSE SPEARS

y

RICHARD STICKA

y

Mayor

y

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this

25th day of November, A.D. 2003.


MAYOR

PASSED by the City Council of the United City of Yorkville, Kendall County, Illinois this

25th day of November, A.D. 2003.

Attest:

Elizabeth F. Danner
Deputy CITY CLERK



Prepared by:
Law Offices of Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560
630.553.9500

ABOVE SPACE FOR RECORDING PURPOSES ONLY

STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

**PLANNED UNIT DEVELOPMENT
AGREEMENT BETWEEN THE UNITED CITY OF YORKVILLE
AND INLAND LAND APPRECIATION FUND, L.P., A DELAWARE LIMITED
PARTNERSHIP, OWNER AND DEVELOPER OF THE CALEDONIA SUBDIVISION**

NOW COMES, INLAND LAND APPRECIATION FUND, L.P., a Delaware Limited Partnership, OWNER/DEVELOPER of certain real property described in the attached Exhibit "A" (the "Property"), and the UNITED CITY OF YORKVILLE, an Illinois Municipal Corporation ("CITY"), who hereby enter into this Planned Unit Development Agreement to evidence the agreement between the parties for the development of the Property and to supplement the drawings and Exhibits submitted herewith, including the Preliminary Plat of Subdivision approved by the City Council of the CITY. In consideration of the various agreements between the parties, they agree as follows:

1. WHEREAS, each party agrees that it is in the best interests of the

OWNER/DEVELOPER and the CITY to develop the Property as a Planned Unit Development establishing a unique open space character and to provide for the orderly flow of traffic on the Property and to adjoining real property; and

2. WHEREAS, each party agrees that it is in the best interest of the local governmental bodies affected and the OWNER/DEVELOPER to provide for specific performance standards in the development of the Property; and

3. WHEREAS, each party agrees that a substantial impact will be had on the services of the CITY and the Yorkville School District by development of the Property; and

4. WHEREAS, the OWNER/DEVELOPER has agreed to perform certain requirements imposed by the CITY.

5. WHEREAS, the Property is located within the corporate boundaries of the CITY; and

6. WHEREAS, OWNER/DEVELOPER desires to enter in this Planned Unit Development Agreement for the Property; and

7. WHEREAS, the CITY'S Plan Commission has considered the development of the Property, and the CITY Council has heretofore approved the proposed land use and the zoning of the Property at the request of OWNER/DEVELOPER; and

8. WHEREAS, all parties to this Agreement desire to set forth certain terms and conditions upon which the Property will be developed in an orderly manner; and

9. WHEREAS, OWNER/DEVELOPER and its representatives have discussed the proposed development of the Property with the CITY and have attended public meetings with the Plan Commission and the CITY Council, and prior to the execution hereof, notice was duly published and a public hearing was held to consider this

Agreement, as required by the statutes of the State of Illinois in such case made and provided.

NOW THEREFORE, for and in consideration of the mutual promises and covenants herein contained, the parties agree as follows:

A. The Property shall be developed in general conformance with this Preliminary Planned Unit Development Plan, consisting of this Agreement, a Preliminary Plat and Preliminary Engineering, copies of which are attached hereto and incorporated herein as Exhibit "B" and made a part hereof. The Property shall further be developed and improved according to the Preliminary Landscape Plan, a copy of which is attached hereto and incorporated herein as Exhibit "C". The documents comprising Exhibits B and C are collectively hereinafter referred to as the "Preliminary Plat". Should any portion of the Property contain a flood plain as is delineated by the Federal Emergency Management Agency ("FEMA"), OWNER/DEVELOPER agrees that the current City Subdivision Control Ordinance and Zoning Ordinance shall apply and OWNER/DEVELOPER shall not build any homes on proposed lots that are disclosed to be within a flood plain area. In the event FEMA certifies that lots are in the floodplain and therefore are unbuildable, OWNER/DEVELOPER reserves the right to petition to amend, or modify the Preliminary Plat, or this Agreement, in order to shift location of platted lots in order to maintain the 4 units per acre density granted to OWNER/DEVELOPER under the terms of the Annexation Agreement for the Property, including the right to petition to amend the residential class of zoning to accomplish the foregoing. Upon OWNER/DEVELOPER'S request, the CITY agrees to cooperate and execute all forms, applications and petitions necessary to obtain a Conditional Letter of Map Revision and/or a Letter of Map Revision to amend the floodplain

on the Property and to permit compensatory storage on the Property at a 1 to 1 ratio. Further, the CITY agrees not to designate any floodway through the Property.

B. The Property shall be governed by the following performance standards which shall when in conflict with the CITY Subdivision Control Ordinance take precedence:

1. Lot sizes shall be a minimum of 9,350 square feet with lot sizes generally following the lot sizes set out and calculated on the approved Preliminary Plat as set out in the attached Exhibit "B".
2. The minimum front yard set back shall be thirty feet (30') and the minimum rear yard set back shall be forty feet (40').
3. The minimum side yard setbacks shall be seven and one half feet (7 1/2').
4. The minimum lot width shall be seventy feet (70').
5. The minimum corner lot width shall be ninety-two and one half feet (92.5').
6. The minimum radius to centerline of horizontal curves of a minor street shall be ninety feet (90').
7. The minimum roadway width shall be thirty feet (30') measured from back of curb to back of curb.
8. The minimum right-of-way shall be sixty-six feet (66').

C. That the OWNER/DEVELOPER has agreed to satisfy the CITY'S Land/Cash Ordinance through the contribution of cash rather than a school site to the Yorkville Community School District #115 in conformance with the CITY'S Land/Cash Ordinance in effect at the date of the Final Plat approval as to each respective phase or unit of the

Property. Attached hereto and incorporated herein as Exhibit "D" is a letter from the Yorkville School District asking to reserve cash in lieu of a land contribution for the Property. For all residential phases of the Property, payment of the above described contributions shall be made per individual residential dwelling unit concurrent with and prior to the issuance each single-family building permit.

D. That the OWNER/DEVELOPER shall pay One Hundred Fifty Eight Thousand Fifty and No/100 Dollars (\$ 158,050.00) as a cash contribution and shall dedicate five (5) acres of permanent open space as per the approved Preliminary Plat and complete the following on-site improvements to such dedicated land in lieu of all contributions for parks required by the CITY'S Land/Cash Ordinance in effect at the date of Preliminary Plat approval: None.

E. In order to facilitate said open space maintenance, OWNER/DEVELOPER shall prior to or simultaneous with the first Final Plat of Subdivision being approved by the City Council, form an Illinois Not-For-Profit Corporation and provide an initial estimated budget, by-laws and assessment (to be funded by homeowners) terms creating a mechanism for maintenance of said open space improvements.

In order to provide for the maintenance of open space and trail areas, in the event the homeowners association for the Property fails to do so, OWNER/DEVELOPER agrees to execute a consent to the creation of a Special Tax Service Area and have approved an Ordinance encumbering all residential units of the Property.

F. Development of the Property shall be subject to approval of Final Plats of Subdivision, by an engineering consultant on the CITY staff or an outside engineering consultant, as elected by the CITY, and approval by the City Council.

OWNER/DEVELOPER agrees to comply with the City Reimbursement of Consultants and of Review Fees Ordinances, City School Transition Fee Ordinance, City Development Fee Ordinance and Siren Fee, all in effect as of the date of this Agreement, and which have been voluntarily contracted to between the parties and agreed to by OWNER/DEVELOPER as a condition of approval of this Planned Unit Development Agreement. No change in any CITY ordinance, Subdivision Control Ordinance, CITY Reimbursement of Consultants and of Review Fees Ordinance, City School Transition Fee, CITY Land Cash Ordinance or CITY Development Fee, which are enacted subsequent to the execution of this Agreement, shall alter the lot sizes, setbacks, performance standards, or other standards or requirements for the Property, except for changes currently automatically as provided for in those Ordinances in effect at the time of execution of this Agreement. OWNER/DEVELOPER, however, will be bound by changes in BOCA building codes, building material changes and the like that may be enacted by the CITY, so long as the same are applied in a nondiscriminatory manner throughout the CITY. Development of the Property may occur in phases and the CITY agrees to approve Final Plats for the Property even beyond one year after approval of the Preliminary Plat if the Final Plat for each phase is substantially in conformance with the Preliminary Plat, this Agreement and the current City of Yorkville Zoning Ordinance and Subdivision Control Ordinance.

In the event any modifications or amendments occur in the CITY Subdivision Control Ordinance or other Ordinances of the CITY affecting the Property that benefit OWNER/DEVELOPER, said modifications shall be effective as to the Property in the event OWNER/DEVELOPER desires to take advantage of any modifications or amendments that are enacted by the CITY Council after the date of execution of this Agreement.

G. The OWNER/DEVELOPER shall pay Three Thousand Dollars (\$3,000.00) as a School Transition fee ("Transition Fee") per residential dwelling unit in said subdivision, to the Yorkville Community School District, Two Thousand One Hundred Dollars (\$2,100.00) in Development fees ("Development Fee") per residential dwelling unit to the CITY, and other fees to the CITY in conformance with the CITY Ordinances or as modified herein. Said Transition, Development, and other fees shall be paid per single-family residence concurrent with and prior to the issuance of each respective single-family building permit. Said fees are being paid voluntarily and with the consent of OWNER/DEVELOPER based upon this contractual agreement voluntarily entered into between the parties after negotiation of this Agreement. OWNER/DEVELOPER knowingly waives any claim or objection as to amount of the specific fees negotiated herein voluntarily. No Transition Fees, or School-Park Land Cash Fees shall be charged on any real property zoned for business purposes under the terms of the Annexation Agreement.

H. OWNER/DEVELOPER and CITY agree that if easements are necessary for off-site improvements to serve the Property with utility and municipal services, the CITY will use its best efforts (including the exercise of the power of eminent domain and/or condemnation) to assist the OWNER/DEVELOPER in the acquisition of easements or permission to use easements from Bristol Township, Kendall County, the State of Illinois and/or private land owners.

The actual cost of acquisition of any easement shall be at the expense of OWNER/DEVELOPER.

I. On-site infrastructure construction and engineering of the Property shall be governed by the standards contained in the current Yorkville Subdivision Control Ordinance

and other applicable Ordinances, all as in effect on the date of this Agreement, unless specifically addressed in the following, in which case this Agreement shall control:

1. Roadway right-of-ways, widths of streets, and roadway construction standards shall comply with the requirements as set out on the Preliminary Plat and each phase of the Final Plat.
 2. In the event the CITY requires OWNER/DEVELOPER to oversize water mains, sanitary sewer mains, or storm sewer lines and/or facilities, the parties shall enter into a written agreement specifically providing that said costs shall be reimbursed by the CITY, or be the subject of a Recapture Agreement and Recapture Ordinance in favor of OWNER/DEVELOPER before OWNER/DEVELOPER is required to perform any over sizing.
 3. Any storm water detention facility constructed on-site shall comply with the requirements as set out on the approved Preliminary Plat.
- J. 1. The CITY agrees to negotiate with OWNER/DEVELOPER the passage of a Recapture Ordinance for any off-site sanitary sewer or water main improvement or on-site sanitary sewer or water main improvement and the Flood Plain Verification and Identification Study conducted by Engineering Enterprises, Inc. and any subsequent or supplemental study performed at OWNER/DEVELOPER'S cost and expense, which benefit future users that are contiguous or within a reasonable service area of the Property. Any recapture shall be done by Ordinance after the CITY has reviewed engineer's drawings,

engineer's estimate of cost and/or actual costs of the improvements submitted by OWNER/DEVELOPER, and approved by a majority vote of the City Council.

2. OWNER/ DEVELOPER shall be permitted to recapture the cost of the Rob Roy Creek Flood Plain Study conducted by Engineering Enterprises, Inc. and any subsequent or supplemental study performed at OWNER/DEVELOPER'S cost and expense pursuant to a resolution setting forth the amounts and method of recapture to be passed by the City Council. Said Recapture shall only apply to funds advanced by OWNER/DEVELOPER in an amount greater than OWNER/DEVELOPER'S prorata share of the area affected by the study.

K. The Planned Unit Development being approved, as part of this Agreement, shall be constructed in substantial conformance with the Preliminary Plat attached hereto and incorporated herein. Major deviations from this Agreement shall be allowed only if approved by a majority vote of the City Council, or upon the City Engineer's reasonable approval as to technical parts of engineering plans. OWNER/DEVELOPER further agrees to conform its Final Engineering and Final Plats to provide for any flood plain as designated by FEMA that encroaches upon the Property.

L. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of each party hereto.

M. If any provision of this Agreement is determined to be invalid by a court of competent jurisdiction, the remaining provisions thereof shall remain in full force and effect between OWNER/DEVELOPER and the CITY.

N. This Agreement shall be binding upon each party hereto in terms of performance for a period of twenty years. In the event construction is commenced within said twenty-year period, all of the terms of this Agreement shall remain enforceable despite said time limitation, unless modified by written agreement of the CITY and OWNER/DEVELOPER.

O. Any notices required hereunder shall be in writing and shall be served upon any other party in writing and shall be delivered personally or sent by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

| | |
|----------------------------|---|
| If to the CITY: | United City of Yorkville Mayor Arthur F. Prochaska, Jr. 111 W. Fox, Ste. 3 Yorkville, IL 60560 |
| With a Copy to: | United City of Yorkville's Attorney Law Offices of Daniel J. Kramer 1107A. S. Bridge St. Yorkville, IL 60560 |
| If to the OWNER/DEVELOPER: | Inland Land Appreciation Fund c/o Matthew Fiascone 2901 Butterfield Road Oak Brook, IL 60523 |
| With a Copy to: | Inland Real Estate Group, Inc. H. Dan Bauer, Esquire 2901 Butterfield Road Oak Brook, IL 60523 |

or to such other addresses as any party may from time to time designate in a written notice to the other parties.

P. This Agreement shall be enforceable in the Circuit Court of Kendall County by any of the parties hereto by an appropriate action at law or in equity to secure the performance of the covenants herein contained.

Q. In the event any portion of this Agreement becomes unenforceable due to any change in Illinois Compiled Statutes or court decisions, said unenforceable portion of this Agreement shall be excised herefrom and the remaining portions thereof shall remain in full force and effect.

R. The CITY agrees to adopt any Ordinances which are required to give legal effect to the matters contained in this Agreement, including, but not limited to, an Ordinance authorizing the Mayor and City Clerk to execute this Agreement after due hearing thereon, or to correct any technical defects which may arise after the execution of this Agreement.

S. The term "current" shall mean as of the date of this Agreement.

- T. "The Park Site shall be maintained by the OWNER/DEVELOPER until such time as it is conveyed to the CITY. The Park site shall be conveyed to the City upon the first to occur of 18 months after City Council approval of the final subdivision plat containing said park parcel or upon demand by the CITY. Prior to conveyance of the park parcel, OWNER/DEVELOPER shall, at its expense, grade, seed and prepare the park parcel in conformity with the Final Engineering and Park Development Standards in such manner and at such time as required by applicable ordinances of the CITY in existence at the time the final plat of subdivision containing the park parcel is approved by the City Council."
- U. The terms and provisions of the Agreement shall be covenants that run with the Property and contain interests coupled with a power. Upon a sale of the Property, the obligations of the selling OWNER/DEVELOPER shall transfer to and be binding upon the new owner which will become the OWNER/DEVELOPER of the Property, and the obligations under this Agreement of the selling OWNER/DEVELOPER shall terminate.

IN WITNESS THEREOF, the undersigned have hereunto set their hands and seals
this ____ day of March , 2004.

CITY:

UNITED CITY OF YORKVILLE,
Kendall County, Illinois

By: *Arthur Rochasky*
MAYOR

Attest: *Elizabeth L. L...*
Deputy CITY CLERK



OWNER/DEVELOPER:

INLAND LAND APPRECIATION FUND,
L.P., a Delaware Limited Partnership, by
Inland Real Estate Investment
Corporation, a Delaware corporation, its
general partner

By: *Anthony C. Casaccio*

Attest: *Arthur L. L...* / Secretary

Its: *James L. ...*

Dated: *3/3/04*

STATE OF ILLINOIS)
) SS
COUNTY OF Kendall)

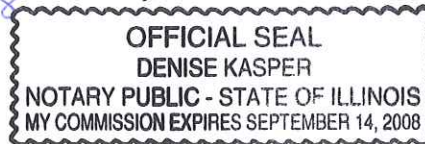
I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Arthur F. Prochaska, Jr., personally known to me to be the Mayor of UNITED CITY OF YORKVILLE, an Illinois municipal corporation and Elizabeth A. D'Amico, personally known to me to be the City Clerk of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Mayor and City Clerk, they signed and delivered the said instrument, pursuant to the authority given by the board of directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 24 day of January, 2004.

Denise Kasper
My commission expires: 9/14/08

Notary Public

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)



I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that ANTHONY A. CASACCIO, personally known to me to be the Senior Vice President of INLAND REAL ESTATE INVESTMENT CORPORATION, a Delaware corporation, general partner of Inland Land Appreciation Fund, L.P., a Delaware limited partnership, and CATHERINE L. LYNCH, personally known to me to be the Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Senior Vice President and Secretary, they signed and delivered the said instrument, pursuant to the authority given by the board of directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, as general partner of the partnership, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 3rd day of March, 2004.

Susan M. Maret
My commission expires: 12/8/07

Notary Public

Prepared by:
Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, Illinois 60560
630.553.9500



List of Exhibits:

Exhibit A: Legal Description

Exhibit B: Preliminary PUD Plan and Preliminary Engineering

Exhibit C: Preliminary PUD Landscape Plan

Exhibit D: Letter from Yorkville School District

CALEDONIA-LGL

LEGAL DESCRIPTION:

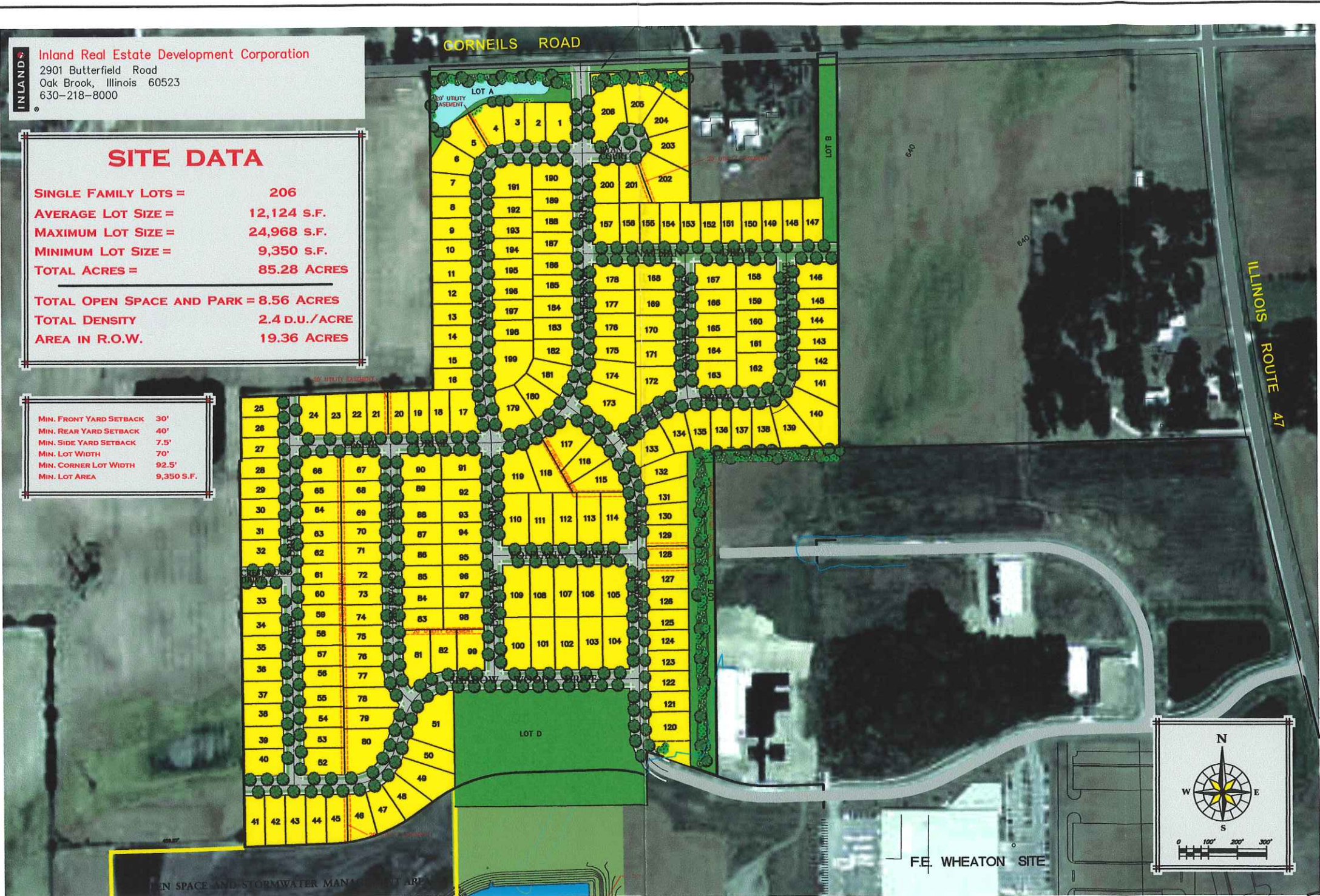
THAT PART OF THE NORTH HALF OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE NORTH 88 DEGREES 13 MINUTES 59 SECONDS EAST, ON AN ASSUMED BEARING ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 1398.01 FEET TO A LINE BEING 66.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE WEST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 12 MINUTES 00 SECONDS EAST, 1350.98 FEET TO THE NORTH LINE OF YORKVILLE BUSINESS CENTER UNIT 3, ACCORDING TO THE PLAT THEREOF RECORDED MAY 21, 2001 AS DOCUMENT NUMBER 200100008620 (ALSO BEING THE SOUTH LINE EXTENDED WESTERLY OF FISHER'S SUBDIVISION DOCUMENT NUMBER 884011 RECORDED AUGUST 4, 1988); THENCE SOUTH 88 DEGREES 40 MINUTES 19 SECONDS WEST ALONG THE LAST DESCRIBED LINE EXTENDED WESTERLY, 430.05 FEET TO THE WEST LINE OF LOT 5 EXTENDED NORTHERLY IN YORKVILLE BUSINESS CENTER UNIT 2, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 13, 2000 AS DOCUMENT NUMBER 200000012408; THENCE SOUTH 00 DEGREES 12 MINUTES 00 SECONDS EAST ALONG THE LAST DESCRIBED LINE, 1112.41 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5, ALSO BEING THE NORTH LINE OF YORKVILLE BUSINESS CENTER SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 10, 2000 AS DOCUMENT NUMBER 200000013808; THENCE NORTH 70 DEGREES 02 MINUTES 59 SECONDS WEST ALONG THE LAST DESCRIBED LINE (TOGETHER WITH THE NEXT 5 COURSES), 195.40 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A CHORD BEARING OF NORTH 72 DEGREES 54 MINUTES 47 SECONDS WEST 57.95 FEET, HAVING A RADIUS OF 580.00 FEET, AN ARC DISTANCE OF 57.97 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 82.96 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT, NOT TANGENT TO THE LAST DESCRIBED LINE, HAVING A CHORD BEARING OF NORTH 82 DEGREES 33 MINUTES 19 SECONDS WEST 158.42 FEET, HAVING A RADIUS OF 500.00 FEET, AN ARC DISTANCE OF 159.09 FEET; THENCE SOUTH 88 DEGREES 19 MINUTES 45 SECONDS WEST, 297.11 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A CHORD BEARING OF SOUTH 75 DEGREES 49 MINUTES 01 SECONDS WEST 216.65 FEET, HAVING A RADIUS OF 500.00 FEET, AN ARC DISTANCE OF 218.38 FEET; THENCE CONTINUING SOUTHWESTERLY, ALONG THE LAST DESCRIBED CURVE TO THE LEFT, HAVING A CHORD BEARING OF SOUTH 59 DEGREES 08 MINUTES 34 SECONDS WEST 72.59 FEET, HAVING A RADIUS OF 500.00 FEET, AN ARC DISTANCE OF 72.66 FEET; THENCE SOUTH 54 DEGREES 58 MINUTES 44 SECONDS WEST, 106.33 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING OF SOUTH 71 DEGREES 38 MINUTES 54 SECONDS WEST 286.85 FEET, HAVING A RADIUS OF 500.00 FEET, AN ARC DISTANCE OF 290.94 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 88 DEGREES 19 MINUTES 04 SECONDS WEST ALONG THE LAST DESCRIBED LINE, 299.99 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 00 DEGREES 24 MINUTES 20 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1323.91 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 88 DEGREES 17 MINUTES 08 SECONDS EAST, 6.20 FEET TO THE SOUTHWEST CORNER OF THE SOUTH 3.33 CHAINS OF THE EAST 10 CHAINS OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 00 DEGREES 20 MINUTES 22 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTH 3.33 CHAINS OF THE EAST 10 CHAINS, 217.87 FEET TO THE NORTH LINE OF SAID SOUTH 3.33 CHAINS OF THE EAST 10 CHAINS; THENCE NORTH 88 DEGREES 17 MINUTES 09 SECONDS EAST ALONG THE LAST DESCRIBED LINE, 660.00 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER OF SECTION 17; THENCE NORTH 00 DEGREES 20 MINUTES 22 SECONDS WEST ALONG THE LAST DESCRIBED LINE, 1106.44 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE EASTERLY ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 892.02 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT OF LAND;

CALEDONIA-LGL

THENCE CONTINUING EASTERLY, ALONG SAID NORTH LINE ON A STRAIGHT LINE EXTENSION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 440.00 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE SOUTHERLY, ALONG THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF SAID SECTION 17, AT AN ANGLE OF 88 DEGREES 25 MINUTES 57 SECONDS AS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 495.19 FEET; THENCE WESTERLY, ALONG A LINE PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, AT AN ANGLE OF 91 DEGREES 34 MINUTES 03 SECONDS AS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 440.00 FEET; THENCE NORTHERLY, ALONG A LINE PARALLEL WITH THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF SAID SECTION 17, AT AN ANGLE OF 88 DEGREES 25 MINUTES 56 SECONDS, AS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 495.19 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS.

Exhibit "B"



CALEDONIA • PRELIMINARY P.U.D. SITE DEVELOPMENT PLAN
YORKVILLE, ILLINOIS



LAND VISION, INC.
116 WEST MAIN STREET, SUITE 208
ST. CHARLES, IL 60174
(630) 584-0591 FAX: (630) 584-0592

SHEET 1 OF 1
JULY 25, 2007
DRAWING NUMBER: 1001-01
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BEING A SUBDIVISION OF PART OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST
OF THE THIRD PRINCIPAL MERIDIAN IN KENDALL COUNTY, ILLINOIS.

NOTE

UNDERGROUND UTILITIES ARE SHOWN BY USING PHYSICAL EVIDENCE FOUND ON THE SURFACE AND/OR FROM UTILITY COMPANY FIELD STAKES AND, THEREFORE, THEIR LOCATIONS ARE APPROXIMATE AND SUSPECTED AND MAY NOT BE COMPLETELY ACCURATE. FOR MORE ACCURATE LOCATION, FIELD EXCAVATE.

PIPE FLOW DIRECTIONS, IF SHOWN, ARE BASED ON FIELD INVERT ELEVATIONS UNLESS EXISTING PLANS INDICATE OTHERWISE, IN WHICH CASE THE EXISTING PLAN FLOW DIRECTION IS SHOWN.

LARGEST LOT: LOT 206 ~ 24,700 SQ FT
SMALLEST LOT: LOT 26 ~ 9,350 SQ FT
AVERAGE LOT: 12,102 SQ FT

* AREA TO BE DEEDED TO PARK DISTRICT
CONTAINS 675,459 SQ FT AND IS NOT
INCLUDED IN LOT TOTAL.

*EASEMENT AND SETBACK DIMENSION TYPICAL
UNLESS OTHERWISE NOTED

SIDE SETBACKS = 10% OF LOT WIDTH AT
FRONT SETBACK LINE, UNLESS PUBLIC
UTILITY IS LOCATED IN SIDEYARD THEN
MINIMUM EASEMENT IS 10'.

N. LINE OF S. 333 CHAINS OF
THE EAST 10 CHAINS OF THE
NE QUARTER OF NW QUARTER
OF SEC. 17-31-7

W. LINE OF THE S. 333 CHAINS
OF THE EAST 10 CHAINS OF
NE QUARTER OF NW QUARTER
OF SEC 17-37-7

SE QUARTER
OF THE NW
QUARTER OF
SEC 17-37-7

N002072

6.20'
N88°17'08"E
NW CORNER OF E.N.E.

SW CORNER OF S.33 CHAINS
OF THE EAST 10 CHAINS OF
NE QUARTER OF NW QUARTER

THE QUARTER OF THE QUARTER
OF SEC 17-37-7

3

W. LINE OF THE EAST HALF
OF THE SE QUARTER OF
THE NW QUARTER OF

SEC 17-37-7

The figure consists of two horizontal lines representing a 1D lattice chain. The top line has a single dot (excitation) at the left end, with an arrow pointing to the right. The bottom line has two dots (excitations) at the left end, with an arrow pointing to the right.

LEGAL DESCRIPTION:

THAT PART OF THE NORTH HALF OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 1 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS:

[illegible]

NOTES:

1. STEEL REINFORCING RODS (UNLESS OTHERWISE NOTED) TO BE SET AT ALL LOT CORNERS, POINTS OF CURVATURE, POINTS OF TANGENCY, AND BLOCK CORNERS, TWO OF WHICH WILL BE CONCRETE, AS DIRECTED IN THE ILLINOIS STATUTES, IN CHAPTER 126, PARAGRAPHS 1 AND 3 IN THE ILLINOIS COMPILATED STATUTES UNDER 765 ILCS 205/1.
2. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR ABSTRACT, DEED, CONTRACT, COUNTY AND/OR CITY BUILDING LINE REGULATIONS
3. COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE.
4. NO DIMENSIONS TO BE ASSUMED BY SCALE MEASUREMENTS
5. BOUNDARY INFORMATION PROVIDED BY CLIENT AND FIELD VERIFIED, FROM THE PLAT OF SURVEY PREPARED BY STEBERT ENGINEERS, INC. DATED NOV. 15 2002.
- BENCHMARK:
- 1) SOUTH ARROW BOLT OF THE LAST FIRE HYDRANT ON MONTANA NORTH SIDE OF COMMERCIAL DRIVE JUST BEFORE CUL-DE-SAC. ELEV.: 743.78' (USGS)
- 2) SW. ARROW BOLT OF THE FIRE HYDRANT ON MONTANA AVENUE AT THE CUL-DE-SAC. ELEV.: 744.26' (USGS)

FISHERS SUBDIVISION
WESTERLY

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 | 101 | 102 | 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 | 169 | 170 | 171 | 172 | 173 | 174 | 175 | 176 | 177 | 178 | 179 | 180 | 181 | 182 | 183 | 184 | 185 | 186 | 187 | 188 | 189 | 190 | 191 | 192 | 193 | 194 | 195 | 196 | 197 | 198 | 199 | 200 | 201 | 202 | 203 | 204 | 205 | 206 | 207 | 208 | 209 | 210 | 211 | 212 | 213 | 214 | 215 | 216 | 217 | 218 | 219 | 220 | 221 | 222 | 223 | 224 | 225 | 226 | 227 | 228 | 229 | 230 | 231 | 232 | 233 | 234 | 235 | 236 | 237 | 238 | 239 | 240 | 241 | 242 | 243 | 244 | 245 | 246 | 247 | 248 | 249 | 250 | 251 | 252 | 253 | 254 | 255 | 256 | 257 | 258 | 259 | 260 | 261 | 262 | 263 | 264 | 265 | 266 | 267 | 268 | 269 | 270 | 271 | 272 | 273 | 274 | 275 | 276 | 277 | 278 | 279 | 280 | 281 | 282 | 283 | 284 | 285 | 286 | 287 | 288 | 289 | 290 | 291 | 292 | 293 | 294 | 295 | 296 | 297 | 298 | 299 | 300 | 301 | 302 | 303 | 304 | 305 | 306 | 307 | 308 | 309 | 310 | 311 | 312 | 313 | 314 | 315 | 316 | 317 | 318 | 319 | 320 | 321 | 322 | 323 | 324 | 325 | 326 | 327 | 328 | 329 | 330 | 331 | 332 | 333 | 334 | 335 | 336 | 337 | 338 | 339 | 340 | 341 | 342 | 343 | 344 | 345 | 346 | 347 | 348 | 349 | 350 | 351 | 352 | 353 | 354 | 355 | 356 | 357 | 358 | 359 | 360 | 361 | 362 | 363 | 364 | 365 | 366 | 367 | 368 | 369 | 370 | 371 | 372 | 373 | 374 | 375 | 376 | 377 | 378 | 379 | 380 | 381 | 382 | 383 | 384 | 385 | 386 | 387 | 388 | 389 | 390 | 391 | 392 | 393 | 394 | 395 | 396 | 397 | 398 | 399 | 400 | 401 | 402 | 403 | 404 | 405 | 406 | 407 | 408 | 409 | 410 | 411 | 412 | 413 | 414 | 415 | 416 | 417 | 418 | 419 | 420 | 421 | 422 | 423 | 424 | 425 | 426 | 427 | 428 | 429 | 430 | 431 | 432 | 433 | 434 | 435 | 436 | 437 | 438 | 439 | 440 | 441 | 442 | 443 | 444 | 445 | 446 | 447 | 448 | 449 | 450 | 451 | 452 | 453 | 454 | 455 | 456 | 457 | 458 | 459 | 460 | 461 | 462 | 463 | 464 | 465 | 466 |
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BRKVILLE BUSINESS
CENTER UNIT 3

No. 20000008620

| LOT 23 | LOT 22 | LOT |
|--------|--------|-----|
| | | |

FOR REVIEW
PURPOSES ONLY

PURPOSES ONLY

| | |
|-----------------------------------|----------------------|
| CONSULTING ENGINEERS | DATE: 1-28-03 |
| SITE DEVELOPMENT ENGINEERS | |

☐ SITE DEVELOPMENT ENGINEERS ☐ JOB NO: 3317
☐ LAND SURVEYORS ☐ FILENAME:

9575 W. Higgins Road, Suite 700,
Rosemont, Illinois 60018

Phone: (847) 896-4080 Fax: (847) 896-4085 1 OF 2


| |
|------------|
| REVISIONS: |
| 02/14/03 |
| 02/28/03 |
| 05/17/03 |
| 07/11/03 |
| 07/23/03 |



SPACECO INC.

CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

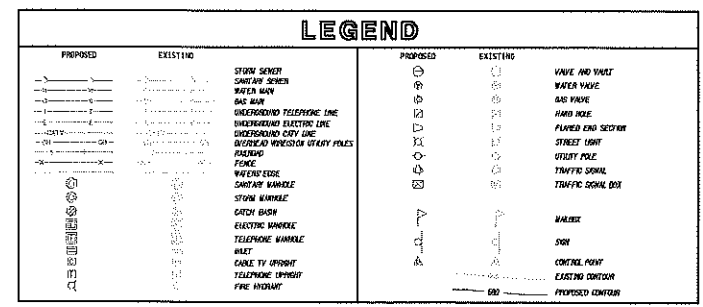
9575 W. Higgins Road, Suite 700,
 Rosemont, Illinois 60018

Phone: (847) 696-4060 Fax: (847) 696-4065  1 OF 2

NOTES:

CURVE INFORMATION IS SHOWN ON A
TABLE ON SHEET 1.

AREA INFORMATION ON SHEET 1.



| | | | |
|---|--|--|-------------------------|
|  | CONSULTING ENGINEERS | | DATE: 1-28-03 |
| | SITE DEVELOPMENT ENGINEERS | | JOB NO: 3317 |
| | LAND SURVEYORS | | FILENAME: 17P9SUBD02 |
| | 9575 W. Higgins Road. Suite 700. Rosemont, Illinois 60018 | | |
| | Phone: (847) 896-4060 Fax (847) 896-4065 | | |

THE UNITED CITY OF YORKVILLE TYPICAL STREET SECTION
NOT TO SCALE

| |
|------------|
| REVISIONS: |
| 02/14/03 |
| 02/28/03 |
| 05/17/03 |
| 07/11/03 |
| 07/23/03 |



SPASECO INC.

CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

9575 W. Higgins Road, Suite 700,
Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065

DATE: 1-28-03

JOB NO: 3317

FILENAME:
17PRESUBD02

SHEET
2 OF 2

INLAND LAND APPRECIATION FUND L.P.
2901 BUTTERFIELD ROAD
OAK BROOK, ILLINOIS 60523
PHONE: (630) 218-8000
FAX: (630) 954-5673

LAND VISION, INC.
116 WEST MAIN STREET, #208
ST. CHARLES, ILLINOIS 60174
PHONE: (630) 584-0591
FAX: (630) 584-0592

WITH THE FOLLOWING:
COUNTY KENDALL
CITY, TOWNSHIP YORKVILLE, BRISTOL
SEC. & 1/4 SEC. NO. T37N, R7E, SEC. 17

| INDEX | | |
|---------|------------|--------------------------------|
| SHEET # | SHEET I.D. | SHEET DESCRIPTION |
| 1 | CI | COVER SHEET |
| 2 | EX1 | EXISTING CONDITIONS PLAN |
| 3 | G1 | GRADING/STORM SEWER PLAN |
| 4 | SI | SEWARIARY SEWER/WATERMAIN PLAN |

LOCATION MAP

YORKVILLE

MONTGOMERY

BRISTOL

U.S. 90

U.S. 17

U.S. 42

OLD MAIN ROAD

OLD MILL ROAD

OLD FARM ROAD

CLARK H.S. WOOD

SITE LOCATION

N

N.T.S.

KEY MAP

CORNELLS ROAD

WHEATON AVENUE

N.T.S.

[illegible][illegible]

9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065

▶ PAVEMENT FABRIC SHALL BE PLACED BENEATH AGGREGATE BASE III NOT GRADULAR SUBGRADE AREAS.

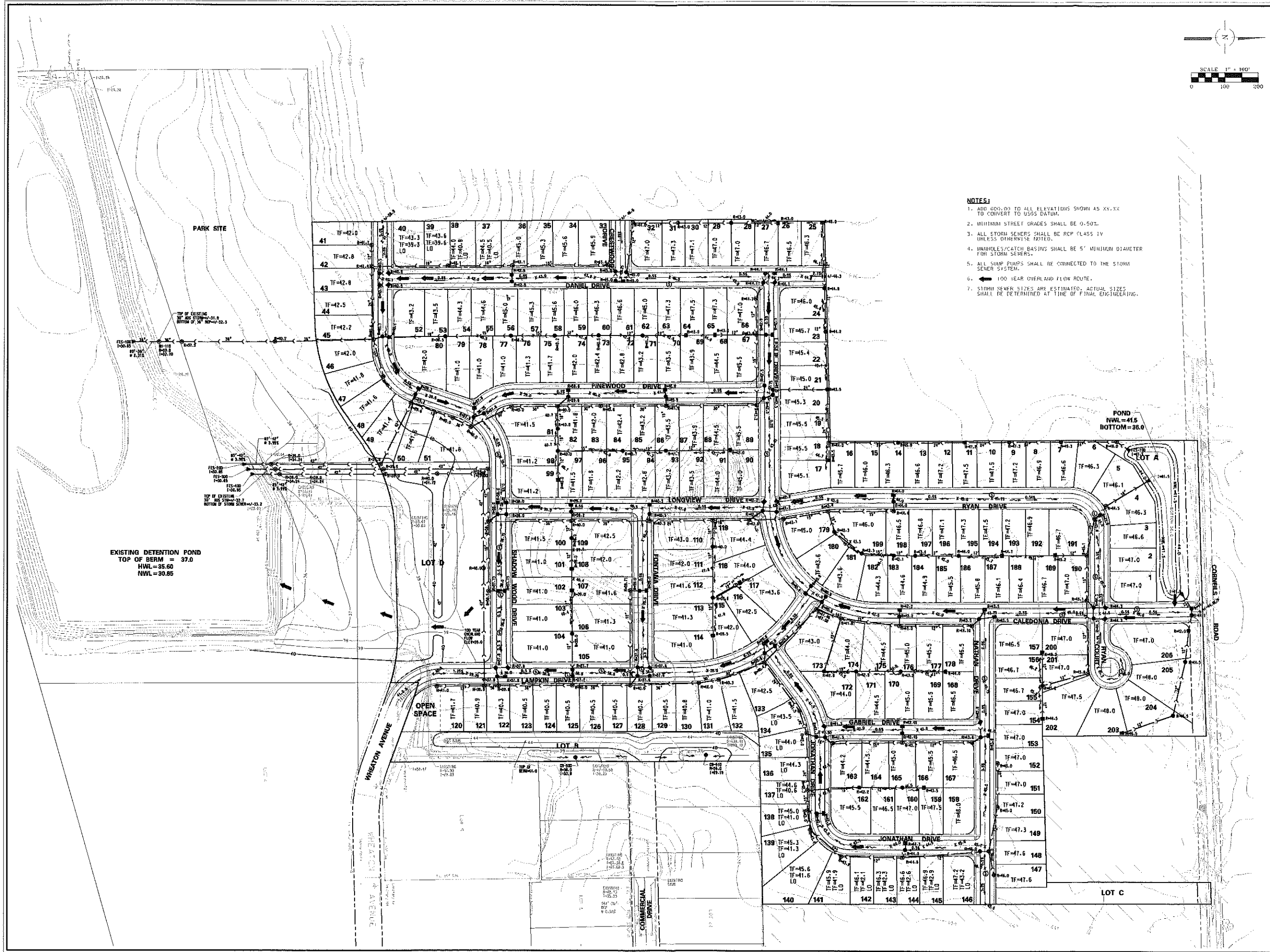
ABBREVIATIONS

| | |
|---|--|
| <p> M = STORM MANHOLE S = SANITARY MANHOLE CB = CATCH BASIN LP = LIGHT POLE VV = VALVE VAULT E = EXIST. SECTION FH = FIRE HYDRANT GR = GRADE BKG. (HATCH) </p> | <p> IK = INVERT OR RILET TF = TOP OF FORDERATION GC = GARAGE FLOOR TC = TOP OF CURB TO = TOP OF DEPRESSION CURB TR = TOP OF RETAINING WALL BB = BOTTOM OF RETAINING WALL OU = OUTLET OF PIPE </p> |
| | <p> TP = TOP OF PIPE WB = BOTTOMS OF PIPE WH = WATERMAIN SW = SANITARY SEWER STM = STORM SEWER LO = LOOK OUT PL = PARTIAL LOW COST </p> |

DATE:
01/24/03

SHEET

C1



- NOTES:**
1. ADD 600.00 TO ALL ELEVATIONS SHOWN AS XX.XX TO CONVERT TO USGS DATUM.
 2. MINIMUM STREET GRADES SHALL BE 0.50%.
 3. ALL STORM SEWERS SHALL BE RCP CLASS IV UNLESS OTHERWISE NOTED.
 4. MANHOLES/CATCH BASINS SHALL BE 5' MINIMUM DIAMETER FOR STORM SEWERS.
 5. ALL SUMP PUMPS SHALL BE CONNECTED TO THE STORM SEWER SYSTEM.
 6. 100 YEAR OVERLAND FLOW ROUTE.
 7. STORM SEWER SIZES ARE ESTIMATED. ACTUAL SIZES SHALL BE DETERMINED AT TIME OF FINAL ENGINEERING.

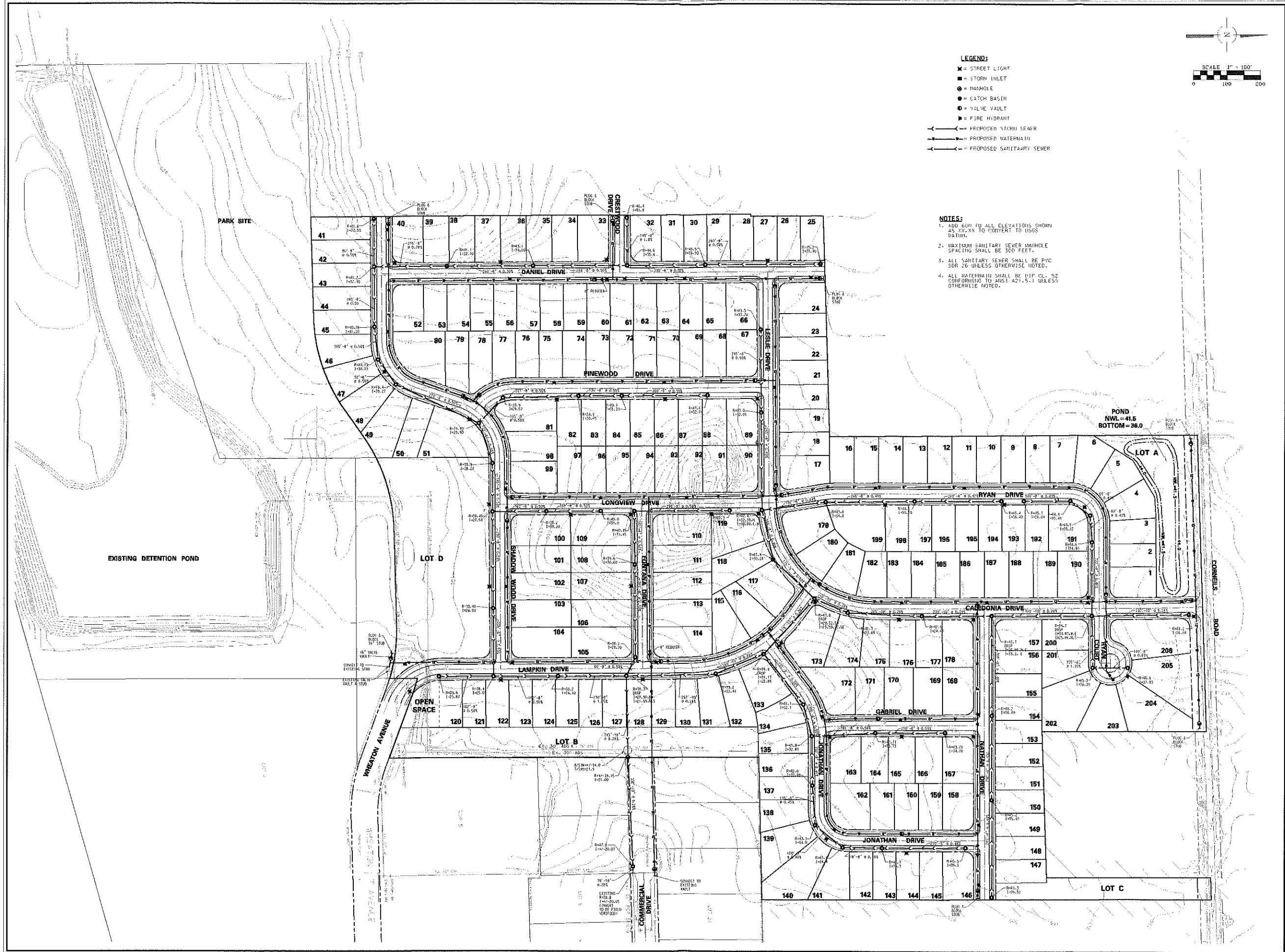
GRADING / STORM SEWER PLAN
CALEDONIA SUBDIVISION
YORKVILLE, ILLINOIS

CONSULTING ENGINEER:
SPACECO INC.
9925 W. Maple Road, Suite 200
Bloomington, Illinois 61710
Phone: (847) 694-6600 Fax: (847) 694-6605



FILENAME: 17PGRAD.DGN
DATE: 01/24/03
JOB NO. 3337
SHEET **G1**
3 OF 4

| NO. | DATE | REMARKS |
|-----|----------|------------|
| 5 | 07/24/03 | PER CLIENT |
| 4 | 07/11/03 | PER CLIENT |
| 3 | 03/16/03 | PER CITY |
| 2 | 02/28/03 | PER CLIENT |
| 1 | 02/14/03 | PER CLIENT |



- LEGEND:**
- ✕ = STREET LIGHT
 - = STORM INLET
 - = MANHOLE
 - = CATCH BASIN
 - = VALVE VAULT
 - ⬮ = FIRE HYDRANT
 - = PROPOSED STORM SEWER
 - = PROPOSED WATERMAIN
 - = PROPOSED SANITARY SEWER

- NOTES:**
1. ADD 600 TO ALL ELEVATIONS SHOWN AS XX.XX TO CONVERT TO USGS DATUM.
 2. MAXIMUM SANITARY SEWER MANHOLE SPACING SHALL BE 300 FEET.
 3. ALL SANITARY SEWER SHALL BE PVC SDR 26 UNLESS OTHERWISE NOTED.
 4. ALL WATERMAIN SHALL BE 15" CL. 50 CONFORMING TO ANSI A21.5.1 UNLESS OTHERWISE NOTED.

| | | |
|----------|----------|------------|
| NO. DATE | | REMARKS |
| 1 | 07/24/03 | PER CLIENT |
| 2 | 07/21/03 | PER CLIENT |
| 3 | 05/16/03 | PER CITY |
| 4 | 02/25/03 | PER CLIENT |
| 5 | 02/14/03 | PER CLIENT |

| | |
|---------------------------------|--|
| SANITARY SEWER / WATERMAIN PLAN | |
| CALEDONIA SUBDIVISION | |
| YORKVILLE, ILLINOIS | |

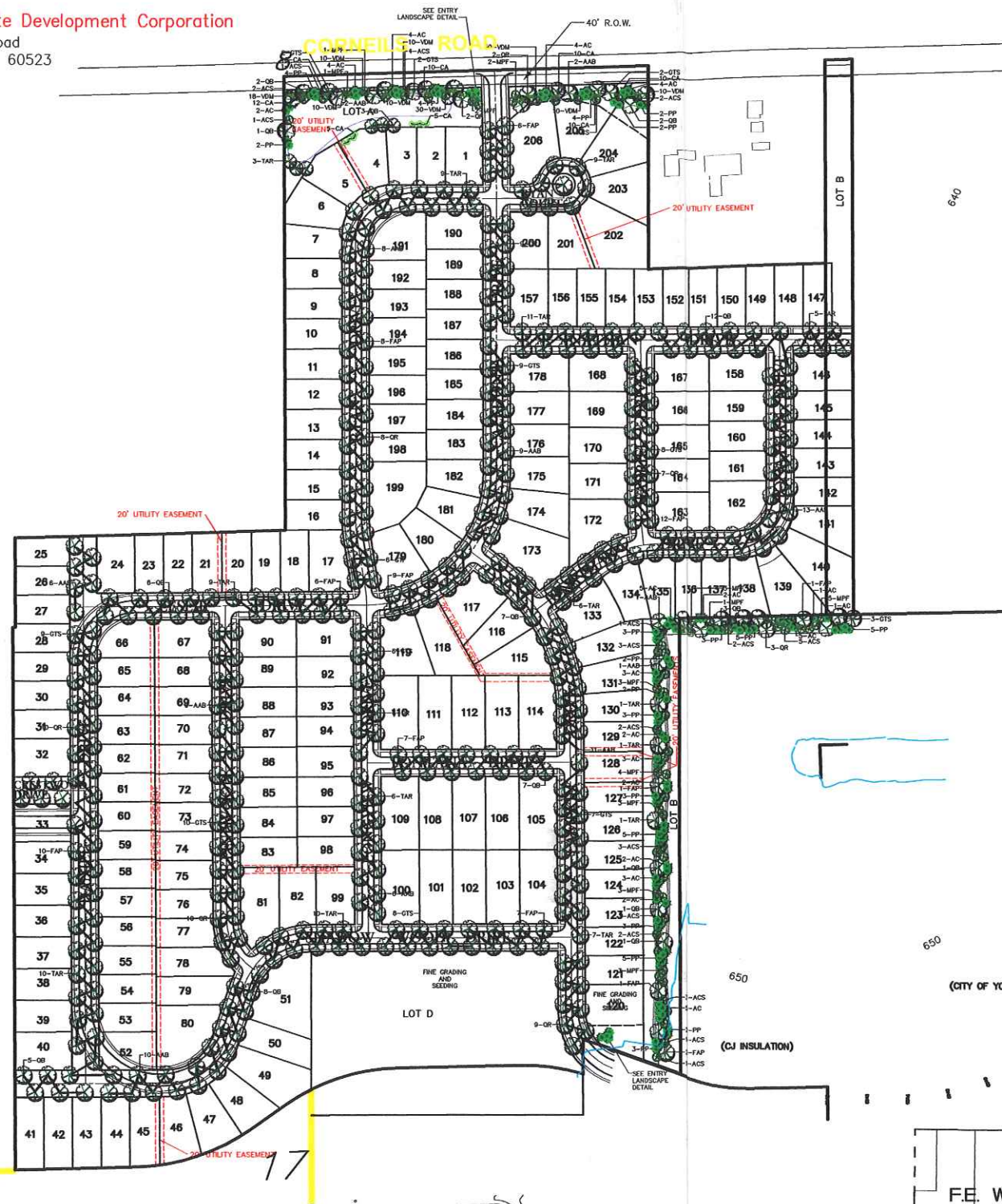
| | |
|----------------------|----------|
| CONSULTING ENGINEERS | DATE |
| ENGINEERING | 07/24/03 |
| LAND SURVEYING | 07/24/03 |

4925 W. Highway Road, Suite 200,
Rockford, Illinois 61108
Phone: (815) 998-0000 Fax: (815) 998-0000

| | |
|-----------|-------------|
| FILE NAME | 17P-SAN.DGN |
| DATE | 01/24/03 |
| SUB. NO. | 3517 |
| SHEET | S1 |
| 4 OF 4 | |

Exhibit "C"

INLAND Inland Real Estate Development Corporation
2901 Butterfield Road
Oak Brook, Illinois 60523
630-218-8000

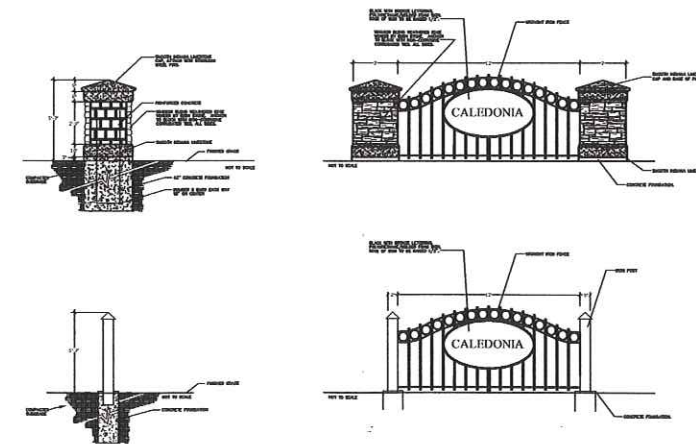


PLANT LEGEND

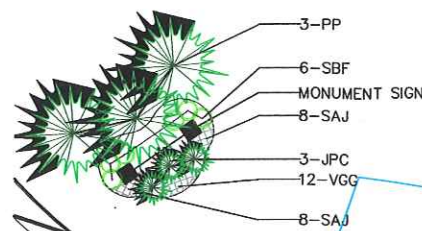
- PROPOSED DECIDUOUS TREE
 - PROPOSED ORNAMENTAL TREE
 - PROPOSED EVERGREEN
 - PROPOSED DECIDUOUS SHRUB
- LOCATION OF ALL PROPOSED TREES MUST BE FIELD VERIFIED.
— ALL STREET TREES SHALL BE PLANTED NO MORE THAN 80' O.C.
— TREE LOCATION SHALL BE SUBJECT TO UTILITY LOCATIONS.
- ALL ONSITE PATHS TO BE 6' WIDE.
— ALL OFFSITE PATHS TO BE 10' WIDE.

PLANT LIST

| KEY | QUANTITIES | BOTANICAL NAME | COMMON NAME | CALIPER HEIGHT/SPREAD ROOT |
|---|------------|-----------------------------------|----------------------------|----------------------------|
| DECIDUOUS SHADE TREES | | | | |
| ASB | 80 | Aster n. l. 'Marianne Blum' | AUTUMN BLUE FREEMAN WAX | 12' 1/2" DB |
| FAP | 77 | Fraxinus n. 'Marianne Blum' | AUTUMN PURPLE WHITE ASH | 12' 1/2" DB |
| OTS | 75 | Quercus l. var. 'Styphnoides' | SLABE BARKLESS HONEYLOCUST | 12' 1/2" DB |
| OB | 10 | Quercus macrocarpa | STRIPED WHITE OAK | 12' 1/2" DB |
| OR | 69 | Quercus rubra | RED OAK | 12' 1/2" DB |
| TAR | 94 | Thuja n. 'Marianne Blum' | REINER'S NORWICH LARCH | 12' 1/2" DB |
| * 2 1/2" CALIPER AS MEASURED 6" FROM GROUND | | | | |
| ORNAMENTAL TREES | | | | |
| ACS | 38 | Amelanchier n. g. 'Coke's Select' | COLE'S SELECT SPINDLEWOOD | 8' W&S-2500 DB |
| MTT | 38 | Malus 'Tropicana' | PINKBLOSSOM CRABAPPLE | 8' W&S-2500 DB |
| DECIDUOUS SHRUBS | | | | |
| CA | 72 | Corylus americana | AMERICAN HAZEL | 24" DB |
| SP | 11 | Spirea n. l. 'Tropicana' | SPICEBUSH | 24" DB |
| VN | 139 | Viburnum n. l. 'Tropicana' | NORTHERN BURNING BUSH | 24" DB |
| EVERGREEN TREES | | | | |
| AC | 84 | Abies concolor | WHITE FIR | 8' DB |
| PP | 92 | Picea canadensis | COLORED SPRUCE | 8' DB |
| EVERGREEN SHRUBS | | | | |
| JPC | 8 | Jasminum n. l. 'Tropicana' | COMPACT JASMINE | 24" SPREAD 5 GAL. |
| PERENNIALS | | | | |
| SAJ | 32 | Salvia n. l. 'Tropicana' | AUTUMN BLUE STICKLE | 18" a.c. 1 GAL. |
| VGG | 24 | Veronica n. l. 'Tropicana' | VERONICA GROWN SPEEDWELL | 18" a.c. 1 GAL. |



- MONUMENT NOTES**
1. MONUMENT SHALL BE SET IN PLACE AND SHALL BE SET IN PLACE BY THE LANDSCAPE ARCHITECT.
 2. MONUMENT SHALL BE SET IN PLACE BY THE LANDSCAPE ARCHITECT AND SHALL BE SET IN PLACE BY THE LANDSCAPE ARCHITECT.
 3. MONUMENT SHALL BE SET IN PLACE BY THE LANDSCAPE ARCHITECT AND SHALL BE SET IN PLACE BY THE LANDSCAPE ARCHITECT.
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 5. MONUMENT SHALL BE SET IN PLACE BY THE LANDSCAPE ARCHITECT AND SHALL BE SET IN PLACE BY THE LANDSCAPE ARCHITECT.



LANDSCAPE DETAIL
SCALE: 1" = 10'

CALEDONIA • PRELIMINARY P.U.D. LANDSCAPE PLAN YORKVILLE, ILLINOIS



LAND
PLANNER

SHEET 1 OF 1
JULY 8, 2003
DRAWING NUMBER: 1100-10
COPYRIGHT © 2003, BY LAND VISION, INC.
LAND VISION, INC.
116 WEST MAIN STREET, SUITE 208
ST. CHARLES, IL 60174
(630) 584-0591 FAX: (630) 584-0592



YORKVILLE COMMUNITY UNIT DISTRICT 115

602 Center Parkway, Suite A, P. O. Box 579

Yorkville, IL 60560-0579

Telephone (630) 553-4382

Fax (630) 553-4398

YORKVILLE HIGH SCHOOL

797 Game Farm Road
Yorkville, Illinois 60560
Telephone (630) 553-4380

June 4, 2004

YORKVILLE MIDDLE SCHOOL

702 Game Farm Road
Yorkville, Illinois 60560
Telephone (630) 553-4385

Anne B. Kurtzman, AICP
Development Coordinator

CIRCLE CENTER INTERMEDIATE SCHOOL

901 Mill Street
Yorkville, Illinois 60560
Telephone (630) 553-4388

United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

YORKVILLE GRADE SCHOOL

201 West Somonauk Street
Yorkville, Illinois 60560
Telephone (630) 553-4390

Re: Caledonia School Donation

STOL GRADE SCHOOL

200 Hunt Street
P.O. Box 177
Bristol, Illinois 60512
Telephone (630) 553-4383

Yorkville CUSD #115 is willing to accept cash in lieu of land at the approved dollar amount in effect at the time of final platting of the Caledonia Development.

Sincerely,

Dr. Thomas D. Engler
Superintendent

TDE/mlm

Application For Amendment

STAFF USE ONLY

Date of Submission PC#
Development Name

Applicant Information

Name of Applicant(s) Ziemia, LLC
Business Address 2250 Southwind Blvd.
City Bartlett State IL ZIP 60103
Business Phone 630-698-4700 Business Fax 630-690-9652
Business Cell 630-698-4700 Business E-mail rich@wydp.com

Property Information

Name of Holder of Legal Title Ziemia, LLC
If Legal Title is held by a Land Trust, list the names of all holders of any beneficial interest therein:

Property Street Address Caledonia Subdivision Lots
Description of Property's Physical Location
 Caledonia Subdivision, Yorkville, IL

Zoning and Land Use of Surrounding Parcels

| | |
|-------|----------------------|
| North | <input type="text"/> |
| East | <input type="text"/> |
| South | <input type="text"/> |
| West | <input type="text"/> |

Current Zoning Classification R-2 Single Family

Kendall County Parcel Number(s) of Property

| | |
|----------------------|----------------------|
| See Attached Exhibit | See Attached Exhibit |
| See Attached Exhibit | See Attached Exhibit |
| See Attached Exhibit | See Attached Exhibit |
| See Attached Exhibit | See Attached Exhibit |

List all governmental entities or agencies required to receive notice under Illinois law:

Application For Amendment

Property Information

Name of Agreement

Date of Recording

Summarize the items to be amended from the existing agreement:

Additional Contact Information

Attorney

Name

Address

City State ZIP

Phone Fax

E-mail

Engineer

Name

Address

City State ZIP

Phone Fax

E-mail

Land Planner/Surveyor

Name

Address

City State ZIP

Phone Fax

E-mail

Application For Amendment

Attachments

Applicant must attach a legal description of the property to this application and title it as "Exhibit A".

Applicant must list the names and addresses of any adjoining or contiguous landowners within 500 feet of the property that are entitled notice of application under any applicable City Ordinance or State Statute. Attach a separate list to this application and title it as "Exhibit B".

Applicant must attach a true and correct copy of the existing agreement and title it as "Exhibit C".

Applicant must attach amendments from the existing agreement and title it as "Exhibit D".

Agreement

I verify that all the information in this application is true to the best of my knowledge. I understand and accept all requirements and fees as outlined as well as any incurred administrative and planning consultant fees which must be current before this project can proceed to the next scheduled committee meeting.

I understand all of the information presented in this document and understand that if an application becomes dormant it is through my own fault and I must therefore follow the requirements outlined above.

Brian Laursen Applicant Signature
Ziemia, LLC by Southwind Financial, Ltd
Manager
Manager

Date
12/7/15

Owner hereby authorizes the applicant to pursue the appropriate entitlements on the property.

Brian Laursen Owner Signature
Ziemia, LLC by Southwind Financial, Ltd

Date
12/7/15

THIS APPLICATION MUST BE NOTARIZED
PLEASE NOTARIZE IN THE SPACE BELOW:

*Subscribed before me
this 7th day of December, 2015*

Julie M. Heinz
Notary Public



| PIN | OWNER | ADDRESS |
|---------------|---|---------------------------------------|
| 02-17-187-001 | ZIEMIA LLC, | 3321 LAUREN DR YORKVILLE IL 60560 |
| 02-17-187-002 | ZIEMIA LLC, | 3311 LAUREN DR YORKVILLE IL 60560 |
| 02-17-187-003 | ZIEMIA LLC, | 3301 LAUREN DR YORKVILLE IL 60560 |
| 02-17-187-004 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3291 LAUREN DR YORKVILLE IL 60560 |
| 02-17-187-005 | ROMANS DÉVELOPMENT HOLDINGS LLC, | 3271 LAUREN DR YORKVILLE IL 60560 |
| 02-17-187-006 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3251 LAUREN DR YORKVILLE IL 60560 |
| 02-17-187-007 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3231 LAUREN DR YORKVILLE IL 60560 |
| 02-17-187-008 | ZIEMIA LLC, | 3211 LAUREN DR YORKVILLE IL 60560 |
| 02-17-188-001 | ZIEMIA LLC, | 3171 LAUREN DR YORKVILLE IL 60560 |
| 02-17-188-002 | ZIEMIA LLC, | 3161 LAUREN DR YORKVILLE IL 60560 |
| 02-17-188-003 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3151 LAUREN DR YORKVILLE IL 60560 |
| 02-17-188-004 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3141 LAUREN DR YORKVILLE IL 60560 |
| 02-17-188-005 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3131 LAUREN DR YORKVILLE IL 60560 |
| 02-17-188-006 | ZIEMIA LLC, | 3121 LAUREN DR YORKVILLE IL 60560 |
| 02-17-188-007 | ZIEMIA LLC, | 3111 LAUREN DR YORKVILLE IL 60560 |
| 02-17-188-008 | ZIEMIA LLC, | 3101 LAUREN DR YORKVILLE IL 60560 |
| 02-17-189-001 | ZIEMIA LLC, | 582 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-002 | ZIEMIA LLC, | 574 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-003 | ZIEMIA LLC, | 562 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-004 | ZIEMIA LLC, | 554 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-005 | ZIEMIA LLC, | 542 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-006 | ROMANS DEVELOPMENT HOLDINGS LLC, | 524 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-007 | ROMANS DEVELOPMENT HOLDINGS LLC, | 512 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-008 | ROMANS DEVELOPMENT HOLDINGS LLC, | 508 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-009 | ROMANS DEVELOPMENT HOLDINGS LLC, | 494 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-010 | ZIEMIA LLC, | 488 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-189-011 | ZIEMIA LLC, | 472 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-190-001 | ZIEMIA LLC, | 3327 CALEDONIA DR YORKVILLE IL 60560 |
| 02-17-190-002 | ZIEMIA LLC, | 3333 CALEDONIA DR YORKVILLE IL 60560 |
| 02-17-190-003 | ZIEMIA LLC, | 3323 CALEDONIA DR YORKVILLE IL 60560 |
| 02-17-190-004 | ZIEMIA LLC, | 3311 CALEDONIA DR YORKVILLE IL 60560 |
| 02-17-190-005 | ZIEMIA LLC, | 3307 CALEDONIA DR YORKVILLE IL 60560 |
| 02-17-190-006 | ZIEMIA LLC, | 3303 CALEDONIA DR YORKVILLE IL 60560 |
| 02-17-191-001 | SNYDER, CHRISTOPHER D & DEBORA SUE | 3283 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-002 | BATHJE, JENNIFER N & , RUMISHELE, ARLENE & JOHN J | 3263 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-003 | KIPPER, DANIEL L | 3243 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-004 | ZIEMIA LLC, | 3223 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-005 | BENJAMIN, JAMIE C & AMY M | 3203 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-006 | LESSNAU, ROBERT J & APRIL L | 3193 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-007 | WOODRICK, JENNIFER LYN | 3183 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-008 | ZIEMIA LLC, | 3173 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-009 | BAETIONG, FLORENCIO & JILL | 3163 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-010 | WALTERS, JEFFREY | 3153 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-011 | ZIEMIA LLC, | 3143 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-012 | ZIEMIA LLC, | 3133 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-191-013 | ROMANS DEVELOPMENT HOLDINGS LLC, | 485 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-191-014 | ZIEMIA LLC, | 505 SHADOW WOOD DR YORKVILLE IL 60560 |

| | | |
|---------------|---|---------------------------------------|
| 02-17-191-015 | ZIEMIA LLC, | 3102 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-016 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3112 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-017 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3122 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-018 | BERINGER, EDUARD &, TRIPP, KRISTIN | 3132 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-019 | ELDER, WADE | 3142 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-020 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3152 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-021 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3162 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-022 | ZIEMIA LLC, | 3172 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-023 | ZIEMIA LLC, | 3182 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-024 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3192 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-025 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3212 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-026 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3232 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-027 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3252 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-028 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3272 LAUREN DR YORKVILLE IL 60560 |
| 02-17-191-029 | KRUMREY, RUSTY A & KRYSTAL L | 3292 LAUREN DR YORKVILLE IL 60560 |
| 02-17-192-001 | BACKSTROM, QUINTIN D & TIFFANY NT | 3284 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-192-002 | BEVINGTON, FREDERIC D | 3264 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-192-003 | ZIEMIA LLC, | 3244 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-192-004 | ZIEMIA LLC, | 3224 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-192-005 | ZIEMIA LLC, | 3204 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-192-006 | AMERICAN HOMES 4 RENT PROPERTIES TEN LLC, | 3194 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-192-007 | ZIEMIA LLC, | 3184 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-192-008 | NOVAK, DOMINIC M & JILL H | 3174 PINEWOOD DR YORKVILLE IL 60560 |
| 02-17-192-009 | ZIEMIA LLC, | 465 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-201-011 | SODERGREN FAMILY LIVING TRUST, % RONALD & SUSAN SODERGREN | 308 RYAN CT YORKVILLE IL 60560 |
| 02-17-201-012 | ZIEMIA LLC, | 312 RYAN CT YORKVILLE IL 60560 |
| 02-17-201-013 | MILLER, GEORGE & GINA BASINGER-MILLER | 322 RYAN CT YORKVILLE IL 60560 |
| 02-17-202-001 | ZIEMIA LLC, | |
| 02-17-202-002 | ZIEMIA LLC, | 3495 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-003 | ZIEMIA LLC, | 3485 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-004 | ZIEMIA LLC, | 3475 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-005 | ZIEMIA LLC, | 3465 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-006 | ZIEMIA LLC, | 3457 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-007 | PENNEY, ERIC S & PAMELA L | 3451 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-008 | JUAREZ, JOSE L | 3445 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-009 | KORTIE, EMMANUEL &, URASSA, ASTRID | 3435 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-010 | GOODALE, MITCHELL & CHERYL | 3425 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-011 | ZIEMIA LLC, | 3405 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-012 | HAYWARD, ANDREW & CHERYL | 3395 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-013 | CASTRO, JOSE L & ROCIO M | 3385 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-014 | MAERTZIG, JOHN &, CRACKEL, STEPHANIE | 3375 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-015 | ZIEMIA LLC, | 3365 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-016 | ZIEMIA LLC, | 3355 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-017 | CONOVER, GARY L & SANDRA H | 3345 RYAN DR YORKVILLE IL 60560 |
| 02-17-202-018 | SPRINGBORN, CHRISTOPHER J & MICHELLE S | 3347 CALEDONIA DR YORKVILLE IL 60560 |
| 02-17-202-019 | BEDNARIK, PATRICK D & BETTY A | 3343 CALEDONIA DR YORKVILLE IL 60560 |
| 02-17-203-001 | SAGHIR, JAMAL | 3456 RYAN DR YORKVILLE IL 60560 |
| 02-17-203-002 | GRIEFF, KEVIN L &, BONHAM, RACHEL N | 3436 RYAN DR YORKVILLE IL 60560 |

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| 02-17-203-003 | DECHO, JAMES & DEANNA | 3426 RYAN DR YORKVILLE IL 60560 |
| 02-17-203-004 | STEARNS, PATRICK M & CHRISTINA L | 3406 RYAN DR YORKVILLE IL 60560 |
| 02-17-203-005 | LOEFFLER, THOMAS & CATHERINE | 3396 RYAN DR YORKVILLE IL 60560 |
| 02-17-203-006 | MCCABE, MICHAEL B & KRISTIE L | 3386 RYAN DR YORKVILLE IL 60560 |
| 02-17-203-007 | SCHULZ, DAVID J & ELIZABETH M | 3376 RYAN DR YORKVILLE IL 60560 |
| 02-17-203-008 | CARLSON, ROBERT E & SUSAN K | 3366 RYAN DR YORKVILLE IL 60560 |
| 02-17-203-009 | MEIER, RANDY & SUSAN M | 3356 RYAN DR YORKVILLE IL 60560 |
| 02-17-204-001 | ZIEMIA LLC, | 383 FONTANA DR YORKVILLE IL 60560 |
| 02-17-204-002 | GAJEWSKI, JASON P & STEPHANIE | 363 FONTANA DR YORKVILLE IL 60560 |
| 02-17-204-003 | ZIEMIA LLC, | 343 FONTANA DR YORKVILLE IL 60560 |
| 02-17-204-004 | KING, ELTON & MARVA | 323 FONTANA DR YORKVILLE IL 60560 |
| 02-17-204-005 | ROMANS DEVELOPMENT HOLDINGS LLC, | 303 FONTANA DR YORKVILLE IL 60560 |
| 02-17-204-006 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3247 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-204-007 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3267 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-204-010 | ZIEMIA LLC, | 3352 CALEDONIA DR YORKVILLE IL 60560 |
| 02-17-205-001 | FRANCO, TEENA I & CHRISTINA | 3285 LONGVIEW DR YORKVILLE IL 60560 |
| 02-17-205-002 | RIOS, KENNETH J & THERESA M HINTERLONG | 3265 LONGVIEW DR YORKVILLE IL 60560 |
| 02-17-205-003 | ZIEMIA LLC, | 3245 LONGVIEW DR YORKVILLE IL 60560 |
| 02-17-205-004 | STROTHMAN, LUKE | 3225 LONGVIEW DR YORKVILLE IL 60560 |
| 02-17-205-005 | ROSENWINKEL, KRISTEN & TAMARA | 3205 LONGVIEW DR YORKVILLE IL 60560 |
| 02-17-205-006 | ZIEMIA LLC, | 3195 LONGVIEW DR YORKVILLE IL 60560 |
| 02-17-205-007 | ZIEMIA LLC, | 3185 LONGVIEW DR YORKVILLE IL 60560 |
| 02-17-205-008 | PEREZ, JOSEPH E & TRINA M | 3175 LONGVIEW DR YORKVILLE IL 60560 |
| 02-17-205-009 | FOSNACHT, PATRICK E & CATHERINE A | 435 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-205-010 | RATANI, KAREEM | 405 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-206-001 | ZIEMIA LLC, | 384 FONTANA DR YORKVILLE IL 60560 |
| 02-17-206-002 | FARWELL, JEFFREY J & PENNY M | 364 FONTANA DR YORKVILLE IL 60560 |
| 02-17-206-003 | ZIEMIA LLC, | 344 FONTANA DR YORKVILLE IL 60560 |
| 02-17-206-004 | ZIEMIA LLC, | 324 FONTANA DR YORKVILLE IL 60560 |
| 02-17-206-005 | TEASE, SHERRY L | 304 FONTANA DR YORKVILLE IL 60560 |
| 02-17-206-006 | BURDEN, ELIZABETH A | 305 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-206-007 | FOREST VIEW MANAGEMENT LLC, | 325 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-206-008 | ROMANS DEVELOPMENT HOLDINGS LLC, | 345 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-206-009 | ZIEMIA LLC, | 365 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-206-010 | ROMANS DEVELOPMENT HOLDINGS LLC, | 385 SHADOW WOOD DR YORKVILLE IL 60560 |
| 02-17-207-002 | ZIEMIA LLC, | 3246 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-003 | ZIEMIA LLC, | 3238 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-004 | ZIEMIA LLC, | 3228 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-005 | ZIEMIA LLC, | 3208 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-006 | ZIEMIA LLC, | 3194 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-007 | ZIEMIA LLC, | 3188 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-008 | ZIEMIA LLC, | 3184 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-009 | ZIEMIA LLC, | 3182 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-010 | ZIEMIA LLC, | 3178 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-011 | ROMANS DEVELOPMENT HOLDINGS LLC, | 3168 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-012 | ZIEMIA LLC, | 3158 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-013 | ZIEMIA LLC, | 3148 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-014 | ZIEMIA LLC, | 3138 BOOMBAH BLVD YORKVILLE IL 60560 |

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| 02-17-207-015 | ZIEMIA LLC, | 3128 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-207-016 | ZIEMIA LLC, | 3108 BOOMBAH BLVD YORKVILLE IL 60560 |
| 02-17-208-001 | ZIEMIA LLC, | |
| 02-17-208-002 | ZIEMIA LLC, | 354 SHADOW WOOD DR YORKVILLE IL 60560 |



| Reviewed By: | |
|-----------------------|-------------------------------------|
| Legal | <input type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Engineer | <input type="checkbox"/> |
| City Administrator | <input checked="" type="checkbox"/> |
| Human Resources | <input type="checkbox"/> |
| Community Development | <input checked="" type="checkbox"/> |
| Police | <input type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Parks and Recreation | <input type="checkbox"/> |

Agenda Item Number

OB #1

Tracking Number

EDC 2015-37

Agenda Item Summary Memo

Title: Commercial and Industrial Incentives

Meeting and Date: EDC/January 5, 2016

Synopsis: Discussion of commercial and industrial incentives to attract and retain businesses.

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: None

Council Action Requested: Informational

Submitted by: Krysti Barksdale-Noble Community Development
Name Department

Agenda Item Notes:

See attached memo and reports.

Have a question or comment about this agenda item?

Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/gov_officials.php



Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: December 29, 2015
Subject: **Commercial and Industrial Incentive Incentives - UPDATE**

Background

As the Economic Development Committee will recall, staff was asked as part of the FY 2015-2016 department goals to research and begin to implement a strategy to incentivize commercial and industrial businesses within the community similar to the BUILD program which has stimulated new single family construction. As part of the discussion, resources toward retention and attraction of existing and new businesses were also requested.

Throughout the region, state and country, all levels of governmental agencies have historically offered economic development incentives to attract business activity, retain employment, encourage investment and spur revitalization in distressed districts. Similarly, Yorkville has established policies and entered into development agreements with businesses to forward the economic health of the commercial and industrial sectors within the community.

Current Yorkville Incentives

In December 2008, the City of Yorkville adopted a revised Economic Incentive Policy (Res. 2008-46) which establishes a framework for determining the appropriateness of incentivizing development by defining if a gap between the project's cost and the project's anticipated revenue exists. From there, the city has primarily used one of the following forms of economic inducement:

Tax Increment Finance (TIF) District – Tax Increment Finance (TIF) Districts at one time had become the most important and widely used economic development tool for many local governments and a significant source of incentives for developers. Yorkville currently has two (2) active TIF Districts, the Downtown TIF and the Kendall Crossing (formerly Countryside) TIF. The Downtown TIF was established in June 2006 and has several redevelopment agreements in place with restaurant/commercial businesses along IL Rte. 47 between Van Emmon Street and Hydraulic Avenue. The Kendall Crossing TIF, formerly known as the Countryside TIF, was approved in February 2005 and currently has a movie cinema complex and several out parcel lots available for sale.

- **Benefit:** A TIF District maintains its existing property tax revenue assessment level for all local taxing bodies throughout the life of the district (usually 23 years) despite any increases in assessment as a result of development. The resulting increase generated by the new development is placed into a TIF fund and is used to offset costs associated with the development. It also provides an opportunity for the municipal leaders and the developer to collaborate on project planning details.
- **Requirements:** TIF Districts must meet certain criteria set forth by State law and must be established by ordinance by the municipality upon completion of an eligibility study. TIF expenditures for development related costs must also meet eligibility criteria.

Sales Tax Rebates – Are approved as an agreement in writing between a local municipality and a business or other entity seeking to develop within the community. As part of the agreement, the local government agrees to pay a sum or percentage of sales tax dollars generated from retail sales back to the developer for the economic investment in the City. These development agreements related to sales tax rebates are the principal document defining the rights and obligations of the parties and will often contain very specific remedies in favor of the governmental entity should the developer default.

- **Benefit:** Based upon a tangible dollar amount and defined revenue expectation which benefits both the developer and municipality. Additionally, these revenue sharing agreements can have a term set on a case-by-case basis and are generally shorter than a TIF District's lifespan.
- **Requirements:** State statute stipulates guidelines under which municipalities can issue agreements to share or rebate retailers' occupation taxes (sales taxes) which include limitations and requirements on agreements for sales taxes that would have been paid to another local government or a retail locations or warehouses that are not the point of sale but delivered to purchasers in other jurisdictions.

The chart below lists the current commercial and industrial (manufacturing) incentive agreements the City has approved in the last ten (10) years according to the Illinois Department of Revenue (IDOR) Rebate Sharing Agreement website portal¹:

| Business Entity | Business Location | Agreement Duration | Agreement Description |
|--------------------------|--|-------------------------|---|
| Boombah, Inc. | 202 Boombah Blvd. | 07/01/2012 – 06/30/2022 | Rebate to Boombah of 50% of the 1% sales tax generated from Boombah. |
| James Ratons | 604, 620, 634, 684 W. Veterans Pkwy. | 02/02/2003 – 01/31/2018 | Rebate developer 50% of any sales tax generated in the development up to \$166,055.00. |
| Menards | 1745, 1800, 1845, 1905, 1925, 1985, 2075 Marketview Drive. 481 Countryside Center. | 01/01/2003 – 02/28/2049 | Eligible costs if \$8,639,334.00 to be reimbursed from 50% of sales tax generated in the development. |
| Tucker Development Corp. | 234, 306, 312, 326, 376 Veterans Parkway. 1206, 1208, 1246 N. Bridge St. 1214 Marquette Place. | 06/21/2002 – 06/20/2020 | Eligible costs of \$2,074,833.00 and accrued interest at 5% are to be reimbursed from 50% of the sales tax generated in the development. |
| Dairy Delight, Inc. | 704 E. Veterans Pkwy. | 09/12/12 – 12/31/2022 | The City shall rebate the developer 50% of the 1% sales tax generated from the development operation for 10 years or up to \$30,000, whichever comes first. |

Surrounding Community Incentives

As part of staff's research, we surveyed several area communities on their incentive strategies for recruiting and retaining commercial/industrial developments (see attached). These incentives ranged from the usual approaches, TIF Districts and Retail Sales Tax Rebates, to such options as bonds, historic districts, loans, grants and tax abatement programs. The availability of some of these options depends on the municipalities "home rule" versus "non home-rule" status as well as financial resources.

¹ <http://tax.illinois.gov/LocalGovernment/RebateSharing.htm>

In addition to this research, the Chicago Metropolitan Agency for Planning (CMAP) prepared an *Examination of Local Economic Development Incentives in Northeastern Illinois* in August 2013². This report provided an analysis of the incentive tools commonly used in Chicago area communities to attract or retain a wide variety of commercial, industrial and residential uses. The CMAP report focused on such topics as the prevalence of the incentives, structure, associated community goals, and types of entities receiving the assistance.

Available Federal/State/County/Local Incentives

In order for the City to discuss options for incentivizing commercial and industrial development within Yorkville, there needs to be an understanding of the available options at a local, county, state and federal level. The chart below provides an overview of the other opportunities for incentives at each governmental level which are not commonly utilized by the City or businesses:

| Government Entity | Incentive | Description |
|--------------------------|--|---|
| Local | Property Tax Abatement | Property tax abatement (decrease) of its portion of the tax bill for specific properties. |
| Local | Industrial Revenue Bonds | Tax exempt bonds to manufacturing companies to finance the acquisition of fixed assets including land, buildings, equipment, and also new construction and renovations. |
| Local | Grants/Loans | Financial Assistance by the City to small businesses and manufacturing uses in various amounts to assist with operational needs such as building renovation/expansion, equipment purchase or modernization. |
| County | Kendall County | Revolving Loan Fund Program – low interest loan program up to \$15,000 per job created or retained. The total amount loaned can be up to 49% of a project cost. |
| County | Kendall County | Private Activity Bonds- Through the Upper Illinois River Valley Development Authority (UIRVDA) - tax-exempt bonds to projects of \$1 million or more that have an emphasis on manufacturing. |
| County | Kendall County | Tax abatement to a business for an expansion, improvement or new construction- term of three years, 75% abated in year one, 50% abated in year two, and 25% abated in year three. |
| State | Enterprise/Empowerment Zones | <p>Tax incentives to expand businesses whose projects affect distressed areas.</p> <p>Typically an area that suffers from high unemployment, low incomes, declining populations or property values and plant closings.</p> <p>Incentives range from tax credits per job created to property tax exemptions.</p> |
| Federal | Federal Environmental Protection Agency's Brownfield's Program | Incentives involving the expansion, redevelopment or reuse of brownfield property. |

² <http://www.cmap.illinois.gov/documents/10180/82875/FY14-0009+LOCAL+ECONOMIC+INCENTIVES+REPORT.pdf/51b8f555-4579-42df-8667-87587fcc14f1>

UPDATE

Since our last discussion of this item in October 2015, staff has looked at various ways a comprehensive incentive program could work for all commercial and industrial projects that would attract or retain businesses in Yorkville. This included reviewing the current incentives Yorkville has offered (i.e. Tax Increment Finance Districts and Sales Tax Rebates), those offered by Federal/State and County government (Grants, Loans and Tax Abatements) as well as an employee generated tax rebate program for new or expanded industrial businesses as suggested by Alderman Colosimo. However, we have come to the conclusion that from an economic development perspective any strategy to entice or hold on to commercial or industrial developments would be best served on a case-by-case and site specific basis. Especially, in consideration of the Comprehensive Plan Update will identify specific properties within the City's 1.5 mile planning area suitable for commercial and industrial land uses, as well potential implementation strategies.

Case by Case

Incentives on a case-by-case scenario allow the City to properly weigh the benefit of the proposed development project to the incentive offered. While Tax Increment Finance (TIF) Redevelopment Agreements and Sales Tax Rebates may be presented as comprehensive incentive programs, they are effective in providing customized inducements based upon the individual users increased real estate tax assessment or sales tax dollars generated, respectively. These inducements can differ in the term (length of time), set a fixed rate or capped rebate amount (percentage or dollar amount), and establish specific development provisions. This could also include a program of real estate tax abatement of the City's portion of the property tax bill as suggested by Alderman Colosimo if an independent fiscal impact analysis study determines the long term benefit is advantageous to the City and the business. Furthermore, no upfront City funds are expended with any of the aforementioned approaches.

Site Specific

Some projects may be capital-intensive infrastructure projects which would benefit from a site specific approach. The capital improvements would require an assessment of infrastructure needs/deficiencies around the site, such as water/sewer main capacity; identification of functional issues including street alignments and/or intersection improvements; strategies to meet on-site/off-site parking needs and drainage improvements which may also enhance the value of adjacent properties. This approach may include TIF and Sales tax Rebate inducements, but may require upfront capital assistance by the City or coordination with other governmental agency to make the expansion or development feasible.

STAFF COMMENTS

Staff recommends at the conclusion of the Comprehensive Plan Update which will identify particular properties suitable for commercial and industrial development an economic development plan for each parcel be prepared. This strategic approach will address site specific capital improvement needs as well as identify which incentives would be more advantageous on a case-by-case basis for expanding or creating opportunities for new development. This site data can then be used to assist the Economic Development Consultant with marketing properties to potential developers and other interested parties. Staff will be available at Tuesday night's meeting for additional discussion of this agenda item.

| Municipality | Type of Incentive | Details | Links to Documents |
|--------------|--|---|---|
| Aurora | <ol style="list-style-type: none"> 1. Redevelopment Zone 2. Bonds 3. Historic District 4. TIF Districts <p>Seize the Future- funded by the City.</p> <ol style="list-style-type: none"> 5. Grant Program 6. Rent Subsidy | <ol style="list-style-type: none"> 1. River Edge Redevelopment Zone- sales tax exemption on building materials physically incorporated into the building, additional funding through the Illinois Municipal Brownfield Redevelopment Grant program, and state tax credits such as an investment tax credit, job creation tax credit, and an environmental remediation tax credit. 2. Industrial Revenue Bond- tax exempt bonds to manufacturing companies to finance the acquisition of fixed assets including land, buildings, equipment, and also new construction and renovation 3. Stolp Island Historic District- allows property owners to qualify for the historic preservation tax credit program providing that the building is income producing and adheres to the Secretary of the Interior's Standards for Rehabilitation 4. The City has 7 active TIF districts 5. Finish Line Downtown Grant Program- From Seize the Future Foundation (Aurora's version of YEDC)- assists owners in TIF districts 1 and a part of 3 for 20% to 50% of rehabilitation costs not to exceed a \$75,000 grant. 6. Business Rent Subsidy Program- From Aurora downtown association- A rent subsidy program worth up to \$6,000 to locate in downtown Aurora. | <p>http://www.investinaurora.org/wp-content/uploads/2014/02/Incentives.pdf</p> <ol style="list-style-type: none"> 1. Same 1-4 2. Same 1-4 3. Same 1-4 4. Same 1-4 5. http://www.investinaurora.org/wp-content/uploads/2015/07/Finish-Line-Grant-New-Application.pdf 6. http://www.auroradowntown.org/rent-subsidy-program/ |
| Joliet | <ol style="list-style-type: none"> 1. TIF Districts <p>Others from City associated organizations</p> | <ol style="list-style-type: none"> 1. City Center TIF District 2. Façade Rehabilitation and Small Business Incentive Program- From Joliet City Center Partnership <ul style="list-style-type: none"> • Store Front Restoration Grant- 1/3 the | <ol style="list-style-type: none"> 1. http://www.cityofjoliet.info/index.aspx?page=10 2. http://jolietdowntown.com/wp-content/uploads/Facade-Rehabilitation-and-Business-Incentive-Program.pdf |

| | | | |
|----------------|--|---|---|
| | 2. Grant Program | <p>project cost up to \$10,000</p> <ul style="list-style-type: none"> • Interior Restoration Grant- 1/3 the project cost up to \$10,000 • “Quick Fix” Grant Program- up to 50% of approved project costs with a maximum grant of \$1,500 | |
| Kendall County | <ol style="list-style-type: none"> 1. Loan Program 2. Private Activity Bonds 3. Tax Abatement Program | <ol style="list-style-type: none"> 1. Kendall County Revolving Loan Fund Program- low interest loan program, up to \$15,000 per job created or retained. The total amount loaned can be up to 49% of a project cost. 2. Private Activity Bonds- Through the Upper Illinois River Valley Development Authority (UIRVDA)- tax-exempt bonds to projects of \$1 million or more that have an emphasis on manufacturing. 3. Tax abatement to a business for an expansion, improvement or new construction- term of three years, 75% abated in year one, 50% abated in year two, and 25% abated in year three. | http://www.co.kendall.il.us/economic-development/business-assistance/ |
| Montgomery | 1. Loan Program | Revolving Loan Program- financial assistance to new or expanding businesses | https://ci.montgomery.il.us/DocumentCenter/View/740 |
| Naperville | 1. Grant Program | Ogden Avenue Site Improvement Grant Program- offers “owners along Ogden Avenue (between Rickert Drive and Naper Boulevard) an opportunity to apply for reimbursement matching grants to help pay for signage, landscaping, building facade and access improvements” | http://www.naperville.il.us/emplibrary/FY%202016%20Ogden%20SIG%20Application.pdf |

| | | | |
|-------------|---|---|---|
| Oswego | <ol style="list-style-type: none"> 1. Loan Program 2. Grant Program | <ol style="list-style-type: none"> 1. Revolving Loan Program- Provides low interest loans to small business owners for start-up or expansion costs 2. Downtown Façade Improvement Program- offers owners up to \$10,000 in matching grants per façade to improve exterior in downtown business district | http://www.oswegoil.org/economic-pdf/Business%20Incentives%20-%20web%20posting.pdf |
| Plainfield | <ol style="list-style-type: none"> 1. Case by case basis | <p>Considered by the Village board on a case by case basis</p> <p>Incentives include but not limited to:</p> <p>Sales Tax Sharing</p> <p>Property Tax Abatements</p> <p>Capital Investment- for public assets- roads, water, sewer, etc. to support business.</p> | <p>Page 15 of the document</p> <p>http://www.plainfield-il.org/pages/documents/BusinessPlanII_001.pdf</p> |
| Plano | <ol style="list-style-type: none"> 1. Tax Rebate Program | <ol style="list-style-type: none"> 1. Retail Sales Tax Rebate | <ol style="list-style-type: none"> 1. http://il-plano.civicplus.com/DocumentCenter/View/129 |
| Sugar Grove | <ol style="list-style-type: none"> 1. TIF Districts | <ol style="list-style-type: none"> 1. 2 districts for business park development <p>Usually on a case by case basis- has provided at least one sales tax rebate in the past</p> | No documents |

STATE OF ILLINOIS)
) ss.
COUNTY OF KENDALL)

Resolution No. 2008- 46

RESOLUTION APPROVING A REVISED ECONOMIC INCENTIVE POLICY

WHEREAS, the City Council of the United City of Yorkville has considered and discussed the importance of updating the United City of Yorkville's Economic Incentive Policy; and,

WHEREAS, the City Council has determined that it desires to update the Economic Incentive Policy; and,

WHEREAS, after a thorough discussion of proposed revisions to the Economic Incentive Policy previously adopted by the City Council, it has been determined to be in the best interests of the United City of Yorkville to repeal the previous Economic Incentive Policy and adopt a new policy in the form attached hereto in *Exhibit A*.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, that the Economic Incentive Policy in the form set forth on *Exhibit A* attached hereto and incorporated herein is hereby adopted as the Economic Incentive Policy of the City and the Economic Incentive Policy heretofor adopted by the City Council is hereby repealed in its entirety.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this
9th day of December, A.D. 2008.

ROBYN SUTCLIFF



ARDEN JOE PLOCHER



GARY GOLINSKI



ROSE SPEARS



JOSEPH BESCO



WALLY WERDERICH



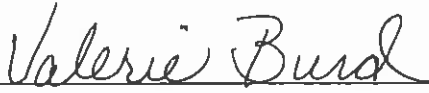
MARTY MUNNS



BOB ALLEN

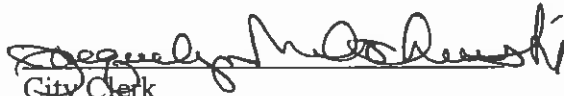


APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois,
this 9 day of DECEMBER, A.D. 2008.



Mayor

Attest:



City Clerk

ECONOMIC INCENTIVE POLICY

Policy Purpose

The purpose of this policy is to provide the City Council a framework for determining the appropriate economic incentives to offer developers or businesses locating or expanding within the City. Each development project is different; therefore, incentives appropriate to one project may be very different than incentives appropriate to another. Economic incentive agreements will be evaluated on an individual basis based upon the merits of the specific project and with consideration to the value that project has on the economy of the City. The City's role in subsidizing the cost of new development or redevelopment should be in recognition that the project would not move forward without the financial assistance of the City and the amount should be in proportion to the quality of new full-time jobs created and the new tax dollars generated.

General Incentive Parameters

1. Project must be able to show that it generates new sales tax dollars or creates new professional, skilled or semi-skilled full-time jobs.
2. Incentive must be based on a defined gap between project costs and anticipated revenues.
3. Specific project milestones must be tied to incentives (i.e. Square feet constructed, key retailers operating, incremental new tax dollars generated, type of jobs created)
4. Duration for payback, both in terms of amount of time and money, must be in the agreement

Evaluation Criteria

The City shall consider all aspects of a proposed project including:

- 1) financial feasibility
- 2) type of project being proposed (mixed-use, lifestyle center, traditional retail, manufacturing, office)
- 3) businesses which would enhance and diversify the City's tax base (department store, electronics specialty, furniture, auto dealer)
- 4) location within the community
- 5) amount of estimated new tax revenues to be generated
- 6) amount of quality full-time jobs created
- 7) benefits generated to city beyond project site
- 8) review of project costs, private sector financing, public improvement costs and any gaps between available funding and total project costs
- 9) incentive should be contingent upon construction of the proposed project and the attainment of new sales taxes generated.

CMAP



Examination of Local Economic Development Incentives in Northeastern Illinois

August 2013

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Executive Summary

Local incentives play a major role within the overall economic development landscape of northeastern Illinois. In recent years, more than 70 percent of the region's 284 municipalities have used at least one of four local economic development incentive tools: tax increment financing (TIF), sales tax rebates, property tax abatements, and Cook County property tax incentive classes. These incentives have been used to attract or retain a wide variety of commercial, industrial, and residential uses including retail, auto dealerships, corporate offices, manufacturing, warehousing, mixed-use, and affordable housing developments.

CMAP has examined the use of these incentive tools, focusing on their prevalence, structure, associated community goals, types of firms receiving assistance, and the extent to which their use supports the goals of GO TO 2040, the regional comprehensive plan. The following summarizes key findings from this report.

State tax policy drives the prevalence of local economic development incentives

The vast majority of the region's municipalities, 202 out of 284, have deployed at least one of the four primary incentive tools in recent years. State statute establishes the criteria and policies that allow local governments to use tax revenue to incentivize development. These include the criteria governing specific local incentives and the state tax policies that govern state sales tax revenue sharing and differential property assessment levels in Cook County.

For example, while establishment of a TIF district requires satisfying state-imposed blight and conservation area criteria, these districts persist throughout northeastern Illinois. A total of 157 municipalities currently have at least one district, and TIF accounts for more than 10 percent of the total property tax base in 24 municipalities. Overall, TIF expenditures totaled \$2.6 billion between 2000 and 2010.

Sales tax rebates also remain common throughout the region. Since 1996, at least 137 communities have used this tool to attract or retain sales tax-generating developments like shopping centers, auto dealerships, supercenter/discount stores, and home improvement stores. The use of sales tax rebates will remain extremely common as long as the state tax system provides communities with a fiscal incentive to encourage the development of retail and other establishments that generate sales tax revenue. While this system allows municipalities to recoup the costs of supporting a retail development, sales tax revenues often exceed the costs of serving these developments. These fiscal benefits create intraregional competition among communities for sales tax-generating developments.

The widespread use of Cook County incentive classes reflects the unique nature of Cook County's property tax assessment classification system, a policy permitted under the state constitution. In 2011, 5.8 percent of estimated commercial or industrial market value across Cook County was designated with an incentive class. The prevalence suggests that the existing classification system, which shifts the property tax burden toward commercial and industrial properties, impedes economic development in many communities in Cook County.



Incentives often influence site selection for businesses making an intraregional move or for a national firm expanding its market

Local economic development incentives typically encourage development in a particular location rather than attract a business to the region as a whole. Incentives affect the site selection process by reducing the cost of initial site improvements or local taxes over the long term. This only influences where a development occurs in the region rather than whether it occurs at all. CMAP's case studies indicate that the vast majority of local incentive deals involve intraregional moves, the expansion of an existing business, or national firms expanding their market. Only rarely did local incentives lure a firm from another state or assist a new business. This aligns with the findings of various academic studies showing that tax differences are more effective at influencing site selection within, rather than across, metropolitan regions.

Local communities often provide incentives without knowledge of whether the development would have occurred anyway. Businesses are typically in an advantageous position to negotiate incentives with local governments—they may have several sites to choose from and may receive incentive offers from multiple communities in the region. This situation puts communities in the difficult position of competing against each other for economic development opportunities, many of which involve businesses or developers that intend to select a site in northeastern Illinois and are choosing from several specific sites in the region.

Communities often provide incentives to maximize tax revenue, but these investments may generate few spillover benefits to the larger regional economy

Based on available data, CMAP finds that many communities target incentives based upon future tax revenues rather than overall economic impact. For example, local governments have spent or committed significant amounts of sales tax rebates to firms that generate considerable sales tax revenue but are associated with low jobs multipliers and low wages. In examining 137 sales tax rebates, CMAP found rebates averaging \$2.5 million for home improvement stores and \$3.8 million for discount stores, despite the fact that one retail job supports just an estimated 0.3 to 0.9 other jobs in the regional economy and provides relatively low wages (an average of \$21,903 per year).

On the other hand, some local governments do use incentive tools to attract firms that employ workers in high skilled jobs. Office or manufacturing developments typically provide lower local tax revenues but higher regional economic benefits. For instance, one manufacturing job supports between 1.7 and 4 jobs in other sectors and provides higher average wages (\$41,373). The economic benefits of these developments are more likely to spill over into other industries and to support employment in a range of sectors including business services, retail, and human services.

The use of local economic development incentives varies in terms of aligning with the land use goals of GO TO 2040

GO TO 2040 prioritizes local government efforts to improve livability and encourages a future pattern of more compact, mixed-use development that focuses growth where infrastructure already exists. Communities often utilize local economic development incentives for goals that



align with GO TO 2040, such as redeveloping an underutilized site, developing affordable housing, or meeting other reinvestment strategies. Specifically, redevelopment can require the consolidation of many small parcels under separate ownership, remediation of environmental contamination, rehabilitation of existing structures, or an upgrade of public infrastructure. In these cases, incentives can bridge the gap between market prices and high redevelopment costs, meeting both public goals and private investment needs.

On the other hand, communities also use local incentives to compete for new developments on undeveloped land, which typically does not entail extraordinary development costs. While GO TO 2040 acknowledges that some greenfield development will occur, the plan does not prioritize the associated expenditure of limited public resources toward these ends.

Proactive and collaborative planning does not always play a role in the use of local incentives

While a significant majority of the region's local comprehensive plans include a heavy or moderate focus on economic development, comparatively few of these plans discuss specific incentives. While the general goals of incentive agreements and comprehensive plans often coincide, it is unclear if incentives are being utilized to implement specific recommendations of a plan or if their use is more reactive. In general, aligning incentives with community plans builds on the analysis and public input that went into the plan, and ensures that public dollars follow long-term desired outcomes and land use patterns.

Including clawback provisions in incentive agreements can also help protect community's investments in development. Some local governments include a number of requirements in incentive agreements, such as requiring the business or firm to stay in the community for a certain number of years, hire community residents, generate a specific level of tax revenue, or maintain or modernize infrastructure.

Employing incentives to compete with other communities over development runs contrary to the type of collaborative planning efforts envisioned in GO TO 2040. These collaborative efforts can help communities to gain efficiencies, share information, and strategically invest scarce public funds. GO TO 2040 encourages the formation of inter-jurisdictional planning groups to develop cooperative approaches to community challenges like economic development. Moving forward, fostering a collaborative environment to facilitate economic development would better utilize public resources and would benefit the region as a whole.



Introduction

GO TO 2040, the comprehensive regional plan for metropolitan Chicago, emphasizes the importance of an efficient, equitable, and transparent state and local tax system to keep our region economically competitive. Our current tax policies have an impact beyond the public revenue they raise and can create incentives that shape the commercial and residential development of our communities. Such decisions can be motivated by the imperative of raising local revenues rather than by the goal of building a stronger regional economy and livable communities. GO TO 2040 recommends moving toward a tax system that encourages effective local land use decisions, generates good jobs, and triggers sustainable economic activity.

Shortly after the approval of GO TO 2040 in October 2010, CMAP assembled a Regional Tax Policy Task Force, an advisory group consisting of representatives from local and state government, business, civic organizations, and academia. Throughout 2011, this group deliberated on a range of state and local tax policies affecting the economic competitiveness of northeastern Illinois. One issue of interest to the Task Force was the use of local tax incentives, specifically sales tax rebates, to spur the development of large, sales tax-generating establishments. In its final report, the Task Force recommended that CMAP analyze the impact of sales tax rebates on development decisions. In its discussion of this report, the CMAP Board directed staff to conduct a detailed study on the prevalence of these rebates as well as other local incentives, and also analyze the impact on local and regional economic development.

While many local investments in schools, infrastructure, public safety, and other public services help to drive economic development, this report takes a narrower view, defining “economic development incentives” as discretionary, direct financial outlays or tax relief tools to assist specific businesses or developers. Once employed, local economic development incentives may change the tax burden on specific private firms, shift the relative tax burden among different sets of taxpayers, or alter the tax base of local jurisdictions. In northeastern Illinois, four economic development incentive tools are frequently utilized by local governments. The most prominent of these tools include 1) Tax Increment Financing (TIF) districts, 2) sales tax rebates; 3) property tax abatements; and 4) Cook County property tax incentive classes.

These incentives are often used by communities to attract development when site or market conditions might otherwise compel a developer or business to choose another location. For example, when a community is less competitive in terms of infrastructure, workforce, or its tax system, it may use incentives to offset these factors and make the community more attractive for development. For a community that is already competitive on these basic market considerations, incentives are offered to attract a business that might be considering other, similar, locations.

This report explores the use of local economic development incentives in northeastern Illinois, and focuses on their prevalence, structure, goals from the community perspective, types of firms receiving assistance, and the extent to which they support the overall economic, livability,



and sustainability goals of GO TO 2040. This report focuses most specifically on observations from a series of development case studies, all of which are summarized in the Appendix.

Background and context

While these locally-based economic development incentives are administered by local governments, all have some basis in state law, which sets the relevant policies, limitations, and criteria. This section provides an overview of this information for the four incentives studied in this report: TIF; sales tax rebates; property tax abatements; and Cook County property tax incentive classes.

Tax Increment Financing districts

Tax Increment Financing districts are created to fund economic development projects in blighted areas where development would not otherwise occur or in conservation areas that may become blighted. Property tax rates applied to increases in property value that occur after the district is established, or the “tax increment,” are used to fund TIF district projects. TIF was first enacted in Illinois in 1977.¹ Since then, the statute has undergone several revisions, including one in the 1980s that allowed TIFs created prior to 1987 to receive state and local sales tax increment, and a 1999 amendment that narrowed the criteria for determining blighted or conservation redevelopment areas and projects.

Criteria

The current version of the Tax Increment Allocation Redevelopment Act² allows municipalities to designate TIF districts that meet criteria as a blighted area or a conservation area. Improved areas must meet at least five criteria to be considered blighted. For conservation areas, at least half of structures in improved areas must be at least 35 years old and the area must meet at least three of the criteria. Criteria include 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, deleterious land use or layout, lack of community planning, need for environmental remediation, and decline in property values.

Vacant areas can qualify as blighted by meeting two of the following criteria: obsolete platting, diversity of ownership of parcels, tax delinquencies, deterioration of structures in neighboring areas, need for environmental remediation, and decline in property values. Alternatively, vacant land can qualify if it qualified as a blighted improved area before becoming vacant, is subject to chronic flooding, or has an unused quarry, mine, rail yard, rail track, railroad right-of-way, or disposal site.

¹ Real Property Tax Increment Allocation Redevelopment Act, Illinois Public Act 79-1525

² 65 ILCS 5/11-74.4

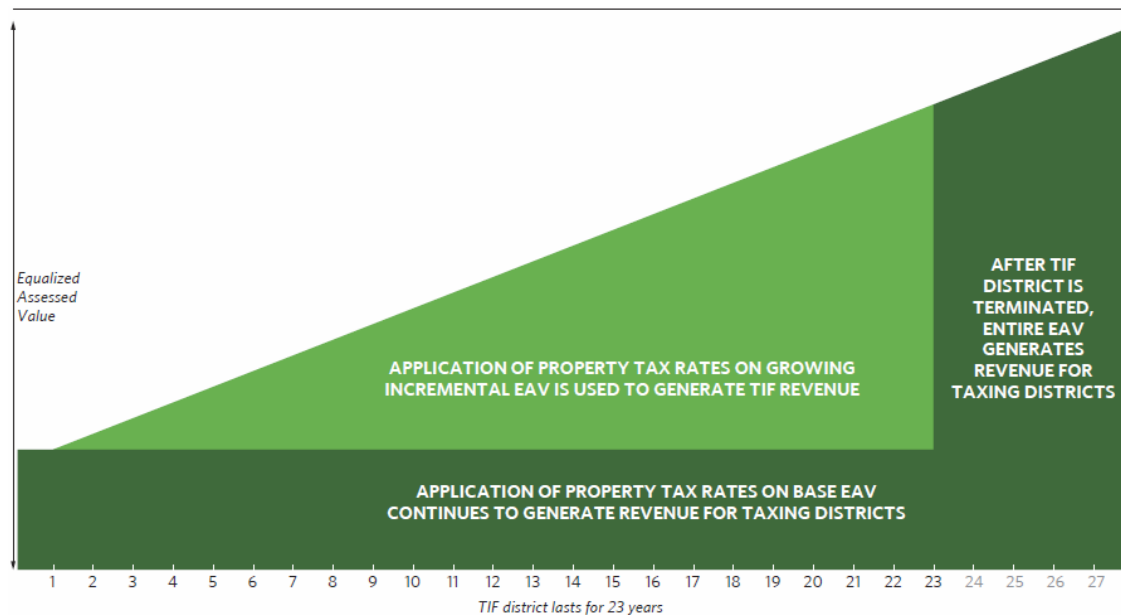


Areas that do not meet blight or conservation criteria can be eligible for TIF designation if they are within a closed military base,³ within a half-mile radius of a proposed STAR Line station, or are industrial parks in an area with a labor surplus.⁴

Revenues

TIF district revenues are generated from application of the current property tax rate to the incremental Equalized Assessed Value (EAV), which is the difference between the current EAV within the district, and the EAV at the time of establishment (the base EAV). Tax rates for all taxing entities (counties, municipalities, school districts, and special districts) located in the TIF district are computed using only the base EAV, which remains the sole “tax base” for these entities over the life of the TIF.⁵ Revenue generated by taxes on the incremental EAV flows to the TIF district, which is controlled by the municipality. The following chart illustrates how TIF district revenue is generated.

Figure 1: Tax Increment Financing districts



Source: Chicago Metropolitan Agency for Planning analysis.

This illustration represents the general concept of how a TIF district works. Property tax rates are determined by dividing the property tax levy (requested revenues) by the EAV (property tax base) within the taxing district. Typically, levies increase over time due to inflation and the cost of providing services to more residents and businesses, but this often occurs in tandem

³ Economic Development Project Area Tax Increment Allocation Act of 1995, 65 ILCS 110

⁴ Under the Tax Increment Allocation Redevelopment Act, a labor surplus municipality has, at some point during the preceding six months, an unemployment rate that is more than 6 percent and at least twice the national average unemployment rate. Under the Industrial Jobs Recovery Law, 65 ILCS 5/11-74.6, the area can qualify under different labor surplus standards if it meets other criteria outlined in the statute.

⁵ If the current EAV is lower than the base EAV, the current EAV is used.



with a rising tax base, keeping rates level.⁶ Since TIF essentially freezes the tax base for underlying jurisdictions, property tax rates become directly affected if levies increase or decrease. While this constrains the ability of underlying taxing districts to some degree, theoretically this higher incremental tax base would not materialize but for the TIF district. This specific question has sparked much debate in northeastern Illinois and many other places around the U.S. For example, in some TIF districts in northeastern Illinois, municipalities have brokered agreements to provide underlying taxing entities with a proportion of the incremental revenue. In addition, there have been unsuccessful legislative efforts in Illinois to require TIFs to provide a portion of their revenue to underlying taxing districts such as school districts.⁷

Expenditures and projects

Any municipality can adopt a TIF district. Municipalities must identify the redevelopment project area using the criteria discussed above and approve a redevelopment plan. In the redevelopment plan, municipalities must find that development in the TIF would not reasonably be expected to occur without the presence of the TIF. Redevelopment projects undertaken in the TIF district must further the objectives of the redevelopment plan to eliminate the conditions under which the area qualified as a blighted or conservation area.

Redevelopment project costs can include planning, marketing, property assembly, land acquisition, site preparation and improvements, demolition, rehabilitation, reconstruction, repair or remodeling of public or private buildings, replacing public buildings, infrastructure improvements, job training, financing costs, and other taxing districts' costs attributable to the redevelopment.

The statute also indicates several non-eligible costs including construction of a new privately-owned building, and financial support to a retail entity moving to the TIF district while closing an operation at another location within 10 miles of the TIF district, unless the previous location contained inadequate space, had become economically obsolete, or was no longer a viable location for the business. Redevelopment projects, as well as financial obligations issued to finance projects, must be complete within 23 years from when the TIF district was approved. If no projects have been initiated within a TIF district within seven years after the district was approved, the TIF district must be repealed.

Sales tax rebates

In Illinois, sales of most tangible goods are subject to the Retailers' Occupation Tax or the Service Occupation Tax, which are commonly known as the "sales tax." Sales taxes in Illinois are imposed based on where the order originated, unlike most states, which impose sales taxes based on where the goods were delivered. In a typical retail store, this distinction is not relevant, because the goods are ordered by the purchaser and delivered to the purchaser in the

⁶ The Property Tax Extension Limitation Law requires that non-home rule taxing districts in PTELL counties limit the annual increase in property tax extensions to the lesser of five percent or the increase in the Consumer Price Index for all urban consumers. See 35 ILCS 200/18-185 through 35 ILCS 200/18-245

⁷ For example, see House Bill 1575, 97th General Assembly



same transaction at the same location. In situations where the goods might be delivered to the purchaser's home or office, this distinction is relevant, because the sales tax rate will be based on where the order for the purchase was accepted, which could be a retail store, a warehouse, or an office.

The Illinois state sales tax rate is 6.25 percent for general merchandise and 1 percent for sales of qualifying food, drugs, and medical appliances. A portion of the revenue is disbursed to local governments based on where the sale took place or where the final acceptance of the order occurred. Municipalities (and counties for sales in unincorporated areas) receive 1 percentage point of the 6.25 percent rate on general merchandise sales within their borders. They also receive the full amount of the revenues from the 1 percent state rate on qualifying items. Counties receive a quarter of a percentage point of the state rate on general merchandise sales within their borders. The exception is the Cook County share, which is allocated to the Regional Transportation Authority (RTA). In addition to receiving state sales tax revenues, counties, municipalities, and other units of government like the RTA can impose local option sales taxes under certain circumstances.

Sales tax rebates are agreements that municipalities and counties make with businesses to rebate a portion of the sales taxes generated from the business back to the business or the developer of the improvements on the property. This typically includes the local share of the state sales tax, and occasionally the local option sales tax. Some rebates are simply a percent of sales tax revenue generated by the company and have no time limits, minimums, or maximums. Other agreements include provisions that define the number of years the agreement is in effect, the maximum amount of revenue that can be rebated back to the business, or a minimum amount of sales that must be reached before revenues are rebated. These agreements are made with a variety of sales-tax generating establishments, including retail stores, auto dealerships, and offices and warehouses where sales are sourced.

State statute provides guidelines under which municipalities and counties can issue agreements to share or rebate sales taxes.⁸ Specifically, the Illinois Municipal Code⁹ and the Counties Code¹⁰ include some limitations and requirements regarding these agreements. Under state statute, agreements are not allowed if the sales tax would have been paid to another local government absent the agreement and the retailer has a retail location or warehouse where goods are delivered to purchasers in that other jurisdiction.

The statutes authorize any unit of government denied sales tax revenue because of an unlawful agreement to file suit in circuit court against the offending municipality or county. Recently, several local governments, including the RTA and Cook County, have filed court actions against Sycamore, Kankakee, and Channahon, as well as the companies involved in the

⁸ The retailers' occupation tax is a legal term in Illinois for what is commonly known as a 'sales tax.'

⁹ 65 ILCS 5/8-11-21.

¹⁰ 55 ILCS 5/5-1014.3.



agreements.¹¹ The lawsuits allege that the municipalities have entered into sales tax rebate agreements to induce companies operating within the jurisdictions of the Plaintiffs (the 6-county RTA service area and Cook County) to claim that their sales are sourced through offices in Sycamore, Kankakee, and Channahon.

Spurred in part by the lawsuit by the RTA and several other taxing bodies, newly enacted legislation requires municipalities and counties to report data on sales tax rebates to the Illinois Department of Revenue. On August 17, 2012, Governor Quinn signed Public Act 97-0976, requiring municipalities and counties to file reports concerning sales tax rebate agreements with the Illinois Department of Revenue (IDOR). The new statute requires municipalities and counties to file reports regarding existing agreements by April 1, 2013, and thereafter within 30 days after a new agreement is executed. The reports include:

- The name of the business and county or municipality entering into the agreement
- The location of the business
- Whether the business maintains additional places of business in Illinois
- How the amount of sales tax to be rebated is to be determined
- The duration of the agreement
- The names of any businesses that would receive a share of the rebate
- A copy of the agreement

The bill does not implement complete transparency, however. Sales figures, the amount of sales tax collected, and the amount of sales tax rebated will be redacted and would be exempt from the Freedom of Information Act. IDOR was required to post the first reports (excluding the copy of the agreement) to its website by July 2013, and will update this website monthly with new reports.

Property tax abatements

Any district that extends a property tax can abate (or decrease) any portion of its taxes for certain properties. Approximately 1,200 districts in northeastern Illinois imposed a property tax in 2010, generating \$20.1 billion in property tax revenue.¹² Implementation of abatements requires municipalities and counties to solicit the participation of underlying districts, such as school districts and townships, if they wish to abate a substantial portion of the property taxes. The following table summarizes the abatements that taxing districts are authorized to offer to property taxpayers.

¹¹ The Regional Transportation Authority v. The City of Kankakee, The Village of Channahon, Minority Development Company, LLC, MTS Consulting, LLC, Inspiring Development LLC, Corporate Funding Solutions, LLC, and XYZ Sales, Inc., Circuit Court of Cook County, Illinois, Chancery Division (complaint filed August 23, 2011). The Regional Transportation Authority v. United Aviation Fuels Corporation, United Airlines, Inc., and The City of Sycamore, Circuit Court of Cook County, Illinois, Chancery Division (complaint filed January 14, 2013).

¹² CMAP analysis of Illinois Department of Revenue data



Table 1. Commercial and industrial property tax abatements authorized by state statute

| ELIGIBILITY | MAXIMUM AGGREGATE ABATEMENT PER PROPERTY | MAXIMUM ABATEMENT PERIOD |
|--|--|--------------------------|
| Any commercial or industrial firm's property | \$4 million | 10 years |
| New electric generating facility. If it closes before the end of the abatement term, taxing districts must be repaid. Authority to grant these expired on January 1, 2010. | Varies depending on the property's value | 10 years |
| Commercial or industrial development of at least 500 acres | \$12 million | 20 years |
| Commercial or industrial firm that expands its facility or increases number of employees. Abatement period may be renewed. | \$4 million | 10 years |
| Corporate headquarters relocating from out of state as defined in the Corporate Headquarters Relocation Act. Instead of an abatement, property taxes are rebated to the firm. Only applies to school districts if the municipality reimburses the school district. Authority to grant these expired on August 1, 2006. | None | 20 years |
| Property located in a business corridor created by an intergovernmental agreement between two adjoining disadvantaged municipalities | None | 10 years |
| Business that locates on facility that was vacant for at least two years | \$4 million | 2 years |

Source: 35 ILCS 200/18-165, 35 ILCS 200/18-184.5, 35 ILCS 200/18-184.10.

In addition, abatements can be granted under some other circumstances, including:¹³

- Properties used for racing horses or motor vehicles
- Academic or research institutes
- Affordable senior housing
- Historical societies
- Properties in Enterprise Zones
- Low-income housing
- Properties owned by the surviving spouse of a fallen police officer, soldier, or rescue worker
- New single-family residential buildings located in an “area of urban decay” (only home-rule municipalities are authorized to abate)
- Properties that are the subject of an annexation agreement between the municipality and the property owner (only municipalities are authorized to abate)
- Previously vacant properties

Property tax abatements lower a property owner's tax bill. However, property tax abatements do not necessarily result in a reduction in revenue for taxing districts. An increased property tax levy could potentially make up for any loss from abatements. This would also result in higher tax rates and a shift in the burden of the abatement toward other taxpayers in the district. However, if property tax revenue would not have been generated from the property if not for the abatement provided, a property tax abatement would be neutral to other taxpayers in the district.

¹³ 35 ILCS 200/18



Property tax incentive classes

Cook County assesses commercial and industrial property at a higher percentage of market value than residential property. This typically results in a higher property tax burden for business taxpayers, although the magnitude of the impact varies from place to place. This classification system does not exist in the collar counties, where business and residential taxpayers with similar market values share similar tax burdens.

State statute requires that properties be assessed at 33 ⅓ percent of their market value,¹⁴ except in counties allowed to apply property classification. The Illinois State Constitution of 1970 authorized counties with more than 200,000 residents to apply different assessment ratios depending on the type of property, as long as the highest class does not exceed 2.5 times the level of assessment of the lowest class.¹⁵ Counties that would like to apply property classification must enact an ordinance.¹⁶ These provisions allowed Cook County to enact an ordinance to classify property for assessment purposes, a practice it had been employing for many years prior to its legal authorization. Currently, Cook County is the only county in the State that has enacted an ordinance providing for property assessment classification.

In Cook County, vacant, farmland, and residential properties are assessed at 10 percent of market value. Commercial, industrial, and not-for-profit properties are assessed at 25 percent of market value. The result is that commercial and industrial taxpayers incur higher effective tax rates than residential property within the same taxing district. In addition to these general residential, commercial, and industrial categories, the classification includes various incentive classes that reduce the level of assessment on certain properties for a period of years. Commercial and industrial properties that are awarded an incentive class are assessed at the same percentage of market value as residential property for a ten-year period, which is renewable for certain classes. Table 2 provides an overview of the classes and assessment levels in Cook County.

¹⁴ 35 ILCS 200/9-145

¹⁵ Illinois Constitution, article IX, § 4

¹⁶ 35 ILCS 200/9-150



Table 2. Cook County assessment classes

| CLASS | DESCRIPTION | ASSESSMENT RATIO |
|-------|--|------------------|
| 1 | Vacant | 10% |
| 2 | Farmland, single-family residence, multi-family residential with 6 units or fewer, mixed-use commercial and residential building with 6 units or fewer and smaller than 20,000 square feet | 10% |
| 3 | All other multi-family property | 10% |
| 4 | Not-for-profit | 25% |
| 5a | Commercial | 25% |
| 5b | Industrial | 25% |
| 6b | Industrial development incentive | 10%* |
| C | Industrial or commercial incentive for brownfield redevelopment (not renewable for commercial) | 10%* |
| 7a/7b | Commercial development incentive (not renewable) | 10%* |
| 8 | Commercial or industrial incentive for development in areas in need of revitalization | 10%* |
| 9 | Multi-family housing incentive for new or redeveloped buildings with 35% of units leased at rents affordable to low- or moderate-income persons | 10% |
| S | Multi-family incentive for Section 8 contract | 10% |
| L | Landmark incentive (not renewable for commercial) | 10%* |

*Unless class is renewed after the initial 10-year period, year 11 is assessed at 15 percent and year 12 is assessed at 20 percent.
Source: Cook County ordinances §74-63 and §74-64.

When an incentive class is provided to a parcel that previously was assessed at the full value, the property tax burden is shifted from that parcel to other taxpayers within the taxing district. Typically, the property tax incentive class shifts the tax burden away from commercial or industrial properties receiving the incentive class and toward residential taxpayers as well as commercial and industrial properties not receiving the incentive.

To receive an incentive class, an application must be filed with the Cook County Assessor's Office. In addition, the municipality where the property is located must pass a resolution or an ordinance stating that the municipality supports the incentive class designation. Other taxing districts that would be affected by lowering the assessment level for the property do not have to provide approval. This report will address the industrial development incentive (6b), the commercial development incentive (7), and the incentive for commercial and industrial development in areas in need of revitalization (8).

For a Class 8 incentive, the property must be located in an Empowerment Zone in Chicago or in the South Suburban Tax Reactivation Project (Bloom, Bremen, Calumet, Rich, and Thornton townships). Otherwise, the area must be found to be economically depressed as shown by factors such as substantial unemployment, low median family income, aggravated abandonment, deterioration, and underutilization of properties, lack of viable commercial and industrial buildings, a pattern of stagnation or decline in property taxes, or a lack of economic feasibility for private development.



Analyzing local economic development incentives

Given varying reporting requirements, analyzing the effectiveness of locally-based economic development incentives presents some methodological challenges. Availability of information on locally-based incentive agreements made with businesses and developers varies by the incentive type and the community providing the incentive. Moreover, it is rarely possible to prove that a development would not have happened but for an incentive or whether an incentive caused positive or negative economic development outcomes for a community or for the metropolitan region. As a result, most previous research has focused on using indirect methods of assessing the impact of incentives rather than on validating counterfactual statements that a development would or would not have occurred but for an incentive.

Much of the prior research on incentives has relied on broader datasets of property values to study the relationship between the use of incentives and changes in property values or other measures of growth.¹⁷ Other researchers have used tax differences among states or communities to assess the impact of incentives on development.¹⁸ In contrast, CMAP is interested in specific information about the use of incentives, such as the structure of the agreements, the context under which they are used, what types of industries received them, and the extent to which the use of incentives aligns with sustainable development goals outlined in GO TO 2040. This focus had a direct effect on the research methods utilized by CMAP. A case study approach was used to obtain detailed data regarding how incentives were used for specific developments. Prior to selection of case studies, a larger dataset of incentives was compiled using publicly available information, and this was used to assess the prevalence of incentives in northeastern Illinois.

Methodology

To both analyze the prevalence of incentives and find appropriate case studies, CMAP compiled a list of developments known to have received incentives with the assistance of a consultant, S.B. Friedman Development Advisors. The completeness of the list depended on the data available. Where possible, the development, the location, the date, the incentive used, and

¹⁷ See Russell Kashian, Mark Skidmore, and David Merriman, "Do Wisconsin Tax Increment Finance Districts Stimulate Growth in Real Estate Values?" (working paper, Lincoln Institute of Land Policy, 2007); Rachel Weber, Saurav Dev Bhatta, and David Merriman, "Does Tax Increment Financing Raise Urban Industrial Property Values?" *Urban Studies* 40, no. 10 (2003): 2001-2021; Richard Dye and David Merriman, "The Effects of Tax Increment Financing on Economic Development," *Journal of Urban Economics* 47 (2000): 306-328; Richard Dye and David Merriman, "The Effect of Tax Increment Financing on Land Use," in *The Property Tax, Land Use and Land Use Regulation*, ed. Dick Netzer (Northampton MA: Edward Elgar, 2003), 37-61; John E. Anderson, "Tax Increment Financing: Municipal Adoption and Growth," *National Tax Journal* 43, no. 2 (1990): 155-163; Peter S. Fisher and Alan H. Peters, "Industrial Incentives: Competition among American States and Cities," *Employment Research* 5, no. 2 (1998): 1, 3-4.

¹⁸ See Ernest Goss and Philip Peters, "The Effect of State and Local Taxes on Economic Development: A Meta-Analysis," *Southern Economic Journal* 62, no. 2 (1995): 320-333; Daphne A. Kenyon, "Theories of Interjurisdictional Competition," *New England Economic Review* (March/April 1997): 14-35; Michael Wasylenko, "Taxation and Economic Development: The State of the Economic Literature," *New England Economic Review* (March/April 1997): 38-52.



the amount were included. In conjunction with other publicly available datasets, this information was used to analyze the prevalence of economic development incentives in the region. The final list included 1,293 projects in TIF districts completed since 1999, 137 sales tax rebate agreements made since 1996, 2,440 buildings receiving a property tax incentive class in 2011, and 25 properties receiving property tax abatements since 2003 within the region. The TIF data and incentive class data represent a relatively complete set, while the sales tax rebate and property tax abatement data include only what was available through public records or other knowledge of these projects.

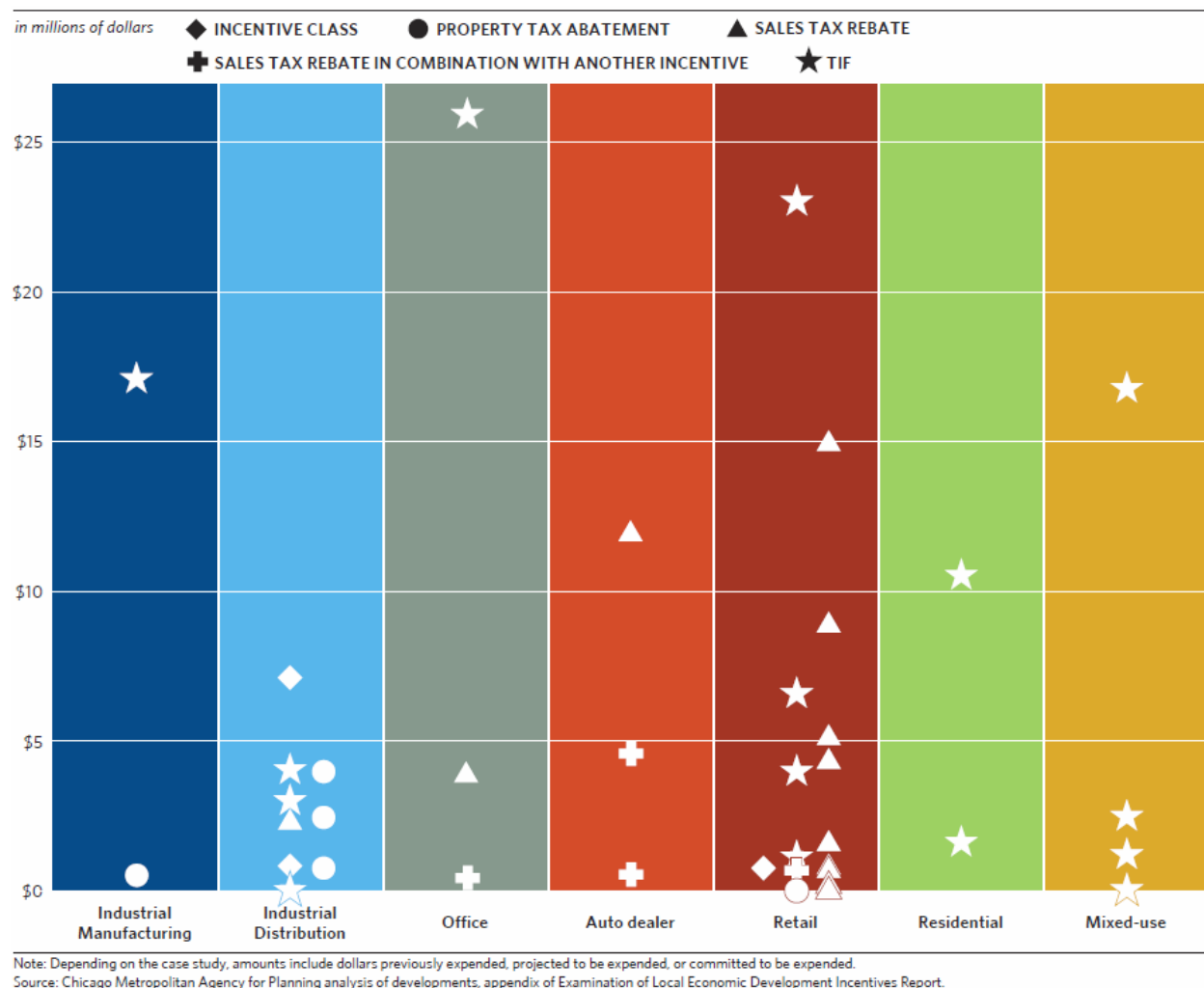
Next, a set of 40 case studies—19 TIF projects, 12 sales tax rebates, 6 property tax abatements, and 3 property tax incentive classes—were selected for further analysis. The aim of case study selection was to provide some diversity in terms of geography and development type. S.B. Friedman Development Advisors engaged in extensive research to gather more detailed data and information about these case studies. Data sources included publicly available data from state government, local governments, and the media, as well as information provided through interviews with the communities providing incentives in the case study developments. The case study information typically includes specifics on the type of firm, the structure and value of the incentive agreements, the goals governments have for using the incentives, and other dynamics specific to each development.

With this information, CMAP compiled statistics on transparency, prevalence, structure, type of development, and community goals in order to examine the how incentives are used by local governments. By looking at the types of development that receive incentives, CMAP analyzed the wider regional impact of the case study development types, measured by the extent to which the expansion of different kinds of industries supports additional economic activity within the region. While it is not possible to verify whether a specific development would have occurred without an incentive, CMAP looked more broadly at the role of incentives in site selection and local government decision-making to drill deeper into the dynamics between incentives and regional economic development.

The following chart provides an overview of the types of developments included and the amount of the incentives provided to the developments in the 40 case studies analyzed for this report. The amounts committed, expended, or estimated to be expended on development projects for each case study were primarily less than \$5 million. Developments receiving property tax abatements tended to collect smaller incentive amounts, while developments funded with TIF received large amounts in several instances. Whereas TIF funding is a tool used across a range of development types, other incentives tend to be slightly more focused in their application. Sales tax rebates were predominately used for retail and auto dealerships, but they also played a role in other sales tax-generating establishments that were actually offices or distribution facilities. These offices are established as sales offices or credit offices, and are sometimes also the headquarters location of a business. Industrial users may be manufacturers or distributors that also sell on-site or, like a grocery delivery service, have no retail outlets.



Figure 2. Incentive estimated amounts spent or committed to be spent across forty case studies, by development and incentive type



Transparency of locally-based incentives

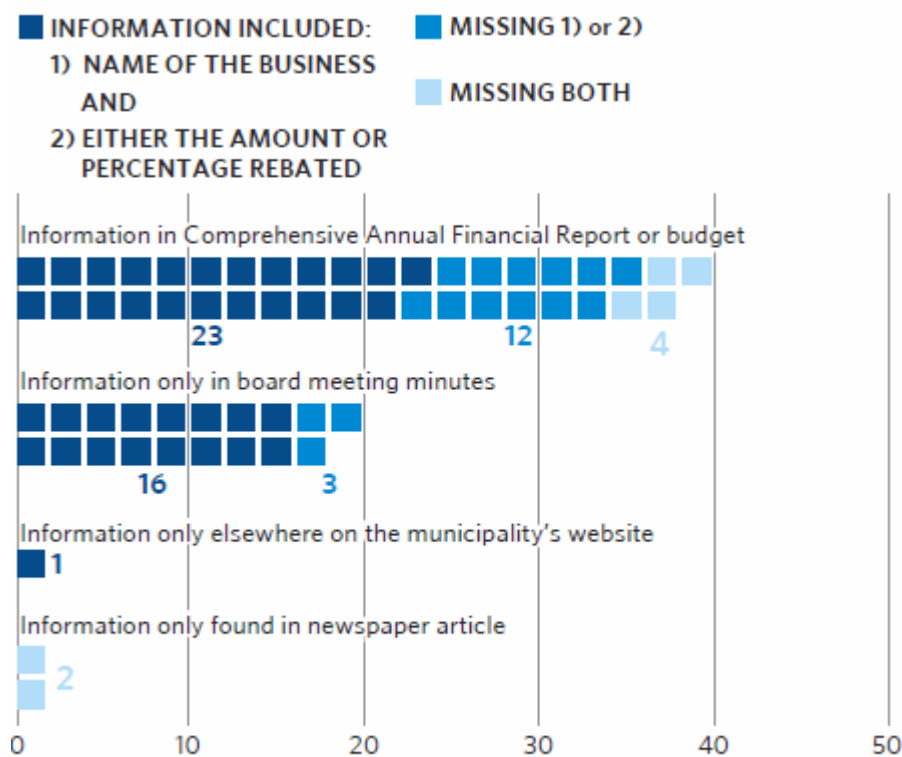
Overall, the transparency of data and information on local economic development incentives proved to be extremely uneven. No comprehensive source for data on local incentives currently exists. For TIF districts, municipalities must provide annual reports to the Illinois Office of the Comptroller, by law.¹⁹ These reports provide basic information about project spending, contracts, and other financial obligations in TIF districts, but not all municipalities are in compliance with the law. However, there are effectively no penalties for failing to provide annual TIF reports, and several municipalities have never provided them. As a result, CMAP was unable to include those municipalities in this analysis.

¹⁹ 65 ILCS 5/11-74.4-5 and 65 ILCS 5/11-74.6-22

The Illinois Department of Revenue's sales tax rebate reporting provides information on current sales tax rebate agreements, but this does not include sales figures, sales tax revenue collected, and the amount of tax revenue rebated. Some municipalities make this sales tax rebate agreement information available in publicly available documents, while others do not.

Prior to the availability of the Illinois Department of Revenue sales tax rebate reporting, CMAP utilized a variety of sources for data collection on sales tax rebates, including municipal budgets, municipal comprehensive annual financial reports (CAFR), and newspaper articles. CMAP was able to determine that at least 61 municipalities in northeastern Illinois have made sales tax rebate agreements since 1996. After including the IDOR reporting data, CMAP determined that 137 municipalities in northeastern Illinois have actually used this tool. The following figure provides an overview of how the 61 municipalities that were established prior to the release of the IDOR reporting database currently share this data.

Figure 3. Sales tax rebate data collection for 61 municipalities



Source: Chicago Metropolitan Agency for Planning analysis of various sources, including news articles, municipal budgets, and municipal comprehensive annual financial reports.

This figure only includes municipalities from which CMAP was able to obtain data. As a result, it is heavily weighted toward municipalities that provide data in accessible ways, such as through their annual budgets or CAFRs. However, just 23 out of the 61 municipalities provided key information like the name of the business as well as information about the terms of the agreement in their CAFR or budget. For savvy members of the public, much of this information could be found by reading publicly-accessible council or board meeting minutes.



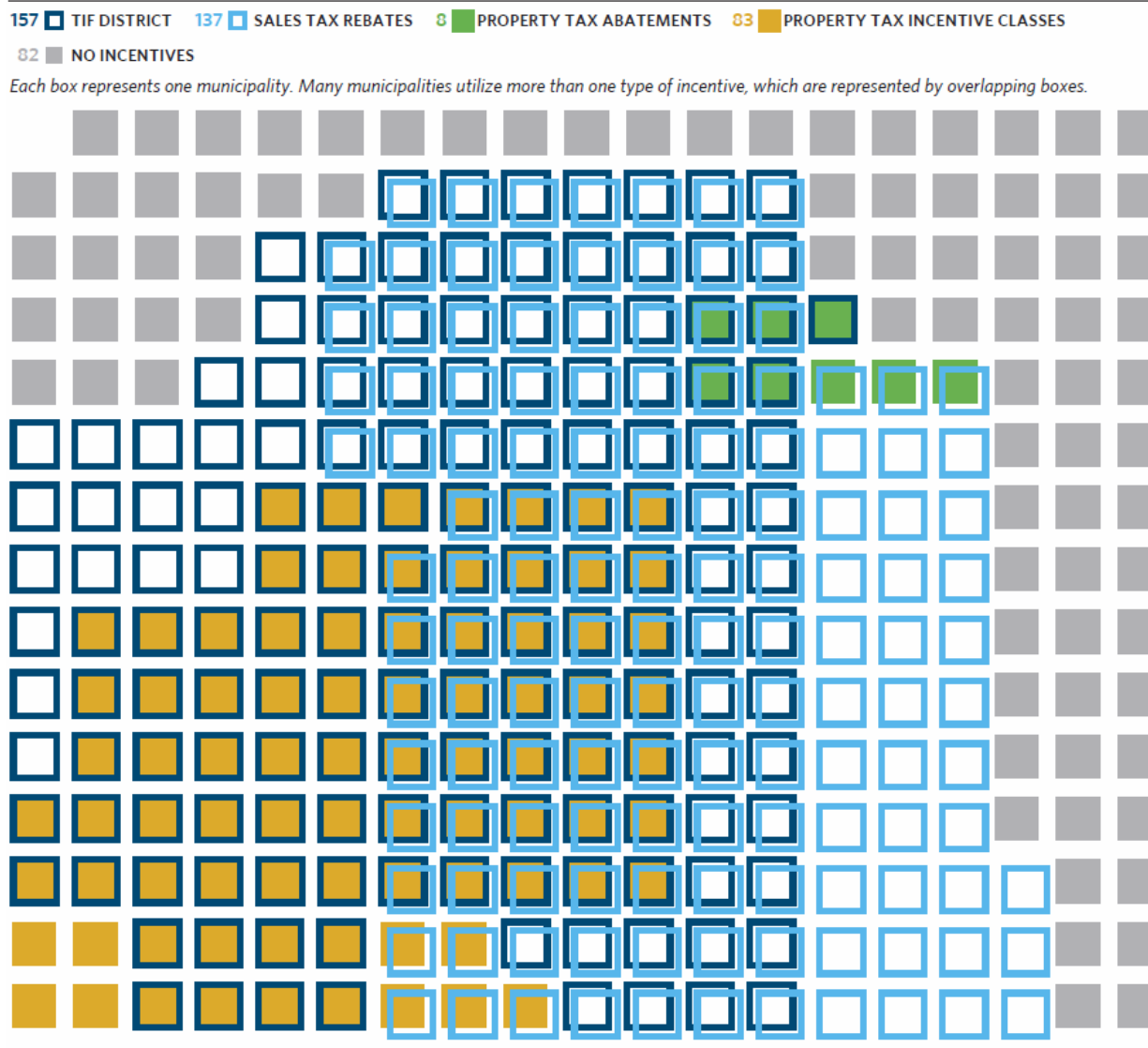
CMAP was unable to obtain a comprehensive source for property tax abatements. IDOR has information on the annual amount of property taxes abated aggregated by county. Only Will County provides a list of abatements by parcel and taxing district. CMAP was also able to obtain information about several other property tax abatements from newspaper articles as well as directly from a limited number of taxing districts like Lake County. CMAP also has information on all parcels receiving an incentive class through the Cook County Assessor's Office, including the location, the taxpayer name, the assessed value, the size of the land and the building, as well as specific details about the improvements to the property.

Prevalence of local economic development incentives

Overall, the majority of municipalities in the region, 202 out of 284, are known to have deployed at least one of these four incentive tools in recent years. The figure below shows numbers of municipalities with a current TIF district, a known use of sales tax rebates since 1996, a current Cook County property tax incentive class, and/or a known current property tax abatement. Again, due to data limitations, this figure does not represent the full universe of local economic development incentives. Rather it is meant simply as a snapshot of the municipalities in the region that utilize incentives.



Figure 4. Number of municipalities known to have used locally-based incentives, 1996-2013



Note: Includes current incentives, except for sales tax rebates, which include current incentives as well as any known use of sales tax rebates since 1996.

Source: Chicago Metropolitan Agency for Planning analysis of various sources, including annual TIF reports, Illinois Office of the Comptroller data, Cook County Assessor data, news articles, municipal budgets, and municipal comprehensive annual financial reports.

Tax Increment Finance districts

The use of TIF is extremely common in northeastern Illinois. Figure 5 provides an overview of the 157 municipalities that currently have TIF districts.²⁰ The map breaks down this information further by showing the incremental EAV within TIF districts relative to the total EAV within the municipality. This shows how much of the municipality's property tax base is dedicated to generating revenues for its TIF districts. Most municipalities with TIF have only one district and the tax increment accounts for less than 5 percent of EAV. In 20 municipalities

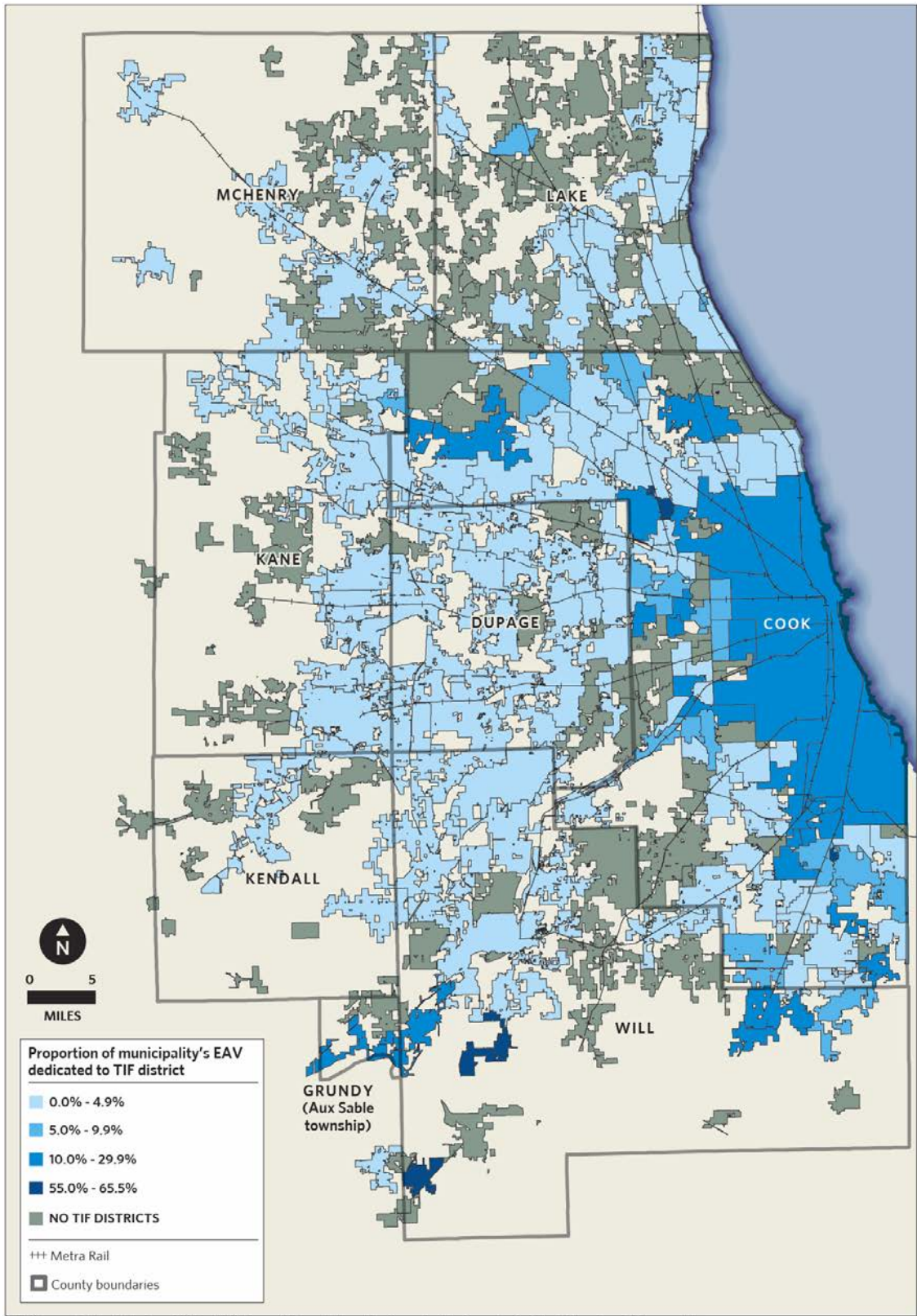
²⁰ Newer TIF districts may not yet have expenditures on development projects.

(including the City of Chicago and 19 suburban municipalities), TIF accounts for 10 to 30 percent of the total EAV. This represents a substantial proportion of a municipality's EAV, and thus may lead to higher tax rates over time for overlapping jurisdictions. On the more extreme end, incremental TIF EAV accounts for more than half of the base in four municipalities. This means that the current incremental EAV for the TIF district is greater than the regular EAV, and the TIF district has a larger tax base than the municipality and any other taxing district that generates revenues from property within that municipality.

Figure 6 summarizes public TIF expenditures per capita between 2000 and 2010, by municipality, showing a range of \$0 for TIF districts that have not yet begun to spend their revenue or have not yet generated incremental revenue, up to \$117,238 in expenditures per capita made on economic development or infrastructure projects within the TIF district from incremental revenues generated. Overall, spending totaled \$2.6 billion during the period.

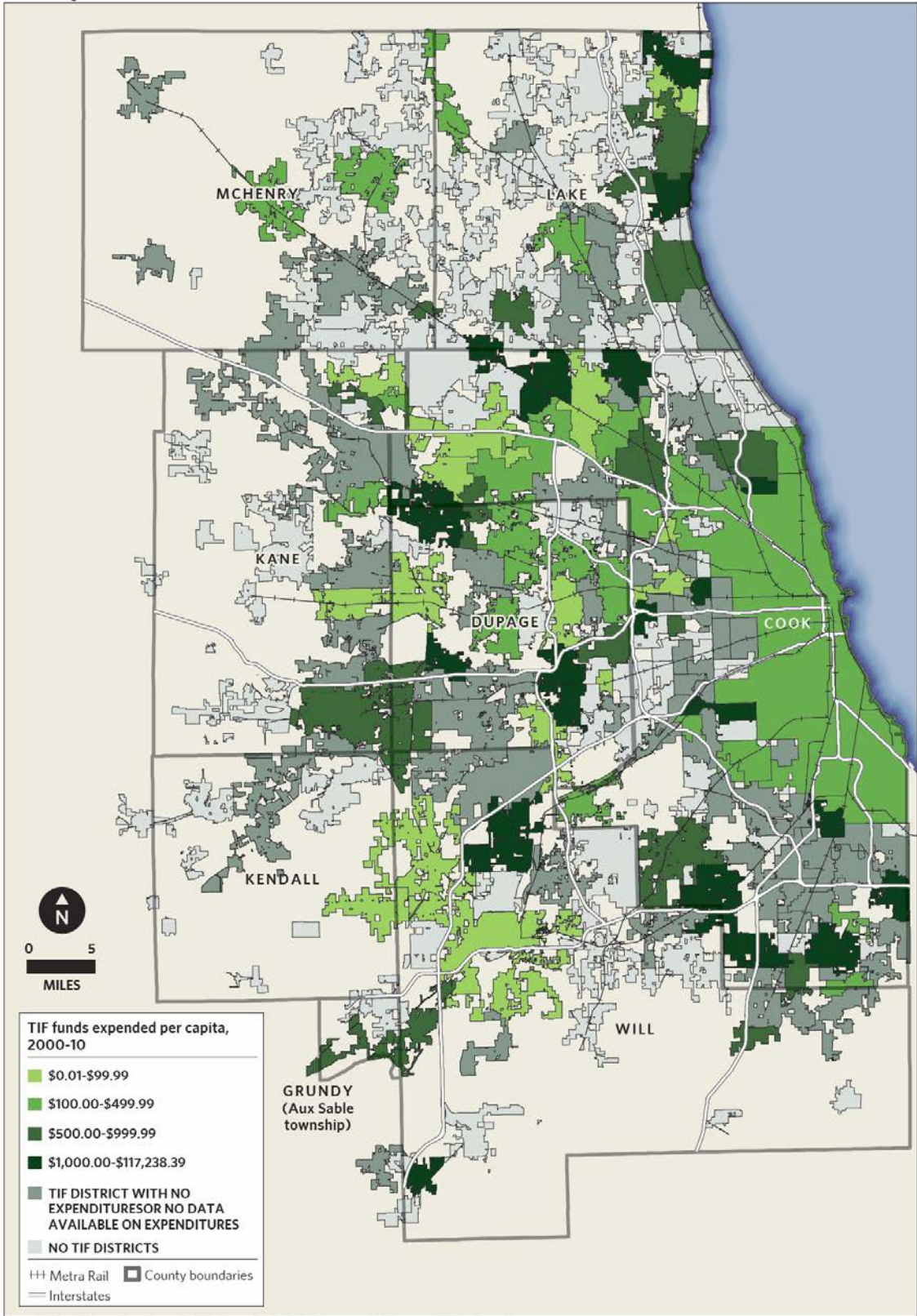


Figure 5. TIF incremental EAV relative to total EAV, by municipality, 2010



Note: No municipalities fell between 30% and 55%. Source: Chicago Metropolitan Agency for Planning analysis of Illinois Department of Revenue data.

Figure 6. TIF funds expended between 2000 and 2010, per capita

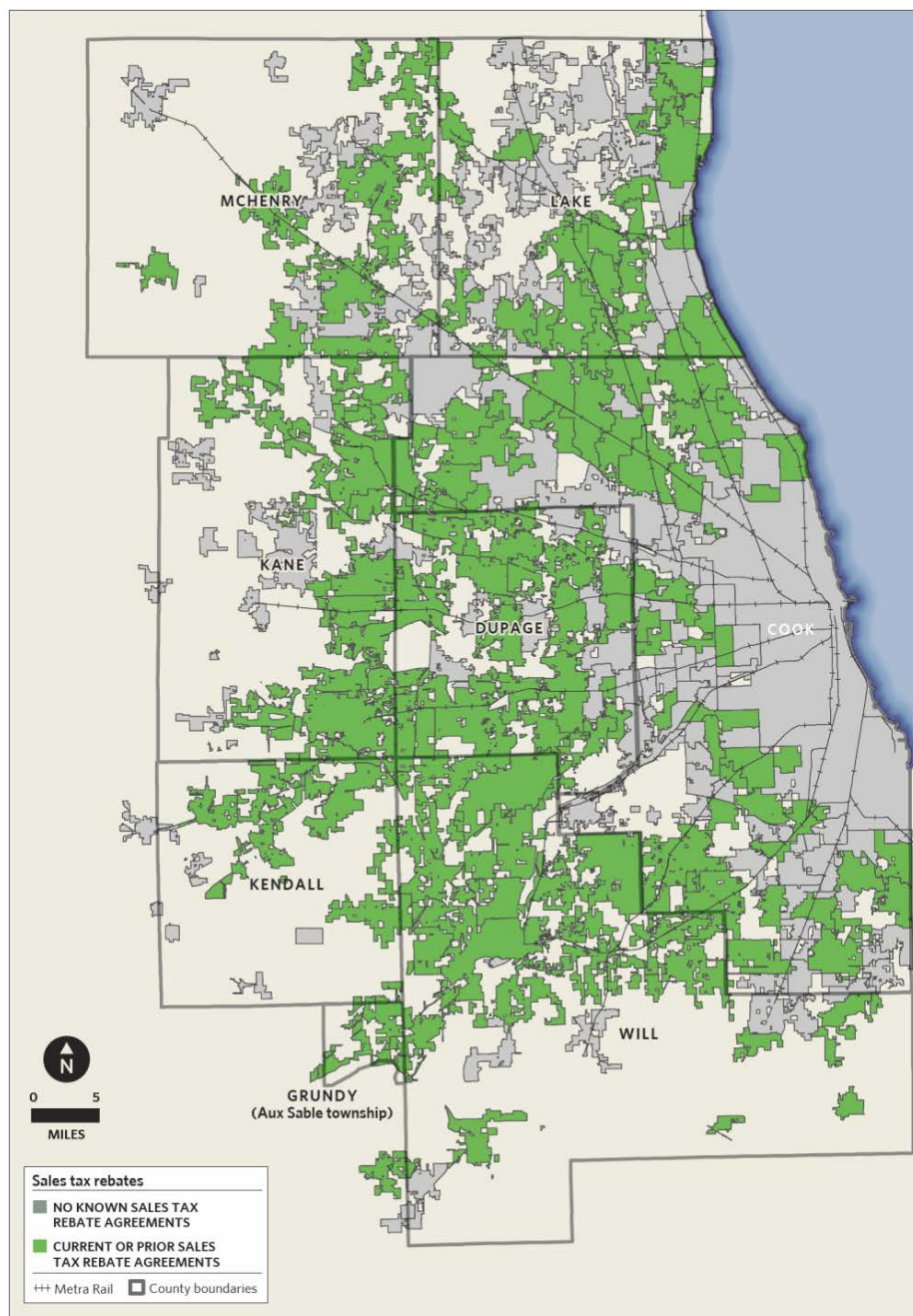


Source: Chicago Metropolitan Agency for Planning analysis of data from annual TIF reports and U.S. Census Bureau

Sales tax rebates

Based on available information, at least 137 municipalities (and one county) are known to have utilized sales tax rebates since 1996. These municipalities were identified based on CMAP's research of past and current sales tax rebate agreements as well as information on all current agreements made available via Public Act 97-0976. The following map provides an overview of the municipalities that CMAP determined have past or current sales tax rebate agreements.

Figure 7. Municipalities known to have utilized sales tax rebates since 1996



Source: Chicago Metropolitan Agency for Planning analysis of various sources, including Illinois Department of Revenue data, news articles, municipal budgets, and municipal comprehensive annual financial reports.



Prior to the availability of the database on all current sales tax rebate agreements, CMAP identified 138 sales tax rebate agreements across 62 local governments. From its primary research on sales tax rebates, CMAP was able to determine which development types typically receive these incentives. Not surprisingly, retail makes up most, though not all, of these development types. Of the 138 total agreements identified, 45 (33 percent) were used for auto or other vehicle dealerships. Supercenter/discount stores, shopping centers, home improvement stores and other large retailers also received a large percentage of sales tax rebates, and in recent years, grocery stores have become a more common recipient of sales tax rebates. Furthermore, some agreements are made with sales offices and distribution centers that generate sales tax. The following table provides an overview of the types of sales tax rebates identified by CMAP, as well as the average total rebate amount provided to each developer or business. A portion of these developments may have received other incentives in addition to the sales tax rebates.

Table 3. Sales tax rebate agreements and average amounts by development type

| DEVELOPMENT TYPE | NUMBER OF AGREEMENTS IDENTIFIED | AVERAGE AMOUNT OF SALES TAX REBATE |
|----------------------------------|---------------------------------|------------------------------------|
| Auto or other vehicle dealership | 45 | \$886,944 |
| Supercenter/discount store | 18 | \$3,771,243 |
| Shopping center | 16 | \$2,461,500 |
| Sales or distribution | 13 | n/a |
| Grocery or drug store | 10 | \$1,360,281 |
| Other large retailer | 8 | \$551,250 |
| Home improvement store | 7 | \$2,452,840 |
| Electronics | 6 | \$2,317,750 |
| Department store | 4 | n/a |
| Restaurant | 4 | n/a |
| Entertainment | 3 | n/a |
| Other | 3 | n/a |

Note: Average assistance amounts were based on available data on sales tax rebates only. Many projects receive assistance from multiple incentive types, and the dataset only includes sales tax rebate amounts for most developments. Averages for categories were excluded when more than half of the agreements had no data available on the amount of assistance.

Source: CMAP analysis of various sources, including news articles, municipal budgets, and municipal comprehensive annual financial reports



Property tax abatements

Based on available data, property tax abatements appear to be less widespread in the region than other types of incentives. CMAP has not identified a comprehensive set of examples throughout the region because, while IDOR provides data on abatement totals by county, publicly available information on individual agreements is limited. Property tax abatements appear to be used most frequently for industrial properties. Sometimes property tax abatements are used in conjunction with other types of incentives, like sales tax rebates. The following table provides a summary of general abatements used in the region in 2009, relative to the total amount of property taxes extended to taxpayers by all local governments, by county.

Table 4. General authority property tax abatements for tax year 2009

| COUNTY | TOTAL PROPERTY TAX ABATEMENTS | TOTAL PROPERTY TAX EXTENSION | NUMBER OF PARCELS RECEIVING AN ABATEMENT |
|---------|-------------------------------------|---------------------------------|---|
| Kane | \$29,498 | \$15,793,394,824 | 27 |
| Kendall | \$383,512 | \$3,369,658,049 | 1 |
| McHenry | \$86,098 | \$10,435,655,050 | 124 |
| Will | \$1,228,754 | \$22,240,823,906 | 4 |

Source: Illinois Department of Revenue, 6/21/2013.

A single development receiving a property tax abatement will typically be awarded abatements from more than one taxing district. Because abatements are typically applied as a flat percentage of the tax bill, the value of the abatement is typically higher for taxing districts with higher tax levies. Just as most property tax revenues go to school districts, the value of abatements provided is also highest for school districts. Counties, municipalities, and to a lesser extent, townships and special districts, also provide general abatements to property owners.

Property tax incentive classes

In Cook County, property tax incentive classes are widely utilized. In 2011, 2,440 commercial or industrial buildings had an incentive class in 83 municipalities (out of 134 total municipalities either completely or partially in Cook County).²¹ The popularity of the incentive classes is one indicator that the Cook County property tax assessment classification system adversely affects the tax burden for businesses. To the extent that communities provide commercial and industrial taxpayers with incentive classes, they can change this dynamic somewhat by shifting the tax burden back toward residential properties as well as other commercial/industrial properties not receiving this incentive.

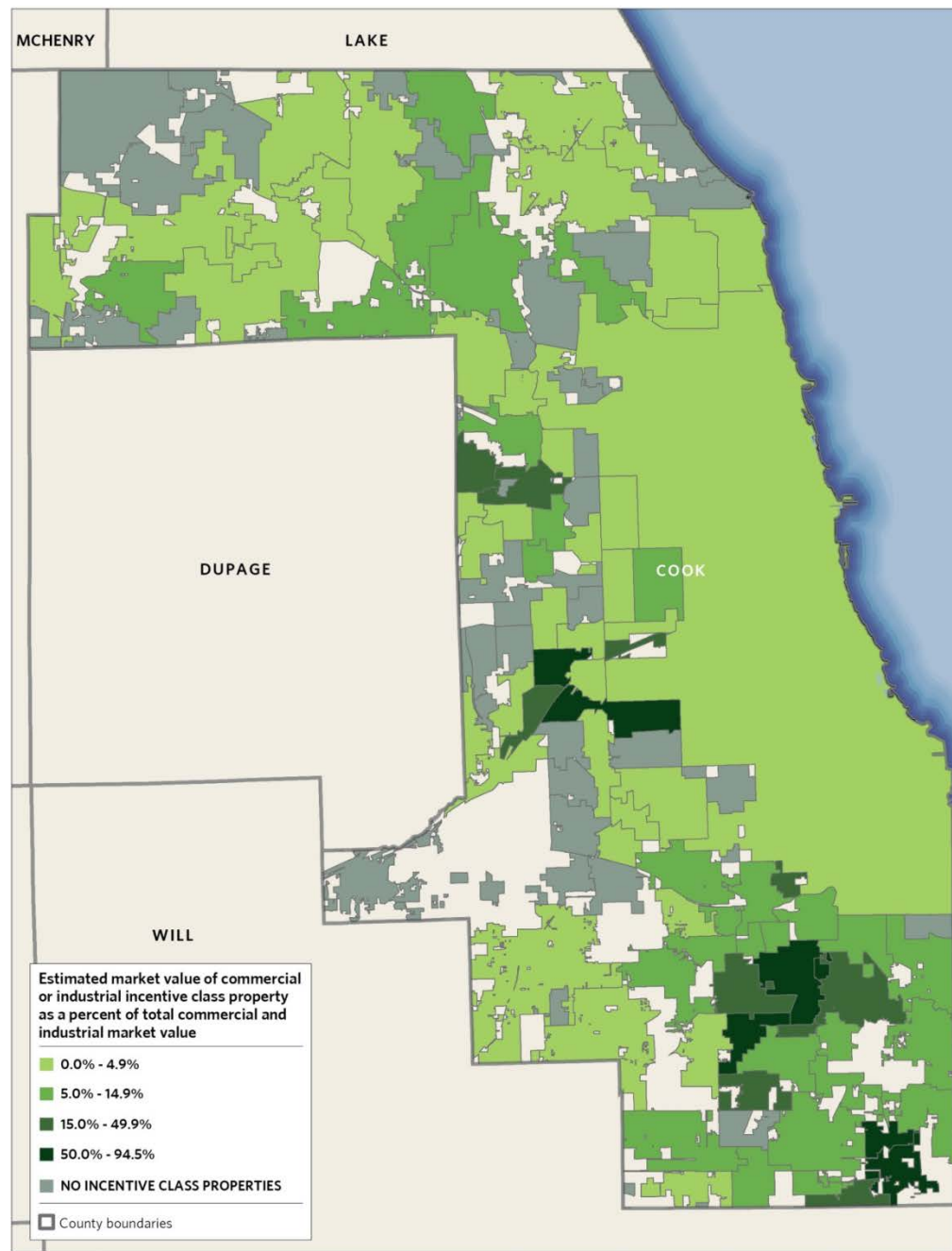
²¹ Analysis of data from Cook County Assessor



The following map provides an overview of the estimated market value of commercial and industrial incentive class parcels relative to the estimated market value of all commercial and industrial parcels, by municipality. All of the municipalities with more than half of their commercial and industrial property in an incentive class are in an Enterprise Zone, a specific area targeted by the State of Illinois for tax rebates, exemptions, and other incentives to stimulate business development and retention. Most Enterprise Zones encourage municipalities to offer incentive classes to property owners.



Figure 8. Estimated market value of commercial/industrial incentive class properties as a percent of total commercial and industrial market value, by municipality, 2011



The use of incentive classes has become more prevalent in recent years. The number of commercial and industrial properties in Cook County receiving an incentive class has increased 35.5 percent, and incentive class properties share of total estimated market value of commercial and industrial properties increased from 3.5 percent to 5.8 percent between 2007 and 2011.

Implications

Economic development incentives are widely used in northeastern Illinois. Clearly, there is an interest among northeastern Illinois communities in attracting and retaining economic development, and communities believe that utilizing incentives will make them a more viable location. In some cases (sales tax rebates and TIF funding) this results in a direct financial outlay to businesses and developers. For property tax incentive classes, and to some extent property tax abatements, the tax burden is reduced for businesses and developers, and that burden is shifted to other taxpayers. In all cases, the incentive, as well as the resources used to negotiate the incentive, represents an investment in economic development outside of ongoing public services and capital projects. Incentives also promote specific land uses within the region's communities, with potential long-term impacts.

TIF use in the region is pervasive and around 5 percent of the region's total property tax base goes toward generating revenue for public and private development projects in these specific areas. For some communities, TIF accounts for a large portion of the overall resources for capital projects. Maintaining and replacing capital infrastructure is a basic function of municipalities and, while municipalities' resources to fund capital improvements may be constrained by political or economic factors, the need for substantial use of TIF for funding capital improvements may indicate that sufficient municipal funding for capital improvements had not been set aside over the long term.

For sales tax rebates, extensive use indicates that significant amounts of sales tax revenue are being paid to private developers and businesses. Communities receive a portion of state sales tax revenue generated within their borders. This situation motivates municipalities to provide sales tax rebates, because if they cannot attract the sales tax-generating establishment, they receive no sales tax revenue. However, the purpose of state sales tax revenue sharing is to provide resources for the public services that support the sales-tax generating development. The provision of sales tax rebates means that a portion of the revenues are being paid to private firms rather than being used for public services. Either the rebates result in unmet public service needs, or the sales tax revenue generated was beyond the amount needed to cover public service needs within the community that attracted the retailer.

The prevalence of Cook County incentive classes indicates that the property tax assessment classification system impedes economic development in many communities in Cook County. The tax burden shift created by classification results in businesses in Cook County shouldering more of the property tax burden than residents. This disproportionate burden does not exist in the collar counties. To the extent that communities provide all commercial and industrial taxpayers with incentive classes, they remove this tax burden shift.

Lastly, limited data availability makes it difficult to determine exactly how many local governments are utilizing incentive tools, though a rough order of magnitude can be determined using other methods. Most communities in northeastern Illinois are utilizing incentives, but many are not providing taxpayers with complete documentation of how this



public money is being spent. Transparency is essential to good governance and accountability, but the transparency of data on local incentives is uneven. Like disclosing any other budgetary or financial reporting of local government expenditures of tax revenues, it is important to provide taxpayers with a full accounting of the incentives used for economic development projects and the incentives provided to businesses and developers.

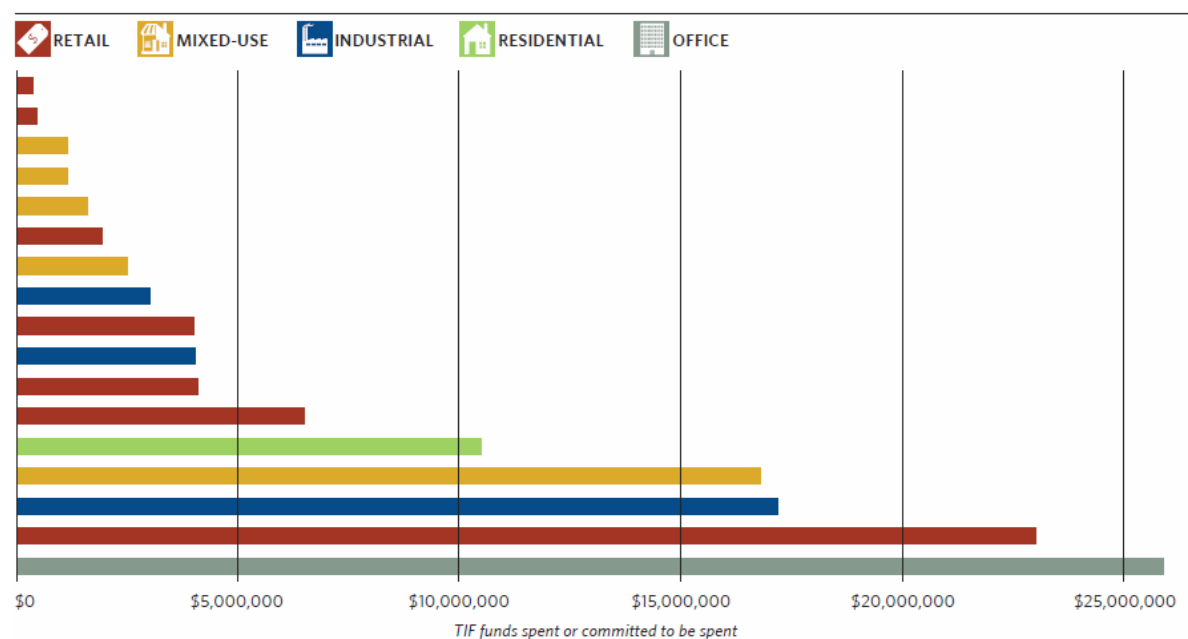
Structure of incentive agreements

The structure of incentive agreements varies across incentive type and the development itself. The exception is the structure of Cook County property tax incentive classes, which all provide the same assessment reduction from 25 percent of market value to 10 percent of market value. In addition, many developments receive multiple incentives, which may include state or federal incentives. Using the 40 case studies, the following summarizes the common structures of TIF, sales tax rebate agreements, and property tax abatements, across the region.

Tax Increment Financing

In the case studies analyzed by CMAP, TIF agreements provided or committed a wide range of funding (\$380,000 to \$26 million) for private developments. The amount of funding depended on the size of the project, the level of public improvements provided, and the extent that development in the TIF district has actually occurred and generated incremental revenue. Unlike other incentives, TIF funding to a project is not limited to the amount of property or sales tax revenue generated by the development receiving funds. Any incremental property tax revenue generated within the TIF district can be used to fund a project. Figure 9 provides an overview of TIF funding provided or committed to developments in the case studies.

Figure 9. Amount of TIF funding provided or committed in CMAP case studies



Source: Chicago Metropolitan Agency for Planning analysis of developments, case studies in appendix of Examination of Local Economic Development Incentives Report.

TIF spending tended to be larger than spending for other incentives. Case studies receiving only TIF and no other local incentives accounted for 16 of the 40 case studies, but for more than half of the amounts spent or committed. In contrast, sales tax rebates (alone or in tandem with another incentive) accounted for 17 case studies, but the amount spent, committed, or projected to be spent was only half of TIF. In part, this may be a result of the incomplete data on amounts spent and committed for sales tax rebates. Property tax abatements and incentive classes tended to provide smaller amounts than TIF and sales tax rebates. To some extent, many TIFs have more capacity to generate revenue than the amounts provided to other incentive types. They tend to have boundaries larger than the size of any particular development project and funds are generated over a 23-year period.

When municipalities provide TIF funding to a private or non-profit entity, they create a redevelopment agreement (RDA) that governs the amount of TIF funds provided and any requirements that a developer or non-profit must meet to receive those funds. Other taxing bodies can also receive TIF funds for capital projects, via an RDA or memorandum of understanding. An RDA will provide details on the development project, as well as what aspects of the development project will be paid for with TIF funds. A private developer may also be subject to requirements such as the type of development to be constructed, the size of buildings, amount of parking, affordable housing units, number of jobs retained or created, consideration of community residents for jobs, or the amount of open space. Some agreements include clawback provisions that require developers to repay TIF funds if these requirements are not met or prevent developers from receiving TIF funds at all.

The developer may be paid with the incremental property taxes generated by the TIF, or incremental property taxes may be used to pay off a bond issued to provide funding for the project, or both. Payments to the developer may be made at once or as project milestones are met, such as the completion of a building. Agreements are structured such that the municipality is not required to utilize its general revenues if the revenues generated by the TIF are insufficient to meet funding commitments.

How have municipalities used clawbacks in incentive agreements?

Several of the agreements reviewed for the case studies included clawback provisions. Clawbacks allow communities to ensure that their goals for the incentive are met, such as long-term occupancy of a property or additional jobs.

For example, Downers Grove required Bill Kay Nissan to purchase the property, remodel the property, install a public sidewalk, and continue to operate the dealership on the property for at least 12 years. If Bill Kay Nissan ceased to operate during years 1 through 3 of the agreement, all sales tax rebate and TIF reimbursement must be repaid. The repayment amount dropped to 75 percent during years 4 and 5 and 50 percent during years 5 through 10.

For the Chicago Manufacturing Campus, the City required Ford to operate the assembly plant and provide at least 750 jobs for a ten-year period at the supplier park, and lease at least 75 percent of the supplier campus during the initial ten-year period. In addition, for a 60-month period (not required to be consecutive) during the ten years, at least 1,000 jobs must be provided.

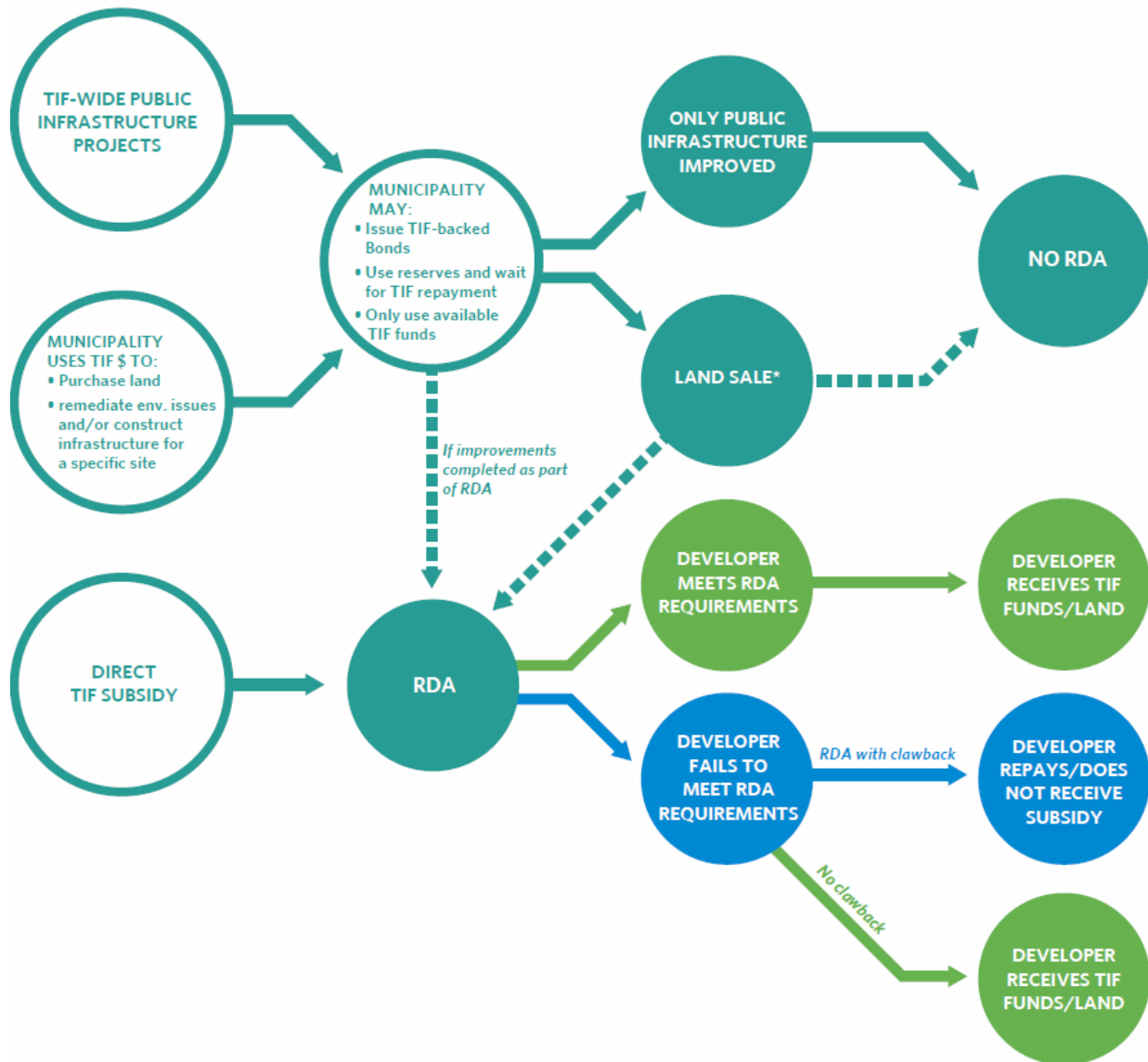
Clorox received property tax abatements from eight taxing districts to locate in Minooka in 2006. The abatements required the company to stay until 2012. When the company relocated to University Park in 2011, they were required to repay the \$773,000.



However, TIF funds can be expended in many ways beyond directly assisting a private development. For example, TIFs can fund district-wide infrastructure improvements, assist overlapping taxing districts with capital projects, be used to assemble land, or improve problematic sites prior to any prospective development projects. In the latter cases, a developer may subsequently be sold that land at a price that meets market constraints but is below the cost of improvements done by the municipality. This is effectively a TIF subsidy, but may not generate an RDA or other contract requiring specific developer improvements in exchange for the land cost write-down, although statute does require that the municipality pass an ordinance approving the sale. Alternatively, a municipality may utilize TIF funds to complete improvements like streetscaping, storm sewer improvements, street repaving, or other projects. These projects can improve an area's attractiveness to private development, but will not lead to an RDA with subsequent private developers. Figure 10 indicates common TIF funding and RDA scenarios.



Figure 10. Tax Increment Financing (TIF) and Redevelopment Agreement (RDA) scenarios



*Statute requires an ordinance approving the land sale, but not an RDA.
Source: Chicago Metropolitan Agency for Planning analysis.

Note: This graphic outlines several common ways in which developers can receive a TIF subsidy and how community stipulations regarding project outcomes may impact the conditions attached to that subsidy. Indirect subsidies like infrastructure improvements are covered in the top third, and processes for direct TIF assistance are covered in the bottom third. Land write-downs and remediation activities may be direct or indirect subsidies, depending upon the agreement structure, and are covered in the middle of the chart.

Sales tax rebate agreements

Sales tax rebates are typically structured by rebating a set proportion of sales tax revenues for a period of years, or until a certain maximum rebate is met. In some agreements, the retailer must meet a certain sales threshold before the municipality will rebate the sales taxes. In some cases, the developer requests reimbursement for an infrastructure improvement, and the



reimbursement is made by the municipality through the sales tax rebate. In other cases, municipalities use rebates as an incentive to attract or retain a business or development that may have instead located elsewhere. The following table provides an overview of some typical components of sales tax rebates among the 17 case studies that received them.

Table 5. Components of 17 sales tax rebate agreements

| | RANGE | MOST COMMON |
|--|---------------------------|-------------|
| Rebate proportion | 10% - 75% | 50% |
| Rebate term | 3 years - 100 years | 10 |
| Maximum rebate (excluding none)* | \$300,000 - \$5.1 million | N/A |
| Sales threshold before rebate is given | \$0 - \$75 million | \$0 |

*8 case studies had no maximum rebate

Some sales tax rebate agreements have clawback provisions. Such provisions require the business or developer to repay incentive funds if certain requirements, such as remaining in the community for a certain number of years, are not met.

Property tax abatements

Property tax abatements tend to follow similar structures. Property tax abatements are typically provided to a taxpayer by more than one taxing district. The structure of the agreement takes the form of a simple percentage of property taxes abated for a period of years, but the proportion of the abatement as well as the term may be different across taxing districts. The term of the abatement ranged from three to eight years in the case studies. In two of the case studies, 50 percent was abated for five years. In three other cases, the proportion abated decreased annually, in two cases going from 75 percent, to 50 percent, to 25 percent of property taxes, and in another case, going from 50 percent and gradually decreasing to 10 percent over the course of eight years. Property tax abatements may also include clawback provisions. The most common property tax abatements are statutorily limited to \$4 million.

Implications

The structure of incentive agreements varies widely across incentive types, developments, and communities. This variation impacts the amount and duration of funding provided as well as the potential outcomes for municipalities. For example, the value of an incentive class is limited by the fact that they last for just 12 years if they are not renewed. On the other hand, TIF funding is generated over the course of 23 years, a period over which a substantial amount of funding can be generated. TIF funding is also generated for an area that is often larger than a specific development project and is generated from the entire aggregate property tax rate.

Sales tax rebates and property tax abatements typically provide lower levels of funding to developments than TIF because they usually last for significantly less than 23 years or are



derived from tax bases and/or rates that are lower than the composite property tax rate used for TIF. However, several sales tax rebates have very large terms and no maximum rebate. In these cases, communities are committing to provide high levels of funds to businesses and developers; over time, these funding levels could reach well beyond the amounts provided through TIF. Moreover, there are no statutory criteria regarding how businesses and firms must use their sales tax rebates, unlike TIF, which requires that funds go toward public improvements or statutorily-defined private development costs.

However, TIFs can be used to support private sector development in many ways that are not easy to track, such as land consolidation with a lower-than-cost sale to a developer. While these types of actions are still taken to achieve a public good, such as redevelopment, they are less transparent than RDAs because they are not explicitly tracked and reported.

Over time, TIF funds and sales tax rebates have the potential to fund a substantial portion of a private development project. While this may be desirable in unique cases to support a specific public good, substantial diversion of public funds to private development projects should be undertaken only when the project meets key long-term planning goals and could not otherwise be achieved.

Local governments do have the ability to design TIF, sales tax rebate, and property tax abatement agreements in a manner that ensures that the funding is used to benefit the community. Local governments can include requirements in any rebate or TIF agreement, such as requiring the business or firm to stay in the community for a certain number of years, hire community residents, generate a specific level of tax revenue, or construct an infrastructure project. Tying funding to desired outcomes, gives local governments a certain amount of control over the investments they are making in private development. However, long-term local government funding commitments are often paired with shorter-term commitments by the private sector because businesses cannot necessarily commit to operating over the long-term. Even with clawback provisions, providing an incentive does not guarantee any particular short-term or long-term outcome, only that a municipality's potential loss is minimized. However, municipalities do not always exercise their ability to include these provisions, which can result in a loss of public funds.

Local policies governing locally-based economic development incentives

While state statute governs some aspects of local economic development incentives, some local governments have policies governing how economic development incentives are used within their community. The policies typically include criteria that must be met by developments to receive incentives such as adding additional jobs, increased sales tax revenue, construction of public improvements, minimum capital investments, or evidence of a financial gap in the development project's costs. Policies also sometimes include limitations on the amount of



incentives that can be provided. The following section describes some examples of these policies and guidelines.

Some communities have policies that limit the value of the incentives that can be provided to developments. For example, Chicago TIF funding cannot not exceed \$5,000 per job created or retained within the central business district or \$10,000 per job created or retained outside of the central business district, although these limits are subject to change based on special merit considerations.

Both Homer Glen²² and Highland Park²³ provide sales tax rebates for a maximum of ten years. Both limit rebates to 50 percent of revenues, but in Highland Park, the amount may be reduced to the extent that new revenues will replace revenues generated by previous or existing businesses. Also in Highland Park, existing businesses can receive a 75 percent rebate of incremental sales tax revenues generated above the prior year. St. Charles has a different method for limiting incentive amounts for TIF funding and sales tax rebates; assistance cannot exceed 75 percent of the total projected revenue for the development.²⁴

Many communities also include criteria that developments must meet in order to receive incentives. As part of a related CMAP research project, 20 communities were interviewed about their use of fiscal impact analyses when considering land use decisions. The vast majority of communities interviewed indicated that a request for incentives generated the need for a fiscal impact analysis and/or an analysis of the return on investment that a community receives in exchange for providing an incentive.

Policies that include criteria tend to address specific attributes of the development or the expected results of the development in terms of additional jobs or increased tax revenue. For example, Highland Park only provides sales tax rebates for new businesses that make a minimum capital investment of \$250,000 or existing businesses that generate at least \$1 million in taxable sales annually. Crystal Lake has criteria for sales tax rebates that depend on the type of development. Auto dealerships must have at least \$5 million in taxable sales and project costs of at least \$250,000 for new dealerships and \$1 million for existing auto dealerships.²⁵ In other communities, like Tinley Park, there are several ways that a development can meet criteria for receiving an incentive, including economic, fiscal, or meeting the community's targeted development needs.

²² Village of Homer Glen Board of Trustees Meeting, January 22, 2013, <http://www.homerglenil.org/homerglenil/MinutesFolder/MinsBoard/BoardMinutes2013/M13-0122-BoardMeetingMinutes.pdf>

²³ City of Highland Park, Sales Tax Rebate Program Guidelines to Facility Business Attraction and Retention, <http://www.cityhpil.com/documents/3/sales%20tax%20rebate%20guidelines%20-%20revised%202012.pdf>

²⁴ City of St. Charles Economic Incentive Policy 2009-4, March 2, 2009, <http://www.stcharlesil.gov/sites/default/files/codebook/policies/2009-04/p200904.pdf>

²⁵ City of Crystal Lake, Incentives, <http://www.crystallake.org/index.aspx?page=133>



In addition, some communities, like St. Charles, only provide sales tax rebates to developments that would not be financially feasible but for the incentive. Similarly, Yorkville²⁶ requires that developments have a defined gap between project costs and project revenues.

Some communities indicate that developments receiving incentives must be consistent with planning goals. Highland Park requires developments to be consistent with the City's comprehensive plan, while other communities like Chicago and St. Charles mention several planning goals that a development could meet, like the rehabilitation of historic structures or streetscape enhancement.

Fewer policies address the potential market viability of a development. Park Forest²⁷ requires that developments prove financial feasibility and that the development team have a minimum level of experience and commitment to the project. Without independent assessment of market feasibility, communities may invest in developments that have a high potential of failure. In these cases, communities may be required to invest additional funds to remediate the impacts of a failed development.

In the community interviews, several communities indicated that businesses and developers have come to expect incentives like sales and property tax abatements, and expressed the concern that if a community is unwilling to provide these funds, businesses will locate in a neighboring community. In fact, acknowledgement of this issue was found in St. Charles' incentive policy. The policy states that that it is not the City's intent that these incentives be used to relocate sales tax-generating establishments from neighboring communities or to allow requests for incentives "to induce a bidding war for City funds."

Just a few incentive policies were studied for this report, but many communities throughout the region have policies governing incentives. In the community interviews referenced above, several communities expressed the need for establishment of internal policies regarding incentives, such as placing maximums on the amount of funds available to a project or limiting incentives to expansion of existing businesses. Having policies in place is important to ensuring that any incentives provided for development are in line with established community goals. In addition, established procedures for analysis can ensure that communities determine the impact of the development prior to providing an incentive. St. Charles' policy states that developments that receive incentives must not place extraordinary demands on the City's infrastructure or services, which would likely have to be determined through fiscal impact analysis.

Overall, most local policies studied set out to limit incentive amounts or ensure that incentives were only provided to developments that would result in particular outcomes for the

²⁶ City of Yorkville, Resolution No. 2008-46, Economic Incentive Policy, http://www.yorkville.il.us/docs/Economic_Incentive_Policy.pdf

²⁷ Village of Park Forest, Development Incentive Policy, http://www.villageofparkforest.com/clientuploads/Economic_Development/IncentivePolicy.pdf?PHPSESSID=2028d6



community. However, for any new development, residents of other communities may be employed at the business, may buy goods or service from the business, or may be involved in the production of goods that are sold at the business. Customers or employees may cross multiple jurisdictions to travel to the new development, burdening transportation and infrastructure networks in adjacent communities. Sometimes, the development itself is even relocating from a different community. From a regional perspective, these are key impacts, as other communities are always involved in a development's economic structure in some manner. Yet, the policies examined for this report did not consider how a project will impact other neighboring communities, including public service impacts on neighboring communities and whether the business was relocating from a nearby community.

Goals of incentives from the community perspective

From the case studies, CMAP was able to determine some of the goals that communities have stated for using economic development incentives. While these goals vary, commonalities emerge. The most frequent expectations from the local community's perspective are to grow the overall tax base, create jobs, and improve infrastructure, either on or adjacent to the site. While some of the incentives in the case studies were used for infill redevelopment of existing underutilized sites, others were provided for new greenfield development. The goals stated in incentive agreements are also commonly found in municipal comprehensive plans, but it is unclear from most incentive agreements and ordinances if there is a direct connection between provision of an incentive and planned goals.

Within the case study set, approximately half of the retail, office, and industrial development case studies included stated economic and fiscal goals. Economic goals included increasing employment, and were accomplished either through direct subsidies or funding of infrastructure improvements on behalf of a development project. Infrastructure was part of all case studies where TIF funding was provided.

Incentives for infill development

A number of the incentives provided to case study developments were used to encourage infill development in existing communities. For example, the Klee Building in Chicago was redeveloped using \$1.2 million in TIF funds. Redevelopment was completed in 2007, resulting in 64 residential units (13 affordable), and 20,000 square feet of retail and office space. The total development cost was \$18.7 million, which includes rehabilitating the Klee Building, demolishing three other neighboring buildings, and constructing two new buildings to complement the Klee Building.



In several case studies, sales tax rebates were used to fund infrastructure projects. Sales tax rebates tend to fund infrastructure work required to support the new development, such as road, utility, traffic signal, landscaping, façade improvements, and stormwater detention work.

Incentives for brownfield development

Many of the incentives provided to case study developments were used to encourage development where extraordinary development costs made the site less attractive to developers. In Broadview, a 63-acre parcel previously served as a parts distribution warehouse, but had been vacant since 1992. The 22nd & 17th Avenue TIF district was established in 1993 to attract developers to the site. Broadview Village Square opened in 1994 at a cost of \$65 million. Anchors include a SuperTarget and a Home Depot. A \$23 million bond was issued to pay for site preparation including demolition and remediation.

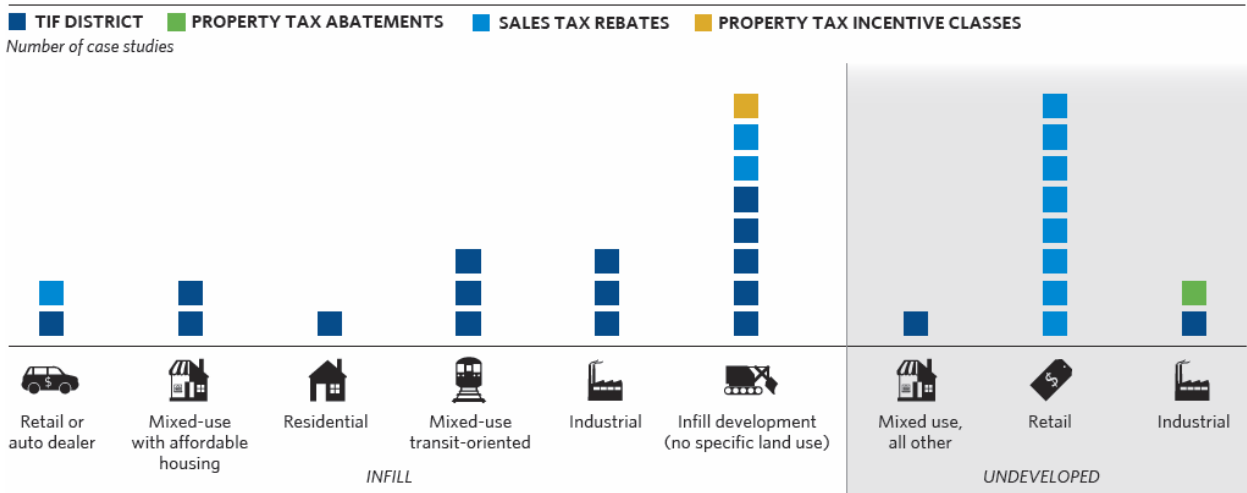
These infrastructure improvements are required by local jurisdictions to ensure that the project does not degrade existing infrastructure networks. To make a site more attractive to developers, communities provide reimbursements for these required infrastructure improvements through sales tax rebates. TIF funds can be used for similar improvements if the area also meets blight conditions, but are often targeted toward more unusual costs such as environmental remediation,

stabilizing poor soil conditions, or land assembly in a previously-developed area. The intent of funding these kinds of projects is to encourage desired development on sites that have costs and/or risks well above that which the market would normally bear.

Incentives are typically used to encourage certain types of land uses or implement any number of stated planning goals, from affordable housing and transit oriented development to shopping centers and industrial parks. Figure 11 analyzes the stated land use goals across 27 case studies where this information was provided, and organizes the results by development type and whether the development is considered infill. The majority of the case studies involved infill developments of various types, from mixed-use, transit-oriented development to retail. A lesser percentage involved non-infill land that is undeveloped, or greenfield development.



Figure 11. Use of incentives by stated land use goal



Source: Chicago Metropolitan Agency for Planning analysis of developments, appendix of Examination of Local Economic Development Incentives Report.

Some communities have found that incentives can help catalyze infill development or make difficult sites more attractive to a developer or business. Incentives can also fill the gap between development costs and market prices for residential developments, including affordable housing and mixed use developments. Higher costs associated with these types of development include environmental remediation, decked or underground parking, site assembly in an area with many landowners, higher construction costs for multi-story development, and higher market risk for some component of a mixed-use development.

That being said, incentives are also utilized for undeveloped sites that do not necessarily have these extraordinary development costs. In these cases, the goal from the community's perspective is to expand the tax or economic base through a major new development like a shopping center or a distribution center. New development often requires costly new transportation and utility infrastructure investment as well as long term maintenance paid for by the municipality. Providing incentives on top of these additional costs represents a major investment of taxpayer dollars toward development that will require continuing support in terms of public services.

Relationship to community plans

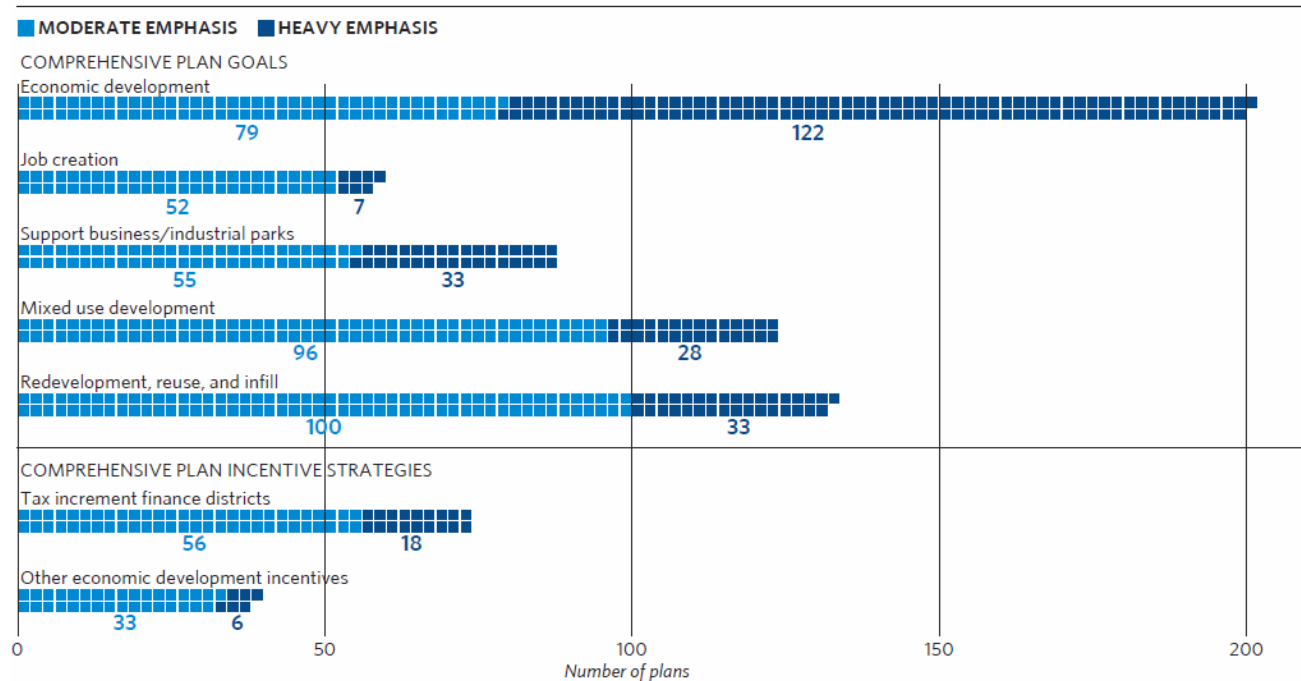
Local comprehensive plans help provide a long range community vision and strategy and represent a major investment of time and energy. They generally outline land use, economic, transportation, infrastructure and other goals that relate directly to those outlined in many of the incentive agreements. CMAP recently analyzed the content of the comprehensive plans for 219 of the region's communities.²⁸ This analysis found that a significant majority of the region's

²⁸ The analysis was completed in 2009. The analysis set was comprised of all plans which were published 1990 or later and for which copies could be obtained. For additional information, see http://www.cmap.illinois.gov/moving-forward/human-capital-in-detail/-/asset_publisher/Q4En/blog/a-look-inside-metropolitan-chicago%E2%80%99s-existing-local-plans/276584?isMovingForward=1



comprehensive plans have a heavy or moderate focus on economic development and explore other topics related to specific land use goals. However, comparatively few discussed specific incentives to implement these goals.

Figure 12. Goals and incentives addressed in CMAP region comprehensive plans, 2009



Source: Chicago Metropolitan Agency for Planning analysis.

While the general goals of incentive agreements and comprehensive plans often coincide, it is unclear if incentives are being utilized to implement specific recommendations of a community's comprehensive plan or if their use is more reactive. Sales tax rebates and property tax abatements require no connection to a community plan or strategy, and incentive classes and TIF funds, while limited in the types of areas in which they can be provided, are similarly separate from the planning process. As described in the section on local incentive policies, communities in the region have approached guidelines for the provision of incentives in a variety of ways, some of which include a required connection to the community plan.

When municipalities make the decision to support a specific development or employer by providing an incentive, it is critical that this investment of public dollars supports community goals and community land use plans. Aligning incentives with community plans builds on the analysis and public input that went into the plan, and ensures that public dollars are being invested in outcomes and land use patterns that are desired over the long term.

Regional economic impact of industries receiving local incentives

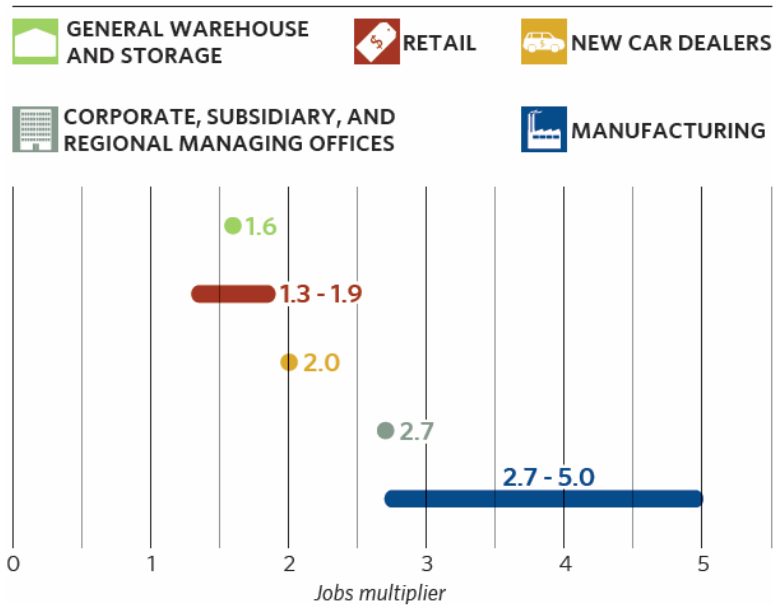
Local economic development incentives have been used to attract or retain a wide variety of businesses, including retail, auto dealerships, corporate office, manufacturing and warehousing industries. Incentives often represent considerable investments for local governments. From the local perspective, these deals can work to implement a wide variety of planning goals; however the economic benefit for the region at large is much less clear.

These incentives are offered to businesses with the expectation of growing the local tax base or providing job opportunities. The provision of these incentives is oftentimes driven by the structure of the overall state and local tax system, which rewards certain types of developments more than others. One of the central public policy issues under exploration by CMAP is the common disconnect between local fiscal benefit (as measured by the growth in one local tax base) and the regional economic benefit (as measured by output and wages.)

The case studies include a number of different types of firms, all of which have varying levels of regional impact. Employment multipliers are one tool to show the extent that an expansion of one industry supports additional economic activity within the region. For example, a job multiplier of 2.7 suggests that the increase of one job in a specific industry leads to an additional 1.7 jobs in the regional economy. CMAP used an input-output model developed by Economic Modeling Specialists Inc. (EMSI), which is specifically tailored to produce data on metropolitan Chicago. The following chart provides an overview of job multipliers for the region for various industries included in the case studies. These industries also provide varying levels of wages, which are illustrated on the subsequent chart.



Figure 13. Jobs multiplier by selected industries, 2012

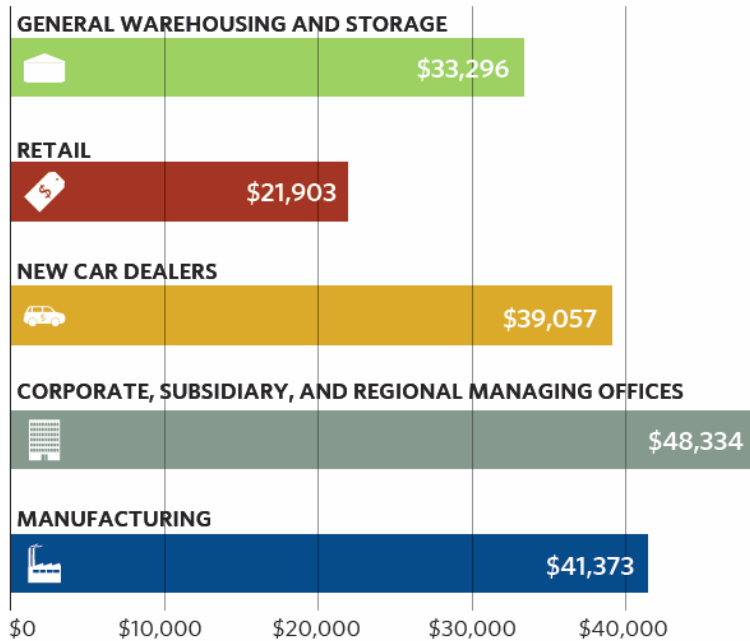


Note: retail and manufacturing ranges include several examples that appeared in the case study developments. Retail includes household appliance stores, electronics stores, supermarkets, department stores, and discount department stores. Manufacturing includes plastics material and resin manufacturing, automobile manufacturing, and motor vehicle supplier manufacturing.

Source: Chicago Metropolitan Agency for Planning analysis of Economic Modeling Specialists Inc. data.

Figure 14. U.S. average annual wages by industry, 2012

Average annual earnings of production and nonsupervisory employees



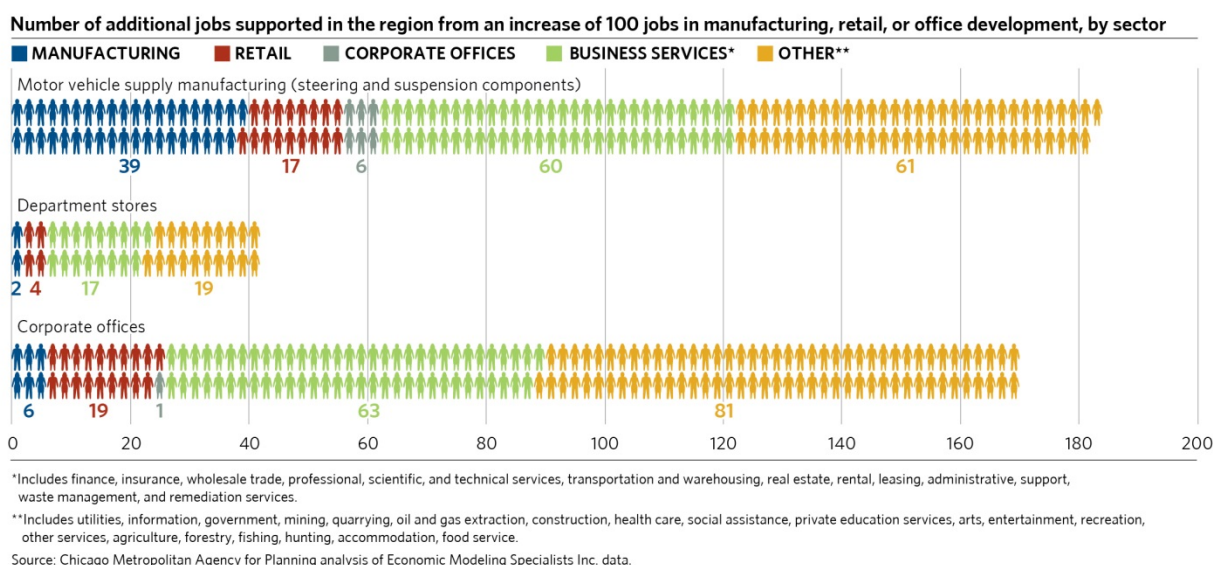
Source: Chicago Metropolitan Agency for Planning analysis of U.S. Bureau of Labor Statistics data.



At the low point, one retail job supports only an estimated additional 0.3-0.9 jobs. These jobs also provide very low wages. Similarly, warehousing jobs have lower multipliers and lower wages. On the other hand, manufacturing and corporate offices have much higher multipliers and higher wages. However, this trend was not exhibited for new car dealers, which had lower economic multipliers, but higher average wages.

Furthermore, additional jobs in industries with high multipliers, like manufacturing, tend to support jobs in industries with lower multipliers. However, the reverse is not true; industries with lower economic multipliers tend not to support jobs in industries with higher economic multipliers. The following chart provides three examples of the number of additional jobs that would be supported in the region if 100 jobs were added in a motor vehicle supplier manufacturing facility, a department store, and a corporate office. For example, an additional department store with 100 employees supports 42 jobs in other industries within the region, two of which are in manufacturing. At the same time, an additional motor vehicle supplier manufacturing facility with 100 employees supports an additional 183 jobs in other industries, including 39 in other manufacturing industries and 17 in retail. Corporate offices also support jobs in other industries. If an additional 100 corporate office jobs were created in the region, 170 other jobs would be supported, including 19 in retail.

Figure 15. Number of additional jobs supported in the region from an increase of 100 jobs in selected manufacturing, retail, or office development types, by sector, 2012



Based on the available data, it appears that many local governments are targeting incentives based upon local tax revenues rather than overall economic impact. For example, based on data from the set of 137 sales tax rebate agreements, it appears that on a per-case basis, local governments are spending or committing significant amounts of incentive dollars to firms that may generate sales tax revenues, but have low jobs multipliers and/or low wages. For example, sales tax rebates averaged by type of retailer for retail ranged from \$2.5 million for home improvement stores to \$3.8 million for discount stores.



While providing incentives to office or manufacturing developments may provide better economic benefits, they often do not provide the same level of tax revenue as a retail development, which provides sales tax revenue in addition to property tax revenue. However, the difference between economic and fiscal benefit is that the economic impact spills across municipal borders while the fiscal impact of a development is limited to the local government accruing the revenue. As a result, there is a disincentive to investing in developments that produce wider economic benefits, but that may not provide the same level of tax revenue as a sales-tax generating establishment.

Some developments may not produce high levels of tax revenue, but provide a substantial level of economic benefits to the region and can support economic development across sectors. For example, manufacturing in particular tends to support additional jobs within the industry as well as in other industries within its supply chains. Manufacturers are also an important source of innovation, in that they rely heavily on research and development. In fact, 85 percent of private research and development in northeastern Illinois comes from the region's manufacturing cluster.²⁹ Industries like manufacturing also leverage the geographic and infrastructure advantages of the region's extensive freight network, as well as its highly skilled workforce.

How local economic development incentives influence site selection

The purpose of most local economic development incentives is to influence business site selection, but these tools represent only one factor among many in these decisions. Locally-based incentives can serve to offset higher taxes or high costs for land and site improvements. They typically work to incentivize development in a particular location rather than counteract any larger-scale metropolitan market or labor force considerations. The case studies indicate that many of these deals involve "intraregional" (within northeastern Illinois) moves or the expansion of an existing business. Only rarely do these types of tools work to lure a firm from another state or other part of the country.³⁰ This is consistent with the findings of various academic studies showing that tax differences are more effective at influencing site selection within regions than across regions.³¹

²⁹ CMAP, Manufacturing Cluster Drill-Down, 2013, <http://www.cmap.illinois.gov/policy/drill-downs/manufacturing>

³⁰ Given that northeastern Illinois shares state borders with Wisconsin and Indiana, there is some limited evidence from the case studies that these local tools have been used to attract or retain a business within Illinois.

³¹ See: Ernest Goss and Philip Peters, "The Effect of State and Local Taxes on Economic Development: A Meta-Analysis," *Southern Economic Journal* 62, no. 2 (1995): 320-333; Michael Wasylenko, "Taxation and Economic Development: The State of the Economic Literature," *New England Economic Review* (March/April 1997): 38-52; Robert Lynch, "Re-thinking Growth Strategies: How State and Local Taxes and Services Affect Economic Development," Economic Policy Institute, (2004).



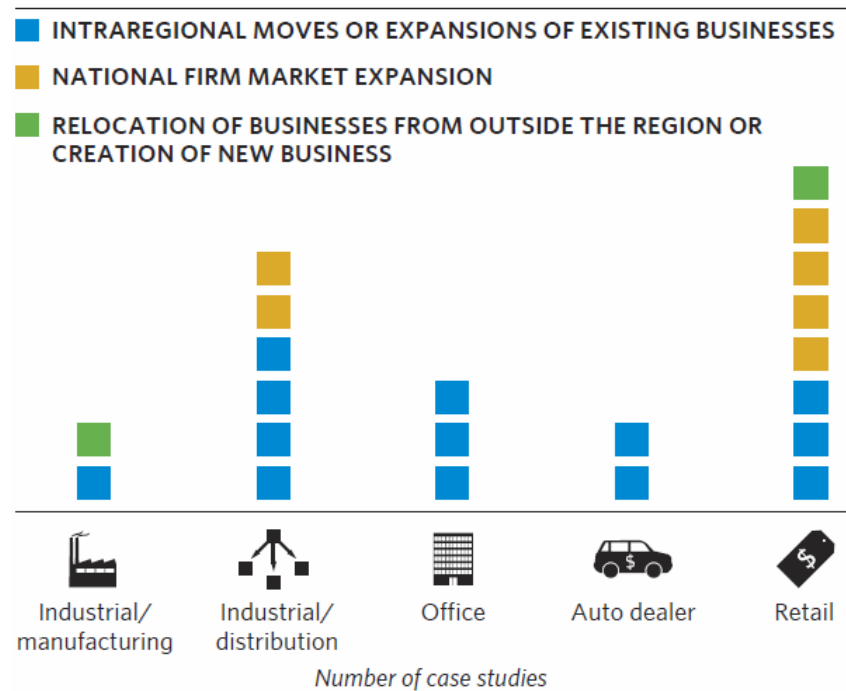
Of the 40 case studies analyzed, 21 involved incentives provided to specific businesses, rather than to developers. The following chart provides an overview of the businesses receiving incentives, and whether the development was part of a national firm's market expansion or whether it was a firm moving or expanding within the region. 19 of the 21 businesses receiving incentives were either moving from another place in the metropolitan region or expanding their market. The following chart breaks down these case studies by development type and by the primary incentive received by the business.

Use of incentives for businesses located in northeastern Illinois

Abt Electronics moved to Glenview from Morton Grove in 2002. A sales tax rebate for the development was approved in 2000. In 2008, the Village extended the rebate agreement for an additional 15-year period because Abt was approaching its maximum rebate of \$11 million under the 2000 agreement. Under the 2008 agreement, which will expire in 2023, the sales threshold was dropped to \$75 million and the maximum was removed.

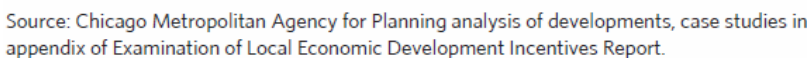
The stated reasons for extending the agreement included that Abt has been a significant employment and sales tax revenue generator. They have allowed the Village to lessen its dependence on a property tax levy. Also, according to the Village Board Report, Abt indicated several factors that may result in the store relocating to another community, such as the increase in the Cook County sales tax, nearby road work, and the economy.

Figure 16. Incentives to businesses by type and nature of development



Source: Chicago Metropolitan Agency for Planning analysis of developments, appendix of Examination of Local Economic Development Incentives Report.

Figure 17. Number of case studies using incentives for an intraregional move, for the expansion of an existing business, or for a national firm's market expansion, by primary incentive used and development type



Incentives to a retail development in a regional or sub-regional market area that is already attractive for development help determine the precise location where the development will locate, but not whether the retail development will come to the region at all. For retailers, a preferred market area has a stable or growing population matching the retailer's target demographic groups, and there must be a market opportunity in the form of a lack of competition or a market niche that is not being fulfilled.³² Additionally, a retailer will consider costs of expansion, such as developing new warehouse or distribution facilities to serve its new stores, creating a market presence through advertising, and similar hard and soft expansion costs. The retailer will also evaluate the presence and current success of similar retailers in the expansion area. These are larger, regional factors that individual communities cannot directly control.



Chicago Metropolitan
Agency for Planning

As shown in Figure 18, selection of a retail site within a larger market area involves many factors. At base, these involve a combination of market requirements and initial development costs. Market requirements include: proximity to customers that meet a retailer's age, income, lifestage, and lifestyle requirements; spatial relationship to competing retailers and a brand's other stores; and, potentially, location in a retail cluster. There are also factors that affect the visibility of a site, such as traffic levels, access considerations, and visibility from the roadway or within a development. Lastly, the costs of each site will vary due to a number of factors, including lease or purchase costs; necessary site improvements such as site preparation, demolition, improvement of existing infrastructure and/or brownfield remediation; required improvements to adjacent public infrastructure such as roads or water mains; and, local costs such as property taxes or utility taxes. A retailer will seek to locate at a site that meets its demographic, traffic, and access requirements and provides the best cost value.

How do retailers plan expansions?

Mariano's, a supermarket brand under Roundy's, has recently constructed a number of new grocery stores within the Chicago region. They plan to continue their expansion due to the opportunities they see in the greater Chicago area market. According to the company's recent filing with the federal Securities Exchange Commission:

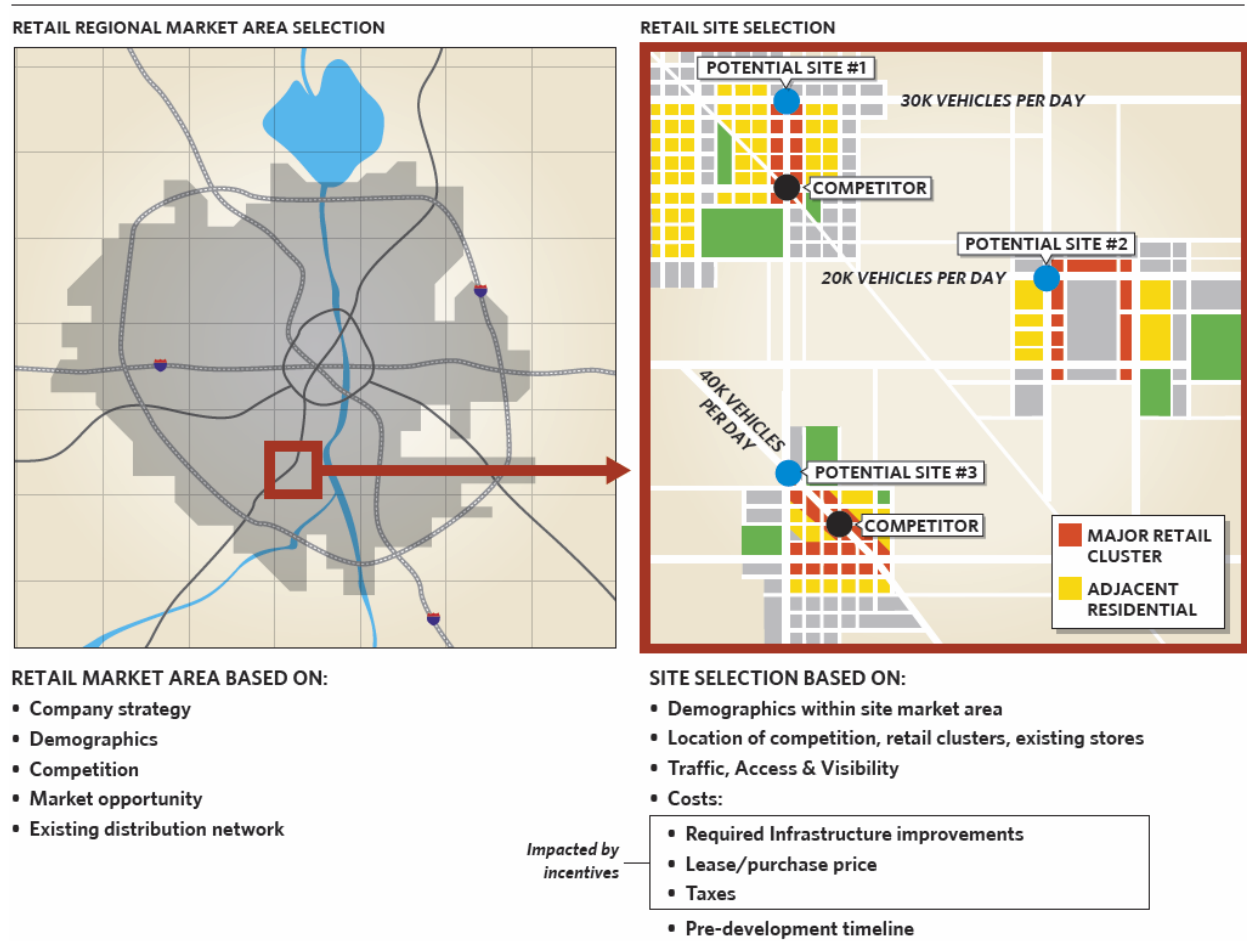
We entered the Chicago market in July 2010 through the opening of our first Mariano's Fresh Market store in Arlington Heights, Illinois. As of November 1, 2011, we have opened four stores in the Chicago market, which, since opening, have generated higher average weekly net sales per store compared to stores in our other markets. Given its favorable competitive dynamics and attractive demographics, including a large population and average household income that exceeds the national average, we believe the Chicago market provides us with a compelling expansion opportunity. We expect to open four to five stores per year in the Chicago market over the next five years, and have secured six leases for future stores in attractive locations as of November 1, 2011.

Roundy's Corporation, "Form S-1: Registration Statement under The Securities Act Of 1933," December 5, 2011, <http://www.sec.gov/Archives/edgar/data/1536035/000104746911009884/a2206531zs-1.htm>

Development incentives have an impact on the retail site location process by reducing the cost of initial site improvements and/or local taxes over the long term. This does not create a better market for a retailer, but instead makes an individual site more attractive by reducing standard costs or by paying for extraordinary costs that market-rate development does not normally take on, like brownfield remediation. Thus, incentives may affect retail development at a particular site, but would not necessarily result in additional retailers in a particular market area.



Figure 18. Retailer regional market and site selection considerations



Industrial, warehousing, and office site selection

For industrial and office development, site selection is based on a complex set of factors involving transportation infrastructure, workforce considerations, and access to customers or suppliers. An area of the metropolitan region would have to satisfy the firm's criteria on these factors if the region were to be considered at all. If the region is being considered for an industrial or office facility, local incentives could play a role in the specific location within the region that is chosen.

Site selection for manufacturing facilities involves factors such as the labor market, the skill level of the workforce, labor costs, transportation costs, utility costs, and the proximity of suppliers and consumers. Because most of the costs involved in a manufacturing facility are for supplier inputs and labor, taxes and incentives account for a very small portion of the overall

cost of facility operations.³³ Thus, incentives may not be a deciding factor until a particular region is identified for a location. After a region is selected, more significant costs such as labor and transportation costs are going to vary less across sites, resulting in local taxes and incentives becoming the variable cost. Similar factors exist for warehousing facilities, although a site's location within the firm's logistics network is an important factor.

Location for corporate offices also depends on factors such as the labor market, skill level of workforce, labor costs, access to transportation, the public services available for employees and their families, and quality of life considerations. These factors are considered typically under a multi-stage process, where geographic areas are selected first, followed by identification of various sites within the selected geographic areas.³⁴ If a firm was to consider northeastern Illinois for a corporate office, identified sites within northeastern Illinois and other regions under consideration would be evaluated on a number of factors, including quality of life factors, taxes, issues related to the site, and any incentives offered.

Locating logistics and warehouse facilities

Clarius Park Joliet, a speculative logistics facility being constructed near I-80, I-55 and intermodal facilities, is capitalizing on the Chicago region's assets with regard to transportation access. Developer Kevin D. Matzke said of the project location:

On a national level, Chicago factors into almost every large industrial user's logistics model due to its large population, geographic centrality and the fact that all Class 1 rail lines converge in Chicago. On a regional level, Joliet makes perfect sense, since it is located less than 50 miles from downtown Chicago, it is the crossing point between Interstates 55 and 80, and it is located very close to both the BNSF and UP intermodal facilities.

Joliet is one of several communities in the immediate area of the I-55/I-80 interchange that are experiencing substantial new industrial development. This area has added 26 million square feet of industrial development since 2000, with 21 million more square feet currently proposed.

National Real Estate Investor, "Construction of \$70M Clarius Park Joliet Underway, First Building Delivery Slated for 1Q 2013," August 12, 2012, <http://nreionline.com/midwest/construction-70m-clarius-park-joliet-underway-first-building-delivery-slated-1q-2013>; CMAP analysis of CoStar data

Alignment between local government and business goals

Local economic development efforts can help improve the tax base and the quality of life for residents. The economic development incentive tools researched for this report come into play when local governments believe that a business or developer requires a financial incentive to

³³ Daphne A. Kenyon, Adam H. Langley, and Bethany P. Paquin. Rethinking Property Tax Incentives for Business (Cambridge, Mass: Lincoln Institute of Land Policy, 2012), http://www.lincolnst.edu/pubs/2024_Rethinking-Property-Tax-Incentives-for-Business

³⁴ Joseph S. Rabianski, James R. DeLisle and Neil G. Carn, "Corporate Real Estate Site Selection: A Community-Specific Information Framework," Journal of Real Estate Research 22, no. 1/2 (2001): 165-197.



locate in the community. At the same time, businesses and developers desire these financial incentives from local governments. Businesses exist to maximize profits, and receiving an outlay of public funding reduces the cost of development for the business.

Businesses are typically in an advantageous position to negotiate incentives with local governments. They may have several sites to choose from, and may obtain incentive offers from multiple communities in the region. This puts communities in the difficult position of competing against each other for economic development opportunities, many of which are from businesses or developers that intend to select a site in northeastern Illinois and are simply choosing from several specific sites in the region. Only the business knows the level of public funding that is required for them to develop a particular site and whether an incentive is required for the development at all. Some communities require proof that there is a financial gap that must be met for a development to receive incentives, although in some cases that proof is only provided by the developer being evaluated. As a result, many communities provide incentives without knowing whether the development would have occurred regardless of the incentive or what kinds of incentives were offered by other communities.

Undoubtedly, northeastern Illinois has real redevelopment needs. Many areas of the region have vast amounts of available infill land, and these areas may also be experiencing a depressed economic base or a low tax base. These areas would benefit from additional economic development efforts, some of which may be in the form of incentives. At the same time, this report has shown that many of these incentive deals involve new greenfield developments which typically do not have extraordinary development costs. Some communities are spending public funding and other resources competing over these developments. From a regional perspective, these kinds of deals are problematic because the business likely would have located in the region regardless of these efforts.

Unfortunately, local governments are in a difficult position. If they do not offer economic development incentives, some businesses may decide to locate in a neighboring community that does provide an incentive. There are benefits associated with being selected for a development, such as an increased property tax base, and depending on the type of development, increased sales tax revenue, additional retail options in underserved areas, or closer employment opportunities for residents. While the community must also bear costs associated with the development, such as public service and infrastructure costs, neighboring communities may also have to incur some of these additional costs, but without receiving additional tax revenue that may be generated in part by their own residents.

Local governments operate largely under state law, which provides local governments the ability to use tax revenue to incentivize development projects. A policy environment where any community has the ability to provide incentives to businesses encourages competition among communities rather than cooperation. If even one community offers an economic development incentive, it would be at an advantage relative to a similar community not offering one.



Fostering an environment where local resources are targeted toward collaborative efforts would require reforms to the statutes that encourage incentive competition.

Conclusion: Supporting GO TO 2040

Local economic development incentives play a major role within the overall economic development landscape of northeastern Illinois. These incentives have been used to attract or retain a wide variety of commercial, industrial, and residential uses including retail, auto dealerships, corporate offices, manufacturing, warehousing, mixed-use, and affordable housing developments.

CMAP analyzes local incentives from the perspective of GO TO 2040, the region's comprehensive plan that links transportation, land use, the natural environment, economic prosperity, housing, and human and community development. The plan encourages strategies that support investment in existing communities, maintain the region's existing infrastructure, and encourage sustainable economic growth and efficient governance.

Communities often utilize local incentives for goals that align with GO TO 2040, such as redeveloping an underutilized site, developing affordable housing, or meeting other key reinvestment goals. Specifically, redevelopment can require the consolidation of many small parcels under separate ownership, remediation of environmental contamination, rehabilitation of existing structures, or an upgrade of public infrastructure. In these cases, incentives can bridge the gap between market prices and high redevelopment costs, meeting both public goals and private investment needs.

On the other hand, communities often use local incentives to compete over new developments on undeveloped land that typically do not have extraordinary development costs. While GO TO 2040 acknowledges that some greenfield development will occur, the plan does not prioritize the associated expenditure of limited public resources toward these ends.

GO TO 2040 also emphasizes efficient governance and access to information. Unfortunately, limited data availability often makes it difficult to determine exactly how many local governments are utilizing incentive tools. Like disclosing any other budgetary or financial reporting of local government expenditures or tax revenues, it is important for state and local governments to provide taxpayers with a full accounting of the incentives used for economic development projects.

Local communities often provide incentives without knowledge of whether the development would have occurred anyway. Businesses are typically in an advantageous position to negotiate incentives with local governments— they may have several sites to choose from and may receive incentive offers from multiple communities in the region. This situation puts communities in the difficult position of competing against each other for economic



development opportunities, many of which involve businesses or developers that intend to select a site in northeastern Illinois and are choosing from several specific sites in the region.

GO TO 2040 strongly supports coordination between communities. Intergovernmental approaches are often the best way to solve planning problems in economic development. Employing incentives to compete with other communities over development often runs contrary to this strategy. Collaborative efforts can help communities to gain efficiencies, share information, and strategically invest scarce public funds. Moving forward, fostering a collaborative environment to facilitate economic development would better utilize public resources and would benefit the region as a whole.



Appendix: Case study summaries

Case studies are organized according to incentive type and location. When more than one incentive type was utilized, the case study is classified by the incentive type that provided the most funding.

Sales tax rebates

Cook County

Abt Electronics, Village of Glenview

Figure 19. Abt Electronics



Source: flickr user Zol87

Abt Electronics moved to Glenview from Morton Grove in 2002. A sales tax rebate for the development was approved in 2000. According to a Village Board Report, the original agreement allowed for a 50-percent sales tax rebate for 15 years up to a maximum of \$11 million, after a sales threshold of \$100 million in sales. In 2008, the Village extended the rebate agreement for an additional 15-year period because Abt was approaching its maximum rebate



under the 2000 agreement. Under the 2008 agreement, which will expire in 2023, the sales threshold was dropped to \$75 million and the maximum was removed.

Also under the agreement, the Village is guaranteed a taxable sales base of \$275 million in years 1 through 5 and \$250 million in years 6-15. In addition, Abt must maintain at least 900 employees at the facilities in years one through five, 750 in years six through 10 and 600 in years 10 through 15. If these provision is not met, Abt will have to pay back all of the rebates received during the previous five years.

The reason for extending the agreement was multi-fold. Abt has been a significant employment and sales tax revenue generator. They have allowed the Village to lessen its dependence on a property tax levy. Also, according to the Village Board Report, Abt indicated several factors that may result in the store relocating to another community, such as the increase in the Cook County sales tax, nearby road work, and the economy.

Abt Electronics currently employs 1,100 and at least \$15 million has been paid under this agreement to date.

Source: Village of Glenview, Village Board Report on Consideration of a Resolution authorizing an addendum to the economic development agreement between the Village of Glenview and Abt Electronics, September 2, 2008; various Village of Glenview Comprehensive Annual Financial Reports, 2006 through 2011

Matteson Auto Mall, Village of Matteson

In 1997, the Village of Matteson entered into an agreement with Miller Consolidated to develop an auto mall on an undeveloped site. The agreement followed the loss of an Oldsmobile dealership, although it is unclear where that dealership was located.

Matteson Auto Mall was completed in 2001 on a 102-acre, 25-parcel piece of undeveloped land purchased from Marathon Oil. The mall was built at a cost of \$36.9 million. Miller sold half of the parcels to auto dealerships and leased three parcels for other uses. Ten auto dealerships were constructed and operating in the mall at its peak. In the middle of the mall, there is a conservation area with nature trails and wet lands. The Village provided significant site improvements, including sewer, water main, street lights, streets, sidewalks, landscaping, detention, and wetland creation for the mall.

Initially, three dealerships from other areas in southland relocated to the mall, generating complaints that the large incentives provided by taxpayers pitted communities against each other. Today, seven dealerships are currently still in operation, with three vacant dealerships. In addition, several other parcels are currently vacant.

Sales tax rebates ranging from 50 percent to 60 percent for 20 years were provided to all dealerships, with a clause that each dealership had to sell a minimum number of cars to receive the rebate. Matteson also issued \$3.5 million in bonds to pay for public improvements. In



addition, several taxing bodies provided a 50 percent property tax abatement for 10 years, up to a maximum of \$4 million as limited by statute, to several of the dealerships. Rich Township High School District 227 provided the property tax abatement to the initial dealerships. Elementary School District 159 provided abatements to dealerships constructed during both phases of the project. Two dealerships that did not receive an abatement received a property tax incentive Class 8.

In 2009, a TIF district was established for just the vacant parcels in the mall to encourage development on the vacant parcels, although there has not yet been any funding provided from development projects through the TIF district.

Source: Email communication with the Village of Matteson, February 20, 2013; Charles Stanley, "Matteson Gives Green Light to Huge Car-lot Complex," *Chicago Tribune*, June 18, 1997; Marilyn Thomas, "Suburbs Cry In Pain Over Tax-revenue Drain that's Matteson's Gain," *Chicago Tribune*, November 19, 1998

DuPage County

Caputo's, Village of Addison

Caputo's Market moved from another shopping center in Addison to this location in the Lake Mill Plaza Shopping Center. They rehabbed the new location, which is about twice the size of their original location. The rehab was completed in 2007 at a cost of \$5 million. Caputo's also later resurfaced the shopping center parking lot and renovated the façade of the whole shopping center.

The incentive was provided because Caputo's had been renting in another shopping center, and wanted to move to a larger facility, which this move allowed them to do. In addition, an incentive was provided for improvements to the shopping center. Caputo's received 50 percent of sales tax revenue generated over the amount generated in 2002 for five years or until \$200,000 is met. This agreement existed from 2004 to 2008, and a second agreement was made covering 2009 through 2013, with the same structure, and with a maximum of \$600,000. The rebate would only be provided if the entire shopping center was rented out, the façade renovated, and the parking lot resurfaced by 2007. These conditions were met in 2006.

Source: Email communication with the Village of Addison, February 1, 2013; Village of Addison Budget and Financial Plan, May 1, 2009 – April 30, 2010.

Lowe's, Village of Carol Stream

In 2003, the Village approved a sales tax rebate agreement with Lowe's for a 163,000 square foot store to be built on undeveloped land. The site required \$2 million in preparation, including stormwater detention, wetlands mitigation, and landscaping to shield the property from a residential area nearby. Under the agreement, 70 percent of sales tax revenue goes to Lowe's for 15 years, after the first \$100,000, which goes to the Village, with a \$700,000 maximum. To date, \$560,709 has been paid to Lowe's.



Source: Village of Carol Stream Comprehensive Annual Financial Report for the Fiscal Year Ended April 30, 2012; Annemarie Mannion, "Carol Stream OKs Lowe's store tax breaks," *Chicago Tribune*, July 23, 2003

Lee Lumber, City of Oakbrook Terrace

Lee Lumber is a building materials and lumber business that operates several showrooms in northeast Illinois and northwest Indiana. In 2003, Lee Lumber opened a window, door, and cabinet showroom and credit department in a shopping center. As a result, all sales involving a credit application were sourced to Oakbrook Terrace.

The 2003 agreement provided a sales tax rebate of 70 percent for 10 years with an automatic renewal of an additional 10 years unless either Lee Lumber or the City provides notice not to renew. The agreement assumes that Lee Lumber's business has closed if taxable credit sales sourced in the City fall below \$5 million a year. In addition, if Lee Lumber relocates outside of the City during the initial 10-year period, then they must repay Oakbrook Terrace a portion of the rebate. According to the agreement, the City provided incentives because the company stated it would otherwise not locate its "single order-acceptance point" and corporate headquarters in the City. In 2011, the showroom closed and in 2012, the credit department moved to the Chicago corporate office. Plato's Closet is now operating in the space.

Source: City of Oakbrook Terrace Ordinance No. 02 – 45, An ordinance approving an economic incentive agreement with Lee Lumber and Building Materials Corp; Economic Incentive Agreement between the City of Oakbrook Terrace and Lee Lumber and Building Materials, Corp, December 19, 2002; City of Oakbrook Terrace Annual Operating Budget Fiscal Year 2012-2013; City of Oakbrook Terrace, Minutes of the Regular City Council and Committee of the Whole meeting, June 26, 2012.

Kane County

Gander Mountain, City of Geneva

This area had been annexed by the City of Geneva in 1993. In 2003, Gander Mountain redeveloped a vacant Big Kmart, which closed in 2002 along with 284 other Kmart stores. This was the company's third store in Illinois, with the others in Peoria and Rockford. It is unclear when Big Kmart was built, but the adjacent shopping center was built in 1997.

The incentive agreement was signed in 2003. In years 1 and 2, Gander Mountain received no rebate. In years 3 through 7, if annual gross sales were less than or equal to \$23,750,000, Gander Mountain received a 25-percent sales tax rebate. If annual sales exceeded that amount, Gander Mountain received a 50-percent rebate. In exchange, Gander Mountain was required to make façade improvements and site improvements. During the term of the incentive agreement, rebates totaled \$145,000. In addition, Kane County planned to make improvements to Randall Road totaling \$482,000 using sales tax revenue collections. According to the agreement, the City provided the incentives because the development will meet service needs of residents, increase economic opportunities and conditions, increase employment opportunities, and enhance the tax base.



Source: Development Economic Incentive and Reimbursement Agreement City Of Geneva & Gander Mountain Company, March 17, 2003; Telephone communication with the City of Geneva, February 5, 2013; Barbara Kois, "Outdoors retailer to open store," Chicago Tribune, November 14, 2002

Geneva Commons, City of Geneva

Figure 20. Geneva Commons



Source: Jaffe Company

The Geneva Commons Lifestyle Shopping Center opened in 2003 with 610,979 square feet of retail space. Geneva annexed this property in 1996. Anchor tenants include Dick's Sporting Goods and Barnes & Noble. Currently, 68 out of 82 spaces are occupied.

The agreement was made in 2002 for a sales tax rebate of 25 percent to the developer for 7 and one half years from the date the first store opens or up to \$1,677,482. The rebate is meant to reimburse for various roadway improvements and landscaping. As stated in the agreement, the development would not be economically viable without the incentive, and the development will service the needs of residents, increase economic opportunities, enhance commercial economic conditions, stimulate commercial growth, and enhance the tax base of Geneva.

Source: Restated Development Economic Incentive and Reimbursement Agreement City of Geneva and Geneva Retail Company, LLC., April 10, 2002; Summary of Geneva Sales Tax Rebates; Geneva Commons website, <http://www.shopgenevacommons.com>, accessed May 1, 2013



Kendall County

Oswego Commons, Village of Oswego

Figure 21. Oswego Commons



Source: Ryan Company

This shopping center was constructed in 2001 on an undeveloped parcel, and houses a Home Depot, Target, Dominick's, Kohl's, and several restaurants. It is 500,000 square feet with 1,375 parking spaces. The Kohl's was constructed in 2006.

A sales tax rebate agreement was made in 2002, providing a 70-percent sales tax rebate in the first two years, 75 percent in years 3 and 4, 50 percent in years 5 through 7, and a 25-percent rebate in years 8 through 10. There is no maximum. CMAP estimates that rebates may have reached \$3.4 million. Kohl's received a separate rebate of 50 percent of sales tax revenues for 10 years, up to \$1 million. The Village's budget stated that incentives were provided to pay for infrastructure improvements and "to ensure the Village would secure bringing these large retail facilities to Oswego." Infrastructure improvements included widening of U.S. 34 as well as public utility upgrades.



Source: Village of Oswego Fiscal Year 2008/2009 Budget; Village of Oswego, Illinois Comprehensive Annual Financial Report for the Year Ended April 30, 2007; Village of Oswego, Illinois Comprehensive Annual Financial Report for the Year Ended April 30, 2009

Lake County

Peapod, Village of Lake Zurich

Peapod is an Internet grocery that started in 1989 in Skokie. It has since expanded nationally. In 2001, Peapod completed a new 93,750 square foot distribution center in Lake Zurich, which functions as the point of sale for all Peapod deliveries originating from it. The building was constructed in a new industrial park that was being built on undeveloped land that had been newly annexed by Lake Zurich.

The incentive agreement was signed in 1999. Peapod receives 50 percent of sales tax revenue generated over a sales threshold for 30 years. The sales threshold was \$6 million in 2000, and grows annually with CPI for all urban consumers for the Chicago area. The reasons for providing the rebate stated in the ordinance include that the property has been vacant (undeveloped), the project will create employment opportunities, the project will enhance the Village's revenues and tax base, and that the project would not be possible without the incentive. Between 2005 and 2012, \$2.4 million was paid to Peapod (data for 1999 through 2004 was unavailable).

Source: Village of Lake Zurich Resolution No. 99-03-01A, A Resolution Approving and Authorizing Execution of an Economic Incentive Agreement with Beacon Home Direct, Inc, March 1, 1999

CDW Computer Centers, Village of Mettawa and Village of Vernon Hills

CDW Computer Centers is a computer and technology sales company headquartered in Vernon Hills. The retail showroom is also located in Vernon Hills, although most sales are through telephone and online orders. CDW's Mettawa office opened in 2002. The Mettawa office had approximately \$100 million in sales in fiscal year 2011.

Mettawa is a small village, with 547 residents. It has few commercial businesses, but is home to the Lake Forest Oasis on the I-94 Tollway. After coming to an intergovernmental agreement with the City of Lake Forest regarding annexing the Oasis property owned by the Illinois State Toll Highway Authority (Tollway), Mettawa shares 50 percent of the sales tax revenue generated by the Oasis with Lake Forest. Together, the Oasis and CDW represent 70 percent of the total sales tax revenues in the Village.

Under the sales tax rebate agreement, CDW gets 50 percent of the sales tax revenues generated at the Mettawa office until 2098. It is unclear when the initial agreement was signed, but it was amended in 2002, and then amended again in 2004. It is unclear why Mettawa offered a sales tax rebate. Vernon Hills, who also provided a sales tax rebate, indicated at the time that they were concerned that CDW may move or expand in another municipality because other municipalities provide incentives such as TIFs and sales tax rebates.



When CDW moved its corporate headquarters to Vernon Hills in 1997, it received a sales tax rebate. It opened an additional facility in Vernon Hills in 2000. In the amended version of the rebate agreement, CDW receives 50 percent of sales tax revenue until July 31, 2019, assuming Vernon Hills collects at least \$2 million. If sales taxes fall below \$2 million, but are above \$650,000, the rebate is 35 percent, for sales tax receipts between \$500,000 and \$650,000, the rebate is 20 percent, and below \$500,000, there is no rebate.

Source: Village of Mettawa Annual Financial Report Year Ended April 30, 2010; Village of Mettawa Annual Financial Report Year Ended April 30, 2011; Village of Vernon Hills, Minutes of the Committee of the Whole, September 7, 1999, <http://www.vernonhills.org/village/minutes/1999/0907COW.htm>

Will County

Romeoville Crossings, Village of Romeoville

The shopping center was constructed in 2007 on an undeveloped parcel at a cost of approximately \$35 million. The shopping center houses a Wal-Mart, Firestone Tire, and an Autozone. A Sam's Club is expected to open in fall 2013. Most of the smaller parcels in the shopping center are currently vacant. The Wal-Mart is expected to have annual gross sales of more than \$60 million.

The incentive agreement began in 2008 when Wal-Mart opened. The developer receives 50 percent of sales tax revenues up to a maximum of \$5.1 million. The maximum is increased by \$100,000 if two sit-down restaurants (one of which can be substituted for two fast casual restaurants) apply for building permits. There are no sit-down restaurants in the shopping center currently. Initially, the rebate was to last for seven years, but the time limit was later removed because revenues in the early years had been impacted by the economic downturn.

The developer was required to reserve three locations in the shopping center for sit-down restaurants for three years. There can be no more than two banks or financial institutions and no arcades, no laundromats, pawnshops, currency exchanges, tattoo parlors, tobacco stores, or dollar stores in the shopping center. Also, the developer was required to make off-site road improvements, as well as other infrastructure and façade improvements.

According to the agreement, the Village provided incentives because the developer stated that the development would not have otherwise occurred, the Village's population has increased but there is not a large presence of "nationally-recognized retail stores" to serve them, and new retail development needs to generate substantial sales tax revenues for the Village so a property tax increase is not required.

Source: Village of Romeoville Request for Village Board Action, An Ordinance Authorizing the Executive of an Economic Incentive Agreement, August 10, 2007; Economic Incentive Agreement between the Village of Romeoville and Air-Web LLC.



Brookside Marketplace, Village of Tinley Park

Figure 22. Brookside Marketplace



Source: Village of Tinley Park

The shopping center opened in 2008 on an undeveloped parcel near I-80. The 455,853 square foot, 2,500 parking space development cost \$74 million. Tenants include retail and restaurants such as SuperTarget, Michael's, Best Buy, Ross, and Kohl's.

The Village of Tinley Park provided a sales tax rebate of 50 percent of revenues after a \$75,000 threshold for 10 years or until \$5 million is rebated. In addition, the Village reimbursed the developer for infrastructure costs totaling \$4.0 million. This included costs of roadways, bridges, traffic signals, landscaping, lighting, and utilities. Tinley Park's incentive policy lists reasons that a potential incentive would be considered. The list includes several criteria that could be met by this project, including the creation of at least 25 full-time jobs paying more than the area's average wage with full benefits and retail sales of at least \$5 million.

Source: Village of Tinley Park, Economic Development and Incentive Policies, October 18, 2011; Tinley Park Comprehensive Annual Financial Report Fiscal Year Ended April 30, 2011; Email communication with the Village of Tinley Park, February 11, 2013



Tax Increment Financing

Cook County

Broadview Village Square, Village of Broadview

The 63-acre parcel previously served as a parts distribution warehouse for the Illinois-based Komatsu Dresser Company, but the warehouse had been vacant since 1992 when the operation was moved to Tennessee. The 22nd & 17th Avenue TIF district was established in 1993 to attract developers to the site, which is adjacent to the North Riverside border. Broadview Village Square opened in 1994 at a cost of \$65 million. Anchors include a SuperTarget and a Home Depot. A \$23 million bond was issued to pay for site preparation including demolition and remediation.

Source: Robert Lundin, "Broadview's Retail Plaza a Hard Sell," *Chicago Tribune*, December 5, 1994; "Komatsu to close Broadview plant," *Chicago Sun-Times*, October 7, 1991; Village of Broadview Financial Statements As of and for the Year Ended April 30, 2012

Stateline Industrial Area, Calumet City

In 1988, Calumet City started a planning and implementation process to address the growing number of vacant, former industrial and commercial properties on State Street and State Line Avenue at the City's eastern boundary. The community is built out completely, so the goal of redevelopment was to increase the tax base, bring new jobs, and attract retail to the community.

This area is located in a TIF district (designated in 1994) and an Enterprise Zone. The redevelopment area is primarily used for warehousing and distribution activities, but also has some retail. Development primarily occurred between 1998 and 2008. Property tax revenues doubled from \$362,000 to \$777,000, despite the lower assessment levels as a result of the incentive classes.

Various developments received \$4,050,000 in TIF funding as well as property tax incentive classes 6 and 8. In addition, a U.S. EPA grant totaling \$200,000 and an Illinois EPA grant of \$88,305 was awarded. Additionally, land acquisition in 1994 was funded through TIF-backed bonds totaling \$13 million. Nearly all of the parcels originally purchased by the City have been redeveloped. The reason for providing the incentives was that the area required site remediation and preparation, including removing 30 underground storage tanks and clean up of environmental contamination.

Source: S.B. Friedman and Company, "Fiscal Analysis of Brownfield Redevelopment," March 10, 2009, <http://www.cmap.illinois.gov/documents/20583/9080cfc5-7482-46a6-b0cd-cb42aea24781>

United Airlines, City of Chicago

United was headquartered in Elk Grove Township. As part of an effort to consolidate real estate assets, the company considered moving to San Francisco, Denver, or Chicago. An agreement was made in 2007 for the company to move its corporate headquarters to 77 West Wacker Drive in Chicago. The agreement included \$5,475,000 TIF funding for redeveloping the



office space as well as a maximum of \$10 million in fuel tax rebates. United also received a \$1 million grant from the Illinois Department of Commerce and Economic Opportunity. The agreement required United to stay for ten years, relocate 365 FTEs to this location, retain at least 325 FTEs during the ten-year period, and occupy at least 137,000 square feet for 15 years. Project costs totaled \$23.0 million. United received the funds from the TIF but only received 2 percent of the fuel tax rebates because they stopped sourcing fuel to that location.

Later, United decided to relocate its operational headquarters, and considered several locations, including two in the City of Chicago and two in suburban locations in the region. The company ultimately went with Willis Tower, after receiving an offer of TIF funding. In addition, United moved its corporate headquarters to Willis Tower from the 77 West Wacker Drive site. The agreement provides United with \$25,889,768, which includes \$24,389,768 in TIF funds and \$1.5 million in TIF funding for job training. The first payment to United would be for \$2,400 per FTE relocated to Willis, up to \$3 million, but the company would only receive the funds if at least 1,000 employees were located. The second payment will be up to \$6 million, with the first payment deducted. For the following eight years, United will receive 1/8th of the remaining TIF amount including interest, annually. United also received a \$10 million grant, payable over five years. United will have to relocate a minimum of 2,500 FTE positions to Willis Tower, and retain this number of positions for ten years, and occupy at least 400,000 square feet. Redevelopment costs for the company will range from \$64.0 million to \$71.8 million, depending on the amount of office space redeveloped. United is currently leasing 830,000 square feet in Willis Tower.

Even though the City of Chicago stated that the agreement from 77 West Wacker Drive could have been shifted to Willis Tower, United returned the TIF funds to the City following the move out of the 77 West Wacker Drive location. It is unclear why United returned this incentive, because they have 4,000 employees in Willis Tower, which is more than the job requirements of the two agreements combined.

Source: Community Development Commission of the City of Chicago Resolution No. 06- CDC- 73, Authority To Negotiate A Redevelopment Agreement With United Air Lines, Inc. within the Central Loop Tax Increment Financing Redevelopment Project Area, and to Recommend To the City Council of the City of Chicago the Designation of United Air Lines, Inc. as the Developer, September 12, 2006; United Air Lines Redevelopment Agreement By and Between The City of Chicago And UAL Corporation and United Air Lines, Inc., October 31, 2007; Staff Report to the Community Development Commission Requesting Developer Designation September 8, 2009; United Air Lines Redevelopment Agreement by and between The City of Chicago and UAL Corporation and United Air Lines, Inc., November 19, 2009; Gregory Karp, "United returns TIF funds to city," *Chicago Tribune*, November 12, 2012.

Chicago Manufacturing Campus, Hegewisch, City of Chicago

The 3.5 million square foot Ford assembly plant has been operating at 26th and Torrence Ave since 1925. A TIF district was established in 1994 to support infrastructure work and environmental remediation for potential industrial development projects. In 2001, an agreement was made between Ford and CenterPoint Properties Trust to develop an adjacent



property for suppliers to the plant. According to materials provided by the City, Ford was also considering a supplier campus for Atlanta, from which they also solicited an incentive package.

The Chicago Manufacturing Campus opened one half-mile from the plant on a 155-acre site in 2004 with twelve suppliers. Having suppliers nearby was expected to enhance efficiencies and reduce transportation costs for Ford and its suppliers. The campus and related infrastructure cost \$288 million. The campus, which was formerly a steel mill, includes four multi-tenant buildings with 1.7 million square feet. The suppliers intended to employ 1,400 people. At the time of the agreement, Ford had been employing 2,200, and following the opening of the campus, added an additional 400 employees.

A redevelopment agreement in 2003 provided TIF funding totaling \$17,183,334, while a grant from the City of Chicago provided \$4.8 million. These funds were used to pay for the land remediation and site preparation costs involved in preparing the campus. In addition, a separate infrastructure agreement was made in 2003 for off-site infrastructure improvements to benefit the plant and the supplier campus, including \$30 million in roadway realignments and upgrades, and \$170 million in new bridges and grade separations at the rail lines. These improvements are expected to be completed by 2015. The railroads and Ford contributed \$10 million to the improvements, while the remaining \$190 million was funded through City of Chicago general obligations bonds, the State's Illinois First capital program, Federal Highway Administration funds, and the TIF district provided \$1 million. In addition, the area is in an Enterprise Zone, which resulted in a sales tax abatement of \$726,256 and a designation of a Class 6 incentive class, which reduced property taxes.

The agreements required Ford to operate the assembly plant and provide at least 750 jobs for a ten-year period at the supplier park, and lease at least 75 percent of the supplier campus during the initial ten-year period. In addition, for a 60-month period (not required to be consecutive) during the ten years, at least 1,000 jobs must be provided.

Even as other Ford assembly plants in the Midwest have closed in recent years, Ford continues to invest in its Chicago plant. The national economic recession resulted in the Ford plant going down to one shift in 2008, but in 2010, it was announced that a second shift would be again added to the facility, resulting in 1,200 jobs. In 2011, a third shift was added, resulting in another 1,200 jobs. However, news reports have indicated that laid-off transfers from Ford plants in other states may be used to fill many of those jobs. Currently, the Ford plant employs an estimated 4,000. While the supplier park at one point employed 1,400, some of the suppliers closed during the recession. Approximately 400 were employed at the supplier park as of 2010.

Source: Kate MacArthur, "New jobs at Chicago Ford plant will go to out-of-towners first," *Crain's Chicago Business*, November 7, 2011; 2011 Annual Tax Increment Finance Report, 126th and Torrence Redevelopment Project Area; CMAP analysis of CoStar data; Chicago Manufacturing Campus Infrastructure Agreement Dated as of March 21, 2003, http://www.cityofchicago.org/content/dam/city/depts/dcd/tif/T_010_ChicagoManufacturingCampusRDA.pdf; Chicago Manufacturing Campus Redevelopment Agreement, March 21, 2003; Andrea



Holecek, "Visteon to close its local doors," *Times of Northwest Indiana*, September 26, 2006, http://www.nwtimes.com/business/local/visteon-to-close-its-local-doors/article_b9e98b5d-0c80-56fe-a9dc-f86ce084004f.html; Kathleen Kerwin, "Ford To Suppliers: Let's Get Cozier," *BloombergBusinessweek Magazine*, September 19, 2004, <http://www.businessweek.com/stories/2004-09-19/ford-to-suppliers-lets-get-cozier>; Stephen Kronfeld, "CenterPoint and Ford join forces," CoStar Group, January 17, 2002; Andrew Deichler, "Ford Unveils New Explorer, Launches Chicago Expansion," CoStar Group, July 26, 2010; Ford, "Chicago Manufacturing Campus Opens With Suppliers Manufacturing Just-In-Time Inventory," August 10, 2004, http://media.ford.com/article_display.cfm?article_id=18911.

Klee Building, Portage Park, City of Chicago

Figure 23. Klee Building



Source: flickr user Mark 2400

The Irving Cicero TIF district was established in 1996 to redevelop the 6-corner intersection of Irving Park, Cicero, and Milwaukee. The City of Chicago bought the Klee building from the owner for \$1.8 million using eminent domain. In 2005, an agreement was made to create a mixed-use retail and residential redevelopment. Redevelopment was done in 2007, resulting in 64 units (13 affordable), and 20,000 square feet of retail space, which houses a Vitamin Shoppe, a Pearle Vision, Accelerated Rehab Centers, a chiropractic office, and two remaining commercial



spaces. The development includes 69 underground parking spaces for the residential units and 23 surface spaces for retail customers.

The project received \$1,163,000 in TIF funds for the \$18,718,699 development. This includes rehabbing the Klee Building, demolishing three other neighboring buildings, and constructing two new buildings to complement the Klee Building (one that is 5 stories like the Klee building, and the other a single story retail building). The project anticipated to create 20 full and part time jobs through the retail component. The agreement requires the developer to use its best efforts to maintain a minimum of 20 full-time and part-time positions for ten years.

Source: Chicago Klee Development LLC Redevelopment Agreement dated as of January 14, 2005 by and between the City of Chicago and Chicago Klee Development LLC; Jeanette Almada, “\$20M Deal Would Bring Retail, Housing to Six Corners,” *Chicago Tribune*, January 25, 2004; Jeanette Almada, “Six Corners Project Advances,” *Chicago Tribune*, March 21, 2004; Grant Pick, “Six Corners at the Crossroads,” *Chicago Reader*, November 6, 2003.

Southgate Market, Near West Side, City of Chicago

Figure 24. Southgate Market



Source: S.B. Friedman and Company

The Jefferson/Roosevelt TIF district was established in 2000. The developer of Southgate Market reconstructed the Taylor Street viaduct as well as access ramps to the viaduct from a



parking garage for the shopping center. The agreement stated that the developer reconstructed the viaduct instead of CDOT because the construction schedule of the center conflicted with the schedule for the reconstruction of the viaduct. It is unclear when CDOT would have reconstructed the viaduct. The TIF funds totaling \$6.5 million were used to pay back the developer for the construction of the viaduct. Funds from other TIF districts (River South and Canal/Congress) were also used. This area had extraordinary site challenges due to the old viaduct and the proximity to the railroad. Southgate Market opened in 2007. It is a retail center that houses 15 stores including a Marshall's, Whole Foods, and Petsmart.

Source: Redevelopment Agreement by and between The City of Chicago and Canal/Taylor Central LLC, November 1, 2005

Food 4 Less, West Englewood, City of Chicago

The 69th and Ashland TIF district was established in 2004 in the economically depressed West Englewood neighborhood. Of the area's 63 tax parcels, 54 percent were vacant at the time the district was established. The area included a 7-acre property that formerly housed a CTA bus barn. The bus barn was demolished in 1998.

The former site of the CTA bus barn was redeveloped into a retail center, which includes 400 parking spaces, a Food 4 Less, a gas station, two banks, a RadioShack, and several other stores. The Food4Less opened in 2006 at a development cost of \$11,878,878, and the remainder of the retail center opened in 2006 at a cost of \$6,419,268. Food4Less and the developer attempted to purchase the property from the CTA in 2002, but there were unanticipated environmental remediation problems that required significant additional funding. TIF funds totaling \$1,925,000 were provided to the developers to fund the unexpected environmental cleanup costs as well as increased construction costs that resulted from a delay in the schedule.

Source: Resolution No. 04- CDC-14 Authority To Negotiate Redevelopment Agreements With Ralph's Grocery Company And Finch Limited Partnership Within The 69th/Ashland TIF Redevelopment Project Area, And To Recommend To The City Council Of The City Of Chicago The Designation Of Ralph's Grocery Company And Finch Limited Partnership As Developers, September 14, 2004; Designation Of Ralph's Grocery Company, Doing Business As Food 4 Less Midwest, As Project Developer, Authorization For Execution Of Redevelopment Agreement And Issuance Of Tax Increment Allocation Note (69th/Ashland Redevelopment Project) For Construction And Operation Of Grocery Store And Related Facilities At 1601 West 69th Street, February 9, 2005

McGrath Acura, Village of Morton Grove

The Waukegan Road TIF District was established in 1995. The area previously housed several blighted motels, a Walgreen's, and a bank. The Walgreen's and the bank were redeveloped after initial land assembly. Later, a redevelopment agreement for an Oldsmobile dealership was created, but this agreement was voided when the Oldsmobile brand was canceled. The Village reacquired the property, and sold the site to the developer of McGrath Acura.

McGrath Acura was completed in 2004 at a cost of \$16,106,738. The site required several improvements, such as storm water detention, perimeter fencing, and site landscaping. The



incentive agreements were made in 2002 to reimburse developer for site improvements. TIF funding totaling \$4,106,738 was provided.

In addition, a sales tax rebate was provided for 6 years with a maximum of \$500,000. Every year, a maximum of 1/6th of the \$500,000 will be rebated, unless sales tax revenues fall short of this. If so, the agreement will continue for an additional two years. For the sales tax rebate, if the dealership leaves within four years of the end of the agreement, they must pay the rebate back. If they leave between four and eight years after the end of the agreement, they owe half of the rebate back to the Village.

Source: Village of Morton Grove, Ordinance 02-01 Authorizing a Redevelopment Agreement for the Waukegan Road TIF District Redevelopment Area B, January 28, 2002; Waukegan Road TIF Redevelopment District Fiscal Year 2010 Annual Report

Park Ridge Uptown, City of Park Ridge

Figure 25. Park Ridge Uptown



Copyright OKW Architects, Inc.

Uptown Park Ridge is a mixed-use residential and retail development in downtown Park Ridge. Prior to redevelopment, there were two auto dealerships and a water reservoir on the other side of a six-way intersection from the City's central business district. Prior to establishing the TIF, the City purchased the two dealerships at a cost of \$5.3 million, and determined that that water reservoir should be moved because it was leaking. The Uptown TIF district was designated in 2003.

The \$123.7 million development was completed in three phases between 2005 and 2009. The project is a mixed use walkable development including 189 residential market rate units and 70,000 square feet of retail space. Retailers include Trader Joe's, clothing stores, and restaurants. The condominiums are substantially sold-out and the retail space is leased. A fourth phase on the site of the Napleton Cadillac has not yet occurred, although the dealership was demolished.

As of 2004, expected revenues for the project, include TIF revenues totaling \$44.9 million, new sales tax revenue totaling \$14.3 million, and revenues from land sales totaling \$9.5 million.

TIF funds were used because the old water reservoir and two former car dealerships caused major site preparation and land assembly challenges. In addition, the six-way intersection caused traffic management issues. Of the total development cost, \$16,808,000 in TIF funds were spent on various costs, including infrastructure (sitework, street, sidewalk, lighting, utility, streetscaping, roadway and signals, public parking (structured and surface)). Of the 652 parking spaces, most are private for residential or retail spots, but 100 public spaces were built with TIF funds. In addition, the City is sharing TIF funds with the park district and the school districts totaling \$13.2 million. For the new water reservoir, the City issued bonds totaling \$16,770,000. \$4.9 million will be paid with TIF funds and sales tax revenues, and the remainder will be paid with water revenues.

However, due to declining property values in recent years, TIF incremental property tax revenue has been insufficient to cover debt service on the bonds and the intergovernmental payments to the park and school districts. To date, the TIF district has borrowed more than \$5.0 million from the general fund. Projections indicate that loans from the City's general fund may be required in future years.

Source: Annual Tax Increment Finance Report, Uptown TIF, FY2010, FY 2011, and FY2012; Uptown TIF Strategic Plan, June 24, 2013, <http://www.parkridge.us/assets/1/Events/The%20Uptown%20TIF%20Strategic%20Plan.pdf>; Redevelopment Agreement dated January 5, 2005 by and between the City of Park Ridge and PRC Partners, LLC; City of Park Ridge, Comprehensive Annual Financial Report for the Year Ended April 30, 2012; SB Friedman Development Advisors, Shops and Residences of Uptown Park Ridge summary, http://sbfriedman.com/sites/default/files/James%20Felt%20Award_Summary.pdf.



Whistler Crossing, Village of Riverdale

Figure 26. Whistler Crossing



Source: Metropolitan Planning Council

Pacesetter was a privately-owned 397-unit townhouse development. The units eventually fell into disrepair, and a neighboring shopping center had closed down, all contributing to blight in the area. In addition, the layout of the development resulted in isolation from the rest of the Village, as well as problems with access for public safety vehicles. A TIF district was established to rehabilitate the area and ensure that affordable housing would remain available for those residents that had utilized Housing Choice Vouchers.

The redevelopment project began in 2007, with the goal to convert the area to a mixed-income and mixed-use community including both for-sale and rental housing options. The area received LEED-ND certification, which means that it was recognized for integrating smart growth and green building principles into a cohesive neighborhood design. The new



development currently has 106 affordable rental units, 24 rental market rate units, and a grocery store. This is a multi-phase project, and only phase I is complete.

This \$38 million redevelopment and rehab project received \$1.6 million in TIF funding which went toward redeveloping the residential units as well as toward infrastructure improvements like streets, sidewalk, and alleys. The project also received \$10,940,000 in other incentives, including Illinois Department of Commerce and Economic Opportunity grants, Illinois Housing Development Authority grants, a federal HOME grant, as well as tax credits including the federal Low-Income Housing Tax Credit and the Federal Historic Rehabilitation Tax Credit.

Source: Annual Tax Increment Finance Report, FY2010, 138th Stewart TIF 4; Urban Land Institute Chicago, Riverdale, Illinois A Vision for the PaceSetter Neighborhood, 2003 Technical Assistance Panel; Karin Sommer, "Groundbreaking for Pacesetter/Whistler Crossing Redevelopment Project on November 13," Metropolitan Planning Council, November 21, 2007

Phoenix Lake Business Park, Village of Streamwood

This area had been vacant prior to the establishment of the TIF district in 2001. However, the land was zoned for industrial. The area is surrounded by Phoenix Lake to the south, residential to the north and west, and retail to the east. The cost of improvements to the land is high because wetland on the site had become a dumping site. The 41-acre development has seven lots. Five of the seven lots have been developed and sold. Total development costs have been \$22,550,240 so far.

The developer is being reimbursed \$1.5 million to construct a street that runs through the middle of the industrial park, with 70 percent of the TIF revenue generated annually going toward this reimbursement. In addition, the remaining 30 percent of the TIF revenue will go toward reimbursing the Village for \$1.5 million that had been paid out of the Village's operating funds for other street construction. In addition, it appears that the property is eligible for a Class 6 incentive class.

Source: Village Of Streamwood Comprehensive Annual Financial Report For The Year Ended December 31, 2011; Tony Perri, "Work at new TIF site to start," Chicago Tribune, October 07, 2001; Tony Perri, "Business Park is Finally a Go," Chicago Tribune, November 20, 2001; Village of Streamwood, 2013 Budget Executive Summary; Annual Tax Increment Finance Report, FY2010, Buttitta Drive/Francis Ave



Prairie Park, Village of Wheeling

Figure 27. Prairie Park



Source: Smith Family Construction

The North Milwaukee Avenue/Lake-Cook Road TIF district was established in 2003 and expanded in 2007 in an area that contained a mix of improved and vacant land. The area was found to include both blighted parcels as well as parcels that qualified as a conservation area.

In 2004, the Village made a redevelopment agreement with a developer to construct the Prairie Park at Wheeling, which was to be a five-building condominium development with 306 units. During the economic recession that began in 2007, the development ran into financial problems, which resulted in additional funding from the Village. The development has cost \$91.7 million, although a planned fifth building has not been built. It is estimated that the development may cost \$124.2 million. To date, 62 units in the constructed buildings remain unsold. Other projects in this TIF district have included a Westin Hotel (a \$125 million project that utilized \$23 million in TIF funding) as well as infrastructure improvements.

TIF funds were provided to aid in environmental cleanup, mitigate chronic flooding, convert existing land uses to mixed-use residential/commercial developments, encourage development on vacant properties that previously housed condemned buildings, fund infrastructure improvements, and provide for open space and landscaping. In 2004, the Village agreed to provide TIF funds totaling \$3 million. The Village agreed to provide an additional \$1.5 million in 2006. Originally, \$775,969.28 was to be paid once buildings 4 and 5 were constructed. In 2009, this was modified; instead, half of this would be provided immediately to the developer, and the other half would be provided upon completion of the clubhouse. In 2010, the Village



provided additional TIF funds totaling \$6 million to help the developer avoid foreclosure of the property. Of the \$6 million, \$2.5 million was tied to the completion of the clubhouse, ring road, and infrastructure. An additional \$3.5 million will be paid as condo units are sold. Because there were not sufficient funds in the TIF district, the Village had to take out a revenue bond for the \$2.5 million. To date, just 15 more units sold, so of the \$3.5 million, only \$450,000 has been paid out. The developer has recently asked for the rest of the \$3.5 million from the Village, but the Village was not willing to provide it.

Source: Village of Wheeling, Further Expanded Redevelopment Project Area, Amended May 2008; Village of Wheeling, FY2011 Annual Tax Increment Finance Report; Redevelopment Agreement For The Prairie Park Development Comprising A Part Of The North TIF District Of The Village Of Wheeling, April 2, 2004; First Amendment to the Redevelopment Agreement for the Prairie Park Development Comprising a part of the North TIF District of the Village of Wheeling, June 15, 2006; Second Amendment to the Redevelopment Agreement for the Prairie Park Development Comprising a part of the North TIF District of the Village of Wheeling, February 9, 2009; Village of Wheeling, Board Meeting, January 21, 2013, http://www.wheelingil.gov/webcasts/VB/2013/Jan_21_2013/Default.html; An Ordinance Approving and Authorizing the Village President and Clerk to Execute a Restated Redevelopment Agreement for the Prairie Park Development Comprising a Part of the North TIF District of the Village of Wheeling, July 12, 2010; Minutes Of The Regular Meeting Of The President And Board Of Trustees Of The Village Of Wheeling, June 21, 2010; Sheila Ahern, "Wheeling votes to give developer \$6.5 million," Daily Herald, July 13, 2010.

DuPage County

Bill Kay Nissan, Village of Downers Grove

The Ogden Avenue corridor is primarily commercial, and is home to several auto dealerships. A TIF district was established in 2001, and, in 2010, the Ogden Avenue Site Improvement Strategy (OASIS) program was established to provide businesses a matching grant for certain site improvements, such as landscaping, façade improvements, stormwater facilities, and transportation infrastructure improvements. In addition, TIF funds as well as CMAQ and STP funds have been used to pay for sidewalk, curb cut construction, and curb cut reductions in the corridor.

In addition, the Village provided sales tax rebates to several auto dealerships over the past decade (both within and outside of the TIF district). Bill Kay Nissan, who was leasing its auto dealership, purchased the property, renovated the façade, and remodeled the showroom in 2005. A combination of a sales tax rebate and TIF funds were provided to reimburse Bill Kay Nissan for its costs in purchasing the property. The agreement includes a sales tax rebate of 25 percent for seven years on sales above a \$25 million base. The agreement also provides an annual payment of \$35,000 for ten years from the TIF, unless after the seven year period is over the sales tax rebates totaled less than \$250,000. If that is the case, then the TIF payments are increased to \$45,000 for the final three years.

The agreement requires the Bill Kay Nissan to purchase the property, remodel the property, install a public sidewalk, and continue to operate the dealership on the property for at least 12



years. If Bill Kay Nissan ceases to operate during years 1 through 3 of the agreement, all sales tax rebate and TIF reimbursement must be repaid. The repayment amount drops to 75 percent during years 4 and 5 and 50 percent during years 5 through 10.

According to the agreement, the purpose of providing the incentives was to prevent blight, encourage development to enhance the local tax base, generate increased tax revenues, and stimulate employment within the TIF district.

Source: Redevelopment/Sales Tax Rebate Agreement Between The Village Of Downers Grove and J.K. Pontiac D/B/A Bill Kay Nissan, February 15, 2005; Annual TIF Report Year Ending December 31, 2010, Ogden Avenue TIF Corridor

Block 300, City of Elmhurst

The Elmhurst Central Business District TIF district was established in 1986, and extended for another 12 years in 2004, although as part of the extension, parcels in Block 300 were released from the original project area in 2006 and 2007. In addition to property tax increment, this TIF district also receives incremental sales tax revenue. A plan for a subarea of the central business district, Block 300, called for redevelopment of a bank building for mixed uses as well as multi-family residential development. A mixed-use rehabilitation of the bank building and a new condominium building with 122 units were completed in 2005 at a cost of \$34,291,310. TIF funds totaling \$1,141,810 were used to fund streets, sidewalks, landscaping, utilities, and streetscaping.

Source: City of Elmhurst FY2010 Annual Tax Increment Finance Report; City of Elmhurst, Downtown Plan, February 2006; City of Elmhurst, Market Assessment, April 2007

Kane County

ALDI, City of Geneva

Figure 28. ALDI



Source: Geneva Patch



A TIF district was established in a commercial corridor on East State Street under eligibility as a conservation area. The corridor is a half mile from the central business district in Geneva. Since the TIF was established in 2000, several retail and other commercial establishments, including CVS and ALDI, have located in the district. The area in the district had significant site issues and required parcel assembly and environmental remediation.

The ALDI was completed in 2007 and contributed to the significant improvements that have been made in the corridor. The development cost \$3,050,000. The TIF provided \$450,000 of the total development cost. In addition, ALDI received a sales tax rebate in 2008 of 50 percent of revenues for ten years or up to a maximum of \$300,000.

Source: Annual Tax Increment Finance Report FY2010, East State Street TIF District; East State Street Tax Increment Financing Redevelopment Project and Plan, December 1, 1999; City of Geneva, Summary of Geneva Sales Tax Rebates

Spring Hill Gateway, Village of West Dundee

This shopping center is adjacent to the Spring Hill Mall, and has struggled with vacant storefronts and a poor layout with an inward orientation from the road, resulting in poor visibility. A TIF district was established in 2008 to redevelop the Spring Hill Gateway as well as 11 other properties in the area. Other projects in the TIF district include an L.A. Fitness constructed on a former Toys R Us site. At the time the TIF district was established, the vacancy rate for Spring Hill Gateway was 40 percent.

Since the TIF district was established, the completion of the improvements to Spring Hill Gateway and the attraction of additional tenants were stalled as a result of the property going through foreclosure. The east side of the center is now out of foreclosure and owned by the bank. It is currently under contract to a new developer who will be proposing additional work as part of the redevelopment plan. The west side of the center has been transferred to a new owner and is being marketed for lease, but there is continued litigation with respect to the foreclosure.

Projects are budgeted at \$30.6 million. Thus far, the TIF has expended \$4 million on infrastructure improvements and land assembly, while \$12 million in private funds has been spent on project costs such as construction of new storefronts facing the street and new signage. The TIF funds were actually a transfer from the Village's operating budget, and the Village is waiting to be repaid from TIF revenues.

Source: Jacob Hurwith, "WD ends fiscal year in black," *The Courier-News* October 19, 2010; Annual Tax Increment Finance Report FY2010, West Dundee; Email communication with the Village of West Dundee, February 01, 2013 and June 26, 2013



Lake County

Lincolnshire Downtown, Village of Lincolnshire

The Village's only TIF district was established in 1989, and was created to develop a downtown area. At the time of the TIF district's establishment, much of the area was undeveloped. The development includes a commercial "village green" area as well a 2-building condominium development housing 62 units. TIF funds totaling \$7,845,539 were spent on the development.

Source: Village of Lincolnshire FY2010 TIF Report; Village of Lincolnshire Comprehensive Plan Update, 2012

McHenry County

Woodstock Station, City of Woodstock

The project area was formerly Woodstock Die Casting, which closed in 1990. The City acquired the property in 1993, demolished the buildings in 1997 and performed environmental remediation on the land. A TIF district was established in 1997 to assist with the redevelopment of the site and the surrounding downtown area.

This 11-acre, proposed transit-oriented development is adjacent to the Woodstock Metra Station. To date, approximately \$2.5 million has been spent on projects including the installation of water and sewer lines, street construction, the resurfacing the commuter parking lot and streetscaping. Plans for commercial uses, condominiums, and town houses stalled when the property went into foreclosure in 2009. At that time, ten townhouses had been built by the developer. Another developers' plans for senior housing on the property were recently considered by the planning commission, but were withdrawn due to local concerns regarding the design, proposed age restrictions, and density of the project.

Source: Annual Tax Increment Finance Report FY2010, City of Woodstock Downtown TIF Redevelopment Project Area; City Of Woodstock Plan Commission Minutes, February 23, 2012; City of Woodstock, Fiscal Year 2012/2013 Annual Budget; Woodstock Environmental Plan, 2010

Will County

Bailly Ridge, Village of Monee

TIF district #3 was designated in 2001 on undeveloped parcels adjacent to an I-57 interchange. The Bailly Ridge Corporate Center is a 412-acre park for distribution, industrial, office, and retail. The development cost has cost \$23.3 million thus far, but most of the buildings have not yet been constructed. Various developers have received funding from the TIF in the form of property tax reimbursements, totaling \$1.5 million in FY2012.

TNT Logistics, who leases a 718,725 square foot warehouse to distribute Michelin tires, received \$4.6 million in TIF funds. An adjacent 431,600 square foot building remains vacant about 40 percent vacant. Aside from these 60 acres, the rest of the 412-acre park primarily remains undeveloped.



Source: Village of Monee TIF district reports, FY2010 and FY2012; Micah Maidenberg, "Developer slammed with lawsuits on far suburban projects," *ChicagoRealEstateDaily.com*, February 6, 2013

Property tax abatements and incentive classes

Cook County

Cloverhill Bakeries, Town of Cicero

Cloverhill Bakery is located in Chicago, but decided to move distribution facilities from Chicago to Cicero in 2010 in order to expand its distribution facility, which could not be expanded in the Chicago location. When the distribution facility and its 40 employees moved to Cicero, the company received an incentive Class 6, which over the first three years of the 12-year incentive period saved the company approximately \$1.9 million in property taxes. Over the entire incentive period (which could be renewed), savings could total \$7.1 million.

Source: S.B. Friedman Development Advisors analysis of Cook County Assessor data; Sandra Anderson, "Cloverhill Bakery moving distribution center to Cicero," *The Mark News Online*, October 19, 2010; "Chicago business to expand in Cicero," *Town of Cicero News Wire*, October 12, 2010

Sahloul Plaza, City of Harvey

This 11,550 square foot shopping center was constructed in 2007. Several sites in this center remain vacant. The Class 8 incentive was provided in 2007, and has saved the property owner \$358,300 thus far, and is estimated to save \$780,613 over the 12-year period.

Source: S.B. Friedman Development Advisors analysis of Cook County Assessor data

Robert James Sales, City of Oak Forest

The building was constructed in 2002 for a distribution center for Robert James Sales, a process pipes distribution company that is headquartered in Buffalo, New York. This was an undeveloped parcel primarily surrounded by other industrial and commercial buildings, with undeveloped land to the south, where a shopping center was eventually constructed.

The company employs 12 in this location, and expanded its warehouse capacity in 2012. The Class 8 incentive was provided starting with tax year 2004. Properties within Bremen Township are eligible for Class 8 designation, which is for areas in need of revitalization, because it is part of the South Suburban Tax Reactivation Program. Thus far, the value of the incentive has totaled \$667,729, and is estimated to reach \$852,033 over the 12-year period.

Source: S.B. Friedman Development Advisors analysis of Cook County Assessor data; rjsales.com

Grundy County (Aux Sable Township)

Clorox, Village of Minooka

On a site off of I-80 and Minooka Road, an industrial area has been developed since 2000. The entire area was previously farmland, and mostly remains farmland. Other companies that have



located warehouses here include Kellogg's, Alberto Culver, BMW, Electrolux, Macy's, and Grainger. Many of these companies also received property tax abatements.

Clorox received a property tax abatement for building an 849,691 square foot warehouse on an undeveloped site in 2006. The reason for providing incentives to Clorox was to encourage the company to move to Minooka. Clorox was given a 75-percent property tax abatement the first year, the second year 50 percent, and the third year 25 percent from 2007 to 2009, totaling \$773,000. Abatements were provided by Grundy County, the Village of Minooka, Aux Sable Township, Aux Sable Road and Bridge, Minooka Fire Protection District, Minooka High School, Minooka Grade School and Joliet Junior College. Clorox was required to stay until 2012 or forfeit the abatement.

Clorox moved into the facility 2007, but moved out in 2011 in favor of a new, 1.35 million square foot distribution center in University Park. The stated reason for the move was that they needed additional space. Clorox repaid the abated funds after moving because the agreement required the company to stay until 2012. University Park approved the use of TIF funds for the company after taxes are paid on the new building. Under this new agreement, 165 people would be employed in the facility with a minimum of 20 percent being University Park residents. Clorox employs 165 at the University Park facility.

Source: Todd J. Behme, "Clorox looks to build big warehouse in south suburbs," *ChicagoRealEstateDaily.com*, March 24, 2010; Kris Stadalsky, "Early exit from Minooka will cost Clorox," *Joliet Herald News*, March 5, 2011; CoStar

Lake County

Medline, Village of Libertyville

Medline, which is headquartered in Lake County, built a new distribution center in Libertyville in 2007. Medline received property tax abatements from Lake County, Fremont School District 79, and Mundelein Consolidated High School District 120. Medline will receive a 50-percent abatement for 2011 through 2015, a 40-percent abatement in 2016, 30 percent in 2017, 20 percent in 2018, and 10 percent in 2019, at a maximum of \$4 million as required by statute. In addition, the company received Employer Training Investment Program grants totaling \$140,775. The reason provided by the local governments for offering the abatement was to create and retain jobs. The property tax abatement required a minimum of 600,000 square feet and a minimum of 100 employees, with at least 50 employees being residents of Lake County. If Medline does not employ at least 50 Lake County residents for the full term of the tax abatement within five years of the initiation of the abatement term, Medline has to repay all abated taxes.

Source: Real Property Tax Abatement Agreement, Medline Industries, Inc., March 28, 2007; Illinois Department of Commerce and Economic Opportunity



McHenry County

Marengo Entertainment Center, City of Marengo

The Marengo Entertainment Center, which houses a bowling alley and restaurant, was built in 2010 at a cost of \$4 million. The City of Marengo, the Marengo Rescue Squad, Marengo Park District, Marengo-Union Library District, Marengo Fire District, Marengo Community High School District 154, and Marengo-Union Elementary School District 165 all provided a 75 percent property tax abatement for 2011, a 50 percent abatement for 2012, and a 25 percent abatement for 2013 on the taxes levied on the improvements to the property. This abatement totaled \$18,288 in tax year 2011 and approximately \$13,000 in tax year 2012. In addition, the City of Marengo provided a 10 percent sales tax rebate for three years estimated to total \$600 and a 10 percent reduction in building permit fees expected to total \$2,504.

Source: Marengo Economic Development Commission; Marengo City Council, Regular Meeting Minutes, July 27, 2009; McHenry County 2011 Abatement Report; CMAP analysis of McHenry County Treasurer data

Will County

Dollar Tree Distribution Center, City of Joliet

Figure 29. Dollar Tree Distribution Center



Source: CoStar

In 2004, Dollar Tree opened a 1.2 million square foot distribution center in Joliet on farmland near the intersection of I-55 and I-80 and an intermodal transportation center in Elwood. The \$70 million distribution center replaced another in the Chicago area. The facility intended to retain 150 employees from the original facility and add an additional 50 employees. The City of Joliet, Will County, Joliet Township High School District 204, and Laraway Elementary School District 70-C provided 50 percent property tax abatements for five years, 2005 through 2009.



The abatements totaled \$2,472,740. In addition, the Illinois Department of Commerce and Economic Opportunity provided a \$1.5 million incentive package, including \$500,000 for site improvements. According to media reports, Dollar Tree issued a press release stating it was choosing among sites in Illinois and northwest Indiana, and that that incentives from state and local governments would be a factor in the decision.

Source: Dollar Tree, "Dollar Tree Stores, Inc. To Break Ground for Two New Distribution Centers," May 12, 2003; Karen Mellen, "Dollar store seeks Joliet deal," *Chicago Tribune*, February 4, 2003; Ken O'Brien, "Retailer picks Joliet for \$75 million warehouse," *Chicago Tribune*, April 12, 2003; Will County Clerk

Panduit, Village of Tinley Park

Figure 30. Panduit



Source: Village of Tinley Park

The Panduit Corporation has been located in Tinley Park since its founding in 1966. The company produces industrial plastic and electronic components. It has several offices and manufacturing facilities in the Will County area. Sales sourced at the headquarters location totals approximately \$40 million annually, resulting in sales tax revenues to the Village.



The company completed a new 500,000 square foot corporate headquarters in 2010 on undeveloped land in the Will County section of Tinley Park. The company had 500 employees in its corporate office, but built the new campus to accommodate 1,200. Approximately 1,000 employees work at the new headquarters. It is unclear whether any of these employees were transferred from other facilities within the region. The former office and manufacturing facility in Tinley Park continues some activities, but Panduit indicated that these activities will be relocated. Panduit is considering options for how to utilize this facility.

The stated purpose of providing incentives was to encourage the company to retain its headquarters location in Tinley Park. Incentives included a sales tax rebate from the Village of Tinley Park, and property tax abatements from Will County, Summit Hill School District, Lincoln-way High School District, and the Village. These incentives totaled \$417,748 in 2011. The incentives offered by the Village included a 50 percent sales tax rebate for ten years with no maximum and an abatement of a portion of property taxes in excess of \$26,000 with a maximum of \$2.2 million over 20 years. Will County abated 50 percent of property taxes for five years, and the school districts also provided a property tax abatement for five years. In addition, state incentives totaling \$350,000 were received through the Large Business Development Program and Employer Training Investment Program.

Source: Will County; Illinois Department of Commerce and Economic Opportunity; Village of Tinley Park, Comprehensive Annual Financial Report, FY2012; Telephone communication with Village of Tinley Park, February 11, 2013; Will County Board Meeting Minutes, March 20, 2008; Tinley Park, Illinois Comprehensive Annual Financial Report Fiscal Year Ended April 30, 2012

Dow Chemical Company, City of Wilmington

This industrial site is surrounded by farmland and residential areas and had been vacant since 1999. It was previously occupied by Johnson & Johnson, which employed 412 workers. That plant had opened in 1960, and was Wilmington's largest employer. Johnson & Johnson had been offered tax incentives to stay, but merged its operations with a plant in Montreal.

In 2003, Dow Chemical moved its facility in Crest Hill to this Wilmington site, and also merged its operations with two Canadian plants. The plant has a staff of 100. The company received property tax abatements for 10 years, totaling \$511,136 thus far. The abatement is on the increase in tax revenue generated from the base year. The percentage abated is 100 percent of the increase for the first five years, and this percentage decreases annually for the second half of the ten-year period. Districts providing the abatement include the Island Park District, Wilmington Library District, City of Wilmington, and Unit School District 209.

Source: Will County; City of Wilmington Ordinance No. 1509, An Ordinance Approving an Intergovernmental Agreement between the City of Wilmington and the Dow Chemical Company; Stanley Ziembra, "Johnson & Johnson, 412 Jobs to Leave City," *Chicago Tribune*, January 13, 1999, http://articles.chicagotribune.com/1999-01-13/news/9901130206_1_wilmington-plant-new-jobs-personal-products; Pat Harper, "Dow Chemical to move to Wilmington," *The Herald News*, November 20, 2002





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| Reviewed By: | |
|-----------------------|-------------------------------------|
| Legal | <input checked="" type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Engineer | <input type="checkbox"/> |
| City Administrator | <input checked="" type="checkbox"/> |
| Human Resources | <input type="checkbox"/> |
| Community Development | <input checked="" type="checkbox"/> |
| Police | <input type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Parks and Recreation | <input type="checkbox"/> |

Agenda Item Number

OB #2

Tracking Number

EDC 2015-43

Agenda Item Summary Memo

Title: Proposed B.U.I.L.D. T.O.O. Program

Meeting and Date: EDC – January 5, 2016

Synopsis: Proposed new B.U.I.L.D. T.O.O. program for single-family attached housing products.

Council Action Previously Taken:

Date of Action: EDC – 11/03/15 Action Taken: Discussion

Item Number: EDC 2015-43

Type of Vote Required: Majority

Council Action Requested: Vote

Submitted by: Krysti J. Barksdale-Noble, AICP Community Development
Name Department

Agenda Item Notes:

See attached memo.

Have a question or comment about this agenda item?

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Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: December 15, 2015
Subject: **B.U.I.L.D. T.O.O. Incentive Program proposal**

Background & Request

As the Economic Development Committee will recall the last extension of the B.U.I.L.D. program was approved in November 2015 which allowed the incentive to run an additional year until December 31, 2016. Due to the widely successful impact the B.U.I.L.D. program has had in the recovery of new home construction in Yorkville and the positive feedback from builders and homebuyers alike, staff is seeking the Economic Development Committee's **interest in expanding the B.U.I.L.D. incentive program to include single-family attached units such as townhomes and duplexes.**

Proposed New Incentive

At this time, duplexes and townhomes are not eligible for the program. However, the City does have a separate incentive program for "spec" houses and model homes called RENEW, which is geared more towards successor developer/builders who purchase bulk lots in unfinished subdivision, but it may not be combined with the B.U.I.L.D. program.

Staff is proposing to spur further residential development in stalled subdivisions by expanding the momentum gained from the original B.U.I.L.D. incentive to include single-family attached housing units. Per a recent article in *U.S. News and World Report* dated March 10, 2015¹ "[a] key subsector to watch as more of today's renters seek to make a new home purchase will be the townhouse market, often a source of supply for first-time buyers choosing new construction." Additionally, according to the article, "[t]he pace of townhouse starts picked up at the end of 2014, coming in 12 percent higher than the prior year total, the post-recession trend has been one of growing market share of overall single-family starts."

With this forecast, there are four (4) potential townhome developments that could see activity within the next year or so which could be bolstered through the proposed **B.U.I.L.D. T.O.O.** (Townhome Owner Occupied) program. These development projects include: Bristol Bay (60 TH units); Grande Reserve (74 TH units); Raintree Village (108 TH units); and Fox Hill Unit 7 a.k.a Timber Glen (48 TH units). This also corresponds with the Lakota Group's Comprehensive Plan projections for developments which will have movement within the next 1-5 years.

What's in a Name?

As mentioned previously, staff is proposing to brand this new addition of the B.U.I.L.D. incentive as **B.U.I.L.D. T.O.O.** which stands for Buyers of Undeveloped Infill Lot Development Townhome Owner Occupied program. Staff believes that the name recognition of the original B.U.I.L.D. program is very strong and innately identifiable with Yorkville, that to deviate too far from that name may require a re-education of the building community of what the new incentive is about. Sticking with the B.U.I.L.D. prefix and playing off the definition for "too" (meaning also, and) is an easier introduction to the proposed new program.

¹ <http://www.usnews.com/opinion/economic-intelligence/2015/03/10/first-time-buyers-may-be-making-a-comeback-in-the-housing-market>

Differences in B.U.I.L.D. T.O.O Program

As proposed, instead of the \$10,000 rebate for **B.U.I.L.D. T.O.O.** building permits (\$5,000.00 City and \$5,000 builder match), staff is suggesting a total of \$5,000.00 cash incentive for purchasers of new townhome construction units. This would be a \$2,500.00 City refund of a portion of the building permit fees and a matching \$2,500.00 contribution by the developer/builder. Additionally, participants in the **BUILD T.O.O.** program would stipulate that the units must remain owner occupied and not used as rentals for at least one (1) year after receiving final occupancy. This can be verified with the assistance of the Finance Department through water billing and through the homeowners associations. Finally, the original B.U.I.L.D. program required each home to have a signed contract prior to submitting a permit to be eligible for the incentive. With the **B.U.I.L.D. T.O.O.** program, staff recommends once a builder has an executed contract for one (1) unit of the townhome or duplex and has been issued a B.U.I.L.D. T.O.O. permit, they are allowed to proceed with the construction of the entire structure with assurance all the units are **B.U.I.L.D. T.O.O.** eligible.

As with the original B.U.I.L.D. program, the flexibility in the timing of the City receiving payment for permits allows builders to move forward with construction without this up-front expense. Additionally, in order to rebate the City's portion of the B.U.I.L.D. program incentive, staff collects the full amount of the building permit from the developer/builder, and refunds a portion of the permit cost back to the homeowner by rebating all or a some the following fees, listed in order of priority, to arrive at \$5,000.00 for new single-family residential construction units and \$2,500.00 for new townhome units as proposed for the **B.U.I.L.D. T.O.O.** incentive:

| <i>CITY OF YORKVILLE BUILDING PERMIT FEE</i> | <i>FEE AMOUNT FOR PER DWELLING UNIT</i> |
|---|--|
| Water Connection Fee | \$3,700 ³ |
| City Sewer Connection Fee | \$2,000.00 |
| Building Permit Fee | \$650.00 plus \$0.20 per square foot |
| Public Works Fee | \$700.00 |

Proposed Tiered Incentive Program Structure

Staff was asked to explore a tiered incentive structure for the B.U.I.L.D. and B.U.I.L.D. T.O.O. programs which would provide for a higher level of rebate to owners who build homes with market values exceeding a certain dollar amount (ex. \$350,000.00). In consideration of this incentive approach, there were certain aspects we found contradictory to the initial intent of the B.U.I.L.D. incentive program which are:

Rebate Based on Building Permit Fee

The B.U.I.L.D. program has always been a rebate program based upon the City's fees generated by the building permit fee. If the total City's portion of the building permit fee exceeded \$5,000, then the resident received a \$10,000 rebate check which was a refund of \$5,000 of the City building permit fees and the builder matching contribution. Conversely, if the City's portion of the building permit fee is less than \$5,000, that amount plus a matching builder contribution would be refunded. So in effect, a tiered incentive structure already exists within the program based upon permit fees generated.

Ease and Timeliness of Rebate Program

The disadvantage to offering a tiered incentive program based upon the market value of the home is that staff only receives the construction valuation of the structure as part of the building permit. To confirm the market value of the property would require the City to collect the building permit fees, hold them for 1+ years then obtain verification from the Kendall County Assessor's Office of the home's value before authorizing the rebate. This would result in a less imminent payout date for the

resident and may be less effective overall in generating interest. According the B.U.I.L.D. participant survey, 95% of the respondents felt the program's process was easy and understandable.

Increasing Rooftops

The original intent and purpose of the BUILD program was and is to get homes built – not necessarily to differentiate on low value vs. high value homes. The City needs housing counts to attract retail development, to broaden the tax base and finish incomplete developments. The market dictates the type and price point for housing, so to incentivize based solely on the value of the home offers less benefit to the demographic utilizing the program the most, entry and mid-level homebuyers.

One of the potential problems with a variable incentive level is that it might cost more and not be any more effective than our existing program. If we put the range of the variable incentive between \$2,500 and \$7,500, we might have more higher-end housing than anticipated, which would cost more than our \$5,000 per home program. Also, we're not sure that a slightly higher incentive would have the effect of increasing the number of homes built. Furthermore, staff has spoken extensively with the builders in the community and has been told that lessening the incentive to under \$5,000 or making significant changes mid-program could hurt existing contracts and lessen interest of potential buyers.

Other Incentive Programs Proposed

At our Economic Development Committee meeting in November 2015 when the B.U.I.L.D. T.O.O. program was initially proposed, Alderman Funkhouser provided staff with examples of three (3) other development based programs that could possibly implemented to incentivize housing. Below is a summary of the programs.

Vacants to Value Homeownership Program (Baltimore, MD)

The Vacant to Value Homeownership program by the Housing Authority of Baltimore City in Maryland offers homebuyers \$10,000 towards closing costs for the purchase of a formerly vacant home. For the program, both the homebuyer and the vacant home must meet eligibility requirements. The City of Baltimore's Housing Authority works with approved homeownership counseling agencies to identify eligible homebuyers and the house is only eligible if it was issued a vacant building notice and remained vacant for at least one year. From the project's website <http://www.vacantstovalue.org/PropertySearch.aspx> it appears the properties are acquired by the City and then resold through this program to the prospective homebuyer after being rehabbed by a local builder/developer partner.

While this program does incentivize redevelopment in a community by assisting homebuyers, the eligibility component of the program is administered through a housing authority which obtains grants and other means of funding based upon community and homebuyer income levels. Should the City implement a similarly structured program, the administration may exceed the capability and scope of the current Community Development staff. Furthermore, a renewable funding source for the program would need to be identified by the City Council.

Residential Demolition/Rebuild Incentive Program (Farmers Branch, TX)

The Residential Demolition/Rebuild Incentive Program in Farmers Branch, Texas encourages the redevelopment of existing one-family detached residential properties with the construction of new, higher-value, one-family detached residential structures. This incentive provides two (2) payout options: (1) a seven-year annual grant equal to 100% of the incremental increase to the City's portion of the real estate taxes before and after the new improvement to the structure, or (2) a one-time payment equal to 10 times the amount of increase in the City's portion of the real estate taxes upon completion of the new improvement to the structure. The first option under the program also allows

for a reimbursement for up to \$5,000 of the demolition costs of the original residence which is not offered under Option 2.

The Residential Demolition/Rebuild Incentive Program offered by Farmers Branch is an incentive tool best used to bolster communities with aging housing stock (25 years or older)². The short term grant by the City to a homeowner who decides to tear down an existing structure and reinvest by reconstructing a new home is eventually repaid over the long term with increased real estate tax revenues generated by the new improvements. Unlike Farmers Branch, a majority of Yorkville's housing stock was built within the last 15 years and the City's development strategy since the downturn of the economy has been focused on the completion of stalled residential subdivisions with new construction homes. Additionally, an incentive program such as this would require an enormous amount of staff coordination with outside agencies (such as the Kendall County Assessor's Office) and long term administrative tracking per property.

Higher Value Housing Incentive Grant (Hampton, VA)

The City of Hampton, Virginia in conjunction with the Hampton Redevelopment and Housing Authority offers the Higher Value Housing Incentive which provides a grant up to \$25,000 per new residential construction if the difference between the pre-construction appraisal and post construction assessment value is at or above \$375,000. Incentives are awarded based upon the number of qualifying properties developed per platted subdivision. The grant award amounts increase the more eligible home are built within the same platted subdivision. According to the program's website http://www.hamptonrha.com/higher_value all grants are dispersed only after the first assessment is issued and the property value is confirmed.

This program is a good example of incentivizing higher value homes within a development or throughout the community. Similar to the Farmers Branch incentive, the burden of administrating the program and coordinating with outside agencies would be an issue, in staff's opinion, as well as identifying a dedicated revenue source to fund such an incentive.

Conclusions

Based upon staff's research of all three (3) above programs, we are recommending not moving forward with creating similar incentives, but rather focus on retooling the B.U.I.L.D. program into the proposed B.U.I.L.D. T.O.O. incentive.

Staff Comments

Staff is seeking direction from the Economic Development Committee regarding the proposed new Buyers of Undeveloped Infill Lot Discount Townhome Owner Occupied (**B.U.I.L.D. T.O.O.**) incentive. Should the Committee wish for staff to move forward with the proposed initiative, we will have the City Attorney prepare a draft ordinance for review at the next EDC meeting for formal consideration before proceeding to City Council. Staff will be available at the meeting to answer any questions from the Committee regarding this agenda item.

² <http://www.farmersbranchtx.gov/DocumentCenter/View/2125>

DEMO/REBUILD

Property Tax Rebate Program

The City of Farmers Branch is offering a property tax rebate incentive to Farmers Branch homeowners who demolish an existing single family home and rebuild a new single family home in the same location. City Council approval required prior to demolition.

Eligibility:

To be eligible for participation in the program the demolition of the existing residence and the construction of a new residence must be completed, and a certificate of occupancy or completion issued by the City for the new residence within twenty-four (24) months after approval by the City of an eligible project.

A Developer or builder may also qualify for the program if the developer or builder owns a single-family residence in the City and agrees to demolish the residence and construct a new single family residence at the same location provided that any incentive to be paid pursuant to the program agreement will not be paid to the developer or builder but rather shall be paid to the first person that owns and occupies the new residence.



Incentive Awarded

The incentive is issued in the form of a property tax rebate. The amount of this rebate is determined by the Base Year Assessed Value of the of land and improvements of the original structure as determined by Dallas Central Appraisal District (DCAD).

Program Option 1:

The City will provide seven 7 annual consecutive economic development incentive grants. Each incentive shall be equal to one hundred percent of the difference between the City property taxes assessed and paid for the new improvement (excluding the land) for a given tax year and the City property taxes assessed and paid for the residential structure (prior to demolition) (excluding the land) for the tax year in which the structure was demolished (the "Base Year"). Option also includes a reimbursement of up to \$5,000 of the cost of demolition of the original home following completion of demolition.

Program Option 2:

An incentive equal to 10 times the amount of the increase in the City property taxes paid on the difference between the original home appraised value (excluding the land) prior to demolition and the value of the newly constructed home (excluding the land), as determined by DCAD for the year following completion of construction. If requested, the City will pay up to one-half of the estimated incentive at the time the owner closes on the permanent financing of the home following completion of construction based on the valuation set fort in the application for building permit submitted to the City prior to construction.

For More Information, Program Applications and Policies

visit www.farmersbranchtx.gov or contact Allison Cook at 972.919.2507

Just one more reason to live in Farmers Branch...



FARMERS
BRANCH

City of Hampton and Hampton Redevelopment and Housing Authority
HIGHER VALUE HOUSING INCENTIVE GRANT
(Guidelines and Application)

APPLICATION

Any property owner wishing to obtain the incentive grant must first complete a Higher Value Housing Incentive Grant Application and submit to the Hampton Redevelopment and Housing Authority (HRHA). Only properties with building permits issued on or after June 1, 2014 may qualify and the application must be filed no later than twelve months after the issuance of the Certificate of Occupancy (C/O). Only one application per property can be approved. If the property owner is eligible for the increased grant amount for constructing three or more properties within the same platted subdivision, each property will require its own application.

ELIGIBILITY AND QUALIFICATIONS

Eligible properties must be new residential construction conducted in the City of Hampton with a pre-construction appraisal or first post-construction assessment value at or above \$375,000 per unit for land and improvements. Building permits must be issued on or after June 1, 2014, and the finished property either for-sale or owner occupied. The first assessed value after issuance of the C/O must be at or above \$375,000 to remain eligible for the grant award. Only one award will be issued per property and the applicant must be the property owner at the time of application.

GRANT AMOUNT, AWARD AND DISPERSAL

The value of the grant is equivalent to the amount of the first year's property tax as calculated based on the value of the first assessed value after issuance of the C/O. If the C/O and revised appraisal have not been issued by time of application then the applicant will provide a pre-construction bank appraisal showing an estimated completion value of \$375,000 or higher as proof of initial eligibility. Maximum award per unit is \$25,000.

Incentives are awarded based on number of qualifying properties developed per platted subdivision. If only one or two qualified properties are built within a platted area then the grant shall be equivalent to the first twelve month's property tax as assessed by the Treasurer. Grant awards may increase to the equivalent value of three years' worth of property taxes per unit if three or more eligible homes are built within the same platted subdivision.

An added option to the incentive grant allows the qualified applicant to obtain an award equivalent to four years' worth of property tax on every third house constructed. Each house must be built within the same platted subdivision and the building permits obtained within twelve months of the previous house being awarded its building permit. In this special circumstance the total award may exceed the \$25,000 maximum award allowed per property.

All awards are granted on a first come first serve basis and are dispersed only after the first assessment is issued and the property value is confirmed.

REVIEW AND NOTIFICATION

Application review is done by a committee comprised of HRHA and City of Hampton officials. This committee shall notify the applicant 30 days from the time a completed application is submitted to HRHA to review the application and approve or deny the request.

QUESTIONS OR ADDITIONAL INFORMATION

If you have any questions concerning the Higher Value Housing Incentive Grant or the application process, please visit www.hamptonrha.com or call the HRHA Redevelopment Manager at 757.727.2686.



BALTIMORE HOUSING

STEPHANIE RAWLINGS-BLAKE
Mayor

PAUL T. GRAZIANO
Executive Director, HABC
Commissioner, HCD

January 21, 2014

Dear Vacants to Value Homeownership Program Applicant,

Effective immediately, the Vacants to Value Homeownership Program standard for eligibility is that the house was subject to a Vacant Building Notice for a year or more prior to its rehabilitation for sale to a home buyer. Previously the program accepted evidence and documentation that the property had been vacant for a year or more regardless of whether a Vacant Building Notice had been issued. This new eligibility standard will ensure that limited funding for the Vacants to Value \$10,000 homeownership incentives goes to properties and Vacants to Value areas most in need of redevelopment assistance.

You will soon be able to access information online about whether a Vacant Building Notice has been issued for a particular property, and if so, when it was issued. In the meantime, you can ask the HCD Office of Homeownership to conduct a research and eligibility check for you by contacting Arthur Gray at 410-396-3126 or by email at Arthur.Gray@baltimorecity.gov.

If your prospective new home is eligible according to the Vacant Building Notice standard, then your application will be accepted for processing. All other rules and regulations of the program still apply.

If your prospective new home is not eligible, we encourage you to consider and apply for other homeownership incentive programs, some recently enhanced. Please refer to the attached B-HiP (Baltimore Homeownership Incentive Program) flyer to learn more about the City's homeownership incentive programs and consult your housing counseling agency and www.livebaltimore.com for information about federal, state, and community-



based incentives. You may also look online at www.vacantstovalue.org to see properties for sale that have been pre-approved for the Vacants to Value \$10,000 homeownership program.

Thank you for your interest in buying a home in Baltimore City. Baltimore City offers the widest array of homeownership incentive programs in the region: Vacants to Value, Buying Into Baltimore, City Employee, CDBG, and Live Near Your Work... and these programs can be used in combination with each other when you are eligible for more than one.

The Office of Homeownership is located at 417 East Fayette Street, 11th floor and is open from 8:30 a.m. to 4:30 p.m. Monday through Friday. The phone number is 410-396-3124. Please feel free to visit or contact the office if you need further information. We look forward to helping you become a homeowner in the city of Baltimore.

Sincerely,



Kenneth Strong

Deputy Commissioner

Division of Green, Healthy and Sustainable Homes

Department of Housing and Community development

417 East Fayette Street, Suite 1114

Baltimore, Maryland 21202

410-396-3474

Ken.Strong@baltimorecity.gov



| Reviewed By: | |
|-----------------------|-------------------------------------|
| Legal | <input checked="" type="checkbox"/> |
| Finance | <input type="checkbox"/> |
| Engineer | <input type="checkbox"/> |
| City Administrator | <input checked="" type="checkbox"/> |
| Human Resources | <input type="checkbox"/> |
| Community Development | <input checked="" type="checkbox"/> |
| Police | <input checked="" type="checkbox"/> |
| Public Works | <input type="checkbox"/> |
| Parks and Recreation | <input type="checkbox"/> |

Agenda Item Number

OB #3

Tracking Number

EDC 2015-47

Agenda Item Summary Memo

Title: Noise Ordinance

Meeting and Date: EDC – January 5, 2016

Synopsis: See attached memo.

Council Action Previously Taken:

Date of Action: N/A Action Taken: _____

Item Number: _____

Type of Vote Required: N/A

Council Action Requested: Direction

Submitted by: Krysti J. Barksdale-Noble, AICP

Community Development

Name

Department

Agenda Item Notes:

Have a question or comment about this agenda item?

Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/gov_officials.php



Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: December 29, 2015
Subject: Noise regulations for bars and outdoor patios

Summary

This memo shall provide staff recommendations regarding a review of the City's noise ordinance as it relates to bars and outdoor patios, and potential revisions to the ordinance to mitigate nuisance complaints.

Background

The City's Noise Ordinance was last amended in December 2014. At that time, the code was comprehensively rewritten based on staff's research of surrounding municipalities. The main reason for the rewrite was due to the proposed downtown amphitheater.

Since then, the City has responded to multiple instances of noise complaints for the area surrounding Pinheadz Bar. The City has responded, during work hours and non-work hours, to complaints of noise originating inside and outside the building. On a couple occasions the City has written tickets for noise violations. Attached are the copies of the complaint and ticket history for your reference.

A few City Council meetings ago, a resident attended and asked us to restudy the noise ordinance in light of the noise complaints at Pinheadz. Subsequently, this item was placed on the EDC agenda.

A table of the noise ordinance regulations for the City and its surrounding neighbors is attached. While the City has taken a few complaints for noise during daytime hours, most of the complaints have occurred during the nighttime hours. Since all municipalities have the same nighttime hours, we initially felt the noise ordinance as drafted did not need to be changed.

In addition to the standard noise ordinance regulations, the City also has a stricter requirement for noise originating from a patio with an outdoor liquor license. This regulation requires all noise originating from a patio to be non-existent for 75' from the property. More strict enforcement of this provision of the liquor code will be looked at for complaints during outdoor liquor license hours (pre-10pm, generally). While this will not prevent all sound complaints since a fair amount of the complaints have originated from music inside the building, we think it will help.

Site Inspection of Property

In November, staff met on site with the owner of Pinheadz and toured the property. The owner explained that they consulted with a sound technician who informed them the noise vibration from their property was possibly caused by an unused exhaust vent that remained opened since the prior building owners (Moose Lodge) left. The owner has since sealed the exhaust vent and taken several noise

readings at the property line of the adjacent residential neighbors and their readings have not exceeded 45 decibels, well within the current ordinance sound levels.

However, staff has spoken with the property owner immediately behind Pinheadz and the homeowner a few houses down, both of which said the noise issue has not improved since mid-November when the building improvements were made. They did, however, state the noise is not as bad as the vibrations from the bass, as it reverberates through both of their homes.

Proposed Acoustical Consulting Services

Due to the continued nuisance regarding the noise at the Pinheadz property, staff has contacted an acoustical consulting service, Soundscape Engineering, to provide a scope of services in assisting the City with evaluating the current noise ordinance and proposing any revisions necessary regarding dbA levels and vibration regulations. In addition, the consultant will conduct a site visit of the Pinhead property during the evening at the time of a live music performance and take sound measurements at the various surrounding residential property lines. A review of the City's sound level meters will occur and recommendations for particular models with more functionality to measure noise may be given. All assessments and recommendations will be provided in a written report by Soundscape Engineering and given to the City.

As proposed, the professional service fee for the report is in an amount not to exceed \$4,000.00. The report should take a few weeks to complete after the site inspection. A copy of the proposed project description and scope of services from Soundscape Engineering is attached for your consideration.

Recommendation

Staff recommends engaging Soundscape Engineering to conduct the noise assessment and provide recommendations related to ordinance revisions and equipment purchase. We look forward to getting the EDC's feedback on this recommendation and answer any questions regarding this agenda item at Tuesday night's meeting.

| Incident Number | Call Date/Time | Incident Type | Indoor or Outdoor | Location |
|-----------------|-----------------|---------------------------------|--------------------------------|-----------------------------|
| ===== | ===== | ===== | ===== | ===== |
| 2015-00001380 | 10/9/2015 23:12 | 9610 - CITY ORDINANCE VIOLATION | INDOOR - ISSUED CITATION | 1205 N BRIDGE ST, Yorkville |
| 2015-00001358 | 10/3/2015 22:43 | 9058 - COMPLAINTS - LOUD NOISE | OUTDOOR | 1205 N BRIDGE ST, Yorkville |
| 2015-00001303 | 9/23/2015 18:38 | 9058 - COMPLAINTS - LOUD NOISE | OUTDOOR - WITHIN DECIBEL RANGE | 1205 N BRIDGE ST, Yorkville |
| 2015-00001102 | 8/12/2015 18:50 | 9058 - COMPLAINTS - LOUD NOISE | OUTDOOR - WITHIN DECIBEL RANGE | 1205 N BRIDGE ST, Yorkville |
| 2015-00001015 | 7/25/2015 22:25 | 9058 - COMPLAINTS - LOUD NOISE | OUTDOOR - WITHIN DECIBEL RANGE | 1205 N BRIDGE ST, Yorkville |
| 2015-00000879 | 6/27/2015 23:38 | 9058 - COMPLAINTS - LOUD NOISE | OUTDOOR | 1205 N BRIDGE ST, Yorkville |
| 2015-00000849 | 6/20/2015 21:33 | 9058 - COMPLAINTS - LOUD NOISE | OUTDOOR | 1205 N BRIDGE ST, Yorkville |

Hearing Date 11/9, Found Liable, Fine \$200

| | | | | |
|---------------|-----------------|--------------------------------|--|-----------------------------|
| 2014-00000820 | 6/16/2014 22:28 | 9058 - COMPLAINTS - LOUD NOISE | band noise, report doesn't specify where | 1205 N BRIDGE ST, Yorkville |
| 2014-00000594 | 5/2/2014 23:21 | 9058 - COMPLAINTS - LOUD NOISE | INDOOR | 1205 N BRIDGE ST, Yorkville |

This is a report of all complaints related to noise at Pinheadz, between 2014 and mid-October 2015. The citation issued on October 9th was heard at adjudication on November 9th. The owner was found liable and was fined \$200.

After this report was generated, the City took a noise complaint on October 31st. The police responded and took noise readings, which were below the limits in the code. For a variety of reasons, a citation was issued for disorderly conduct and was heard at adjudication on December 7th. The owner was found not liable.

| Municipality | Morning Hours | Maximum Allowable dBA | Evening Hours | Maximum Allowable dBA | Supplemental Notes |
|--------------|---------------|-----------------------|---------------|-----------------------|--|
| Yorkville | 7 AM to 10 PM | 70 dBA | 10 PM to 7 AM | 55 dBA | No amplification regulations. |
| Plainfield | 7 AM to 7 PM | 62 dBA | 7 PM to 7 AM | 55dBA | A license is required for amplification. Nonresidential license: A nonresidential license may be issued for the use, operation or employment of any such device at any location of which there are no other residences on the licensee's property and there are no other residences within two hundred (200) feet measured form the nearest property line of the residential property. Such license shall permit the use of any such device until the hour of 10:00 p.m. prevailing time on Sunday through Thursday and until the hour of 12:00 a.m. prevailing time on Friday or Saturday, and after the hour of 9:00 a.m. prevailing time of any day. |
| Naperville | 7 AM to 7 PM | 62 dBA | 7 PM to 7 AM | 55 dBA | External Speaker Systems shall not generate noise that is heard beyond the property line. A license is required for amplification. Nonresidential license: A nonresidential license may be issued for the use, operation or employment of any such device at any location of which there are no other residences on the licensee's property and there are no other residences within two hundred (200) feet measured form the nearest property line of the residential property. Such license shall permit the use of any such device until the hour of 10:00 p.m. prevailing time on Sunday through Thursday and until the hour of 12:00 a.m. prevailing time on Friday or Saturday, and after the hour of 9:00 a.m. prevailing time of any |
| Plano | 7 AM to 10 PM | 65 dBA | 10 PM to 7 AM | 55 dBA | No amplification regulations. They have only have musical festival permits. |
| Montgomery | 7 AM to 10 PM | 60 dBA | 10 PM to 7 AM | 55 dBA | No amplification regulations. |
| Oswego | 7 AM to 10 PM | 60 dBA | 10 PM to 7 AM | 55 dBA | No amplification regulations. |

Chapter 4

NOISE ORDINANCE

4-4-1: DEFINITIONS:

All terminology used in this chapter shall be in conformance with applicable publications of the American National Standard Institute (ANSI) or its successor body. (Ord. 2001-10, 3-22-2001)

4-4-2: WEIGHTED SOUND LEVEL:

Sound pressure decibel levels shall be measured on a sound level meter using the "A" weighing network and designated as dB(A) or dBA. The following table provides examples of sound pressure decibel levels:

| Sound Environment | Typical Sound Pressure Decibel Levels Generated |
|---------------------------------|---|
| Threshold of hearing | 0 dBA |
| Broadcast studio | 20 dBA |
| Library | 30 dBA |
| Quiet office | 40 dBA |
| Light auto traffic (100 feet) | 50 dBA |
| Air conditioning unit (20 feet) | 60 dBA |
| Freeway traffic | 70 dBA |
| Vacuum cleaner (5 feet) | 80 dBA |
| Passing car at 10 feet | 90 dBA |
| Passing bus or truck at 10 feet | 100 dBA |
| Passing subway train at 10 feet | 110 dBA |
| Nightclub with band playing | 120 dBA |
| Jet takeoff (200 feet) | 130 dBA |
| Air raid siren | 140 dBA |

(Ord. 2014-80, 12-9-2014)

4-4-3: HOURS AND LEVELS:

A. Day Hours: No person shall cause or allow the emission of sound decibel levels during daytime hours from seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M. from any noise source which exceeds the following levels:

| Land Use | Outdoor Space Within The Property Boundaries Of Property Where The Sound Originates From - Max. Decibel Level (dB) | Outdoor Space Not Closer Than The Property Line Of The Receiving Residential Property - Max. Decibel Level (dB) | Indoor Space In A Structure - Max. Decibel Level (dB) |
|---|---|--|--|
| Residential - single-family and multi-family, detached and attached | 70 | 65 | 65 |
| Office buildings, businesses, commercial and professional | 70 | 70 | 70 |
| Sports arena, outdoor spectator sports | 110 | 100 | 100 |
| Theaters, auditoriums, concert halls, outdoor music venues, amphitheaters | 110 | 90 | 100 |
| Parks, neighborhood | 70 | 70 | - |

| | | | |
|--|----|----|----|
| playgrounds, ball fields | | | |
| Golf courses, water recreations, gun/ shooting ranges | 75 | 70 | 70 |
| Industrial, manufacturing, utilities, agriculture | 80 | 75 | 80 |

- B. Night Hours: No person shall cause or allow the emission of sound decibel levels during nighttime hours (10:01 P.M. to 6:59 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided that the point of measurement shall not be closer than on the property line of the complainant. (Ord. 2014-80, 12-9-2014)

4-4-4: EXEMPTIONS:

- A. Emergency Operations: Emergency short term operations which are necessary to protect the health and welfare of the citizens, such as, emergency utility and street repair, fallen tree removal or emergency fuel oil delivery shall be exempt, provided that reasonable steps shall be taken by those in charge of such operations to minimize noise emanating from the same.
- B. Noises Required By Law: The provisions of this section shall not apply to any noise required specifically by law for the protection or safety of people or property.
- C. Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
- D. Community Events: The term "community events" shall include such things as parades, festivals, drum corps shows, sports events, Fourth Of July celebrations, sanctioned or sponsored in whole or in part by local governments, schools or charitable or service

organizations. (Ord. 2001-10, 3-22-2001)

December 14, 2015

Krysti J. Barksdale-Noble AICP
Community Development Director
(630) 553-8573
knoble@yorkville.il.us

United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

Subject: Scope of Services and Fee Proposal to provide acoustical consulting services to assist City of Yorkville with evaluation of City's existing noise ordinance and any changes needed to allow the ordinance to better suit the needs of the community

Dear Ms. Barksdale-Noble:

Thank you for contacting Soundscape Engineering to request this proposal. The scope of services described herein is based upon our phone conversation last week and my company's experience with similar projects.

Soundscape Engineering LLC is an engineering firm that provides sound and vibration measurement, assessment, and design consulting services. We do not sell any products or have affiliations with any product manufacturers, allowing us to provide an unbiased service to our clients. Our principal consultants hold engineering licenses in four States, including Illinois, and are Board Certified by the Institute of Noise Control Engineering. Please refer to the attachments for further details about our company.

Project Description

The City of Yorkville has recently been fielding complaints from residents that live near the Pinheadz Sports Bar. This bar, housed in a former bowling alley, is situated very near single-family residences. The residents have complained about music emanating from the bar. Because of this issue, you have decided that the City's noise ordinance and sound level measurement equipment should be evaluated.

The City has a noise ordinance with quantitative sound level limits. You are interesting in having Soundscape Engineering LLC review the ordinance, visit this site, and determine if there are any changes that should be made to the ordinance to allow it to better address the needs of the community.

Scope of Services

To address the acoustical issues described above, Soundscape Engineering LLC proposes the following specific scope of services.

1. Visit the residential property near Pinheadz during an evening when there is a music event. While on-site, measure the noise level at the residences. The sound level will be measured in a manner that will not only allow it to be compared with the existing noise ordinance, but also in a manner that will allow it to be more fully defined, for comparison with limits imposed by other communities.
2. Review the City's existing noise ordinance. Compare the requirements of the ordinance to the requirements imposed in other communities and explain if there are aspects of the limits imposed by other communities that would better address the type of noise emanating from an establishment such as Pinheadz.
3. Review the model of sound level meter currently being used by the City to determine if there is a violation of the noise ordinance. If a meter with more functionality is needed then recommend models that would be suitable.
4. Issue a written report with our assessment and recommendations.
5. Answer any questions that you may have regarding the content of our report. This would be done via phone or email. No in-person meetings have been included in the estimated fee (other than any meeting that may take place while we are in Yorkville to measure the noise level at the residence near Pinheadz).

Professional Services Fee

Soundscape Engineering LLC proposes to perform the Scope of Services on a **time plus reimbursable expenses fee basis**. The estimated fee and reimbursable expenses are provided in the table below. Soundscape will not perform work that would cause our fee to exceed these estimates without first receiving written authorization.

| Task | Fee Estimate (time plus expenses fee basis) |
|--|--|
| Acoustical consulting services as presented in Scope of Services (Items 1 - 5) | \$4,000 |

Expenses may include airfare, mileage, lodging, meals, measurement equipment usage, printing, and other expenses reasonably incurred in the process of performing the Scope of Services.

Personnel

A firm partner will be in responsible charge of the work associated with this project. Resumes for the firm partners and staff that may be assigned to the project are attached for your consideration.

Final Note

Soundscape Engineering LLC's standard Additional Terms and Conditions are considered applicable to this proposal and have been appended to this letter. Please review them to confirm their acceptability.

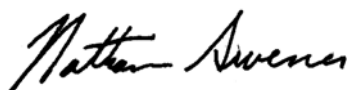
If you have any questions regarding this proposal, please call or send an email to me. Otherwise, if this proposal is acceptable, please sign in the location provided below, initial the fee table next to the tasks approved, and return to my office via email, fax, or postal service; or if it is your standard practice, you may authorize us to proceed by issuing a purchase order or subcontractor agreement referencing this proposal.

Thank you for contacting us and we look forward to working with you on this project.

Sincerely,

Soundscape Engineering LLC

Per:



Nathan Sevens, Principal Consultant
PE, LEED AP, INCE Bd. Cert.

nsevens@SoundscapeEngineering.com
(312) 436-0032 x2

Enc: Additional Terms and Conditions, Soundscape Engineering company literature

Authorization to Proceed – Sign below to accept this contract, including all terms and conditions. Please return a copy to us via email or mail.

Client (Print Entity Name): _____

Approved by (Print Name): _____

Approved by (Signature): _____

Date: _____

Additional Terms and Conditions

1. Offers are valid for 60 days from the date of proposal issue.
2. Fees are invoiced monthly. For fixed-fee basis contracts, the amount billed is based on the approximate percentage of Soundscape Engineering LLC's scope-of-services that has been completed. For time basis fee contracts, the amount billed is based on the number of hours expended and our hourly rates.
3. Accounts are payable upon receipt of invoice. Interest of 1.5% per month will be charged on accounts overdue more than 30 days. Accounts overdue more than 120 days may be sold to a collection agency.
4. Payments by credit card incur a 3% surcharge.
5. Where Soundscape Engineering LLC is retained as a sub-consultant by a prime consultant (i.e., where the prime consultant signs the acceptance copy of the Soundscape Engineering proposal) the prime consultant accepts full responsibility for timely payment of Soundscape Engineering LLC's invoices.
6. Where a fee retainer has been requested, that retainer shall be received before any work is undertaken on the project. The retainer will be applied to the final invoice for the project.
7. Soundscape Engineering LLC's hourly charge out rates are reviewed annually, typically in January, and, at that time, may be increased without notice. Generally, the annual hourly rate increase is a nominal amount to correspond with our estimate of increases in the cost of doing business and inflation in the local or national economy.
8. Any project extensions which result in the date of project design completion being later than the dates established in the proposal will necessitate a negotiated increase in the acoustical consulting fee.
9. Soundscape Engineering LLC carries professional liability coverage with an annual and per claim limit of \$1,000,000. Soundscape Engineering LLC's Client hereby agrees that to the fullest extent permitted by law, Soundscape Engineering LLC's total liability to Client for any and all injuries, claims losses, expenses or damages whatsoever arising out of or in any way related to the project or this Agreement from any cause or causes including but not limited to Soundscape Engineering LLC's negligence, errors, omissions, strict liability, breach of contract or breach of warranty (hereafter "Client's claims") shall not exceed the total sum paid on behalf of or to Soundscape Engineering LLC by Soundscape Engineering LLC's insurers in settlement or satisfaction of Client's claims under the terms and conditions of Soundscape Engineering LLC's insurance policies applicable thereto. If no such insurance coverage is provided with respect to Client's claims, then Soundscape Engineering LLC's total liability to Client for any and all such uninsured Client's claims shall not exceed the compensation paid to Soundscape Engineering LLC under this Agreement.
10. If Soundscape Engineering LLC's Client is the Owner, then Owner hereby agrees that to the fullest extent permitted by law, Soundscape Engineering LLC shall not be liable to Owner for any special, indirect or consequential damages whatsoever, whether caused by Soundscape Engineering LLC's negligence, errors, omissions, strict liability, breach of contract, breach of warranty or other cause or causes whatsoever, including but not limited to, loss of use of equipment or facility, and loss of profits or revenue.

Company Profile

Soundscape Engineering LLC is an engineering consulting firm specializing in acoustics, noise, and vibration control. Our team has consulted on a broad range of project types, including industrial facilities, commercial, institutional, and research buildings, aircraft, road traffic, and building equipment environmental noise, automobile cabin sound quality and aircraft cabin noise control. The breadth of our experience benefits all of our clients, regardless of project type.

For our industrial clients, we provide assessment and mitigation consulting for noise that affects workers and noise and vibration that impacts surrounding communities. We monitor noise and vibration levels in and near facilities, identify and rank contributing sources, and advise on mitigation approaches.

Our consultants have worked with municipalities to monitor and assess noise and vibration produced by industry located within their jurisdiction, and they have worked with industry to assess noise and vibration emissions and determine mitigation options. They are accustomed to working on high profile projects with community activism, media coverage and legal ramifications. They have consulted on noise control to limit employee noise exposure in existing manufacturing plants and in facilities under design.

Firm Accreditation

Soundscape Engineering LLC is a National Council of Acoustical Consultants member firm. Membership in NCAC is granted only after a company has undergone rigorous vetting. Admittance is the highest level of professional accreditation for acoustical consulting firms.

Firm Ownership Structure

Soundscape Engineering LLC is a limited liability company

Service Quality

- Proactive approach
- Responsive service
- Extensive experience
- All consultants have engineering degrees
- Senior consultants have professional certifications
- Company owner involved with every project

Services

- Noise Control and Sound Isolation
- Vibration Control
- Community Noise Impact Assessment
- Indoor Sound Level Measurements
- Outdoor Sound Monitoring
- Vibration Monitoring
- Employee Noise Dosimetry

organized in the State of Indiana and is registered with the Illinois Secretary of State and the Michigan Secretary of State. Soundscape Engineering LLC is owned by partners Nathan Sevenser and Mandy Kachur.

Corporate Insurance

Soundscape Engineering LLC carries professional liability coverage, a.k.a. errors and omissions insurance, with an annual aggregate and per claim limit of \$1,000,000. We also carry general liability insurance. Certificates are available upon request.



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(312) 436-0032

Detroit / Ann Arbor Office:
729 W. Ann Arbor Trl., Ste. 150
Plymouth, MI 48170
(734) 418-8663



Project Experience

Our consultants have provided noise and vibration control consulting and measurement services for many industrial project types, including the following:

- oil drilling and pumping facilities
- tube swaging facilities
- steel forges and foundries
- automotive parts distribution facilities
- automotive assembly plants
- manufacturing plants
- metal shredders
- scrap handling
- weld destruct process
- commercial laundering plants
- food processing and packaging plants
- aluminum melting furnaces
- automotive painting facilities
- waste water treatment plants and pumping stations
- machine and welding shops

Please see the accompanying project experience lists for more specific information.

Commendations

"I consider Mandy an expert in acoustical design and value her ability to understand and enhance each project regardless of program, budget, schedule, or other constraints."

- Jeff Gaines, Manager Planning & Programming
Albert Kahn Family of Companies

"Nathan was able to work with our design to create a better end product."

- Perry Hausman, Senior Associate
TowerPinkster

"Mandy is a person that I have a confidence upon to offer you quality 'sound & noise consulting' design services for your projects."

- Siraj Khan, Director of Engineering
Oakland University

"We have been pleased with Nate's work now at multiple client sites. Nate has been engaged in efforts to analyze noise issues at existing sites as well as recommendations during design to achieve low noise levels."

- Dan Miles, Director Engineering & Planning
BSA LifeStructures

"Nate has a sharp sensibility and patience with explaining acoustic concepts to clients that lends confidence to the decisions they (clients) make regarding complicated interior environmental quality issues."

- Julie Root, Associate Partner
ZGF Architects

Note: Some of the above commendations are based on experiences working with Mr. Sevener & Ms. Kachur prior to the formation of Soundscape Engineering LLC.



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Project Experience - Environmental Noise & Vibration Assessment

The following is a sample of the many projects that constitute the career experience of our staff.

- **City Hall Artspace Lofts**
Conversion of City Hall buildings into work-live artist lofts. 3-D computer modeling of site and nearby roadways to calculate traffic noise impact on the Dearborn City Hall property and to assess the extent of building façade changes that would be needed to comply with HUD noise guidelines.
Dearborn, Michigan
- **Hoosier Village**
Monitoring of existing sound levels at multiple locations in large senior living community, TNM 2.5 (traffic noise) modeling of new roadway with heavy truck traffic to be constructed through property by City, modeling of alternate roadway proposed by community, determination of noise impact on community and length and height of sound barrier walls needed to mitigate impact. Issued report suitable for submission to City.
Zionsville, Indiana
- **Mor/ryde**
Measurement of noise emitted to environment by existing manufacturing facility, prediction of sound levels at residences near proposed plant expansion, attendance at County planning commission meeting.
Elkhart, Indiana
- **11 W Quincy Music Venue**
Consulting to project design team with respect to noise isolation of venue from adjacent buildings (battered together) and from other nearby properties, in order for the venue to meet the local noise ordinance. Also, follow-up testing per the requirements placed on the venue by the Village.
Westmont, Illinois
- **City of Des Plaines (Events Venue Noise)**
Consulting to the City with respect to noise produced by the Fountain Blue Banquet & Conference Center during events. Work included peer review of studies performed by Fountain Blue's consultants, meeting with residents, and attendance at City's Zoning Board of Appeals and City Council meetings.
Des Plaines, Illinois
- **Sears Holdings Corporation**
Data Center Expansion
Community noise assessment and noise control, including environmental noise emissions and propagation modeling.
Troy, Michigan
- **Standard Bar & Grill**
Measurement of entertainment sound level in apartment building abutting client's establishment. Issue report for use in judicial proceedings.
Chicago, Illinois
- **Northwestern University**
18 months of monitoring ground vibration associated with construction of new Kellogg School of Management building.
Evanston, Illinois
- **Rs-FUELS**
Measurement of car wash noise at several facilities and prediction of noise at residential property adjacent to proposed new car wash. Submission of report and presentation to Village Board of Trustees.
Wilmette, Illinois
- **The Chapman House**
Prediction and assessment of noise impact by a proposed outdoor event's venue located near residences. Preparation of report and presentation to City Planning Commission.
Rochester, Michigan
- **Fort Knox Studios**
Property line measurement of noise produced in recording studios located adjacent to residential development. Issued report for submission to City.
Chicago, Illinois
- **K9 Club**
Acoustical analysis and design recommendations for proposal animal boarding facility and veterinary clinic with nearby residential land uses. Attendance at zoning board of appeals hearing.
Mundy Township, Michigan

¹ Work performed by Soundscape Engineering working as sub-consultant to partner firm Daniel Lyzun & Associates Ltd. or Acoustic Arts & Engineering

² Work performed by firm Partner while employed by Ove Arup & Partners, Ltd., Acoustics By Design, Inc., or Albert Kahn Associates, Inc.



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Project Experience - Environmental Noise & Vibration Assessment

- **Fibertex Nonwovens LLC**
Property line noise level measurements near factory to assess level for compliance with noise code for the Village of Lakemoor.
Lakemoor/Ingleside, Illinois
- **The Woodmont Two Condominiums Inc.**
Assessment of noise produced by air-cooled chiller on adjacent commercial property and submission of report with options for noise mitigation.
Indianapolis, Indiana
- **A. Finkl & Sons Co.**
Ground vibration assessment for forging operations adjacent to residential community
Chicago, Illinois
- **Down Range Tactical**
Firing range noise measurement and assessment to determine compliance with State regulations.
Spring Valley, Illinois
- **Advocate South Suburban Hospital**
Design consulting for transformer upgrade and chiller plant addition, with the goal of maintaining the existing noise level at the hospital property line.
Hazel Crest, Illinois
- **Saskatoon Police Service Headquarters¹**
New 350,000 sq.ft., police headquarters building with budget of CAD\$122 million. Environmental noise assessment included sound transmission from the 10 position indoor firing range and the building HVAC equipment and emergency gen-sets.
Saskatoon, Saskatchewan
- **Northeastern Illinois University**
Computer modeling to predict noise emissions from proposed South Campus Central Utility Plant to residential neighborhood and design support to limit emissions to below limits imposed by City ordinance.
Chicago, Illinois
- **Ypsilanti High School**
Measurement of community noise from pool equipment.
Ypsilanti, Michigan
- **Village of East Dundee**
Advising Village on noise control and noise monitoring options for bars with outdoor beer gardens.
East Dundee, Illinois
- **Doggie in the Window**
Assessment and mitigation of sound from dog day care facility to neighboring building and properties
Berkley, Michigan
- **Concert Stage Noise Impact (Residential Client)**
Peer review, for submission to City of Indianapolis, of noise assessment report for proposed outdoor concert stage and beer garden at Bent Rail Restaurant and Brewery.
Indianapolis, Indiana
- **Independence Place Apartments²**
Rural Housing and Economic Development (RHED) assessment for apartment complex where train noise dominated; building envelope design for noise control
Linton, Indiana
- **City of East Chicago**
HUD assessment and building envelope design for housing near freight rail line
East Chicago, Indiana
- **Nightclub Noise Impact**
Measurement and assessment of noise emitted from bar through wall common to Client's building
Ypsilanti, Michigan
- **River Point Centre¹**
Cooling tower noise mitigation for ordinance compliance
Winnipeg, Manitoba
- **Power Solutions International, Inc.**
Design consulting to allow new engine test facility to meet State of Illinois Title 35 noise regulations.
Itasca, Illinois
- **Palm Street Middle School²**
Computer modeling to predict noise generated by new freeway to be built near school, peer review of State's predictions, measurement of sound isolation provided by existing building construction, recommendation of building upgrades to isolate classroom from future freeway noise.
Lemon Grove, California

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Project Experience - Environmental Noise & Vibration Assessment

- **Food 'n' Fuel**
Environmental impact assessment for new car wash and drive-through window proposed to be constructed on the site of an existing gas station with convenience store and fast-food restaurant. Noise assessed against Will County code and Illinois Title 35. Attendance at zoning board meeting.
Frankfort, Illinois
- **Ryko Solutions, Inc.**
Study commissioned by Ryko Solutions to quantify the sound level produced by MacNeil car wash dryers and determine if the dryers could meet the noise restrictions imposed by the City of McHenry.
McHenry & Herscher, Illinois
- **Lodge at Nordman Lake**
Survey noise emitted to distant residential neighbors during wedding ceremonies and receptions on large rural property with private lake. Issue report for submission to township.
Dexter, Michigan (Lima Township)
- **MSP Industries**
Noise and ground vibration measurements near forging plant.
Oxford, Michigan
- **Ciena Healthcare**
Property line sound level measurements to determine if rooftop exhaust fan at new skilled nursing facility is in compliance with township noise ordinance. Issue report for submission to township.
Shelby Township, Michigan
- **Triple C Development**
Computer modeling of noise emitted to environment by proposed Zippy's Car Wash. Comparison with State noise regulations and recommendation of noise mitigation options.
Carol Stream, Illinois
- **Car Wash Property Line Noise Study**
Measurement of noise produced by existing car wash and advising owner on mitigation options.
Dearborn, Michigan
- **Perrigo Company**
Measurement of noise produced by temporary air-cooled HVAC chiller and recommendation of options for reducing noise transmission to nearby residential neighborhood.
Holland, Michigan
- **Marlborough Condominium Association**
Measure noise level emanating from electrical vault across street from condominium building and issue report with assessment of whether the noise level exceeds any applicable regulations.
Chicago, Illinois
- **Constellation Place**²
Noise impact assessment and mitigation for bus and auto traffic associated with proposed new commercial tower
Century City, California
- **Stratosphere Hotel and Casino**²
Acoustical Analysis of Proposed Rollercoaster Type Attraction
Las Vegas, Nevada
- **Universal Studios**²
Acoustical assessment to support Master Plan Environmental Noise Impact Report and Noise Mitigation Measures for Theme Park and Studios
Universal City, California
- **Linden Group Architects**
Survey noise levels in and near operating dog kennels and issue report with the results. Attend zoning board meeting to describe implications proposed new kennel.
Countryside and Oswego, Illinois
- **Animal Samaritans SPCA**
Prediction of proposed animal shelter noise impact on nearby residential zone.
Thousand Palms, California
- **Humane Society of Huron Valley**²
Design of exterior courtyard and noise barrier for control of dog barking noise to neighboring residences
Ann Arbor, Michigan

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Project Experience - Environmental Noise & Vibration Assessment

- **Hayes Properties Inc.**²
Design recommendations to reduce noise transfer from Ravenswood Billboard Factory (Events Space owned and operated by Client) to nearby single-family residential properties.
Chicago, Illinois
- **J Paul Getty Villa**²
Construction & operational noise prediction
Malibu, California
- **J. Paul Getty Center**²
Tram Noise Assessment & Mitigation
Brentwood, California
- **Greek Theater**²
Peer review of proposed community noise impact mitigation for large outdoor amphitheater
Los Angeles, California
- **West Pico Drill Site Modernization**²
BrietBurn Energy Company
Oil drilling facility located in residential community
Beverly Hills, California
- **UCLA Santa Monica Medical Center**²
Environmental Impact Report
Santa Monica, California
- **Avalon Del Rey**²
EIR for large residential development
Marina Del Rey, California
- **DuPont Fabros Technology Inc.**²
Data center noise control
Elk Grove Village, Illinois
- **City of Elkhart**²
Noise and Vibration Assessment for "Mega-Shredder"
Elkhart, Indiana
- **Weatherford International**²
Rotaflex Oil Pump
Carlsbad, New Mexico
- **Randy's Metal Recycling**²
Environmental noise assessment for proposed metal shredder
Benton Charter Township, Michigan
- **DaimlerChrysler AG**²
Kenosha Engine Plant
Kenosha, Wisconsin
- **DaimlerChrysler AG**²
Transmission Plant
Kokomo, Indiana
- **Chiyoda AES, Inc.**²
DMAX North American Diesel Engine Plant
Moraine, Ohio
- **Beck North Corporate Park**²
Community noise assessment and prediction
Novi, Michigan
- **Verizon Wireless**²
Murray Hill Condensing Units – impact and mitigation on neighboring condominium complex
Cleveland, Ohio
- **School District of the City of Royal Oak**²
Chiller and heat recovery unit noise mitigation
Royal Oak, Michigan
- **Troy School District**²
Baker Middle School chiller noise mitigation
Troy, Michigan
- **Lotus Engineering**²
Engine test cell equipment noise control
Ann Arbor, Michigan
- **Michigan Institute of Aviation and Technology**²
Aircraft Ramp Enclosure
Canton Township, Michigan
- **Trelleborg Sealing Profiles North America**²
Community Noise Impact Study
Streetsboro, Ohio
- **Mount Clemens Community School District**²
Community Noise Assessment
Mount Clemens, Michigan
- **Spectrum Health**²
Energy Center Expansion
Grand Rapids, Michigan
- **Bassett Healthcare**²
Measurement and design recommendations to control noise transmission from hospital central plant to residential properties.
Cooperstown, New York

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Project Experience - Environmental Noise & Vibration Assessment

- **Clarian Health** ²
Prediction and design recommendations with respect to noise transfer from Saxony Medical Center central plant to nearby residentially zoned properties.
Fishers, Indiana
- **St. Patrick Elementary School** ²
Building sound isolation testing, aircraft noise monitoring, recommendations of improvements to meet FAA requirements for funding building upgrades.
Burbank, California
- **Mingay Adult School** ²
Building sound isolation testing, aircraft noise monitoring, recommendations of improvements to meet FAA requirements for funding building upgrades.
Burbank, California
- **Glenwood Middle School** ²
Sound isolation testing of modular school buildings exposed to aircraft noise.
Los Angeles, California
- **Luther Burbank Middle School** ²
Building sound isolation testing, aircraft noise monitoring, recommendations of improvements to meet FAA requirements for funding building upgrades.
Burbank, California
- **3745-49 Sheffield Ave/Mangan Builders, Inc.**
Renovation of greystone apartments directly adjacent to the Chicago L Train System, façade design for noise control
Chicago, Illinois
- **Purdue University**
Ray W. Herrick Laboratories
Center for Higher Performance Buildings
Sound and vibration control for highly sensitive Human Perception Laboratory, located on a building corner near road used by heavy trucks and local airport
West Lafayette, Indiana

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Soundscape Engineering

Practical Solutions from Professional Engineers

Curriculum Vitae

Nathan Sevenser has been working in acoustical engineering since 1994. He started his career at the London based engineering giant Arup, where he became a Senior Consultant and Project Manager. Prior to founding Soundscape Engineering, he headed the Chicago area office of the Grand Rapids Michigan based Acoustics By Design, Inc. He has applied his expertise in acoustics and vibration to a range of project types involving vibration assessment for laboratory buildings, building sound isolation and room acoustics, overhead paging and sound reinforcement system design, building services noise control, industrial noise control, and prediction of community noise impact.

Nathan has consulted on over 300 international and domestic projects. His work has encompassed university buildings, K-12 schools, corporate offices, courthouses, airport terminals, hotel and residential buildings, hospitals and research institutes, performing arts and recording spaces, museums, and industrial facilities.

These projects include the \$768 million Ronald Reagan UCLA Medical Center, for which he was recognized by AIA Los Angeles as a member of their Project Team of the Year in 2002 (architect: Perkins & Will), renovation of the U.S. Courthouse and Federal Building in Phoenix, for which he was recognized as the project acoustical consultant in the 2004 GSA citation for Design Excellence (architects: Thomas Phifer & Partners and Gould Evans Assoc.), the \$90 million Frederick C. Hamilton wing of the Denver Art Museum

(architect: Daniel Libeskind), the \$220 million Soka University of America campus (architects: Pheiffer Partners and Summit Architects), and the 82-story, \$300 million Aqua Tower in Chicago.

Nathan taught at the Southern California Institute of Architecture in Los Angeles and in the College of Engineering at Valparaiso University in Indiana. He has been published and has presented technical papers for Sound & Vibration Magazine, the Acoustical Society of America, and the Institute of Noise Control Engineering.



Nathan Sevenser

Principal Consultant

PE, INCE Bd. Cert., LEED AP

Professional History

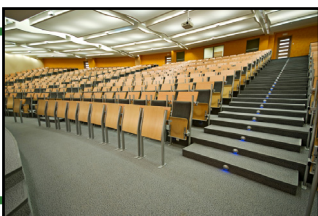
2010–present – Partner & Principal Consultant, Soundscape Engineering LLC

2006-2010 – Senior Consultant, Acoustics By Design, Inc., Valparaiso, Indiana

2003-2006 – Principal Consultant, Accent Acoustics LLC, Los Angeles, California

1996-2003 – Senior Consultant and Project Manager, Ove Arup & Partners, Los Angeles, California

1994 – Work-Study Position, Mining Engineering Dept., Michigan Technological University



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Soundscape Engineering

Practical Solutions from Professional Engineers

Education

M.B.A. Emphasis in Entrepreneurship, Pepperdine University, 2004

B.S. Mechanical Engineering, Michigan Technological University, 1995

B.S. Engineering Management, Michigan Technological University, 1995

Credentials

Board Certified, Institute of Noise Control Engineering

LEED Accredited Professional, U.S. Green Building Council

Licensed Professional Engineer, State of Illinois, #062.063002

Licensed Mechanical Engineer, State of California, #M 31972

Licensed Professional Engineer, State of Indiana, #PE 10606958

Professional Associations

Acoustical Society of America

Institute of Noise Control Engineering

ASHRAE

Publications & Presentations

"Comparison of Vibration Levels and Characteristics of cut, floated, and non-isolated floor slabs exposed to ground-borne vibration," Institute of Noise Control Engineering, Proceedings of Noise-Con 2014

"Sustainable Design's Impact on Building Acoustics," presentation to Northern Indiana ASHRAE, 2013

"Acoustical Design of the Perception Based Engineering Laboratory at Ray W. Herrick Laboratories Center for High Performance Buildings," Institute of Noise Control Engineering, Proceedings of Noise-Con 2013

"Acoustics in Healthcare Environments: What's New and Why It's Important," presentation to AIA Chicago Chapter, 2012

"Studies of Noise and Related Events in Neonatal and Adult Nursing Units," Midwest Healthcare Engineering Conference and Trade Show (presentation), 2009

"Neonatal Intensive Care Unit Observations: Noise, Light and Satisfaction," Healthcare Facilities Symposium and Expo (presentation), 2009

"Impact of Patient Density and Room Layout on the Noise Field in Neonatal Intensive Care Units," Institute of Noise Control Engineering, Proceedings of Internoise 2009

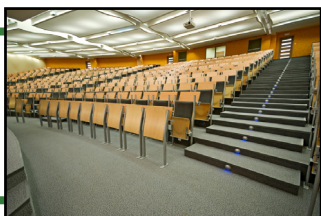
"48-Hour Patient Room Noise Level Survey at Regional Medical Center," Institute of Noise Control Engineering, Proceedings of Noise-Con 2007

"Remodeling of a Lecture Hall to Support Multi-Media Functions," Sound & Vibration Magazine, December 2000

"USC Annenberge Lecture Hall Acoustic Design," Acoustical Society of America, Atlanta Meeting (presentation), June 2000

"A Case Study of Noise Generation by an Outdoor, Cable Driven Tram," Institute of Noise Control Engineering, Proceedings of Inter-noise 1999

"Integration of Acoustics and Interior Design," Invited presentation to The American Institute of Architects - Los Angeles Chapter, 1998 & 1999



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Soundscape Engineering

Practical Solutions from Professional Engineers

Curriculum Vitae

Since 1991, Mandy Kachur has worked as an acoustics and noise control engineer. At Soundscape Engineering, she is responsible for all aspects of architectural acoustics project work and client development in addition to engineering analysis and measurement in room acoustics, sound isolation, building systems noise and vibration control, and community noise control.

She has worked on over 350 architectural projects, including auditoriums, healthcare facilities, university buildings, K-12 schools, acoustical and other laboratories, corporate offices, government, hotel and residential buildings, performing arts and recording spaces, worship, museums, and industrial facilities.

These projects include the award winning Henry Ford Health System West Bloomfield Hospital (560,000 sq.ft., 300 bed addition and 250,000 sq. ft. renovation), the Indiana Tech Law School Building (70,000 sq.ft. new construction), the LEED Gold Certified Agro-Culture Liquid Fertilizers World Headquarters Building (40,000 sq.ft. new construction), and the State of Michigan Hall of Justice, which houses the State Supreme Court and Court of Appeals (281,000 sq.ft. new construction). Her many small projects are just as important and include the LEED Gold Greenhills School addition in Ann Arbor and room acoustics for the Okemos Community Church.

In addition to working for acoustics consulting firms, she has also been an acoustics specialist at

a medium sized Detroit architectural/engineering firm, where daily integration into multi-disciplinary project teams heightened her sensitivity to the need for practical acoustical solutions to mesh with all aspects of a project's design.

Mandy is a Board-Certified Member of the Institute of Noise Control Engineering, currently serving as the Vice President of Public Relations, and is a prior member of the Board of Directors and chair of the Building Acoustics Technical Committee. She is a member of teams that contribute to the



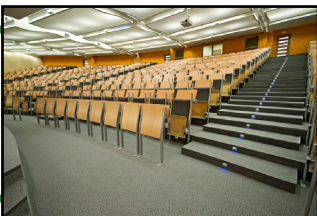
Mandy Kachur

Principal Consultant

PE, INCE.Bd.Cert.

Facilities Guidelines Institute *Guidelines for Design and Construction of Health Care Facilities*.

She is an adjunct professor at Lawrence Technological University, and has been published at INCE conferences, at ASA meetings and in the peer reviewed American Journal of Nursing. Most recently, she was selected as a speaker at the National Academy of Engineering: Japan-America Frontiers of Engineering Symposium, presenting on healthcare acoustics. She is also a violinist with the Dearborn Symphony Orchestra.



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Professional History

2011-present – Partner & Principal Consultant, Soundscape Engineering LLC

2004-2011 – Senior Consultant, Acoustics By Design, Inc., Ann Arbor, Michigan

1999-2004 – Acoustics Specialist, Albert Kahn Associates, Inc., Detroit, Michigan

1998 – Kolano and Saha Engineers, Inc., Project Engineer, Waterford, Michigan

1994-1998 – Ford Motor Company, Inc., Product Design Engineer, Sound Quality Group, Dearborn, Michigan

1992-1994 – The Boeing Company, Inc., Product Engineer, Noise Engineering, Seattle, Washington

1992 – Kirkegaard & Associates, Inc., Intern, Downers Grove, Illinois

1991 - The Boeing Company, Inc., Intern, Noise Engineering, Seattle, Washington

1987-1990 – British Petroleum, Co-op Student, Cleveland, Ohio

Education

M.E. in Acoustics, The Pennsylvania State University, 2008

B.S. Mechanical Engineering, Purdue University, 1991

Credentials

Board Certified, Institute of Noise Control Engineering

Licensed Professional Engineer, State of Michigan, #6201045637

Professional Associations

Acoustical Society of America

Institute of Noise Control Engineering

American Society of Heating, Refrigerating and Air Conditioning Engineers

Publications & Presentations

“Managing Noise in Healthcare Environments to Improve Patient Outcomes,” 2014 Japan-America Frontiers of Engineering Symposium, National Academy of Engineering

“Acoustical materials for a green world: The sustainable design transformation of the architectural acoustics industry,” Acoustical Society of America, Baltimore Meeting 2010

“Architectural acoustics: Emerging opportunities require new materials and solutions,” Acoustical Society of America, Baltimore Meeting 2010

“Small and Large Room Acoustics: Similarities and Differences,” Presentation to the Detroit Section of the Audio Engineering Society, 2010

“Ensuring Quieter Hospital Environments,” American Journal of Nursing, 2009

“A Case Study Of A Successful Patient Unit Noise Reduction Program,” Planetree Webinar, 2009

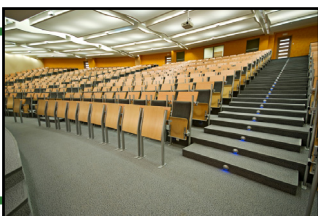
“Making Music with the DSO,” Detroit Symphony Orchestra PBS interview, 2009

“The greening of sound: Recent inclusion of acoustics in sustainable building certification,” Noise-Con Proceedings 2007

“LEED and Acoustics: Compatibility Check,” Seminars on Sustainability, Detroit Chapter of ASHRAE and Lawrence Technological University conference, 2007

“Design and capabilities of a new sound and vibration laboratory at Valeo” InterNoise Proceedings 2002

“A survey of sound quality jury evaluation correlations: Loudness versus A-weighted sound level” Mandy Kachur Sound Quality Symposium Proceedings 1998



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Soundscape Engineering

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Curriculum Vitae

Since 1985, Louie Sunga has been working as an acoustical consultant and architect. During his nearly thirty year career, he has managed and contributed to a variety of project types, including performing arts, K-12 and higher education, corporate, hospitality, healthcare, museums, and residential.

He is skilled at integrating the acoustics, sound isolation and noise control recommendations into projects from the early stages of planning and criteria development through to preparation of project deliverables and commissioning. Project management and facilitating information flow is critical to the success of projects, particularly for the seamless integration of acoustical elements into buildings, and Louie has expertise in this critically important area.

Prior to joining Soundscape Engineering, Louie was a Senior Acoustic Consultant/Associate at Kirkegaard Associates. During his twelve years at the firm he was involved with many high profile projects.

Prior to working for Kirkegaard, he spent three years as Senior Architect/Project Manager for Animate Architects, a small architectural firm specializing in residential and business construction, and a year as Senior Architect at Teng Associates.

During his time with Teng he gained the experience and skills in Project Management and Client Relationships needed to work on large and complicated projects. His most notable project

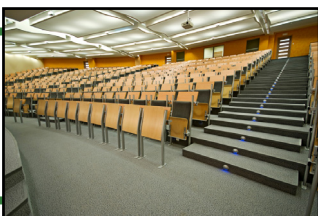
during his time at Teng was a Joint Venture Project with Jean-Paul Viguier (Design Architect) for the Hotel Sofitel Chicago Tower.

Louie spent the first fourteen years of his career at the architecture firm, Solomon Corwell and Buenz. He was involved in many of the firms successful Chicago area projects including the Crate and Barrel Flagship Store, Tetra Pak Headquarters, and the Children's Memorial Institute for Education and Research. During his tenure at SCB, he was deeply involved in the



Louie Sunga
Associate Consultant
Registered Architect

technical aspects of the Building and Design process.



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Professional History

2014-Present – Soundscape Engineering LLC,
Chicago, Illinois

2002-2014 – Senior Acoustic
Consultant/Associate, Kirkegaard Associates,
Chicago, Illinois

2000-2002 – Senior Architect/Project Manager,
Animate Architects, Chicago, Illinois

1999-2000 – Senior Architect, Teng Associates,
Chicago, Illinois

1985-1999 – Senior Architect, Solomon Cordwell
and Buenz, Chicago, Illinois

Education

Bachelor of Architecture, The Illinois Institute of
Technology, 1984

Credentials

Registered Architect, State of Illinois

Professional Associations

American Institute of Architects

Project Experience

Higher Education

- Northwestern University Bienen School of Music, Evanston IL
- De Paul University School of Music, Chicago IL
- University of Central Florida Arts Complex, Orlando FL
- Western Illinois University PAC, Macomb IL
- Harvard Allston Science Complex, Boston MA
- IPFW Music Building, Fort Wayne IN
- IIT Campus Center, Chicago IL

K-12 Education

- Charlotte High School, Charlotte MI
- Dunlap High School, Dunlap IL
- Morgan Township High School, Morgan IN

Museums

- Harley Davidson Museum, Milwaukee WI
- Holocaust Museum, Milwaukee WI
- SC Johnson Project Honor, Racine WI
- Spertus Institute of Jewish Studies, Chicago IL

Corporate & Hospitality

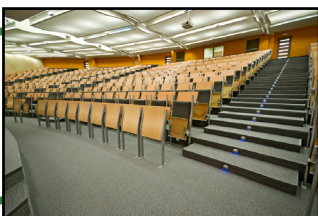
- Mesirow Financial Headquarters, Chicago IL
- Siemens Headquarters, Chicago IL
- Trump International Hotel – Riverwalk Project, Chicago IL
- Blackfinn Restaurant, Chicago IL
- Firehouse Studios, Chicago IL
- Ray and Joan Kroc Corps Community Center, Chicago IL
- Kroc community Center, Memphis TN

Residential

- 625 W Division Residential Towers, Chicago WI
- Mid Chicago Development Residential Properties, Chicago IL
- 132 East Delaware Condominiums, Chicago IL
- Laurels Condominium, Memphis TN

Healthcare

- Virtua Health Hospital, Voorhees NJ
- Advocate Lutheran General Hospital, Park Ridge IL
- University of Iowa Hospital and Clinic, Iowa City IA



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Curriculum Vitae

Aimee Lalime focused her career on Acoustics in 2000, when she began her Master's Degree in Mechanical Engineering with a Concentration in Acoustics. She worked for NASA Langley to develop an efficient virtual acoustics simulation of structural noise from the space station walls.

After completing her Master's Degree, Aimee joined Arup Acoustics, working to solve and prevent problems with architectural acoustics, environmental noise, and mechanical systems noise. She conducted measurements, analyzed data, and wrote reports for presentation to clients.

She continued her career with The Aerospace Corporation, providing support to the Air Force regarding the acoustic, vibration, and shock environments experienced by sensitive equipment during spacecraft launches. During this time, she developed skills in 3D modeling of complex systems to predict vibration and acoustical environments during launch. She also gained experience in digital signal processing of flight data, managing spacecraft testing, and interfacing directly with Air Force clients.

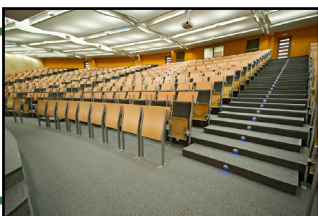
During her time at The Aerospace Corporation, Aimee also coordinated the SCLV Dynamic Environments Workshop. She planned and managed all aspects of the workshop events, including session content, panel discussions, networking events, and keynote presentations.

When joining Soundscape Engineering in 2012, Aimee combined her experience in architectural acoustics and 3D modeling to create 3D computer

models of auditoria and meeting spaces. In addition, she has assessed sound isolation issues between hotel and apartment spaces, quantified outdoor environmental noise from mechanical equipment, predicted traffic noise for planned road additions, and designed listening and recording rooms. She has reviewed architectural drawings and planned treatments to meet mechanical noise and reverberation targets in schools, atria, meeting rooms, gymnasiums, and performance spaces.



Aimee Lalime
Consultant



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Professional History

2012-Present - Soundscape Engineering LLC, Ann Arbor, Michigan / Chicago, Illinois

2004-2009 – Member of the Technical Staff, The Aerospace Corporation, El Segundo, California

2002-2004 – Consultant, Arup Acoustics, Los Angeles, California

2001-2002 – Graduate Research Assistant, NASA Langley Research Center and Vibrations and Acoustics Laboratories, ME Department, Virginia Tech, Blacksburg, Virginia

2000 – Undergraduate Researcher, Michelin Tire Company and ME Department, Virginia Tech, Blacksburg, Virginia

1999-2000 Grading Assistant, Thermodynamics, Fluids, and Heat Transfer, Virginia Tech, Blacksburg, Virginia

Education

M.S. Mechanical Engineering, Virginia Polytechnic Institute and State University, Concentration in Acoustics, 2002

B.S. Mechanical Engineering, Virginia Polytechnic Institute and State University, 2000

Honors

Corporate Achievement Award, The Aerospace Corporation, June 2007, *For outstanding support of DOS/HiLET Payload and Space Test Program*

Mary V. Jones Award, Jan. 2001

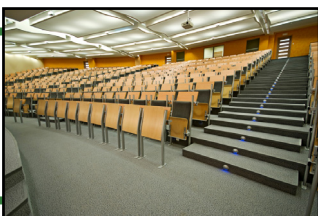
Awarded Graduate Research Fellowship from NASA Langley, Jan. 2001

Publications & Presentations

Yazdanniyaz, A., A. Carlson, S. Bui, C. Wenger, and A. L. Lalime, *Design of Vibration-Sensitive Laboratory Floors: Vibration Criteria and Prediction Methods Compared with Measured Vibrations*, Architectural Engineering 2003 - Building Integration Solutions.

Lalime, A. L., *Development of a Computationally Efficient Binaural Simulation for the Analysis of Structural Acoustic Data*, Thesis for Masters of Science in Mechanical Engineering, Virginia Tech, 2002,

Lalime, A. L. and M. E. Johnson, *Development of an Efficient Binaural Simulation for the Analysis of Structural Acoustic Data*, 2002, NASA/CR-2002-211753,



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