

BOURBONNAIS BUSINESS DISTRICT

BUSINESS DISTRICT PLAN

Village of Bourbonnais, Illinois

September 13, 2017



Economic Development Resources
St. Louis, Missouri

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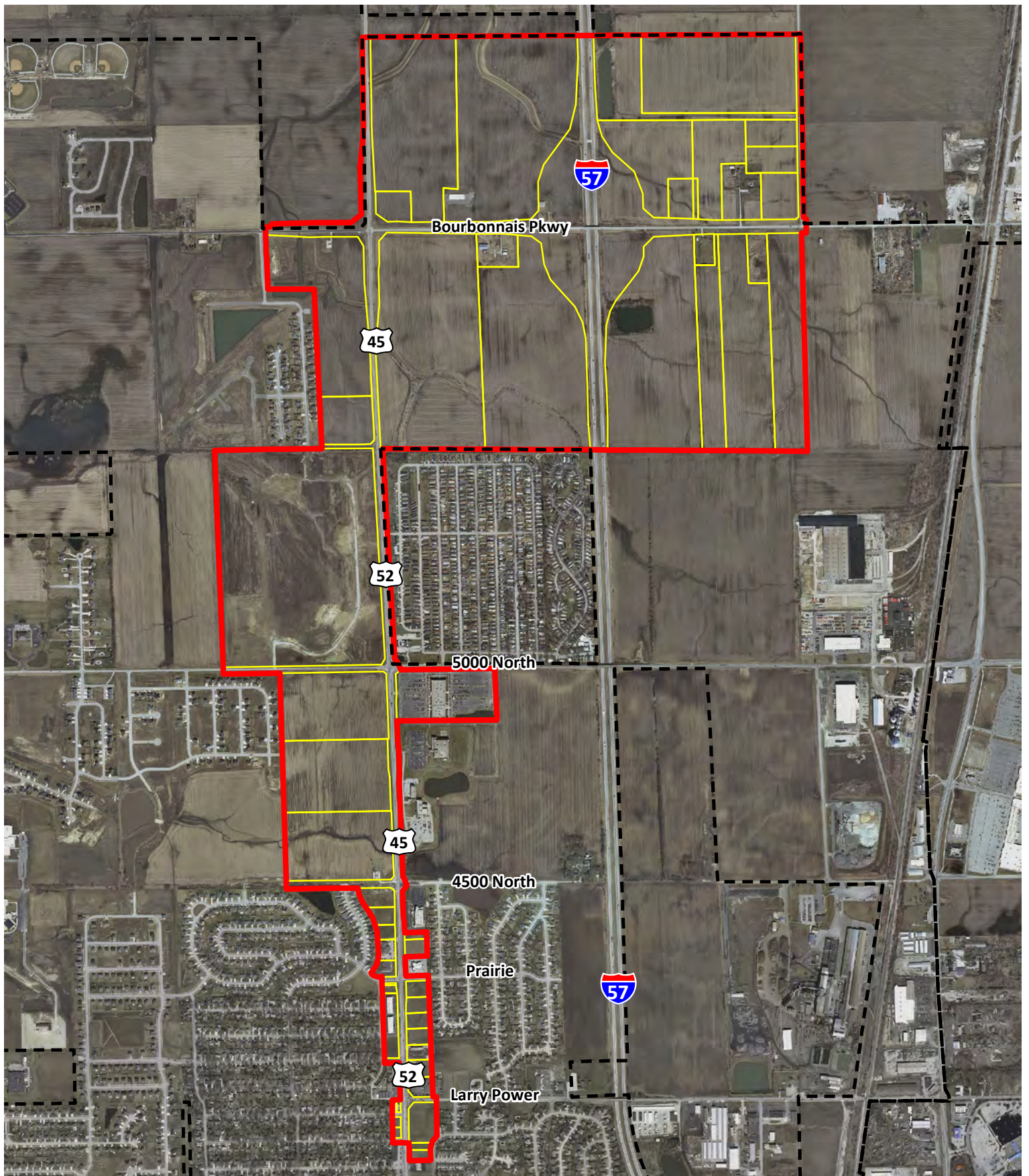
SECTION I

INTRODUCTION

Business districts are authorized by the Illinois Municipal Code, specifically in 65 ILCS 5/11-74.3 et seq., the Business District Development and Redevelopment Law (the “Law”). The Law sets forth the requirements and procedures for establishing a business district and a business district plan. The purposes of such a plan are to document that the business district meets the definition of a “Blighted area” (as that term is defined in the Law), and identify those actions and activities to that will eradicate the blighting conditions found in the business district and assist in the development and redevelopment of the business district. The business district plan also identifies those activities, sources of funds, procedures and other requirements needed to implement the plan, and then describes the use of the sales tax and hotel/motel taxes raised within the business district to pay for certain “Business district project costs”, as such costs are defined in the Law.

The proposed Bourbonnais Business District (the “District”) consists of 53 parcels, 15 of which are developed and 38 of which are vacant or essentially vacant, in the Village of Bourbonnais, generally located along US Highways 45/52 (North Convent Street) and Bourbonnais Parkway/E 6000 N Road, between the Village boundary (to the north) and Larry Power Road (to the south), shown on **Exhibit A – Boundary Map**. The legal description of the District is attached as **Appendix 1 – Legal Description**.

Given the extraordinary costs to remediate blighting conditions found within the District and to prepare the District (and the buildings, structures, site improvements and public improvements therein) for development and redevelopment, the Village of Bourbonnais proposes to create the District to assist in meeting these costs.



Bourbonnais Business District
 Business District Plan
 Village of Bourbonnais, Illinois




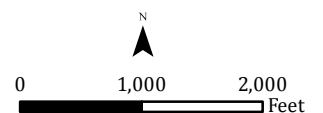
-  Municipal Boundary
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EXHIBIT A
BOUNDARY MAP



SECTION II

STATUTORY BASIS FOR BUSINESS DISTRICT DEVELOPMENT AND REDEVELOPMENT

Business districts are authorized by the Illinois Municipal Code, specifically in 65 ILCS 5/11-74.3 et seq., the Business District Development and Redevelopment Law, hereinafter the “Law”. The Law finds and determines that:

- It is essential to the economic and social welfare of each municipality that business districts be developed, redeveloped, improved, maintained, and revitalized, that jobs and opportunities for employment be created within the municipality, and that, if blighting conditions are present, blighting conditions be eradicated by assuring opportunities for development or redevelopment, encouraging private investment, and attracting sound and stable business and commercial growth;
- As a result of economic conditions unfavorable to the creation, development, improvement, maintenance, and redevelopment of certain business and commercial areas within municipalities, opportunities for private investment and sound and stable commercial growth have been and will continue to be negatively impacted and business and commercial areas within many municipalities have deteriorated and will continue to deteriorate, thereby causing a serious menace to the health, safety, morals, and general welfare of the people of the entire State, unemployment, a decline in tax revenues, excessive and disproportionate expenditure of public funds, inadequate public and private investment, the unmarketability of property, and the growth of delinquencies and crime;
- In order to reduce threats to and to promote and protect the health, safety, morals, and welfare of the public and to provide incentives which will create employment and job opportunities, will retain commercial businesses in the State and related job opportunities and will eradicate blighting conditions if blighting conditions are present, and for the relief of unemployment and the maintenance of existing levels of employment, it is essential that plans for business districts be created and implemented and that business districts be created, developed, improved, maintained, and redeveloped;
- The creation, development, improvement, maintenance, and redevelopment of business districts will stimulate economic activity in the State, create and maintain jobs, increase tax revenues, encourage the creation of new and lasting infrastructure, other improvements, and facilities, and cause the attraction and retention of businesses and commercial enterprises which generate economic activity and services and increase the general tax base, including, but not limited to, increased retail sales, hotel or restaurant sales, manufacturing sales, or entertainment industry sales, thereby increasing employment and economic growth;

- It is hereby declared to be the policy of the State, in the interest of promoting the health, safety, morals, and general welfare of all the people of the State, to provide incentives which will create new job opportunities and retain existing commercial businesses within the State and related job opportunities, and it is further determined and declared that the relief of conditions of unemployment, the maintenance of existing levels of employment, the creation of new job opportunities, the retention of existing commercial businesses, the increase of industry and commerce within the State, the reduction of the evils attendant upon unemployment, and the increase and maintenance of the tax base of the State and its political subdivisions are public purposes and for the public safety, benefit, and welfare of the residents of this State; and,
- The exercise of the powers provided in this Law is dedicated to the promotion of the public interest, to the enhancement of the tax base within business districts, municipalities, and the State and its political subdivisions, the creation of employment, and the eradication of blight, if present within the business district, and the use of such powers for the creation, development, improvement, maintenance, and redevelopment of business districts of a municipality is hereby declared to be for the public safety, benefit, and welfare of the residents of the State and essential to the public interest and declared to be for public purposes.

This Law allows a municipality to assist in accomplishing development and redevelopment activities within its business districts on a locally-controlled basis. Development and redevelopment within a designated business district will generate taxes from sales, services, and/or lodging within the business district and, thus, create tax revenues that will be used to improve the business district. These tax revenues can be used to finance certain “Business district project costs” (“Project Costs”), as such costs are defined in the Law.

The Law allows the corporate authorities to designate an area of the municipality, following a public hearing, as a business district. Under the Law, powers extended to the corporate authorities creating a business district include, but are not necessarily limited to, the following:

- To make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan;
- Within the business district, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests therein;
- To acquire property by eminent domain in accordance with the Eminent Domain Act;
- To clear any area within the business district by demolition or removal of any existing buildings, structures, fixtures, utilities, or improvements, and to clear and grade land;

- To install, repair, construct, reconstruct or relocate public streets, public utilities, and other public site improvements within or without the business district which are essential to the preparation of the business district for use in accordance with a business district plan;
- To renovate, rehabilitate, reconstruct, relocate, repair or remodel any existing buildings, structures, works, utilities, or fixtures within any business district;
- To construct public improvements, including, but not limited to, buildings, structures, works, utilities, or fixtures within any business district;
- To fix, charge and collect fees, rents, and charges for the use of any building, facility, or property or any portion thereof owned or leased by the municipality within a business district;
- To pay or cause to be paid business district project costs. Any payments to be made by the municipality to developers or other nongovernmental person for business district project costs incurred by such developer or other nongovernmental person shall be made only pursuant to the prior official action of the municipality evidencing an intent to pay or cause to be paid such business district project costs;
- To apply for and accept grants, guarantees, donations of property or labor or any other thing of value for use in connection with a business district project; and,
- If the municipality has by ordinance found and determined that the business district is a blighted area under the Law, to impose a retailers' occupation tax, a service occupation tax and a hotel operators' occupation tax in the business district for the planning, execution, and implementation of the business district plan, and to pay for business district project costs as set forth in the business district plan approved by the municipality.

The Law also identifies the components of such a business district plan, viz:

- Specific description of the district boundaries and map of the boundaries;
- General description of each project to be undertaken, including a description of the approximate location of each project and a description of any developer, user or tenant within the business district;
- Name of the proposed business district;
- Estimated business district project costs;
- Anticipated sources of funds to pay business district project costs;

- Anticipated type and terms of any obligations to be issued; and,
- The retailers' occupation tax, service occupation tax and/or hotel operators' occupation tax to be imposed (if any), the rate of such taxes and the period of time for which such taxes will be imposed.

SECTION III

BUSINESS DISTRICT PLAN

INTRODUCTION

The Village of Bourbonnais (the “Village”) is creating the Bourbonnais Business District (the “District”) and the Bourbonnais Business District Plan (the “Plan”) in order to provide an important tool for the development and redevelopment of a blighted area of the community. In looking to achieve this end, the Village will adhere to certain Objectives and Policies.

A. Objectives

The Objectives of the Plan are to:

- Eradicate the blighting conditions within the District;
- Assure opportunities for development and redevelopment, and attract sound and stable commercial growth and employment opportunities;
- Expand, enhance and diversify the tax base of all the underlying taxing districts;
- Facilitate the implementation of public plans, projects and investment within the District in a manner that is compatible with the Village’s Comprehensive Plan; and,
- Encourage and assist private investment and development within the District, in a manner that is compatible with the Village’s Comprehensive Plan.

B. Policies

The Village will follow certain Policies to achieve the Objectives outlined above. These include:

- Use District-derived revenues to implement the Plan;
- Utilize Village employees and consultants to undertake those actions and activities necessary to accomplish the specific public-side projects outlined in the Plan;
- Provide District revenues, as permitted by the Law, to encourage private developers to complete actions and activities outlined in the Plan; and,
- Utilize those powers extended in the Law to the corporate authorities in the development and redevelopment of the District.

These Objectives and Policies may be amended from time to time as determined by the Village.

C. Components of the Business District Plan

1. Boundaries/Location of the District

A number of factors were taken into consideration in establishing the boundary of the District. Established guidelines and standards have been followed in delineating the boundary and preparing this Plan.

Persons employed by Economic Development Resources L.L.C. (EDR), and experienced in determining the eligibility of areas of communities for business district designation, conducted research of the District and environs in order to ascertain the existence of blighting factors found in the Law. EDR was assisted in its determination by information obtained from Kankakee County and from the Village of Bourbonnais. Based upon these investigations, the location of blighting factors in the area of the Village under study, and the eligibility requirements for imposing business district taxes, the boundary of the District was determined.

The proposed Bourbonnais Business District (the “District”) consists of 53 parcels, 15 of which are developed and 38 of which are vacant or essentially vacant, in the Village of Bourbonnais, generally located along US Highways 45/52 (North Convent Street) and Bourbonnais Parkway/E 6000 N Road, between the Village boundary (to the north) and Larry Power Road (to the south).

2. General Description of the Project, Project Location, Developer, User or Tenant

General Description of the Project

The projects proposed to be undertaken (the “Projects”) within the District will include privately developed and redeveloped commercial (retail, office and service-related) uses, and public investment in infrastructure complementary to such private development. The Projects may be developed in one or more phases.

Private Projects proposed to be undertaken in the District include, but are not limited to:

- Development of private commercial buildings and structures on currently undeveloped property;
- Rehabilitation and reconstruction of existing commercial buildings, structures and improvements; and,
- Improvements to private driveways, ingress and egress points and parking lots.

Public Projects within the District will be used to complement private investment and help induce commercial development and redevelopment. Such Projects are anticipated to include, but are not limited to:

- Extension of Village infrastructure, including, but not limited to sanitary sewers, storm water sewers, sidewalks, crosswalks, pedestrian and bike trails, traffic control systems, wayfinding signage, and pavement markings to parts of the District not currently served;
- Improvements to existing Village infrastructure, including but not limited to sanitary sewer lines, manholes and storm water sewers, water mains and hydrants, and improvements to roadways and intersections (curbs, gutters, curb cuts, signalization and turn lanes);
- Marketing to prospective businesses, developers and investors, including marketing efforts to attract retailers, restaurants and service providers to the District;
- Acquisition of property within the District for the installation, construction, or relocation of public streets, public utilities, and other public site improvements within or without the District which are essential to the preparation of the District for use in accordance with the Plan; and,
- Installation, repair, construction, reconstruction, or relocation of public streets, public utilities, and other public site improvements within or without the District which are essential to the preparation of the District for use in accordance with the Plan.

Description of Any Developer, User or Tenant

Developers, users or tenants include those developers, users or tenants currently located within the District and those developers, users or tenants that may be attracted to the District through the use of the business district program. A description of any developer, user or tenant of any property to be located or improved within the District is attached as **Appendix 2 – Description of Any Developer, User or Tenant**.

3. Name of Business District

The name of the Business District is the “Bourbonnais Business District”.

4. Estimated Business District Project Costs

The estimated business district project costs (the “Project Costs”) for the District, as discussed in 5. below, are presented in **Exhibit B – Estimated Business District Project Costs**. These estimates include the sum total of all Project Costs anticipated to be incurred by the Village, other governmental entities, or nongovernmental persons in furtherance of this Plan. The estimated costs in the Exhibit are subject to refinement as specific plans and designs are finalized and experience is gained in implementing this Plan.

Total Estimated Business District Project Costs are anticipated to be \$32,500,000.

5. Anticipated Source of Funds to Pay Business District Project Costs

The anticipated source of funds to pay Project Costs are those tax revenues generated by the retailers’ occupation tax, service occupation tax and hotel operators’ occupation tax (collectively, the “Business District Taxes”) to be imposed within the Business District. Such Business District Taxes will then be used to pay eligible Project Costs. In addition, the District’s costs and obligations may be paid for, in whole or in part, by revenues from other funding sources. Other funding sources may include, but are not limited to, state and federal programs, municipal sales tax revenue, revenues from adjacent business districts, tax increment financing (“TIF”) revenues in those portions of the District which overlap any of the Village’s tax increment financing areas, as provided for in the Law.

6. Anticipated Type and Terms of Any Obligations to be Issued

In order to expedite the implementation of the Plan, the Village of Bourbonnais, pursuant to the authority granted to it under the Law, may issue obligations to pay for the Project Costs. These obligations may be secured by future revenues generated by the Business District Taxes to be collected and allocated to the Business District Tax Allocation Fund (the “Fund”), as well as other monies identified in 5., above, allocated to the Fund. Such obligations may take the form of any loan instruments authorized by the Law, such as bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a business district project or to refund outstanding obligations. However, the last maturity of the refunding obligations shall not be expressed to mature later than the “Dissolution date”, as that term is defined in the Law.

Such loans or obligations may be issued pursuant to this Plan. The Village anticipates that notes, bonds or similar obligations, if issued, will be secured by revenues in the Fund.

When the Project Costs, including all obligations paying or reimbursing such Project Costs have been paid, but in no event later than the dissolution date, any surplus funds then remaining in the Fund shall be distributed to the Village treasurer for deposit into the general corporate fund of the Village, as provided for in the Law.

EXHIBIT B

ESTIMATED BUSINESS DISTRICT PROJECT COSTS

Estimated Costs

Description

Costs of studies, surveys, development of plans and specifications, implementation and administration of a business district plan, and personnel and professional service costs including architectural, engineering, legal, marketing, financial, planning, or other professional services	\$1,000,000
Property assembly costs of the Village, including but not limited to, acquisition of land and other real or personal property or rights or interests therein	\$2,500,000
Site preparation costs, including but not limited to clearance, demolition or removal of any existing buildings, structures, fixtures, utilities, and improvements and clearing and grading of land	\$5,000,000
Costs of installation, repair, construction, reconstruction, extension, or relocation of public streets, public utilities, and other public site improvements within or without the business district which are essential to the preparation of the business district for use in accordance with the business district plan, and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by the developer or nongovernmental person	\$10,000,000
Costs of renovation, rehabilitation, reconstruction, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures within the business district, and specifically including payments to developers or other nongovernmental persons as reimbursement for costs incurred by those developers or nongovernmental person	\$500,000
Costs of installation or construction within the business district of buildings, structures, works, streets, improvements, equipment, utilities, or fixtures, and specifically including payments to developers or other nongovernmental persons as reimbursements for such costs incurred by such developer or nongovernmental person	\$10,000,000
Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued under this Law that accrues during the estimated period of construction of any development or redevelopment project for which those obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of those obligations	\$3,500,000
<u>Total Estimated Business District Project Costs</u>	\$32,500,000

Note: Expenditures in individual categories may differ from those shown above; however the total amount of the Estimated Business District Project Costs will not exceed \$32,500,000 plus any additional increase in this figure permitted in the Law for any interest and other financing costs as may be required.

7. The Rate of Any Tax to be Imposed Pursuant to Subsection (10) or (11) of Section 11-74.3-3 of the Law and the Period of Time for Which the Tax Shall Be Imposed

Within the District, a rate of tax of 1.0% shall be imposed as a retailers' occupation tax and a service occupation tax, and a rate of tax of 1.0% shall also be imposed as a hotel operators' occupation tax. Such taxes shall be imposed for up to 23 years.

SECTION IV

BASIS FOR FINDING AS A BLIGHTED AREA.

A. Introduction

Business districts are authorized by the Illinois Municipal Code, specifically in 65 ILCS 5/11-74.3 et seq. (the “Business District Development and Redevelopment Law” or the “Law”). The Law sets forth the requirements and procedures for establishing a business district, which may include making a determination that there exists conditions that cause the business district to be classified as a “Blighted area” and thereby enabling a municipality to impose an additional retailers’ occupation tax, service occupation tax and hotel operators’ occupation tax. The purpose of this report is to provide a document that demonstrates that the area under consideration for designation as a business district is a “Blighted area”, as that term is defined in the Law.

The proposed Bourbonnais Business District (the “District”) consists of 53 parcels, 15 of which are developed and 38 of which are vacant or essentially vacant, in the Village of Bourbonnais, generally located along US Highways 45/52 (North Convent Street) and Bourbonnais Parkway/E 6000 N Road, between the Village boundary (to the north) and Larry Power Road (to the south). The location of this approximately 960 acre District is shown on **Exhibit A – Boundary Map**.

The portion of the Village reviewed for this Plan meets the eligibility requirements as a “Blighted area”, as defined in the Law.

B. Statutory Qualifications

A “Blighted area”, as defined in the Law, means “an area that is a blighted area which, by reason of the predominance of defective, non-existent, or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability, an economic underutilization of the area, or a menace to the public health, safety, morals, or welfare”.

C. Investigation and Analysis of Blighting Conditions

In determining whether or not this portion of the Village meets the eligibility requirements of the Law, various methods of research and field surveys were utilized. These included:

- Contacts with individuals knowledgeable as to: conditions and history of this portion of the Village; age of buildings and site improvements; development patterns; real estate matters and related items. Existing information pertaining to public utilities in this portion of the Village was also reviewed, as was information regarding the Village on file with Kankakee County; and,
- On-site field examinations of conditions within the District were conducted by Economic Development Resources L.L.C. (EDR).

D. The Area Proposed for the Business District

The area proposed for designation of a business district is approximately 960 acres in size (including approximately 140 acres of right-of-way), and is generally located along US Highways 45/52 (North Convent Street) and Bourbonnais Parkway/E 6000 N Road, between the Village boundary to the north and Larry Power Road to the south. The areas contains 53 parcels, and is shown on **Exhibit A - Boundary Map**. This area has been found to meet the eligibility requirements for a “Blighted area”.

E. Review of Qualifications of the Proposed Business District

1. Defective, non-existent or inadequate street layout

The street layout in the District is inadequate, as 32 of the 53 parcels within the District (60%) lack identifiable curb cut (ingress/egress points) access to the abutting roadways.

In addition, the uncontrolled ingress/egress along Kim Drive allows vehicles to back directly into active driving lanes.

2. Unsanitary or unsafe conditions

Field research by EDR has identified unsanitary or unsafe conditions within 19 of the 53 parcels (36%) in the District. Such conditions include, but are not limited to, those enumerated below.

- Sidewalks throughout the District are either intermittently provided, or non-existent, along: US Highways 45/52 (North Convent Street); Bourbonnais Parkway/E 6000 N Road; and W 5000 N Road. Such a situation is unsafe in that it forces pedestrians throughout the District to walk either in the active driving lanes or in the lawns of properties abutting these roadways, one of which (US Highways 45/52) is a major arterial (Average Daily Traffic of 15,100 vehicles: IDOT, 2015).

- The extensive flooding which occurs within the District, particularly adjacent to Bourbonnais Parkway/E 600 N Road, as well as along US 45/52 (North Convent Street), is unsanitary, blocks access to the businesses within the District (as well as to those south of the District), and restricts vehicular and pedestrian movements to and from the existing buildings and undeveloped parcels in the District.
- Pools of standing water throughout the District freeze into sheets of ice in the winter, endangering life and property for both pedestrians and vehicles.
- Parking stall lines are lacking (or extremely faded and non-functional) in eight locations in the District (affecting 50% of the developed parcels), providing no guidance to traffic traversing parking lots and lanes, making these areas unsafe for pedestrians and vehicular traffic. Light standard poles were positioned within parking lots without the benefit of protective bollards, creating an unsafe environment for vehicular traffic. Further, parking stops are lacking, or loose from their moorings, on several parking lots in the District, which allows vehicles to pull directly from parking lots onto abutting lawns or storm water drainage areas, and across active pedestrian sidewalks.
- Garbage containers and dumpsters without proper enclosures at four locations within the District, as well as easily accessed storage of miscellaneous debris and pools of standing water throughout the District, attract animals and create breeding grounds for mosquitoes and other insects.
- Large storm water ditches and detention areas abutting parking lots within the District, unsecured from vehicular movements, unsafe for both pedestrians and vehicles.
- Access to the parcel (17-09-06-400-001) positioned between 5000 North and Bourbonnais Parkway/E 6000 N Road (west of US 45/52) allows uncontrolled ingress to a vacant 120 acre site containing an unlighted and deteriorated roadway, and other deteriorated site improvements.
- Field investigations observed commercial delivery trucks that were parked in active driving lanes, parking stalls, fire lanes, and pedestrian walkways throughout the District. When parked in an active roadway, these trucks block the driving lane, forcing all vehicles to use a single lane for two-way traffic; When parked in a pedestrian walkway, this forces all pedestrians to walk in the active driving lane. When parked in a fire lane, these trucks effectively block access for emergency vehicles, including those for police and fire protection.
- The advanced state of deterioration of one structure located at 304 Bourbonnais Parkway/E 6000 North Road is such that the building has become unsafe.

- The easily accessed, poorly lit parking area at the now vacant 150,000 square foot office building located at 4882 North Convent Street attracts unregulated vehicular and pedestrian traffic.
- The uncontrolled ingress/egress along Kim Drive allows vehicles to back directly into active driving lanes.
- Information provided by the Illinois Department of Transportation on automobile accidents in the District shows that during the years 2010-2014 there were 125 accidents involving at least one vehicle.
- Site visits in April 2017 identified 40 light standards in the District that were not functioning, as well as noticeable areas within the developed, commercial portion of the District without effective street or lot lighting. This situation is shown in large portions of the currently developed area within the District having little, or no, measurable light (as identified by measuring the light levels throughout the District), resulting in such areas within the District having levels of illumination below that recommended by the Illuminating Engineering Society of North America (IESNA).

3. Deterioration of site improvements

Site improvements refer to either buildings on site, or other types of improvements to sites, such as driveways, sidewalks, light fixtures, steps, utilities, retaining walls, etc. Deterioration of buildings includes defects in primary components such as cracked or damaged foundations, frames, or roofs, as well as rotted, damaged or missing secondary building components such as doors, windows, porches, soffits, fascia, gutters and downspouts. Deterioration of other types of site improvements includes surface cracking, crumbling, potholes, depressions, and loose paving material in roadways, alleys, off-street parking areas and surface storage areas, as well as rusting, rotting and damaged retaining walls, utilities in need of repair, and other similar improvements to a site. Field research by EDR has identified deterioration of site improvements within 11 of the 15 developed parcels (73%) in the District, as well as deterioration of the roadway built and abandoned in one of the District's vacant parcels. Such conditions include, but are not limited to, those enumerated below.

Examples of Building Deterioration

Examples of building deterioration within the District include, but are not limited to:

- The roof of the 6,000 square foot building at 304 Bourbonnais Parkway has missing panels and those that remain are rusted; walls of the buildings have graffiti and rust; and wooden boards around the base of the building are rotted and loose from their moorings;

- Walls of the 3,000 square foot building at 304 Bourbonnais Parkway are rusted; windows are broken, and doors on the building are rusted;
- The 500 square foot building at 304 Bourbonnais Parkway is dilapidated – gutters and downspouts are missing; siding panels are broken; the garage door is broken and loose from its tracks; the northern facing wall has completely collapsed, exposing the interior of the building to the elements and exposing insulation and electrical wiring;
- The 2,000 square foot building at 961 Bourbonnais Parkway has large holes in the roof and a rotting wood façade;
- Shingles are missing on the 1,700 square foot building at 961 Bourbonnais Parkway and the wooden façade is rotting;
- Metal roof sheathing is missing from the 1,200 square foot building at 961 Bourbonnais Parkway, exposing rotting wood framing beneath; and,
- The building located at 1460 North Convent Street has rusted lintels above garage door openings;
- A building located at 338 Larry Power Road has holes in the fascia and soffit boards, dented gutters, and downspouts that drain directly onto the buildings foundation, causing areas of erosion.

Examples of Site Deterioration

Examples of site deterioration within the District include, but are not limited to:

- Wood fencing in the District located at 1430, 1490, 1615, and 1605 North Convent Street, is rotted, loose and in some instances missing panels; metal fencing and metal sign poles, within the District are rusted, damaged and leaning; protective bollards in the District are leaning and rusted;
- Gravel roads and parking areas located on parcel numbers 17-09-06-400-001 and 17-09-18-218-014 are overgrown and have depressions and potholes; and,
- The asphalt and/or pavement of the parking lots, pedestrian walkways, driveways located at 1490 and 1615 North Convent Street, and in the some portions of the public rights-of ways of US Highways 45/52 (North Convent Street) within the District are cracked, crumbling, and have depressions and potholes.

4. Improper Subdivision or Obsolete Platting

These factors result in parcels of limited or narrow configuration, or parcels that would be difficult to develop on a planned basis and in a manner compatible with contemporary development standards; nine such parcels (totaling 24% of the vacant or essentially vacant parcels) are located in the District.

5. Existence of conditions which endanger life or property by fire or other causes

Field research by EDR identified conditions which endanger life or property by fire or other causes within 17 of the 53 parcels (32%) in the District. Such conditions include, but are not limited to, those enumerated below.

- Sidewalks throughout the District are either intermittently provided, or non-existent, along: US Highways 45/52 (North Convent Street); Bourbonnais Parkway/E 6000 N Road; and W 5000 N Road. Such a situation is unsafe in that it forces pedestrians throughout the District to walk either in the active driving lanes or in the lawns of properties abutting these roadways, one of which (US Highways 45/52) is a major arterial (Average Daily Traffic of 15,100 vehicles: IDOT, 2015).
- The extensive flooding which occurs within the District, particularly adjacent to Bourbonnais Parkway/E 600 N Road, as well as along US 45/52 (North Convent Street), is unsanitary, blocks access to the businesses within the District (as well as to those south of the District), and restricts vehicular and pedestrian movements to and from the existing buildings and undeveloped parcels in the District.
- Pools of standing water throughout the District freeze into sheets of ice in the winter, endangering life and property for pedestrians and vehicles.
- Parking stall lines are lacking (or extremely faded and non-functional) in eight locations in the District (affecting 53% of the developed parcels), providing no guidance to traffic traversing parking lots and lanes, making these areas unsafe for pedestrians and vehicular traffic. Light standard poles were positioned within parking lots without the benefit of protective bollards, creating an unsafe environment for vehicular traffic. Further, parking stops are lacking, or loose from their moorings, on several parking lots in the District, which allows vehicles to pull directly from parking lots onto abutting lawns or storm water drainage areas, and across active pedestrian sidewalks.
- Garbage containers and dumpsters without proper enclosures at four locations within the District, as well as easily accessed storage of miscellaneous debris and pools of standing water throughout the District, attract animals and create breeding grounds for mosquitoes and other insects.

- Large storm water ditches and detention areas abutting parking lots within the District, unsecured from vehicular movements, unsafe for both pedestrians and vehicles.
- Access to the parcel (17-09-06-400-001) positioned between 5000 North and Bourbonnais Parkway/E 6000 N Road (west of US 45/52) allows uncontrolled ingress to a vacant 120 acre site containing an unlighted and deteriorated roadway, and other deteriorated site improvements.
- Field investigations observed commercial delivery trucks that were parked in active driving lanes, parking stalls, fire lanes, and pedestrian walkways throughout the District. When parked in an active roadway, these trucks block the driving lane, forcing all vehicles to use a single lane for two-way traffic. When parked in a pedestrian walkway, this forces all pedestrians to walk in the active driving lane. When parked in a fire lane, these trucks effectively block access for emergency vehicles, including those for police and fire protection.
- The advanced state of deterioration of one structure located at 304 Bourbonnais Parkway/E 6000 North Road is such that the building has become unsafe.
- The easily accessed, poorly lit parking area at the now vacant 150,000 square foot office building located at 4882 North Convent Street attracts unregulated vehicular and pedestrian traffic.
- The uncontrolled ingress/egress along Kim Drive allows vehicles to back directly into active driving lanes.
- Information provided by the Illinois Department of Transportation on automobile accidents in the District shows that during the years 2010-2014 there were 125 accidents involving at least one vehicle.
- Site visits in April 2017 identified 40 light standards in the District that were not functioning, as well as noticeable areas within the developed, commercial portion of the District without effective street or lot lighting. This situation is shown in large portions of the currently developed area within the District having little, or no, measurable light (as identified by measuring the light levels throughout the District), resulting in such areas within the District having levels of illumination below that recommended by the Illuminating Engineering Society of North America (IESNA).

6. By reason of the predominance of, or any combination of, the abovementioned factors, the area proposed as a business district retards the provision of housing accommodations or constitutes an economic or social liability, an economic underutilization of the area, or a menace to the public health, safety, morals, or welfare.

The area proposed as a business district is an area that is a “Blighted area” which, by reason of a combination of the factors discussed above, constitutes an economic liability, a social liability, an economic underutilization of the area and a menace to the public health, safety and welfare.

Economic Liability

The District, through a combination of defective, non-existent or inadequate street layout, unsanitary or unsafe conditions deterioration of site improvements improper subdivision and existence of conditions which endanger life or property by fire or other causes, constitutes an economic liability to the Village, the underlying taxing districts and the owners of the District’s property.

These conditions make this portion of Bourbonnais an economic liability to the Village in that their existence has constrained investment (and reinvestment) by private enterprise in the District, and limited economic activity within, and tax revenue generated by, the District. 702 acres, or 86% of the property (not including rights-of-way) in the District, is vacant, or essentially vacant land, including numerous parcels with sufficient size, depth, and frontage on US Highway 45/52 (North Convent Street) to support contemporary development (and includes one parcel of 120 acres where development was attempted and failed). Further, such vacant (and essentially vacant) parcels are adjacent to similarly located property outside the District which has attracted major private investment. Within the District, only five building permits for new construction or substantial renovation have been issued in the last 10 years, and within that period of time the equalized assessed value of the commercially developed parcels within the District has fallen by 21%.

Despite the significant locational advantages of the District the Village receives less tax revenue than it would reasonably anticipate being available from the District to support the public services, and investment in public improvements and utilities, that it must provide to its citizens and property owners.

In the same manner, the combination of these factors constitutes an economic liability for underlying taxing jurisdictions. These jurisdictions – which rely, in large part, on commercial development on well-situated property (such as that with access to a state route) to create taxable value that in turn generates the revenues these taxing bodies require to provide adequate services and capital investments – receive less property tax revenue than would reasonably be expected to be produced from the District.

The existence of these factors also constitutes an economic liability for the owners of the properties within the District. Such conditions are an impediment to the sale and development of the 702 acres of the vacant or essentially vacant property, are disadvantageous to attracting patrons to the commercial activities on the developed properties, and are detrimental to the sale, reuse and redevelopment of all developed properties as well.

Social Liability

The District, through the combination of unsanitary or unsafe conditions, deterioration of site improvements, and the existence of conditions which endanger life or property by fire or other causes, also constitutes a social liability. These factors and conditions, presented in detail in this Plan, are hazardous to the health, safety and welfare of the public and therefore constitute a social liability.

Economic Underutilization

The combination of all factors discussed above also cause the economic underutilization of this portion of the Village. The presence of these factors has lessened the attractiveness of the District for private investment, as shown in the significant amount of the District remaining undeveloped (over 86% of the privately-owned property in the District is vacant, or essentially vacant, land) including property that had development initiated and now sits vacant. Further, the economic underutilization of the District is mirrored in its total equalized assessed value (EAV) which has decreased by more than 17% over the last decade, while the remainder of the Village has experienced an increase in EAV of over 5% during this period of time.

Menace to the Public Health, Safety, Morals or Welfare

Those factors noted above, pertaining to concerning unsanitary and unsafe conditions, and conditions which endanger life or property by fire or other causes are also likely to cause harm to the public health, safety and welfare; as such, they represent a menace to the public health, safety and welfare.

F. Summary

The proposed District is found to be a “Blighted area”, which by reason of a combination of the above factors, noted throughout this report, constitutes an economic liability, a social liability, an economic underutilization of the area, and a menace to the public health, safety and welfare.

SECTION V

FINDINGS AND COMPLETION OF OBLIGATIONS

A. Findings

The Village of Bourbonnais makes the following findings with respect to establishing the Bourbonnais Business District:

- The area to be designated as the Bourbonnais Business District (the “District”) is contiguous;
- The District includes only parcels of real property directly and substantially benefited by the Plan;
- The District, in its entirety, is located within the municipal boundaries of Bourbonnais, Illinois;
- The District is a “Blighted area” as it is an area which, by reason of the predominance of defective, non-existent, or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability, an economic underutilization of the area, or a menace to the public health, safety, morals, or welfare;
- The District on the whole has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of the Plan;
- The Plan conforms to the comprehensive plan for the development of the municipality as a whole.

B. Completion of Business District Projects and Retirement of Obligations

Upon payment of all Project Costs and retirement of all obligations paying or reimbursing the Project Costs, but in no event more than 23 years after the date of adoption of the ordinance imposing taxes pursuant to subsections (10) and (11) of Section 11-74.3-3 of the Law, the Village shall adopt an ordinance immediately rescinding the taxes imposed pursuant to these subsections.

APPENDICES

APPENDIX 1

LEGAL DESCRIPTION

BOURBONNAIS BUSINESS DISTRICT LEGAL DESCRIPTION

A part of Sections 5, 6, 7 8, 17 and 18, Township 31 North, Range 13 East of the 3rd P.M. and Sections 31 and 32, Township 32 North, Range 12 East of the 3rd P.M., all being in the Village of Bourbonnais, Kankakee County, Illinois, described as follows: Beginning at the intersection of the West right-of-way line of US Route 45-52 and the South line of the North 270' of the South Half of said Section 32 extended; thence Easterly along said South line and said line extended to the East right-of-way line of 1000 East Road; thence Southerly along said East line to the South right-of-way line of Bourbonnais Parkway; thence Westerly along said South line to the East line of the Northeast Quarter of said Section 5; thence Southerly along said East line to the Southeast corner of the Northeast Quarter of said Section 5; thence Westerly along the South line of the North Half of said Section 5 to the East right-of-way line of US Route 45-52; thence Southerly along said East line to the South right-of-way line of 5000N Road; thence Easterly along said South line to the East line of Lot 1, Cigna Subdivision; thence Southerly along said East line to the Southeast corner of said Lot 1; thence Westerly along the South line of said Lot 1 to the East right-of-way line of US Route 45-52; thence Southerly along said East line to the South line of Lot 1, Prairie Harbor Subdivision 3rd Addition; thence Easterly to the Southeast corner of said Lot 1; thence Southerly to the Northeast corner of Lot 48, Prairie Harbor Subdivision 1st Addition; thence Westerly along the North line of said Lot 48 to the East right-of-way line of US Route 45-52; thence Southerly along said East line to the North right-of-way line of Prairie Drive; thence Easterly along said North line to the Southeast corner of Lot 48 in Prairie Harbor Subdivision 1st Addition; thence Southerly to the Southeast corner of Lot 4, Prairie Harbor Subdivision; thence Easterly along the North right-of-way line of Larry Power Road to its intersection with the West line of Greenbriar Subdivision 2nd Addition extended; thence Southerly along said West line and said line extended to the Southwest corner of Lot 4, Greenbriar Subdivision 2nd Addition; thence Southwesterly along the Westerly right-of-way line of Cornell Drive to the Southeast corner of Lot 1, Daly Center Subdivision; thence Westerly along the South line of said Lot 1 to the East right-of-way line of US Route 45-52; thence Northerly along said East line to its intersection with the South right-of-way line of Emery Drive extended; thence Westerly along said South line and said line extended to the Northwest corner of Lot 126A, Belle Aire Subdivision 11th Addition; thence Northerly to the Northwest corner of Lot 254A, Belle Aire Subdivision 11th Addition; thence Easterly along the North line of said 11th Addition to the West right-of-way line of US Route 45-52, also known as Convent Street; thence Northerly along said West line to the South right-of-way line of Kathy Drive to the East right-of-way line of Ardith Drive; thence Northerly along said East line and said line extended to the North right-of-way line of Highpoint Circle South; thence Northwesterly along said North line to the East line of Highpoint Subdivision 1st Addition; thence Northerly along the East line of Highpoint Subdivision's 1st, 3rd and 5th Additions to the South right-of-way line of Burns Road; thence Westerly along said South line to its intersection with the West line of the East Half of the Northeast Quarter of said Section 7 extended; thence Northerly along said West line and said line extended to the South right-of-way line of 5000N Road; thence Westerly along said South line to its intersection with the West line of the East Three-Quarters of the Southeast Quarter of said Section 6 extended; thence Northerly to the Northwest corner of the East Three-Quarters of the Southeast Quarter of said Section 6; thence Easterly along the North line of the Southeast Quarter of said Section 6 to its

intersection with the East line of Cobblestone Subdivision extended; thence Northerly along said East line and said line extended to the Northeast corner of Outlot C, Cobblestone of Bourbonnais Unit 2; thence Westerly along the North line of said Outlot C to the East right-of-way line of Stonebridge Boulevard; thence Northerly along said East line and said line extended to the North right-of-way line of Bourbonnais Parkway; thence Easterly along said North line to the West right-of-way line of US Route 45-52; thence Northerly along said West right-of-way line to the point of beginning.

APPENDIX 2

DESCRIPTION OF ANY DEVELOPER, USER OR TENANT

“...a description of any developer, user, or tenant of any property to be located or improved within the proposed business district” (65 ILCS 5/11-74.3-5)

Developer, User or Tenant	Description
Larry Menz	User
Cynthia Clemans	User
Norcon Enterprises	Developer
Status Men	Tenant
Associated Orthodontists	Tenant
H&R Block	Tenant
UPS Store	Tenant
KW Preferred Realty	Tenant
Farmers Insurance	Tenant
Immediate Care	Tenant
Hansen & O'Connor Accounting	Tenant
Miracle Ear	Tenant
Faber Financial Group	Tenant
Raymond Game	Tenant
Dental Care	Tenant
Wall Street Financial	Tenant
Smith, Koelling, Dykstra & Ohm, P.C.	Tenant
Buckingham	Tenant
AGITA LLC	Developer
Digestive Diseases Center	Tenant
Riverside Medical Center	User
Casey's General Store	User
Aqua Express Carwash	User
NS3 Property LLC	Developer
Dollar General	Tenant
Lakeview Capital Investments LLC	Developer
Arby's	Tenant
Federated Bank	Developer
Country Financial	Tenant



Economic Development Resources
200 South Hanley Road
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