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**CITY OF AURORA, ILLINOIS  
LINCOLN AND WESTON TIF DISTRICT ELIGIBILITY  
REPORT**

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**Prepared By:**

**City of Aurora, Illinois  
&  
Kane, McKenna and Associates, Inc.**

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**January, 2020**

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## EXECUTIVE SUMMARY

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The City of Aurora, Illinois (the “City”) is pursuing the establishment of the Lincoln and Weston Tax Increment Finance District (the “TIF District”, “Redevelopment Project Area” or “RPA”) to promote the revitalization of underutilized properties in the Bardwell neighborhood. In the context of planning for the establishment of the RPA, the City has initiated the study of certain tax parcels (the “Study Area”) to determine whether they qualify separately or in aggregate under the Tax Increment Allocation Redevelopment Act, 65ILCS 5/11-74.4-3, et seq., as amended (the “TIF Act” or “Act”) for inclusion in the RPA. Kane, McKenna and Associates, Inc. (KMA) has been retained by the City to conduct this study on the City’s behalf.

KMA has reached the following conclusions regarding the qualification of the Study Area based upon the analysis completed to date:

- 1) The Study Area qualifies as a conservation area - The Study Area qualifies as a conservation area as defined in the TIF Act. The conservation area factors found in the Study Area are present to a meaningful extent and are distributed throughout the area.
- 2) Current conditions impede redevelopment – The existence of certain conditions found within the Study Area present a barrier to the area’s successful redevelopment. The current conditions in the Study Area are impediments to redevelopment, creating an environment where it is reasonable to conclude redevelopment would not take place “but for” the use of the TIF Act. The factors present on the ground negatively impact coordinated and substantial private sector investment in the overall area. Without the use of City planning and economic development resources to mitigate such factors, potential redevelopment projects and other activities that require private sector investment are not likely to be economically feasible.
- 3) Viable redevelopment sites could produce incremental revenue - The Study Area potentially could, with tax increment financing (or “TIF”) related assistance, be redeveloped and thereby produce incremental property tax revenue. Such revenue, used in combination with other City resources for redevelopment incentives or public improvements, would likely stimulate private investment and reinvestment in these sites in the Study Area.
- 4) TIF designation is recommended - To mitigate conservation area conditions, promote private sector investment, and foster the economic viability of the Study Area, KMA recommends that the City proceed with the formal TIF district designation process for the entire area

## **I. INTRODUCTION**

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### **Description of the Study Area**

The Study Area is located in the central southeastern Bardwell neighborhood of the City. Land uses in the neighborhood are predominantly residential and institutional.

The Study Area is comprised of tax parcels collectively known as the “Old Copley Hospital” site. The area is roughly bound by South Avenue and Weston Avenue to the north, South 4<sup>th</sup> Street to the east, Seminary Avenue to the South and South Lincoln Avenue to the west.

The Study Area consists 35 tax parcels and is approximately 12 acres in size.

Please see Appendix A for a list of the tax parcels included in the Study Area and Appendix B for a visual depiction of the study area.

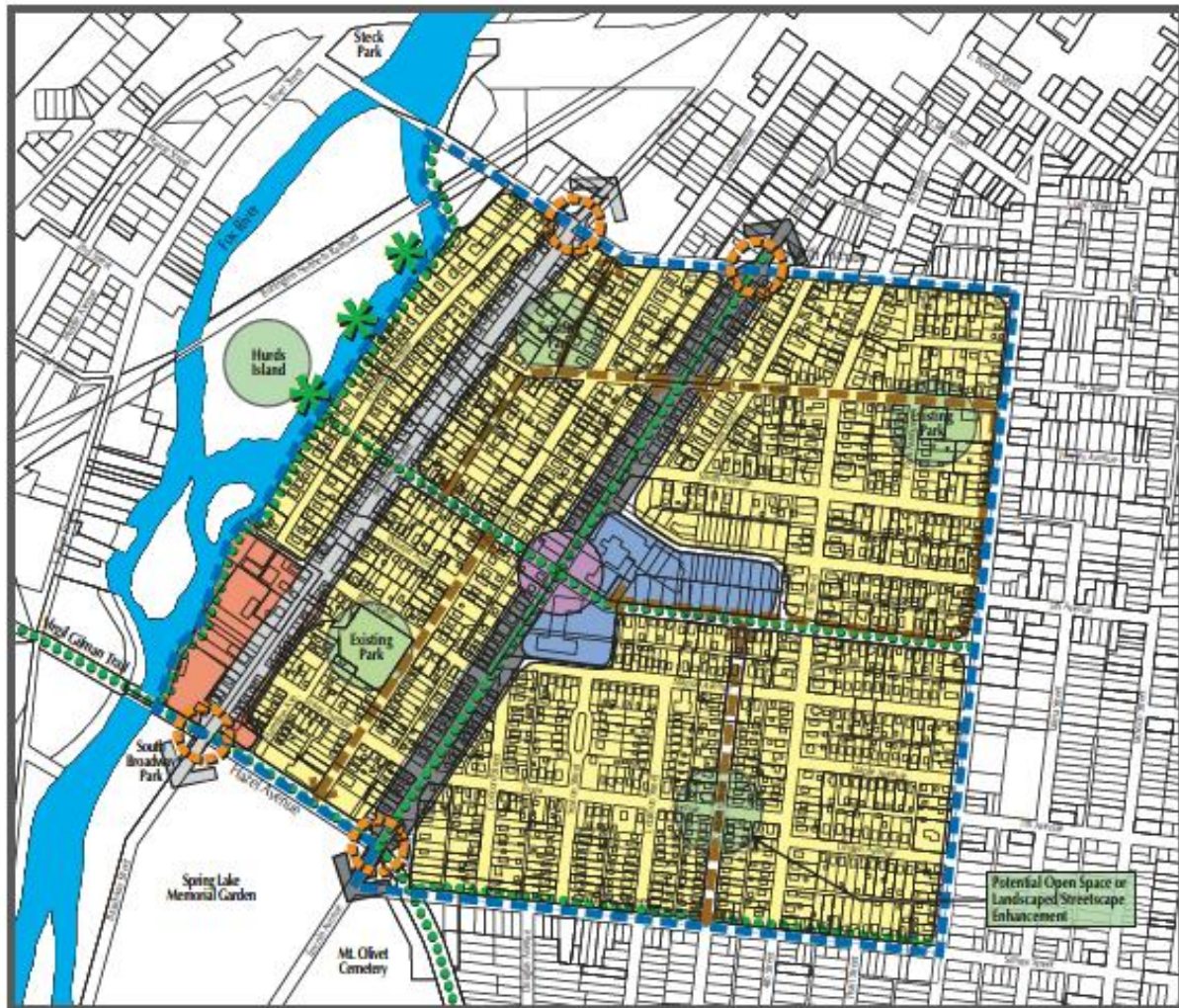
### **Background**

The Bardwell neighborhood is located adjacent to the City of Aurora’s central business district and developed predominantly as a residential area early in the City’s history. The eclectic mix of Victorian-era residential architectural styles led to the designation of parts of the northern portion of the neighborhood as the Near Eastside local historic district in 1981. Today, the neighborhood is still characterized predominantly by older one or two family residential uses.

Institutional uses (e.g. schools, churches, parks, etc.), many also historic in nature, are dispersed across the Bardwell neighborhood. The Study Area, in conjunction with the adjacent Bardwell Elementary School, act as the core of the Bardwell neighborhood. Please see Figure 1 on Page 2 for an illustration of the centrality of the Study Area.

As may be intimated by its central location in the historic Bardwell neighborhood, the Study Area has played an important role in the City of Aurora’s history. The City was originally incorporated in the early 1800s and experienced significant growth in the middle and late portion of that century. As the City grew, the need for medical services and a dedicated hospital increased. The Aurora Hospital Association was incorporated in 1886 to provide for such a hospital. The organization successfully constructed the City of Aurora’s first purpose-built hospital in 1888 within the Study Area.

The City of Aurora Hospital grew in tandem with the City itself. Major expansions to the original 1888 hospital occurred in 1916, 1932, 1947, 1957, 1970 and 1980. The 1930s expansion was financed by Col. Ira C. Copley, a local resident who became the namesake of the site. Many of the expansions were designed by the historically significant architectural firm Schmidt, Garden and Erikson. The firm’s involvement with the site helped lead to its recent designation as a historic place on the United State Department of the Interior’s National Register of Historic Places.



#### Legend

- |  |                      |
|--|----------------------|
| Lincoln Avenue<br>(Neighborhood Spine) | Pedestrian Pathways  |
| Broadway Street<br>(City Thoroughfare) | Key Connections      |
| Neighborhood Core                      | River Access & Views |
| Bardwell-Copley Area                   | Neighborhood Gateway |
| Neighborhood Sub-Areas                 | Open Space Anchors   |
| Commercial                             |                      |

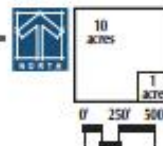


Figure 1. "Physical Framework for Improvements to be Considered". Sourced from the Bardwell Area Neighborhood Action Plan (2003), this map shows the centrality of the Old Copley Hospital site in blue underlying the identified "Neighborhood Core" in purple.

Copley Hospital continued to operate in the Study Area until 1995 when it relocated from its original site to another location in the City. Following the vacation of the property, structures and surface improvements in the Study Area began to fall into disrepair due to neglect and lack of maintenance. Despite being secured, trespassers frequently visited the site and were exposed to unsafe conditions including the presence of environmentally hazardous material. Recognizing the need to redevelop the central and historically-significant complex, the Study Area has featured heavily in prior City planning efforts -most notably in the Bardwell Neighborhood Action Plan (2003). Despite these efforts, the site has remained vacant to the time of the drafting of this report.

In the late 2010s, Fox Valley Developers, LLC, a local real estate development firm, began pursuing redevelopment of the site in partnership of the City of Aurora. Redevelopment was proposed to include a variety of uses including medical offices, senior living facilities and administrative offices for a local school district. At the time of drafting of this report, Phase 1 of redevelopment, consisting principally of the remediation of hazardous materials from the site, has been completed.

### **Objectives**

The City's general economic and community development objectives for the Study Area are to promote the revitalization of the Old Copley Hospital site while eliminating those factors which deter private investment in the area, strengthening the City's tax base and improving resident quality of life. City officials believe that these objectives will not be fully achieved, and that adverse conditions within the Study Area will worsen, without the implementation of a plan for the redevelopment of the Study Area. The City intends to create and implement such a plan in order to ameliorate those adverse conditions which deter investment in the Study Area and to obtain its general economic and community development objectives.

### **Determination of the "But-For"**

As evidenced by the decades long failure of the private sector alone to accomplish redevelopment, the City has determined that planned redevelopment of the Study Area is feasible only with public financial assistance. The creation and utilization of a TIF redevelopment plan and redevelopment agreements is intended by the City to help provide the assistance required to eliminate conditions detrimental to successful redevelopment of the Study Area, strengthen the tax base and improve resident quality of life.

### **TIF Mechanism**

The TIF mechanism relies upon induced private redevelopment in the Study Area to create higher real estate values and, subsequently, higher real estate taxes. These higher real estate taxes improve the Study Area's tax base, and a portion of future increased taxes may be pledged to attract the requisite private investment.

## **General Scope and Methodology**

KMA formally began its analysis by conducting a series of meetings and discussions with City staff starting in August, 2019 and continuing up to the date of this report's issuance. The purpose of the meetings was to establish boundaries for initial analysis and to gather data related to the qualification criteria for parcels included in the Study Area. These meetings were complemented by a series of field surveys for the entire area to evaluate conditions in the Study Area. KMA also analyzed the City's most recent comprehensive plan and other City reports relevant to the Study Area.

Properties within the Study Area were examined in the context of the TIF Act governing improved areas (separate provisions of the Act address non-improved or vacant areas). The qualification factors discussed in this report qualify the area as a "conservation area," as the term is defined pursuant to the TIF Act.

During the course of its work, KMA reported findings to key City staff regarding TIF qualification and the feasibility of redevelopment within the Study Area. Based upon these findings the City (a) made refinements to the RPA boundaries and (b) directed KMA to complete this report and move forward with the preparation of a Redevelopment Plan and Project for the RPA.

For additional information about KMA's data collection and evaluation methods, refer to Section IV of this report.

## II. QUALIFICATION CRITERIA

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The TIF Act sets out specific procedures for qualifying a RPA. By definition, a RPA is:

“An area designated by the municipality, which is not less in the aggregate than 1½ acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.”

Under the TIF Act, “conservation area” means any improved area within the boundaries of a RPA located within the territorial limits of the municipality where:

- 50% or more of existing structures are 35 years or older in age
- At least three of 13 eligibility factors are present and distributed to a meaningful extent

The 13 possible eligibility factors are:

- A. Dilapidation: An advanced state of disrepair or neglect of necessary repairs to the primary structural components of building or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.
- B. Obsolescence: The condition or process of falling into disuse. Structures become ill-suited for the original use.
- C. Deterioration: With respect to buildings, defects are evident, including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters, downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking and surface storage areas demonstrate evidence of deterioration, including, but limited to, surface cracking, crumbling, potholes, depressions, loose paving material and weeds protruding through paved surfaces.
- D. Presence of Structures Below Minimum Code Standards: All structures that do not meet the standards of zoning, subdivision, building, fire and other governmental codes applicable to property, but not including housing and property maintenance codes.
- E. Illegal Use of Individual Structures: The use of structures in violation of applicable Federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.
- F. Excessive Vacancies: The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

- G. Lack of Ventilation, Light, or Sanitary Facilities: The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts according to room area to window area ratio requirements. Inadequate sanitary facilities refer to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.
- H. Inadequate Utilities: Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines and gas, telephone and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the RPA; (ii) deteriorated, antiquated, obsolete or in disrepair; or (iii) lacking within the RPA.
- I. Excessive Land Coverage and Overcrowding of Structures and Community Facilities: The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, and lack of reasonably required off-street parking or inadequate provision for loading service.
- J. Deleterious Land-Use or Layout: The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses or uses that are considered to be noxious, offensive or unsuitable for the surrounding area.
- K. Environmental Clean-Up: The RPA has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for (or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for) the clean-up of hazardous waste, hazardous substances or underground storage tanks required by State or federal law. Any such remediation costs would constitute a material impediment to the development or redevelopment of the RPA.
- L. Lack of Community Planning: The RPA was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the development of the area. This factor must

be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards or other evidence demonstrating an absence of effective community planning.

- M. Lagging or Declining EAV: The total equalized assessed value (EAV) of the RPA has declined for three (3) of the last five (5) calendar years prior to the year in which the RPA is designated, or is increasing at an annual rate that is less than the balance of the municipality for three (3) of the last five (5) calendar years, for which information is available or increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three (3) of the last five (5) calendar years prior to the year in which the RPA is designated.

### **III. METHODOLOGY OF EVALUATION**

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The following method was applied to evaluate the Study Area's qualification as a TIF district.

1. KMA representatives collected primary data during site visits to the Study Area. These site visits consisted of visual observation of the area which included, but was not limited to, tax parcel counts, address matches and the identification of current land uses, building conditions, lot conditions and traffic flows. KMA documented these observations via notes and photography.
2. KMA representatives collected secondary data including, but not limited to, 2013 to 2018 tax information, tax parcel maps, site data, planning documents and information related to local history and context from interviews with City staff and other stakeholders.
3. The age of existing structures was ascertained by matching data collected during site visits to local tax and building records to determine if the Study Area would qualify as a conservation area as defined by the TIF Act.
4. KMA also utilized the collected data to conduct an evaluation of the presence and extent of the aforementioned eligibility factors (e.g. deterioration, excessive vacancies, etc.) that would qualify the Study Area as a conservation area as defined by the TIF Act.

## IV. QUALIFICATION FINDINGS FOR STUDY AREA

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### **Summary of Age Findings for a Conservation Area**

As mentioned in Section II of this report, an area may qualify as a conservation area under the TIF Act if 50% or more of existing structures are 35 years in age or older. KMA collected primary data from site surveys and secondary data from the Aurora Township Assessor's Office regarding the age of existing structures within the Study Area. Several large additions have been made to the City Hospital building since its original construction in 1888. KMA determined to treat each addition as a separate structure in order to evaluate the area under the most challenging interpretation of the age threshold. KMA found that at least eight of the eight structures, or 100%, are 35 years in age or older. Therefore, it is possible for the Study Area to qualify as a conservation area as defined by the TIF Act.

**Table 1. Summary of Age Findings for Conservation Area**

Total number of structures in Study Area	8
Number of structures in Study Area 35 years or older in age	8
Percent of structures in Study Area 35 years or older in age	100%

### **Summary of Factor Findings for a Conservation Area**

Once it was established that the Study Area may qualify as a conservation area based upon the age threshold of structures within the area, KMA analyzed the Study Area in relation to the 13 aforementioned eligibility factors. Three of these factors must be present and distributed to a meaningful extent within the Study Area to qualify the area as a conservation area under the TIF Act. KMA determined that six of the 13 possible factors were present and distributed to a meaningful extent within the Study Area.

**Table 2. Summary of Factor Findings for Conservation Area**

Total number of possible factors per TIF Act	13
Minimum factors needed to qualify per TIF Act	3
Factors present in Study Area	6

The six factors found to be present and distributed to a meaningful extent within the Study Area are:

1. Deleterious Land-Use or Layout
2. Lack of Community Planning
3. Excessive Vacancies
4. Deterioration
5. Obsolescence
6. Environmental Clean-Up

These factors are summarized as follows:

1. Deleterious Land Use or Layout: The Act states that deleterious land use or layout occurs with the existence of incompatible land use relationships, buildings occupied by inappropriate mixed uses or uses considered to be noxious, offensive or unsuitable for the surrounding area.

The Study Area is located in the center of the Bardwell neighborhood, a district that is predominantly characterized by low density residential uses. The Study Area consists primarily of the Old Copley Hospital site which has fallen into a state of disrepair following neglect and lack of maintenance. This disrepair includes, but is not limited to, broken windows, crumbling building material and the presence of refuse.

The degree of disrepair has called into question the stability of structures in the Study Area. City staff from the Property Standards division reported that a warrant had to be secured in 2017 to assess the structural integrity of buildings on the site. Additionally, environmental consulting firm surveys identified the presence of hazardous asbestos-containing building materials within the Study Area in 1993 and 2016. The extent of disrepair and presence of hazardous building-material has created substantially dangerous conditions for those who enter the property without awareness of the conditions or without taking proper precautions.

Despite these noxious and offensive conditions, the Old Copley Hospital site has frequently attracted trespassers. Staff of the City's Property Standards division reported over 53 calls for service to the property from 2017 to the drafting of this report. Many of these calls were identified as being related to juveniles trespassing on the property where they were in danger of injury, illness and death. Staff have also reported that responding to trespassing has been complicated by difficulties faced by the Aurora Police Department in entering buildings on the site due to concerns regarding their structural integrity.

Trespassing, particularly by juveniles, is exacerbated by the site's location in the center of a predominantly residential neighborhood and its location *across the street from an elementary school*. Other adverse impacts from the site to local residents include regular exposure to a symbol of disinvestment (i.e. a vacant and deteriorating structure), that is located in the core of their residential neighborhood. The presence of the site disrupts the overall residential character of the surrounding area and creates safety concerns for local residents. The current land uses of the Study Area and its surroundings are considered incompatible and the Study Area itself is found to be noxious, offensive and unsuitable for the surrounding area.

2. Lack of Community Planning: The Act states that this factor is present if the Study Area developed prior to or without the benefit or guidance of a community plan. This factor must be documented by evidence of adverse or incompatible land use relationships, an inadequate street layout, improper subdivision, parcels of inadequate shape or size to meet

contemporary development standards or other evidence demonstrating an absence of effective community planning.

In part, the Study Area's qualification under this factor can be evaluated quantitatively. That the Study Area developed without the benefit or guidance of a community plan can be determined by comparing the age of structures in the Study Area with the City's planning milestones. For example, and as indicated in the below Table \_\_, all of the structures in the Study Area were developed prior to the City's adoption of its first comprehensive plan in 1984.

**Table 3. Summary of Age Findings for Lack of Community Planning**

Total number of structures in Study Area	8
Number of structures in Study Area built prior to 1984	8
Percent of structures in Study Area built prior to 1984	100%

Indeed, the oldest structure in the Study Area (constructed in 1888) and the first addition to that structure (constructed in 1916) both predate federal passage of the Standard State Zoning Enabling Act (1922) -an event often cited as the beginning of community planning as a professional practice.

Qualitative evidence also exists which indicates the Study Area developed without the benefit of community planning. The incompatible land use relationships described in the above section signal a lack of community planning through the site's development. This is also the case when considering the site's historical use as a hospital, which developed in a different age to a size and shape that is well out of proportion with the surrounding area.

All roadways that service the Study Area are single lane and residential in nature. This poses significant challenges to the efficient and safe management of emergency vehicle traffic and extends to the efficient and safe management of employee and patient traffic. Such challenges are exacerbated, not just by the surrounding residential character of the area, but also by the presence of a local elementary school across the street from the Study Area.

Deficiencies in traffic circulation relative to a hospital use of the site are also complicated by a lack of regional access to the Study Area. Many modern hospitals, including the former Copley Hospital, have specialty medical centers that service regional patients such as cancer treatment centers. Hospitals that feature such centers often locate near regional transportation networks to attract patients. In the case of the Study Area, the nearest regional expressway (Interstate 88) is approximately four miles away. This location hampers a would-be modern hospital's ability to feature some form of specialty medical center which relies on a regional patient-base.

This is not to say that a medical center is an inappropriate use for the Study Area. The proposed uses for the site, as of the date this report's drafting, include medical offices and

senior living facilities with aspects of specialty care. The advantage of these uses over those discussed is that they do not rely on a regional patient-base and they potentially, with adequate planning, result in traffic circulation that is efficient, safe and manageable given the surrounding area's residential character.

This is also not to say that community planning has not taken place relative to the Study Area in the past. Rather, such efforts have been deficient to fully ameliorate all of the conditions which are present that deter reinvestment in the Study Area including the presence of incompatible land use relationships, inadequate traffic circulation for those uses of which the site was originally designed, and an inadequate location to serve those uses of which the site was originally designed.

3. Excessive Vacancies: The Act describes excessive vacancies as the presence of buildings that are unoccupied or underutilized and that represent an adverse influence on the area because of the frequency, extent or duration of the vacancies.

As stated in the Introduction section of this report, the principal user of the Study Area was originally the Aurora City Hospital, later changed to the Copley Hospital. The Study Area acted as a medical center from the time of the construction of the first Aurora City Hospital structure (1888) until the site was vacated by the Copley Hospital in 1995. The vacation was the result of a relocation of the institutional user to a more modern facility located in the southeastern portion of the City.

The site has remained vacant since 1995 -approximately 24 years since this report's drafting. During that time the Study Area has fallen into disrepair to a degree that presents an adverse influence on the surrounding area as described in the above "Deleterious Land Use/Layout" summary.

The extent of the site's vacancy also has direct financial consequences to all City residents. Since 2017, costs have been regularly incurred by the City for maintenance within the Study Area. Staff of the City's Property Standards division reported this maintenance to include tree trimming, grass cutting, brush clean up, placement of a security fence and securitization of structures. Staff reported that, to the date of this report's drafting, costs related to such maintenance have at least exceeded \$20,000. Many of these costs would not be incurred if not for the extent of vacancy present within the Study Area.

4. Deterioration: The Act describes deterioration in the context of secondary building components and surface improvements. For secondary building components (e.g. doors, windows, porches, gutters and downspouts and fascia) deterioration may be evidenced by the presence of major defects. For surface improvements (e.g. roadways, alleys, curbs, gutters, sidewalks, off-street parking and surface storage areas), deterioration may be evidenced by surface cracking, crumbling, potholes, depressions, loose paving material and weeds protruding through paved surfaces.

Deterioration was observed in secondary building components throughout the Study Area. This included, but was not limited to, broken windows, boarded-up windows, cracking and crumbling exterior surfaces, cracking/crumbling entries, cracking and crumbling exterior supportive columns, damaged or poorly maintained building eaves, damaged or poorly maintained gutters and vandalism (e.g. graffiti).

Deterioration was also observed in surface improvements throughout the Study Area. Approximately half of the Study Area is comprised of asphalt parking lots and exterior plazas. Observations made during site surveys found these parking lots to be in an advanced state of disrepair. Evidence of deterioration included cracking and crumbling asphalt, cracking and crumbling concrete, potholes and other depressions in surfaces, unkempt landscaping and weeds growing through surfaces.

Deterioration in surface improvements also includes roadways which are adjacent to the Old Copley Hospital site. Staff of the City's Engineering division reported deterioration in both Seminary Avenue and Weston Avenue. Seminary Avenue was characterized as being in fair to poor condition with a rating of 64-69 on the City's 2016 Pavement Condition Index. Significant improvements were cited as being required in the future including completely resurfacing the thoroughfare. Weston Avenue was characterized as being in very poor condition with a rating of 21-23 on the City's 2016 Pavement Condition Index.

5. Obsolescence: The Act states that obsolescence is the condition or process of falling into disuse or structures that have become ill-suited for their original use.

The factors herein presented evidence the presence of obsolescence throughout the Study Area. The Old Copley Hospital's current condition as a deteriorating abandoned structure creates an incompatible land use relationship with the surrounding residential neighborhood. The noxious, offensive and unsuitable site is, in part, a product of advanced deterioration caused by neglect and an overall lack of maintenance. Neglect and lack of maintenance are, in turn, a product of the extent to which the site has remained vacant. Lastly, the vacancy is, in part, a product of the onset of obsolescence.

It is important to note that the Study Area not only evidences obsolescence from falling into disuses (i.e. vacancy) but also from being ill-suited for its original use. As noted in the Lack of Community Planning summary above, the site is located approximately four miles away from the nearest major regional expressway (Interstate 88). This distance limits the site's functionality as a hospital that contains any form of specialized medical center which relies on a regional-patient base. The site is also serviced by two-lanes that are residential in nature, posing challenges for effectively coordinating emergency vehicle traffic and employee/patient traffic. Lower intensity medical uses may be appropriate for the Study Area, but the existing conditions of the site limit the form of those uses which do not include those for which the site was originally designed.

6. Environmental Clean-Up: The Act indicates that this factor is present if the RPA has incurred Illinois Environmental Protection Agency (IEPA) or United States Environmental Protection Agency (USEPA) costs, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean up of hazardous waste, hazardous substances or underground storage tanks. Any such remediation costs would constitute a material impediment to the development or redevelopment of the RPA.

As stated earlier in the Deleterious Land Use/Layout summary, environmental consultant surveys identified the presence of hazardous asbestos-containing building materials in the site in 1993 and in 2016. The 1993 identification was prepared by Hygieneering Inc. and the 2016 identification was prepared by Midwest Environmental Consulting Services. According to an affidavit certified in 2019, both surveys were used to inform the work of environmental remediation contractor Superb Environmental, Inc. to perform asbestos abatement, hazardous waste removal and lead paint abatement at the Old Copley Hospital Site.

The Illinois Environmental Protection Agency was notified that the remediation was to be initiated in October 2019. The remediation was completed successfully as of July, 2019. It included the proper and lawful disposal of 330 cubic yards of asbestos waste in compliance with the Clean Air Act, the Toxic Substances Control Act, the Illinois Commercial Building Asbestos Abatement Act and the Illinois Environmental Protection Act.

Costs associated with the remediation were borne by Konrad Construction Company, a contract agent of the Fox Valley Developers, LLC and represent a material impediment to the development/remediation of the Study Area.

## **V. SUMMARY**

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Relevant qualification findings as related to the designation of the Study Area as a conservation area are as follows:

1. The Study Area is contiguous and is greater than 1 ½ acres in size;
2. The Study Area qualifies as a conservation area as; i) 50% or more of the existing structures are 35 years in age or older; and, ii) at least three eligibility factors are present to a meaningful extent and are distributed throughout the area;
3. All property in the Study Area would substantially benefit by the proposed redevelopment project improvements;
4. The growth of EAV for all taxing districts overlaying the area, including the City, has been impaired by the factors found present in the Study Area; and,
5. The Study Area would not be subject to redevelopment without the investment of public funds, including property tax increment.

In the judgement of KMA, these findings provide the City with sufficient justification to consider designation of the Study Area as a TIF district.

## **APPENDIX A: Tax Parcels within Study Area**

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## **APPENDIX B: Boundary Map of Study Area**

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