



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 019-034
DATE OF PASSAGE June 11, 2019

An Ordinance Proposing the Creation of a Business District in the City of Aurora and the Establishment of a Public Hearing in Connection With The Same (Yorkshire Plaza/Route 59 Business District No. 1)

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, Section 11-74.3-1(1) of the Illinois Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1, et seq. ("Law") allows a municipality to determine that it is "essential to the economic and social welfare of the municipality that business districts be developed, redeveloped, improved, maintained, and revitalized, that jobs and opportunity 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;" and

WHEREAS, it is in the public interest that the area depicted in the map in Exhibit A, attached hereto and made a part hereof ("Proposed Business District"), in the City of Aurora ("City"), be considered for designation as a business district pursuant to the terms of the Law; and

WHEREAS, on July 23, 2019, the Mayor City Council of the City of Aurora authorized Kane, McKenna & Associates, Inc. to prepare a business district plan for the Proposed Business District; and

WHEREAS, it is in the public interest that the City consider the approval of a business district plan for the Proposed Business District, and consider the designation of the Proposed Business District as a business district with a finding and determination that the Proposed Business District is a blighted area, pursuant to the terms of the Law; and

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WHEREAS, the Proposed Business District is totally within the corporate limits of the City;

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

SECTION 1: That the preambles of this ordinance are hereby incorporated as though fully set forth herein.

SECTION 2: That a public hearing shall be held at 6:00 p.m. on July 23, 2019, at the Aurora City Hall, Council Chambers, 44 East Downer Place, Aurora, Illinois 60507 ("Hearing"), to consider whether to approve a business district plan for the Proposed Business District, as set forth in the Law, and whether to designate the Proposed Business District as a business district with a finding and determination that the Proposed Business District is a blighted area, as set forth in the Law.

SECTION 3: That notice of the Hearing shall be given by publication at least twice, not more than thirty (30) nor less than ten (10) days prior to the Hearing, in a newspaper in general circulation in the City, in substantially the same form as in Exhibit B attached hereto and made a part hereof, with such changes being made to Exhibit B as are necessary to complete the publication notice.

SECTION 4: That all ordinances, orders and resolutions and parts thereof in conflict herewith shall be and the same are hereby repealed.

SECTION 5: This Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

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PASSED AND APPROVED ON June 11, 2019

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ATTEST:

Wendy McLaughlin
City Clerk

Bob Hoover
Mayor

19-0344

RECOMMENDATION

TO: THE COMMITTEE OF THE WHOLE

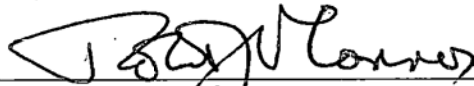
FROM: THE FINANCE COMMITTEE

The Finance Committee at the regular scheduled meeting on Tuesday, May 28, 2019

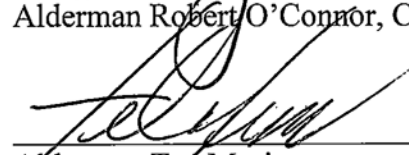
Recommended **APPROVAL** of an Ordinance Proposing the Creation of a Business District in the City of Aurora and the Establishment of a Public Hearing in Connection With The Same (Yorkshire Plaza/Route 59 Business District No. 1)

Vote 3-0

Submitted By



Alderman Robert O'Connor, Chairman



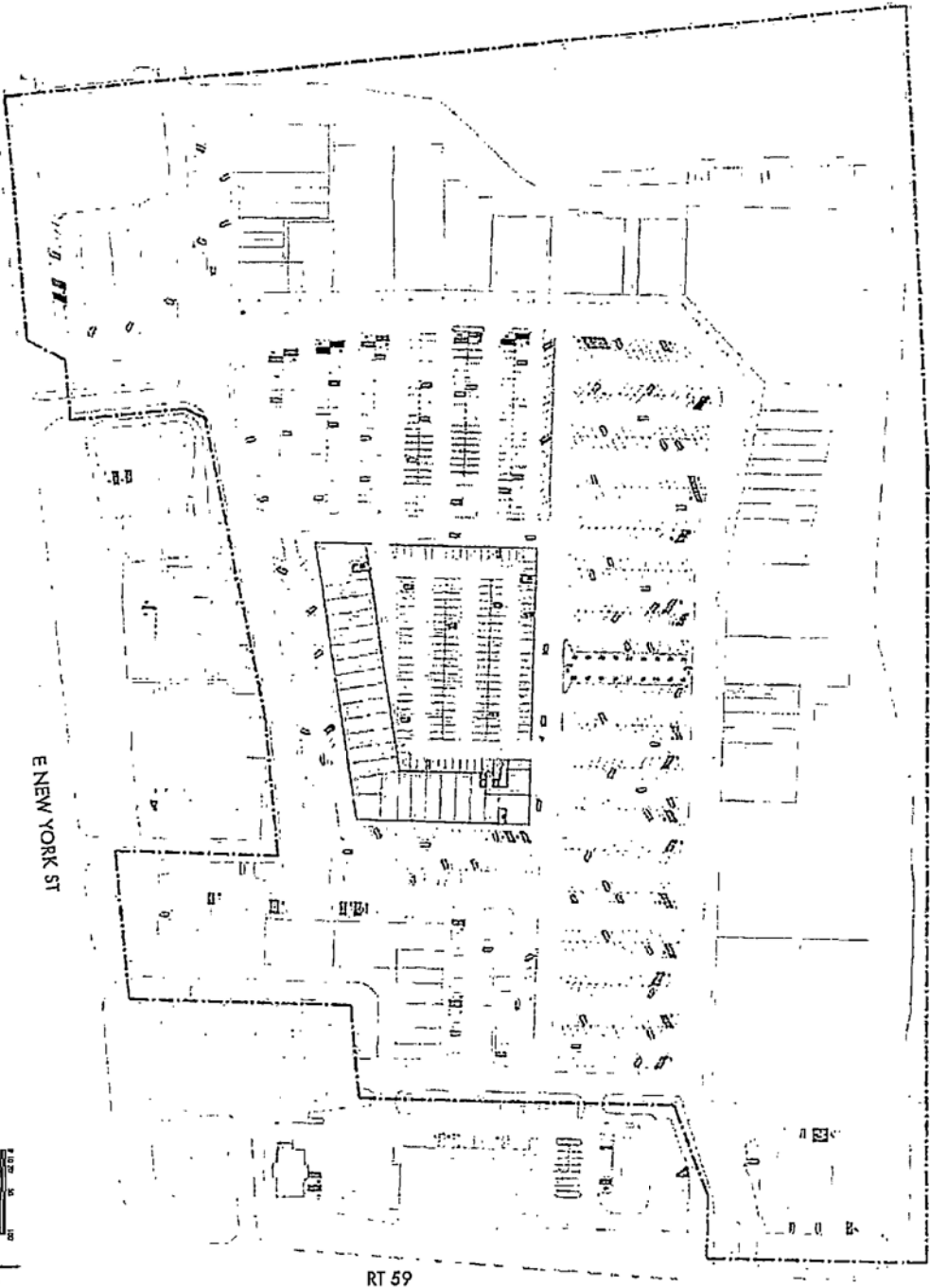
Alderman Ted Mesiacos




Alderman Edward Bugg

Dated this 28th day of May, 2019

BUSINESS IMPROVEMENT DISTRICT



 WV
West Virginia State University
archdmc.



LEGEND
PROPOSED BUSINESS
IMPROVEMENT DISTRICT

RT 59

E NEW YORK ST

EXHIBIT B

NOTICE

PUBLIC NOTICE

PURSUANT TO 65 ILCS 5/11-74.3-2(b)

The Corporate Authorities of the City of Aurora ("City") will hold a public hearing on July 23, 2019 at 6:00 p.m., at the Aurora City Hall, Council Chambers, 44 East Downer Place, Aurora, Illinois 60507 ("Hearing"), to consider whether to designate the following described property ("Proposed Business District") as a business district with a finding and determination that the Proposed Business District is a blighted area as set forth in the Illinois Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1, et seq. ("Law"), and whether to approve a business district plan for the Proposed Business District as set forth in the Law:

LOT 1 AND PART OF LOT 2 OF YORKSHIRE PLAZA ASSESSMENT PLAT, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE DOCUMENT RECORDED NOVEMBER 9, 2000 AS DOCUMENT NO. R2000-176188 IN DUPAGE COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 06 DEGREES 46 MINUTES 02 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 2, 206.00 FEET; THENCE NORTH 83 DEGREES 12 MINUTES 38 SECONDS EAST, 347.61 FEET; THENCE NORTH 01 DEGREES 56 MINUTES 15 SECONDS WEST, 356.80 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 06 SECONDS EAST, 298.40 FEET; THENCE NORTH

45 DEGREES 23 MINUTES 14 SECONDS EAST, 47.81 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 04 SECONDS EAST, 944.47 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 50 SECONDS WEST, 233.82 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 10 SECONDS WEST, 265.35 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 35 SECONDS WEST, 462.03 FEET; THENCE SOUTH 44 DEGREES 38 MINUTES 25 SECONDS EAST TO THE SOUTHERLY LINE OF SAID LOT 2, SAID LINE ALSO BEING THE SOUTH LINE OF LOT 6 OF YORKSHIRE PLAZA, BEING A SUBDIVISION RECORDED DECEMBER 13, 1985 AS DOCUMENT NO. R85-109544; THENCE SOUTH 83 DEGREES 14 MINUTES 57 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2 AND SAID LOT 6, TO THE SOUTHWEST CORNER OF SAID LOT 6, 64.08 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 35 SECONDS EAST, TO THE NORTHWEST CORNER OF SAID LOT 6, 219.32 FEET; THENCE SOUTH 83 DEGREES 11 MINUTES 19 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2, SAID LINE ALSO BEING THE NORTH LINE OF LOT 5 OF SAID YORKSHIRE PLAZA SUBDIVISION TO THE NORTHEAST CORNER OF LOT 4 OF SAID YORKSHIRE PLAZA SUBDIVISION, 189.08 FEET; THENCE SOUTH 77 DEGREES 01 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, SAID LINE ALSO BEING THE NORTH LINES OF LOTS 3 AND 4 OF SAID YORKSHIRE PLAZA TO THE MOST NORTHERLY WEST CORNER OF SAID LOT 3, 406.05 FEET; THENCE SOUTH 24 DEGREES 00 MINUTES 00 SECONDS WEST

ALONG AN EASTERLY LINE OF SAID LOT 2, SAID LINE ALSO BEING A WESTERLY LINE OF SAID LOT 3 OF SAID YORKSHIRE PLAZA SUBDIVISION, 28.89 FEET; THENCE SOUTH 06 DEGREES 46 MINUTES 39 SECONDS EAST ALONG AN EAST LINE OF SAID LOT 2, SAID LINE ALSO BEING THE WEST LINE OF LOT 3 OF SAID YORKSHIRE PLAZA SUBDIVISION TO THE MOST WESTERLY SOUTHWEST CORNER OF SAID LOT 6, SAID POINT IS ALSO THE NORTH LINE OF A PARCEL CONVEYED TO THE CITY OF AURORA PER DOCUMENT NO. R75-46135, 155.15 FEET; THENCE SOUTH 83 DEGREES 15 MINUTES 31 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, SAID LINE BEING THE NORTH LINE OF SAID PARCEL CONVEYED TO THE CITY OF AURORA, 79.86 FEET; THENCE SOUTH 25 DEGREES 50 MINUTES 57 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 2, SAID LINE ALSO BEING THE NORTHWESTERLY LINE OF SAID PARCEL CONVEYED TO THE CITY OF AURORA, 57.71 FEET; THENCE SOUTH 83 DEGREES 12 MINUTES 38 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2, 329.00 FEET TO THE POINT OF BEGINNING; ALSO EXCEPTING THEREFROM THAT PART TAKEN FOR ROAD RIGHT OF WAY PER CASE NO. 12ED000073 AND RECORDED JULY 11, 2017 AS DOCUMENT NO. R2017-069088; AND

PART OF LOT 2 OF YORKSHIRE PLAZA ASSESSMENT PLAT, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE DOCUMENT RECORDED NOVEMBER 9, 2000 AS DOCUMENT NO. R2000-176188 IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 06 DEGREES 46 MINUTES 02 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 2, 206.00 FEET; THENCE NORTH 83 DEGREES 12 MINUTES 38 SECONDS EAST, 347.61 FEET; THENCE NORTH 01 DEGREES 56 MINUTES 15 SECONDS WEST, 356.80 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 06 SECONDS EAST, 298.40 FEET; THENCE NORTH 45 DEGREES 23 MINUTES 14 SECONDS EAST, 47.81 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 04 SECONDS EAST, 944.47 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 50 SECONDS WEST, 233.82 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 10 SECONDS WEST, 265.35 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 35 SECONDS WEST, 462.03 FEET; THENCE SOUTH 44 DEGREES 38 MINUTES 25 SECONDS EAST TO THE SOUTHERLY LINE OF SAID LOT 2, SAID LINE ALSO BEING THE SOUTH LINE OF LOT 6 OF YORKSHIRE PLAZA, BEING A SUBDIVISION RECORDED DECEMBER 13, 1985 AS DOCUMENT NO. R85-109544; THENCE SOUTH 83 DEGREES 14 MINUTES 57 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2 AND SAID LOT 6, TO THE SOUTHWEST CORNER OF SAID LOT 6, 64.08 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 35 SECONDS EAST, TO THE NORTHWEST CORNER OF SAID LOT 6, 219.32 FEET; THENCE SOUTH 83 DEGREES 11 MINUTES 19 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2, SAID LINE ALSO BEING THE NORTH LINE OF LOT 5 OF SAID YORKSHIRE PLAZA SUBDIVISION TO THE NORTHEAST CORNER OF LOT 4 OF SAID YORKSHIRE PLAZA SUBDIVISION, 189.08 FEET; THENCE SOUTH 77 DEGREES 01 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, SAID LINE ALSO BEING THE NORTH LINES OF LOTS 3 AND 4 OF SAID YORKSHIRE PLAZA TO THE MOST NORTHERLY WEST CORNER OF SAID LOT 3, 406.05 FEET; THENCE SOUTH 24 DEGREES 00 MINUTES 00 SECONDS WEST ALONG AN EASTERLY LINE OF SAID LOT 2, SAID LINE ALSO BEING A WESTERLY LINE OF SAID LOT 3 OF SAID YORKSHIRE PLAZA SUBDIVISION, 28.89 FEET; THENCE SOUTH 06 DEGREES 46 MINUTES 39 SECONDS EAST ALONG AN EAST LINE OF SAID LOT 2, SAID LINE ALSO BEING THE WEST LINE OF LOT 3 OF SAID YORKSHIRE PLAZA SUBDIVISION TO THE MOST WESTERLY SOUTHWEST CORNER OF SAID LOT 6, SAID POINT IS ALSO THE NORTH LINE OF A PARCEL CONVEYED TO THE CITY OF AURORA PER DOCUMENT NO. R75-46135,

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07-21-200-050; 07-21-200-049

Street location of the Proposed Business District: the Northwest corner of the intersection of New York Street and Route 59, excluding the outlots facing Route 59 and New York Street, Aurora, Illinois

All interested persons will be given an opportunity to be heard at the Hearing. The business district plan for the Proposed Business District under consideration at the Hearing provides, generally, that the City may provide or enter into an agreement with developers or business owners and tenants to provide certain public and private improvements in the Proposed Business District to enhance the immediate area and to serve the needs of development and the interests of the City and its residents, and to eliminate the blighting conditions therein. The City intends to develop the Proposed Business District in accordance with the City's Comprehensive Plan, further contributing to the long-term economic health and vitality of the City. Proposed City projects in the Proposed Business District may include but shall not necessarily be limited to: improvement of public utilities including water mains, sewer related system improvements and storm water retention; property acquisition by contract or eminent domain; environmental remediation and site preparation; rehabilitation of building exterior and interior components; improvement of roadways, alleyways and sidewalks; beautification and installation of identification markers, landscaping/streetscaping; relocation and/or extension of utilities; and the elimination of blighting conditions. The City may impose a One Percent (1%) retailers' occupation tax, a One Percent (1%) service occupation tax and a One Percent (1%) hotel operators' occupation tax, as permitted by the Law, in the Proposed Business District for the planning, execution, and implementation of business district plan, and to pay for business district project costs as set forth in the business district plan.

A copy of the business district plan under consideration for the Proposed Business District is available at the Aurora City Hall, 44 East Downer Place, Aurora, Illinois 60507, for review. Any party interested in submitting an alternative proposal or bid for any proposed conveyance, lease, mortgage, or other disposition by the City of Aurora of land or rights in land owned by the City and located within the Proposed Business District, should contact _____, _____, at _____. Any alternative proposals or bids must be addressed to and submitted to _____, City _____, at the above-listed City Hall address, no later than the Friday before the Hearing, on or before _____, 2019, at 4:00 p.m.