

VILLAGE OF BENSENVILLE TAX INCREMENT FINANCING DISTRICT

AN ORDINANCE of the Village of Bensenville, DuPage and Cook Counties, Illinois, approving a Tax Increment Redevelopment Plan and Redevelopment Project for the Grand/York Redevelopment Project Area

WHEREAS, the President and Board of Trustees (the "Corporate Authorities") of the Village of Bensenville, DuPage and Cook Counties, Illinois (the "Municipality"), have heretofore determined that the stable economic and physical development of the Municipality is endangered by the presence of eligibility factors for a "conservation area" as manifested by obsolescence, deterioration, excessive vacancies, inadequate utilities, lack of community planning, presence of structures below minimum code standards, and environmental cleanup requirements, with a resulting decline of the Municipality which impairs the value of private investments and threatens the sound growth and the tax base of the Municipality and the taxing district having the power to tax real property in the Municipality (the "Taxing Districts ") and threatens the health, safety, morals and welfare of the public; and

WHEREAS, the Corporate Authorities have heretofore determined that in order to promote and protect the health, safety, morals and welfare of the public that said conditions identified above and in the Municipality need to be eradicated and that redevelopment of the Municipality be undertaken and that to remove and alleviate adverse conditions in the Municipality it is necessary to encourage private investment and restore and enhance the tax base of the Municipality and the Taxing Districts by such redevelopment; and

WHEREAS, the Municipality has heretofore caused to be conducted an eligibility study to determine whether the proposed Grand/York Redevelopment Project Area (the "Proposed Area") qualifies as a "redevelopment project area" pursuant to the TIF Act, which study was conducted by Camiros, Ltd., Chicago, Illinois ("Camiros"); and

WHEREAS, the Municipality has heretofore evaluated various lawfully available programs to provide such assistance and has determined that the use of tax increment allocation financing is necessary to achieve the redevelopment goals of the Municipality for the Proposed Area; and

WHEREAS, Camiros is a planning and financial services firm having a national reputation for expertise in tax increment allocation and redevelopment financing in the State of Illinois; and

WHEREAS, Camiros has heretofore concluded and has advised the Municipality that the Proposed Area qualifies as a "redevelopment project area" under Section 11-74.4-3 of the TIF Act; and

WHEREAS, the Municipality has further caused the preparation of and made available for public inspection a proposed redevelopment plan and project for the Proposed Area (the "Plan" and "Project "); and

WHEREAS, the Plan and Project sets forth in writing the program to be undertaken to accomplish the objectives of the Municipality and includes estimated redevelopment project costs proposed for the Proposed Area, evidence indicating that the Proposed Area on the whole has not been subject to growth and development through investment by private enterprise, an assessment of the financial impact of the Area on or any increased demand for services from any taxing district affected by the Plan and any program to address such financial impact or increased demand, the sources of funds to pay costs, the nature and term of the obligations to be issued, the most recent equalized assessed valuation of the Area, an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the Area, and a

commitment to fair employment practices and an affirmative action plan, and the Plan and Project accordingly complies in all respects with the requirements of the TIF Act; and

WHEREAS, pursuant to Section 11-74.4-5 of the Act, the Corporate Authorities by ordinance adopted on the 1st day of May, 2001, called a public hearing (the "Hearing") relative to the Plan and Project and the designation of the Proposed Area as a redevelopment project area under the TIF Act and fixed the time and place for such Hearing, being the 19th day of June, 2001 at 7:30 p.m. at the Village Hall, 700 West Irving Park Road, Bensenville, Illinois; and

WHEREAS, due notice in respect to such Hearing was given pursuant to Section 11-74.4-5 of the TIF Act, said notice, together with a copy of the Plan, and the name of a person to contact for further information, being given to taxing districts and to the Department of Commerce and Community Affairs of the State of Illinois by certified mail on May 2, 2001, by publication on May 25, 2001 and June 1, 2001, and by certified mail to taxpayers within the Proposed Area on May 2, 2001; and

WHEREAS, the Municipality has heretofore convened a joint review board as required by and in all respects in compliance with the provisions of the TIF Act; and

WHEREAS, the joint review board has met at the times and as required by the TIF Act and has reviewed the public record, planning documents and a form of proposed ordinance approving the Plan and Project; and

WHEREAS, the joint review board has adopted by a majority vote an advisory, non-binding recommendation that the Municipality proceed to implement the Plan and Project and to designate the Proposed Area as a redevelopment project area under the TIF Act; and

WHEREAS, the joint review board based its decision to approve the proposal on the basis of the Proposed Area satisfying the eligibility criteria defined in Section 11-74.4-3 of the TIF Act, all as provided in Section 11-74.4-5(b) of the TIF Act; and

WHEREAS, the Municipality held the Hearing on June 19, 2001 at the Bensenville Village Hall, 700 West Irving Park Road, Bensenville, Illinois; and

WHEREAS, at the Hearing any interested person or affected taxing district was permitted to file with the Municipal Clerk written objections and was heard orally in respect to any issues embodied in the notice of said Hearing and the Municipality heard and determined all protests and objections at the Hearing; and

WHEREAS, the Hearing was finally adjourned on the 19th day of June, 2001; and

WHEREAS, the Plan and Project set forth the factors which cause the Proposed Area to be a conservation area, and the Corporate Authorities have reviewed the information concerning such factors presented at the Hearing and have reviewed other studies and are generally informed of the conditions in the Proposed Area which could cause the area to be a "conservation area" as defined in the TIF Act; and

WHEREAS, the Corporate Authorities have reviewed evidence indicating that the Proposed Area on the whole has not been subject to growth and development through investment by private enterprise and have reviewed the conditions pertaining to lack of private investment in the Proposed Area to determine whether private development would take place in the Proposed Area as a whole without the adoption of the proposed Plan; and

WHEREAS, the Corporate Authorities have reviewed the conditions pertaining to real property in the Proposed Area to determine whether contiguous parcels of real property and improvements thereon in the Proposed Area would be substantially benefited by the proposed Project improvements; and

WHEREAS, the Corporate Authorities have made an assessment of any financial impact of the Proposed Area on or any increased demand for services from any taxing district affected by the Plan and Project and any program to address such financial impact or increased demand; and

WHEREAS, the Corporate Authorities have reviewed the proposed Plan and Project and also the existing comprehensive plan for development of the Municipality as a whole to determine whether the proposed Plan and Project conform to the such comprehensive plan of the Municipality.

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois as follows:

SECTION 1. Findings. The Corporate Authorities hereby make the following findings:

(a) The Proposed Area is described in *Exhibit A* attached hereto and incorporated herein as if set out in full by this reference. The street location (as near as practicable) for the Proposed Area is described in *Exhibit B* attached hereto and incorporated herein as if set out in full by this reference. The map of the Proposed Area is depicted on *Exhibit C* attached hereto and incorporated herein as if set out in full by this reference.

(b) There exist conditions which cause the Proposed Area to be subject to designation as a redevelopment project area under the TIF Act and to be classified as a conservation area as defined in Section 11-74.4-3(b) of the TIF Act.

(c) The Proposed Area on the whole has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Plan.

(d) The Plan and Project conform to the comprehensive plan for the development of the Municipality as a whole.

(e) As set forth in the Plan and in the testimony at the public hearing, the estimated date of completion of the Project is July, 2024 and the estimated date of the retirement of all obligations incurred to finance redevelopment project costs as defined in the Plan as amended and corrected is July, 2024.

(f) The parcels of real property in the Proposed Area are contiguous, and only those contiguous parcels of real property and improvements thereon which will be substantially benefited by the proposed Project improvements are included in the Proposed Area.

Section 2. Exhibits Incorporated by Reference. The Plan and Project which were the subject matter of the public hearing held on the 19th day of June 2001, are hereby adopted and approved. A copy of the Plan and Project is set forth in *Exhibit D* attached hereto and incorporated herein as if set out in fully by this reference.

Section 3. Invalidity of Any Section. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 4. Superseder and Effective Date. All ordinances, resolution, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this ordinance shall be in full force and

effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

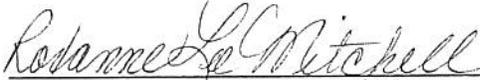
Passed this 3rd day of July, 2001.

Approved this 3rd day of July, 2001.



John C. Geils, Village President

ATTEST:



Roxanne L. Mitchell, Village Clerk

AYES: Basso, Cairra, Kervin, Mandziara, Tralewski, Walberg

NAYS: None

ABSENT: None

Recorded in Municipal Records:

July 3, 2001.

EXHIBIT A
Legal Description of Grand/York Redevelopment Project Area
Village of Bensenville Tax Increment Financing District

SEE LEGAL DESCRIPTION ATTACHED

**GRAND/YORK
REDEVELOPMENT PROJECT AREA
BENSENVILLE TIF #11**

LEGAL DESCRIPTION

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 263 IN CANTRELL'S RESUBDIVISION OF LOTS 248 TO 269, A RESUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER 835958, SAID NORTHWEST CORNER BEING ALSO THE POINT OF INTERSECTION OF THE EAST LINE OF DAVID DRIVE WITH THE SOUTH LINE OF DELORES DRIVE;

THENCE SOUTH ALONG THE EAST LINE OF SAID DAVID DRIVE AND ALONG THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 589.00 FEET, MORE OR LESS, TO THE CENTER LINE OF GRAND AVENUE;

THENCE WEST ALONG SAID CENTERLINE OF GRAND AVENUE AND ALONG THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 734.00 FEET, MORE OR LESS, TO A LINE PERPENDICULAR TO SAID WESTERLY EXTENSION OF GRAND AVENUE, SAID LINE HAVING A SOUTHERLY TERMINUS ON SAID WESTERLY EXTENSION AND A NORTHERLY TERMINUS AT THE SOUTHERLY MOST, SOUTHEAST CORNER OF LOT 18 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 465944, SAID SOUTHEAST CORNER OF LOT 18 BEING 148.69 FEET, MORE OR LESS, EAST OF THE SOUTHWEST CORNER OF SAID LOT 18;

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 18 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A DISTANCE OF 48.04 FEET, TO THE EASTERLY MOST, SOUTHEAST CORNER OF SAID LOT 18;

THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 18 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A DISTANCE OF 56.07 FEET TO AN ANGLE POINT IN THE EASTERLY LINE OF SAID LOT 18, SAID EASTERLY LINE OF LOT 18 BEING ALSO THE WESTERLY LINE OF YORK ROAD;

THENCE CONTINUING NORTH ALONG THE EAST LINE OF LOT 18 AND

ALONG THE EAST LINE OF LOTS 17 AND 16, ALL IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, SAID EAST LINE OF LOTS 18, 17 AND 16 BEING ALSO THE WEST LINE OF YORK ROAD, A DISTANCE OF 265.67 FEET, MORE OR LESS, TO THE SOUTH LINE OF LOT 15 IN SAID ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5;

THENCE EAST ALONG SAID SOUTH LINE OF LOT 15 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A DISTANCE OF 5.00 FEET, MORE OR LESS, TO THE EAST LINE OF SAID LOT 15, SAID EAST LINE OF LOT 15 BEING ALSO THE WEST LINE OF YORK ROAD;

THENCE NORTH ALONG SAID EAST LINE OF LOT 15, A DISTANCE OF 100.00 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID LOT 15;

THENCE WEST ALONG THE NORTH LINE OF SAID LOT 15 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A DISTANCE OF 20.00 FEET, MORE OR LESS, TO THE EAST LINE OF LOT 14 IN SAID ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, SAID EAST LINE OF LOT 14 BEING ALSO THE WEST LINE OF YORK ROAD;

THENCE NORTH ALONG SAID WEST LINE OF YORK ROAD, A DISTANCE OF 400.00 FEET, MORE OR LESS, TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 15 IN CANTRELL BROTHERS RESUBDIVISION, A RESUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 909040;

THENCE EAST ALONG SAID WESTERLY EXTENSION, AND THE SOUTH LINE OF AFORESAID LOT 15 IN CANTRELL BROTHERS RESUBDIVISION AND ALONG THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 745.80 FEET, MORE OR LESS, TO THE EAST LINE OF DAVID DRIVE;

THENCE SOUTH ALONG SAID EAST LINE OF DAVID DRIVE, A DISTANCE OF 155.50 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN DU PAGE COUNTY, ILLINOIS.

CONTAINING 570,153 SQUARE FEET (13.08891 ACRES) OF LAND, MORE OR LESS.

EXHIBIT B - STREET LOCATION

Commonly known as that certain property located at or near the northeast corner of the intersection of Grand Avenue and York Road - Bensenville, Illinois

SEE MAP ATTACHED

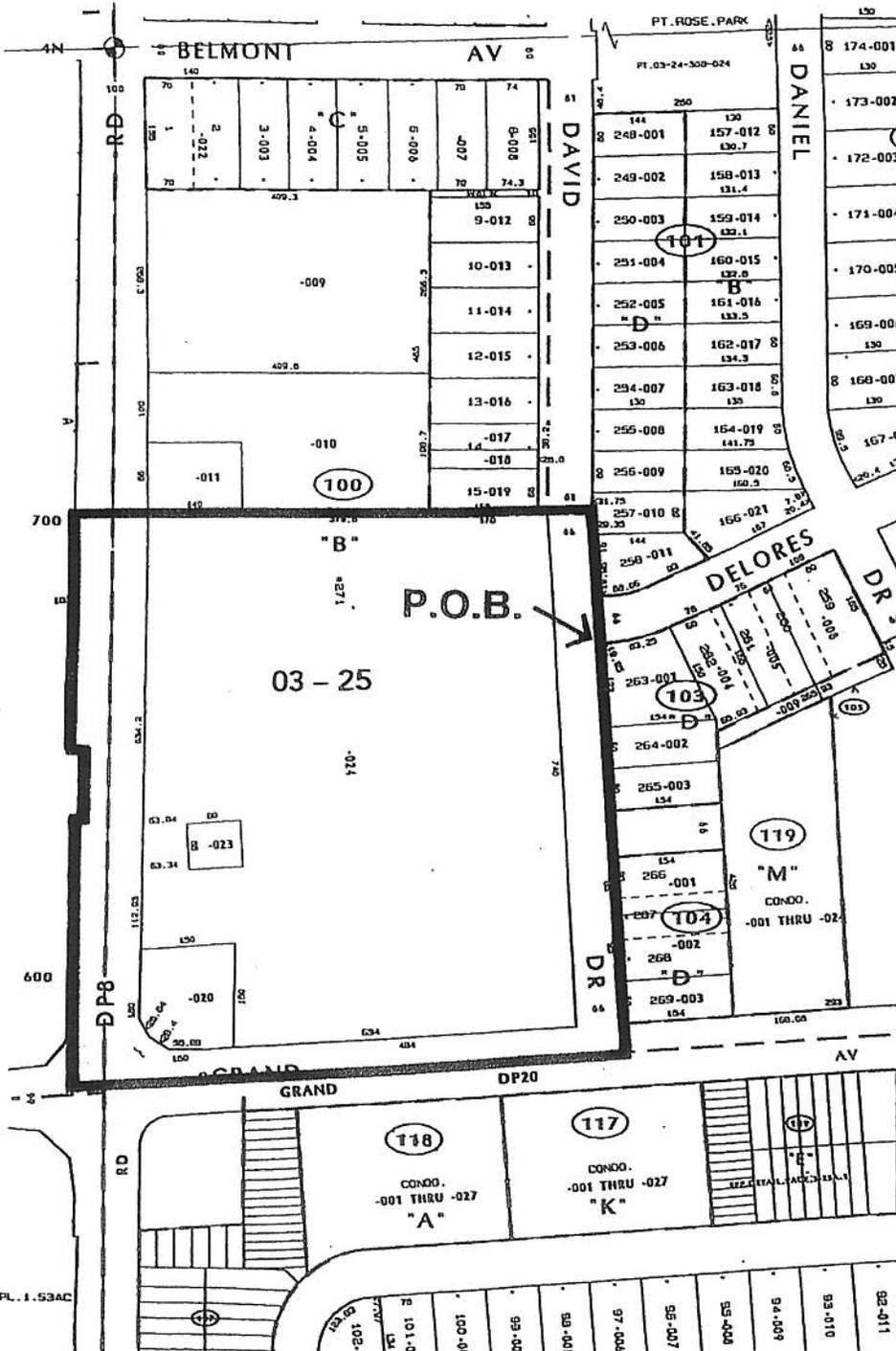
EXHIBIT C - MAP

FIGURE 1
BOUNDARY MAP

LEGEND

 AREA BOUNDARY

P.O.B. = LEGAL DESCRIPTION
POINT OF BEGINNING



TIF
GRAND/YORK REDEVELOPMENT PROJECT AREA

Village of Bensenville, IL

N. T. S.



CAMIROS

Planning, Zoning, Economic Development, Landscape Architecture
411 South Wells Street, Chicago, Illinois 60607 Phone (312) 922-9211

EXHIBIT D

VILLAGE OF BENSENVILLE TAX INCREMENT FINANCING DISTRICT
GRAND/YORK
TAX INCREMENT FINANCING
REDEVELOPMENT PLAN AND PROJECT

See Attached

**VILLAGE OF BENSENVILLE
TAX INCREMENT FINANCING DISTRICT
REDEVELOPMENT PLAN AND PROJECT**

FOR THE

**GRAND/YORK
REDEVELOPMENT PROJECT AREA**

**Prepared for:
The Village of Bensenville**

**By:
Camiros, Ltd.**

April 12, 2001

This plan is subject to review and may be revised after comment and public hearing.

TABLE OF CONTENTS

1. INTRODUCTION	1
2. PROJECT AREA DESCRIPTION.....	5
3. ELIGIBILITY OF THE REDEVELOPMENT PROJECT AREA FOR DESIGNATION AS CONSERVATION AREA	6
4. REDEVELOPMENT PLAN GOALS AND OBJECTIVES	8
5. REDEVELOPMENT PLAN	9
6. REDEVELOPMENT PROJECT DESCRIPTION.....	11
7. GENERAL LAND USE PLAN.....	12
8. HOUSING IMPACT AND RELATED MATTERS.....	13
9. REDEVELOPMENT PLAN FINANCING	14
10. PROVISIONS FOR AMENDING THE REDEVELOPMENT PLAN	23
11. VILLAGE OF BENSENVILLE COMMITMENT TO FAIR EMPLOYMENT PRACTICES AND AFFIRMATIVE ACTION	24
APPENDIX A (FIGURES).....	A-1
APPENDIX B (LEGAL DESCRIPTION)	B-1
APPENDIX C (ELIGIBILITY STUDY).....	C-1

LIST OF FIGURES AND TABLES

FIGURE 1. BOUNDARY MAP.....	A-2
FIGURE 2. EXISTING LAND USE.....	A-3
FIGURE 3. GENERAL LAND USE PLAN.....	A-4
FIGURE A. STUDY AREA BOUNDARY MAP.....	C-2
FIGURE B. EXISTING LAND USE.....	C-6
TABLE 1. ESTIMATED REDEVELOPMENT PROJECT COSTS.....	18
TABLE 2. EAV BY PIN.....	20
TABLE A. FIRE AND BUILDING CODE VIOLATION HISTORY.....	C-10
TABLE B. COMPARATIVE INCREASES IN EAV.....	C-14

1. INTRODUCTION

This document presents a Tax Increment Financing Redevelopment Plan and Project (hereinafter referred to as the "Plan") pursuant to the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1 *et seq*), as amended (the "Act") for the Grand/York Redevelopment Project Area in the Village of Bensenville, Illinois (the "Village"). The Redevelopment Project Area (the "Area") includes land within the Village of Bensenville northeast of the Grand Avenue and York Road intersection. The Area is commonly known as the Brentwood Commons shopping center and includes a branch bank and a gas station as outlots. The Plan responds to problem conditions within the Area and reflects a commitment by the Village to revitalize the Area and attract new private investment.

This Plan presents research and analysis undertaken to document the eligibility of the Area for designation as a "conservation area" tax increment financing ("TIF") district. The need for public intervention, goals and objectives, land use policies and other policy materials are presented in this Plan. The results of a study documenting the eligibility of the Area as a conservation area are presented in Appendix C, Eligibility Study, (the "Study").

Tax Increment Financing

In adopting the Act, the Illinois State Legislature found at 5/11-74.4-2(a) that:

... there exist in many municipalities within this State blighted, conservation and industrial park conservation areas as defined herein; that the conservation areas are rapidly deteriorating and declining and may soon become blighted areas if their decline is not checked...

and at 5/11-74.4-2(b) that:

... in order to promote and protect the health, safety, morals, and welfare of the public, that blighted conditions need to be eradicated and conservation measures instituted, and that redevelopment of such areas be undertaken... The eradication of blighted areas and treatment and improvement of conservation areas and industrial park conservation areas by redevelopment projects is hereby declared to be essential to the public interest.

In order to use the tax increment financing technique, a municipality must first establish that the proposed redevelopment project area meets the statutory criteria for designation as a "blighted area," a "conservation area" or an "industrial park conservation area." A redevelopment plan must then be prepared which describes the development or redevelopment program intended to be undertaken to reduce or eliminate those conditions which qualified the redevelopment project area as a "blighted area," "conservation area," or combination thereof, or "industrial park

conservation area,” and thereby enhance the tax bases of the taxing districts which extend into the redevelopment project area. The statutory requirements are set out at 65 ILCS 5/11-74.4-3, et seq.

The Act provides that, in order to be adopted, a Plan must meet the following conditions under 5/11-74.4-3(n):

(1) the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the redevelopment plan, (2) the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality, (3) the redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (which dates shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in Section 8(b) of the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted), (4) in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area, and (5) if any incremental revenues are being utilized under Section 8a(1) or 8a(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986 the municipality finds (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

Redevelopment projects are defined as any public or private development projects undertaken in furtherance of the objectives of the redevelopment plan.

The Village authorized an evaluation to determine whether a portion of the Village to be known as the Grand/York Redevelopment Project Area, qualifies for designation as a “conservation area,” pursuant to the provisions contained in the Act. If the Area so qualified, the Village requested the preparation of a redevelopment plan for the Area in accordance with the requirements of the Act.

Redevelopment Project Area Overview

The Area is consists of three tax parcels (03-25-100-020, 03-25-100-023 and 03-25-100-024) and adjacent public rights-of-way located at the northeast corner of Grand Avenue and York Road. The Area is approximately 13.1 acres in size. The Area has suffered from a lack of investment in property improvement as evidenced by functionally obsolete retail buildings, deterioration, presence of structures below minimum code standards, excessive vacancies, inadequate utilities, lack of community planning, and other negative conditions.

The Area, as a whole, has not been subject to growth and development by private enterprise and is not reasonably anticipated to be developed without the adoption of the Plan. The Study, attached hereto as Appendix C, concluded that property in the Area suffers from deterioration, obsolescence, lack of community planning, inadequate utilities, excessive vacancies, and other negative conditions.

The purpose of this Plan is to provide the stimulus needed to revitalize the Area and attract new private investment. To accomplish that, the Plan will create a mechanism to:

- 1) Promote commercial redevelopment of the Brentwood Commons shopping center.
- 2) Expand the tax base by increasing the assessed valuation of property within the Area.
- 3) Improve the Area's physical environment and infrastructure.

Summary of Findings

The Area is appropriate for designation as a "conservation area" in accordance with the Act, based on the following summary of findings:

- 1) The Area has not been subject to growth and development through private enterprise.
- 2) A continuing lack of growth and development will exacerbate conditions of obsolescence, deterioration and overcrowding.
- 3) The Area is not reasonably anticipated to be redeveloped by private enterprise without public intervention and the adoption of this Plan.
- 4) The Area meets the requirements for designation as a "conservation area" because 50% of the buildings in the Area are at least 35 years old and three or more of the required eligibility criteria are meaningfully present and reasonably distributed in the Area. The two largest buildings that make up the shopping center were built in 1963; the gas station was built in 1971 and the branch bank in 1976. Thus, the 50% age threshold for designation of a "conservation area" is met. In addition, seven eligibility factors that pertain to improved property are present in the Area. These conditions are:
 - Obsolescence
 - Deterioration
 - Presence of structures below minimum code standards
 - Excessive vacancies
 - Inadequate utilities
 - Environmental clean-up requirements
 - Lack of community planning
- 5) The conditions outlined above are meaningfully present and reasonably distributed throughout the Area.

This Plan summarizes the analyses and findings of the consultant's work, which unless otherwise noted, is solely the responsibility of Camiros, Ltd. Camiros, Ltd. has prepared this Plan, and the related Study, with the understanding that the Village would rely on (1) the findings and conclusions of the Plan and the related Study in proceeding with the designation of the Area as a redevelopment project area pursuant to the Act and the adoption and implementation of the

Redevelopment Plan and Project, and (2) the fact that Camiros, Ltd. has obtained the necessary information to ensure that the Plan and the related Study comply with the Act.

The Plan has been formulated in accordance with the provisions of the Act. This document is a guide to all proposed public and Village-assisted private actions in the Area.

2. PROJECT AREA DESCRIPTION

The Grand/York Redevelopment Project Area is approximately 13.1 acres in size, including public rights-of-way. The land to be designated as the Area is shown in *Figure 1: Boundary Map*. A legal description of the Area is included as Appendix B of this document. The proposed Area includes only those contiguous parcels that are anticipated to be substantially benefited by the proposed redevelopment project improvements and which qualify for designation as a “conservation area.”

Current Land Use and Circulation

Existing land use within the Area consists of the Brentwood Commons shopping center and adjacent street rights-of-way. Brentwood Commons was built in 1963 and contains approximately 107,000 square feet of retail space in two buildings. The major anchor is a Dominick’s food store that is approximately 38,000 square feet in size. The Dominick’s is significantly smaller than new Dominick’s grocery stores being built today.

The Shell gas station occupies a 20,903 square foot lot and was built in 1971. The most recent building is the branch banking facility that was built in 1976. The bank building occupies nearly its entire site (an outlot that is wholly contained within the shopping center tax parcel).

The Area is zoned as C-2 PUD, which allows more than one principal building on a lot and provides for a more detailed review and approval by the Village. The planned unit development application is typically used in granting development approval for shopping center uses that may contain multiple buildings and outlot development.

Grand Avenue and York Road provide primary access to the Area. There is a traffic signal with left turn arrows in each direction at the intersection. There is a left turn bay from Grand Avenue onto David Drive, which is the eastern boundary of the Area and appears to be the primary access for delivery trucks. The rear of the Brentwood Commons center faces David Drive. The loading facilities are screened from the residential uses on the east side of David Drive by a wooden fence.

3. ELIGIBILITY OF THE REDEVELOPMENT PROJECT AREA FOR DESIGNATION AS A CONSERVATION AREA

In January and February 2001, a study was undertaken by Camiros, Ltd. to determine whether the proposed Area is eligible for designation as a conservation area in accordance with the requirements of the Act. This analysis concluded that the Area so qualifies. The area contains three tax parcels, developed with multiple retail facilities.

This analysis concluded that the Area so qualifies. The Act first requires that at least 50% of the buildings in the Area be at least 35 years old. The Brentwood Commons Shopping Center, which contains two principal buildings, was built in 1963. The gas station building was built in 1971, and the branch banking facility was built in 1976. Thus, 50% of the buildings in the area are more than 35 years of age, and the statutory threshold requirement is met.

Once the age requirement has been met, the presence of three of 13 conditions set forth in the Act is required for designation of improved property as a conservation area. These factors must be meaningfully present and reasonably distributed within the Area. *Of the 13 factors cited in the Act for improved property, seven factors are present within the Area.*

The following factors were found to be present:

- Obsolescence
- Deterioration
- Presence of structures below minimum code standards
- Excessive vacancies
- Inadequate utilities
- Environmental clean-up requirements
- Lack of community planning

For more detail on the basis for eligibility, refer to the Study in Appendix C. These factors are all meaningfully present and reasonably distributed in the Area.

Need for Public Intervention

The Area, as a whole, has not been subject to significant growth and development through investment by private enterprise. Based on present conditions, the Area is not likely to be developed without the adoption of the Plan. There has been no significant investment in the Area for many years. As a result, the shopping center has become increasingly obsolete with respect to

contemporary standards for such facilities. Further decline in the Area is likely in the absence of private-sector investment.

Given the obsolescence, deterioration and vacancies which have been documented within the Area, the overall redevelopment of the Area would not reasonably be expected to occur without public intervention and the adoption of this Plan.

4. REDEVELOPMENT PLAN GOALS AND OBJECTIVES

The following goals and redevelopment objectives serve as the policy framework for this Plan. These goals and objectives are consistent with the Bensenville Comprehensive Plan's goals for economic stability as well as the community's economic and tax base policies and community facilities and services policies.

Redevelopment Plan Goals:

- Reduce or eliminate those conditions that qualify the Area as a conservation area.
- Improve the function of the Area as a retail center.
- Attract new private investment to the Area.
- Promote the conservation of land, increase the compatibility of adjacent land uses, achieve a balanced land use pattern, and provide efficient and economical public facilities and services.

Redevelopment Objectives:

- Outline a framework for future land use and development that will enhance economic activity in the Area and the tax base of the Village.
- Strengthen York Road's role as an attractive commercial corridor.
- Provide on-site storm water detention to serve retail development within the Area.
- Encourage the redevelopment of an obsolete and deteriorating shopping center.
- Enhance the ability of the Area to generate sales and property tax revenues for the Village and other taxing districts.

5. REDEVELOPMENT PLAN

The Village proposes to achieve the Plan's goals through the use of public financing techniques, including tax increment financing, and by undertaking some or all of the following actions:

Property Assembly, Site Preparation and Environmental Remediation

To meet the goals and objectives of this Plan, the Village may assemble property for the purpose of (a) sale, lease or conveyance to private developers, or (b) sale, lease, conveyance or dedication for the construction of public improvements or facilities. As appropriate, the Village may devote acquired property to temporary uses until such property is scheduled for disposition and development. Demolition, site preparation and environmental remediation may be undertaken, as needed, to prepare land for redevelopment.

Rehabilitation, Reconstruction, Remodeling or Replacement of Existing Buildings

The Village may enter into agreements with private property owners or developers to facilitate the rehabilitation, reconstruction, repair, remodeling or replacement of existing public and private buildings, fixtures and leasehold improvements. The intent of such actions is to increase the taxable value of private property within the Area, relocate tenants within the Area as needed to allow rehabilitation new private investment to occur, and create employment opportunities.

Intergovernmental and Redevelopment Agreements

The Village may enter into redevelopment agreements or intergovernmental agreements with private entities or public entities to construct, rehabilitate, renovate or restore private or public improvements (collectively referred to as "Redevelopment Projects"). Such redevelopment agreements may be needed to support the rehabilitation or construction of allowable private improvements, in accordance with the Plan; incur costs or reimburse developers for other eligible redevelopment project costs as provided in the Act in implementing the Plan; and provide public improvements and facilities which may include, but are not limited to utilities, street improvements, streetscape enhancements, signalization, parking and surface right-of-way improvements.

Terms of redevelopment as part of this redevelopment project may be incorporated in appropriate redevelopment agreements. For example, the Village may agree to reimburse a redeveloper for incurring certain eligible redevelopment project costs under the Act. Such agreements may contain specific development controls as allowed by the Act.

Analysis, Professional Service, Administrative Activities and Marketing of Sites

The Village may undertake or engage professional consultants, engineers, architects, attorneys, and others to conduct various analyses, studies, administrative or legal services to establish, implement and manage this Plan. The Village may also determine that it is necessary to market sites within the Area to prospective businesses, developers and investors in order to further the objectives of this Plan.

Provision of Public Improvements and Facilities

Adequate public improvements and facilities may be provided to service the Area. Public improvements and facilities may include, but are not limited to, upgrading streets, signalization improvements, provision of streetscape amenities, and utility improvements.

Interest and Financing Costs Pursuant to the Act

Pursuant to the Act, the Village may allocate a portion of the incremental tax revenues to pay or reimburse redevelopers for interest costs incurred in connection with redevelopment activities in order to enhance the redevelopment potential of the Area. The Village may also allocate a portion of the incremental tax revenues to financing costs as authorized in the Act.

6. REDEVELOPMENT PROJECT DESCRIPTION

The Plan seeks to create strong and active commercial uses that provide a variety of shopping options for Bensenville residents. Physical improvements to the Area are seen as a critical component of its overall improvement. This Plan recognizes that new investment in commercial property is needed to achieve revitalization.

Based on this assessment, goals of the redevelopment projects to be undertaken in the Area are: 1) to improve the function of the Area as a retail center; and 2) to make the Area more appealing to business by improving its character and suitability for development. The major physical improvement elements anticipated as a result of implementing the proposed Plan are outlined below.

Public Improvements

Improvements to public infrastructure and facilities may be needed to complement and attract private sector investment. Infrastructure improvements may include, but are not limited to, circulation system improvements needed to adequately serve existing uses that are expected to expand as well as new uses expected to be attracted to the area as a result of implementation of this Plan. Such improvements may include upgrades to roads, streets, sidewalks, signalization, street lighting systems, utilities, and other public improvements.

Private Development

The type of private development recommended for the Area is commercial use. Private development activities may include, but are not limited to, rehabilitation, demolition, site clearance and preparation, and construction of new retail facilities. Existing tenants may be relocated within the Area as part of the redevelopment project.

7. GENERAL LAND USE PLAN

The General Land Use Plan is intended to provide a guide for future land use improvements and developments within the Area. The land uses proposed in the Area are consistent with current zoning and the Bensenville Comprehensive Plan. *Figure 3: General Land Use Plan*, in Appendix A, identifies land uses expected to result from implementation of the Plan in the Area. The land use designation for the Area is commercial. The intent of this land use policy is to allow redevelopment and revitalization of the Area to occur in response to market demand for retail uses along York Road.

This land use strategy is intended to promote rehabilitation and new construction within the Area in accordance with the goals and objectives of the Plan. Locations of specific uses, or public infrastructure improvements, may vary from the General Land Use Plan as a result of more detailed planning and site design activities. Such variations are permitted without amendment to this Plan as long as they are consistent with the Plan's goals and objectives and the Village's official land use policies as reflected in Bensenville's Zoning Ordinance and Comprehensive Plan.

8. HOUSING IMPACT AND RELATED MATTERS

Amendments to the Act that became effective November 1, 1999, indicate that the preparation of a housing impact study is required if the Area contains 75 or more inhabited residential units unless the Village certifies in the Plan displacement will not result from the Plan or the Plan would not result in the displacement of ten or more inhabited residential units.

The Area contains no residential units. Therefore, housing impact study is not a required element of this Plan.

9. REDEVELOPMENT PLAN FINANCING

Tax increment financing is an economic development tool designed to facilitate the redevelopment of blighted areas and to arrest decline in areas that may become blighted without public intervention. It is expected that tax increment financing will be an important means, although not necessarily the only means, of financing improvements and providing development incentives in the Area throughout its twenty-three year life.

Tax increment financing can only be used when private investment would not reasonably be expected to occur without public assistance. The Act sets forth the range of public assistance that may be provided.

It is anticipated that expenditures for redevelopment project costs will be carefully staged in a reasonable and proportional basis to coincide with expenditures for redevelopment by private developers and the projected availability of tax increment revenues.

Eligible Project Costs

Redevelopment project costs include the sum total of all reasonable, or necessary, costs incurred, or estimated to be incurred, and any such costs incidental to this Plan. Some of the costs listed below became eligible costs under the Act pursuant to an amendment to the Act that became effective November 1, 1999. Eligible costs may include, without limitation, the following:

1. Professional services including: costs of studies and surveys, development of plans and specifications, implementation and administration of the Plan including, but not limited to, staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however, that no charges for professional services may be based on a percentage of the tax increment collected and the terms of such contracts do not extend beyond a period of three years. Redevelopment project costs may not include general overhead or administrative costs of the Village that would still have been incurred if the Village had not designated a redevelopment project area or approved a redevelopment plan.
2. The cost of marketing sites within the Area to prospective businesses, developers and investors.
3. Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land.

4. Costs of rehabilitation, reconstruction, repair or remodeling of existing public or private buildings, fixtures and leasehold improvements; and the cost of replacing an existing public building, if pursuant to the implementation of a redevelopment project, the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment.
5. Costs of the construction of public works or improvements, but not including the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building unless the Village makes a reasonable determination, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the Plan.
6. Costs of job training and retraining projects including the cost of “welfare-to-work” programs implemented by businesses located within the Area, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts as provided in the Act.
7. Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations and, which may include payment of interest on any obligations issued under the Act, including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and not exceeding 36 months thereafter and including reasonable reserves related thereto.
8. All, or a portion, of a taxing district’s capital costs resulting from the Redevelopment Project necessarily incurred, or to be incurred, in furtherance of the Plan, to the extent the Village, by written agreement, accepts and approves such costs.
9. An elementary, secondary or unit school district’s increased costs attributable to assisted housing units will be reimbursed as provided for in the Act.
10. Relocation costs, to the extent that the Village determines that relocation costs shall be paid or is required to make payment of relocation costs by state or federal law or in accordance with the requirements of the Act.
11. Payment in lieu of taxes.
12. Interest costs incurred by a developer related to the construction, renovation or rehabilitation of a redevelopment project provided that:
 - such costs are to be paid directly from the special tax allocation fund established pursuant to the Act;
 - such payments in any one year may not exceed 30 percent of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;
 - if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this provision, then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;
 - the total of such interest payments paid pursuant to the Act may not exceed 30 percent of the total: (i) cost paid or incurred by the redeveloper for such redevelopment project, plus (ii) redevelopment project costs excluding any property

assembly costs and any relocation costs incurred by the Village pursuant to the Act; and

- up to 75 percent of the interest cost incurred by a redeveloper for the financing of rehabilitated or new housing units for low-income households and very low income households, as defined in Section 3 of the Illinois Affordable Housing Act.
13. Up to 50% of the cost of construction, renovation and/or rehabilitation of all low-income and very low-income housing units (for ownership or rental) as defined in Section 3 of the Illinois Affordable Housing Act. If the units are part of a residential redevelopment project that includes units not affordable to low-income and very low-income households, only the low-income and very low-income households shall be eligible for benefits under the Act.
 14. Up to 75% of the interest incurred by a redeveloper for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act.
 15. The cost of day care services for children of employees from low-income families working for businesses located within the Area and all or a portion of the cost of operation of day care centers established by Area businesses to serve employees from low-income families working in businesses located in the Area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the Village, county or regional median income as determined from time to time by the United States Department of Housing and Urban Development. (This eligible project cost category applies only to municipalities with a population of more than 100,000 people.

The cost of constructing new privately-owned buildings is not an eligible redevelopment project cost, unless specifically authorized by the Act.

Estimated Project Costs

A range of activities and improvements may be required to implement the Plan. The proposed eligible activities and their estimated costs over the life of the Area are briefly described below and also shown in *Table 1: Estimated Redevelopment Project Costs*.

1. Professional services including planning, legal, surveys, fees and other related development costs. This budget element provides for studies and survey costs for planning and implementation of the project, including planning and legal fees, architectural and engineering, development site marketing, financial and special service costs. (*Estimated cost: \$150,000*)
2. The cost of marketing sites within the Area to prospective businesses. (*Estimated cost: \$50,000*)
3. Property assembly costs, including acquisition of land and other property, real or personal, or rights or interests therein, and other appropriate and eligible costs needed to prepare the property for redevelopment. These costs may include the reimbursement of acquisition costs incurred by private developers. Land acquisition may include acquisition of both improved and vacant property in order to create development sites, accommodate public rights-of-way or to provide other public facilities needed to achieve

the goals and objectives of this Plan. Property assembly costs also include: 1) demolition of existing improvements, including clearance of blighted properties or clearance required to prepare sites for new development, 2) site preparation, including grading, and other appropriate and eligible site activities needed to facilitate new construction, and 3) environmental remediation costs associated with property assembly which are required to render the property suitable for redevelopment. *(Estimated cost: \$650,000)*

4. Costs of rehabilitation of buildings and parking lots, reconstruction, repair or remodeling of existing buildings, fixtures and leasehold improvements. *(Estimated cost: \$1,250,000).*
5. Construction of public improvements, infrastructure and facilities including replacement of water mains, construction of storm water drainage and detention facilities, and roadway improvements. These improvements are intended to improve access within the Area, stimulate private investment and address other identified public improvement needs. *(Estimated cost: \$200,000)*
6. Relocation costs, as judged by the Village to be appropriate or required to further implementation of the Plan. *(Estimated cost: \$100,000)*
7. Financing costs, as judged by the Village to be appropriate or required to further implementation of the Plan. *(Estimated cost: \$100,000)*
8. Interest costs associated with redevelopment project financing, pursuant to the provisions of the Act. *(Estimated cost: \$1,000,000)*

The estimated gross eligible project cost over the life of the Area is \$3.5 million. All project cost estimates are in 2001 dollars. Any bonds issued to finance portions of the redevelopment project may include an amount of proceeds sufficient to pay customary and reasonable charges associated with issuance of such obligations, as well as to provide for capitalized interest and reasonably required reserves. The total project cost figure excludes any costs for the issuance of bonds. Adjustments to estimated line items, which are upper estimates for these costs, are expected and may be made without amendment to this Plan.

Table 1
ESTIMATED REDEVELOPMENT PROJECT COSTS

Program Action/Improvement	Budget
Planning, Legal, Surveys and Related Development Costs	\$150,000
Site Marketing Costs	\$50,000
Property Assembly, Site Preparation and Environmental Remediation	\$650,000
Rehabilitation of Buildings, Fixtures and Leasehold Improvements	\$1,250,000
Public Improvements	\$200,000 (1)
Relocation	\$100,000
Financing Costs	\$100,000
Interest Costs	\$1,000,000
TOTAL	\$3,500,000 (2) (3)

- (1) *This category may also include reimbursing eligible costs of taxing districts impacted by the redevelopment of the Area and school district costs pursuant to the Act. As permitted by the Act, the Village may pay, or reimburse all, or a portion of a taxing district's costs resulting from the Redevelopment Project pursuant to a written agreement by the Village accepting and approving such costs.*
- (2) *The total Estimated Redevelopment Project Costs exclude any additional financing costs, including any interest expense, capitalized interest and costs associated with optional redemptions. These costs are subject to prevailing market conditions and are in addition to Total Project Costs. The amount of the Total Redevelopment Costs that can be incurred in the Area will be reduced by the amount of redevelopment project costs incurred in contiguous redevelopment project areas, or those separated from the Area only by a public right-of-way, that are permitted under the Act to be paid, and are paid, from incremental property taxes generated in the Area, but will not be reduced by the amount of redevelopment project costs incurred in the Area which are paid from incremental taxes generated from contiguous redevelopment project areas.*
- (3) *The total Estimated Redevelopment Project Costs provides an upper limit on expenditures and adjustments may be made in line items without amendment to this Plan.*

Sources of Funds

Funds necessary to pay for redevelopment project costs and municipal obligations, which have been issued to pay for such costs, are to be derived principally from tax increment revenues and proceeds from municipal obligations, which have as their source of payment tax increment revenue. To secure the issuance of these obligations, the Village may permit the utilization of guarantees, deposits and other forms of security made available by private sector developers.

The tax increment revenue, which will be used to fund tax increment obligations and redevelopment project costs, shall be the incremental real property taxes. Incremental real property tax revenue is attributable to the increase in the current equalized assessed value of each taxable lot, block, tract or parcel of real property in the Area over and above the initial equalized assessed value of each such property in the Area. Other sources of funds, which may be used to pay for redevelopment costs and obligations issued, the proceeds of which are used to pay for such costs, are land disposition proceeds, state and federal grants, investment income, and such other sources of funds and revenues as the Village may, from time to time, deem appropriate. The Village may incur Redevelopment Project Costs, which are paid for from funds of the

Village other than incremental taxes, and the Village may then be reimbursed for such costs from incremental taxes.

The Area is not presently contiguous to any other redevelopment project areas. The Area may, in the future, be contiguous to, or be separated only by a public right-of-way from, other redevelopment project areas created under the Act. The Village may utilize net incremental property taxes received from the Area to pay eligible project costs, or obligations issued to pay such costs, in other contiguous redevelopment project areas, or those separated only by a public right-of-way, and vice versa. The amount of revenue from the Area, made available to support such contiguous redevelopment project areas, or those separated only by a public right-of-way, when added to all amounts used to pay eligible Redevelopment Project Costs within the Area, shall not at any time exceed the total Redevelopment Project Costs described in this Plan.

Development of the Area would not be reasonably expected to occur without the use of the incremental revenues provided by the Act. Redevelopment project costs include those eligible project costs set forth in the Act. Tax increment financing or other public sources will be used only to the extent needed to secure commitments for private redevelopment activity.

Nature and Term of Obligations to be Issued

The Village may issue obligations secured by the tax increment special tax allocation fund established for the Area pursuant to the Act or such other funds or security as are available to the Village by virtue of its powers, available under the Act, pursuant to the Illinois State Constitution.

All obligations issued by the Village in order to implement this Plan shall be retired not later than December 31 of the year in which the payment to the municipal treasurer as provided in Section 8(b) of the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted. The final maturity date of any such obligations which are issued may not be later than twenty (20) years from their respective dates of issuance. One or more series of obligations may be sold at one or more times in order to implement this Plan. The Village may also issue obligations to a developer as reimbursement for project costs incurred by the developer on behalf of the Village.

Revenues shall be used for the scheduled and/or early retirement of obligations, and for reserves, bond sinking funds and redevelopment project costs, and, to the extent that the real property tax increment is not used for such purposes, shall be declared surplus and shall then become available for distribution annually to taxing districts in the Area in the manner provided by the Act.

Most Recent Equalized Assessed Valuation

The purpose of identifying the most recent equalized assessed valuation ("EAV") of the Area is to provide an estimate of the initial EAV, which the DuPage County Clerk will certify for the purpose of annually calculating the incremental EAV and incremental property taxes of the Area. The 2000 EAV for the three tax parcels included in the Area is \$2,786,700. The current EAV of each parcel is shown in Table 2, EAV by PIN:

Table 2
EAV BY PIN

PIN #	2000 EAV
03-25-100-020	\$120,640
03-25-100-023	\$203,870
03-25-100-024	\$2,462,190
Total	\$2,786,700

The EAV is subject to verification by the DuPage County Clerk. After verification, the final figure shall be certified by the DuPage County Clerk, and shall become the Certified Initial EAV from which all incremental property taxes in the Area will be calculated by DuPage County.

This Plan has utilized EAV values for the 2000 tax year. If the 2001 EAV values become available prior to the date of the adoption of this Plan by the Village Board, the Board may update the Plan by replacing the 2000 EAV with the 2001 EAV.

Anticipated Equalized Assessed Valuation

Once the redevelopment project has been completed and the property is fully assessed, the EAV of real property within the Area is estimated at \$4.2 million. This estimate has been calculated assuming that the Area will be developed in accordance with *Figure 3: General Land Use Plan*, of this Plan.

The estimated EAV assumes that the assessed value of property within Area will increase substantially as a result of new development, rehabilitation of existing properties and public improvements within the Area.

Calculation of the estimated EAV is based on several assumptions, including: 1) redevelopment of the Area will occur in a timely manner, 2) a state multiplier of 1.0 for DuPage County, 3) an average tax rate of \$6.13 per \$100 in EAV for taxable property in the Area, and 4) an annual assessment increase factor of 3.0%.

Financial Impact on Taxing Districts

The Act requires an assessment of any financial impact of the Area on, or any increased demand for services from, any taxing district affected by the Plan and a description of any program to address such financial impacts or increased demand. The Village intends to monitor development in the Area and with the cooperation of the other affected taxing districts will attempt to ensure that any increased needs are addressed in connection with any particular development.

The following tax districts levy taxes on property in the Area:

- Village of Bensenville
- DuPage County

- DuPage County Health Department
- DuPage County Forest Preserve District
- DuPage Airport Authority
- Addison Township
- Addison Township Road
- Unit School District 205
- College of DuPage District 502
- Bensenville Park District
- Bensenville Library District

The DuPage County Water Commission has no tax levy at the present time.

The proposed revitalization of the Area will not result in new residential development that would increase demand for schools, parks and other population-based services. Thus, no new demand for residential services provided by the Village, the local school districts, the park district, or the library district is anticipated. Since the area is already being used for retail purposes, no additional demands on Village police and fire services are expected.

Redevelopment of the Area may result in changes to the level of required public services. The need for such services will depend upon the uses that are ultimately included within the Area. Although the specific nature and timing of the private investment expected to be attracted to the Area cannot be precisely quantified at this time, a general assessment of financial impact can be made based upon the level of development and timing anticipated by the proposed Plan.

When completed, developments in the Area will generate property tax revenues for all taxing districts. Other revenues may also accrue to the Village in the form of sales tax, business fees and licenses, and utility user fees. The costs of some services such as water and sewer service, building inspections, etc. are typically covered by user charges. However, others are not and should be subtracted from the estimate of property tax revenues to assess the net financial impact of the Plan on the affected taxing districts.

For the taxing districts levying taxes on property within the Area, increased service demands are expected to be negligible because they are already serving the Area. Upon completion of the Plan, all taxing districts are expected to share the benefits of a substantially improved tax base.

It is expected that any increase in demand for the services and programs of the aforementioned taxing districts, associated with the Area, can be adequately handled by the existing services and programs maintained by these taxing districts. Therefore, at this time, no special programs are proposed for these taxing districts. Should demand increase so that it exceeds existing service and program capabilities, the Village will work with the affected taxing districts to determine what, if any, program is necessary to provide adequate services.

Real estate tax revenues resulting from increases in the EAV, over and above the certified initial EAV established with the adoption of this Plan, will be used to pay eligible redevelopment costs in the Area. Following termination of the Area, the real estate tax revenues, attributable to the increase in the EAV over the certified initial EAV, will be distributed to all taxing districts levying taxes against property located in the Area. Successful implementation of this Plan is

expected to result in new development and private investment on a scale sufficient to overcome blighted conditions and substantially improve the long-term economic value of the Area.

Completion of the Redevelopment Project and Retirement of Obligations to Finance Redevelopment Project Costs

This Plan will be completed, and all obligations issued to finance redevelopment costs shall be retired, no later than December 31st of the year in which the payment to the Village treasurer as provided in the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year following the year in which the ordinance approving this Plan is adopted (By December 31, 2025).

10. PROVISIONS FOR AMENDING THE REDEVELOPMENT PLAN

This Plan may be amended pursuant to the provisions of the Act.

11. VILLAGE OF BENSENVILLE COMMITMENT TO FAIR EMPLOYMENT PRACTICES AND AFFIRMATIVE ACTION

As part of any Redevelopment Agreement entered into by the Village and the private developer, both will agree to establish and implement an affirmative action program that serves appropriate sectors of the Village. With respect to this Plan, the Village is committed to and will affirmatively implement the assurance of equal opportunity in all personnel and employment actions, including, but not limited to, hiring, training, transfer, promotion, discipline, fringe benefits, salary, employment working conditions, termination, etc., without regard to race, color, religion, sex, age, handicapped status, national origin, creed or ancestry.

Anyone involved with employment or contracting activities in connection with this Plan will be responsible for conformance with this policy and the compliance requirements of applicable state and federal regulations.

The Village and the private developers involved in the implementation of this Plan will adopt a policy of equal employment opportunity and will include or require the inclusion of this statement in all contracts and subcontracts at any level for this project being undertaken in the Area. Any public/private partnership established for the development project in the Area will seek to ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which employees are assigned to work. It shall be specifically ensured that all on-site supervisory personnel are aware of and carry out the obligation to maintain such a working environment, with specific attention to minority and/or female individuals. The partnership will utilize affirmative action to ensure that business opportunities are provided and that job applicants are employed and treated in a nondiscriminatory manner.

APPENDIX A
GRAND/YORK
REDEVELOPMENT PROJECT AREA

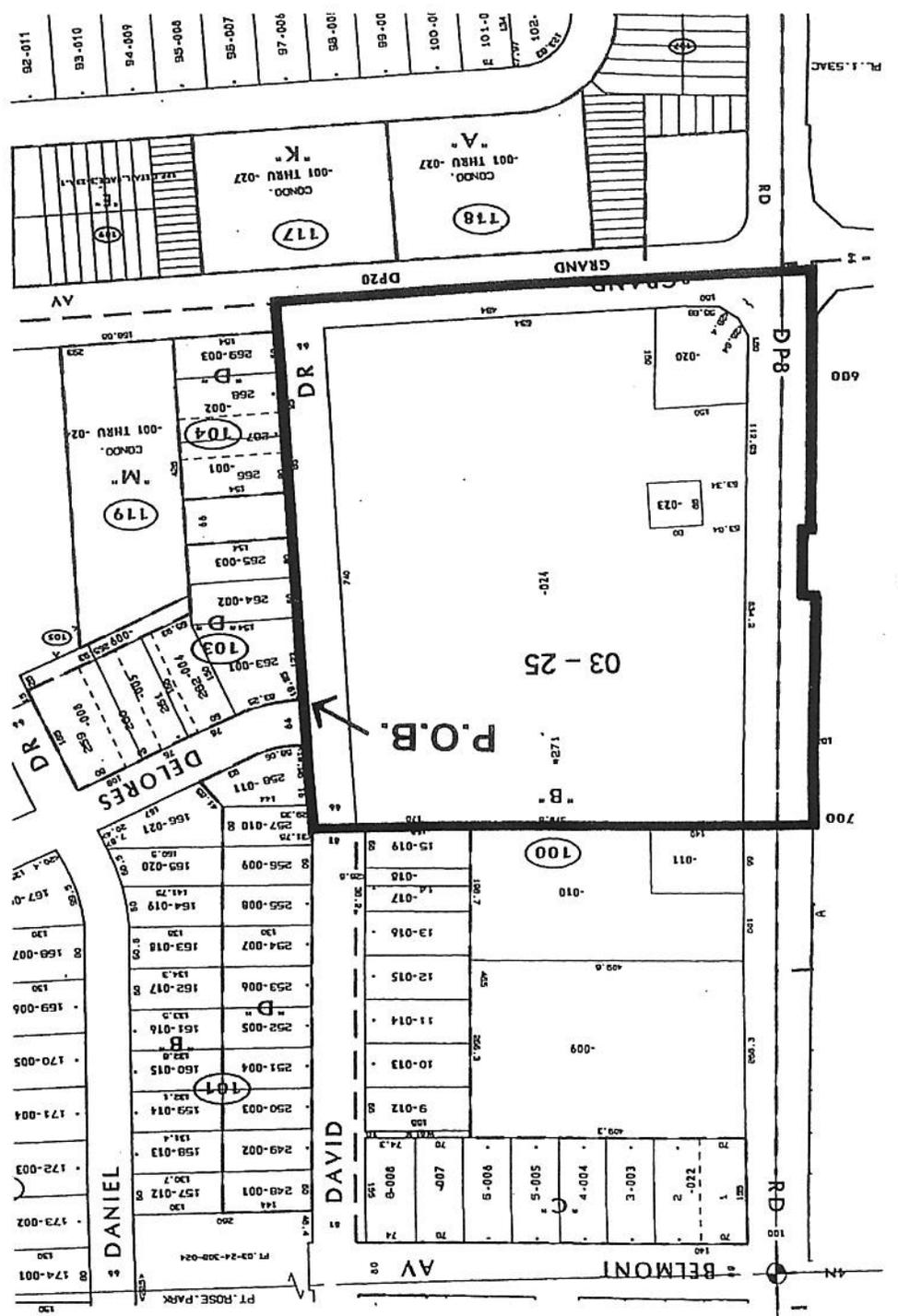
FIGURES 1 - 3

BOUNDARY MAP

LEGEND

AREA BOUNDARY

P.O.B. = LEGAL DESCRIPTION
POINT OF BEGINNING



TIF #11

GRAND/YORK REDEVELOPMENT PROJECT AREA

Village of Bensenville, IL

CAMIROS

Planning, Zoning, Economic Development, Landscapes And Interiors
411 South Wolf Street, Chicago, Illinois 60607 Phone: (312) 922-2211



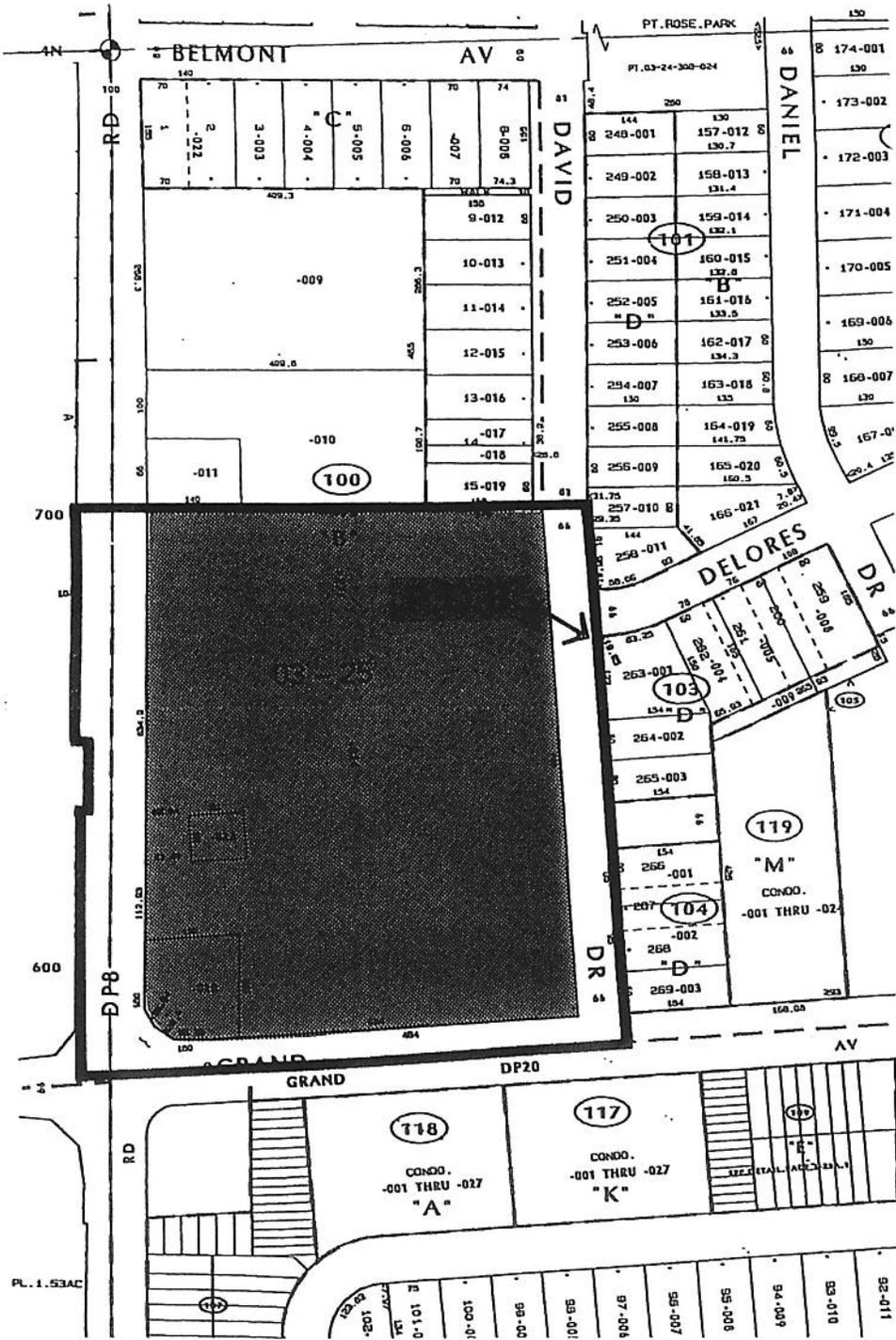
N.T.S.

EXISTING LAND USE

LEGEND

-  AREA BOUNDARY
-  COMMERCIAL

P.O.B. = LEGAL DESCRIPTION
POINT OF BEGINNING



TIF #11
GRAND/YORK REDEVELOPMENT PROJECT AREA

Village of Bensenville, IL

N. T. S. 

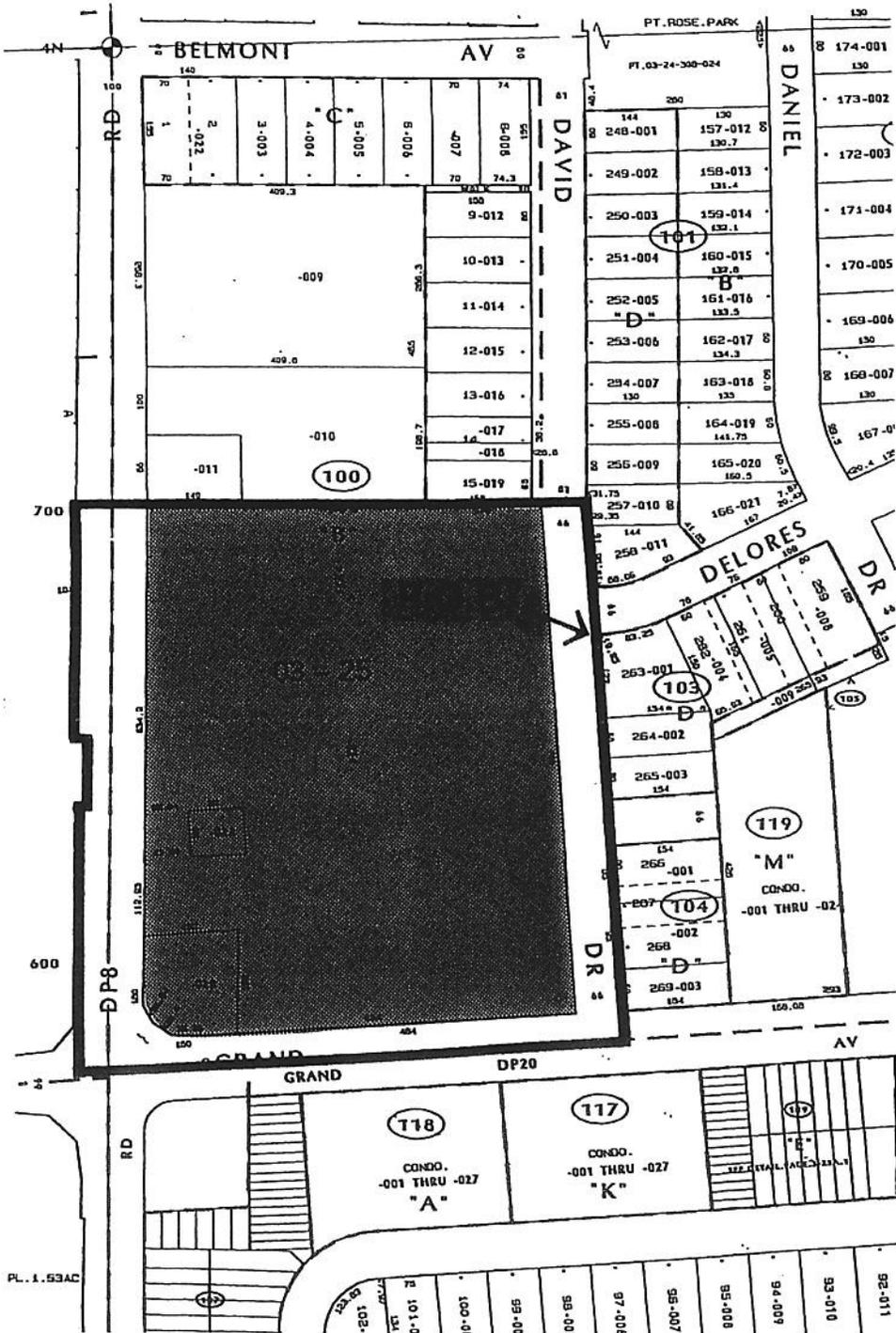
CAMIROS
Planning, Zoning, Economic Development, Landscape Architecture
411 South Wells Street, Chicago, Illinois 60607 Phone (312) 922-6211

GENERAL LAND USE PLAN

LEGEND

-  AREA BOUNDARY
-  COMMERCIAL

P.O.B. = LEGAL DESCRIPTION POINT OF BEGINNING



TIF #11
 GRAND/YORK REDEVELOPMENT PROJECT AREA

Village of Bensenville, IL

N. T. S. 

CAMIROS
 Planning, Zoning, Economic Development, Landscape Architecture
 411 South Wells Street, Chicago, Illinois 60607 Phone: (312) 922-6211

APPENDIX B

GRAND/YORK REDEVELOPMENT PROJECT AREA BENSENVILLE TIF #11

LEGAL DESCRIPTION

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 263 IN CANTRELL'S RESUBDIVISION OF LOTS 248 TO 269, A RESUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER 835958, SAID NORTHWEST CORNER BEING ALSO THE POINT OF INTERSECTION OF THE EAST LINE OF DAVID DRIVE WITH THE SOUTH LINE OF DELORES DRIVE;

THENCE SOUTH ALONG THE EAST LINE OF SAID DAVID DRIVE AND ALONG THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 589.00 FEET, MORE OR LESS, TO THE CENTER LINE OF GRAND AVENUE;

THENCE WEST ALONG SAID CENTERLINE OF GRAND AVENUE AND ALONG THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 734.00 FEET, MORE OR LESS, TO A LINE PERPENDICULAR TO SAID WESTERLY EXTENSION OF GRAND AVENUE, SAID LINE HAVING A SOUTHERLY TERMINUS ON SAID WESTERLY EXTENSION AND A NORTHERLY TERMINUS AT THE SOUTHERLY MOST, SOUTHEAST CORNER OF LOT 18 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 465944, SAID SOUTHEAST CORNER OF LOT 18 BEING 148.69 FEET, MORE OR LESS, EAST OF THE SOUTHWEST CORNER OF SAID LOT 18;

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 18 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A DISTANCE OF 48.04 FEET, TO THE EASTERLY MOST, SOUTHEAST CORNER OF SAID LOT 18;

THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 18 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A DISTANCE OF 56.07 FEET TO AN ANGLE POINT IN THE EASTERLY LINE OF SAID LOT 18, SAID EASTERLY LINE OF LOT 18 BEING ALSO THE WESTERLY LINE OF YORK ROAD;

THENCE CONTINUING NORTH ALONG THE EAST LINE OF LOT 18 AND

ALONG THE EAST LINE OF LOTS 17 AND 16, ALL IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, SAID EAST LINE OF LOTS 18, 17 AND 16 BEING ALSO THE WEST LINE OF YORK ROAD, A DISTANCE OF 265.67 FEET, MORE OR LESS, TO THE SOUTH LINE OF LOT 15 IN SAID ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5;

THENCE EAST ALONG SAID SOUTH LINE OF LOT 15 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A DISTANCE OF 5.00 FEET, MORE OR LESS, TO THE EAST LINE OF SAID LOT 15, SAID EAST LINE OF LOT 15 BEING ALSO THE WEST LINE OF YORK ROAD;

THENCE NORTH ALONG SAID EAST LINE OF LOT 15, A DISTANCE OF 100.00 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID LOT 15;

THENCE WEST ALONG THE NORTH LINE OF SAID LOT 15 IN THE ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, A DISTANCE OF 20.00 FEET, MORE OR LESS, TO THE EAST LINE OF LOT 14 IN SAID ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 5, SAID EAST LINE OF LOT 14 BEING ALSO THE WEST LINE OF YORK ROAD;

THENCE NORTH ALONG SAID WEST LINE OF YORK ROAD, A DISTANCE OF 400.00 FEET, MORE OR LESS, TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 15 IN CANTRELL BROTHERS RESUBDIVISION, A RESUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 909040;

THENCE EAST ALONG SAID WESTERLY EXTENSION, AND THE SOUTH LINE OF AFORESAID LOT 15 IN CANTRELL BROTHERS RESUBDIVISION AND ALONG THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 745.80 FEET, MORE OR LESS, TO THE EAST LINE OF DAVID DRIVE;

THENCE SOUTH ALONG SAID EAST LINE OF DAVID DRIVE, A DISTANCE OF 155.50 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN DU PAGE COUNTY, ILLINOIS.

CONTAINING 570,153 SQUARE FEET (13.08891 ACRES) OF LAND, MORE OR LESS.

APPENDIX C

GRAND/YORK REDEVELOPMENT PROJECT AREA

ELIGIBILITY STUDY

The purpose of this analysis is to determine whether a portion of the Village of Bensenville identified as the Grand/York Redevelopment Project Area qualifies for designation as a tax increment financing district pursuant to the "Tax Increment Allocation Redevelopment Act" (65 ILCS 5/11-74.4-1 et seq.), as amended (the "Act"). This legislation focuses on the elimination of blight or rapid deterioration through the implementation of a redevelopment plan. The Act authorizes the use of tax increment revenues derived in a redevelopment project area for the payment or reimbursement of eligible redevelopment project costs.

The area proposed for designation as the Grand/York Redevelopment Project Area is hereinafter referred to as the "Study Area" and is shown in Figure A.

The Study Area is approximately 13.1 acres in size. The Study Area consists of three tax parcels (03-25-100-020, 03-25-100-023 and 03-25-100-024) and adjacent street rights-of-way. The property contains the Brentwood Commons shopping center and two outlots. One outlot contains a Shell gas station built in 1971. The other outlot contains a branch bank built in 1976.

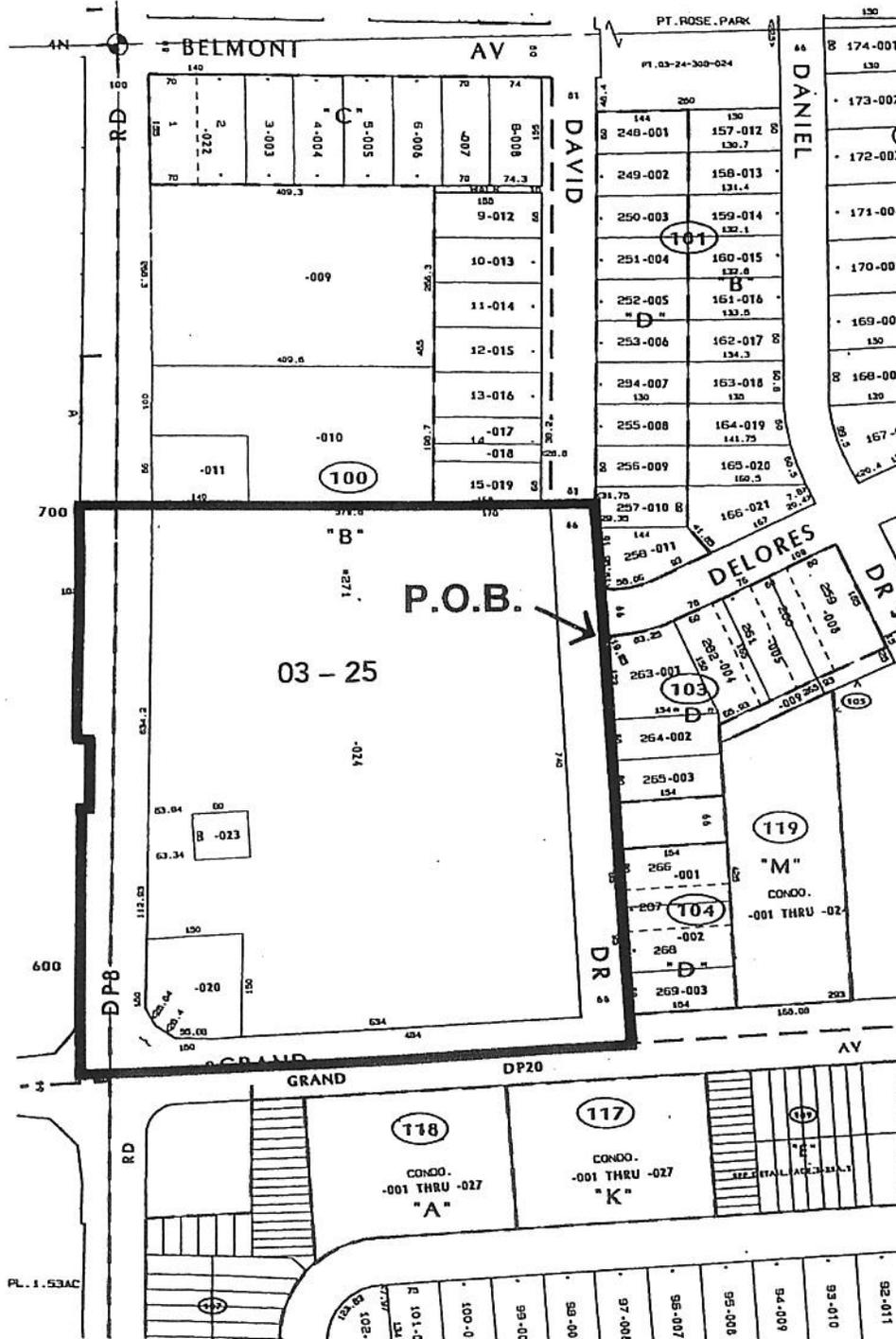
This report summarizes the analyses and findings of the consultant's work, which, unless otherwise noted, is solely the responsibility of Camiros, Ltd. and does not necessarily reflect the views and opinions of potential developers or the Village. However, the Village is entitled to rely on the findings and conclusions of this report in designating the Study Area as a redevelopment project area under the Act.

FIGURE 7
STUDY AREA BOUNDARY MAP

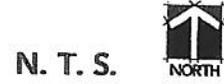
LEGEND



P.O.B. = LEGAL DESCRIPTION
POINT OF BEGINNING



TIF #11
GRAND/YORK REDEVELOPMENT PROJECT AREA
Village of Bensenville, IL



CAMIROS
Planning, Zoning, Economic Development, Landscape Architecture
411 South Wells Street, Chicago, Illinois 60607 Phone (312) 922-9211

1. INTRODUCTION

The Tax Increment Allocation Redevelopment Act permits municipalities to induce redevelopment of eligible "blighted," "conservation" or "industrial park conservation areas" in accordance with an adopted redevelopment plan. The Act stipulates specific procedures which must be adhered to in designating a redevelopment project area. One of those procedures is the determination that the area meets the statutory eligibility requirements. At 65 Sec 5/11-74.4-3(p), the Act defines a "redevelopment project area" as:

... an area designated by the municipality, which is not less in the aggregate than 1-1/2 acres, and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or combination of both blighted areas and conservation areas.

In adopting the Act, the Illinois General Assembly found:

1. (at 65 Sec 5/11-74.4-2(a)) That there exists in many municipalities within the State blighted and conservation areas...; and
2. (at 65 Sec 5/11-74.4-2(b)) That the eradication of blighted areas and the treatment and improvement of conservation areas by redevelopment projects is hereby declared to be essential to the public interest.

The legislative findings were made on the basis that the presence of blight, or conditions which lead to blight, is detrimental to the safety, health, welfare and morals of the public. The Act specifies certain requirements which must be met before a municipality may proceed with implementing a redevelopment project in order to ensure that the exercise of these powers is proper and in the public interest.

Before the tax increment financing technique can be used, the municipality must first determine that the proposed redevelopment area qualifies for designation as a "blighted area," "conservation area," or an "industrial park conservation area." Based on the conditions present, this eligibility report finds that the Study Area qualifies for designation as a conservation area.

Conservation Areas

Conservation areas are areas that are rapidly deteriorating and declining. Such areas are not yet blighted, but soon may become blighted areas if their decline is not checked. Establishing an area as a "conservation area" under the Act requires that *50% or more* of the structures in the area

most 50 years of age or older, and the meaningful presence and reasonable distribution of three or more of the following 13 factors for an improved area:

- Dilapidation
- Obsolescence
- Deterioration
- Presence of structures below minimum code standards
- Illegal use of individual structures
- Excessive vacancies
- Lack of ventilation, light or sanitary facilities
- Inadequate utilities
- Excessive land coverage and overcrowding of structures and community facilities
- Deleterious land use or layout
- Environmental clean-up requirements
- Lack of community planning
- Declining or stagnant equalized assessed value

The Act defines conservation areas and 1999 amendments to the Act also provide guidance as to when the factors present qualify an area for such designation. Where any of the factors identified above are found to be present in a Study Area, they must be 1) documented to be present to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and 2) reasonably distributed throughout the Study Area.

The test of eligibility of the Study Area is based on the conditions of the area as a whole. The Act does not require that eligibility be established for each and every property in the Study Area.

2. ELIGIBILITY STUDIES AND ANALYSIS

An analysis was undertaken to determine whether any or all of the factors listed in the Act that determine that a conservation area exists are present in the Study Area and, if so, to what extent and in which locations.

In order to accomplish this evaluation the following tasks were undertaken:

1. Survey of the condition and use of each building.
2. Field survey of environmental conditions involving parking facilities, public infrastructure, site access, fences and general property maintenance.
3. Analysis of existing land uses and their relationships.
4. Comparison of surveyed buildings to zoning regulations.
5. Analysis of the current platting, building size and layout.
6. Analysis of building floor area and site coverage.
7. Review of previously prepared plans, studies, inspection reports and other data.
8. Analysis of real estate assessment data.
9. Review of fire and building code violation reports.

A building condition survey and a site conditions survey of the Study Area were undertaken in January and February 2001. The Study Area consists of three tax parcels that contains a retail shopping center in two buildings and two other small commercial buildings.

Where a factor is described as being present, the factor is present throughout significant portions of the Study Area. The presence of such conditions have a major adverse impact or influence on adjacent and nearby property. A statement that a factor is *not present* indicates that either no information was available or that no evidence was documented as a result of the various surveys and analyses. Factors whose presence could not be determined with certainty were not considered in establishing eligibility.

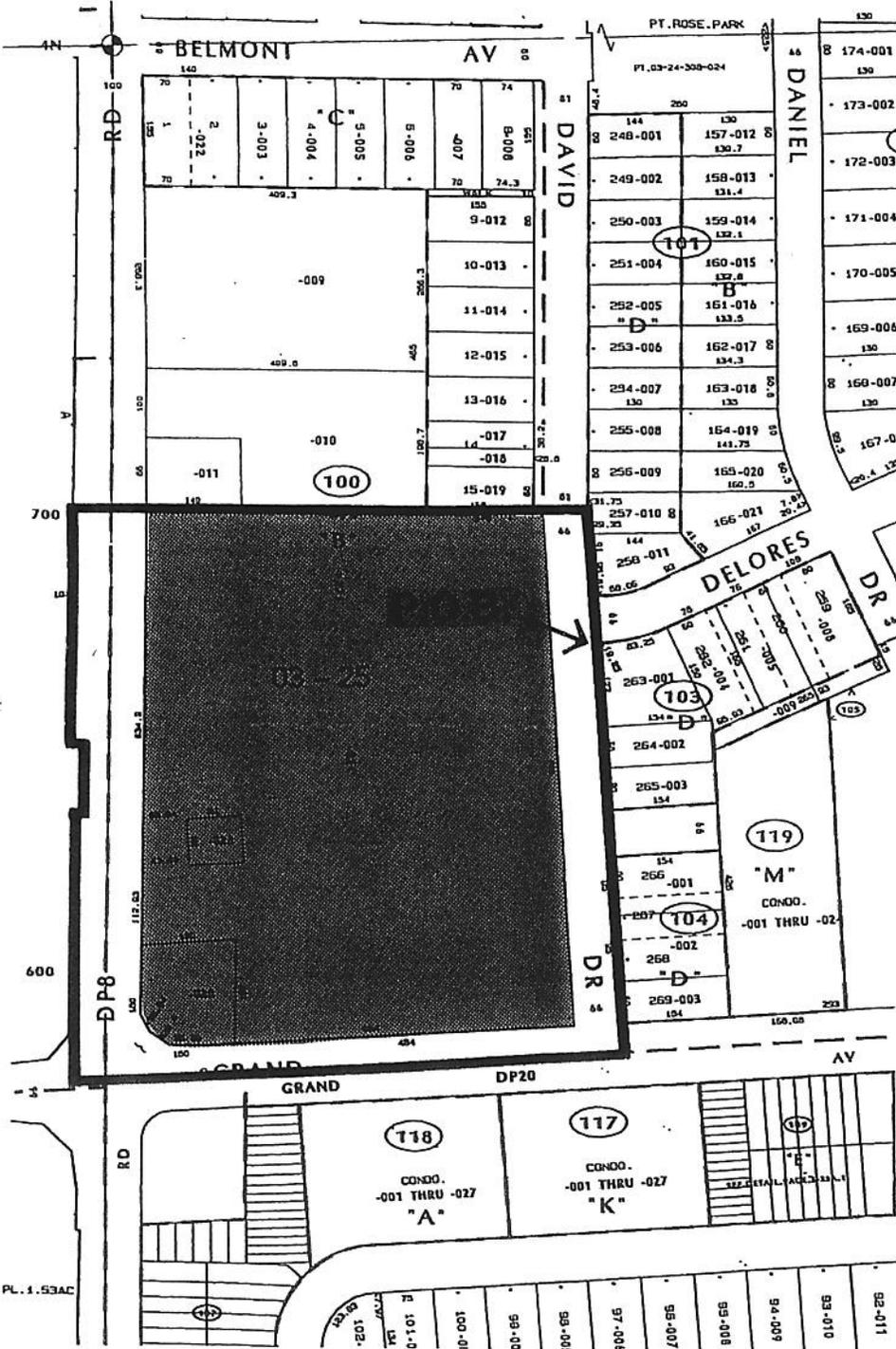
Each factor identified in the Act for determining whether an area qualifies as a conservation area is discussed in the next section and a conclusion is presented as to whether or not the factor is present in the Study Area to a degree sufficient to warrant its inclusion in establishing the eligibility of the area as a "conservation area" under the Act. These findings describe the conditions that exist and the extent to which each factor is present.

EXISTING LAND USE

LEGEND

-  AREA BOUNDARY
-  COMMERCIAL

P.O.B. = LEGAL DESCRIPTION
POINT OF BEGINNING



TIF #11
GRAND/YORK REDEVELOPMENT PROJECT AREA

Village of Bensenville, IL

N. T. S. 

CAMIROS

Planning, Zoning, Economic Development, Landscape Architecture
411 South Wab Street, Chicago, Illinois 60607 Phone (312) 922-9211

3. PRESENCE AND DISTRIBUTION OF ELIGIBILITY FACTORS

Property within the Study Area consists entirely of developed land. Improved property includes parcels that contain buildings, structures, parking or other physical improvements. Improved property may include single parcels or multiple parcels under single or common ownership. Landscaped yards, open space or other ancillary functions may also be classified as improved property for the purposes of the eligibility analysis if they are obviously accessory to an adjacent building/primary use.

In order to establish the eligibility of a redevelopment project area under the “conservation area” criteria established in the Act, at least 50% of the buildings within the Study Area must be 35 years of age or older. In addition, three of 13 eligibility factors must be meaningfully present and reasonably distributed throughout the Study Area.

This eligibility study finds that the Study Area qualifies for designation as a “conservation area.” The Brentwood Commons Shopping Center, which contains two principal buildings, was built in 1963. These buildings are substantially larger than the two smaller commercial structures located on the shopping center’s two outlots, which were built in the 1970’s. Thus the minimum 50% threshold required by the Act for designation as a conservation area has been met. Additionally, seven of the conditions cited in the Act with respect to improved property are meaningfully present and reasonably distributed within the Study Area. Three are required. The conditions present within the Study Area are: obsolescence, deterioration, presence of structures below minimum code standards, excessive vacancies, inadequate utilities, environmental clean-up requirements and lack of community planning. These factors are well distributed throughout the Study Area.

The presence and distribution of all eligibility factors are discussed below. Following the discussion of age, the thirteen conditions that were analyzed with respect to the improved property are presented in two sections: factors present within the Study Area and factors not found to be present or whose presence could not be determined.

Age

The age of a structure is often a key indicator of the relative usefulness of a piece of property. Older structures frequently require extensive maintenance in order to maintain mechanical systems or structural integrity. The costs involved in maintaining and upgrading aging buildings often create adverse impacts on existing users and create impediments to the marketability and reuse of structures.

In establishing a conservation area under the Act, 35 years is used as an indication of the point at which age becomes a potentially blighting factor with respect to structures within a study area.

For buildings intended for long-term occupancy, this is the point at which building systems can be expected to begin to fail and building types may become obsolete as a result of changing technology or use requirements.

The Brentwood Commons Shopping Center, built in 1963, contains two principal buildings with approximately 107,000 square feet of building area. The east building contains a 38,000 square foot Dominick's food store as its anchor and several smaller shops. A pharmacy serves as the anchor for the north building that also contains a number of smaller retail spaces. The gas station building is approximately 2,500 square feet in size and was built in 1971. The branch banking facility was built in 1976 and contains approximately 3,600 square feet of floor area. While the Act does not refer to building size in applying the age test, it should be noted that the two buildings that meet the age requirement are substantially larger than the other two buildings in the Study Area. Within the Study Area, 50% of buildings are more than 35 years old. Thus the minimum age threshold for designation of a conservation area is met.

The following discussion describes the extent to which each of the 13 eligibility factors for designation of a conservation area are present within the Study Area.

Factors Present within the Study Area

Obsolescence

Obsolescence refers to the condition, or process, of falling into disuse as evidenced by structures that have become ill-suited for their original use. Functional obsolescence is characterized by buildings designed for a single, or specific, purpose or use, buildings of inadequate size to accommodate alternative uses, or buildings using a type of construction that limits long term use and marketability. Site improvements such as water and sewer lines, public utility lines, roadways, parking areas, parking structures, sidewalks, curbs and gutters, and lighting may be inadequate or obsolete in relation to contemporary standards for such improvements. Functional obsolescence includes poor design or layout, improper orientation of the building on the site, inadequate loading facilities, height or other factors which detract from the overall usefulness or desirability of the property. As an inherent deficiency, functional obsolescence results in a loss of property value.

Economic obsolescence may be evidenced by a variety of factors including deterioration of the physical environment, streets of inadequate width, or parcels of inadequate size or irregular shape which prevent reasonable development. This condition is often a result of adverse conditions, which cause some degree of market rejection and, therefore, a depreciation of market values.

Obsolescence is present to a major extent within the Study Area. The shopping center was built in 1963, and no longer meets the requirements of national retailers who would normally be expected to locate in this type of shopping center. The center contains a number of marginal retail uses, with sales that are far below industry standards for similar uses.

The Dominick's grocery store is approximately 38,000 square feet, only about half the size of a new Dominick's. This facility is particularly obsolete with respect to modern grocery store operations.

Site improvements are obsolete with respect to contemporary standards for such development. Brentwood Commons lacks parking lot landscaping and any provision for stormwater detention. Both are typical requirements for today's shopping center developments. Functional obsolescence is also evident with respect to the off-street loading facilities for the Dominick's and other retail users.

Deterioration

This condition is present when there are physical deficiencies in buildings or surface improvements requiring treatment or repair. Any deficiency beyond normal maintenance qualifies as deterioration. Moderate levels of deterioration may be present in basically sound buildings that contain defects that can be corrected. More advanced deterioration that is not easily correctable and cannot be accomplished during the course of normal maintenance may also be evident. Advanced deterioration is clearly a greater blighting influence. Consequently, the incidence of advanced deterioration need not be widespread to qualify this condition as being present to a major extent. Examples of conditions that indicate deterioration include buildings that are not weather-tight, loose or missing materials, defects in exterior walls, rusted support beams and columns, and deteriorated roofs requiring replacement or major repair. Such defects may involve either primary building components (foundations, walls, roofs) or major defects in secondary building components (doors, windows, porches, fascia materials, gutters and downspouts). In terms of surface improvements, including sidewalks, off-street parking and surface storage areas, deterioration may take the form of surface cracking, loose paving material, depressions, streets with pitted pavement/potholes, crumbling curbs, crumbled or heaved sidewalks and pavement, and weeds protruding through paved surfaces.

Deterioration was found to be present within the Study Area to a major extent with respect to surface improvements and buildings. The north building of the shopping center is in need of tuckpointing. The HVAC units that serve the two main buildings in the Brentwood Commons shopping center are deteriorated and require replacement. All of the buildings in the Study Area showed evidence of deteriorated wooden siding and peeling paint. In addition, the canopy supports for the Dominick's entrance is rusted. Deteriorated floor tiles and ceiling tiles were observed throughout the Dominick's store, as were rusted HVAC vents and the ceiling tile support framework.

Asphalt pavement throughout the Study Area is also deteriorated. The most deteriorated pavements were found in the rear of center in loading areas and on the gas station lot. The wooden fence that screens the center from the residences on the east side of David Drive is also deteriorated in places.

Presence of Structures Below Minimum Code Standards

This factor is present when structures do not conform with local standards of building, fire, housing, zoning, subdivision or other applicable governmental codes, but not including housing and property maintenance codes. Structures below minimum code standards include all buildings which do not meet the standards of zoning, subdivision, building, housing, fire, property maintenance or other governmental codes applicable to the property. The principal purposes of such codes are to require that buildings be constructed in such a way that they can sustain the

loads expected from the type of occupancy and are safe for occupancy against fire and similar hazards, and/or to establish minimum standards for safe and sanitary habitation. Buildings below minimum code are characterized by defects or deficiencies which threaten health and safety.

This factor is present to a major extent with respect to fire code and building code violations. A review of fire code and building code violations between 1996 and 2000 shows that the Brentwood Commons shopping center including common areas and retail stores averaged 19 fire code violations and two building code violations for each of the last five years. While the gas station and the banking facility were not cited with building code violations during this period, they both have periodically been cited fire code violations. The distribution of fire and building code violations within the Study Area by year is shown in Table A.

Table A
FIRE AND BUILDING CODE VIOLATION HISTORY

Year	Fire Code Violations	BOCA Building Code Violations
2000	8	2
1999	18	3
1998	22	1
1997	32	3
1996	27	1

Source: Village of Bensenville

Excessive Vacancies

This condition is present when buildings are vacant, or partially vacant, such that they are underutilized and represent an adverse influence on the Study Area because of the frequency, extent or duration of the vacancies. Excessive vacancies can also be evidenced by vacant lots. The presence of buildings or sites which are unoccupied or underutilized generally signifies a lack of economic viability of the property and, by extension, of the surrounding area. Excessive vacancies include abandoned properties which evidence no apparent effort directed toward their occupancy or utilization. A relatively small amount of vacant/abandoned property can affect the value and perceived viability of the surrounding area. Consequently, the presence of this condition would represent a significant blighting influence.

This factor is present to a major extent within the Study Area. Six of the 21 retail spaces (28%) in the Brentwood Commons shopping center are currently vacant. While these retail spaces represent only about 10% of the total square footage in the center, there are several other businesses that represent marginal uses, with sales that are far below industry standards for similar uses. Three of the six vacant retail spaces have been vacant since 1998; another has been vacant for two years. Because of the condition of the center, it is unlikely that new national retailers can be attracted, and vacancies can be expected to increase as current uses begin to fail.

Inadequate Utilities

This factor exists in the absence of one or more of the following utilities serving the site: gas, electricity, telephone, water, sanitary sewer, storm sewer or storm drainage. This factor is also

present when the existing utilities are inadequate to accommodate the level of development permitted under current zoning or envisioned under the comprehensive plan, or adopted redevelopment plan, for the area.

This factor is present to a major extent with respect to property included in the Study Area. The shopping center was developed without any provision for storm water drainage, which is no longer acceptable in Bensenville or DuPage County. No significant improvements or redevelopment within the Study Area is possible without adding storm water detention facilities.

More importantly, however, the water main and water system for the shopping center doesn't meet fire code requirements. In the event of a major fire there would be insufficient pressure to ensure containment.

Environmental Clean-Up Requirements

This factor is considered present when property has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for the clean-up of hazardous waste, hazardous substances or underground storage tanks required by state or federal law, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for such clean-up. In order for this eligibility factor to apply, the remediation costs must constitute a material impediment to the development, or redevelopment, of the redevelopment project area.

This factor is present to a limited extent with respect to certain past and present uses in the Brentwood Commons shopping center. The major areas of concern include the dry cleaners, which is currently undergoing environmental remediation, and the Dominick's store that contains some asbestos.

Lack of Community Planning

This factor is present if the proposed redevelopment project area developed prior to, or without the benefit and guidance of, a community plan. This means that the area was developed prior to the adoption of a comprehensive or other community plan by the municipality or that the plan was not followed at the time of the area's development. The presence of this condition 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 modern development standards, or other evidence demonstrating an absence of effective community planning.

This factor is also indicated when there are inadequate public utilities, or plans for utility improvements, that would allow the property to be developed in accordance with the intensity of use identified in the municipality's comprehensive plan or zoning ordinance, or other economic development plans for the area. This factor is also present if public improvements serving the site, including streets, streetlights and other utility systems, do not meet current municipal standards. Similarly, lack of community planning is indicated if private improvements, including parking lots, screening and organization of buildings within the site, do not meet accepted community development standards.

Lack of community planning is present to a major extent within the Study Area. Brentwood Commons is woefully inadequate with respect to contemporary development standards for neighborhood shopping centers of this type. York Road and Grand Avenue are both major arterial streets that carry two lanes of traffic in each direction. While the York and Grand intersection is signalized with left turn arrows in each direction, the shopping center not only lacks a traffic signal for access, but also lacks left turn lanes at any of its entrances. The only left turn lane in the immediate vicinity of Brentwood Commons provides access from Grand Avenue to David Drive, which is the eastern boundary of the Study Area. While this entrance is used by trucks delivering goods to Dominick's and other stores in the center, the angled automobile parking at the southern end of the center is oriented to traffic exiting the center onto David Drive.

Truck parking and loading facilities are also deficient, especially with respect to the Dominick's food store. During the field survey and conditions analysis, several large trucks were parked in the main parking lot designed for automobiles because there was inadequate loading and standing space in the rear of the center, where such activities would normally occur.

Factors Found Not To Be Present or Whose Presence Could Not Be Determined

Dilapidation

Dilapidation exists when buildings are in an advanced state of disrepair and neglect of necessary repairs to the primary structural components of buildings results in the necessity of major repairs or demolition. Exterior building surveys revealed no buildings or structures of such an advanced state of disrepair to make a finding of dilapidation.

Illegal Use of Individual Structures

This factor is present when structures are used in violation of federal, state or local laws. Exterior building and land use surveys of the Study Area revealed no illegal land uses.

Excessive Land Coverage and Overcrowding of Structures and Community Facilities

This factor refers to the over-intensive use of property and the crowding of buildings and accessory facilities onto a site. This condition is present when buildings occupy all, or most, of the lot, leaving little or no space for off-street parking, off-street loading and open space amenities. Problem conditions include buildings that are improperly situated on the parcel, the presence of multiple buildings on a single parcel, or buildings that are located on parcels of inadequate size and shape in relation to contemporary standards of development for health or safety. For there to be a finding of excessive land coverage, parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of the spread of fires due to the close proximity of nearby buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service. Excessive land coverage frequently has an adverse or blighting influence on nearby development.

This factor was not found to be present to a major extent within the Study Area. Issues related to inadequate truck loading and staging areas have been addressed in the discussions of obsolescence and lack of community planning.

Lack of Ventilation, Light, or Sanitary Facilities

Conditions, such as lack of indoor plumbing or lack of adequate windows or other means of providing ventilation or light, can negatively influence the health and welfare of a building's residents or users. Typical requirements for ventilation, light, and sanitary facilities include:

- Adequate mechanical ventilation for air circulation in rooms without windows, such as bathrooms, and dust, odor, or smoke producing activity areas.
- Adequate natural light and ventilation by means of skylights or windows for interior rooms with proper window sizes and amounts by room area to window area ratios.
- Adequate sanitary facilities, including garbage storage, bathroom facilities, hot water and kitchens.

This factor is not present to a degree sufficient to warrant its inclusion as a blighting factor present within the Study Area.

Excessive Land Coverage and Overcrowding of Structures and Community Facilities

This factor refers to the over-intensive use of property and the crowding of buildings and accessory facilities onto a site. This condition is present when buildings occupy all, or most, of the lot, leaving little or no space for off-street parking, off-street loading and open space amenities. Problem conditions include buildings that are improperly situated on the parcel, the presence of multiple buildings on a single parcel, or buildings that are located on parcels of inadequate size and shape in relation to contemporary standards of development for health or safety. For there to be a finding of excessive land coverage, parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of the spread of fires due to the close proximity of nearby buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service. Excessive land coverage frequently has an adverse or blighting influence on nearby development.

This factor was not found to be present within the Study Area to a degree sufficient to warrant its inclusion as an eligibility factor in establishing the presence of a conservation area. While there is clearly inadequate provision for loading and service with respect to Dominick's and other retail uses, these conditions have been described with respect to obsolescence and lack of community planning.

Deleterious Land Use or Layout

This factor is characterized by inappropriate or incompatible land use relationships, inappropriate mixed uses within buildings or uses which are considered to be noxious, offensive, or unsuitable for the surrounding area.

Deleterious land use or layout was found not to be present within the Study Area.

This factor is present when one of three conditions is met within the study area: 1) the total equalized assessed value (EAV) has declined in three of the last five years; 2) the total EAV is increasing at an annual rate that is less than the balance of the municipality for three of the last five years; or 3) the total EAV is increasing at an annual rate that is less than the Consumer Price Index for all Urban Consumers for three of the last five years. Declining or stagnant equalized assessed values are indicative of economic and functional obsolescence. This condition relates to the lack of growth and private investment in an area resulting in economic and physical decline.

This factor is not present in the Study Area. As shown below in Table B, the EAV of the Study Area grew at a slower rate than balance of the Village for two of the past five years, rather than the three years that is required to meet this test.

**TABLE B
COMPARATIVE INCREASES IN EAV**

	Annual Increases in Equalized Assessed Value				
	1999	1998	1997	1996	1995
Study Area EAV	\$2,705,530	\$2,628,990	\$2,557,380	\$2,482,890	\$2,311,910
Study Area % Change from Prior Year	2.91%	2.80%	3.00%	7.40%	2.88%
% Change from Prior Year for Balance of Bensenville	2.48%	3.20%	1.61%	2.10%	4.28%

Source: Addison Township Assessors Office, DuPage County Clerk, Cook County Clerk

4. DETERMINATION OF STUDY AREA ELIGIBILITY

The Study Area qualifies for designation as a “conservation area.” In order to be so designated, 50% of the buildings must be 35 years of age or older and three of 13 conditions must be meaningfully present and reasonably distributed in the Study Area. Two of four buildings (50%) are more than 35 years of age; thus, the age requirement is met. Of the conditions cited in the Act, seven are present to a meaningful extent, with that presence documented and reasonably distributed within the Study Area, and 50% of the buildings in the Study Area are over 35 years of age.

The conditions present within the Study Area are:

- Obsolescence
- Deterioration
- Presence of structures below minimum code standards
- Excessive vacancies
- Inadequate utilities
- Environmental clean-up requirements
- Lack of community planning

Based on the conditions present, the area is not likely to be effectively developed without the designation of all or part of the Study Area as a “conservation area” and the adoption of a tax increment redevelopment plan and project.