

113-O-93

AN ORDINANCE

The City of Evanston, Evanston, Illinois
Authorizing and Establishing the
Oakton/Hartrey Business District and Plan

WHEREAS, it is desirable and essential to the economic and social welfare of the City of Evanston, Cook County, Illinois (the "City") that business districts be maintained and revitalized by assuring opportunities for development or redevelopment and attracting sound and stable commercial growth; and

WHEREAS, it is desirable and in the best interests of the citizens of the City to designate a certain proposed area ("Project Area"), as legally described in Exhibit A and depicted on Exhibit B hereto, as a Business District pursuant to Division 74.3 of Article II of the Illinois Municipal Code (the "Act") for purposes of implementing the plan and objectives for the Project Area as contained in that certain Oakton/Hartrey Business District Plan (the "Plan"), said Plan being attached hereto as Exhibit C; and

WHEREAS, pursuant to Sections 11-74.3-1 and 11-74.3-2 of the Act, the City has caused two public hearings to be held and completed relative to the designation of the Project Area as a Business District under the Act and the Plan for the Project Area, on October 11, 1993 and October 25, 1993, at 2100 Ridge Avenue, Evanston, Illinois, at 8:00 P.M.; and

WHEREAS, notice with respect to the first such hearing was given by publication on October 7, 1993, in the Evanston Review, and notice with respect to the second such hearing was given by publication on October 14, 1993 and October 21, 1993 in the Evanston Review, both of which newspapers are of general circulation in the City; and

WHEREAS, the City Council of the City of Evanston has reviewed the proposed Plan and also the existing comprehensive plan for development of the City as a whole to determine whether the proposed Plan conforms to such comprehensive plan of the City; and

WHEREAS, the City Council has reviewed conditions pertaining to the proposed Project Area to determine whether or not incentives may be needed to assure development and redevelopment and attract sound and stable commercial growth; and

WHEREAS, the City of Evanston is a home rule unit within the meaning of the Illinois Constitution of 1970; and

WHEREAS, the City of Evanston, as a home rule unit, may exercise any reasonable power and perform any reasonable function pertaining to its government and affairs; and

WHEREAS, it has been determined that it is desirable and in the best interest of the citizens of Evanston that a business district be designated as set forth in Exhibit A (Project Area) as set forth hereinabove and that said business district be implemented in accordance with the plan and

objectives set forth in Exhibit C (Project Plan) as set forth hereinabove.

WHEREAS, the City Council has determined that it is in the best interest of the citizens of Evanston, to further the development of the project area as set forth in Exhibit A by the utilization of sales tax receipts generated from sales in the proposed area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON:

SECTION 1: The City Council hereby make the following findings:

- A. The preambles hereinabove set forth are hereby adopted as if fully set forth in this Section 1.
- B. The proposed Project Area is legally described in Exhibit A, attached hereto and incorporated herein as if fully set forth by this reference. A map of the proposed Project Area is depicted in Exhibit B, attached hereto and incorporated herein as if set out in full by this reference.
- C. The Plan conforms to the existing comprehensive plan for the development of the City as a whole.
- D. The parcels of real estate in the proposed project Area are contiguous and located within the municipal boundaries of the City.

SECTION 2: The Plan, which was the subject matter of the public hearings held on October 11, 1993 and October 25, 1993, is hereby adopted and approved. A copy of the Plan is set forth in Exhibit C, attached hereto and incorporated herein as if set out in full by this reference.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: October 11, 1993

Adopted: October 25, 1993

Approved: October 25, 1993

Lorraine H. Norton
Mayor

ATTEST:

Justin Davis
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

PROPOSED OAKTON STREET
BUSINESS DISTRICT
LEGAL DESCRIPTION

That part of the SW 1/4 of the SW 1/4 of Section 24, Township 41 North, Range 13 East of the Third Principal Meridian; also a portion of Lot "A", Oakton Consolidation, as shown in Book 377 of plats, page 50, recorded as document no. 14585303; and also Lots A, B, C and E in Mactaggart and Newton's Subdivision, as shown in Book 432 of plats, page 26, recorded as Document No. 15061963 in the Office of the Recorder, Cook County, Illinois and being particularly described as:

Commencing at the Southwest corner of said Lot "A"; thence N. 02° 57' 54" W., along the Westerly of said Lot "A"; 239.80 ft. to a point on the Easterly right-of-way line of the Chicago and Northwestern Railroad; thence N. 24° 54' 41" E., along the Easterly right-of-way line of the Chicago and Northwestern Railroad 182.15 ft. to a set iron pipe being the point of beginning; thence continuing N. 24° 54' 41" E., along the Easterly right-of-way line of the Chicago and Northwestern Railroad 652.05 ft. to the Northwest corner of said Lot "A"; thence S. 00° 07' 52" W., perpendicular to the North line of said Lot A, 5.00 ft.; thence S. 89° 52' 08" E., parallel to the North line of said Lot "A", 423.29 ft. to a set pk nail; thence N. 00° 07' 52" E., perpendicular to the North line of said Lot "A", 5.00 ft. to a set pk nail; thence S. 89° 52' 08" E. 24.20 ft. to a set pk nail being the East line of said Lot "A"; thence S. 02° 53' 45" W., along the East line of the said Lot "A", 113.91 ft. to a set iron pipe; being the Northwest corner of Lot "E" in said Mactaggart and Newton's Subdivision; thence S. 87° 05' 58" E., along the North line of said Lot "E", 100.00 ft. to a found iron pipe, being the Northeast corner of said Lot "E"; thence S. 02° 54' 02" E., along the East line of said Lot "E", 219.04 ft. to a found iron pipe, being the Northwest corner of said Lot "B"; thence S. 87° 51' 05" E., along the North line of said Lot "B", 100.04 ft. to a found track spike, being the Northeast corner of said Lot "B"; thence S. 02° 41' 28" E., along the East line of said Lot "B", 117.80 ft. to a found iron pipe, being the Northwest corner of said Lot "C"; thence S. 88° 29' 11" E., along the North line of said Lot "C", 265.82 ft. to the East right-of-way line of Hartrey Avenue; thence S. 02° 53' 45" W., along the East right-of-way line of Hartrey Avenue, 610.63 ft. to the South right-of-way line of Oakton Street; thence S. 89° 58' 27" W., along the South right-of-way line of Oakton Street, 948.43 ft. to a found five pk nail, to the West line of Lot "A" projected south in Oakton Consolidation Subdivision; thence N. 02° 57' 54" E., along a West line of said Lot "A", 269.95 ft. to a found iron rod; thence S. 89° 45' 40" W., along a South line of said Lot "A", 100.00 ft. thence N. 02° 53' 15" E., 43.05 ft. to a set iron pipe; thence S. 89° 45' 40" W., 111.00 ft. to a power pole; thence N. 02° 57' 45" E., 172.17 ft. to the point of beginning.



EXHIBIT B TO ORDINANCE 113-0-93

OAKTON STREET
Business District
1 SEPTEMBER 1993

OCT 07 '93 02:04PM KANE, MCKENNA & ASSOC

BOUNDARY MAP
with ADJACENT TIF/RIF

KEY
EXISTING RPA
PROPOSED

KANE McKENNA
and ASSOCIATES
150 North Wacker Drive
Chicago, IL 60608
312.444.1702

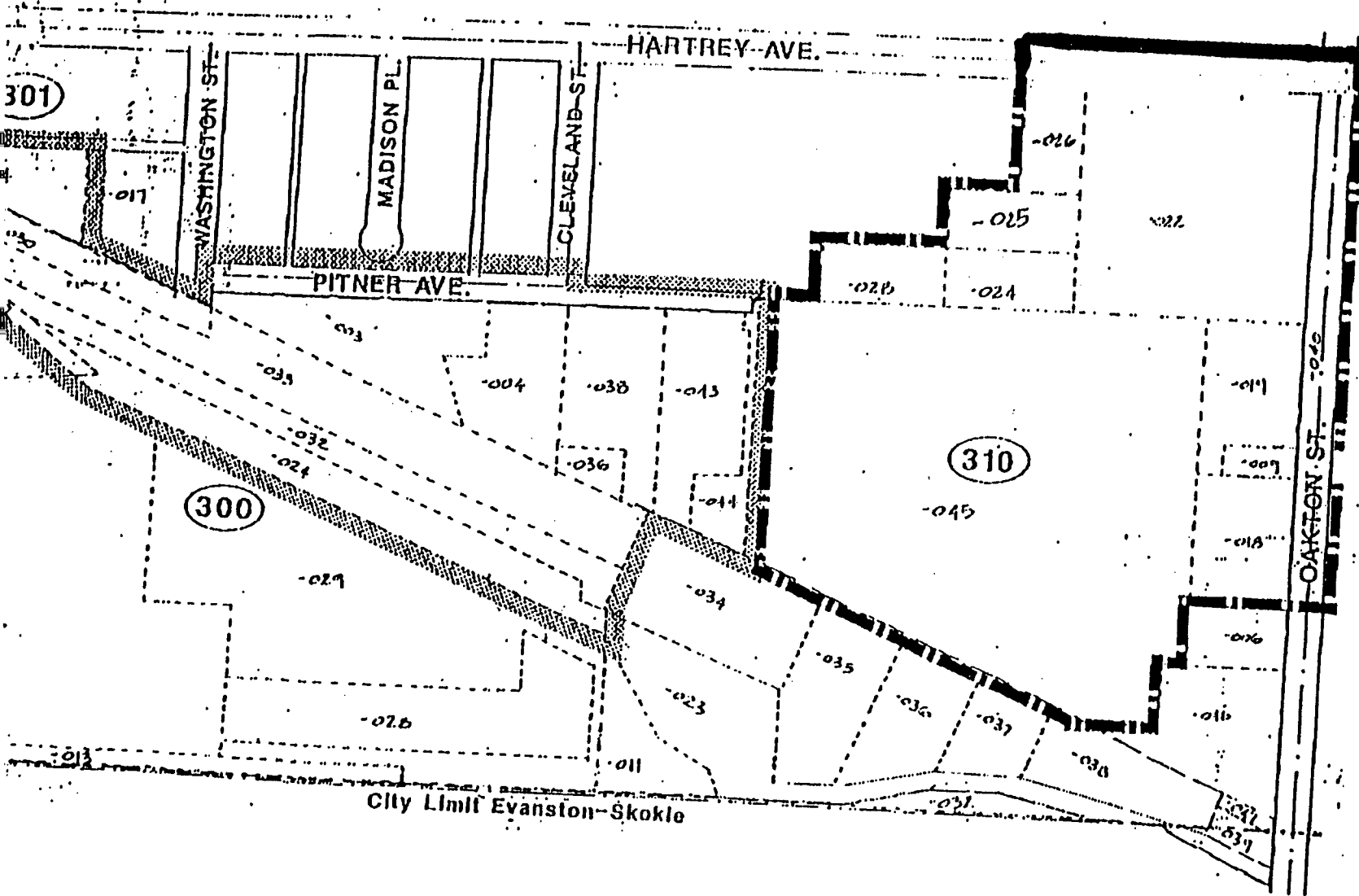


EXHIBIT C TO ORDINANCE 113-0-93

October 6, 1993

CITY OF EVANSTON
OAKTON STREET
BUSINESS DISTRICT PLAN

Jointly Prepared By:

City of Evanston, Illinois

and

Kane, McKenna and Associates, Inc.

October, 1993

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I. INTRODUCTION

A. The City of Evanston

The City of Evanston, Illinois is a community of approximately 73,000 (as of the 1990 Census) and is bordered on the east by Lake Michigan, on the south by the City of Chicago, on the west by the Village of Skokie and on the north by the Village of Wilmette. The City lies in Cook County and is located approximately twelve (12) miles north of Chicago's Loop. Incorporated in 1863, the City today is one of the largest, oldest and most diverse suburbs of Chicago, with many amenities such as an established business environment, quality housing stock, a vast public transportation system, and excellent public schools. The City of Evanston is the home of Northwestern University as well as three (3) other institutions of higher education.

The City has grown through the years primarily due to annexation (the Villages of North Evanston and South Evanston were annexed prior to 1892) as well as the increased enrollment and employment at Northwestern University (the City's largest employer). The extension of the Chicago rapid transit system to Evanston and north to Wilmette added to the population growth throughout the early to mid-1900's.

In 1921, the Evanston City Council adopted its first zoning ordinance which was the first in the State to prevent overcrowding of land and to include provisions to separate business and industrial areas from residential neighborhoods. Today, Evanston has retained its residential character, yet it has grown with respect to its commercial and industrial base. Once the key retail center for the North Shore, north Chicago and the northwest suburbs, much retail space has since been converted to office and residential space, which contributes to a more service-oriented environment in the City's downtown. Today, downtown Evanston is considered viable and well-maintained, having escaped much of the deterioration and abandonment that has impacted other older urban communities. This has been true despite the migration of many significant anchors out of downtown to places like Skokie's Old Orchard Shopping Center.

B. Decline of the City's Southwest Industrial Area

An area of the City that has long been considered for potential redevelopment is generally known as the City's southwest industrial corridor (SWIC), commonly referred to as a Priority Study Area. This portion of the City's industrial base had gradually begun to deteriorate by the early 1980's. Its decline has primarily been due to a number of factors including the periodic and recurring vacancies by various industrial and retail/commercial enterprises uses and the establishment of incompatible uses within and surrounding the industrial area. Overall, many developments find that the ability to expand operations is hampered due to the barriers of the Metropolitan Water Reclamation District (MWRD) canal, existing rights-of-way and the neighboring residential area. The 1985 abandonment of the Mayfair Railroad rail line running through the area also contributed to irregular parcel shapes and layouts. Overall, the lack of meaningful plans and investment by both the public and private sectors in maintaining the area has hindered the ability to create a safe, pleasant, integrated and functional business environment.

The entire area suffers from uncoordinated, sporadic development. Existing improvements have been primarily limited to some retail, outdoor storage, heavy and light industrial, and automotive uses. Prior to 1985, the entire area had developed sporadically as a primarily industrial/ distribution locale, with the majority of uses centering around the abandoned and now removed Mayfair Railroad rail line. Many of the buildings and site improvements were constructed prior to the mid-1950's and had begun to depreciate and/or deteriorate by the time the area came under review for a TIF District. In 1985, the Main Street Commons Shopping Center was constructed along the western boundary of the area, however, the Center has had many problems with respect to leasing and retention of stores due to its poor access and visibility, and because of its adjacency to a blighted area.

In June, 1990, the City established what is now known as the Southwest TIF District. This area represented a distinct portion of the original Priority Study Area for the proposed TIF that being the parcels most likely to be redeveloped as industrial or appropriate commercial uses. The area was qualified as a 'conservation area', given the number of structures over 35 years of age and the area-wide blighting factors that existed prior to and after the demolition of the fuel towers. A pending redevelopment project by several owners and developers also contributed to the need for the TIF. The City is now participating in a significant public-private partnership which provides funding to assist a large retail user and allows for reconfiguration of the existing Shopping Center.

In the larger area under consideration for redevelopment, major employment and industrial anchors including Bell and Howell and more recently Rust-Oleum Corporation have left the City for other locations. These facilities are examples of buildings that have become outmoded, underutilized, or left vacant as corporations have consolidated operations, changed technologies, downsized business operations, or relocated to other locales. To accomplish redevelopment of these outmoded facilities, and enhance its tax base, the City has become active to promote regeneration of the area.

The City is now considering the adoption of an Oakton Street Business District (the "District") which includes a portion of the original Priority Study Area for the Southwest TIF namely encompassing property owned by Rust-Oleum, which is located adjacent to the southern border of the Southwest TIF District. The establishment of this Business District will help to complete the City's overall redevelopment plans for the area so as to eliminate strong economic disadvantages which appear to impede the site's redevelopment potential.

The City, with its large numbers of residents desirous of eliminating blighted conditions and, given the likelihood that a facility could affect current employment levels by preserving existing employment and creating new local job opportunities, is determined to address these concerns.

II. SOURCE OF AUTHORITY

The Business District Development and Redevelopment Act, Ill. Rev. Stat. Ch. 24, Section 11-74.3-1, et seq. (the "Act"), authorizes Illinois municipalities to designate an area within a municipality as a Business District. A Business District must be established in conformance with a specific plan for business districts officially approved by the corporate authorities of the municipality after public hearings. A Business District must also conform with a comprehensive plan of the municipality.

In accordance with the Act, the City may exercise the following powers in carrying out a Business District development or redevelopment plan:

- 1) To approve all development and redevelopment proposals for a Business District.
- 2) To exercise the use of eminent domain for the acquisition of real and personal property for the purpose of a development or redevelopment project.
- 3) To acquire, manage, convey or otherwise dispose of real and personal property acquired pursuant to the provisions of a development or redevelopment plan.
- 4) To apply for and accept capital grants and loans from the United States and the State of Illinois, or any instrumentality of the United States or the State of Illinois, for Business District development and redevelopment.
- 5) To borrow funds as it may be deemed necessary for the purpose of Business District development and redevelopment, and in this connection issue such obligation or revenue bonds as it shall be deemed necessary, subject to applicable statutory limitations.
- 6) To enter into contracts with any public or private agency or person.
- 7) To sell, lease, trade or improve such real property as may be acquired in connection with Business District development and redevelopment plans.

- 8) To employ all such persons as may be necessary for the planning, administration and implementation of Business District plans.
- 9) To expend such public funds as may be necessary for the planning, execution and implementation of the Business District plans.
- 10) To establish by ordinance or resolution procedures for the planning, execution and implementation of Business District plans.

In accordance with the Act, the following plan (this "Plan") sets forth the necessity for, the objectives of, and the development program for the Oakton Street Business District (the "District") in the City.

III. NEED FOR THE BUSINESS DISTRICT

The proposed Oakton Street Business District Area (BDA) is located directly south of the existing Southwest TIF District. The Oakton Street BDA was part of an overall study performed in 1990 which would have amended the Southwest TIF to include the Rust-Oleum parcels as well as adjacent blighted areas. The proposed BDA now only includes parcels owned by Rust-Oleum and optioned by a development entity.

In terms of the proposed BDA property's uses and physical configuration, the property has been affected by many of the same problems identified in the eligibility analysis for the Southwest TIF District. The presence of the nearby sanitary canal, site access and egress considerations and a series of older industrial structures (which have since been demolished) have all detracted from the BDA's redevelopment potential. The BDA's location near major arterials and the commercial/retail frontage availability serve to distinguish this property from the Southwest TIF District property, but as in other circumstances where the City has intervened, it contemplates the reuse of an historically difficult to redevelop industrial-related property. Current market conditions as well as significant problems associated with the site would appear to provide certain limits as to the site's redevelopment use. In the foreseeable future, it appears that the site would be constrained as far as a reuse, given the underlying economics, to 'big box' commercial uses and associated retail.

Since 1985, Rust-Oleum Corp., the 300,000 s.f. facility anchoring the area along Oakton Street, had begun to cut back its operations. After the building spent over two (2) years on the market (since 1988), the depreciating and functionally obsolete building was demolished during the summer of 1990 to allow the property to be potentially redeveloped for other uses. Various developers interested in the property eventually let their option expire. The Rust-Oleum site and adjacent sites have also been subject to environmental impact studies which reference potential hazardous wastes existing on these properties, as well as variable and unstable underlying soil conditions.

Throughout all of this activity, it became clear that the proposed BDA and surrounding area had never been developed according to a plan. Much of the area has developed on a 'piecemeal' basis with little regard for the overall development needs of the entire area. Traffic loads, circulation needs, and visibility/access problems had not been addressed by public and private entities and makeshift roads have not been sufficient or considered to be safe. Certain utility and infrastructure needs, such as roads, lighting, sewer and water that would be necessitated by future redevelopment projects have not been addressed. A comprehensive redevelopment plan for the area was deemed to be necessary to produce a functionally effective commercial/industrial system, to the extent the City could still seek to accomplish industrial reuse in order to diversify the tax and employment base.

A. Summary of History of Failed Development - Rust-Oleum Site

According to Rust-Oleum officials, when the corporation made the decision to leave its Evanston facility in 1987, the following were listed as factors contributing to this decision: 1) the historic evolution of the 300,000 s.f. plant had grown in a manner that was not conducive to a modern day operation (there had been 26 additions to the original 4,800 s.f. building); 2) the proximity to a primarily residential area and James Park, which had grown since the plant was first established; 3) property taxes were higher than in most alternate locations and 4) the company's new wood care product line required a major restructuring of the Evanston plant. The City was contacted and informed that Rust-Oleum planned to leave in approximately 2 1/2 years.

Rust-Oleum's initial plans were to relocate to a southern state in an existing building. Plans changed soon thereafter to remain in the Midwest and build a new factory. A local broker was hired to market the Oakton Street site and the building was put up for sale in late 1988. The downturn in the economy, a softening real estate market and the uncertainty with respect to Rust-Oleum's plans for the site were obstacles which contributed to a low level of interest in the site from the start.

Interest in the property's reuse since Rust-Oleum put the building on the market had ranged from serious exploration to casual interest and from residential to commercial/retail. There was only one company interested in retaining the structure for an industrial paint use; another company viewed the site as having some potential for a nursing home. However, a larger majority felt the area's only viable reuse was as a commercial site. Approximately fourteen (14) companies were contacted by the broker or had contacted Rust-Oleum directly as prospects and potential purchasers of the property for primarily commercial uses.

The canal was considered a trade barrier and the troubled Main Street Commons Shopping Center was viewed as indicative of the poor location.

The most serious problem, however, was the extent of environmental and soils problems on the site. The broker hired to market the property found it difficult to adequately market the site with the threat of significant costs due to existing environmental contamination and poor soils.

B. Detail of Problems Endemic to the Rust-Oleum Site

According to Rust-Oleum officials, the 20-acre site upon which the Rust-Oleum structure had been situated since 1939 had begun to depreciate by 1979 when the on-going and continuous renovations and rehabilitation of the building virtually ceased. Changes occurring in the market place and the addition of a new line of wood products led officials to the realization that the existing structure no longer served Rust-Oleum in the most advantageous and efficient manner. A New York firm was brought in to redesign the building but determined it could not be done without a major investment on the part of Rust-Oleum, or without demolishing the structure and building a new facility. By 1985, the company began to scale down its operations in Evanston, and by 1990, the plant had closed and was demolished.

In the mid 1970's, the structure had endured two (2) significant fires which destroyed much of the back area and the corporate offices. These operations were then transferred to Vernon Hills in 1978. There were also continued conflicts with MWRD-owned land which added to Rust-Oleum's frustration with the site.

The building was cited by OSHA in 1979 for such deficiencies as unsafe walkways, inadequate lighting, and deteriorating condition of its older mills. Approximately \$1.0 million was spent to bring these items into compliance by 1980. According to the company, no further investment was made on the property for almost ten (10) years (until the building was demolished in 1990) and as one corporate official noted, "We were due for significant maintenance and improvements". The building no longer fulfilled the corporation's capacity needs and the efficiencies had been reduced as the building become more and more "obsolete and deleterious" with respect to its overall lay-out.

Since the building's demolition in 1990, the current site has remained vacant and contains a significant number of physical and environmental impediments affecting its redevelopment. The physical problems include poor accessibility (cited by private developers, sales projection consultants, economic development consultants, the City and Rust-Oleum), and nearby proximity to other commercial (mixed-use) enterprises. Some particular neighboring uses in the Southwest TIF area are unsightly and have contributed to periodic dumping of tires and steel, for example, on the site before and since becoming entirely vacant. Rust-Oleum has attempted to erect a fence and install locked gates to thwart the dumping and has also had a weed problem it is currently addressing.

The environmental problems have been detailed in various studies and have contributed to the more significant impediments to redeveloping the site. The Rust-Oleum building, certain lessee users of property owned by Rust-Oleum, and earlier salvage/landfill dumping on the site have resulted in toxic contaminants within the site and poor soil conditions due in part to the site's proximity to the Lake and Sanitary Canal, and the variability of the underground soil decomposition all of which lead to extraordinary costs for any proposed redevelopment project.

C. Sales Tax Generating Uses

Of particular concern to the City is the erosion and status of its retail sales and overall tax base. Surrounding communities with regional retail nodes, such as the Village of Skokie, have continued to gain a disproportionate amount of retail sales in relation to the City's retailers. Due to its status as a mature community and its existing land use/development characteristics, the City has limited sites or areas for large scale retail, mixed uses, or industrial developments. Sites that could attract market interest are important assets to the City in terms of potential tax generation, employment opportunities, and the quality of uses/services for its residents. The City has a commitment to evaluate the uses for these sites in a careful and reasoned manner.

Given the density of the surrounding marketplace, alternate locations or "out-of-city" locations for redevelopment projects have had varied impacts on the City. In addition to the loss of potential tax revenues, local businesses and/or retailers may experience the impact of increased competition or the loss of market share. The City, consulting as necessary with vital community interests, will carefully evaluate proposed uses for the BDA in relation to redevelopment opportunities and the potential impacts on neighborhoods and small businesses.

As part of the evaluation, the City proposes to expand the scope of planned redevelopment activities in order to include local programs that could address neighborhood and small business concerns. The funding of local programs is possible only if the proposed projects are located within the City; the City then has the use of incremental local sales tax revenues in order to allocate a portion of revenues for City designed programs. Local programs would need to be prudently designed in order to be responsive to City-wide fiscal considerations as well as the needs of potential users of the program. The City is committed, in conjunction with the EDC, to design neighborhood programs which meaningfully address the goal of preserving and enhancing neighborhoods.

The adoption of this Business District Plan makes possible the implementation of a comprehensive program for the economic redevelopment of the area. By means of public investment, the BDA will become an improved, more viable environment that will attract private investment and diversify the City's tax base.

IV. **BUSINESS DISTRICT DESCRIPTION**

The Business District Area is legally described in Appendix A.

V. BUSINESS DISTRICT DEVELOPMENT PROJECTS

The City's Comprehensive Plan calls for the use of the District and adjacent land to the west and the north for business development.

As projects are identified, such projects (the "Development Projects") will have to conform to the criteria set forth below.

A. Business District Policy Criteria

The City has established the following policy criteria to guide development activities within the District:

- 1) Preserve and create an environment within the District which will promote the economic and social welfare of the City including opportunities for new retail/commercial growth.
- 2) Exercise powers provided for under the Act in the promotion of the public interest and enhancement of the tax base and tax revenues to the City.
- 3) Enhance the economic well-being and strengthen the retail/commercial sector within the City encouraging private investment and reinvestment in the District through public financing vehicles, if necessary, to increase business activity, attract sound and stable commercial growth, create and retain job opportunities and enhance and diversify the tax base.
- 4) Address the need for economic feasibility, cost efficiency and economies of scale in development through encouragement of coordinated development of functionally and aesthetically integrated projects and through prudent and appropriate acquisition and assemblage of parcels. The City will review projects on an individual basis in order to determine the need for assistance.
- 5) Provide complementary public infrastructure that enhances the District to create an attractive service and/or shopping environment to encourage and support private investment.

- 6) Establish adequate and safe vehicular and pedestrian circulation and provide adequate parking in locations easily accessible for patrons and other users of commercial activities.
- 7) Provide for an adequate return/benefits to the City and its residents.

B. Private Development Actions

The City has a commitment to be prudent regarding the use of public resources in the assistance of economic development activities. Accordingly, development projects will require thorough City review of the need for public assistance and the City's Corporate Authorities will need to approve the terms of assistance in development agreements with private entities. Private development actions must conform to the City's Business District policy criteria set forth herein.

Private entities will need to evidence capacity to implement Development Projects and they must conform to the appropriate City planning provisions. The City seeks to expand and diversify its economic and tax base; Development Projects must serve to improve the economic and tax base of the City.

C. Public Development Actions

The City intends to provide or enter into agreements with Developers or other private sector interests to provide certain public improvements in the District to enhance the immediate area and to serve the needs of commercial development. Appropriate public improvements may include, but are not limited to:

- 1) Installation or relocation of site entrances and exists;
- 2) Construction of new or expansion of existing streets, including installation of sidewalks, turning lanes, curbs and gutters;
- 3) Assistance in assembly and site preparation;
- 4) Installation of parking lots serving new retail facilities;

- 5) Provision of public utilities including construction or replacement of water mains, sanitary and storm sewers, and detention ponds;
- 6) Installation of new traffic signalization; and
- 7) Beautification and installation of identification markers, landscaping/streetscaping, lighting and signage along public rights-of-way.

To achieve the objectives of this Plan, the City may additionally enter into agreements with one or more developers or other private sector interests to provide incentive payments. City assistance may be structured to include, but not be limited to, land write-downs, tax rebates, and costs of certain site improvements or related public improvements.

D. Development Costs

In undertaking the activities described above, the City may incur and expend funds to cover the costs of the Public Development Actions (the "Development Costs"). A non inclusive list of the types of costs that the City may undertake to fund follows below. The exact amount of assistance that the City would provide would be embodied in development agreements for each individual project.

**Oakton Street Business District
Types of Development Costs**

Site Utilities

Sanitary Sewers
Water
Grading
Civil Engineering
Storm Sewers

Assembly/Site Preparation
Environmental and Soils Conditions

Off-Site Improvements:

Traffic Signalization
Roadways
Engineering Design

Site Finishes

Parking Areas
Curb and Gutter
Landscaping
Parking Lot Lighting
Signage
Design

VI. NEED FOR PUBLIC FINANCING ASSISTANCE

Although the District provides a location along a business arterial road, the size of parcels, certain development characteristics, and the provision of public improvements may require public assistance. Anticipated costs of public and site improvements and/or land assembly required for the Development Projects may render private development infeasible. Accordingly, public assistance may be required to off-set certain costs of initial development.

City assistance will be limited to the amounts required to implement the Development Projects in a feasible and fiscally prudent manner. Development Projects must conform to applicable City codes and plans and serve to provide an adequate return/benefit to the City. The extent of assistance, if any, shall be determined by the Corporate Authorities of the City upon a full review of any proposed Business District Development Project.

VII. SOURCES OF FUNDS TO PAY DEVELOPMENT PROJECT COSTS

Funds necessary to pay for Development Costs are to be solely derived from the incremental funds generated by Business District Development Projects which the City is entitled to receive annually in each of the years of the term of development agreements that the City has entered into with Developers pursuant to Ill. Rev. Stat., Ch 127 ¶ 142.Z-17 and such other authority as shall be applicable and any successor statute to the above, and which are derived from the District (the "Incremental Tax Revenues"). Any pledge of Incremental Tax Revenues will require the approval of the City's Corporate Authorities and the completion of the necessary development agreements (and related documentation) required by the City.

VIII. ESTABLISHMENT AND TERM OF THE BUSINESS DISTRICT

The establishment of the District shall become effective upon adoption of an ordinance by the City Council adopting this Plan and designating the District as a Business District. Development agreements between the City and Developers shall be consistent with the provisions of the Act and this Plan.

It is expected that the District shall expire no less than fifteen (15) years from the adoption of the ordinance described above.

IX. FINDINGS

The City Council hereby finds and determines as follows:

(a) This Plan constitutes a specific plan for the Oakton Street Business District in Evanston, Cook County, Illinois;

(b) The designation of the District as identified in this Plan and more particularly described in Exhibit "A" attached hereto as a Business District in accordance with the Act will assure opportunities for development and redevelopment and attracting sound and stable commercial growth in the City;

(c) The Plan and the District conform with the City's Comprehensive Plan; and

(d) The City's exercise of the powers provided in the Act is dedicated to the promotion of the public interest and to the enhancement of the tax base of business districts and the City's use of the powers for the development and redevelopment of the District as provided in this Plan is declared to be a public use essential to the public interest of the residents of the City of Evanston, Cook County, Illinois.

X. PLAN AMENDMENTS

The City Council may amend this Plan from time to time by adopting an ordinance providing for such amendment.

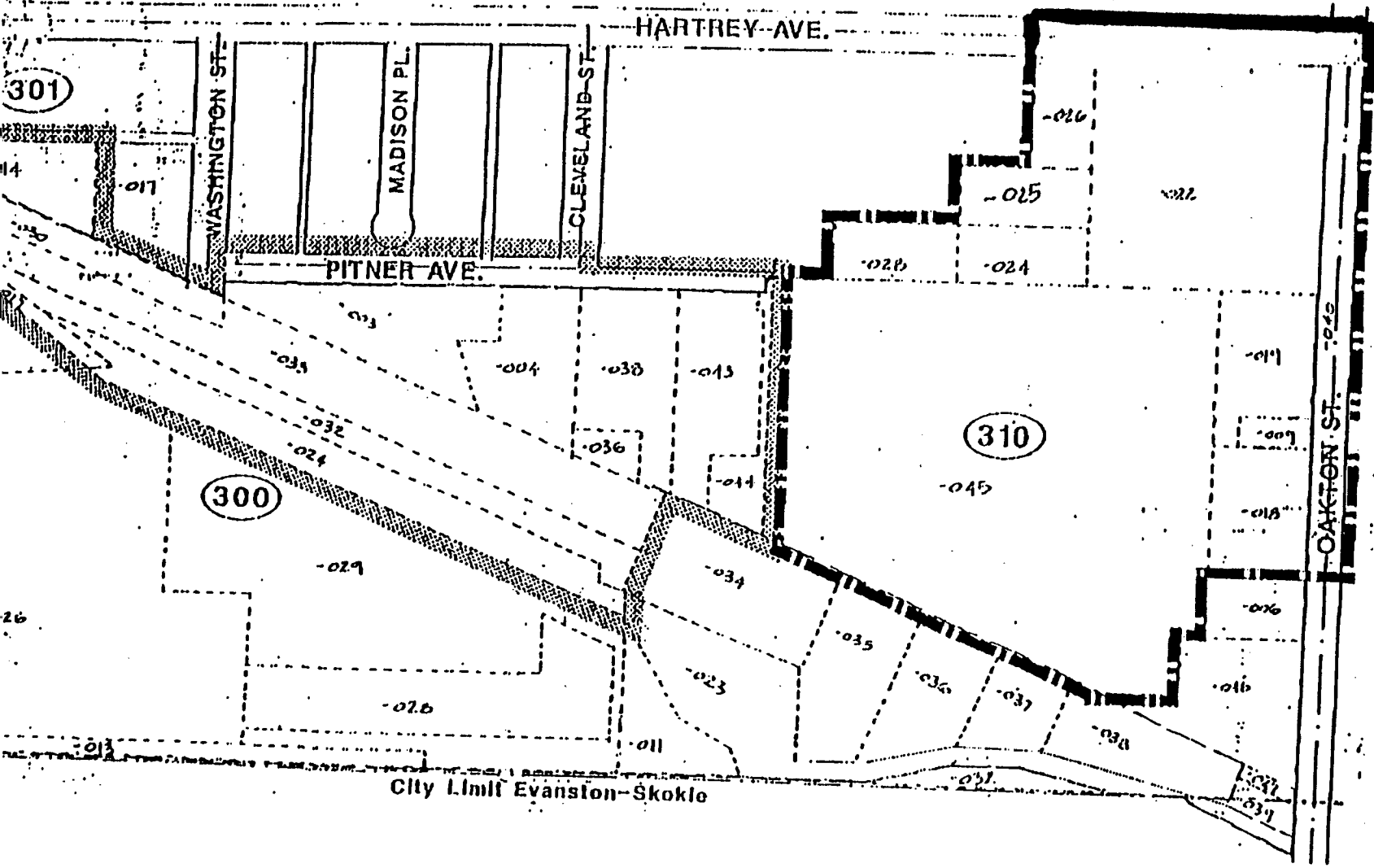
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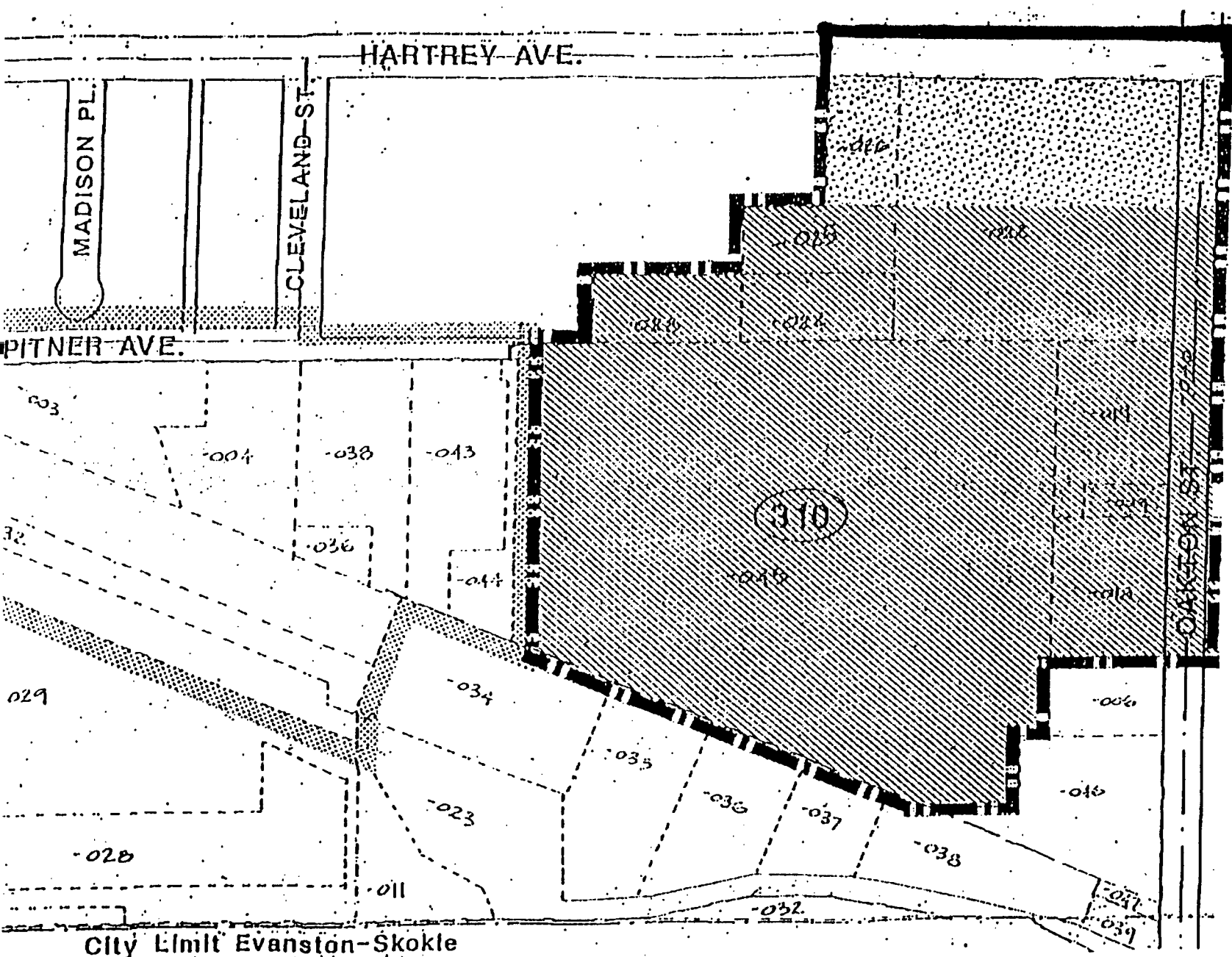
OCT 07 '93 02:04PM KANE, MCKENNA & ASSOC
OAKTON STREET
Business District
1 SEPTEMBER 1993

BOUNDARY MAP
with ADJACENT TIF/RIP

KEY
EXISTING RPA
PROPOSED



KANE McKENNA
and ASSOCIATES
150 North Wacker Drive
Chicago, IL 60606
312.444.1702





OAKTON STREET
 Business District
 1 SEPTEMBER 1993

EXISTING LAND USE

- KEY
-  M-3 RESTRICTED MANUFACTURING
 -  M-4 GENERAL MANUFACTURING

KANE McKENNA
 and ASSOCIATES
 150 North Wacker Drive
 Chicago, IL 60606
 312.444.1702

City Limit Evanston-Skokie

PROPOSED OAKTON STREET
BUSINESS DISTRICT
LEGAL DESCRIPTION

That part of the SW 1/4 of the SW 1/4 of Section 24, Township 41 North, Range 13 East of the Third Principal Meridian; also a portion of Lot "A", Oakton Consolidation, as shown in Book 377 of plats, page 50, recorded as document no. 14585303; and also Lots A, B, C and E in Mactaggart and Newton's Subdivision, as shown in Book 432 of plats, page 26, recorded as Document No. 15061963 in the Office of the Recorder, Cook County, Illinois and being particularly described as:

Commencing at the Southwest corner of said Lot "A"; thence N. 02° 57' 54" W., along the Westerly of said Lot "A"; 239.80 ft. to a point on the Easterly right-of-way line of the Chicago and Northwestern Railroad; thence N. 24° 54' 41" E., along the Easterly right-of-way line of the Chicago and Northwestern Railroad 182.15 ft. to a set iron pipe being the point of beginning; thence continuing N. 24° 54' 41" E., along the Easterly right-of-way line of the Chicago and Northwestern Railroad 652.05 ft. to the Northwest corner of said Lot "A"; thence S. 00° 07' 52" W., perpendicular to the North line of said Lot A, 5.00 ft.; thence S. 89° 52' 08" E., parallel to the North line of said Lot "A", 423.29 ft. to a set pk nail; thence N. 00° 07' 52" E., perpendicular to the North line of said Lot "A", 5.00 ft. to a set pk nail; thence S. 89° 52' 08" E. 24.20 ft. to a set pk nail being the East line of said Lot "A"; thence S. 02° 53' 45" W., along the East line of the said Lot "A", 113.91 ft. to a set iron pipe; being the Northwest corner of Lot "E" in said Mactaggart and Newton's Subdivision; thence S. 87° 05' 58" E., along the North line of said Lot "E", 100.00 ft. to a found iron pipe, being the Northeast corner of said Lot "E"; thence S. 02° 54' 02" E., along the East line of said Lot "E", 219.04 ft. to a found iron pipe, being the Northwest corner of said Lot "B"; thence S. 87° 51' 05" E., along the North line of said Lot "B", 100.04 ft. to a found track spike, being the Northeast corner of said Lot "B"; thence S. 02° 41' 28" E., along the East line of said Lot "B", 117.80 ft. to a found iron pipe, being the Northwest corner of said Lot "C"; thence S. 88° 29' 11" E., along the North line of said Lot "C", 265.82 ft. to the East right-of-way line of Hartrey Avenue; thence S. 02° 53' 45" W., along the East right-of-way line of Hartrey Avenue, 610.63 ft. to the South right-of-way line of Oakton Street; thence S. 89° 58' 27" W., along the South right-of-way line of Oakton Street, 948.43 ft. to a found five pk nail, to the West line of Lot "A" projected south in Oakton Consolidation Subdivision; thence N. 02° 57' 54" E., along a West line of said Lot "A", 269.95 ft. to a found iron rod; thence S. 89° 45' 40" W., along a South line of said Lot "A", 100.00 ft. thence N. 02° 53' 15" E., 43.05 ft. to a set iron pipe; thence S. 89° 45' 40" W., 111.00 ft. to a power pole; thence N. 02° 57' 45" E., 172.17 ft. to the point of beginning.