

108-O-19

AN ORDINANCE

Proposing the Establishment of a Special Service Area No. 8 in the City of Evanston, Illinois and Providing for a Public Hearing and Other Related Procedures

WHEREAS, the city of Evanston is home rule unit under Article II, Section 6(a) of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to tis government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, special service areas are established pursuant to Article VII, Sections 6(l) and 7(6) of the Constitution of the State of Illinois, and pursuant to the provisions of the Special Service Area Tax Law, (35 ILCS 200/27-5 *et seq.*) and pursuant to the Property Tax Code (35 ILCS 200/1-1 *et seq.*); and

WHEREAS, this ordinance is to propose the establishment of Special Service Area Number 8 providing a tax to be levied associated with the provision of special services to the area; and

WHEREAS, it is in the best interests of the City of Evanston that Special Service Area Number 8 be established,

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

SECTION 1: The preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

SECTION 2: Authority to Establish Special Service Area: The City of Evanston is authorized to establish Special Service Area Number 8 pursuant to Article VII, Section 6 of the Illinois Constitution, 1970, and further pursuant to the provisions of the Illinois Special Service Areas Act (Illinois Compiled Statutes, Chapter 35, Paragraph 200/27-5 et seq..

SECTION 3: Findings: The City of Evanston finds as follows:

A. It is in the public interest that the creation of Special Service Area Number 8 as described in this Ordinance for the purposes set forth in this Ordinance be established.

B. Special Service Area Number 8 is located in the commercial corridor of Central Street bound by Central Park Avenue to the west and Ewing Avenue to the east. The area comprised of commercial and mixed use. Where it is found to be possible, residential property is not included in SSA Number 8. The permanent tax index numbers of all parcels located within the area of the proposed SSA Number 8 and legal descriptions are attached as Exhibit 1. An accurate map depicting the location of the proposed Special Service Area is attached to and incorporated by reference as Exhibit 2.

SECTION 4: Public Hearing: That a public hearing shall be held on November 25, 2019 at 6:00 p.m. in the City Council chambers of the City of Evanston, 2100 Ridge Avenue, Evanston, Illinois 60201 to consider the establishment of a Special Service Area Number 8 consisting of territory legally described in Exhibit 1 and as depicted on the map labeled Exhibit 2, and incorporated by reference into this ordinance. At the hearing, a tax levy for the Special Service will be considered. The

proposed annual tax levy for the Special Service Area is in an amount not to exceed the rate of 0.45% (percent) of the equalized assessed value of the property within the proposed Special Service Area and the tax will be levied for a twelve year period from and after the date the ordinance establishing the Special Service Area. These taxes shall be in addition to all other taxes permitted by law and shall be levied pursuant to provisions of the Property Tax Code (35 ILCs 200/1-1 *et seq*).

SECTION 5: Notice of Hearing: Notice of the public hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in the Pioneer Press a newspaper of general circulation in the City of Evanston. Additionally, notice of the public hearing by mail shall be provided with the public hearing notice deposited in the U.S. Mail not less than ten (10) days prior to the time set for the public hearing. The notice of public hearing shall be addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the Special Service Area, and in the event taxes for the last preceding year were not paid, the notice of the Hearing was sent to the person or persons last listed on the tax rolls prior to that year as the owner or owners of said property. The notice of public hearing shall be in substantial conformance to notice attached as Exhibit 3 to this Ordinance.

SECTION 6: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 9: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

Introduced: September 23, 2019

Adopted: September 23, 2019

Approved:

October 15, 2019
Stephen B. Hagerty
Stephen B. Hagerty, Mayor

Attest:

Eduardo Gomez
~~Devon Reid, City Clerk~~
Eduardo Gomez, Deputy City Clerk

Approved as to form:

Michelle Masoncup
Michelle Masoncup, Corporation Counsel

EXHIBIT 1**LEGAL DESCRIPTION OF PROPOSED SPECIAL SERVICE AREA & LIST OF PINS**

Legal Description of Special Service Area #8
East Central Street District, Evanston, Illinois.

BEING THOSE PARTS OF SECTION 33 AND 34 IN TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO THOSE PARTS OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY ILLINOIS, MORE PARTICULARLY DESCRIBED BELOW.

- BEGINNING AT THE NORTH LINE OF CENTRAL AVENUE 200 FEET WEST OF THE WEST LINE OF CENTRAL PARK AVENUE, BEING THE WEST LINE OF THE CONSOLIDATION OF (EX E. 75 FT. -S. 75 FT.) OF THE EAST 200 FEET AND SOUTH 125 FEET OF LOT 1 IN H. WITTBOLDS SUBDIVISION, (REC. MAY 25, 1978 AS DOCUMENT NUMBER 24464793);
- THENCE NORTH ALONG SAID WEST LINE OF LOT 1 TO THE NORTHLINE OF AFORESAID LOT 1 IN THE CONSOLIDATION IN H. WITTBOLDS SUBDIVISION;
- THENCE EAST ALONG SAID NORTH LINE OF LOT 1 TO THE WEST LINE OF CENTRAL PARK AVE;
- THENCE CONTINUING EAST TO THE EAST LINE OF CENTRAL PARK AVENUE;
- THENCE SOUTH ALONG THE EAST LINE OF CENTRAL PARK AVENUE TO THE SOUTH LINE OF THE ALLEY NORTH OF CENTRAL STREET;
- THENCE EAST ALONG SAID SOUTH LINE OF ALLEY TO THE WEST LINE OF HURD AVENUE;
- THENCE EAST TO THE INTERSECTION OF THE EAST LINE OF HURD AVENUE AND THE SOUTH LINE OF THE ALLEY NORTH OF CENTRAL STREET;
- THENCE EAST ALONG SAID SOUTH LINE OF ALLEY TO THE WEST LINE OF LINCOLNWOOD DRIVE;
- THENCE EAST TO THE INTERSECTION OF THE EAST LINE OF LINCOLNWOOD DRIVE AND THE SOUTH LINE OF THE ALLEY NORTH OF CENTRAL STREET;
- THENCE EAST ALONG THE SOUTH LINE OF SAID ALLEY TO THE CENTERLINE OF ALLEY FROM THE NORTH WEST OF REESE AVENUE;
- THENCE NORTH ALONG SAID CENTERLINE TO THE SOUTH LINE OF ALLEY NORTH OF CENTRAL STREET TO THE EAST;
- THENCE EAST ALONG SOUTH LINE OF SAID ALLEY TO THE WEST LINE OF REESE AVENUE;
- THENCE EAST TO THE INTERSECTION OF THE EAST LINE OF REESE AVE AND THE SOUTH LINE OF ALLEY NORTH OF CENTRAL STREET;
- THENCE EAST ALONG SAID SOUTH LINE OF ALLEY TO THE WEST LINE OF EWING AVE;
- THENCE SOUTH ALONG THE WEST LINE OF EWING AVENUE AND ITS EXTENSION TO THE SOUTH LINE OF CENTRAL AVENUE;

- THENCE EAST ALONG THE SOUTH LINE OF CENTRAL AVENUE TO A POINT 100 FEET EAST OF THE EAST LINE OF EWING AVE, BEING THE EAST LINE OF LOTS 9 AND 10 (EXCEPTING THE SOUTH 120 FEET OF SAID LOTS) IN BLOCK 3 IN E.T. PAUL'S ADDITION TO EVANSTON (RECORDED JULY 10, 1891);
- THENCE SOUTH ALONG SAID EAST LINE OF LOT 9 A DISTANCE OF 71.25 FEET;
- THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF CENTRAL AVENUE TO THE EAST LINE OF EWING AVENUE;
- THENCE CONTINUING WEST ALONG THE EXTENSION OF SAID LINE TO THE WEST LINE OF EWING STREET;
- THENCE SOUTH ALONG SAID WEST LINE OF EWING AVENUE TO THE NORTH LINE OF THE ALLEY SOUTH OF CENTRAL STREET;
- THENCE WEST ALONG SAID NORTH LINE OF ALLEY TO THE EAST LINE OF LINCOLNWOOD DRIVE FROM THE NORTH;
- THENCE NORTH ALONG SAID EAST LINE OF LINCOLNWOOD DRIVE TO IT'S INTERSECTION WITH THE EXTENSION OF THE NORTH LINE OF ALLEY SOUTH OF CENTRAL AVE WEST OF LINCOLNWOOD DRIVE;
- THENCE WEST ALONG SAID EXTENSION OF THE NORTH LINE OF ALLEY TO THE WEST LINE OF LINCOLNWOOD DRIVE FROM THE NORTH;
- THENCE WEST ALONG SAID NORTH LINE OF ALLEY TO THE EAST LINE OF HURD AVENUE;
- THENCE WEST TO THE INTERSECTION OF THE WEST LINE OF HURD AVENUE AND THE NORTH LINE OF ALLEY SOUTH OF CENTRAL STREET;
- THENCE WEST ALONG SAID NORTH LINE OF ALLEY TO THE EAST LINE OF CENTRAL PARK AVENUE;
- THENCE WEST TO THE INTERSECTION OF THE WEST LINE OF CENTRAL PARK AVENUE AND THE NORTH LINE OF ALLEY SOUTH OF CENTRAL STREET;
- THENCE WEST ALONG SAID NORTH LINE OF ALLEY 186 FEET TO THE WEST LINE OF LOT 6 IN BLOCK 3 OF ARTHUR T. McINTOSH'S ADDITION TO EVANSTON (RECORDED JULY 19, 1915 DOCUMENT NUMBER 5674726);
- THENCE NORTH ALONG SAID WEST LINE OF LOT 6 TO THE SOUTH LINE OF CENTRAL STREET;
- THENCE NORTH TO THE NORTH LINE OF CENTRAL STREET;
- THENCE WEST ALONG SAID NORTH LINE OF CENTRAL STREET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY ILLINOIS.

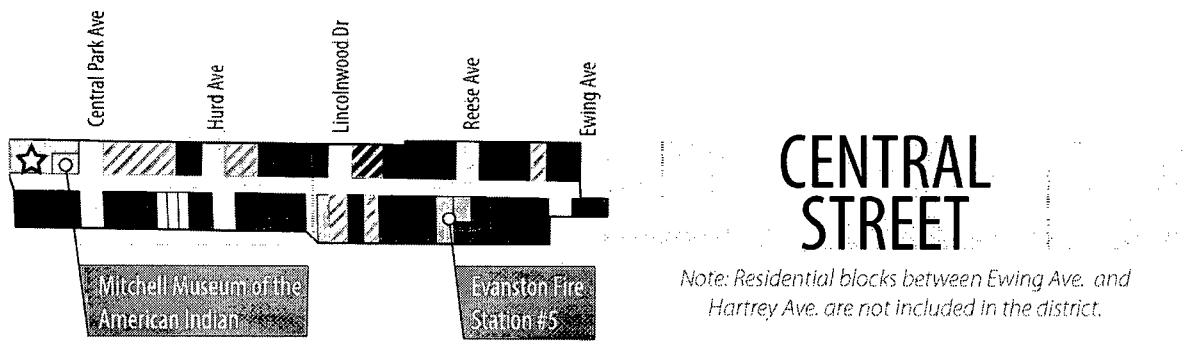
Special Service Area #8 PIN LIST

WEST CENTRAL STREET DISTRICT					
1	05334260210000	26	05334290160000	51	10112000090000
2	05334260450000	27	05334290170000	52	10112000100000
3	05334270180000	28	05334290240000	53	10112010220000
4	05334270190000	29	05334300120000	54	10112010260000
5	05334270200000	30	05334300130000	55	10112010270000
6	05334270301025	31	05334300140000	56	10112010281009
7	05334280120000	32	05334300150000	57	10112010281010
8	05334280130000	33	05334300160000	58	10112010281011
9	05334280140000	34	05334300170000	59	10112020010000
10	05334280150000	35	05334300180000	60	10112020020000
11	05334280160000	36	05334300190000	61	10112020030000
12	05334280170000	37	05334300200000	62	10112020040000
13	05334280180000	38	10111060050000	63	10112020050000
14	05334280190000	39	10111060060000	64	10112020080000
15	05334280221001	40	10111060070000	65	10112020110000
16	05334280221002	41	10111060080000	66	10112020120000
17	05334280221003	42	10111060090000	67	10112020130000
18	05334280221004	43	10112000010000	68	10112020280000
19	05334280221005	44	10112000020000	69	10112020290000
20	05334280221006	45	10112000030000	70	10112020300000
21	05334280221007	46	10112000040000	71	10112020310000
22	05334280221008	47	10112000050000	72	10112020321001
23	05334280221009	48	10112000060000	73	10112020321002
24	05334290140000	49	10112000070000	74	10112020321003
25	05334290150000	50	10112000080000	75	10112030010000

EXHIBIT 2

SPECIAL SERVICE AREA #8 PROPOSED MAP

West Central St District



Existing Land Use

- Single-Family/Condominium
- Multi-Family Residence
- Commercial
- Mixed-Use
- Tax-Exempt
- Vacant Storefront

Figure 14: Proposed boundary map

EXHIBIT 3**NOTICE OF HEARING - CITY OF EVANSTON
SPECIAL SERVICE AREA NUMBER 8**

NOTICE IS HEREBY GIVEN that on November 25, 2019 at 7:00 p.m., City Council Chambers, 2100 Ridge Avenue, Evanston, Illinois 60201, a hearing will be held by the City Council of the City of Evanston to consider the establishment of a Special Service Area consisting of territory legally described as follows:

Legal Description of Special Service Area #8
West Central Street District, Evanston, Illinois.

BEING THOSE PARTS OF SECTION 33 AND 34 IN TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO THOSE PARTS OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY ILLINOIS, MORE PARTICULARLY DESCRIBED BELOW.

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The approximate location of the proposed Special Service Area Number 8 is located in the commercial corridor of Central Street and Green Bay Road bound by Isabella to north, Lincoln on south, Eastwood on east and Hartrey on west. The area comprised of commercial and mixed use properties is focused primarily on the inclusion of properties that include ground floor commercial uses.

All interested persons affected by the proposed establishment of the Special Service Area will be provided with an opportunity to be heard regarding the formation of, the boundaries of, the special service area and may object to the formation of the area and the levy of taxes affecting the area. The purpose for establishing the Special Service Area is to provide a source of funds for business district activities that are proposed to include within the SSA boundaries, but are not limited to landscaping activities, installation of holiday decorations, public-way aesthetic improvements, wayfinding signage, and advertising and marketing of the business district. All the described services are unique and in addition to services generally provided by the City of Evanston.

At the hearing, a tax levy for the Special Service will be considered. The proposed annual tax levy for the Special Service Area is an amount not to exceed an annual rate of .45% (percent) of the equalized assessed value of the property within the proposed Special Service Area and the tax will be levied for indefinite period of time from and after the date of the ordinance establishing the Special Service Area. These taxes shall be in addition to all other taxes permitted by law and shall be levied pursuant to the provisions of the Property Tax Code (35 ILCS 200/1-1 *et seq*). The tax levy for SSA# 8 are intended to produce approximately \$60,200 annually for the cost of the services described above. The City of Evanston, however, may annually levy up to the maximum rate specified in the ordinance establishing the Special Service Area for the cost of services described above as said services become necessary and are provided by the City of Evanston. The hearing may be adjourned by the City Council of the City of Evanston to another date without further notice other than a motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment.

If a petition objecting to the establishment of the proposed Special Service Area, the tax levy, or the imposition of a tax for the provision of special services to the proposed Special Service Area that has been signed by at least fifty-one percent (51%) of the electors residing within the proposed Special Service Area, and by at least fifty-one percent (51%) of the owners of record of the land included within the boundaries of the proposed Special Service Area, is filed with the City of Evanston City Clerk within sixty (60) days following the final adjournment of the public hearing regarding the establishment of the proposed Special Service Area, no such Special Service Area may be established nor any tax levied or imposed.

Dated this ____ the day of _____, YEAR.

CITY CLERK