

**109-O-19**

**AN ORDINANCE**

**Proposing the Extension of Special Service Area No. 4 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 its 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**, on August 10, 1987, pursuant to Ordinance 46-O-87, the City Council of the City of Evanston ("City") enacted an ordinance (the "Establishment Ordinance") which established an area known and designated as Special Service Area Number 4 (the "SSA Area") and authorized the levy of an annual tax, for the period beginning in tax year 1988 (the "Original Levy Period"), not to exceed an annual rate of 0.40% of the equalized assessed value of the taxable property therein (the "Original Services Tax") to provide certain services in and for the SSA Area in addition to the services provided by the City of Evanston generally (the "Special Service Area No. 4"). By terms of the ordinance, Special Service Area No. 4 was terminate in 1987; and

**WHEREAS**, on June 22, 1992, pursuant to Ordinance 47-O-92, did extend Special Service Area No. 4 in the SSA Area described in Exhibit 1 for an additional 5 years to terminate in 1997; and

**WHEREAS**, on January 13, 1997, pursuant to Ordinance 116-O-96, Special Service Area No. 4 was to terminate in 1997 and was extended another 10 years to terminate in 2007; and

**WHEREAS**, on July 9, 2007, pursuant to Ordinance 67-O-07, Special Service Area No. 4 was to terminate in 2007 and was extended another 12 years, months and will terminate on December 31, 2019, if the Special Service Area No. 4 is not extended once more; and

**WHEREAS**, the Special Services authorized in the Establishment Ordinance, and will continue by this Extension Ordinance in the SSA Area, include but not limited to: marketing, public way maintenance, landscaping, holiday décor, place making, public art, promotions, retail attraction and retention; and

**WHEREAS**, the City desires to authorize the following changes to the Establishment Ordinance and conduct a public hearing on the following changes: (a) the extension of the Original Levy Period for a fifteen year period 2019 - 2034; (b) Removal of 1830 Sherman; (c) addition of the following properties with real property addresses of 909 -990 Grove; 1715 Chicago Avenue; 522 Chicago Avenue; 1469 Elmwood; and (d) set the tax rate cap of .2460% (the "Extension Ordinance"); and

**WHEREAS**, the City Council finds that it is in the public interest that consideration be given to the Extension Ordinance,

**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 extension of the Special Service Area No. 4 as described in this Ordinance for the purposes set forth in this Ordinance be authorized.

B. Special Service Area No. 4 is located in the mixed use area of downtown. The area comprised of commercial and residential uses. Where it is found to be possible, residential property is not included in Special Service Area Number 4. The permanent tax index numbers of all parcels located within the area of the proposed SSA Number 4 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 extension of Special

Service Area Number 4 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 Services will be considered. The proposed tax levy for the Special Service Area No. 4 is in an amount not to exceed the rate of 0.2460% of the equalized assessed value of the property within the proposed Special Service Area and the tax will be levied for a fifteen year period from and after the date the ordinance extending the Special Service Area No. 4. 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 for the extension of the Special Service Area No. 4 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 No. 4, 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:

Edwards Gomez  
Devon Reid, City Clerk

Edwards 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**

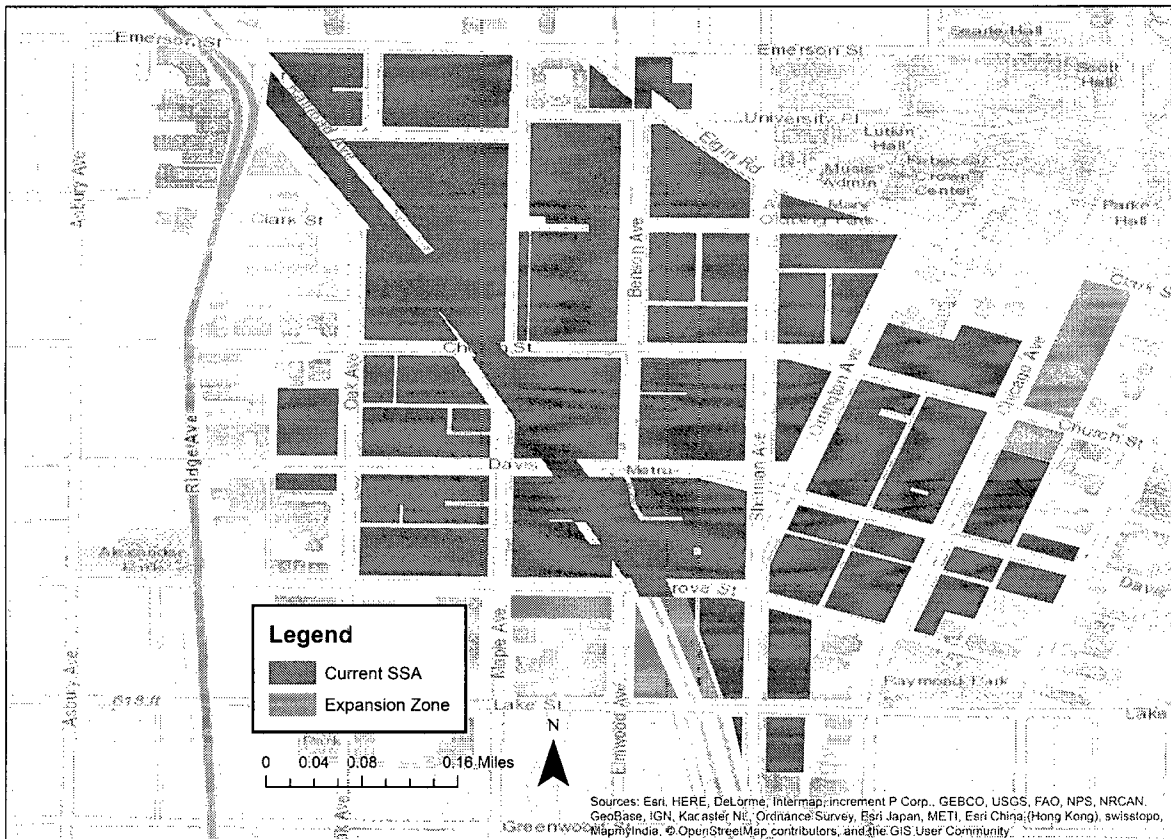
Legal Description of Special Service Area No. 4  
Downtown Evanston, Evanston, Illinois.

Beginning at the intersection of the South line of Emerson Street and the East line of Ridge Avenue; thence East along the South line of Emerson Street to the west line of Maple Avenue; thence South along the West line of Maple Avenue to the South line of University Place extended; thence East along the South line of University Place and its extension to the East line of Lot 1 in Ivy Court Subdivision recorded as document number 98373123 extended; thence North along said East line and its extension to the Southeast line of Elgin Road; thence Southeast, along said Southeast line of Elgin Road to the West line of Benson Avenue; thence North along the West line of Benson Avenue to the South line of Emerson Street to the West line of Lot 4 in Block 6 in the Village of Evanston; thence South along the West line of said Lot 4 to the North line of the South Half of said Lot 4; thence East along the North line of the South Half of said Lot 4 to the East line of Lot 4; thence South along the East line of said Lot 4 to the North line of University Place; thence West along the North line of University Place to the Northeast line of Elgin Road; thence Southwesterly to the intersection of the South line of University Place and the Southwesterly line of Elgin Road; thence Southeasterly along the Southwesterly line of Elgin Road to the West line of Sherman Avenue; thence Southeasterly to the intersection of the East line of Sherman Avenue and the Southwest line of Elgin Road; thence Southeasterly along the Southeasterly line of Elgin Road to the intersection of the South line of Clark Street and the Northwesterly line of Orrington Avenue; thence Southwesterly along the Northwesterly line of Orrington Avenue to the extension of the North line of Lot 8 in Block 15 in said Village of Evanston; thence Southeasterly along said North line of Lot 8 to the Southeast line of the Northerly-Southerly alley in said Block 15; thence Northeasterly along said Southeast line of said alley to a line 11 feet Northeasterly of and parallel with the Northeast line of Lot 14 of said Block 15; thence Southeasterly along said parallel line to the Southeasterly line of Chicago Avenue; thence Northeasterly along the Southeasterly line of Chicago Avenue to the Southerly line of Clark Street; thence Southeasterly along the Southerly line of Clark Street to the Westerly line of the Northerly-Southerly alley; thence Southwesterly along said Westerly line of said alley to the North line of Church Street; thence Southwesterly to the intersection of the South line of Church Street and the Westerly line of the Northerly-Southerly alley in Block 20 in said Village of Evanston; thence Southwesterly along said Westerly line of said alley to an intersecting point with the extended South line of lot 11 in aforesaid Block 20; thence Southeasterly along said South line of Lot 11 to the Westerly line of Hinman Avenue; thence Southwesterly along said Westerly line of Hinman Avenue to the South line of Lot 2 in Block 26 of said Village of Evanston; thence Northwesterly along the South line of said Lot 2 to a point on the West line of the Northerly-Southerly alley in said Block 26; thence Southwesterly along said West line to a line 18 feet Southwest of and parallel with the North line of Lot A of the Plat of Consolidation of lots 7 and 8 in said Block 26; thence Northwesterly

along said parallel line to a line 100 feet Northwest of and parallel with said west line of alley to the North line of Grove Street; thence Northwesterly along said North line of Grove Street to its intersection with the west line of the North-South alley in Block 29 in said Village of Evanston; thence South along said West line to the North line of Lake Street; thence South to the intersection of the South line of Lake Street and the West line of the North-South alley in Lakeside Subdivision of Block 30 in said Village of Evanston, said point being the Northeast corner of Lot 1 in The Emmanuel Evangelical Lutheran Church Consolidation recorded as document 86439263; thence South along the West line of said alley to a line 10 feet North of and parallel with the South line of Lot 14 in said Lakeside Subdivision; thence West along said parallel line to the East line of Sherman Avenue; thence Northwesterly to the intersection of the Westerly line of Sherman Avenue and the Easterly line of the Chicago Transit Railroad right of way; thence Northwesterly along said right of way to its intersection with the North line of Lake Street; thence West along the North line of Lake Street to the East line of Elmwood Avenue; thence North along the East line of Elmwood Avenue to its intersection with the extension of the North line of the East-West alley in Block 53 in said Village of Evanston; thence West along said North line and its extension to the East line of Maple Avenue; thence North along the East line of Maple Avenue to the South line of Grove Street; thence Northwesterly to the intersection of the East line of Maple Avenue and the North line of Grove Street; thence West along the North line of Grove Street to the East line of Oak Avenue; thence North along the East line of Grove Avenue to its intersection with the South line and its extension of Lot 6 in Block 61 in said Village of Evanston; thence West along said South line and its extension to the East line of the North-South alley in said Block 61; thence North along said East line to the South line of Davis Street; thence North to the intersection of the North line of Davis Street and the East line of the North-South alley in Block 68 in Village of Evanston; thence North along the East line of said alley to the South line of the East-West alley in said Block 68; thence East along said South line and its extension to the East line of Oak Avenue; thence North along the East line of Oak Avenue to the South line of Church Street; thence North to the intersection of the North line of Church Street and the East line of Oak Avenue; thence North along the East line of Oak Avenue to the Southwesterly right of way of the Chicago and Northwestern Railway; thence Northwesterly along said right of way to the Easterly line of Ridge Avenue; thence Northeasterly to the point of beginning all in Cook County, Illinois.

## EXHIBIT 2

### SPECIAL SERVICE AREA PROPOSED MAP





## SPECIAL SERVICE AREA #4 PIN LIST

11183060050000	11181270020000	11183120160000	11183110010000	11182080170000
11181250140000	11181270040000	11183110421003	11183110421005	11182080180000
11183030140000	11183120170000	11183170210000	11181190371001	11183010090000
11183040370000	11183030130000	11181190371002	11183170130000	11183010100000
11181170160000	11183120220000	11184080140000	11181270120000	11183020040000
11181170050000	11184030180000	11183020300000	11183110100000	11183090180000
11181230120000	11183020360000	11183020250000	11183110090000	11183090190000
11183060380000	11183180160000	11183170090000	11183020010000	11183090240000
11184080050000	11184030210000	11181120460000	11181180088035	11183090290000
11181120450000	11183120240000	11183170110000	11181180088028	11183240210000
11184080020000	11183120260000	11183090090000	11183110240000	11185000100000
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11181270180000	11181270200000	11183120270000	11183090330000	11181260050000
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11184000290000	11183170060000			
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11184000310000	11183020260000			
11184000320000	11181170158001			
11184000330000	11181200020000			

**EXHIBIT 3****NOTICE OF HEARING - CITY OF EVANSTON  
SPECIAL SERVICE AREA NUMBER 4**

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 #4  
Downtown Evanston, Evanston, IL.

Beginning at the intersection of the South line of Emerson Street and the East line of Ridge Avenue; thence East along the South line of Emerson Street to the west line of Maple Avenue; thence South along the West line of Maple Avenue to the South line of University Place extended; thence East along the South line of University Place and its extension to the East line of Lot 1 in Ivy Court Subdivision recorded as document number 98373123 extended; thence North along said East line and its extension to the Southeast line of Elgin Road; thence Southeast, along said Southeast line of Elgin Road to the West line of Benson Avenue; thence North along the West line of Benson Avenue to the South line of Emerson Street to the West line of Lot 4 in Block 6 in the Village of Evanston; thence South along the West line of said Lot 4 to the North line of the South Half of said Lot 4; thence East along the North line of the South Half of said Lot 4 to the East line of Lot 4; thence South along the East line of said Lot 4 to the North line of University Place; thence West along the North line of University Place to the Northeast line of Elgin Road; thence Southwesterly to the intersection of the South line of University Place and the Southwesterly line of Elgin Road; thence Southeasterly along the Southwesterly line of Elgin Road to the West line of Sherman Avenue; thence Southeasterly to the intersection of the East line of Sherman Avenue and the Southwest line of Elgin Road; thence Southeasterly along the Southeasterly line of Elgin Road to the intersection of the South line of Clark Street and the Northwesterly line of Orrington Avenue; thence Southwesterly along the Northwesterly line of Orrington Avenue to the extension of the North line of Lot 8 in Block 15 in said Village of Evanston; thence Southeasterly along said North line of Lot 8 to the Southeast line of the Northerly-Southerly alley in said Block 15; thence Northeasterly along said Southeast line of said alley to a line 11 feet Northeasterly of and parallel with the Northeast line of Lot 14 of said Block 15; thence Southeasterly along said parallel line to the Southeasterly line of Chicago Avenue; thence Northeasterly along the Southeasterly line of Chicago Avenue to the Southerly line of Clark Street; thence Southeasterly along the Southerly line of Clark Street to the Westerly line of the Northerly-Southerly alley; thence Southwesterly along said Westerly line of said alley to the North line of Church Street; thence Southwesterly to the intersection of the South line of Church Street and the Westerly line of the Northerly-Southerly alley in Block 20 in said Village of Evanston; thence Southwesterly along said Westerly line of said alley to an intersecting point with the extended South line of lot 11 in aforesaid Block 20; thence Southeasterly along said South line of Lot 11 to the Westerly line of Hinman Avenue; thence Southwesterly along

said Westerly line of Hinman Avenue to the South line of Lot 2 in Block 26 of said Village of Evanston; thence Northwesterly along the South line of said Lot 2 to a point on the West line of the Northerly-Southerly alley in said Block 26; thence Southwesterly along said West line to a line 18 feet Southwest of and parallel with the North line of Lot A of the Plat of Consolidation of lots 7 and 8 in said Block 26; thence Northwesterly along said parallel line to a line 100 feet Northwest of and parallel with said west line of alley to the North line of Grove Street; thence Northwesterly along said North line of Grove Street to its intersection with the west line of the North-South alley in Block 29 in said Village of Evanston; thence South along said West line to the North line of Lake Street; thence South to the intersection of the South line of Lake Street and the West line of the North-South alley in Lakeside Subdivision of Block 30 in said Village of Evanston, said point being the Northeast corner of Lot 1 in The Emmanuel Evangelical Lutheran Church Consolidation recorded as document 86439263; thence South along the West line of said alley to a line 10 feet North of and parallel with the South line of Lot 14 in said Lakeside Subdivision; thence West along said parallel line to the East line of Sherman Avenue; thence Northwesterly to the intersection of the Westerly line of Sherman Avenue and the Easterly line of the Chicago Transit Railroad right of way; thence Northwesterly along said right of way to its intersection with the North line of Lake Street; thence West along the North line of Lake Street to the East line of Elmwood Avenue; thence North along the East line of Elmwood Avenue to its intersection with the extension of the North line of the East-West alley in Block 53 in said Village of Evanston; thence West along said North line and its extension to the East line of Maple Avenue; thence North along the East line of Maple Avenue to the South line of Grove Street; thence Northwesterly to the intersection of the East line of Maple Avenue and the North line of Grove Street; thence West along the North line of Grove Street to the East line of Oak Avenue; thence North along the East line of Grove Avenue to its intersection with the South line and its extension of Lot 6 in Block 61 in said Village of Evanston; thence West along said South line and its extension to the East line of the North-South alley in said Block 61; thence North along said East line to the South line of Davis Street; thence North to the intersection of the North line of Davis Street and the East line of the North-South alley in Block 68 in Village of Evanston; thence North along the East line of said alley to the South line of the East-West alley in said Block 68; thence East along said South line and its extension to the East line of Oak Avenue; thence North along the East line of Oak Avenue to the South line of Church Street; thence North to the intersection of the North line of Church Street and the East line of Oak Avenue; thence North along the East line of Oak Avenue to the Southwesterly right of way of the Chicago and Northwestern Railway; thence Northwesterly along said right of way to the Easterly line of Ridge Avenue; thence Northeasterly to the point of beginning all in Cook County, Illinois.

The approximate location of the proposed Special Service Area Number 4 is located in the downtown Evanston business district bound by Emerson on north, Ridge on west, Chicago Ave on east and Grove on south. 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 tax levy for the Special Service Area is an amount not to exceed a rate of .2460% 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 levies are intended to produce approximately \$592,665 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 \_\_\_\_\_, 20\_\_.

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CITY CLERK