

Village of McLean

Ordinance#

23-01-09

Ordinance Approving the Village of McLean Business District Plan

Adopted by the Village Board
Of the
Village of McLean

Published in pamphlet form by authority of the Village of McLean, McLean

County, Illinois this 10th day of **January, 2023**.

STATE OF ILLINOIS)

) SS

COUNTY OF MCLEAN)

PUBLICATION CERTIFICATE

I, the undersigned Village Clerk, certify that I am the duly elected and acting Village Clerk of the Village of McLean, McLean County, Illinois.

I further certify that on **Monday, January 9, 2023**, the Board of Trustees of such municipality passed and approved **Ordinance No. 23-01-09**, entitled:

**Ordinance Approving the Village of McLean
Business District Plan**

Board of Trustees of the Village of McLean previously adopted a Resolution that authorized all Village Ordinances to be published in pamphlet form.

The pamphlet form of Ordinance No. **23-01-09**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on January 10, **2023** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

Dated at McLean, Illinois, this 20th day of **January, 2023**.


Village Clerk

(SEAL)

STATE OF ILLINOIS)

) SS

COUNTY OF MCLEAN)

PUBLICATION CERTIFICATE

I, the undersigned Village Clerk, certify that I am the duly elected and acting Village Clerk of the Village of McLean, McLean County, Illinois.

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Ordinance Approving the Village of McLean Business District Plan

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Dated at McLean, Illinois, this 20th day of **January, 2023**.


Village Clerk

(SEAL)

STATE OF ILLINOIS)
)
COUNTY OF MCLEAN)

I, Sharon Leipold, Village Clerk of the Village of McLean, Illinois, do hereby certify that, as such officer, I am the Clerk of the Board of Trustees of said Village, the keeper and custodian of the books, papers, records, reports, ordinances and minutes of the meetings of the Board of Trustees of said Village; and that the instrument attached hereto is a full, true and correct copy of the original Ordinance adopted by the Board of Trustees of the Village of McLean, at a regular meeting thereof on the 9th day of January, 2023, attended by a quorum of the members of said Board, and approved by the President on the 9th day of January, 2023, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of McLean this 9th day of January, 2023.



VILLAGE CLERK OF THE VILLAGE OF MCLEAN

ORDINANCE NO. 23-01-09

AN ORDINANCE TO APPROVE THE VILLAGE OF MCLEAN BUSINESS DISTRICT PLAN AS THE SPECIFIC PLAN FOR A BUSINESS DISTRICT AND DESIGNATING A BUSINESS DISTRICT PURSUANT TO THE BUSINESS DISTRICT DEVELOPMENT AND REDEVELOPMENT ACT

WHEREAS, the Business District Development and Redevelopment Act, 65 ILCS 5/11-74.3 et. seq. (the "Business District Act") authorizes the designation of areas of a municipality as a Business District and declares the use of powers provided under the Business District Act for the development and redevelopment of business districts to be a public use essential to the public interest; and

WHEREAS, the Business District Act requires that such a result conform with the comprehensive plan of the municipality and with a specific plan for business districts approved by the corporate authorities of the municipality after a public hearing; and

WHEREAS, the Village Board (the "Village Board") of the Village of McLean, Illinois (the "Village") has expressed its intent to prepare and adopt, after public hearings, a specific plan for a business district and to designate a Business District in conformance with the Village's Comprehensive Plan; and

WHEREAS, the Village on December ____, 2022 and on December ____, 2022 published a notice of public hearing to be held with respect to the approval of the Business District Plan and the designation of the Business District, and the Village held a public hearing as provided in such notice, at which hearing members of the public were allowed to comment with respect to the provisions of the Business District Plan; and

WHEREAS, the Village of McLean Business District Plan was prepared by J. R. Cummings and Associates, titled Village of McLean Business Development District (BDD) Determination and Findings Report, Part I (Blight) and Part II, (the "Business District Plan") which plan was made available for public inspection before the date of the hearing, and on January 9, 2023, the Village Board held a duly advertised public hearing to receive comment on the Village of McLean Business District Plan and on the designation of the area identified therein (the "Area") as a Business District; and

WHEREAS, the Village Board, after due deliberation, desires to approve the Village of McLean Business District Plan as the Village's specific plan for a business district and to designate the Area as a Business District pursuant to the Business District Act; and

WHEREAS, the Village hereby finds that the proposed district qualifies as a Business District under the Business District Development and Re-Development Act.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF MCLEAN, ILLINOIS, as follows:

Section 1: The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of the Ordinance.

Section 2: The Village hereby makes the following findings as supported by the Business District Plan:

- (a) The Business District, on the whole, has not been subject to growth and development through private enterprise investment or would not reasonably be anticipated to be developed or redeveloped without the adoption of the Business District Plan.
- (b) The designated business district plan conforms to the Village comprehensive development plan.
- (c) The business district is a blighted area as defined in Section 11.74.3-5 of the Illinois Business District Development and Redevelopment Law.
- (d) The areas within the designated business district are economically underdeveloped.
- (e) Factors set forth in the report by J. R. Cummings and Associates combine to make the Area an economic liability to the Village and associated taxing bodies.

Section 3: The Village hereby makes the following findings concerning the Business District:

- (a) The designation of the area identified in the Plan and legally described in Exhibit "A", attached hereto and incorporated by reference in this Ordinance (the "District") as a Business District will assure opportunities for development and redevelopment and attract sound and stable commercial growth.
- (b) Both the Plan and the District conform with the Village's Comprehensive Plan.
- (c) The Village's exercise of the powers provided in the Business District Act is dedicated to the promotion of the public interest and to the enhancement of the tax base of business districts and the Village's use of such powers for the development and redevelopment of the District as provided in the Plan is declared to be a public use of the Village.
- (d) The District is found to be eligible, as it represents a blighted and underdeveloped portion of the Village of McLean by reason of predominance of deterioration of site improvements and conditions which endanger property. Additionally, all of the factors within the District constitute an economic underutilization of the area within the District in its present condition and use. In addition, the parcels in the District have not increased in property value and it is not reasonably anticipated that any parcels in the district will be developed or redeveloped without the establishment of the Village of McLean Business District and the adoption of the Village of McLean Business District Plan.

Section 4: A copy of the Report, Part I (Blight) completed by J.R. Cummings and Associates which is attached as Exhibit "B", and incorporated herein by reference in this Ordinance, is hereby adopted and approved.

Section 5: A copy of the Report, Part II, (Business District Plan) completed by J. R. Cummings and Associates which is attached hereto as Exhibit "C", and incorporated herein by reference in this Ordinance, constitutes a specific plan for a business district in the Village.

Section 6: The District is hereby designated a Business District. The Business District includes _____ parcels of real property and such parcels are directly and substantially benefitted by the Business District Plan. The Village Board shall have and possess, without limitation, such powers with respect to the Business District as authorized under the Business District Act and the Business District Plan.

Section 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

Section 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication, if required, in the manner provided by law. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of the Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of McLean at a duly held meeting on the 9th day of January, 2023.

APPROVED:



President of the Board of Trustees of
The Village of McLean

ATTEST:



Village Clerk

AYES: 5

NAYS: 0

ABSENT: 1

STATE OF ILLINOIS)
)
COUNTY OF MCLEAN)

I, Sharon Leipold, Village Clerk of the Village of McLean, Illinois, do hereby certify that, as such officer, I am the Clerk of the Board of Trustees of said Village, the keeper and custodian of the books, papers, records, reports, ordinances and minutes of the meetings of the Board of Trustees of said Village; and that the instrument attached hereto is a full, true and correct copy of the original Ordinance adopted by the Board of Trustees of the Village of McLean, at a regular meeting thereof on the 9th day of January, 2023, attended by a quorum of the members of said Board, and approved by the President on the 9th day of January, 2023, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of McLean this 9th day of January, 2023.



VILLAGE CLERK OF THE VILLAGE OF MCLEAN