

BUSINESS DISTRICT PLAN

54TH STREET BUSINESS DISTRICT



August 5, 2024

ACKNOWLEDGMENTS

CITY OF QUINCY, ILLINOIS

MAYOR

Mike Troup

CITY COUNCIL

Ward 1 Greg Fletcher & Eric Entrup
Ward 2 Dave Bauer & Jeff Bergman
Ward 3 Ken Hultz & Kelly Mays
Ward 4 Michael Farha & Anthony Sassen
Ward 5 Glen Ebbing & Mike Rein
Ward 6 Richie Reis & Jake Reed
Ward 7 Jack Holtschlag & Ben Uzelac

CITY CLERK

Laura Oakman

DIRECTOR OF PLANNING AND DEVELOPMENT

Chuck Bevelheimer

TABLE OF CONTENTS

SECTION 1 – INTRODUCTION 1

 Background 1

 Area Boundary and Need for the Business District 1

 Municipal Authority 3

 Additional Statutory Provisions 5

SECTION 2 – ANALYSIS OF BLIGHTING FACTORS 7

 Qualifications Analysis for the Business District 7

 Qualification Summary and Findings 8

SECTION 3 – BUSINESS DISTRICT PLAN 9

 Description of the Business District 9

 Purpose of the Plan 9

 Business District Objectives 9

 General Description, Location of Proposed Project and Developer 10

 Business District Policies 10

 Business District Project Costs 11

 Sources of Funds to Pay Business District Project Costs 14

SECTION 4 – FINDINGS AND AMENDMENTS TO THE BUSINESS DISTRICT PLAN 16

 Establishment and Term of the Business District 16

 Findings of the Plan 16

 Plan Amendments 17

EXHIBITS

 A Boundary Map – 54th Street Business District 2

 B Estimated Business District Project Costs 13

APPENDIX

54th Street Business District Legal Description

SECTION 1

INTRODUCTION

BACKGROUND

The City recognizes that its long-term viability depends, in part, on strengthening its tax base by diversifying its economic base. The City has determined that it is essential to its economic and social welfare to identify and promote opportunities for development and private investment in order to attract sound and stable commercial growth.

The purpose of this document is to set forth a plan to induce the commercial development of approximately 8.1 acres generally at the northeastern quadrant of the intersection of Broadway St and N 54th St. The boundary of the proposed district incorporates a single parcel (PIN 238092200000) and part of the right of way of N 54th Street. The goal is to provide financial assistance to help offset some of the extraordinary costs associated with preparing the site for development.

The City determined that the Business District Development and Redevelopment Law (65 ILCS 5/11-74.3-1, et. seq.) (the “Business District Law”) is an appropriate vehicle to be used as an inducement for development of the site. Designating the area as a Business District will advance the City’s goal of strengthening its commercial base. This, in turn, will bolster both the real property and sales tax base of the City and all taxing bodies.

AREA BOUNDARY AND NEED FOR THE BUSINESS DISTRICT

The boundaries of the area to be addressed in this Plan are delineated on **Exhibit A, Boundary Map – 54th Street Business District** on the following page and a **legal description** is in the **Appendix** of this Plan. The business district will be named the 54th Street Business District and is referred to herein as the “Business District”. The Business District contains approximately 8.1 acres of land. Recently, the City was approached by a developer, The Otis Company (the “Developer”), wishing to build a multi-lot commercial development and associated parking and drives (the “Project”). However, the developer will not proceed with the Project absent financial incentives to help offset development costs.

[a better map will be used]



The purpose of the Business District is to induce the development of five commercial lots and one lot for stormwater management. The current proposal focuses primarily on dining establishments, but the development will be implemented pursuant to market demands, may include a gas station with convenience store and/or a hotel, and it will be subject to a redevelopment agreement between the City and the developer. Due to the possibility of other types of tenants and uses besides strictly dining, the Project Area shall be subject to a hotel operator's sales tax in addition to the retailer and service occupation taxes.

Once the obligations of the redevelopment agreement with the Developer are fulfilled, the City will have the option to continue to collect the business district taxes or terminate the district before the maximum expiration date.

MUNICIPAL AUTHORITY

The Business District Law authorizes Illinois municipalities to designate an area within the municipality as a business district. A business district must be established in conformance with a specific plan officially approved by the corporate authorities of the municipality after a public hearing. A business district must also conform to the municipality's comprehensive plan.

The exercise of the powers provided for in the Business District Law is dedicated to the promotion of the public interest and to the enhancement of the tax base of business districts. The use of such powers for the development and redevelopment of business districts is a public use essential to the public interest. In accordance with the Business District Law, the City may exercise the following powers:

- “(1) To make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan. A contract by and between the municipality and any developer or other nongovernmental person to pay or reimburse said developer or other nongovernmental person for business district project costs incurred or to be incurred by said developer or other nongovernmental person shall not be deemed an economic incentive agreement under Section 8-11-20, notwithstanding the fact that such contract provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes (including, without limitation, taxes imposed pursuant to subsection 10) the municipality receives from the development or redevelopment of properties in the business district. Contracts entered into pursuant to this subsection shall be binding upon successor corporate authorities of the municipality and any party to such contract may seek to enforce and compel performance of the contract by civil action, mandamus, injunction, or other proceeding.*
 - (2) Within a business district, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests therein; and to grant or acquire licenses, easements, and options with respect thereto, all in the manner and at such price authorized by law. No conveyance, lease, mortgage, disposition of land or other property acquired by the municipality or agreement relating to the development of property shall be made or executed except pursuant to prior official action of the municipality. No conveyance, lease, mortgage, or other disposition of land owned by the municipality, and no agreement relating to the development of property, within a business district shall be made without making public disclosure of the terms and disposition of all bids and proposals submitted to the municipality in connection therewith.*
- (2.5) To acquire property by eminent domain in accordance with the Eminent Domain Act.*

- (3) *To clear any area within a business district by demolition or removal of any existing buildings, structures, fixtures, utilities, or improvements, and to clear and grade land.*
- (4) *To install, repair, construct, reconstruct, or relocate public streets, public utilities, and other public site improvements within or without a business district which are essential to the preparation of a business district for use in accordance with a business district plan.*
- (5) *To renovate, rehabilitate, reconstruct, relocate, repair, or remodel any existing buildings, structures, works, utilities, or fixtures within any business district.*
- (6) *To construct public improvements, including but not limited to buildings, structures, works, utilities, or fixtures within any business district.*
- (7) *To fix, charge, and collect fees, rents, and charges for the use of any building, facility, or property or any portion thereof owned or leased by the municipality within a business district.*
- (8) *To pay or cause to be paid business district project costs. Any payments to be made by the municipality to developers or other nongovernmental persons for business district project costs incurred by such developer or other nongovernmental person shall be made only pursuant to the prior official action of the municipality evidencing an intent to pay or cause to be paid such business district project costs. A municipality is not required to obtain any right, title, or interest in any real or personal property in order to pay business district project costs associated with such property. The municipality shall adopt such accounting procedures as shall be necessary to determine that such business district project costs are properly paid.*
- (9) *To apply for and accept grants, guarantees, donations of property or labor or any other thing of value for use in connection with a business district project.*
- (10) *If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs as set forth in the business district plan approved by the municipality.*
- (11) *If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to*

pay for the business district project costs as set forth in the business district plan approved by the municipality.”

ADDITIONAL STATUTORY PROVISIONS

In accord with the provisions of the Business District Law stated above, a municipality may enter into contracts necessary or incidental to the implementation and furtherance of a business district plan. This contracting power includes entering into an agreement with a developer or other nongovernmental person that provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes the municipality receives from the development or redevelopment of properties in the business district.

Also, the corporate authorities of a municipality may impose a retailers' occupation tax, service occupation tax, or hotel operators' occupation tax by ordinance pursuant to subsection (10) or (11) of Section 11-74.3-3 of the Business District Law. However, in order to establish such taxes, the business district area must qualify as a “blighted area” as that term is defined in Section 11-74.3-5 of said law, to wit:

*“**“Blighted area”** means an area that is a blighted area which, by reason of the predominance of defective, non-existent, or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability, an economic underutilization of the area, or a menace to the public health, safety, morals, or welfare.”*

Furthermore, a business district plan shall be prepared. As defined in Section 11-74.3-5 of the Business District Law, a “business district plan” is the written plan for the development or redevelopment of the area identified as the district and must contain the following information:

- “(i) a specific description of the boundaries of the proposed business district, including a map illustrating the boundaries;*
- (ii) a general description of each project proposed to be undertaken within the business district, including a description of the approximate location of each project and a description of any developer, user, or tenant of any property to be located or improved within the proposed business district;*
- (iii) the name of the proposed business district;*
- (iv) the estimated business district project costs;*

- (v) the anticipated source of funds to pay business district project costs;*
- (vi) the anticipated type and terms of any obligations to be issued; and*
- (vii) the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3 and the period of time for which the tax shall be imposed."*

This document constitutes the 54th Street Business District Plan. It sets forth the necessity for the designation of the Business District, the qualifications of the Business District as a "blighted area", a statement of objectives and policies to achieve these objectives, and a description of proposed projects for the Business District.

SECTION 2

ANALYSIS OF BLIGHTING FACTORS

QUALIFICATIONS ANALYSIS FOR THE BUSINESS DISTRICT

Because the City intends to implement an additional retailers' occupation, service occupation, and hotel operators' occupation tax of up to 1.0% in accordance with the provisions of the Business District Law, an evaluation of the conditions within the Business District was conducted. Information gathered for this analysis was derived from research of the Adams County GIS system and information provided by the City and Developer. The following discussion in this section of the Plan summarizes the existing conditions within the Business District that allow it to qualify as a "blighted area" as defined by the Business District Law.

Non-Existent or Inadequate Street Layout

The Project Area lacks the necessary streets to support commercial development therein. To develop the Business District properly, it is necessary to construct proper ingress and egress to the site and internal roadways to circulate traffic to and from the tenant establishments. Additionally, there may need to be upgrades to N 54th Street to accommodate the traffic generated by the businesses within the Project Area.

Non-Contributing Factor: Removal of Materials Not Conducive to Development

The Project Area contains a substantial amount of fill material that is not conducive to any type of development and the cost of removal represents a material impediment to the Developer's project. This is the primary reason for the creation of the Business District and the revenue generated via the added taxes will provide financial assistance to help the Developer mitigate these negative site conditions.

Economic Liability and Economic Underutilization

In addition to property taxes, the Business District has the potential to generate substantial sales taxes for the City of Quincy, Adams County, and the State of Illinois. Currently, no sales taxes and minimal property taxes are generated within the Business District. If developed as proposed, the estimate of total sales taxes generated may approach between \$4,000,000 and \$5,000,000 over the 23-year life of the Business District. Once the project is fully built and occupied, the sales tax revenue may approach \$150,000 to \$200,000 annually.

In conclusion, the Business District has the potential to generate substantially more in property and sales taxes. The overall goal of the City is for the Business District to facilitate the commercial development therein, which in turn will provide additional retail goods and services to the community as well as additional revenue to help fund City and other local government services such as schools.

QUALIFICATION SUMMARY AND FINDINGS

Based on the “blighted area” definition outlined in the Business District Law, there are enough conditions that represent the required qualifications. These include:

- Non-existent streets within the Project Area and proposed Business District.
- One noncontributing factor is the presence of fill material that is not conducive to commercial development. This material must be removed to prepare the site for development and its presence represents a material impediment to the Project.
- The properties within the Business District produce relatively little property taxes and no sales taxes, but it has the potential to generate considerably more property and sales taxes. This constitutes an economic underutilization of the properties within the Business District and thus creates an economic liability to the City and the taxing districts.

Therefore, the Business District meets the standards as a “blighted area” per Section 11-74.3-5(3) of the Business District Law for designation as a “Business District” for purposes of imposing a tax pursuant to subsections (10) or (11) of Section 11-74.3-3 of the Business District Law. The Business District represents an area of the City, which by reason of non-existent streets constitutes an economic or social liability and an economic underutilization of the area.

SECTION 3

BUSINESS DISTRICT PLAN

DESCRIPTION OF THE BUSINESS DISTRICT

The 54th Street Business District consists of approximately 8.1 acres of territory. The boundaries of the Business District are delineated on **Exhibit A – 54th Street Business District**, and a boundary description is attached in the **Appendix as Attachment A**.

PURPOSE OF THE PLAN

The purpose of the Business District Plan (the “Plan”) is to induce private investment in construction of buildings and site improvements related to commercial development. The Plan establishes the objectives and policies for the development of the Business District.

Under the provision of the Illinois Business District Development and Redevelopment Law, the City intends to adopt each of the Business District sales taxes (retailers’ service, and hotel operators’ occupation sales taxes) as provided for in Section 11-74.3-3 (10) and (11) of the Law at the level of 1.0% for the retailer’s and service occupations sales taxes and at 1.0% for the hotel operator’s occupation sales tax. The Plan also describes the proposed uses of the revenue to be generated by the Business District taxes and lays out policies for using Business District tax revenue to provide incentives to achieve the City’s objectives for the Business District.

BUSINESS DISTRICT OBJECTIVES

It is the overall objective of this Plan to induce the development of a planned commercial development. More specifically the objectives include:

Objective #1: Expansion of Quincy’s economic base.

Use the incentive to enhance the City’s commercial base by bringing new commercial development within one of the City’s prime commercial opportunities, namely the northeastern quadrant of the intersection of N 54th Street and Broadway Street. It is anticipated that the new commercial area will attract additional retail sales. It will also provide additional commercial services to the residents of Quincy and attract business patronage from residents in surrounding communities.

Objective #2: Encourage investment and growth in areas outside the District.

The location of the District is within one of the primary commercial growth zones of the City. The proposed Project will further solidify Quincy as a key business center within Adams County. The Developer's project may spur further growth in the area outside the Business District boundary.

Objective #3: Remedy blighted conditions.

To provide for the construction of new internal streets that will eliminate the conditions that caused the Business District to qualify as a blighted area as defined in Business District Law. Prior to constructing new internal streets, the incentive will be used by the Developer to remove fill materials from the site that are not conducive to development of any kind.

Objective #4: Timely completion of the Project.

To provide financial assistance in a timely manner so that the Project is completed as quickly as market demand will allow.

GENERAL DESCRIPTION, LOCATION OF PROPOSED PROJECT AND DEVELOPER

The developer proposing the redevelopment of the property within the Business District is The Otis Company (the "Developer"), incorporated in the State of Nebraska, is authorized to do business in Illinois. Since 1992, The Otis Company or its founder has been involved in redevelopment projects throughout the Midwest with regard to retail and mixed-use developments. Founder Jim Otis has more than three decades of real estate development experience, being involved in the practice since 1992. The Project Area will likely contain several dining establishments, a convenience store, appropriate parking and drives, and stormwater infrastructure. If it is determined that other types of uses, such as retail or a hotel, are in demand, the Project Area may contain those uses instead of those that are planned.

BUSINESS DISTRICT POLICIES

It is the intent of this Plan to foster development within the Business District in a manner that is consistent with good urban planning practices, the City's economic development goals and objectives, and all applicable codes and ordinances. The policies set forth on the following pages are established to promote the Business District objectives.

Development Agreements or Other Such Instruments

In order to ensure that development occurs in a manner consistent with this Plan, the City and the Developer are expected to enter into a development agreement or other such instrument that will establish the terms and conditions under which Business District financial incentives are to be provided. Such instruments may establish, among other things:

- the development entity to receive the incentives;
- the public and/or private improvements to be built; and
- identification of the type and amount of project costs to be reimbursed from Business District sales taxes.

The City may enter into multiple development agreements or other such instruments with other developers, if necessary to implement the Business District Plan.

Development Policies

Development within the Business District should occur in a planned fashion. To this end, this Plan provides the following policy guidelines:

- Development should take place in a planned scheme that is consistent with the development guidelines of the City's 2013 Neighborhood Land Use Plan.
- To achieve the desired development, the Project will be subject to the City's zoning ordinance and map and other applicable codes.

Economic Incentives Policies

In order to induce private investment in the Business District, the City may provide certain economic incentives to private parties. In providing such incentives, it is not the policy or intent of the City to create an unfair advantage of one business over a like-kind business. Instead, incentives will be used to help make projects feasible by helping to offset extraordinary project costs associated with removing fill materials from the site and constructing, maintaining and someday replacing the new internal roadway and any other costs permitted in the Business District Law and as cited earlier in this Section.

BUSINESS DISTRICT PROJECT COSTS

The following costs are anticipated to be incurred in implementing the 54th Street Business District. The Business District projects described above may entail a range of public and private

activities and associated costs as provided for in Section 11-74.3-5 of the Business District Law, including without limitation the following:

- “(1) costs of studies, surveys, development of plans and specifications, implementation and administration of a business district plan, and personnel and professional service costs including architectural, engineering, legal, marketing, financial, planning, or other professional services, provided that no charges for professional services may be based on a percentage of tax revenues received by the municipality;*
- (2) property assembly costs, including but not limited to, acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other nongovernmental persons as reimbursement for property assembly costs incurred by that developer or other nongovernmental person;*
- (3) site preparation costs, including but not limited to clearance, demolition or removal of any existing buildings, structures, fixtures, utilities, and improvements and clearing and grading of land;*
- (4) costs of installation, repair, construction, reconstruction, extension, or relocation of public streets, public utilities, and other public site improvements within or without the business district which are essential to the preparation of the business district for use in accordance with the business district plan, and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by the developer or nongovernmental person;*
- (5) costs of renovation, rehabilitation, reconstruction, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures within the business district, and specifically including payments to developers or other nongovernmental persons as reimbursement for costs incurred by those developers or nongovernmental persons;*
- (6) costs of installation or construction within the business district of buildings, structures, works, streets, improvements, equipment, utilities, or fixtures, and specifically including payments to developers or other nongovernmental persons as reimbursements for such costs incurred by such developer or nongovernmental person;*
- (7) financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued under this Law that accrues during the estimated period of construction of any development or redevelopment project for which those obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of those obligations; and*

(8) relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law.”

The City intends to provide limited economic development assistance through the funding of certain development costs to be incurred by the Developer under the terms and conditions of a separate development agreement in furtherance of the objectives of this Plan. Economic development assistance may include expenditures for public and private improvements as itemized in the table below.

Exhibit B - Estimated Business District Project Costs.

Description	Estimated Cost
A. Public Works <i>(Street improvements and other public improvements)</i>	\$2,000,000
B. Property Assembly <i>(Acquisition of land and other real and personal property)</i>	\$250,000
C. Site Preparation	\$1,000,000
D. Construction of Buildings and Other Site Improvements	\$250,000
E. Building Renovation, Repair, and Retrofit	\$250,000
F. Planning, Legal, and Professional Services	\$250,000
G. General Administration	\$100,000
H. Relocation Costs	\$50,000
I. Financing Costs	\$50,000
J. Contingency (10%)	\$420,000
Total Estimated Costs	\$4,620,000

Notes:

- All costs shown are in 2024 dollars.
- Adjustments may be made among line items within the budget to reflect program implementation experience.
- Municipal financing costs such as interest expense, capitalized interest and cost of issuance of obligations are not quantified herein. These costs are subject to prevailing market conditions and will be considered part of the total business district project cost if and when such financing costs are incurred.
- Private redevelopment costs and investment are in addition to the above.
- The total estimated business district project costs shall not be increased by more than 5% after adjustment for inflation from the date of the Business District Plan was approved, per subsection 11-74.3-2 (f) of the Business District Law.

Exhibit B should not be construed to limit the ability of the City to enter into development agreements, which provide for other costs, additional costs, or a different distribution of these costs among the various line items. Specific limitations on such cost items and any distribution between them will be specified in development agreements by and between the City and any developer(s), property owner, or business tenant.

SOURCES OF FUNDS TO PAY BUSINESS DISTRICT PROJECT COSTS

A portion of the funds necessary to pay for Business District project costs are to be derived from the following Business District Sales Taxes in accordance with Section 11-74.3-3 (10) of the Business District Law:

"...retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs..."

and

...a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for the business district project costs...

These taxes are to be imposed at the rate of 1% and are defined in Section 11-74.3-6 of the Business District Law as follows:

"(b) ...a Business District Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this State's government, at retail in the business district at a rate not to exceed 1% of the gross receipts from the sales made in the course of such business, to be imposed only in 0.25% increments. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use."

"(c) ...a Business District Service Occupation Tax shall also be imposed upon all persons engaged, in the business district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the business district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be imposed at the same rate as the tax imposed in subsection (b) [Business District Retailers' Occupation Tax] and shall not exceed a rate of 1% of the selling price of tangible personal property so transferred within the business district, to be imposed only in 0.25% increments. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a

disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use."

"(d) ...an occupation tax upon all persons engaged in the business district in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, at a rate not to exceed 1% of the gross rental receipts from the renting, leasing, or letting of hotel rooms within the business district,...excluding, however, from gross rental receipts the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act, and proceeds from the tax imposed under subsection (c) of Section 13 of the Metropolitan Pier and Exposition Authority Act."

The City shall deposit the proceeds of the aforementioned taxes imposed into a special fund of the City named the **"54th Street Business District Tax Allocation Fund"**.

Other sources of funds that may be used to pay the costs of implementation of the Business District objectives include:

- Private capital which is available to the Developer through its own cash reserves or financing entities; and
- Improvements funded by third party tenants; and
- Other sources of public financing that may be identified at such a time in the future to fund project costs.

The City may issue obligations secured by the Business District Tax Allocation Fund to provide for the payment of Business District project costs. Those obligations, if so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of those obligations and shall be for a term not later than 20 years after the date of issue or the dissolution date of the Business District, whichever is earlier.

SECTION 4

FINDINGS AND AMENDMENTS TO THE BUSINESS DISTRICT PLAN

ESTABLISHMENT AND TERM OF THE BUSINESS DISTRICT

The establishment of the Business District shall become effective upon adoption of an ordinance by the City Council adopting this Plan. The Business District shall expire in accordance with the provisions of the Business District Law in Section 11-74.3-6 (f) that states:

“When business district project costs, including, without limitation, all obligations paying or reimbursing business district project costs have been paid, any surplus funds then remaining in the Business District Tax Allocation Fund shall be distributed to the municipal treasurer for deposit into the general corporate fund of the municipality. Upon payment of all business district project costs and retirement of all obligations paying or reimbursing business district project costs, but in no event more than 23 years after the date of adoption of the ordinance imposing taxes pursuant to subsection (10) or (11) of Section 11-74.3-3, the municipality shall adopt an ordinance immediately rescinding the taxes imposed pursuant to subsection (10) or (11) of Section 11-74.3-3.”

If all obligations to the Developer are satisfied and the City decides the work of the Business District is complete, the Business District may be terminated prior to the maximum term described above. If the City decides to terminate early, the process will follow a procedure and schedule similar to the adoption of the Business District. If the City passes legislation terminating the District before April 1st of a future year, the Department of Revenue will cease collection on July 1st of that same year and the final distribution of District tax revenue will come to the City within several months. If the City passes legislation terminating the District before October 1st of a future year, the Department of Revenue will cease collection on January 1st of that next year and the final distribution of District tax revenue will come to the City within several months. In both scenarios, the City will have 270 days from the receipt of the last distribution of District taxes to dissolve the special tax allocation fund.

FINDINGS OF THE PLAN

The City hereby finds and determines as follows:

1. This Plan constitutes a specific plan for a business district named the 54th Street Business District in the City of Quincy, Adams County, Illinois.

2. The designation of the Business District as identified in this Plan and the boundaries thereof delineated on Exhibit A – 54th Street Business District, and as described by the boundary description contained in the Appendix, will assure opportunities for development and attraction of quality commercial growth to the City.
3. The Business District is contiguous and includes only parcels of real property directly and substantially benefited by this Plan.
4. The City's exercise of the powers provided in the Business District Law is dedicated to the promotion of the public interest and to the enhancement of the tax base of the Business District, and the use of the powers for the development and redevelopment of the Business 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 Quincy, Adams County, Illinois.
5. The Business District qualifies as a blighted area because the District represents a portion of the City, which by reason of non-existent streets constitutes an economic liability and an economic underutilization of the area.
6. The Business District, on the whole, has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of this Business District Plan. The Developer has stated that the projects will not take place absent the establishment of the Business District and using Business District sales tax revenue to reimburse the Developer for the extraordinary costs to develop the Project.
7. The proposed uses described in the Business District Plan conforms to the City of Quincy's 2013 Neighborhood Land Use Plan which designated "Commercial" development for the Business District area. Therefore, the proposed land uses for the Business are consistent with the latest City comprehensive planning document and development guidelines.

PLAN AMENDMENTS

The procedure for amending this Plan shall also be in conformance with the provisions of the Business District Law.

APPENDIX

DRAFT

Legal Description 54th Street Business District

the southwest quarter of the southwest quarter of the southeast quarter of section 33, in township 1 south of the base line, range 8 west of the fourth principal meridian, Adams County, Illinois containing 10 acres, more or less, excepting 1.90 acres for highway right of way.

