



Legislation Text

File #: ORD19-1535, **Version:** 2

An Ordinance of the Village of Romeoville, Will County, Illinois, Approving A Business District Redevelopment Plan for the Normantown Road Business District No. 1

WHEREAS, on the 7th day of November, 2018, the President and Board of Trustees of the Village of Romeoville, Will County, Illinois (the “Village”) adopted Ordinance No. 18-1521 proposing the establishment of a Business District and called for a public hearing with respect thereto; and,

WHEREAS, the area proposed to be designated as Business District is legally described on Exhibit A, the street boundaries are set forth on Exhibit B and is depicted on the map set forth on Exhibit C, each attached hereto (the “Proposed Area”); and,

WHEREAS, the proposed Business District is to be known as the “Normantown Road Business District No. 1”; and,

WHEREAS, the Normantown Road Business District No. 1 is proposed to be created pursuant to the Business District Development and Redevelopment Law (65 ILCS 5/11-74.3-1 *et. seq.*) (the “Law”); and,

WHEREAS, the Village has caused to be conducted an eligibility study to determine whether the Normantown Road Business District No. 1 qualifies as a “Business District” and whether such area qualifies as a “blighted area” pursuant to the Law, which study was conducted by Kane, McKenna and Associates, Inc. (“Kane McKenna”) and

WHEREAS, Kane McKenna has heretofore concluded the study and has advised the Village by means of a written “Business District Plan” that the Normantown Road Business District No. 1 qualifies as a “blighted area” and as a Business District; and

WHEREAS, the Business District Plan has been made available for public inspection; and,

WHEREAS, the Business District Plan sets forth in writing the program to be undertaken to accomplish the objectives of the Village and includes estimated redevelopment project costs proposed for the Proposed Area, evidence indicating that the Proposed Normantown Road Business District No. 1 Area on the whole has not been subject to growth and development through private enterprise investment and would not reasonably be anticipated to be developed or redeveloped without adoption of the Business District Plan and sets forth other matters required by the Law and the Business District Plan accordingly complies in all respects with the requirements of the Law; and,

WHEREAS, pursuant to the Law, the Corporate Authorities by ordinance called a public hearing (the “Hearing”) relative to the Business District Plan and designation of the area as a Business District and fixed the date and place for such Hearing, being December 19, 2018, at the Romeoville Village Hall, Romeoville, Illinois; and

WHEREAS, due notice in respect to such Hearing was given pursuant to the law by publication on November 30, 2018 and December 5, 2018 in the Joliet Herald News; and

WHEREAS, the Village held the Hearing with respect to the Business District Plan and designation of the area as a Business District simultaneously on December 19, 2018, at the Romeoville Village Hall, Romeoville, Illinois and the Hearing was finally adjourned on that date; and

WHEREAS, at the Hearing any interested persons were permitted to file with the Village Clerk written objections and were heard orally with respect to any issues embodied in the notice of said Hearing, and the Village heard all protests and objections at the Hearing; and

WHEREAS, the Plan sets forth in writing the program to be undertaken to accomplish the objectives of the Village, and the Corporate Authorities have reviewed the information concerning such factors presented at the Hearing and are generally informed of the conditions in the proposed Normantown Road Business District No. 1 which could cause the area to be a “Blighted Area” as defined in 65 ILCS 5/11-74.3-5; and

WHEREAS, the Corporate Authorities have reviewed evidence indicating that the Proposed Area on the

whole has not been subject to growth and development through investment by private enterprise and have reviewed the conditions pertaining to lack of private investment in the Proposed Area to determine whether the Proposed Area would reasonably be anticipated to be developed or be redeveloped without the adoption of the Business District Plan; and

WHEREAS, the Corporate Authorities have reviewed the proposed Business District Plan and also the comprehensive plan for development of the Village as a whole to determine whether the proposed Plan conforms to the comprehensive plan of the Village; and

WHEREAS, the Corporate Authorities have heretofore, and it hereby expressly is, determined that the Village has in all respects complied with the requirements of the law in such actions taken to date as hereinabove recited:

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Romeoville, Will County, Illinois, in the exercise of its statutory, constitutional and home rule powers, as follows:

Section 1: **Findings**

The Corporate Authorities hereby make the following findings:

- (1) The Proposed Area is described in Exhibit A. The street location (as near as practicable) for the Proposed Area is described in Exhibit B. The map of the Proposed Area is depicted on Exhibit C.
- (2) There exist conditions which cause the Proposed Area to be subject to designation as a Business District under the Law and to be classified as a Blighted Area as defined by the Law.
- (3) The Proposed Area on the whole has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed or

redeveloped without the adoption of the Plan.

- (4) The Business District Plan conforms to the Village's Comprehensive Plan.
- (5) The Proposed Area is contiguous.
- (6) All other findings as set forth in the Business District Plan.

Section 2: Plan Approval

The Business District Plan as set forth in Exhibit D attached hereto and incorporated herein is hereby adopted and approved.

Section 3: Blighted Determination

The Corporate Authorities hereby determine that the Normantown Road Business District No. 1 qualifies as, and is a blighted area as provided by 65 ILCS 5/11-74.3-3.5.

Section 4: Invalidity of Any Section

If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 5: Superceded and Effective Date

All ordinances, resolutions, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this ordinance shall be in full force and effect upon its passage by the Corporate Authorities and its approval as provided by law and the annexation of the subject property.

Section 6: Severability

This Ordinance and every provision thereof, shall be considered severable. In the event that any court of competent jurisdiction may find and declare any word, phrase, clause, sentence, paragraph, provision or section or part of a phrase, clause, sentence, paragraph, provision or section of this Ordinance is void or unconstitutional, the remaining words, phrases, clauses, sentences, paragraphs and provisions and parts of phrases, clauses, sentences, paragraphs, provisions and sections not ruled void or unconstitutional shall

continue in full force and effect.

Section 7: **Publication and Effective Date**

This Ordinance shall be published in pamphlet form, and shall be effective upon its passage and approval, as provided by law.