

**TAX INCREMENT FINANCING  
REDEVELOPMENT PLAN AND PROJECT  
BATAVIA RIVERFRONT**



**PREPARED BY  
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## **INTRODUCTION**

The City of Batavia was settled in the early 1800s. It is positioned at the intersection of the Fox River Valley and the western fringe of the Illinois Research and Development Corridor along the East-West Tollway (Interstate 88). The location along the Fox River initially enabled the community to attract mills and factories dependent upon riverfront sites for their operation. However, once electric utility lines reached Batavia, industries that relied on the river for power were free to locate elsewhere. As industries relocated, Batavia became a quiet, mostly residential community.

Recently, Batavia has entered into a new period of growth which has been facilitated by the development that is flourishing along the Illinois Research and Development Corridor. The location of the Fermi National Accelerator Laboratory nearby was the first sign of the transition from the past to the present.

To strengthen the local economy and tax base in light of the emerging trends within the region, City officials have recognized the need to revitalize the central business district and encourage the redevelopment of its riverfront. Many of the uses existing along the Fox River and within the downtown area are no longer relevant and do not represent the highest and best use of land in today's economy. Without an attractive and vibrant central area, the City of Batavia will lose development opportunities, which are important to the survival of its downtown, to other areas within the Fox River Valley.

In order to capture its share of the growth occurring in the region, the City of Batavia proposes to encourage the revitalization and redevelopment of properties along its riverfront generally within the vicinity of the central business district. Without direct municipal involvement and financial assistance, the City has determined that the planning objectives for this area cannot be met. Therefore, the City of Batavia is considering the use of tax increment financing to achieve these planning objectives.

If appropriate, tax increment financing would be used to make the area attractive for development and redevelopment by eliminating the conditions which inhibit private investment, weaken the City's tax base, affect the safety of community residents, and hinder the City's ability to promote a cohesive development of compatible land uses. In accordance with Batavia's Comprehensive Plan, public improvements would be constructed to encourage the type of private investment that will allow the City to achieve its goals for this area. Tax increment financing may be the mechanism by which public improvements can be funded to achieve the desired planning objectives.

### **Tax Increment Financing**

Tax increment financing is permitted in Illinois under the "Tax Increment Allocation Redevelopment Act" (Chapter 24, Paragraph 11-74.4-1 et seq. of the Illinois Revised State Statutes) as amended (hereinafter the "Act"). Only areas which meet certain specifications outlined in the Illinois Revised Statutes are eligible to use this financing mechanism.

The Act permits municipalities to improve eligible "conservation", "blighted", or "industrial park conservation" areas in accordance with an adopted redevelopment plan over a period not to exceed 23 years. The municipal cost of such public improvements can be repaid with the increased revenues generated by private investment in real estate within a designated project area. The key to this financing tool is that funding does not rely on the taxing power of the municipality alone. The property taxing power of taxing districts with jurisdiction over the land within the project area can be employed to retire the necessary financial obligations. This taxing power is only applied to the increase in equalized assessed valuation generated within the designated project area during the limited term of the redevelopment project, principally increased equalized assessed valuation from new private development. Thus, the project can pay for itself without the need for additional taxes to be levied city-wide, outside the boundaries of the project area.

During the months of May, June, and July of 1989, a survey of the area was undertaken to determine eligibility under the tax increment financing law. The results of the survey indicate that the area meets the statutory requirements of a combination of "blighted areas and conservation areas" and is eligible to be designated as a Tax Increment Financing Redevelopment Project Area. The results of this survey are summarized in the Appendix.

The Act stipulates specific procedures which must be adhered to in the redevelopment planning process. They include the designation of a Redevelopment Project Area and determination of its eligibility, preparation and description of a Redevelopment Plan, and description of the program and projects designed to further the objectives of the Redevelopment Plan. These items are the substance of this report.

## REDEVELOPMENT PROJECT AREA DESCRIPTION

The Redevelopment Project Area, hereinafter the "Project Area", is generally comprised of the following four subareas: 1) Batavia Island; 2) West Riverfront, which includes properties along the Fox River north of Houston Street; 3) East Riverfront, which consists of properties along River Street between Wilson and Madison Streets; and 4) South Riverfront, which encompasses properties along the west side of the Fox River along Island Avenue from Wilson to Main Streets and properties along the east side of the river along River Street between Wilson and Webster Streets (Exhibit 1). The legal description of the Project Area is provided below:

That part of Section 15 and 22, Township 39 North Range 8 East of the Third Principal Meridian described by beginning at a point on the Easterly line of the subdivision of the Joel McKee Estate lying 283.8 feet Southerly from the Northeast corner thereof as measured along said Easterly line; thence Westerly along the Southerly line and the Easterly extension of said Southerly line of tax lot 15 as presently platted, in said subdivision of the Joel McKee Estate to the Easterly line of Batavia Avenue (Route #31); thence Southerly along said Easterly line of Batavia Avenue for 30 feet; thence Easterly along the Northerly line of tax lot 17 in said Joel McKee Subdivision, as presently platted, to the Northeast corner thereof; thence Southerly along the Westerly line of tax lot 20, as presently platted, in said Joel McKee Subdivision to the Southwest corner thereof; thence continuing Southerly along the Westerly line of tax lot 27, as presently platted, in said Joel McKee Subdivision to the Southwest corner thereof; thence Southerly along the Westerly line of tax lots 25 and 26; as presently platted, in said Joel McKee Subdivision to the Southwest corner of said tax lot 26; thence Easterly along the North line of tax lot 2, as presently platted, in the Assessor's Third Addition to Batavia to the Northwest corner thereof; thence Southerly along the Westerly lines of tax lots 25, 26, and 27, as presently platted, in said assessor's plat to the Southwest corner of said tax lot 27; thence Easterly along the South line of said tax lot 27 to the Northeast corner of tax lot 9, as presently platted, in said assessor's plat; thence Southerly along the East lines of tax lots 9 and 10, as presently platted, in said assessor's plat to the Southeasterly most corner thereof; thence Westerly along a Southerly line of said tax lot 10 to an angle point thereon; thence Southerly along the East lines of tax lots 10 and 11, as presently platted, in said assessor's plat to the Southeast corner of said tax lot 11; thence Easterly along the North line of tax lot 19, as presently platted, in said assessor's plat to the Northeast corner thereof; thence Southerly along the East line of said tax lot 19, as presently platted, to the Southeast corner thereof; thence Westerly along the North line of tax lot 20, as presently platted, in said assessor's plat to the Northwest corner thereof; thence Southerly along the West lines of tax lots 20, 21, 22, 23, and 24, as presently platted, and the Southerly extension of said West line, in said assessor's plat to the point of intersection of said Southerly extension with the Southerly line of Houston Street; thence Easterly along said Southerly line of



EXHIBIT 1

REDEVELOPMENT PROJECT AREA

**BATAVIA RIVERFRONT TIF PROJECT**  
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Houston Street and extension thereof across Water Street and Island Avenue to the Northwest corner of tax lot 15, as presently platted, in the assessor's Second Addition to Batavia; thence Easterly along the North line and Easterly extension of said tax lot 15 in said assessor's Second Addition to the East bank of the Fox River; thence Southerly along said East bank of the Fox River to the North line of Wilson Street; thence Westerly along said North line of Wilson Street and extension thereof across Island Avenue to the point of intersection of the North line of Wilson Street with the West line of Island Avenue; thence Southerly along the West line of Shumway Avenue (formerly Island Avenue) and extensions thereof across Wilson Street and First Street to the point of intersection of said West line of Shumway Avenue with the South line of the West half of the Northeast quarter of said Section 22; thence East along the South line of the West half of the Northeast quarter of said Section 22 to the West bank of the Fox River; thence Northerly along the West bank of the Fox River to the Southeast corner of tax lot 6, as presently platted, in the Island Addition to Batavia; thence Easterly across the Fox River to the Southwest corner of tax lot 13 in block 3, as presently platted, in Lord and Fowlers Subdivision, thence Easterly to the Northwest corner of tax lot 1 in block 9, as presently platted, in Wilson's Addition; thence Easterly along the South line of Webster Street and extension thereof to the East line of South River Street (Route #25); thence Northerly along said East line of South River Street (Route #25) to the Northwest corner of tax lot 8 in block 2, as presently platted, in said Wilson's Addition to Batavia; thence Easterly along the North line of said tax lot 8 to the Southwest corner of tax lot 4 in block 2, as presently platted, in said Wilson's Addition; thence Northerly along the West line of said tax lot 4 to the Northwest corner thereof; thence Easterly along the South line of Wilson Street to the point of intersection of the Southerly extension of the West line of lot 5 in block 7 of the Original Town of Batavia with said South line of Wilson Street; thence Northerly along said Southerly extension of lot 5 in block 7 of the Original Town of Batavia to the Southwest corner of said lot 5; thence Northerly along the west lines of lots 5, 7, and 8 in block 7 of the Original Town of Batavia to the Northwest corner of said lot 7 in block 7; thence Northerly across State Street to the Southeast corner of lot 5 in block 6 of the Original Town of Batavia; thence Northerly along the East lines of lots 1 thru 5 and the Northerly extension thereof, in block 6 of the Original Town of Batavia to the North line of Spring Street; thence Westerly along said North line of Spring Street to the East line of North River Street; thence Northerly along said East line of North River Street and extensions thereof to the South line of Madison Street; thence Westerly along the Westerly extension of said South line of Madison Street to the East bank of the Fox River; thence Westerly across the Fox River to the point of beginning; in the City of Batavia, Kane County, Illinois.

## COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Redevelopment Plan has been prepared in accordance with the City's comprehensive plan and other related planning documents, and encourages the success of city-wide goals and objectives fundamental to the future development and redevelopment of the Project Area.

The City of Batavia Comprehensive Plan and other pertinent planning documents encourage the beautification and redevelopment of the riverfront and downtown area. Goals and objectives contained in the 1987 Comprehensive Plan for the City of Batavia and the 1987 Batavia Park District Comprehensive Master Plan that pertain to the Redevelopment Project Area are detailed below.

### 1987 City of Batavia Comprehensive Plan

#### Community Form and Character

**Goal:** "An attractive, well-arranged, and largely self-sufficient town, including a wide range of living, working, and community support activities, compatible with the unique natural setting provided by the Fox River Valley."

**Objectives:** "Respect and enhance the charm and visual appeal of the Fox Valley."

"Facilitate the development of sound land use relationships between residences, businesses, industry and open space."

"Conserve and enhance the heritage of cultural and architectural landmarks. Encourage new development to be of compatible design."

"To maintain and enhance the overall appearance of Batavia, adopt and enforce reasonable standards for visual quality and compatibility."

#### Housing and Residential Areas

**Goal:** "An adequate supply of decent and safe housing within attractive residential units and neighborhoods, to accommodate all residents of Batavia."

**Objectives:** "Plan for varied housing based on the projected population and employment mix of Batavia."

"Establish standards of excellence for the design, construction and maintenance of all residential structures. Encourage adoption and enforcement of related codes."

"Encourage the neighborhood concept in order to provide efficient support and service systems in existing and new residential developments."

"Encourage varied housing styles within each new neighborhood or residential unit to avoid visual monotony."

### Commercial Development

**Goal:** "A functional, convenient and attractive commercial base to serve the residents of Batavia."

**Objectives:** "Improve and enhance the economic function of downtown Batavia as a retail, service, civic, and employment center for the community."

"Encourage the development of planned commercial centers conveniently located and easily accessible to residential areas of Batavia."

"Encourage commercial development to mitigate leakage of local dollars to surrounding communities."

"Maintain and rehabilitate existing commercial structures to preserve the historic value of established districts."

"Require that new commercial development reflect reasonable standards of visual quality and compatibility with surrounding land uses. Adopt appearance and/or landscaping codes to ensure that standards are achieved."

### Public Utilities

**Goal:** "A coordinated system of water, sewer, drainage, waste disposal, gas, telephone and electrical services to support desired residential and non-residential development and to protect the environmental health of Batavia."

**Objectives:** "Coordinate the expansion of infrastructure systems with land development goals and objectives."

"Bury utility facilities wherever possible. Encourage new development to bury wires. Where wires cannot be buried, encourage the use of attractive poles and other measures to mitigate the appearance of above-grade utility lines. Encourage efforts to improve the appearance of sub-stations, at grade."

### Open Space and Recreation

**Goal:** "A balanced open space and recreational system which will satisfy recreational needs and effectively incorporate the qualities and amenities of the natural landscapes."

**Objectives:** "Respect the natural features of the Batavia landscape, including the topography, the river, creeks, flood plains, and wetlands."

"Preserve scenic views of the Fox River and other key features."

"Encourage continued development of recreation potential of environmental corridors, including the Fox River paddleyway and canoe portage improvements. Expand pedestrian and bicycle river trails to promote recreation."

"Ensure the development of a park system to include active and passive recreational activities accessible to all residential units and neighborhoods of Batavia."

## **1987 Batavia Park District Comprehensive Master Plan**

### Environment

**Goal:** "A park and open space system which maintains the integrity of the natural environment, promotes the natural amenities within the Park District, and allows for cooperation among the various park-related entities regarding land acquisition and maintenance."

**Objectives:** "Cooperate with other agencies to preserve and protect significant natural areas along the Fox River and other environmentally sensitive areas within the Park District."

"Encourage acquisition of property along the riverfront. Encourage development of passive and active recreation systems, as well as the development of scenic amenities."

### Physical

**Goal:** "A safe, well-designed, easily accessible and well-maintained system of parks and facilities which promotes the natural beauty and aesthetic quality of the environment."

**Objectives:** "Continue to work closely with the Riverwalk Development Committee on the plans for the Riverwalk in downtown Batavia. Evaluate the Riverwalk proposals to determine their conformance to the Park District's plans for the riverfront. Provide input and comments to the Riverwalk Development Committee."

"Coordinate improvements to parks and open space in downtown Batavia, with the City of Batavia's Plans for this area."

"Coordinate park furniture, shelters and signs between parks within the Park District and consider the development of a symbol of identity to establish consistency and to strengthen its overall image."

## **OVERALL GOALS AND OBJECTIVES**

Pursuant to the Act, the purpose of a Redevelopment Plan for a project area is to promote the health, safety, morals, and welfare of the general public by:

- eradicating blighting conditions and instituting conservation measures;
- removing and alleviating adverse conditions by encouraging private investment of underutilized and vacant properties which will strengthen the economy, tax base, business environment, and living environment;
- improving existing public utilities within the area; and
- enhancing the overall quality of the City of Batavia.

The Redevelopment Plan is a refinement and extension of the City's Comprehensive Plan and incorporates the policies of other relevant planning documents. As part of the Redevelopment Plan, the overall goals and objectives are set forth consistent with the Comprehensive Plan and other pertinent planning documents. They are intended to guide redevelopment decisions within the Redevelopment Project Area.

### **Economic Development**

**Goal:** Redevelopment of the Project Area in a manner that strengthens the economic vitality of the City of Batavia, its riverfront, and the central business district.

#### **Objectives:**

1. Promote riverfront and downtown economic development which capitalizes on the unique character of the Project Area.
2. Encourage a variety of redevelopment activities which establish a base of support for Batavia's central business district.
3. Encourage timely redevelopment projects that are of high quality and yield a high assessed value, thereby strengthening the overall tax base.
4. Establish cooperative and mutually-reinforcing investment opportunities for the public and the private sectors.

### **Land Use**

**Goal:** An attractive and vital area comprised of compatible and mutually-supportive land uses.

**Objectives:**

1. Encourage a variety of commercial, residential, recreation, open space, and public functions in their appropriate locations within the Project Area which appeal to residents, visitors, and workers.
2. Provide and/or maintain public access to the riverfront and other open space amenities within the Project Area through the use of appropriate measures.
3. Provide adequate parking facilities throughout the Project Area to accommodate residents, shoppers, workers, and visitors.
4. Accommodate a variety of appropriate uses and users that do not compromise the aesthetic and/or environmental quality of the area.

**Residential**

**Goal:** A viable urban neighborhood combining compatible residential and commercial uses.

**Objectives:**

1. Ensure that the design of residential development is compatible with the surrounding land uses and is consistent with the scale and historic character of the Project Area.
2. Buffer residential areas from active urban land uses.
3. Ensure that residents have access to semi-private open space with identifiable boundaries.
4. Construct housing types likely to attract residents whose impact is minimal on the school district.

**Environment**

**Goal:** The preservation and enhancement of the natural environment.

**Objectives:**

1. Preserve the Fox River, Mill Pond, and other unique environmental amenities within the Project Area for their ecological, recreational, and aesthetic value.
2. Reclaim portions of the Fox River for scenic and recreation purposes.
3. Educate the public regarding the necessity of preserving the riverfront and maintaining improvements.

4. Allow only public and private activities and development which are not detrimental to the natural environment.
5. Preserve the storm and flood water detention capacities of the applicable sections of the Project Area, as redevelopment occurs.
6. Diminish and control noise, water, and air pollution.

#### **Recreation**

**Goal:** Public spaces that may be used and enjoyed by residents, visitors, and workers.

**Objectives:**

1. Encourage the development of public open space and recreational amenities along the Fox River and Mill Pond shoreline.
2. Establish year-round usable outdoor spaces which provide protection in harsh weather to attract residents and visitors to the riverfront in all seasons.
3. Extend the trail system along the riverfront, in appropriate locations, where people can enjoy the view and stroll, and which provides activities and amenities on a year-round basis.
4. Promote a variety of passive and active recreation uses with a broad appeal that will draw people to the riverfront on a year-round basis.
5. Link open spaces within the Project Area to other recreational opportunities in the City of Batavia and the surrounding area through the establishment of an integrated trail and path network.

#### **Public Services and Facilities**

**Goal:** An efficient system of services and facilities essential to the success of the redeveloped Project Area.

**Objectives:**

1. Ensure that the properties located within the Project Area are served by the necessary public infrastructure to protect the health and safety of residents, visitors, and workers.
2. Improve the municipal utility distribution systems.
3. Ensure that the infrastructure required to successfully implement the redevelopment conforms to the City's standards.

## **Appearance**

**Goal:** A visually attractive environment with a strong, positive community image.

### **Objectives:**

1. Promote high design standards with regard to the development of public and private buildings, signage, site planning, streetscaping, and landscaping.
2. Encourage continuity and compatibility in architectural style within the Project Area which are consistent with the character and scale of existing development in and/or surrounding each planning district.
3. Unify the appearance of the Project Area through the consistent use of site improvements such as landscaping, lighting, and signage.
4. Where possible, enhance views from locations within the Project Area to the Fox River and Mill Pond shorelines, as well as to other open space amenities.
5. Create an attractive riverfront which appeals to the local and regional communities through the treatment of riverfront facilities, choice of adjoining land uses, provision of adequate parking, and designation of public trails and open space along the shoreline.
6. Establish a public signage system which is both attractive and helpful to ensure that shopping, parking, riverfront facilities and other amenities are easy to find and to use.
7. Require screening and buffering of off-street parking lots from adjacent land uses.
8. Require unsightly overhead wires and poles to be buried or screened as redevelopment occurs.
9. Encourage private property owners to initiate enhancement of their properties.
10. Preserve and reuse buildings of historic value and/or architectural merit.

## **Transportation**

**Goal:** A coordinated transportation network linking the Project Area to other portions of the City.

### **Objectives:**

1. Construct necessary roadways and/or improvements to allow for the efficient and safe movement of traffic within the Project Area.

2. Ensure that the development of roads within the Project Area are consistent with City standards, adequately service all properties, and allow for the movement of personal, public, and service vehicles.
3. Create strong pedestrian and vehicular linkages to facilitate safe and convenient interaction between the planning districts within the Project Area, the central business district, and the riverfront.
4. Provide adequate parking facilities within each planning district to service residents, shoppers, visitors, and employees.
5. Ensure that redevelopment does not result in high volume traffic through residential and other sensitive areas.

## **REDEVELOPMENT PLAN**

The focus of the Redevelopment Plan is the revitalization of Batavia's riverfront and downtown area. The various public improvements required to implement the Redevelopment Plan are discussed in the subsequent section of this report.

To achieve the goals and objectives of the Redevelopment Plan, the City of Batavia will encourage private investment through the adoption of tax increment financing. Successful completion of the City's efforts will result in a revitalized riverfront and the redevelopment of portions of the central business district. Undertaking the redevelopment program would generate increased tax revenues, provide housing opportunities, reclaim portions of the Fox River shoreline for scenic and recreational purposes, and create additional open space for leisure and recreation activities. The general land uses recommended for the Redevelopment Project Area are highlighted in Exhibit 2.

### **Redevelopment Activities by Planning Districts**

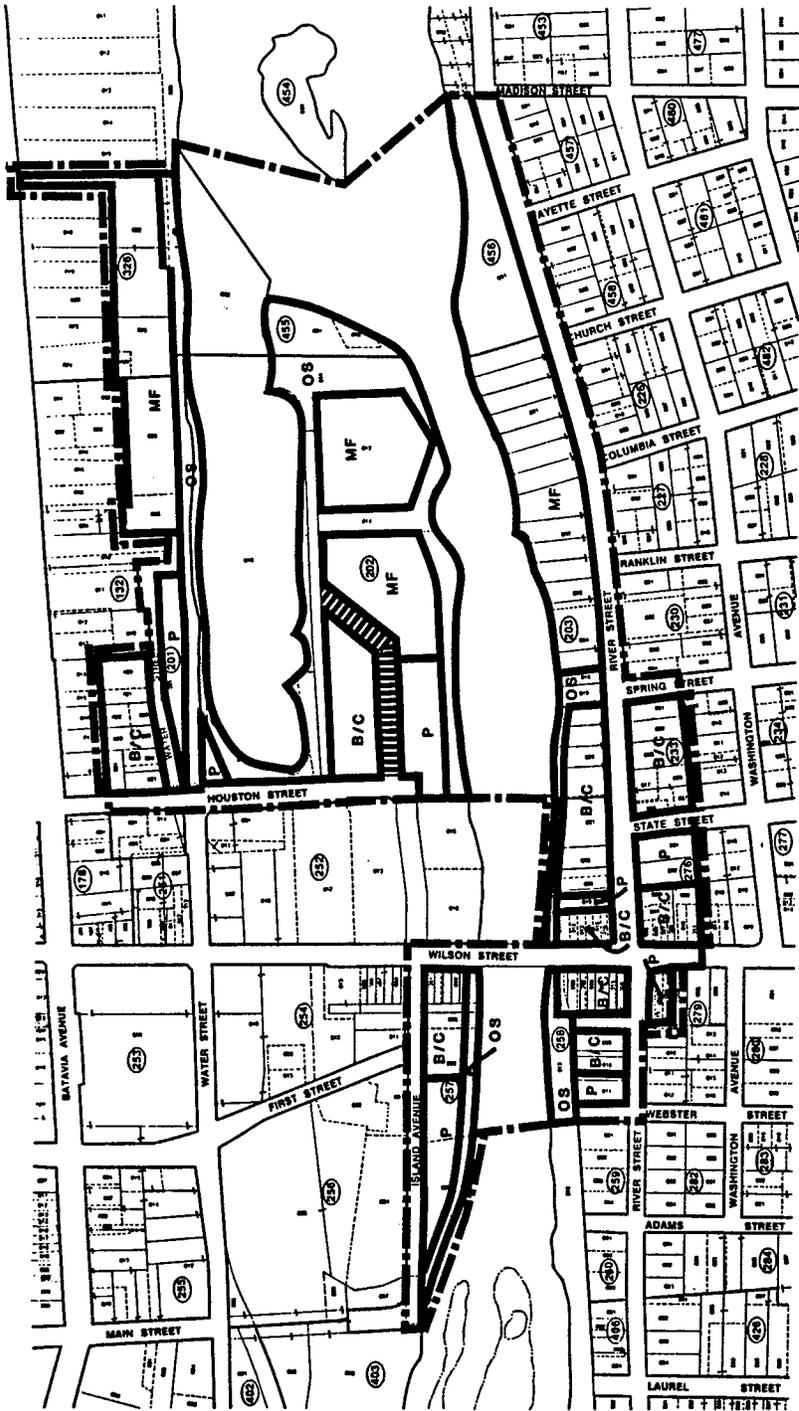
The Redevelopment Plan is divided into four planning districts that reflect the needs of each area. These districts consist of: 1) Batavia Island; 2) West Riverfront, which includes properties along the Fox River north of Houston Street; 3) East Riverfront, which consists of properties along River Street between Wilson and Madison Streets; and 4) South Riverfront, which encompasses properties along the west side of the Fox River along Island Avenue from Wilson to Main Streets and properties along the east side of the river along River Street between Wilson and Webster Streets. To guide the redevelopment of the Project Area, the following specific objectives have been identified for each of the planning districts.

#### **Planning District One: Batavia Island**

Redevelopment of Batavia Island will incorporate the private construction of a mixed-use development consisting of multi family residential units and a business complex containing retail, restaurant, and office uses. In addition to the anticipated private development project, it is envisioned that Batavia Island will also benefit from numerous public improvements designed to improve the riverfront for leisure and recreational activities as well as to facilitate the redevelopment of the area.

In addition to the residential and commercial development, improvements will also be undertaken to upgrade the City Hall as well as to provide additional parking for the public. Specific objectives have been identified to guide development within this planning district.

- Demolish existing structures which cannot be feasibly rehabbed in order to provide opportunities for new development.



- OS OPEN SPACE
- MF MULTI FAMILY
- B/C BUSINESS/COMMERCIAL
- P PUBLIC
- ROAD CONSTRUCTION (CONCEPTUAL)
- PROJECT BOUNDARY



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EXHIBIT 2  
 CONCEPTUAL LAND USE PLAN

- Encourage the development of a mixed-use project incorporating multi family, retail, and commercial uses in conjunction with the existing public functions in the appropriate locations on Batavia Island.
- Ensure that construction of the water main and electric utility improvements that must be undertaken to facilitate the redevelopment of Batavia Island adequately service the Project Area, and are in conformance with the City's standards.
- Construct a roadway linking the mixed-use development to Houston Street to provide vehicular accessibility and facilitate circulation of traffic on Batavia Island. Ensure that the roadway design conforms to City standards, and provides for safe access.
- Ensure that the design and scale of structures to be developed on Batavia Island are compatible with existing structures in the area as well as the surrounding environment. Orient the structures to optimize views of the Fox River and Mill Pond.
- Encourage architectural designs which are attractive when viewed from Batavia Island, and also when viewed from the west side of Mill Pond or the east side of the Fox River.
- Improve the City Hall property in such a manner as to enhance its redevelopment potential in the event public functions are transferred to another location, and to beautify the area.
- Construct and maintain public access for a bicycle and pedestrian trail located primarily along the perimeter of Batavia Island. Link the trail to the existing path system on the west bank of Mill Pond.
- Incorporate a variety of features along the bicycle and pedestrian trail such as scenic overlooks, seating areas, and other special elements to attract people to the riverfront.
- Enhance the southern shoreline of Mill Pond to incorporate a stepped terrace to provide direct pedestrian access to the water, and to accommodate a bandshell/amphitheater which is useable on a year-round basis and can be adapted for a variety of uses.
- Introduce a boat dock on the west side of Batavia Island to accommodate small marine craft such as canoes and paddle boats. Incorporate a boat rental concession area in conjunction with the dock to provide boating opportunities to the public.

- Maintain the public spaces and grounds on Batavia Island in an adequate manner to retain the appearance and the vitality of the area.
- Provide adequate public parking to accommodate the visitors anticipated to be attracted to the open space and recreational amenities along the riverfront. Also, ensure that an adequate amount of parking is provided to service the users of the mixed-use development. Screen the parking areas with adequate and attractive landscaping.
- Consider expanding Houston Street's northern edge between Water Street and Island Avenue to provide angle parking to supplement parking on Batavia Island.
- Undertake streetscape improvements along Houston Avenue between Water Street and Island Avenue to enhance the character of Batavia Island.
- Use streetscaping as a means to enhance the unification and continuity between Batavia Island and the remaining districts in the Project Area.
- Relocate the Batavia and Vietnam memorials to an appropriate, and publicly visible location on Batavia Island.

**Planning District Two: West Riverfront**

Existing development along the western shore of Mill Pond reflects the initial use of riverfront property for the operation of factories and mills. This area exhibits the aging of structures, and signs of structural and site obsolescence, and deterioration, in addition to other characteristics inhibiting redevelopment. The current land uses are no longer the highest and best use of the land, and are inappropriate according to Batavia's Comprehensive Plan and Zoning Ordinance. Suitable redevelopment for this area is envisioned to include multi family residential, public/institutional, business/commercial, and open space uses. The following specific objectives are anticipated to guide development within the area.

- Encourage the redevelopment of a portion of blocks 132, 201, and 326 for multi family, public, and business/commercial uses in the appropriate locations.
- Facilitate redevelopment with the installation of appropriate utilities. Extend a water main along Water Street as redevelopment occurs to adequately service the properties within the planning district.

- Realign and extend Water Street to the northern boundary of the Project Area as redevelopment occurs to provide sufficient access to the properties within the West Riverfront area. Consider extending Water Street to Batavia Avenue to provide additional access to redevelopment areas.
- Promote design standards for new development which are compatible with the existing architectural styles in the surrounding areas as well as the natural environment.
- Encourage architectural designs of high-quality which are attractive when viewed from Batavia Island.
- Consider the acquisition of block 201 and the demolition of the existing structures in order to provide public parking to accommodate visitors attracted to the area by the surrounding public amenities. Ensure adequate landscaping of the parking lot to adequately buffer it from the surrounding land uses.
- Undertake streetscape improvements along Houston Street between the Project Area boundary on the west and Water Street on the east to improve the attractiveness of the area.
- Promote the use of streetscaping as a means to enhance the unification and continuity of character between the West Riverfront area and the remaining planning districts within the Project Area.

**Planning District Three: East Riverfront**

Properties along the eastern shore of the Fox River, and fronting River Street, currently exhibit signs of decay, such as the deterioration and depreciation of buildings and site improvements. As with the initial developments on the western riverfront, this area also encompasses a number of land uses that no longer comply with the City of Batavia's Comprehensive Plan and Zoning Ordinance. River Street lacks definition and character due to its haphazard mix of industrial, commercial, and residential uses. Both public improvements and redevelopment of properties are anticipated to be undertaken in this area as part of the Redevelopment Plan. To enhance the character of this area and to promote the development of more appropriate land uses in light of the current regional economy, the following specific objectives are recommended.

- Encourage the redevelopment of block 456 and block 203, north of parcel 018, as multi family residential. Ensure that the development is designed to be compatible with the natural environment as well as the structures in the surrounding area.
- Encourage the redevelopment of block 233 for business/commercial uses that are suitable in a downtown location, as properties become available.

- Preserve the existing architectural and urban character of Wilson Street and the applicable portions of River Street to retain the unique charm of the central business district.
- Encourage property owners to upgrade existing properties along Wilson and River Street. Explore opportunities to stimulate private investment such as a facade rehabilitation loan program.
- Undertake streetscape improvements along both sides of River Street between Wilson Street on the south and the Project Area boundary on the north, and along both sides of Wilson Street between Island Avenue on the west and the Project Area boundary on the east. Ensure that the streetscaping is consistent with the nature of the existing or new development.
- Utilize streetscape improvements as a means of connecting the East Riverfront area with the other sections of the Project Area and the central business district.
- Improve the public parking lot located at the intersection of State and River Streets.
- Consider the acquisition of parcel 203-010 and the demolition of the existing structure to create additional public parking to service the businesses in the area.
- Encourage the acquisition and preservation of riverfront shoreline areas for public use wherever feasible and appropriate as redevelopment occurs.
- Consider the acquisition of a portion of riverfront parcels to facilitate the extension of the Fox River Trail north of Wilson Street along the riverfront. Work with the Kane County Forest Preserve District and applicable property owners to establish a suitable route.
- Create a riverfront park on the City-owned land located at the intersection of Spring and River Streets in block 203 to provide recreation and leisure opportunities. Allow space for the linkage of the bicycle and pedestrian path extension proposed by the Kane County Forest Preserve District to the existing path which runs along River Street.

**Planning District Four: South Riverfront**

Planning District Four is comprised of commercial and public uses located just south of Wilson Street on both sides of the Fox River. This area is targeted for public improvements, and limited private redevelopment primarily

involving the rehabilitation of the vacant fire station property. The following specific objectives are anticipated to guide development within the area.

- Alleviate the blockage of the sanitary sewer line extending along the west bank of the Fox River, beneath the Wilson Street bridge, to facilitate redevelopment within the Project Area.
- Encourage the redevelopment of parcels in block 257 for business/commercial uses which are compatible with the riverfront, and consistent with a central business district function.
- Ensure the retention of the old fire station structure for its architectural value as the property redevelops.
- Retain parcels 279-003, 279-017, 279-018, and 279-019 in public ownership, and as open space for use in future roadway improvements.
- Preserve the existing architectural character of Wilson Street and the applicable portions of Island Avenue to retain the unique charm of the central business district.
- Encourage property owners to upgrade existing properties along Wilson Street and Island Avenue. Explore opportunities to stimulate private investment such as a facade rehabilitation loan program.
- Undertake streetscape improvements along Island Avenue, south of Wilson Street and along Wilson Street to the eastern border of the Project Area. These improvements should be consistent with the nature of existing or new development to enhance the area's appearance and create a unified identity in the downtown and riverfront areas.
- Utilize streetscape improvements as a means of connecting the South Riverfront area with the other sections of the Project Area and the central business district.
- Consider the acquisition of property, where applicable, along the western shoreline, south of Wilson Street, to construct a pedestrian path along the Fox River and improve the character of the river's shoreline.
- Consider the construction of a public parking lot on the southern portion of parcel 257-005 to accommodate visitors attracted by the open space amenities in the area.

- Consider the acquisition of parcel 258-011 and the demolition of the existing structures to extend the adjacent parking lots servicing the Wilson Street businesses and riverfront users.
- Reclaim parcel 258-013 for open space and recreational uses in conjunction with the extension of the Fox River Trail anticipated to be undertaken by the Kane County Forest Preserve District.

## **REDEVELOPMENT PROJECT**

In accordance with the goals and objectives set forth in the previous section, the City of Batavia must implement a coordinated Redevelopment Project which may include, but is not limited to, the following redevelopment activities.

### **Estimated Project Costs**

Redevelopment project costs mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs may include, without limitation, the following:

- costs of studies, surveys, development of plans, and specifications, implementation and administration of the Redevelopment Plan including but not limited to staff and professional service costs for architectural, engineering, legal, marketing, financial, planning or other services;
- property assembly costs including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings and fixtures;
- costs of the construction of public works or improvements;
- costs of job training and retraining projects;
- financing costs including, but not limited to, all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder accruing during the estimated period of construction of any redevelopment project for which such obligations are issued, and for not exceeding 36 months thereafter and including reasonable reserves related thereto;
- all or a portion of the taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the Redevelopment Plan and Project, to the extent that the City by written agreement, accepts and approves such costs;
- relocation costs to the extent that the City determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or state law;
- payment in lieu of taxes;

- costs of job training, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical field leading directly to employment, incurred by one or more taxing districts, as provided by the Act; and
- interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project, as provided by the Act.

### **Acquisition and Clearance**

To meet the redevelopment objectives, it may be necessary for the City of Batavia to assemble property. Acquisition of property and clearance of existing structures will be scheduled to coincide with redevelopment activities so that facilities do not remain unused for extended periods of time, and so that the adverse effects of clearance activities may be minimized. Exhibit 3 highlights those properties anticipated to be acquired by the City to facilitate redevelopment.

### **Land Disposition**

Property acquired by the City may be assembled into appropriate redevelopment sites. These properties may be sold or leased by the City to other public bodies or to private developers, in whole or in part.

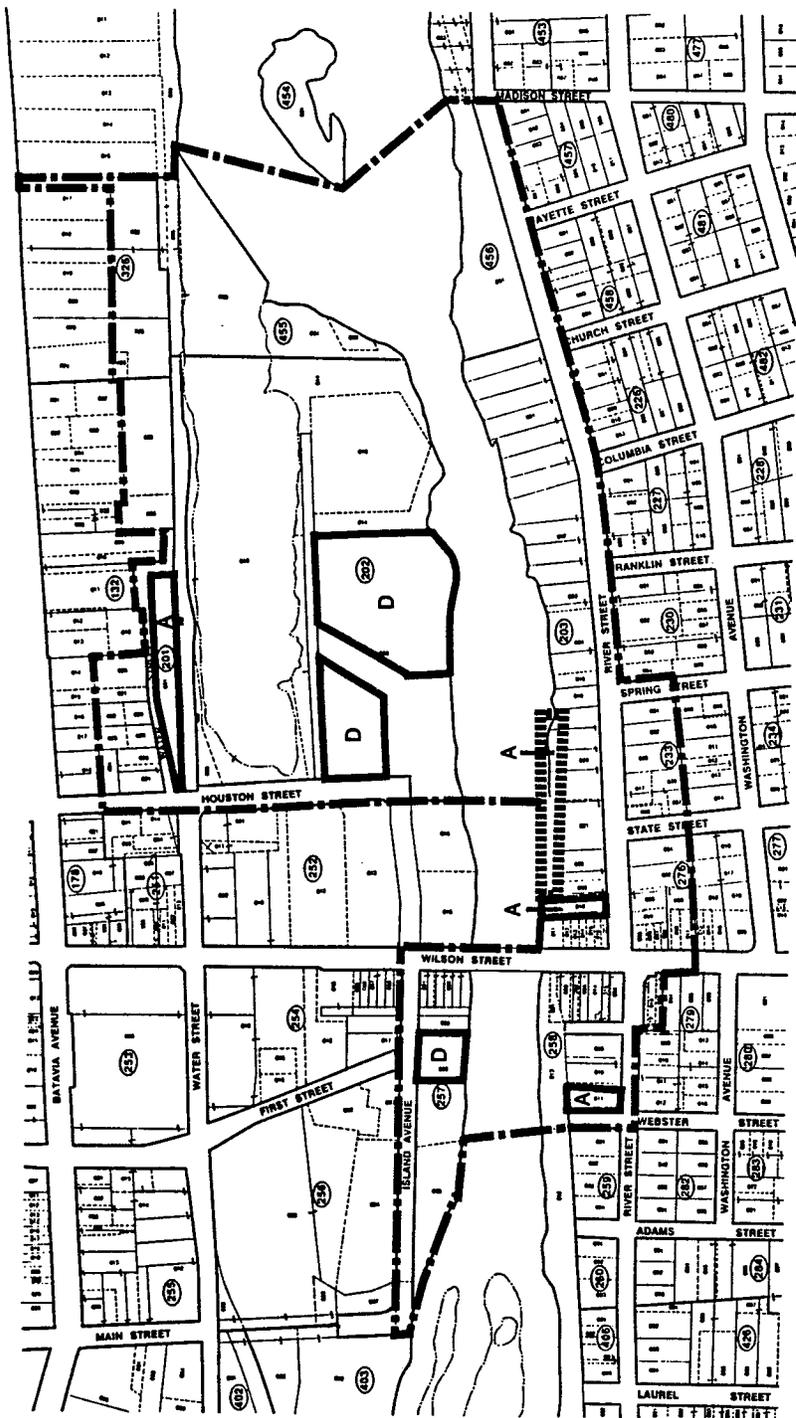
Terms of conveyance may be incorporated into appropriate disposition documents or agreements, and may include more specific restrictions than contained in this Redevelopment Plan or in other municipal codes and ordinances governing the use of the land.

No conveyance, lease, mortgage, disposition of land or other property, or agreement relating to the development of property will be made except upon the adoption of an ordinance by the City. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without providing reasonable opportunity for the submission of alternative proposals or bids. Exhibit 3 also highlights the properties anticipated to be disposed of by the City of Batavia.

### **Public Improvements**

The City of Batavia will provide public improvements in the Project Area to facilitate redevelopment and support the Redevelopment Plan, and to serve the needs of Batavia residents. Appropriate public improvements may include, but are not limited to, the following:

- extension, rights-of-way vacation, relocation, removal, resurfacing, widening, reconstruction, and other improvements to streets, alleys, bridges, viaducts, pedestrianways, and pathways;



- A ACQUISITION
- D DISPOSITION
- PROJECT BOUNDARY

**BATAVIA RIVERFRONT TIF PROJECT**  
**PREPARED BY TESKA ASSOCIATES INC.**

**EXHIBIT 3**  
**ANTICIPATED ACQUISITION/DISPOSITION**

- development of public open space;
- relocation expenses;
- construction of berms and other natural buffers;
- improvement of public utilities such as sewer and water lines, sidewalks, curbs and gutters, storm water detention facilities and rights-of-way;
- beautification, lighting, signage, and landscaping of public properties; and
- demolition of obsolete structures.

Recommended public improvements anticipated to be undertaken by the City of Batavia are highlighted in Exhibit 4, and the associated costs are summarized in Exhibit 5. A detailed listing of the proposed public improvements is provided in Exhibit 6 according to phases. The City may determine at a later date that certain listed improvements are no longer needed or appropriate and may remove them from the list, or may add new improvements to the list which are consistent with the objectives of this Redevelopment Plan.

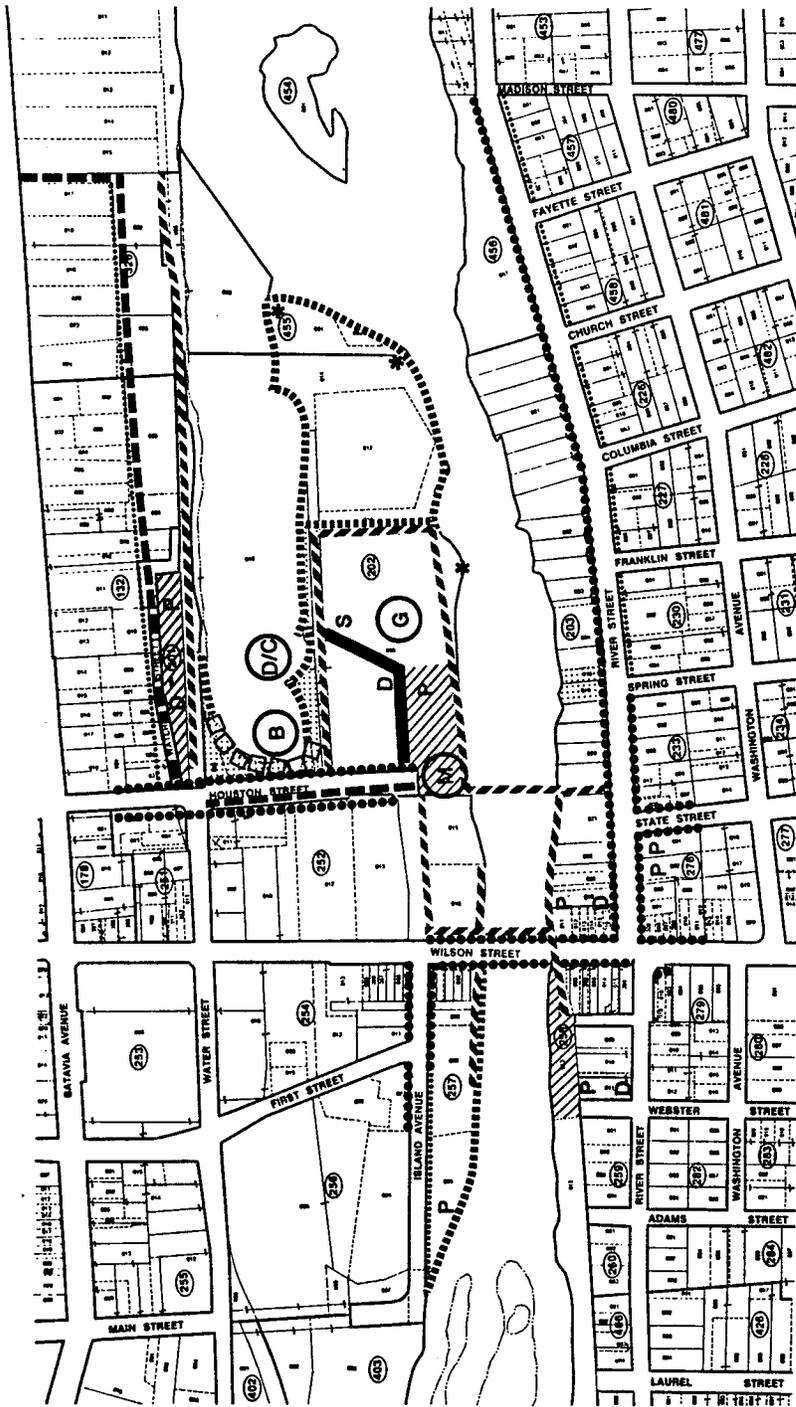
#### **Sources of Funds**

Funds necessary to pay redevelopment project costs may be derived from a number of authorized sources. These may include, but are not limited to, the following:

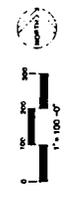
- real property tax increment revenues from the Project Area;
- tax revenues resulting from the establishment of any Special Service Area districts within the Project Area;
- interest earned on temporary investments;
- gifts, grants, and contributions;
- sale or lease of land proceeds; and
- user fees.

Exhibit 7 summarizes the anticipated revenues from the appropriate sources based on projects anticipated at the present time. The exhibit does not include revenues which might result from additional unanticipated development within the Project Area. Revenues are shown as a projection based on development assumptions, and indicate total accumulation of revenues if the district is allowed to remain in place for the total 23 years.

The principal source of tax incremental revenues will be the incremental increase in real property taxes attributable to the increase in the equalized



- LEGEND**
- ACQUISITION, EASEMENT, OR PROPERTY INTEREST
  - ▨ LANDSCAPING
  - ▤ PARK
  - P PARKING CONSTRUCTION/IMPROVEMENT
  - (M) MEMORIAL RELOCATION
  - (D/C) DOCK/CONCESSION
  - (B) BANDSHELL/AMPHITHEATER
  - (G) POLICE GARAGE
  - D DEMOLITION
  - ROADWAY CONSTRUCTION
  - ROADWAY IMPROVEMENT
  - MAJOR STREETSCAPE
  - ..... MINOR STREETSCAPE
  - //// UTILITY INSTALLATION/IMPROVEMENT
  - ..... TRAIL/PATH
  - STEPPED TERRACE/SHORELINE IMPROVEMENTS
  - \* SCENIC OVERLOOK
  - S SITE PREPARATION



# BATAVIA RIVERFRONT TIF PROJECT

PREPARED BY TESKA ASSOCIATES INC.

EXHIBIT 4  
 ANTICIPATED PUBLIC IMPROVEMENTS

**EXHIBIT 5  
PROPOSED PUBLIC IMPROVEMENT COSTS**

ACTION OR IMPROVEMENT	PRELIMINARY ESTIMATED COST <sup>1</sup>
<u>Batavia Island</u>	
Riverfront Improvements	
Scenic Overlooks	\$22,500
Pedestrian/Bicycle Path	\$227,500
Dock/Boat Rental Concession	\$70,500
Band Shell/Amphitheater	\$113,100
Shoreline Improvements/Stepped Terrace	\$36,300
Utilities	
Electric	\$50,000
Water	\$85,000
Site Preparation (includes rock excavation)	\$163,600
Roadways (includes construction contingencies/fees)	
Houston Street	\$123,800
North Island Avenue	\$300,200
Parking	\$69,000
Police Garage/City Hall	\$139,000
Demolition	\$112,200
Landscape Design	\$459,400
Streetscape	\$129,000
Construction Contingencies/Fees	\$372,800
<u>West Riverfront</u>	
Utilities	
Electric	\$42,000
Water	\$70,000
Roadways	\$241,800
Acquisition	\$113,900
Demolition	\$35,900
Parking (includes landscaping)	\$72,900
Streetscape	\$50,700
<u>East Riverfront</u>	
Utilities	
Electric	\$36,500
Acquisition	\$124,800
Demolition	\$3,700
Parking	\$72,900
Park	\$197,000
Streetscape	\$334,800
<u>South Riverfront</u>	
Utilities	
Sanitary Sewer	\$12,000
Acquisition	\$76,700
Demolition	\$5,600
Parking	\$79,500
Pedestrian Path	\$9,600
Landscape Design	\$4,700
Streetscape	\$340,000
<b>TOTAL PROPOSED PUBLIC IMPROVEMENT COST</b>	<b>\$4,398,900</b>

<sup>1</sup>The preliminary project cost estimates are in 1989 dollars. The total estimate does not include debt service costs which will significantly increase total costs. These are preliminary estimates based on project development expectations, at the present time. They can be expected to require adjustment (up or down) as the project proceeds. The total estimated project cost is not intended to establish a limit on each or all of the expenditures. Each action or improvement will be evaluated prior to expenditure with regard to the actual and anticipated revenues resulting from private redevelopment. All projections of costs are conservatively estimated and are based on information provided by respective developers, the City of Batavia as well as our professional judgement.

EXHIBIT 6  
ESTIMATED PROJECT PHASING

**ONE TO FIVE YEARS**

Batavia Island

Riverfront Improvements  
Scenic Overlooks  
Pedestrian/Bicycle Path  
Dock/Boat Rental Concession  
Band Shell/Amphitheater

Shoreline Improvements/Stepped Terrace

Utilities

Electric Loop System  
Water Loop System

Site Preparation

Roadways

Houston Street  
North Island Avenue

Parking on the Public Portion of Parcel 202-006

Police Garage/City Hall

Demolition of Structures on Parcel 202-006

Landscape Design

Mill Pond Shoreline  
Public Portion of Parcel 202-006

Streetscape

Construction Contingencies/Fees

West Riverfront

Utilities

Electric System Improvements along Water Street  
Water System Expansion along Water Street

Roadways

Water Street

East Riverfront

Utilities

Electric System Improvement along the Eastern  
and Western Shoreline of the Fox River

Parking improvements to Parcels 276-001 and 276-002

South Riverfront

Utilities

Sanitary Sewer Improvement along the Western Side  
of the Fox River

**SIX TO TEN YEARS**

West Riverfront

Streetscape

Houston Street

East Riverfront

Streetscape

East Side of River Street Between State and  
Madison Streets

South Riverfront

Streetscape

East Side of Island Avenue  
Wilson Avenue

**ELEVEN TO FIFTEEN YEARS**

West Riverfront

Roadways

Water Street

East Riverfront

Acquisition of Parcel 203-010

Demolition of Structures on Parcel 203-010

Parking of Parcel 203-010

Streetscape

East Side of River Street Between  
State and Madison Streets

South Riverfront

Streetscape

East Side of Island Avenue

**SIXTEEN TO TWENTY YEARS**

West Riverfront

Landscape of Parcel 201-001

Acquisition of Parcel 201-001

Demolition of Structures on Parcel 201-001

Public Parking on Parcel 201-001

East Riverfront

Acquisition of Land along the Southern  
Shoreline of Block 203

Park Development on Parcels 203-018 and 203-019

Streetscape

East and West Side of River Street

South Riverfront

Acquisition of Parcel 258-011

Demolition of Structures on Parcel 258-011

Parking on Parcels 258-011 and 257-005

Pedestrian Path along the Western Shoreline

Landscape Design on Parcel 258-013

**TWENTY-ONE TO TWENTY-THREE YEARS**

South Riverfront

Streetscape

West Side of Island Avenue

**EXHIBIT 7  
SOURCES OF FUNDS**

<b>TAX INCREMENT REVENUE SOURCE</b>	<b>ESTIMATED REVENUE<sup>1</sup></b>
Real Property Tax Increment	\$10,406,700
Proceeds from the Sale of Property	\$100,000
 <b>TOTAL ESTIMATED INCREMENTAL REVENUES</b>	 <b>\$10,506,700</b>

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<sup>1</sup>The revenue estimates represent 1989 dollars and are projected over a 23-year period which is currently the maximum length of time a TIF district may remain in existence as per the Illinois Tax Increment Allocation Redevelopment Act. The estimates are based solely on developer assumptions regarding build out and size of anticipated new development.

The revenue estimates are based on the comparable assessment method. The equalized assessed value is estimated for each of the proposed land uses based on the equalized assessed value of comparable properties. The following per unit market values have been used.

<b>Proposed Use</b>	<b>Per Unit Land Value</b>
Commercial	\$2.55 - \$5.58 per square foot
Residential	Included in improvement value
 <b>Proposed Use</b>	 <b>Per Unit Improvement Value</b>
Commercial	\$35 - \$53 per square foot
Residential	Approximately \$200,000 per unit
Parking	\$1,200 - \$5,500 per space

An assessment level of 33.3% and a Kane County equalization factor of 1.0 have been assumed. The 1988 tax rate of 0.076556 has been applied.

The revenue projections represent estimates only, and can be expected to vary substantially based on actual value and size of construction. The estimates are based on the most current information provided by developers, the City of Batavia, Batavia, Geneva, and St. Charles Townships, and Kane County officials, as well as our professional experience. Because the findings are based upon assumptions which are inherently subject to uncertainty and variation due to evolving events, they cannot be represented as results which will necessarily be achieved. They do, however, reasonably depict potential scenarios.

assessed value of each taxable lot, block, tract or parcel of real property in the project area over the initial equalized assessed value of each such lot, block, tract or parcel.

There may be other eligible local sources of revenue that the City determines are appropriate to allocate to the payment of redevelopment project costs.

### **Nature and Term of Obligations to be Issued**

The financial plan of this Redevelopment Plan is intended to establish a very conservative public expenditure approach. Revenues will be accumulated in the special tax allocation fund to pay for public purpose expenditures identified in this Redevelopment Plan, and whenever practical, expenditures will be made on a cash basis. This method of financing shall not preclude the City from undertaking initiatives designed to stimulate appropriate private investment in the Project Area.

Certain redevelopment projects may be of such a scale or on such a timetable as to preclude financing on a cash basis. These projects may be funded by the use of tax increment revenue obligations issued pursuant to the Act for a term not to exceed 20 years. Consistent with the conservative nature of the financial plan for this Redevelopment Program, the highest priority for the issuance of tax increment revenue obligations shall occur when the commitment is in place for private sector investment necessary to fund the amortization of such obligations.

All obligations are to be covered after issuance by projected and actual tax increment revenues and by such debt service reserved and sinking funds as may be provided by ordinance. Revenues not required for the retirement of obligations providing for reserves, sinking funds, and anticipated redevelopment project costs may be declared surplus and become available for distribution annually to the taxing districts in the Project Area.

One or more issues of obligations may be sold at one or more times in order to implement this plan, as now or hereafter amended, in accordance with law.

The municipality may, by ordinance, in addition to obligations secured by the special tax allocation fund provided by law, pledge for a period not greater than the term of the obligations any part or any combination of the followings:

1. net revenues of all or part of the Redevelopment Project;
2. taxes levied and collected on any or all property in the municipality;
3. the full faith and credit of the municipality;

4. a mortgage on part or all of the Redevelopment Project;
5. any other taxes or anticipated receipts that the municipality may lawfully pledge.

**Equalized Assessed Valuation**

Exhibit 8 lists the most recent (1989) equalized assessed valuation of properties in the Project Area by block. The total estimated equalized assessed valuation of the Project Area is \$1,781,046.

Upon the completion of the Redevelopment Project it is estimated that the equalized assessed valuation of real property within the Project Area will be in excess of \$9,000,000 in 1989 dollars.

**Affirmative Action**

The City of Batavia will require each private developer entering into an agreement with the City, in connection with the Redevelopment Project Area, to utilize fair employment practices, including an affirmative action program.

**Payment in Lieu of Taxes**

No payments in lieu of taxes are anticipated for this project.

**Provision for Amending the Redevelopment Plan Objectives and Project**

The Redevelopment Plan objectives and project may be amended pursuant to provisions of the Act.

EXHIBIT 8  
EQUALIZED ASSESSED VALUE BY BLOCK  
BATAVIA RIVERFRONT TIF DISTRICT

BLOCK	1989 EQUALIZED ASSESSED VALUE
-----	
SECTION 15	
326	\$97,173
455	EXEMPT
456	\$43,412
SECTION 22	
132	\$152,958
201	\$34,066
202	EXEMPT
203	\$469,243
233	\$129,305
257	\$122,377
258	\$467,527
276	\$264,985
279	EXEMPT
TOTAL	\$1,781,046

SOURCE: Kane County Supervisor  
of Assessments Office,  
July, 1989

Prepared by Teska Associates, Inc.  
September, 1989

## **FINDINGS OF NEED FOR TAX INCREMENT FINANCING**

On the basis of the Batavia Riverfront Tax Increment Financing District Eligibility Findings and this Redevelopment Plan and Project, the Mayor and the City Council of Batavia, Illinois, can adopt the following findings pursuant to Section 11-74.4-3(n) of the Act.

### **Project Area Not Subject to Growth**

The Project Area on the whole has not been subject to appropriate growth and redevelopment through investment by private enterprise, and would not reasonably be anticipated to be developed consistent with City policies without adoption of this Redevelopment Plan.

### **Conformance with Comprehensive Plan**

The Redevelopment Plan is consistent with the City's current Comprehensive Plan with some minor exceptions. Where minor differences occur between this Redevelopment Plan and the Comprehensive Plan, the City may amend the Comprehensive Plan to better reflect the goals and objectives in the Project Area.

### **Date of Completion**

The estimated year of completion of the redevelopment project under no circumstances shall extend beyond the year 2012 (23 years from the date of adoption of the ordinance approving the Project Area).

## **APPENDIX**

**ELIGIBILITY FINDINGS  
BATAVIA RIVERFRONT TIF PROJECT**

**INTRODUCTION**

The Tax Increment Allocation Redevelopment Act stipulates specific procedures which must be adhered to in designating a redevelopment project area. One of the procedures is to determine the eligibility of the area. By definition, a Redevelopment Project Area means

". . . an area designated by the municipality, which is not less in the aggregate than 1½ acres and in respect to which the municipality has made a finding that there exists conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas."

To determine eligibility, a field survey of the Redevelopment Study Area has been conducted. The area depicted in Exhibit A1 meets the criteria of a "combination of both blighted areas and conservation areas" as defined by the Illinois Revised Statutes. The definitions of a "blighted" area and a "conservation" area are described below. It is followed by a summary of the eligibility findings resulting from the field survey and investigations.

**Definition of Conservation Area**

According to Section 11-74.4-3 of the Illinois Revised Statutes, a "conservation area" means:

". . . any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of three or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; lack of community planning; is detrimental to the public safety, health, morals, or welfare and such an area may become a blighted area."



**BATAVIA RIVERFRONT TIF PROJECT**  
 PREPARED BY TESKA ASSOCIATES INC.

EXHIBIT A1  
 REDEVELOPMENT STUDY AREA

## **Definition of Blighted Area**

According to Section 11-74.4-3 of the Illinois Revised Statutes, a "blighted area" means:

". . . any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where, if improved, industrial, commercial and residential buildings or improvements, because of a combination of five or more of the following factors: age; dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light, or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; lack of community planning; is detrimental to the public safety, health, morals or welfare, or if vacant, the sound growth of the taxing districts is impaired by, (1) a combination of two or more of the following factors: obsolete platting of the vacant land; diversity of ownership of such land; tax and special assessment delinquencies on such land; flooding on all or part of such vacant land; deterioration of structures or site improvements in neighboring areas adjacent to the vacant land, or (2) the area immediately prior to becoming vacant qualified as a blighted improved area, or (3) the area consists of an unused quarry or unused quarries, or (4) the area consists of unused railyards, rail tracks, railroad rights-of-way, or (5) the area, prior to its designation, is subject to chronic flooding which adversely impacts on real property in the area and such flooding is substantially caused by one or more improvements in or in proximity to the area which improvements have been in existence for at least five years, or (6) the area consists of an unused disposal site, containing earth, stone, building debris or similar material, which were removed from construction, demolition, excavation or dredge sites, or (7) the area is not less than 50 nor more than 100 acres and 75% of which is vacant, notwithstanding the fact that such area has been used for commercial agricultural purposes within five years prior to the designation of the redevelopment project area, and which area meets at least one of the factors itemized in provision (1) of this subsection (a), and the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose."

## **Summary of Current Conditions in the Study Area**

Using the criteria outlined in the Illinois Tax Increment Allocation Redevelopment Act, an eligibility survey has been conducted for the

"Redevelopment Study Area" depicted in Exhibit A1. The area is characterized by a variety of eligibility criteria although certain factors consistently appear. These factors include:

- the age of structures,
- deterioration, obsolescence, and depreciation of structures and site improvements,
- inadequate utilities, and
- the lack of community planning as evidenced by the fact that much of Study Area developed before the City adopted its planning and zoning documents, and the absence of a specific plan for the central business district.

Many of the current conditions within the Study Area can be traced back to the early development of the community which lacked the benefit of sound planning principles. The initial attraction of mills and factories to the riverfront has left the area with many obsolete structures and site improvements, and inappropriate land uses according to today's economy and the City's comprehensive plan. The age and condition of many of the buildings and site improvements within the Study Area have contributed to its high level of depreciation, deterioration and obsolescence. Although Batavia has an opportunity to benefit from the growth trends within the region, the current physical conditions in the Study Area will hinder its ability to attract development.

#### **ELIGIBILITY FINDINGS**

The eligibility findings discussed in this report have been determined by surveying the conditions and factors within the Study Area that may contribute to the area's designation as a "conservation area", a "blighted area", or a "combination of conservation and blighted areas".

The eligibility criteria identified as part of the Act are the basis for the evaluation which incorporates the definitions prepared by the Illinois Department of Revenue in its 1988 TIF Guide, as revised April 6, 1989. These definitions are included in the Appendix of this report.

During a survey of conditions, each real property tax parcel, site improvement, and building was evaluated and all observable deficiencies were recorded. Each parcel was also photographed for a visual record of conditions at the time. The field survey was conducted on May 25th, June 6th, and July 5th, 1989.

The results of the survey have been tabulated to summarize the extent and concentration of the eligible factors. Supplementary information, not apparent by survey, is provided by City personnel. This includes information regarding age, the presence of illegal uses, inadequate utilities, code violations, and tax delinquencies.

## **Description of Study Area**

The Redevelopment Study Area consists of properties bordering the Fox River, generally within the vicinity of Batavia's central business district as depicted in Exhibit A1. The Study Area contains 81 property tax parcels accommodating 56 structures. Commercial and industrial land uses are the predominant uses throughout the Study Area, although it also includes vacant and public land, residences, and warehousing activities.

## **Eligibility Survey Results**

The results of the survey are presented by each eligibility factor for the overall Study Area, incorporating those criteria applicable as per State Statutes.

### **Total Parcels**

There are a total of 81 real estate property tax parcels within the Redevelopment Study Area. Of these parcels, 17 (21.0%) are without structures and are not being used as open space, and 64 (79.0%) are improved with structures, site improvements, or other amenities.

### **Total Structures**

A total of 56 structures, both primary and secondary, are located within the Study Area. A primary structure is classified as the principal building on a parcel such as a house, a store, or an industrial facility. Secondary structures include garages, storage facilities, or any other structures which are ancillary uses to the principal building on a parcel.

### **Structures Over 35 Years**

Based on a 1952 aerial map of Batavia and confirmation from the City's staff, 42 (75.0%) of the structures within the Redevelopment Study Area are 35 years or older.

### **Deterioration**

Of the 56 structures located within the Study Area, 13 (23.2%) exhibit signs of deterioration. Deteriorating site improvements are also present on 11 (13.6%) parcels. In total, 21 (25.9%) of the 81 parcels exhibit deterioration of either structures and/or site improvements, some of which occur on the same property. Evidence of deterioration appears as cracked or warped building components, crumbling surfaces, and the general disrepair of structures or site improvements.

### Dilapidation

Under a very conservative interpretation of the definition, only three (5.4%) buildings are considered to be dilapidated, affecting only two (2.5%) of the 81 parcels. Two of the dilapidated buildings are vacant warehouses and the other structure is in the process of being demolished. Deterioration of the buildings has advanced to the point that they have become structurally weak. The blocks that include the affected parcels are 22-132 and 22-202.

### Obsolescence

Five (8.9%) instances of structural obsolescence and 29 (35.8%) instances of site improvement obsolescence have been identified within the Study Area. A total of 32 (39.5%) of the 81 parcels exhibit signs of structural and/or site improvement obsolescence, some of which occur on the same property. As defined by the Illinois Department of Revenue in its 1988 TIF Guide, the condition of obsolescence may include structures, site improvements, and the platting of parcels. Obsolescence affecting structures may be categorized as functional or economic.

In some instances, this characteristic is present as a result of obsolete platting or layout. Some improved parcels within the Study Area lack direct access to roadways, are poorly laid out creating a hazardous situation, or are of such a size making development difficult, if not impossible, under contemporary standards.

The majority of the instances identified consist of obsolete site improvements in the form of poorly designed parking facilities and rights-of-way as compared to contemporary development standards for such improvements. In some cases, the problem is the dangerous layout or the obsolete construction of a parking lot which is designed in such a way as to threaten the safety of its users. Other obsolete site improvements include certain public and private rights-of-way which are not up to par with contemporary development standards or are of inadequate width to safely accommodate traffic.

The remaining instances affect structures rather than site improvements and are the result of functional or economic obsolescence. Functional obsolescence is generally characterized by deficiencies which limit the use and marketability of a building. The design of some of the structures within the Study Area has resulted in functional obsolescence thereby limiting the use of the properties.

Economic obsolescence is normally the result of adverse conditions which cause some degree of market rejection as evidenced by vacant or underutilized structures. According to the City Administrator and a local real estate professional, some of the properties within the central business district have been severely affected by the lack of easily accessible parking resulting in some degree of market rejection as evidenced by below market rents.

### Illegal Uses

According to City officials, illegal uses are not present in the Redevelopment Study Area.

### Structures Below Minimum Code

As with illegal uses, City officials have determined that none of the structures located within the Study Area exhibit code violations.

### Excessive Vacancies or Abandonment

Of the 56 structures located in the Study Area, five (8.9%) are vacant. These structures are distributed throughout the area and are located in blocks 22-202, 22-257, 22-258, and 22-276.

### Overcrowding of Structures and Community Facilities

Based on the visual survey, this characteristic is not present within the Redevelopment Study Area.

### Lack of Ventilation, Light, and Sanitary Facilities

The visual survey of the Study Area did not uncover any instances of this characteristic.

### Inadequate Utilities

According to the City administrator and the City Engineer, the Redevelopment Study Area lacks an adequate electrical distribution system and directly affects 58 (71.6%) of the parcels. Utility distribution or loop systems allow areas to be served by alternate sources. Without loop systems, portions or all of the Study Area cannot be served by alternate sources if the primary systems are incapacitated. The problem of an inadequate electric distribution network must be corrected, to some extent, to facilitate redevelopment. Since the City is responsible for providing electric service, the burden of upgrading the system falls upon the municipality. In addition to the electric utility deficiencies, development located north of Houston Street along Island Avenue lacks a water main loop system which critically affects the safety of the area.

### Depreciation of Physical Maintenance

Twenty-seven (33.3%) parcels with site and/or structural improvements exhibit signs of depreciation of physical maintenance. This characteristic is present in 20 (24.7%) parcels with site improvements and affects 11 (19.6%) structures. Reasons for the identification of this characteristic include the inadequate disposal or outdoor storage of trash and other unsightly items

and/or the lack of normal property maintenance of buildings, site improvements, and grounds. Such practices contribute to the classification of an area as undesirable which inhibits its marketability and chances for business attraction and/or quality private investment.

#### Excessive Land Coverage

Based on the visual survey of the Study Area, none of the parcels exhibit signs of excessive land coverage.

#### Deleterious Land Use or Layout

Eighteen (22.2%) parcels have been identified within the Study Area as exhibiting a deleterious land use. The identification of this characteristic is primarily the result of incompatible land use relationships which inhibit the redevelopment of the land. It is evidenced, in some cases, by legal, nonconforming uses which are not consistent with the current comprehensive plan or zoning ordinance.

#### Lack of Community Planning

Forty-two (51.9%) of the real property tax parcels are affected by the lack of community planning. This characteristic has been identified because the majority of the Study Area developed prior to 1952 without the benefit of a comprehensive plan. The City's first comprehensive plan was not adopted until 1953. According to the City Administrator, other planning documents were nonexistent at this time or were inadequate to ensure rational and compatible development.

#### Obsolete Platting of Vacant Land

Sixteen (94.1%) of the 17 parcels within the Study Area which do not contain structures or open space amenities exhibit obsolete platting. In relation to all of the parcels in the Study Area, those exhibiting this characteristics is 20.5%. The majority of the affected parcels would be difficult to develop according to contemporary development standards as well as the City's applicable codes and ordinances.

#### Diversity of Ownership

Only seven (41.2%) of the 17 parcels without structures or open space amenities exhibit this characteristic resulting in the difficulty of assembling land for development. They are located in blocks 22-132 and 22-279.

### Tax and Special Assessment Delinquencies

According to City officials, this characteristic is not present within the Study Area.

### Deterioration in Areas Adjacent to Vacant Land

Seven (41.2%) of the 17 parcels without buildings or open space amenities are located adjacent to parcels exhibiting either site improvement or structural deterioration. The affected parcels are found in blocks 15-326, 22-203, 22-233, and 22-258.

### Area Prior to Becoming Vacant Qualified as a Blighted Improved Area

As per the visual survey, this characteristic is not present within the Study Area.

## **CONCLUSION**

Based on the results of the eligibility survey as highlighted in Exhibit A2, it has been determined that the condition of the structures, site improvements, and real property tax parcels throughout the Study Area best reflects the "combination of both blighted areas and conservation areas" as described in the Tax Increment Allocation Redevelopment Act. The Redevelopment Study Area as depicted in Exhibit A1 meets the criteria to be eligible as a combination of both "conservation areas" and "blighted areas" based on the following factors:

1. more than half of the total structures within the area are 35 years or older;
2. at least three of the eligibility criteria affecting parcels which exhibit age are present on a consistent basis throughout portions of the area;
3. at least five of the eligibility criteria affecting parcels with structures are present on a consistent basis throughout portions of the area; and
4. at least two of the eligibility criteria affecting parcels without structures or other amenities are consistently present in such parcels.

EXHIBIT A2  
SUMMARY OF ELIGIBILITY FINDINGS  
BATAVIA RIVERFRONT REDEVELOPMENT STUDY AREA

BLOCK NUMBER BUILDINGS PARCELS	AGE	DET	DET-B	DET-S	DIL	DIL-B	DIL-S	OBS	OBS-B	OBS-S	ILL	COD	VAC	ABD	OVE	LAC	INA	DEP	DEP-B	DEP-S	EXC	DEL	PLA	OPL	DIV	TAX	ADJ	BLI
15-326	3	1	1	1	0	0	0	1	0	1	0	0	0	0	0	0	1	1	0	1	0	1	1	2	0	0	2	0
15-455	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0
15-456	3	1	2	1	2	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	0	1	1	0	0	0	0
22-132	5	9	2	2	3	0	1	1	0	2	1	0	0	0	0	0	4	3	0	3	0	3	2	5	5	0	0	0
22-201	3	3	2	1	1	0	0	0	0	0	0	0	0	0	0	0	1	1	0	1	0	1	0	1	0	0	0	0
22-202	4	5	3	0	0	1	2	0	1	2	0	0	2	0	0	0	3	1	0	1	0	1	2	0	0	0	0	0
22-203	13	18	6	2	4	0	0	13	0	13	0	0	0	0	0	15	6	2	5	0	8	15	3	0	0	0	3	0
22-233	6	7	3	3	2	1	0	4	1	3	0	0	0	0	0	6	4	2	3	0	3	3	3	0	0	0	1	0
22-257	6	5	4	5	1	5	0	4	0	4	0	0	1	0	0	5	2	1	1	1	0	0	4	0	0	0	0	0
22-258	7	11	6	2	1	1	0	0	0	0	0	0	1	0	0	10	3	2	1	0	1	6	1	0	0	0	1	0
22-276	8	11	7	0	0	0	0	7	1	7	0	0	1	0	0	10	5	3	3	0	0	0	7	1	0	0	0	0
22-279	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	2	0	0	0
56	81	42	21	13	11	2	3	0	32	5	29	0	5	0	0	58	27	11	20	0	18	42	16	7	0	7	0	

AGE - Age of building exceeds 35 years  
DET - Deterioration  
DIL - Dilapidation  
OBS - Obsolescence  
ILL - Illegal use  
COD - Structure below minimum code  
VAC - Excessive vacancies  
ABD - Abandonment  
OVE - Overcrowding of structures and community facilities  
LAC - Lack of ventilation, light, and sanitary facilities  
INA - Inadequate utilities  
DEP - Depreciation of physical maintenance  
EXC - Excessive of land coverage  
DEL - Deleterious land use or layout  
PLA - Lack of community planning  
OPL - Obsolete platting of vacant land  
DIV - Diversity of ownership  
TAX - Tax or special assessment delinquencies  
ADJ - Deterioration of structures/site improvements in areas adjacent to vacant land  
BLI - Area immediately prior to becoming vacant qualified as blighted improved area  
B - Building  
S - Site Improvement

**ELIGIBILITY FINDINGS REPORT APPENDIX**

## **DEFINITION OF ELIGIBILITY FACTORS**

The definitions of the eligibility factors which are used to determine whether an area qualifies as a tax increment financing district are provided below. They reflect the definitions used by the Illinois Department of Revenue as provided in the 1988 TIF Guide which were revised April 6, 1989.

### **Age**

The age of structures is so advanced as to affect their condition, adaptability to modern use, or real property value. As required by the Illinois Revised Statutes, such buildings must be at least 35 years old to qualify as an applicable eligibility factor.

### **Deterioration**

Physical deficiencies or disrepair of buildings or site improvements requiring treatment or repair beyond normal maintenance.

- Deterioration of Buildings

Conditions that are not easily corrected in the course of normal maintenance. This would include structures exhibiting major defects in the secondary building components (doors, windows, porches, gutters and downspouts, fascia materials), and major defects in primary building components (foundations, frames, roofs).

- Deterioration of Surface Improvements

The condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas which evidence deterioration such as surface cracking, crumbling, potholes, depressions, loose paving materials, or weeds protruding through the surface.

### **Dilapidation**

Dilapidation refers to the advanced state of disrepair of buildings or improvements. It may be evidenced by critical defects in primary structural components and/or building systems and secondary structural components in such combination and extent that major repair is required, or the defects are so serious and so extensive that the structure or improvement must be removed. Structures or improvements that are classified as dilapidated cannot also be classified as deteriorated or depreciated.

## **Obsolescence**

Obsolescence is the condition or process of a structure or site improvement falling into disuse. It may also include the obsolete platting of a parcel.

- Functional Obsolescence

The condition of buildings as evidenced by characteristics or deficiencies which limit the use and marketability of such buildings. Characteristics may include the loss in value of a property resulting from an inherent deficiency existing from poor design or layout, or the improper orientation of the building on the site which detracts from the overall usefulness or desirability of a property. Such obsolescence is typically difficult and expensive to correct.

- Economic Obsolescence

Economic obsolescence is normally the result of adverse conditions which cause persistent or chronic market rejection and hence, the depreciation of market values. Typically, buildings classified as dilapidated and buildings which contain vacant space are characterized by problem conditions which may not be economically curable, resulting in net rental losses and/or depreciation in market value.

- Obsolete Platting

Parcels of limited or narrow size and configuration and/or parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements. Platting that has created inadequate widths of rights-of-way or omitted easements for public utilities should also be considered obsolete.

- Obsolete Site Improvements

The condition of site improvements including sewer and water lines, public utility lines (gas, electric, telephone), roadways, parking areas, parking structures, sidewalks, curbs and gutters, and lighting as evidenced by factors of obsolescence in terms of their relationship to contemporary development standards for such improvements. Factors may include inadequate utility capacities, outdated designs, etc.

### **Illegal Uses**

The presence of uses or activities on the property which are in violation of applicable national, state, or local laws.

### **Structures Below Minimum Code**

Structures which do not meet the standards of zoning, subdivision, building, housing, property maintenance, fire, or other governmental codes applicable to the property.

### **Excessive Vacancies**

The presence of buildings which are unoccupied or underutilized and which represent an adverse influence on the area due to the frequency, extent, or duration of the vacant condition. Vacant properties are those which do not exhibit any apparent efforts directed toward their occupancy or utilization.

### **Abandonment**

Abandonment refers to the relinquishing of all right, title, claim, and possession with the intention of not reclaiming the property or resuming its ownership, possession, or enjoyment. Evidence supporting abandonment may include unsuccessful attempts to locate owners of properties that give the appearance of abandonment or the nonpayment of real property taxes for an extended period of time combined with the long-term disuse and neglect of the property.

### **Overcrowding of Structures and Community Facilities**

The over-intensive use of property and the crowding of buildings and accessory facilities onto a site, resulting in hazards such as the increased threat of the spread of fires due to the close proximity of buildings, or the lack of proper access to a public right-of-way.

### **Lack of Ventilation, Light, and Sanitary Facilities**

Substandard conditions which adversely affect the health and welfare of building occupants as determined by local codes and ordinances, or in locally adopted national codes such as the Uniform Building Code, Building Officials Code of America, and the Model Housing Code of the American Public Health Association. Factors may include the following:

- inadequate mechanical ventilation for air circulation in spaces or rooms without windows,
- inadequate natural light and ventilation by means of skylights or windows for interior rooms or spaces, and improper window sizes and amounts in relation to the area of the room or space,

- inadequate sanitary facilities, and
- inadequate ingress and egress to and from all rooms and units.

### **Inadequate Utilities**

Underground or overhead utilities which are of insufficient capacity to serve the redevelopment project area. The infrastructure may exhibit conditions such as deterioration, antiquation, obsolescence, and disrepair, or it may be lacking in a particular area.

### **Depreciation of Physical Maintenance**

Lack of normal property maintenance of buildings, improvements, and grounds which contributes to the deterioration of buildings, the unsightliness of properties, hazards to health and safety, devaluation of real estate, and the undesirability of an area.

Evidence of the presence of this factor may include, but is not limited to, the following:

- Buildings  
Unpainted or unfinished surfaces; peeling paint; loose or missing materials; sagging or bowing walls, floors, roofs, and porches; cracks; broken windows; loose gutters and downspouts; loose or missing shingles; damaged building areas still in disrepair; etc.
- Yards and Vacant Parcels  
Accumulation of trash and debris; broken sidewalks; lack of vegetation; lack of paving and dust control; potholes; standing water; fences in disrepair; lack of mowing and pruning of vegetation; etc.
- Public or Private Utilities
- Streets, Alleys, and Parking Areas  
Potholes; broken or crumbling surfaces; broken curbs and/or gutters; areas of loose or missing materials, standing water; etc.

### **Excessive Land Coverage**

The over-intensive use of property and the crowding of buildings and accessory structures onto a site as evidenced by the ratio of floor area to lot area in excess of zoning standards.

**Deleterious Land Use or Layout**

Conditions as evidenced by incompatible land use relationships, buildings occupied by an inappropriate mixture of uses, or uses which may be considered noxious, offensive, or environmentally unsuitable.

**Lack of Community Planning**

The presence of historical evidence indicating that the initial development of the proposed redevelopment project area occurred prior to or without the existence or benefit of a community plan, or the application of appropriate planning procedures.

**Obsolete Platting of Vacant Land**

Vacant parcels of limited or narrow size and configuration and/or of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements.

**Diversity of Ownership**

The condition of multiple ownership and/or interests which are sufficient in number to deter or impede the ability to assemble tracts of land at a scale that is suitable for contemporary development.

**Tax and Special Assessment Delinquencies**

Evidence of nonpayment of real property taxes and/or special assessments, applicable to the property, over an extended period of time.

**Deterioration of Structures or Site Improvements in Areas Adjacent to Vacant Land**

The presence of the deterioration of structures or site improvements, as defined previously, on adjacent property.

**The Area Immediately Prior to Becoming Vacant Qualified as a Blighted Improved Area**

An area that has been previously designated as blighted under state or local urban renewal or redevelopment legislation or ordinances, and in which structures and site improvements have been removed subsequent to such a designation. Such an area may still be presumed to be blighted as long as its prior designation can be documented.