

ORDINANCE NO. _____ - 21

AN ORDINANCE PROPOSING THE APPROVAL OF A BUSINESS DISTRICT PLAN AND THE DESIGNATION OF THE DOWNTOWN BUSINESS DISTRICT; PROPOSING THE IMPOSITION OF A BUSINESS DISTRICT RETAILERS' OCCUPATION TAX, A BUSINESS DISTRICT SERVICE OCCUPATION TAX, AND A BUSINESS DISTRICT HOTEL OPERATORS' OCCUPATION TAX; AND CALLING A PUBLIC HEARING IN CONNECTION THEREWITH

WHEREAS, pursuant to the Business District Development and Redevelopment Law, as supplemented and amended [65 ILCS 5/11-74.3-1 *et. seq.* (2016 State Bar Ed.)] (“Act”), the Village of Burr Ridge, Cook and DuPage Counties, Illinois (“Village”) is authorized to approve a business district plan, to designate a business district and to impose certain business district taxes therein; and

WHEREAS, the Mayor and Board of Trustees of the Village (“Corporate Authorities”) have heretofore caused a study to be conducted to determine the conditions in that part of the Village legally described in Exhibit A attached hereto and made a part hereof and generally described as a contiguous area generally bounded by County Line Road and Bridewell Drive to the west, Bridewell Drive to the north and residential neighborhoods to the south and east, and including adjacent rights of way, and depicted in Exhibit A-1, attached hereto and made a part hereof; and

WHEREAS, the Corporate Authorities have determined that said territory would qualify as a “business district” and a “blighted area,” as defined in the Act, and that said territory on the whole has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of a business district plan; and

WHEREAS, the Corporate Authorities have heretofore and it hereby is determined that it is advisable that the Village afford itself of the provisions of the Act and by ordinance propose

approval of a business district plan (the “Business District Plan”), the designation of the territory as legally described in Exhibit A as a business district to be known as the “Downtown Business District” (the “Business District”), and the imposition of Business District Retailers Occupation Tax at a rate of One Percent (1%) of gross receipts from sales within the Business District, a Business District Service Occupation Tax at a rate of One Percent (1%) of the selling price of tangible personal property transferred by all persons who are engaged within the Business District in the business of making sales of services, who, as an incident to making those sales of service, transfer tangible personal property within the Business District, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service, and a Business District Hotel Operators’ Occupation Tax at a rate of One Percent (1%) of gross rental receipts from the renting, leasing, or letting of hotel rooms within the Business District (collectively, the “Business District Taxes”), all of said Business District Taxes to be imposed in accordance with the Act; and

WHEREAS, the Act requires the Village to conduct a public hearing prior to the adoption of ordinances approving the Business District Plan, designating the Business District, and imposing the Business District Taxes, at which hearing any interested person may file written objections with the Village Clerk and may be heard orally with respect to the proposed approval of the Business District Plan, the designation of the Business District, the imposition of the Business District Taxes, and any other matters embodied in the notice of public hearing; and

WHEREAS, the Act further requires that the time and place of such public hearing be fixed by ordinance adopted by the Corporate Authorities; and

WHEREAS, the firm of S. B. Friedman & Company has conducted an eligibility survey of the proposed Business District and has concluded that the Business District qualifies as a “business district” and a “blighted area,” as defined in the Act, which survey and findings are included in the

Business District Plan and have been presented to the Corporate Authorities and are now on file in the official files and records of the Village; and

WHEREAS, the Act requires that notice of the public hearing be given by newspaper publication.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois as follows:

Section 1. That the foregoing recital clauses to this Ordinance are adopted as findings of the Corporate Authorities of the Village of Burr Ridge and are incorporated herein by specific reference.

Section 2. The approval of the Business District Plan, the designation of the Business District, the imposition of Business District Retailers Occupation Tax at a rate of One Percent (1%) of gross receipts from sales within the Business District, a Business District Service Occupation Tax at a rate of One Percent (1%) of the selling price of tangible personal property transferred by all persons who are engaged within the Business District in the business of making sales of services, who, as an incident to making those sales of service, transfer tangible personal property within the Business District, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service, and a Business District Hotel Operators' Occupation Tax at a rate of One Percent (1%) of gross rental receipts from the renting, leasing, or letting of hotel rooms within the Business District (collectively, the "Business District Taxes"), all of said Business District Taxes to be imposed in accordance with the Act, are hereby proposed.

Section 3. A public hearing shall be held by the Mayor and Board of Trustees of the Village of Burr Ridge, at 7:00 p.m. on the 13th day of September, 2021, at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois, for the purpose of hearing from any interested

persons regarding the proposed approval of the Business District Plan, the designation of the Business District, the imposition of the Business District Taxes, and any other matters embodied in the notice of public hearing.

Section 4. Notice of public hearing, substantially in the form attached hereto and made a part hereof as Exhibit B, shall be published at least twice in a newspaper of general circulation within the Village, the publications to be not more than 30 nor less than 10 days prior to the public hearing.

Section 5. If any provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Ordinance. All ordinances, resolutions, or other pieces of legislation adopted by the Village in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. This Ordinance shall be in full force and effect upon its passage and approval in accordance with law.

ADOPTED this 23rd day of August, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this 23rd day of August, 2021.

Mayor

ATTEST:

Village Clerk

EXHIBIT A
Proposed Downtown Business District – Legal Description

THAT PART OF THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE WEST 1/2 OF SAID SECTION 30 AND THE WEST EXTENSION OF THE SOUTH LINE OF LOT 3 IN BURR RIDGE PARK UNIT 2, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE EASTERLY ALONG THE LAST DESCRIBED LINE AND THE SOUTHERLY LINE OF BURR RIDGE MARKET RESUBDIVISION OF LOTS 4, 5 AND VACATED EMRO DRIVE IN BURR RIDGE PARK UNIT 2 IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE SOUTHERLY LINE OF BURR RIDGE PARK UNIT 3, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE SOUTHEASTMOST CORNER OF THE ABOVE DESCRIBED BURR RIDGE PARK UNIT 3; THENCE NORTHERLY ALONG THE EASTERLY LINE OF LINCOLNSHIRE DRIVE AS DEDICATED BY SAID BURR RIDGE PARK UNIT 3 TO THE SOUTHERLYMOST CORNER OF LOT 2 IN DEARBORN RESUBDIVISION OF LOTS 1 AND 2 IN BURR RIDGE PARK UNIT 2, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTHEASTERLY AND EASTERLY ALONG THE EASTERLY LINE OF SAID DEARBORN SUBDIVISION AND THE SOUTHERLY LINE OF LOT 1 IN SAID BURR RIDGE PARK UNIT 3 TO THE SOUTHEASTMOST CORNER OF LOT 1 IN SAID BURR RIDGE PARK UNIT 3 ALSO BEING THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 30; THENCE NORTH ALONG THE LAST DESCRIBED LINE TO THE NORTHEAST CORNER OF LOT 1 IN I.R.E.A.D. PLAT OF RESUBDIVISION, BEING A RESUBDIVISION OF THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1 IN I.R.E.A.D. PLAT OF RESUBDIVISION AND ITS WEST EXTENSION TO THE SOUTHEAST CORNER OF LOT 1 IN BURR RIDGE HOTEL PARTNERS PLAT OF RESUBDIVISION OF LOTS 8, 9 AND 10 IN BURR RIDGE UNIT 1, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH ALONG THE EAST LINE OF SAID BURR RIDGE HOTEL PARTNERS PLAT OF RESUBDIVISION TO THE SOUTHERLY LINE OF THE PERMANENT EASEMENT FOR HIGHWAY PURPOSES (INTERSTATE ROUTE 55) AS PER INSTRUMENT RECORDED AUGUST 12, 1959 AS DOCUMENT NO. 17627674; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG SAID PERMANENT EASEMENT TO THE SOUTH LINE OF SAID PERMANENT EASEMENT ALSO BEING A NORTH LINE OF BURR RIDGE PARKWAY HERETOFORE DEDICATED BY BURR RIDGE PARK UNIT 1, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE WEST ALONG SAID NORTH LINE OF BURR RIDGE PARKWAY TO THE WEST LINE OF THE WEST 1/2 OF SAID SECTION 30; THENCE SOUTH ALONG THE LAST DESCRIBED LINE TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

EXHIBIT A-1
Proposed Downtown Business District – Map

Village of Burr Ridge / Downtown Business District

Map 2: Proposed Business District Boundary



- Proposed Business District Boundary
- Proposed Business District Parcels

Sources: Cook County; Esri; SB Friedman

EXHIBIT B
Notice of Public Hearing

VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS
DOWNTOWN BUSINESS DISTRICT

Notice is hereby given that on September 13, 2021 at 7:00 p.m. at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois, in accordance with the Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1 *et seq.* (the “Act”), a public hearing will be held to consider the proposal to approve a business district plan (the “Business District Plan”) and the designation of a business district to be known as the “Downtown Business District” (the “Business District”), and the imposition of a Business District Retailers’ Occupation tax, a Business District Service Occupation Tax, and a Business District Hotel Operators’ Occupation Tax. The Business District consists of the territory legally described as follows:

THAT PART OF THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE WEST 1/2 OF SAID SECTION 30 AND THE WEST EXTENSION OF THE SOUTH LINE OF LOT 3 IN BURR RIDGE PARK UNIT 2, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE EASTERLY ALONG THE LAST DESCRIBED LINE AND THE SOUTHERLY LINE OF BURR RIDGE MARKET RESUBDIVISION OF LOTS 4, 5 AND VACATED EMRO DRIVE IN BURR RIDGE PARK UNIT 2 IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE SOUTHERLY LINE OF BURR RIDGE PARK UNIT 3, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE SOUTHEASTMOST CORNER OF THE ABOVE DESCRIBED BURR RIDGE PARK UNIT 3; THENCE NORTHERLY ALONG THE EASTERLY LINE OF LINCOLNSHIRE DRIVE AS DEDICATED BY SAID BURR RIDGE PARK UNIT 3 TO THE SOUTHERLYMOST CORNER OF LOT 2 IN DEARBORN RESUBDIVISION OF LOTS 1 AND 2 IN IN BURR RIDGE PARK UNIT 2, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTHEASTERLY AND EASTERLY ALONG THE EASTERLY LINE OF SAID DEARBORN SUBDIVISION AND THE SOUTHERLY LINE OF LOT 1 IN SAID BURR RIDGE PARK UNIT 3 TO THE SOUTHEASTMOST CORNER OF LOT 1 IN SAID BURR RIDGE PARK UNIT 3 ALSO BEING THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 30; THENCE NORTH ALONG THE LAST DESCRIBED LINE TO THE NORTHEAST CORNER OF LOT 1 IN I.R.E.A.D. PLAT OF RESUBDIVISION, BEING A RESUBDIVISION OF THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1 IN I.R.E.A.D. PLAT OF RESUBDIVISION AND ITS WEST EXTENSION TO THE SOUTHEAST CORNER OF LOT 1 IN BURR RIDGE HOTEL PARTNERS PLAT OF RESUBDIVISION OF LOTS 8, 9 AND 10 IN BURR RIDGE UNIT 1, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH ALONG THE EAST LINE OF SAID BURR RIDGE HOTEL PARTNERS PLAT OF RESUBDIVISION TO THE SOUTHERLY LINE OF THE

PERMANENT EASEMENT FOR HIGHWAY PURPOSES (INTERSTATE ROUTE 55) AS PER INSTRUMENT RECORDED AUGUST 12, 1959 AS DOCUMENT NO. 17627674; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG SAID PERMANENT EASEMENT TO THE SOUTH LINE OF SAID PERMANENT EASEMENT ALSO BEING A NORTH LINE OF BURR RIDGE PARKWAY HERETOFORE DEDICATED BY BURR RIDGE PARK UNIT 1, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE WEST ALONG SAID NORTH LINE OF BURR RIDGE PARKWAY TO THE WEST LINE OF THE WEST 1/2 OF SAID SECTION 30; THENCE SOUTH ALONG THE LAST DESCRIBED LINE TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

The boundaries of the Business District are generally described as a contiguous area bounded by County Line Road and Bridewell Drive to the west, Bridewell Drive to the north and residential neighborhoods to the south and east, and including adjacent rights of way.

There will be considered at the public hearing the Business District Plan, the designation of the Business District and the imposition of a Business District Retailers' Occupation Tax, a Business District Service Occupation Tax, and a Business District Hotel Operators' Occupation Tax. The Business District Plan as proposed is on file and available for public inspection at the office of the Village Clerk, 7660 County Line Road, Burr Ridge, Illinois. The proposed Business District Plan includes the following Village goal: to reduce or eliminate conditions that qualify the proposed Business District as a blighted area under the Act and to provide the direction and mechanisms necessary to create a vibrant commercial and mixed-use district that will strengthen the economic base and enhance the quality of life of the Business District and Village as a whole. The proposed Business District Plan includes the following Village objectives: (1) enhance the Village's tax base by encouraging investment and redevelopment within the proposed Business District; (2) foster the construction, improvement, replacement and/or repair of public infrastructure; (3) provide improved pedestrian and bicycle access throughout the proposed Business District; (4) promote the improvement of facades and signage within the proposed Business District; and (5) promote private investment within the Village. In accordance with the Act, the proposed Business District Plan provides the Village with certain powers including, but not limited to, to enter into all contracts necessary or incidental to the implementation and furtherance of the Business District Plan; within the Business District, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests within the Business District; to clear any area within the Business District by demolition or removal of existing buildings, structures, fixtures, utilities or improvements, and to clear and grade land; to install, repair, construct, reconstruct or relocate public streets, public utilities, and other public site improvements within or without the Business District, which are essential to the preparation of the Business District for use in accordance with the Business District Plan; to renovate, rehabilitate, relocate, repair or remodel any existing buildings or structures, works, utilities, or fixtures within the Business District; to construct public improvements, including but not limited to buildings, structures, works, utilities, or fixtures within the Business District; to fix, charge and collect fees and rents and charges for the use of any building, facility or property, or any portion thereof, owned or leased by the Village within the Business District; to pay or cause to be paid business district project costs as set forth in the Act; to apply for and accept grants, guarantees, donations of property or labor in connection with a Business District project; to impose a retailers' occupation tax, at a rate not to exceed one percent (1%), within the Business District, and a service occupation tax, at a rate not to exceed one percent (1%), within the Business District; and to impose a hotel operators' occupation tax, at a rate not to exceed one percent (1%), within the Business District and all such powers are more fully described

in the Act and the Business District Plan. The proposed Business District Plan includes a budget as set forth therein. Pursuant to the Act and the Business District Plan, the Village proposes to impose a retailers' occupation tax at a rate of one percent (1%) of gross receipts from sales within the Business District and to impose a service occupation tax at a rate of one percent (1%) of the selling price of tangible personal property transferred by all persons who are engaged within the Business District in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the Business District, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service, said taxes to be imposed for the term of the Business District. Pursuant to the Act and the Business District Plan, the Village proposes to impose a hotel operators' occupation tax at a rate of one percent (1%) of the gross rental receipts from the renting, leasing or letting of hotel rooms within the Business District, said tax to be imposed for the term of the Business District.

Any person may submit alternate proposals or bids for any proposed conveyance, lease, mortgage, or other disposition by the Village of land or rights in land owned by the Village and located within the Business District.

Prior to the date of the public hearing, any interested person may submit written comments to the Village, to the attention of the Village Clerk, 7660 County Line Road, Burr Ridge, Illinois, 60527, regarding the approval of the Business District Plan, the designation of the Business District, or any other matter embodied in this notice.

At the public hearing, all interested persons may file written objections with the Village Clerk and will be given an opportunity to be heard orally with respect to any issues regarding the approval of the Business District Plan, the designation of the Business District, the imposition of the Business District Retailers' Occupation Tax, the Business District Service Occupation Tax, the Business District Hotel Operators' Occupation Tax, and any other matter embodied in this notice. The hearing may be adjourned to another date by the Village Mayor and Board of Trustees without further notice other than a motion to be entered upon the minutes fixing the time and place of the adjourned hearing.

Dated this _____, 2021

/s/ Susan Schaus
Village Clerk
Village of Burr Ridge