

## MEMORANDUM

**TO:** David A. Hulseberg, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development

**DATE:** March 19, 2009

**SUBJECT: Oakview Estates – Ordinance Amending TIF Agreement**

Attached for Village Board consideration is a recommendation by the Economic & Community Development Committee (ECDC) of an ordinance amendment to the previously approved Tax Increment Financing (TIF) Development Agreement for the Oakview Estates Condominium Development at 400-540 East St. Charles Road.

As noted within the attached materials, the developer Oakview Estates LLC, was approved to receive up to \$400,000 in additional increment generated by the project, subject to the terms contained within the original agreement. Oakview Estates LLC is seeking approval of agreement modifications that will provide for reimbursement of a lower dollar amount (\$195,524.58), which is the dollar amount of TIF increment generated by the property to date. The developer would also release any claims to any future TIF increment associated with the property. The amendment clarifies the development timetables established through the project. The amendment also includes provisions for Parille Builders to sign off on the agreement and to establish the eighty percent covenant provisions on the second phase of the project as well.

While the initial agreement was also recommended for approval through a TIF Joint Review Board (JRB) meeting, the dollar amount in this agreement does not exceed the commitment set forth in the 2004 agreement. Therefore, the agreement was forwarded to the JRB members for reference purposes.

Should the Village Board approve this agreement and upon payment of the generated increment, the St. Charles Road TIF 2 – East fund will still have approximately \$27,000 in additional increment available within the overall district at of the end of this fiscal year.

### **ACTION REQUESTED**

The ECDC recommends to the Village Board approval of the Ordinance amending Oakview Estates TIF Agreement Amendment, with a waiver of first reading.

WJH/

