



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: O2016-5382, Version: 1

ORDINANCE

WHEREAS, the City of Chicago (the "City") is a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois authorized to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Cook County Board of Commissioners has enacted the Cook County Real Property Assessment Classification Ordinance, as amended from time to time (the "Classification Ordinance"), which provides for, among other things, real estate tax incentives to property owners who build, rehabilitate, enhance and occupy property which is located within Cook County and which is used primarily for industrial or commercial purposes; and

WHEREAS, the City, consistent with the Classification Ordinance, wishes to induce industry to locate, expand and remain in the City by supporting financial incentives in the form of property tax relief; and

WHEREAS, Jarla, LLC, an Illinois limited liability company (the "Applicant") owns certain real estate located generally at 1825 West Webster Avenue, Chicago, Illinois 60614 (the "Subject Property"), as described on Exhibit A hereto; and

WHEREAS, the Subject Property has undergone environmental testing and was found to contain certain adverse environmental conditions (the "Contamination"); and

WHEREAS, neither the Applicant nor the Applicant's individual owners are directly or indirectly responsible for creating the Contamination; and

WHEREAS, the Applicant has undertaken environmental remediation at the Subject Property and received a No Further Remediation Letter from the Illinois Environmental Protection Agency's Site Remediation Program, dated June 4, 2015 (the "NFR Letter"); and

WHEREAS, the costs of remediating the Contamination exceeded \$100,000 in accordance with the eligibility requirements for Class C classification pursuant to the Classification Ordinance; and

WHEREAS, the Applicant has constructed a development consisting of an approximately 50,467 square foot facility on the Subject Property (the "Development") to be used for commercial purposes in accordance with the eligibility requirements for Class C classification pursuant to the Classification Ordinance; and

WHEREAS, Chicago Whirly, Inc., an Illinois corporation, has leased a portion of the Subject Property to operate its recreational facility consisting of "WhirlyBall" courts, a bowling alley, full-service restaurant, and a banquet facility; and

WHEREAS, the Applicant has filed an application for the Class C classification with the Office of the Cook County Assessor (the "Assessor") pursuant to the Classification Ordinance; and

WHEREAS, it is the responsibility of the Assessor to determine that an application for a Class C classification is eligible pursuant to the Classification Ordinance; and

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WHEREAS, the Classification Ordinance requires that, in connection with the filing of a Class C application with the Assessor, an applicant must obtain from the municipality in which such real estate is located an ordinance or resolution expressly stating that the municipality has determined that the classification incentive is necessary for the development of the property to occur and that the municipality supports and consents to the Class C classification; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are hereby expressly incorporated as if fully set forth herein.

SECTION 2. The City hereby determines that the incentive provided by the Class C classification is necessary for the Development to have occurred on the Subject Property.

SECTION 3. The City hereby expressly supports and consents to the Class C classification with respect to the Subject Property.

SECTION 4. The City Clerk of the City is authorized and hereby directed to and shall send a certified copy of this Ordinance to the Assessor, and a certified copy of this Ordinance may be included with the Class C application to be filed with the Assessor by the Applicant, as applicant, in accordance with the Classification Ordinance.

SECTION 5. To the extent that any ordinance, resolution, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this Ordinance, the provisions of this Ordinance shall be controlling. If any section, paragraph, clause or provision shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 6. This Ordinance shall be effective immediately upon its passage and approval.

EXHIBIT A

Subject Property Legal Description:

PARCEL 1:

ALL THAT PART OF THE GIRARD STREET (NOW VACATED) WEST OF AND ADJOINING THE WEST LINE OF LOT 11 AND THE WEST LINE OF SAID LOT 11, PRODUCED SOUTH TO ITS INTERSECTION WITH THE NORTHEASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, AND NORTHWESTERN RAILROAD (WISCONSIN DIVISION) AND EAST OF AND ADJOINING THE EAST LINE OF SAID LOT 12, ALSO ALL THAT PART OF THE 40 FEET PUBLIC ALLEY (NOW VACATED) RUNNING IN A NORTHWESTERLY DIRECTION SOUTHWEST OF AND ADJOINING THE SOUTHWESTERLY LINE OF SAID LOT 11, LYING NORTH OF THE SOUTH LINE OF SAID LOT 11 PRODUCED WEST AND EAST OF THE WEST LINE OF SAID LOT 11 PRODUCED SOUTH IN BLOCK 30 IN SHEFFIELD'S ADDITION TO CHICAGO IN SECTIONS 29, 31, 32 AND 33, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PART OF SAID STREET BEING FURTHER DESCRIBED AS ALL THAT PART OF GIRARD STREET LYING BETWEEN THE SOUTH LINE OF WEBSTER AVENUE AND THE NORTHEASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD (WISCONSIN DIVISION) AND SAID PART OF SAID ALLEY BEING FURTHER DESCRIBED AS ALL THAT PART OF THE 40 FOOT PUBLIC ALLEY RUNNING IN A NORTHWESTERLY DIRECTION LYING NORTH OF THE NORTH LINE OF THE EAST AND WEST PUBLIC ALLEY IN THE BLOCK BOUNDED BY WEBSTER AVENUE THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD (WISCONSIN DIVISION) NORTH WOOD STREET AND GIRARD STREET.

PARCEL 2:

LOTS 9, 10, 11 AND 12 IN BLOCK 30 IN SHEFFIELDS ADDITION TO CHICAGO IN SECTION 31, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 64 AND 65 TAKEN AS A TRACT (EXCEPT THE EAST 12.5 FEET THEREOF) IN TRACY M. OVIATTS RESUBDIVISION OF LOTS 45 TO 52 INCLUSIVE IN BLOCK 30 IN SHEFFIELDS ADDITION TO CHICAGO (TOGETHER WITH ALL THAT PART OF THE NORTHWESTERLY AND SOUTHEASTERLY 40 FOOT PUBLIC ALLEY (NOW VACATED) TOGETHER WITH ALL THAT PART OF THE EAST AND WEST PUBLIC ALLEY (NOW VACATED) LYING SOUTHWESTERLY OF AND ADJOINING THE SOUTHWESTERLY LINE OF LOTS 64 AND 65), LYING NORTHEASTERLY OF AND ADJOINING THE SOUTHWESTERLY LINE OF LOTS 64 AND 65), LYING NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF THE RIGHT OF WAY OF CHICAGO AND NORTHWESTERN RAILWAY AND LYING WESTERLY OF AND ADJOINING THE WEST LINE OF EAST 12.5 FEET OF SAID LOT 64 PRODUCED SOUTH TO THE NORTHEASTERLY LINE OF RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY IN TRACY M. OVIATTS RESUBDIVISION AFORESAID LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 9 TO 11 BOTH INCLUSIVE AND THE SOUTH LINE OF SAID LOTS

PRODUCED WEST TO THE WEST LINE OF SAID LOT 11 PRODUCED SOUTH TO THE NORTHEASTERLY LINE OF RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY AND LYING WEST OF AND ADJOINING THE EAST LINE OF SAID LOT 9 PRODUCED SOUTH 15.6 FEET ALL IN BLOCK 30 SUBDIVISION OF BLOCKS 17, 18, 20 AND 21 (EXCEPT LOTS 1, 6 AND 12 IN SAID BLOCKS 21, 23, 28, 29, 30, 31 AND 32) (EXCEPT LOTS 1, 2, 3, 6 AND 7, 33, 38, 39, 40 AND 41 OF SHEFFIELDS ADDITION TO CHICAGO IN SECTIONS 31 AND 32, TOWNSHIP 40 NORTH RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE NORTH LINE OF SAID LOT 65 IN TRACY M. OVIATTS RESUBDIVISION AFOREMENTIONED ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 16, 1953 AS DOCUMENT NO. 15721281 IN BOOK 416 OF PLATS, PAGE 41.

PARCEL 4:

THE WEST 3.4 FEET OF LOT 6, ALL OF LOTS 5, 7 AND 8 IN BLOCK 30 OF SHEFFIELDS ADDITION TO CHICAGO IN SECTIONS 31 AND 32, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, AND ALL THAT PART OF THE EAST AND WEST 15.6 FOOT PUBLIC ALLEY LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 6 TO 8 BOTH INCLUSIVE IN BLOCK 30 OF SUBDIVISION OF BLOCKS 17, 18, 20 AND 21 (EXCEPT THE LOTS 1, 6 AND 12 IN SAID BLOCK 21), 23, 28, 29, 30, 31 AND 32 (EXCEPT LOTS 1, 2, 3, 6 AND 7), 33, 38, 39, 40 AND 41 IN SHEFFIELDS ADDITION TO CHICAGO IN SECTIONS 31 AND 32, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOT 65 IN TRACY M. OVIATTS RESUBDIVISION OF LOTS 45 TO 52 IN BLOCK 30 OF SHEFFIELD'S ADDITION TO CHICAGO IN THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF AND ADJOINING THE WEST LINE OF LOT 8 PRODUCED SOUTH 15.6 FEET IN BLOCK 30 OF SUBDIVISION OF BLOCKS 17, 18, 20 AND 21 AFOREMENTIONED AND LYING WEST OF AND ADJOINING A LINE DRAWN FROM A POINT ON THE NORTH LINE OF LOT 65 SAID POINT BEING 12.5 FEET WEST OF THE ORIGINAL NORTHEAST CORNER OF SAID LOT IN TRACY M. OVIATTS RESUBDIVISION AFOREMENTIONED TO THE INTERSECTION OF THE SOUTH LINE OF LOT 6 AND A LINE 3.4 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 6 IN BLOCK 30 OF SUBDIVISION OF BLOCKS 17, 18, 20 AND 21 AFOREMENTIONED.

PARCEL 5:

LOTS 60 AND 61 IN TRACY M. OVIATTS RESUBDIVISION OF LOTS 45 TO 52 BOTH INCLUSIVE IN BLOCK 30 OF SHEFFIELD'S ADDITION TO CHICAGO, IN COOK COUNTY, ILLINOIS.

PARCEL 6:

LOTS 58 AND 59 IN TRACY M. OVIATTS RESUBDIVISION OF LOTS 45 TO 52 IN BLOCK 30 IN SHEFFIELD'S ADDITION TO SECTION 31, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Tax Index Numbers (PINS):

14-31-210-001-0000 14-31-210-029-0000 14-31-210-030-0000 14-31-210-
031-0000 14-31-210-035-0000 14-31-210-037-0000 14-31-210-038-0000 14-
-31-210-044-0000 14-31-210-045-0000 14-31-210-046-0000 14-31-210-047-
0000 14-31-210-063-0000

Address Commonly Known as:

1825 West Webster Avenue, Chicago, Illinois 60614

RAHM EMANUEL
MAYOR

June 22, 2016

TO THE HONORABLE, THE CITY COUNCIL OF
THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith ordinances authorizing a Class C tax status for various properties.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Mayor

CHICAGO October 5, 2016 To the President and

Members of the City Council: Your Committee on Finance having had under consideration

An ordinance authorizing the approval a Class C Real Estate Tax Incentive Classification for property located at 1825 West Webster Avenue for Jarla, LLC.

02016-5382

Having had the same under advisement, begs leave to report and recommend that your Honorable Body pass the proposed Ordinance Transmitted Herewith

**This recommendation was concurred in by
of members of the committee with**

Respectfully submitted

Chairman