Legislation Details (With Text)

File #:	O2017-6330		
Type:	Ordinance	**Status:**	Passed
File created:	9/6/2017	**In control:**	City Council
		Final action:	10/11/2017
Title:	Acquisition of additional parcels within 71st and Stony Island Tax Increment Financing (TIF) Project Area regarding Jeffery Plaza		
Sponsors:	Emanuel, Rahm		
Indexes:	Acquisition		
Attachments:	1. O2017-6330.pdf		

Date	Ver.	Action By	Action	Result
10/11/2017	1	City Council	Passed	Pass
9/25/2017	1	Committee on Housing and Real Estate	Recommended to Pass	Pass
9/6/2017	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

September 6, 2017

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 an ordinance authorizing an extension of previously granted acquisition authority regarding Jeffery Plaza.
Mayor

Your favorable consideration of this ordinance will be appreciated.

ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of government by virtue of the provisions of the Constitution of the. State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, pursuant to an ordinance adopted by the City Council of the City ("City Council") on October 7, 1998, and published at pages 78137 and 78139 through 78211 of the Journal of the Proceedings of the City Council of the City of Chicago ("Journal") of such date, a certain redevelopment plan and project (the "Plan") for the 71st and Stony Island Tax Increment Financing Redevelopment Project Area (the "Area") was approved pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended, 65 ILCS 5/11 -74.4-1 et seq. (the "Act"); and

WHEREAS, pursuant to an ordinance adopted by the City Council on October 7, 1998, and published at pages 78210 and 78212 through 78227 of the Journal of such date, the Area was designated as a redevelopment project area pursuant to the Act; and

WHEREAS, pursuant to an ordinance adopted by the City Council on October 7,1998, and published at pages 78226 and 78228 through 78242 of the Journal of such date, tax increment allocation financing was adopted pursuant to the Act as a means of financing certain Area redevelopment project costs (as defined in the Act) incurred pursuant to the Plan; and

WHEREAS, the Plan and the use of tax increment financing provide a mechanism to support new growth through leveraging private investment, and helping to finance land acquisition, demolition, remediation, site preparation and infrastructure for new development in the Area; and

WHEREAS, the City Council finds that it is useful, necessary and desirable to acquire the parcels of property located in the Area identified on Exhibit A attached hereto and made a part hereof (the "Acquisition Parcels") in order to achieve the objectives of the Plan, which include, among other things: reducing or eliminating those conditions that qualify the Area as a conservation area; and facilitating assembly, preparation, and marketing of improved and vacant sites for large-scale commercial, retail, and limited residential redevelopment, as well as supporting off-street parking areas; and

WHEREAS, by Resolution No. 17-CDC-16, adopted by the Community Development Commission of the City of Chicago ("Commission") on August 8, 2017, the Commission recommended the acquisition of the Acquisition Parcels; and

WHEREAS, the City Council finds such acquisitions to be for the same purposes as those set forth in Divisions 74.2 and 74.4 of the Illinois Municipal Code; and

WHEREAS, the City Council further finds that such acquisition and exercise of power of eminent domain shall be in furtherance of the Plan, which was first adopted in 1998 in accordance with the Act, as recited above, and was in existence prior to April 15, 2006; and

WHEREAS, the City Council further finds that prior to April 15, 2006, the Plan included an estimated $7,000,000 in property assembly costs as a budget line item in Table 2 of the Plan (and $40,000,000 in total redevelopment project costs), and also described property assembly

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as a part, of the redevelopment project for the Area, including in Sections 1 ("Executive Summary"), 4 ("Redevelopment Project & Plan") and 5 ("Financial Plan"), of the Plan; and

WHEREAS, the City Council further finds that the Acquisition Parcels were included in the Area prior to April 15, 2006, that there has been no extension in the completion date of the Plan and that the Acquisition Parcels are not located in an industrial park conservation area; and

WHEREAS, the City Council previously passed an ordinance (the "2014 Ordinance") on December 10, 2014, and published in the Journal for such date at pages 100441 through 100444, which authorized the City's acquisition of the Acquisition Parcels, and set forth the outside dates by which the City's Corporation Counsel must commence acquisition efforts; now, therefore,

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

SECTION 1. The foregoing recitals, findings and statements of fact are hereby adopted as the findings of the City Council.

SECTION 2. It is hereby determined, declared and found that it is useful, desirable and necessary that the City of Chicago acquire the Acquisition Parcels for public purposes and for purposes of implementing the objectives of the Plan.

SECTION 3. The Corporation Counsel is authorized to negotiate with the owner(s) of the Acquisition Parcels for the purchase of such Acquisition Parcels. If the Corporation Counsel and the owner of an Acquisition Parcel are able to agree on the terms of the purchase, the Corporation Counsel is authorized to purchase the Acquisition Parcel on behalf of the City for the agreed price. If the Corporation Counsel is unable to agree with the owner(s) of the Acquisition Parcels on the terms of the purchase, or if the owner(s) is or are incapable of entering into such a transaction with the City, or if the owner(s) cannot be located, then the Corporation Counsel is authorized to institute and prosecute condemnation proceedings on behalf of the City for the purpose of acquiring fee simple title to the Acquisition Parcels under the City's power of eminent domain. Such acquisition efforts shall commence with respect to improved property within four (4) years of the date of the publication of this ordinance, and with respect to vacant lots within ten (10) years of the date of the publication of this ordinance. Commencement shall be deemed to have occurred within such periods upon the City's delivery of an offer letter to the owner(s) of the subject Acquisition Parcel(s). The above grant of authority shall be construed to authorize acquisition of fewer than all the Acquisition Parcels and shall also be construed to authorize the acquisition of less than all of any particular Acquisition Parcel.

SECTION 4. The Commissioner of the Department of Planning and Development is authorized to execute such documents as may be necessary to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel.

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 other provisions of this ordinance.

SECTION 6. This ordinance supersedes the 2014 Ordinance:, All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

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SECTION 7. This ordinance shall be effective upon its passage and approval.

EXHIBIT A

ACQUISITION PARCELS

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

	ADDRESS	**VACANT OR IMPROVED**
20-25-200-034-0000 20-25-200-036-0000 20-25-200-037-0000 20-25-201-033-0000 20-25-201-035-0000		
7153 South Jeffrey Avenue		Improved
2023 East 71st Street		Improved
2101 East 71st Street		Improved
2100 East 72nd Street		Improved
7131 South Clyde Avenue		Improved

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