



Office of the City Clerk

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Legislation Details (With Text)

File #: R2019-236
Type: Resolution **Status:** Adopted
File created: 4/10/2019 **In control:** City Council
Final action: 6/12/2019
Title: Support of Class 6(b) tax incentive for property at 1556 W 43rd St
Sponsors: Thompson, Patrick D.
Indexes: Class 6(b)
Attachments: 1. R2019-236 (V1).pdf, 2. R2019-236.pdf

Date	Ver.	Action By	Action	Result
6/12/2019		City Council	Adopted	Pass
4/10/2019	1	City Council	Referred	

**RESOLUTION
CLASS 6(B) SUSTAINABLE EMERGENCY RELIEF (SER) REAL ESTATE
TAX INCENTIVE FOR THE BENEFIT OF ASHLAND COLD STORAGE
COMPANY, AND REAL ESTATE LOCATED GENERALLY AT 1556 WEST
43RD STREET IN CHICAGO, ILLINOIS PURSUANT TO COOK COUNTY,
ILLINOIS REAL PROPERTY ASSESSMENT CLASSIFICATION ORDINANCE**

WHEREAS, the Cook County Board of Commissioner has enacted the Cook County Real Property Assessment Classification Ordinance, as amended from time to time (the "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 purposes; and

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

WHEREAS, Ashland Cold Storage Company, an Illinois privately held business corporation (the "Applicant"), owns certain real estate located generally at 1556 West 43rd Street, Chicago, Illinois, 60609, as further described on Exhibit A hereto (the "Subject Property"); and

WHEREAS, the Applicant intends to substantially rehabilitate an approximately 223,500 square foot industrial facility located on the Subject Property; and

WHEREAS, the redevelopment objective of the City in connection with the Subject Property is industrial utilization; and

WHEREAS, it is intended that the Applicant will use the Subject Property for industrial purposes; and

WHEREAS, the Applicant has filed with the Office of the Assessor of Cook County (the "Assessor") an eligibility application for a Class 6(b) tax incentive under the SER Program, including the Evidence of Hardship; and

WHEREAS, the Applicant has been the owner of the Subject Property since 1962 and the Subject Property has been used for industrial purposes for more than ten years; and

WHEREAS, the Ordinance permits a Class 6(b) classification for certain properties which have been used for industrial purposes for a minimum of ten years when the industrial enterprise that occupies the premises submits evidence of hardship supporting a determination that participation in the Sustainable Emergency Relief Program (the "SER Program") is necessary for the industrial enterprise to continue operations at its current location and maintain its staff, and that without such designation the industrial enterprise would not be economically

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viable causing the property to be in imminent risk of becoming vacant and unused ("Evidence of Hardship"); and

WHEREAS, the Applicant has submitted Evidence of Hardship to the City; and

WHEREAS, special circumstances exist of dilapidation obsolescence, deterioration, presence of structures below minimum code standards, inadequate utilities, and deleterious land use or layout (the "Special Circumstances"); and

WHEREAS, the City's Department of Planning and Development has reviewed the Evidence of Hardship and (i) found that the Special Circumstances qualify the Subject Property for participation in the SER Program, (ii) determined that Applicant's participation in the SER Program is necessary for the Applicant to continue operations at the Subject Property and maintain its staff, and that without such designation the Applicant's industrial enterprise on the Subject Property would not be economically viable causing the Subject Property to be in imminent risk of becoming vacant and unused; and

WHEREAS, the Subject Property is located within: (i), the City of Chicago Enterprise Zone No. 2 (created pursuant to the Illinois Enterprise Zone Act, 20 ILCS 665/1 et seq., as amended, and pursuant to an ordinance enacted by the City Council of the City, as amended), (ii) the Stockyards Industrial Corridor Redevelopment Project Area (created pursuant to the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended, and pursuant to an ordinance enacted by the City Council of the City), and the purposes of Enterprise Zones and Redevelopment Project Areas are also to provide certain incentives in order to stimulate economic activity and to revitalize depressed areas; and

WHEREAS, it is the final responsibility of the Assessor to determine that an application for a Class 6 (b) classification is eligible pursuant to the Ordinance; and

WHEREAS, the Ordinance requires that, in connection with the filing of a Class 6(b) eligibility application with the Assessor under the SER Program, an applicant must obtain from the municipality in which such real estate that is proposed for Class 6(b) designation is located a resolution expressly stating that the municipality (i) has found that special circumstances exist which qualify the property for the Class 6(b) designation pursuant to the SER Program, (ii) has determined that the applicant's participation in the SER

Program is necessary for the industrial enterprise to continue operations at its current location and maintain its staff, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of becoming vacant and unused, and (iii) supports and consents to the Class 6 (b) classification by the Assessor; and

WHEREAS, the current and future use of the Subject Property provides and will continue to provide significant present and future employment; and

WHEREAS, notwithstanding the Class 6(b) status of the Subject Property, the continued industrial utilization thereof will generate significant ongoing revenues for the City in the form of real estate taxes and other tax revenues; now, therefore,

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

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SECTION 1: That the City finds that the Special Circumstances qualify the Subject Property for participation in the SER Program pursuant to the Ordinance.

SECTION 2: That the City determines that the Applicant's participation in the SER Program is necessary for the Applicant to continue operations at the Subject Property and maintain its staff, and that without such designation the Applicant's industrial enterprise on the Subject Property would not be economically viable causing the Subject Property to be in imminent risk of becoming vacant and unused.

SECTION 3: That the City supports and consents to the Class 6(b) classification pursuant to the SER Program by the Assessor with respect to the Subject Property.

SECTION 4: That the Clerk of the City of Chicago is authorized to and shall send a certified copy of this resolution to the Office of the, Cook County Assessor, Room 312, County Building, Chicago, Illinois 60602 and a certified copy of this resolution may be included with the Class 6(b) eligibility application filed with the Assessor by the Applicant, as applicant, in accordance with the Ordinance.

Honorable Patrick D. Thoi Alderman, 11th Ward

SECTION 5: That this resolution shall be effective immediately upon its passage and approval.

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EXHIBIT A

Legal Description of Subject Property:

PARCEL 1

Lots One (1) to Seventeen (17) inclusive, Lot Nineteen (19) except the South five and ten one-hundredths (5.10) feet and except the West ten (10) feet taken for the widening of Ashland Avenue, Lots Twenty (20) to Thirty-four (34) inclusive, excepting the West ten (10) feet taken for the widening of Ashland Avenue, and that portion of the north-south private alley between Lots One (1) to Sixteen (16) inclusive on the East and Lots Nineteen (19) to Thirty-four (34) inclusive, on the West, lying North of a line commencing at a point on the East line of said Lot Nineteen (19) five and ten one-hundredths (5.10) feet North of the South-line of said Lot Nineteen (19) and extending due East to the West line of said Lot Sixteen (16), all in Block Six (6) in Packer's Fifth Addition, a subdivision in the Southwest Quarter (SW %) of the Northwest Quarter (NW %) of Section Five (5), Township Thirty-eight (38) North, Range Fourteen (14), East of the Third Principal Meridian in the City of Chicago, County of Cook and State of Illinois.

Also:

PARCEL 2

A part of the strip of land, 66 feet wide, known as Private Street No. 4, lying between Blocks 5 and 6 in Packer's Fifth Addition, a subdivision in the Southwest quarter of the Northwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian, which part is bounded and described as follows:

Beginning at the Northwest corner of Lot 1, in said Block 5 and running,

Thence South along the West line of said Block 5, a distance of 399.10 feet to a point on the West line of Lot 17 in said Block 5 which is 24.07 feet North from the South line of the Northwest quarter of said Section 5;

Thence Northwestwardly along the arc of a circle, convex to the Northeast and having a radius of 640 feet, a distance of 66.98 feet to a point on the East line of Lot 17 in said Block 6 which is 35.48 feet North from said South line of the Northwest quarter of Section 5;

Thence North along the East line of said Block 6, a distance of 387.65 feet to the Northeast corner of Lot 1 in said Block 6; and

Thence East along a straight line, a distance of 66.00 feet to the point of beginning. Containing

25,925 square feet of land, more or less.

PARCEL 3

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All of the Lots, (being Lots numbered 1 to 17), in Block 5, in Packer's Fifth Addition, a subdivision in the Southwest quarter of the Northwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian, except that part of said Lot 17 bounded and described as follows:

Beginning at the Southwest corner of said Lot 17 and running,

Thence North along the West line of said Lot 17, a distance of 8.07 feet to a point which is 24.07 feet North from the South line of said Northwest quarter of Section 5;

Thence Eastwardly along the arc of a circle, convex to the Northeast and having a radius of 640 feet, a distance of 22.61 feet to a point of reverse curve which is 18.67 feet North from said South line of the Northwest quarter of Section 5;

Thence Eastwardly along the arc of a circle, convex to the Southwest and having a radius of 560 feet, (the Easterly terminus of said arc being a point on the South line of said Northwest quarter of Section 5, which is 561.49 feet East from the Southwest corner of said Northwest quarter, a distance of 10.81 feet to the point of intersection of said arc with the South line of said Lot 17; and

Thence West along said South line of Lot 17, being a line 16 feet North from and parallel with said South line of the Northwest quarter of Section 5, a distance of 32.46 feet to the point of beginning.

Containing in said Lots 1 to 16 and part of Lot 17 an area of 80,917 square feet of land, more or less.

PARCEL 4

That part of the private alley, 20 feet wide, lying East of and adjoining the East line of Block 5 in Packer's Fifth Addition, a subdivision in the Southwest quarter of the Northwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

Beginning at the Southeast corner of Lot 17 in said Block 5 in Packer's Fifth Addition, and running,

Thence North along the East line of said Block 5, a distance of 407.20 feet to the Northeast corner of Lot 1 in said Block 5;

Thence East along a straight line, a distance of 20 feet to the Northwest corner of Lot 4 in Block 3 in Packer's Second Addition to Chicago being a subdivision of the West 1025 feet of the South half of the Northwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian;

Thence South along the West line of said Lot 4, a distance of 407.20 feet to the Southwest corner of said Lot 4; and

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Thence West along a straight line, being 16 feet North from and parallel with the South line of said Northwest quarter of Section 5, a distance of 20.00 feet to the point of beginning.

Containing 8144 square feet of land, more or less.

PARCEL 5

Lot 4 and that part of Lot 3 lying West of a straight line which extends Northward from a point on the South line of said Lot 3 which is 1.90 feet East from the Southwest corner of said Lot 3, to a point on the North line of said Lot 3 which is 3.10 feet East from the Northwest corner of said Lot 3, all in Block 3 in Packer's Second Addition to Chicago, being a subdivision of the West 1025 feet of the South half of the Northwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian.

Containing 41,751 square feet of land, more or less.

PARCEL 6

That part of the private alley, 16 feet wide, lying North of and adjoining the South line of the Northwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

Beginning at the Southwest corner of Lot 4 in Block 3 in Packer's Second Addition to Chicago, being a subdivision of the West 1025 feet of the South half of the Northwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian, and running,

Thence South along the West line of said Lot 4 extended, a distance of 16 feet to an intersection with the South line of said Northwest quarter of Section 5;

Thence West along said South line of the Northwest quarter of Section 5, a distance of 53.67 feet to a point of curve which is 561.49 feet East from the Southwest corner of said Northwest quarter;

Thence Northwestwardly along the arc of a circle, which is convex to the Southwest and has a radius of 560 feet, (and which extends Westwardly from said point of curve to a point of reverse curve which is 18.67 feet North from said South line of the Northwest quarter of Section 5 and 145.00 feet, measured along said arc, Westerly from said point of curve), a distance of 134.19 feet to the point of intersection of said arc with the South line of Lot 17 in Block 5 in Packer's Fifth Addition, a subdivision in the Southwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian;

Thence East along the South line of said Lot 17, and along said South line extended East, (being a line 16 feet North from and parallel with said South line of the Northwest quarter of Section 5), a distance of 186.61 feet to the point of beginning.

Containing 2281 square feet of land, more or less.

PARCEL 7

That part of the private alley, 16 feet wide, lying North of and adjoining the South line of the Northwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian, and lying South of and adjoining the South line of Lot 4 in Block 3 in Packer's Second Addition to Chicago, being a subdivision of the West 1025 feet of the South half of the Northwest quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian, and lying between the East line of said Lot 4 extended South, and the West line of said Lot 4 extended South.

Containing 1600 square feet, more or less.

PARCEL 8

The South 284.13 feet of the North 314.13 feet of that part of the North West quarter of the South West quarter of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian, lying East of a line 395.85 feet East of and parallel with the West line of said South West quarter of Section 5, said line 395.85 feet East being 60.00 feet normally distant and East of the South East corner of a brick building formerly known as Armour and Company Building No. 28; and lying West of a line 33 feet West of and parallel with the East line of the West half of said North West quarter of the South West quarter of Section 5, all in Cook County, Illinois.

EXCEPT

That part of the North West quarter of the South West quarter of Section 5, Township 38 North, Range 14, East of the Third Principal Meridian, bounded and described as follows:

Beginning on the South line of the North 30 feet of said North West quarter of the South West quarter of Section 5, at a point which is 395.85 feet East from the West line of said South West quarter and running thence South along a line parallel with said West line of the South West quarter of Section 5, a distance of 28.17 feet to the point of intersection of said parallel line with the arc of a circle, which is convex to the North East and has a radius of 560 feet, and which extends South Easterly from a point which is 40 feet South from the North line and 254.26 feet East from the West line of said South West quarter, to a point which is 58.67 feet South from the North line and 397.65 feet East from the West line of said South West quarter; thence South Eastwardly along the arc of said circle, a distance of 1.85 feet to a point of reverse curve at said point which is 58.67 feet South from the North line and 397.65 feet East from the West line of said South West quarter thence South Eastwardly along the arc of a circle, convex to the South West and having a radius of 640 feet, a distance of 165.71 feet to a point of tangent which is 80 feet South from the North line and 561.52 feet East from the West line of said South West quarter of Section 5; thence East along the South line of the North 80 feet of said South West quarter of Section 5; a distance of 67.80 feet to an intersection with a line which is 33 feet West from and parallel with the East line of the West half of said North West quarter of the South West quarter of Section 5; thence North along said parallel line, a distance of 50 feet to an intersection with said South line of the North 30 feet of the North West quarter of the South West quarter of Section 5; and thence West along the South line of the North 30 feet aforesaid, a distance of 233.25 feet to the point of beginning, in Cook County, Illinois.

Permanent Real Estate Tax Index Numbers (PINS) for the Subject Property

20-05-1.11-017-0000
112-010-0000 20-05-300-019-0000

20-05-112-001-0000

20-05-