



City of Chicago



O2021-2823

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 6/25/2021

Sponsor(s): Lightfoot (Mayor)

Type: Ordinance

Title: Acquisition of former Pioneer Bank site including Tax Increment Financing (TIF) and non-TIF parcels, all located in INVEST South/West corridor at 4000-4006 W North Ave and 4008 W North Ave

Committee(s) Assignment: Committee on Housing and Real Estate



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

June 25, 2021

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 the acquisition of the former Pioneer Bank site.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink that reads "Lori E. Lightfoot".

Mayor

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 ordinances adopted by the City Council of the City of Chicago ("City Council") on June 9, 1999, and published at pages 3704 through 3885 of the Journal of the Proceedings of the City Council ("Journal") for such date: (i) a certain redevelopment plan and project (the "Plan") for the Pulaski Corridor 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"); (ii) the Area was designated as a redevelopment project area pursuant to the Act; and (iii) 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, it is necessary to acquire the parcels of property located in the Area listed on the attached Exhibit A (the "TIF Acquisition Parcels"), which parcels also are located in the Area, in order to achieve the objectives of the Plan, which include, among other things: reducing or eliminating conditions that qualify the Area as a redevelopment area; and

WHEREAS, the City's acquisition of certain parcels of property that are not presently located in the Area and are listed on the attached Exhibit B (the "Non-TIF Acquisition Parcels"), would, if the Area were amended to include the Non-TIF Acquisition Parcels, achieve the objectives of the Plan; and

WHEREAS, by Resolution No. 21-CDC-01, adopted by the Community Development Commission of the City ("CDC") on March 9, 2021, the CDC recommended the acquisition of the TIF Acquisition Parcels and the Non-TIF 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 acquisitions and exercise of power of eminent domain shall be in furtherance of the Plan, which was first adopted in 1999 in accordance with the Act, 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 \$20,000,000 in property assembly costs as a budget line item in Table Three to the Plan, and also described property assembly as a part of the redevelopment project for the Area, including in Section 3 of the Plan; and

WHEREAS, the City Council further finds that the TIF 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 TIF Acquisition Parcels are not located in an industrial park conservation area; and

WHEREAS, North Avenue is one of the key commercial and transportation corridors within the City of Chicago and the Humboldt Park community. It was selected as one of the City's INVEST South/West corridors due to its prominence within the Humboldt Park community, the need to maintain it as a vital commercial corridor, and the opportunity to prioritize City investment within a majority Latino community; and

WHEREAS, the TIF Acquisition Parcels and the Non-TIF Acquisition Parcels are located in the above-referenced INVEST South/West corridor; and

WHEREAS, the Department of Planning and Development desires that the TIF Acquisition Parcels and the Non-TIF Acquisition Parcels be acquired for a mixed-use, commercial and residential development, and has issued a Request for Proposals relating to the development of those parcels; and

WHEREAS, by Resolution No. 21-019-21, adopted by the Plan Commission of the City ("Plan Commission") on June 17, 2021, the Plan Commission recommended the acquisition of the TIF Acquisition Parcels and the Non-TIF Acquisition Parcels for such redevelopment; **now, therefore,**

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

SECTION 1. The foregoing recitals are hereby adopted as the findings of the City Council.

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

SECTION 3. It is hereby determined and declared that it is useful, desirable and necessary that the City of Chicago acquire the Non-TIF Acquisition Parcels for public purposes and for purposes of implementing the objectives of the City's INVEST South/West program.

SECTION 4. The Corporation Counsel is authorized to negotiate with the owner(s) for the purchase of the TIF Acquisition Parcels and the Non-TIF Acquisition Parcels. If the Corporation Counsel and the owner(s) are able to agree on the terms of the purchase, the Corporation Counsel is authorized to purchase the TIF Acquisition Parcels and the Non-TIF Acquisition Parcels on behalf of the City for the agreed price; provided, however, that the City's purchase of the Non-TIF Acquisition Parcels is subject to the availability of funds appropriated for such purpose. If the Corporation Counsel is unable to agree with the owner(s) of the TIF Acquisition Parcels and the Non-TIF Acquisition Parcels on the terms of the purchase, or if the owner(s) is (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 TIF Acquisition Parcels and the Non-TIF Acquisition Parcels, as applicable, under the City's power of eminent domain. Such acquisition efforts shall commence with respect to the TIF Acquisition Parcels within four (4) years of the date of the publication of this ordinance. Such acquisition efforts shall commence with respect to the Non-TIF Acquisition Parcels within ten

(10) years of the date of the publication of this ordinance. For each Acquisition Parcel, commencement shall be deemed to have occurred upon the City's delivery of an offer letter to the owner(s) of such Acquisition Parcel.

SECTION 5. 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 6. 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 7. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 8. This ordinance shall be effective upon its passage and approval.

EXHIBIT A

TIF Acquisition Parcels
(Subject to Final Survey and Title Commitment)

<u>P.I.N.</u>	<u>Address</u>	<u>Vacant or Improved</u>
13-34-430-035	4000-4006 W. North Ave.	Improved
13-34-430-034	4008 W. North Ave.	Improved

All in Chicago, Illinois.

EXHIBIT B

**Non-TIF Acquisition Parcels
(Subject to Final Survey and Title Commitment)**

<u>P.I.N.</u>	<u>Address</u>	<u>Vacant or Improved</u>
13-34-430-040	1638 N. Pulaski Road	Vacant
13-34-430-022	1636 N. Pulaski Road	Vacant
13-34-430-023	1634 N. Pulaski Road	Vacant
13-34-430-024	1630 N. Pulaski Road	Vacant
13-34-430-025	1624 N. Pulaski Road	Vacant
13-34-430-026	1622 N. Pulaski Road	Vacant
13-34-430-027	1620 N. Pulaski Road	Vacant
13-34-430-036	1616 N. Pulaski Road	Vacant

All in Chicago, Illinois.