City of Chicago Department of Planning and Development

STAFF REPORT TO THE COMMUNITY DEVELOPMENT COMMISSION REQUESTING DEVELOPER DESIGNATION

March 13th 2018

I. PROJECT IDENTIFICATION AND OVERVIEW

Project Name:

Edens Collection

Applicant Name:

Foster Edens LLC

Project Address:

4635 and 4711 W Foster Ave

Ward and Alderman:

39th Ward, Alderman Margaret Laurino

Community Area:

Albany Park, 14

Redevelopment Project Area:

Foster/Edens TIF

Requested Action:

TIF Developer Designation

Proposed Project:

Develop a 143,785 square foot destination retail, restaurant,

office, medical space.

Goal of Project:

Return a vacant site to a productive and property tax

generating use. Provide retail and office jobs to City

residents. Capture lost retail sales tax by providing a retail shopping and office destination within the City limits that

attracts both City and non-City residents.

TIF Assistance:

\$13,000,000

II. PROPERTY DESCRIPTION

Address:

4635 and 4711 W Foster Ave

Location:

Southeast Corner of Edens Expressway and Foster Avenue

Tax Parcel Numbers:

13-10-302-016-0000

13-10-302-017-0000

Land Area:

9.01 acres

Current Use:

Vacant land

Current Zoning:

M1-1, Limited Manufacturing/Business Park District

III. BACKGROUND

Foster Edens LLC intends to acquire the vacant site located at 4635 W. Foster Avenue and develop a 143,785 square foot mixed use development containing retail/restaurant/office/medical space. The site was previously occupied by Sunstar Americas, an oral hygiene product manufacturer. Sunstar moved out of this location and the buildings were demolished in 2016.

The site is located just east of the Edens Expressway five miles northwest of downtown Chicago. Immediately adjacent to the site, to the south is Seafood City, a Filipino themed grocery store that opened in a renovated commercial space in 2016. To the north across Foster Avenue sits LaBagh Woods Cook County Forest Preserve.

The project is located in the North Mayfair sub-neighborhood of greater Albany Park. The neighborhood is primarily residential and has a limited amount of big-box commercial retail and office space. This project would significantly improve the commercial retail offerings of the neighborhood.

The Albany Park neighborhood has a total population of 51,542 with 16,120 households. It is one of the densest neighborhoods in Chicago with 27,000 people per square mile—fifth in overall density relative to other Chicago neighborhoods. Albany Park's median household income is \$50,800, greater than Chicago as a whole which is \$47,300. The abundance of household and residential density coupled with higher than average median household income bodes well for the future of retail in the neighborhood.

In order to facilitate the development of the subject property the City's Department of Planning and Development designated the Foster/Edens Tax Increment Financing Redevelopment Project Area and Redevelopment Plan. The purpose of the designation is also to develop vacant parcels along Foster Avenue, revitalize commercial corridors throughout the area and Gompers Park, including the field house as well as the fields and courts. The general boundaries of the redevelopment area are Edens Expressway to the west, Chicago River to north, Pulaski Road to the east, and Lawrence and Foster Avenues to the south. The area contains approximately 232 acres of land

The Foster Edens TIF Redevelopment Project and Redevelopment Plan ("Plan") was first filed

on September 29th 2017 and amended on December 19th 2017. The Plan was approved at the Community Development Commission hearing on December 12th 2017 and at the Chicago Plan Commission hearing on December 21st 2017. The proposed designation of the Plan was approved by the City Council on February 28th 2018.

The City through its Department of Planning and Development ("DPD") intends to enter into a Tax Increment Financing ("TIF") Redevelopment Agreement (the "RDA") with the Developer for the purpose of providing an incentive to develop and maintain the Project at this location for a minimum of 10 years. Without the TIF designation and City assistance the developer would not be able to secure the institutional equity needed to finance the project.

IV. PROPOSED DEVELOPMENT TEAM

Development Entity:

Foster Edens LLC is an entity created by The Jaffe Companies to develop the property into the Edens Collection. The Jaffe Companies is a retail and mixed-use development company founded in 1990 who primarily operates in the Midwest. They are led by President Michael Jaffe and Principal Michael Eizenga. Notable past projects include: The Arboretum of South Barrington, a 600,000 square-foot life style center; Geneva Commons, in Geneva, IL, a 440,000 square-foot life style center The Arboretum of Great Hills in Austin, Texas, a 206,000 square-foot lifestyle center and Huebnor Oaks Center in San Antonio, Texas, a 400,000 square-foot lifestyle center.

Consultants:

TIF Consultant: Laube Companies 200 S Wacker Dr Suite 3100 Chicago, IL 60606

Environmental Consultant:
Pioneer Environmental Services, LLC
2753 W 31st St
Chicago IL 60608

Retail Consultant:

CBRE 700 Commercial Drive Suite 550 Oak Brook, IL 60523

V. PROPOSED PROJECT

Project Overview:

The Project will contain 143,785 square feet of retail/restaurant/office/medical space (the "Project"). It will include 3 multi-tenant retail and office buildings, and 522 parking spaces. Tenants are anticipated to include Target (45,000 sq. ft.), LA Fitness (34,000 sq. ft.), Ross and Starbucks.

The Project is anticipated to create a total of 300 new full time equivalent employees ("FTEs"). The City intends to reimburse the Developer for a portion of its TIF-eligible costs in an amount not to exceed \$13,000,000 (the "City Funds"), which is 22.3% of the Total Project Costs, currently estimated to be \$58,143,245; (the "TPC"). The City Funds will be provided, primarily, as a reimbursement for the redevelopment of the Project.

V. LAND ACQUISITION

No parcels have been identified for land acquisition

VI. FINANCIAL STRUCTURE

The project will be financed with a mix of investor equity and debt. The City intends to reimburse the Developer for a portion of its TIF-eligible costs in an amount not to exceed \$13,000,000 which is approximately 22.3% of the Total Project Cost, currently estimated to be \$58,143,245. The reimbursement will come from increment generated by the Project PINs and will be provided through the issuance of a taxable note to the Developer not to exceed \$10,500,000, and up to an additional \$2,500,000 Pay-As-You-Go of available increment from the project PINs, after Note payments are made and to the extent available from project PINs. Of the increment generated from the Project PINs no more than 95% will be made available for payment.

The Developer will be required to fund a total of \$2,000,000 into an escrow account to fund improvements to Gompers Park at the time of closing. They will also comply with ongoing Occupancy and Operations Covenants ensuring the Developer shall continuously maintain a high rate of occupancy and operate the Project in the manner agreed upon with the City of Chicago.

Given the difficulty the Developer has had in obtaining financing for this deal the TIF funds are being used as collateral for a portion of the permanent financing. Without the TIF funds this project could not be financed and would not generate an acceptable level of return on investment. Residents of this area also have been leaving the Chicago area in order to shop at their closest Target store. With out the TIF fund for this project, the sales taxes collected from these residents would be collected by the surrounding cities and not by the City of Chicago.

The following table identifies the Project's proposed sources and uses of funds:

Sources	Amount	% of total
Equity	\$20,506,714	35%
Debt (bank name)	\$38,083,897	<u>55%</u>
Total Sources	\$58,590,611	100%

<u>Uses</u>	Amount
Land Acquisition and Assemble	10,500,000
Uses	<u>Amount</u>

General Conditions Site Work Materials: Utilities General Requirements Additional Off-site Improvements Tenant Finish Allowances	\$ 1,045,000 \$ 6,530,130 \$ 12,148,810 \$ 2,763,801 \$ 833,004 \$ 500,000 \$ 7,290,000
Additional Site Work Hardscape Contingency Escalation (2.5%)	\$ 100,000 \$ 1,749,131 \$ 3,154,643
Total Hard Costs	\$ 36,135,519
Total Soft Costs	\$ 11,955,092
Total Development Costs	\$ 58,590,611

VII. PROJECT BENEFITS

The proposed Project will provide the following benefits:

Public Parks: The Developer shall fund a total of \$2,000,000 into an escrow account to fund improvements to Gompers Park..

Permanent Jobs: The project is estimated to generate 300 permanent full time jobs.

Construction Jobs: The project will create between 300-400 temporary construction jobs.

Infrastructure Features: The project will provide for new public infrastructure including, but not limited to, a new stop light, widening of the ramp off of the Edens Expressway.

Affirmative Action: The developer will comply with the requirements of Chicago's affirmative action ordinance, which requires contract participation of 26% by minority-owned business enterprises (MBEs) and 6% by woman-owned business enterprises (WBEs). The developer has provided notification of the proposed project, by certified mail, to several associations of minority and women contractors. A sample version of the letter and copies of the post office receipts for the certified letters are presented as exhibits to this report.

City Residency: The developer will comply with the requirements of Chicago's City residency ordinance, which requires that at least half of all construction-worker hours be filled by Chicago residents.

Property Taxes: The project will expand the tax base because the investment in the property will result in an increase in its assessed value.

Sales Taxes: The proposed project will generate sales tax revenue for the City.

Environmental Features: The project will feature 100% Greenroof LEED, Permeable surface & underground stormwater retention.

IX. COMMUNITY SUPPORT

Alderman Laurino endorses the project and has provided a letter of support

IX. CONFORMANCE WITH REDEVELOPMENT AREA PLAN

The proposed project is located in the Foster Edens Tax Increment Financing Redevelopment Project Area. The proposed project will satisfy the following goals of the Redevelopment Plan:

- Eliminate blighting conditions which prevent further development of the Area
- Restore and expand the tax base in order to maintain a high level of services, programs, and facilities
- Encourage use of environmentally sustainable design standards
- Stimulate private investment
- Encourage productive use of underutilized and vacant property
- Restore and enhance the property tax base within the Area
- Encourage sales tax producing enterprises in the Area

The implementation strategy for achieving the goals of the Plan includes the need to provide TIF financial assistance to create jobs and spur development in the Project Area.

The proposed project also conforms to the plan's land use map, which calls for commercial development at the subject site.

X. CONDITIONS OF ASSISTANCE

If the proposed resolution is approved by the CDC, DPD will negotiate a Redevelopment Agreement (RDA) with the Developer. The RDA will incorporate the parameters of the proposed project as described in this staff report.

It is DPD policy that no business will be conducted with a development entity whose any principal has outstanding municipal debts (such as unpaid parking tickets, unpaid water bills, unpaid business licenses, and others), is in arrears of child support payments, or who is a debtor in bankruptcy, a defendant in a legal action for deficient performance, a respondent in an administrative action for deficient performance, or a defendant in any criminal action. Before today's action is presented to the City Council for approval, the Department will conduct a

thorough background check of all principals having an ownership interest of 7.5 percent or greater, and of the boards of directors and trustees of non-profit organizations. Similar background checks will be conducted on the development entity itself.

Closing of the redevelopment agreement will not occur before the City Council has approved the agreement, the developer has obtained all necessary City approvals including zoning and building permits, and the developer has presented proof of financing. The redevelopment agreement will include a development timetable.

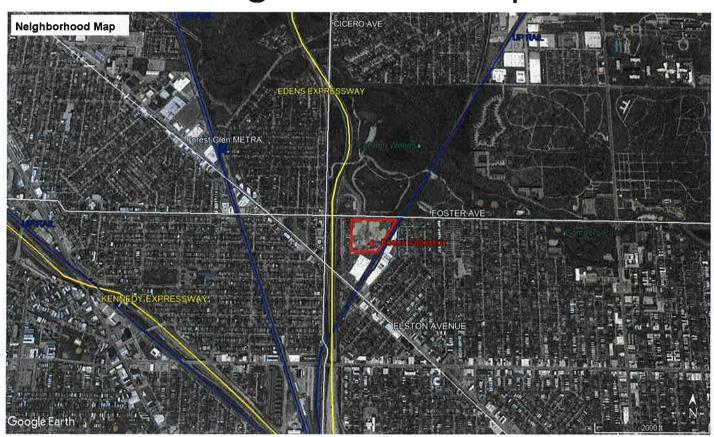
XI. RECOMMENDATION

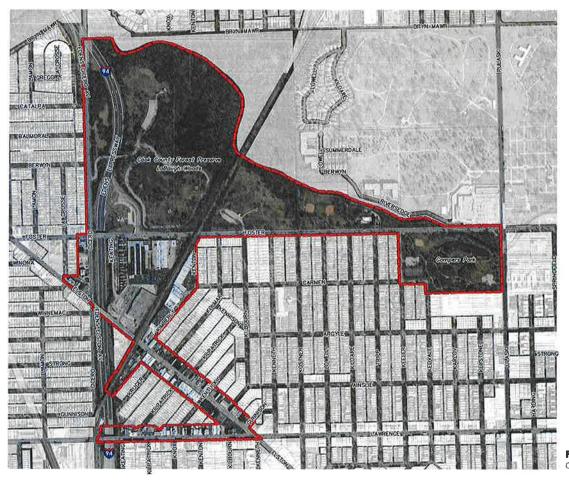
The Department of Planning and Development has thoroughly reviewed the proposed project, the qualifications of the development team, the financial structure of the project, its need for public assistance, and DPD requests that the CDC recommend to the City Council the designation of The Jaffe Companies as the Developer for the vacant parcel at 4635 and 4711 W Foster Ave.

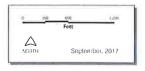
EXHIBITS

Neighborhood Map or Aerial
TIF Map
Survey or Plat
Site Plan
Elevations
Sample M/WBE Letter
Copies of M/WBE Certified Receipts
Lender's Letter of Interest
Alderman's Letter of Support

Neighborhood Map





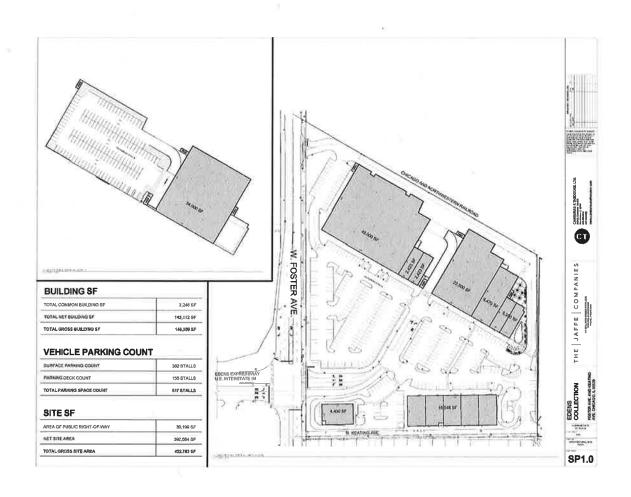






Foster - Edens TIF Boundary Map City of Chicago, Illinois







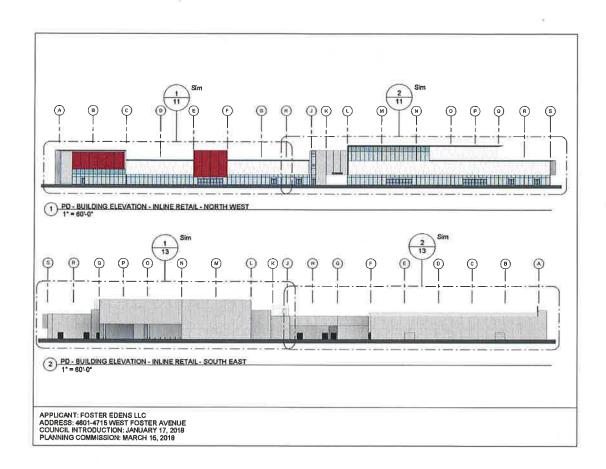
EDENS COLLECTION SITE AERIAL VIEW 23 FABRUARY 2018

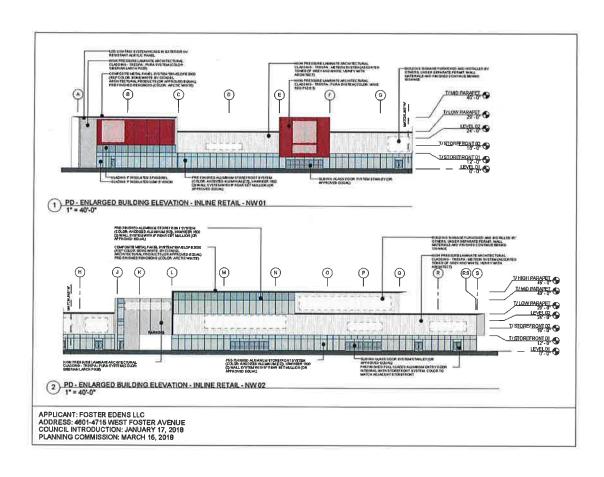


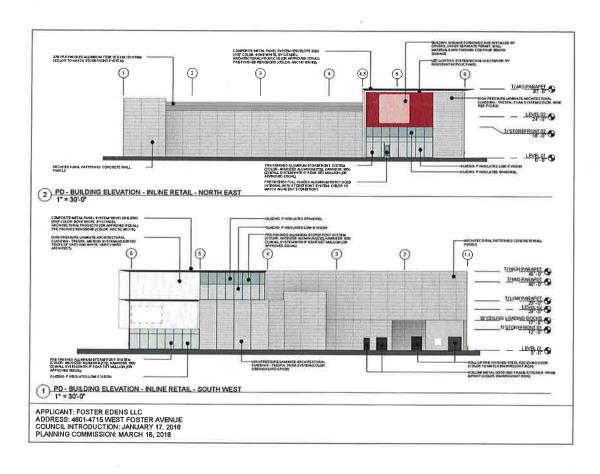
EDENS COLLECTION VIEW FROM NORTH ACCESS 23 FABRUARY 2018

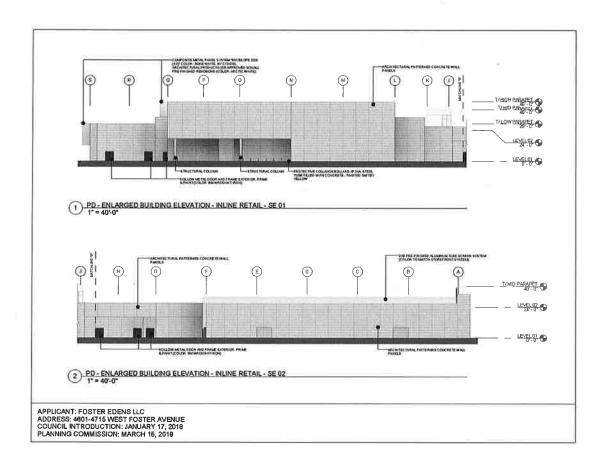


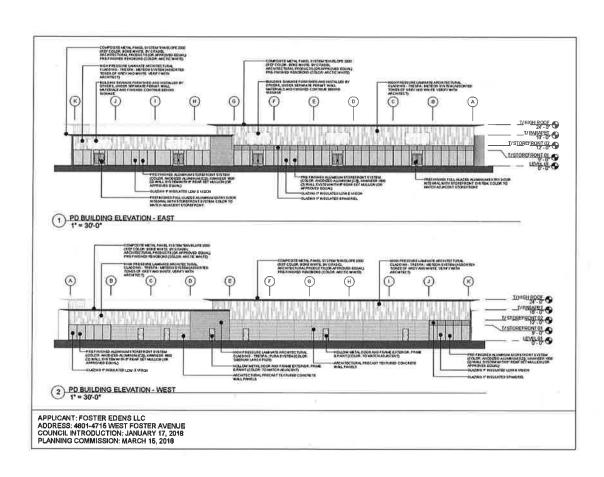
EDENS COLLECTION VIEW TO PARKING DECK ENTRY 23 FABRUARY 2018

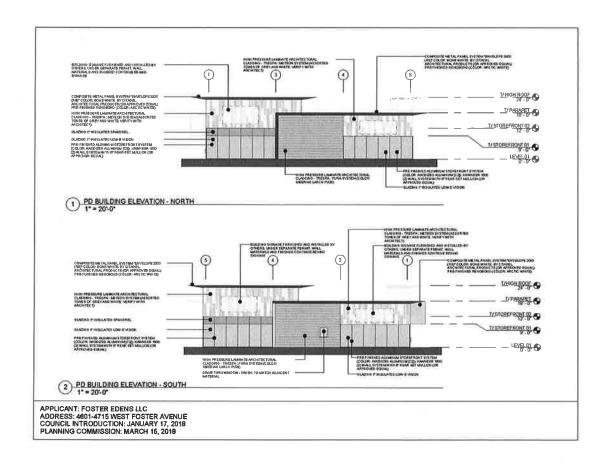


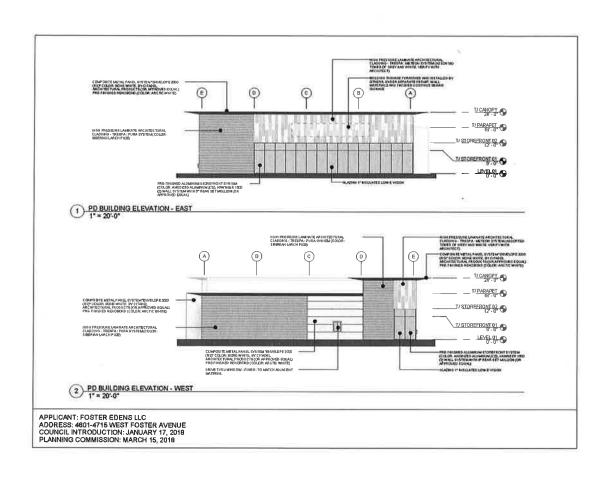


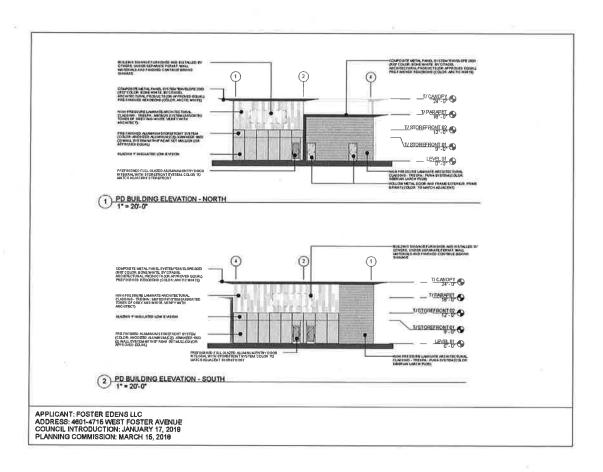












February 27th, 2018

Omar Duque Illinois Hispanic Chamber of Commerce 222 W. Merchandise Mart Plaza Suite 1212, c/o 1871 Chicago, Illinois 60654

BY CERTIFIED MAIL

Re:

4601-715 W. Foster Avenue, Chicago, IL 60630

Dear Omar:

Foster Edens LLC intends to develop the property located at 4601-715 W. Foster Ave, Chicago, Illinois. The development is expected to consist of approximately 143,000 square feet of retail/restaurant/office space with both surface and rooftop parking.

We have not yet selected a general contractor for the project. The project will require participation of trades such as carpentry, electrical, mechanical, plumbing, paving, roofing, and others. Attached to this letter is the project budget. The items subject to minority business enterprise (MBE) participation of 26% and women business enterprise (WBE) participation of 6% is still pending. The attachment also includes the estimated project schedule.

If you are interested, our general contractor, when selected, will meet with a representative of your organization to review and discuss the project budget and schedule. The general contractor will also provide your organization and interested members with a copy of the project bid documents (including plans and specifications). We encourage you to make your organization and membership available to meet to discuss.

We hope you will make your member companies aware of this project so that they may submit bids for appropriate subcontracting opportunities. Should you have any questions, please do not hesitate to call.

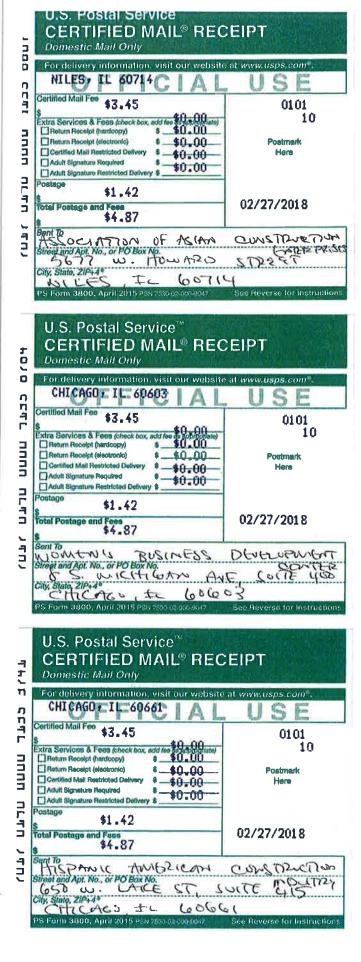
Sincerely.

Michael Jaffe, Manag

cc:

(Department of Planning & Development)









PUBLIC SERVICE OFFICE

4404 West Lawrence Avenue 60630-2511
Telephone: (773) 736-5594
Fax: (773) 736-2333
E-MAIL: WARD39@CITYOFCHICAGO.ORG

MARGARET LAURINO

ALDERMAN, 39TH WARD PRESIDENT PRO TEMPORE

CITY HALL - ROOM 200
121 NORTH LA SALLE STREET
CHICAGO, ILLINOIS 60602
TELEPHONE: (312) 744-7242
FAX: (312) 744-0717

CITY COUNCIL

COMMITTEE MEMBERSHIPS

BUDGET AND GOVERNMENT OPERATIONS

COMMITTEES, RULES AND ETHICS

FINANCE

WORKFORCE DEVELOPMENT AND AUDIT

ZONING, LANDMARKS AND BUILDING STANDARDS

February 26, 2018

David L. Reifman, Commissioner
City of Chicago Department of Planning and Development
City Hall, Suite 1000
121 North LaSalle Street
Chicago, Illinois 60602

Re:

Application for Tax Increment Financing

Foster Edens, LLC

Dear Commissioner Reifman:

Please accept this letter of support for Tax Increment Financing Assistance requested by Foster Edens, LLC (the "Applicant") for the redevelopment of the former Sunstar site generally located at Foster Avenue and the Edens Expressway.

The proposal will transform a vacant industrial site into a retail development in the 39th Ward. It will involve remediation of an environmentally contaminated site and create temporary construction jobs, including jobs for minority and women-owned business enterprises and Chicago residents. It will also generate permanent retail jobs and sales taxes for the City.

Please contact me with any questions.

Sincerely.

Margaret Laurino Alderman, 39th Ward

COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF CHICAGO

RESOLUTION NO. - CDC-

AUTHORIZATION TO NEGOTIATE A REDEVELOPMENT AGREEMENT WITH FOSTER EDENS LLC

AND RECOMMENDATION TO THE CITY COUNCIL OF THE CITY OF CHICAGO FOR THE DESIGNATION OF FOSTER EDENS LLC AS DEVELOPER

WHEREAS, the Community Development Commission (the "Commission") of the City of Chicago (the "City") has heretofore been appointed by the Mayor of the City with the approval of its City Council (the City Council referred to herein collectively with the Mayor as the "Corporate Authorities") as codified in Section 2-124 of the City's Municipal Code; and

WHEREAS, the Commission is empowered by the Corporate Authorities to exercise certain powers enumerated in Section 5/11-74.4-4(k) of the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1 et seq.), (as amended from time to time, the "Act"); and

WHEREAS, the City Council, upon the Commission's recommendation pursuant to Resolution 17-CDC-23 and pursuant to the Act, enacted three ordinances on February 28th, 2018 pursuant to which the City approved and adopted a certain redevelopment plan and project (the "Plan") for the Foster/Edens TIF Redevelopment Project Area (the "Area"), designated the Area as a redevelopment project area and adopted tax increment allocation financing for the Area. The street boundaries of the Area are described on Exhibit A hereto; and

WHEREAS, Foster Edens LLC (the "Developer"), has presented to the City's Department of Planning and Development (the "Department") a proposal for redevelopment of the Area or a portion thereof that is in compliance with the Plan, consisting of the construction of a 143,785 of retail/restaurant/office and medical space including 3 multi-tenant retail and office buildings, and 522 parking spaces (the "Project"); and

WHEREAS, DPD requests that the Commission recommend to City Council that the Developer be designated as the developer for the Project and that the Department be authorized to negotiate, execute and deliver a redevelopment agreement with the Developer for the Project; now, therefore,

BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF CHICAGO:

	Section 1.	The above recitals are incorporated herein and made a part hereof.
	Section 2.	The Commission hereby recommends to City Council that the Developer be designated as the developer for the Project and that the Department be authorized to negotiate, execute and deliver on the City's behalf a redevelopment agreement with the Developer for the Project.
	Section 3.	If any provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this resolution.
	Section 4.	All resolutions, motions or orders in conflict with this resolution are hereby repealed to the extent of such conflict.
	Section 5.	This resolution shall be effective as of the date of its adoption.
	Section 6.	A certified copy of this resolution shall be transmitted to the City Council
ADOF	PTED:	, 20

Attachment: Exhibit A, Street Boundary Description

EXHIBIT A

Street Boundary Description of the Foster/Edens Tax Increment Financing Redevelopment Project Area

The Area is bounded approximately by North Branch Chicago River on the north, Lawrence Avenue and Foster Avenue on the south, Pulaski Road on the east and the Edens Expressway and Cicero Avenue on the west.