

# ADDENDUM REGULAR VILLAGE BOARD MEETING

AUGUST 15, 2023 7:00 PM

### **6. CONSENT AGENDA**

- z. Consideration of a request to hold a Public Hearing before the Plan Commission to consider the following:
  - Petition for Annexation for the property located at 1525 Elmhurst Road;
  - Petition for Resubdivision for the properties at 1150-1570 Carmen Drive, 1650-1660 Carmen Drive, 1676-1682 Carmen Drive, 1700-1710 Carmen Drive, 2674-2700 Coyle Avenue, 2701-2711 Coyle Avenue, 2801-2803 Coyle Avenue, 1421-1485 Elmhurst Road, 1551-1655 Elmhurst Road, 1675-1701 Elmhurst Road, 2600-2670 Greenleaf Avenue, 2601-2653 Greenleaf Avenue, 2700-2750 Greenleaf Avenue, 2751-2777 Old Higgins Road, 2801-2869 Old Higgins Road, 2901-2971 Old Higgins Road; and
  - Special Use Permit to operate an electrical substation for the purpose of redeveloping the subject property into a data center campus.

(TA Realty is petitioning the Village for Annexation, Resubdivision, and Special Use Permit for the 45-acre industrial property located west of South Elmhurst Road between Coyle Avenue and Old Higgins Road.

(While a majority of the subject property is already in the Village, there is a small triangle-shaped property located at 1525 Elmhurst Road that is proposed to be annexed into the Village as part of this development.

(The date for a Public Hearing has not been established.)

aa. Consideration to adopt Resolution No. 44-23 authorizing the Village Manager to execute a Comprehensive Tree Harvesting Agreement between the Village of Elk Grove Village and Eugene A. de St. Aubin & Bros., Inc. (St. Aubin)

(The Village and St. Aubin have previously entered into agreements with respect to planting of trees for prior years.

(The Village is desirous of establishing one uniform tree planting cost for the year 2024,

exclusive of any previous contracts. (The Village Attorney recommends approval.)

bb. Consideration to adopt Resolution No. 45-23 authorizing the Mayor to execute a Letter of Receipt stipulating the terms of an agreement for an application seeking a Cook County Class 6B Property Tax Exemption status pursuant to the Cook County Real Property Classification Ordinance as amended July 27, 2018, for certain real estate located at 1500-1520 Midway Court, 1500-1550 E Higgins Road, and 1600-1700 Oakton Street.

(Altus Group, on behalf of Prime Data Centers LLC, (Applicant) is seeking a Cook County Class 6B property tax exemption for property located at 1500-1520 Midway Court, 1500-1550 E Higgins Road, and 1600-1700 Oakton Street.

(The Applicant intends to construct a state-of-the-art campus consisting of 3 three-story building facilities with over 1 million square feet of leasable space. The proposed project will span over several properties, including 1500-1520 Midway Court, 1500-1550 E Higgins Road, and 1600-1700 Oakton Street.

(The development is anticipated to bring over \$1 billion of investment will create 90-100 additional fulltime equivalent positions, of which, 24-28 will be directly employed by Prime Data Centers with the remaining positions to be from the facility's customers and vendors.

(The eligibility requirements for 6B status are new construction, substantial rehabilitation or buildings that have been vacant for a period of time. This site qualifies as it is new construction.

(Property approved for Class 6B status allows the owner of the property to have the assessment level lowered for a period of twelve years. The assessment schedule is 10% of fair market value for ten years, then 15% in the eleventh year and 20% in the twelfth year. Industrial property is currently assessed at 25% of fair market value in Cook County.

(Upon approval, the Director of Business Development and Marketing will issue a Letter of Receipt to the Applicant. The Letter of Receipt will allow the Applicant to file an application with Cook County. Final approval is at the discretion of the Village Board and contingent on the Applicant completing the improvements stated in their application.

(The Director of Business Development and Marketing recommends issuing a Letter of Receipt.)

In compliance with the Americans with Disabilities Act and other applicable Federal and State laws, the meeting will be accessible to individuals with disabilities. Persons requiring auxiliary aids and/or services should contact the Village Clerk, preferably no later than five days before the meeting.

RESOL	TITION	NO	
KESUL	/UTTUN	NU.	

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A COMPREHENSIVE TREE HARVESTING AGREEMENT BETWEEN THE VILLAGE OF ELK GROVE VILLAGE AND EUGENE A. DE ST. AUBIN & BROS., INC. (ST. AUBIN)

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

<u>Section 1</u>: That the Village Manager be and is hereby authorized to sign the attached document marked:

### COMPREHENSIVE TREE HARVESTING AGREEMENT

a copy of which is attached hereto and made a part hereof as if fully set forth.

NAYS:

<u>Section 2</u>: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

**ABSENT:** 

	PASSED this	day of	2023
	APPROVED this	day of	2023
		APPROVED:	
		Mayor Craig B. Johnson Village of Elk Grove Village	
ATTEST:		v mage of Eak Grove v mage	
Loretta M.	Murphy, Village Clerk		

Agmt\_StAubinTreeHarvest2023

**VOTE: AYES:** 

### COMPREHENSIVE TREE HARVESTING AGREEMENT

	This Agreement is made and entered into the the Village of Elk Grove Village, an Illinoise A. de St. Aubin & Bro., Inc. (St. Aubin)			2023 by and llage) and
	WITNESSETH:			
to the j	Whereas, the Village and St. Aubin have preplanting of trees for prior years; and	eviously entere	ed into Agreem	ents with respect
year 20	Whereas, the Village is desirous of establish 024, exclusive of any previous contracts.	ing one unifor	rm tree planting	g cost for the
acknov	Now, therefore, for good and valuable considered it is hereby agreed by and between t			hich is hereby
1.	Harvesting Base Price - Commencing in spr Aubin will grow and provide 500 trees, 250 \$325.00 per tree.			
2.				
3.	3. Payment - Payments to St. Aubin for the amount due subsequent to the excavation of trees at the nursery shall be within thirty (30) days of the request therefore.			
4.				
5.	Guarantee - St. Aubin shall guarantee each tree for a period of 18 months from the date of it being planted, any trees that have died will be replaced one time at the same location.			
6.				
	In Witness Whereof, the parties here the date first written above.	to caused this	Agreement to b	be executed on
EUGE	NE A. de ST. AUBIN & BRO., INC.	VILLAGE O	F ELK GROV	E VILLAGE
BY:	ristopher T. Sullivan, President		J. Roan, Villag	



08/11/2023

TO: Matthew J. Roan, Village Manager

**FROM:** Sue Dees, Director of Business Development & Marketing

SUBJECT: Request for a Cook County 6B Property Tax Abatement

- Prime Data Centers LLC

### **BACKGROUND:**

Altus Group, on behalf of Prime Data Centers LLC, (Applicant) is seeking a Cook County Class 6B property tax exemption for property located at 1500-1520 Midway Court, 1500-1550 E Higgins Road, and 1600-1700 Oakton Street.

The Applicant intends to construct a state-of-the-art campus consisting of 3 three-story building facilities with over 1 million square feet of leasable space. The proposed project will span over several properties, including 1500-1520 MIdway Court, 1500-1550 E Higgins Road, and 1600-1700 Oakton Street. The development is anticipated to bring over \$1 billion of investment will create 90-100 additional fulltime equivalent positions, of which, 24-28 will be directly employed by Prime Data Centers with the remaining positions to be from the facility's customers and vendors.

The eligibility requirements for 6B status are new construction, substantial rehabilitation or buildings that have been vacant for a period of time. This site qualifies as it is new construction. Property approved for Class 6B status allows the owner of the property to have the assessment level lowered for a period of twelve years. The assessment schedule is 10% of fair market value for ten years, then 15% in the eleventh year and 20% in the twelfth year. Industrial property is currently assessed at 25% of fair market value in Cook County.

I recommend approval of this petition. Upon approval, I will issue a Letter of Receipt to the Applicant. The Letter of Receipt will allow the Applicant to file an application with Cook County. Final approval is at the discretion of the Village Board and contingent on the Applicant completing the improvements stated in their application.

### **APPROVALS:**

Maggie Jablonski Created/Initiated Lorrie Murphy Approved Caroline Gabiga Final Approval

#### ATTACHMENTS:

1. Res6b, Prime Data

2.	2023-08-11 Prime Data_6(b) Elk Grove Village App Rev 8.11.23		

A RESOLUTION DETERMINING THE APPROPRIATENESS FOR CLASS 6B STATUS PURSUANT TO THE COOK COUNTY REAL PROPERTY CLASSIFICATION ORDINANCE AS AMENDED JULY 27, 2018 FOR CERTAIN REAL ESTATE LOCATED AT 1520 MIDWAY COURT, 1500 E. HIGGINS ROAD, 1550 E. HIGGINS ROAD, 1600 OAKTON STREET AND 1700 OAKTON STREET, ELK GROVE VILLAGE, ILLINOIS

**WHEREAS**, the Village of Elk Grove Village desires to promote the development of industry in the Village of Elk Grove; and

WHEREAS, the Cook County Assessor is operating under an ordinance enacted by the Cook County Board of Commissioners, and amended from time to time, the most recent amendment becoming effective as of July 27, 2018, which has instituted a program to encourage industrial and commercial development in Cook County known as the Cook County Real Property Classification Ordinance; and

WHEREAS, the Petitioner has applied for or is applying for Class 6B property status pursuant to said aforementioned ordinance for certain real estate located at 1520 Midway Court, 1500 E. Higgins Road, 1550 E. Higgins Road, 1600 Oakton Street and 1700 Oakton Street in the Village of Elk Grove Village, Cook County, Illinois, with the Property Index Numbers 08-22-401-051-0000, 08-22-401-053-0000, 08-22-403-013-0000, 08-22-403-015-0000, 08-22-403-014-0000 and 08-22-403-010-0000 and has proven to this Board that such incentive provided for in said ordinance is necessary for development to occur on this specific real estate.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois:

Section 1: That the request of the Petitioner to have certain real estate located at 1520 Midway Court, 1500 E. Higgins Road, 1550 E. Higgins Road, 1600 Oakton Street and 1700 Oakton Street, Elk Grove Village, Cook County, Illinois, and identified by Property Index Numbers 08-22-401-051-0000, 08-22-401-053-0000, 08-22-403-013-0000, 08-22-403-015-0000, 08-22-403-014-0000 and 08-22-403-010-0000, declared eligible for Class 6B status pursuant to the Cook County Real Property Classification Ordinance as amended July 27, 2018, is hereby granted in that this Board and the Village of Elk Grove Village, Illinois, has determined that the incentive provided by the said Class 6B Tax Incentive Ordinance is necessary for the said development to occur on the subject property, legally described as follows:

PIN 08-22-403-014-0000, 1600 OAKTON ST. E. HIGGINS RD., ELK GROVE VILLAGE PARCEL 1:

LOT 2 IN SDK SUBDIVISION BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11

EAST OF THE THIRD PRINICPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4 (EXCEPT THAT PART LYING NORTH OF THE CENTER LINE OF HIGGINS ROAD AS ORIGINALLY LOCATED AND EXCEPT THE WEST 210.0 FEET TAKEN FOR THE COMMONWEALTH EDISON COMPANY RIGHT OF WAY) ALL IN SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART TAKEN FOR BUSSE ROAD PER DOCUMENT NUMBER 12269603, RECORDED FEBRUARY 8, 1939 EXCEPTING THEREFROM THAT PART TAKEN FOR OAKTON STREET PER DOCUMENT NUMBER 9967968, RECORDED MARCH 27, 1928 ALSO EXCEPTING THAT PART FOR ADDITIONAL DEDICATION FOR OAKTON STREET PER CASE NUMBER 68-L-13901, AND 68-L 12783 IN THE CIRCUIT COURT AND EXCEPT THAT PART LYING NORTHERLY OF THE SOUTHERLY LINE OF HIGGINS ROAD ALSO EXCEPTING THAT PART FOR HIGGINS ROAD DEDICATED PER DOCUMENT NUMBER 8020342, RECORDED JULY 13, 1923 AND EXCEPT THAT PART TAKEN FOR THE RELOCATION OF HIGGINS ROAD PER CASE NUMBER 68-L -12783, IN THE CIRCUIT COURT ALSO EXCEPTING THE SOUTH 275 FEET (AS MEASURED ALONG THE WEST LINE OF BUSSE ROAD) OF THE EAST 200 FEET (AS MEASURED ALONG THE SOUTH LINE OF THE SOUTH EAST 1/4) OF THAT PART OF THE SOUTH EAST 1/4 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE WEST LINE OF BUSSE ROAD AS PER THE INSTRUMENT RECORDED FEBRARY 8, 1939 AS DOCUMENT NUMBER 12269603, ALL IN COOK COUNTY, ILLINOIS

### **ALSO**

EXCEPTING THAT PART THEREROF LYING WESTERLY AND NORTHWESTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT IN THE NORTH LINE OF OAKTON STREET AS DEDICATED PER CASE NUMBER 68-L13901, IN THE CIRCUIT COURT AND WIDENED PER DOCUMENT NUMBER 20866386, RECORDED JUNE 10, 1963 AFORESAID 600.0 FEET WEST OF THE WEST LINE OF BUSSE ROAD RIGHT OF WAY; THENCE NORTH 0 DEGREES EAST AT RIGHT ANGLE TO THE NORTH LINE OF OAKTON STREET, 488.03 FEET; THENCE NORTH 49 DEGREES 23 MINUTES 39 SECONDS EAST ALONG A STRAIGHT LINE TO THE SOUTHWESTERLY LINE OF HIGGINS ROAD AS DEDICATED FOR ROAD PURPOSES PER DOCUMENT NUMBER 8020342 AND RECORDED JULY 13, 1923 IN BOOK 175, PAGE 46, ALSO BEING THE TERMINUS OF THE LINE HEREIN DESCRIBED, ALL IN COOK COUNTY, ILLINOIS

### PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT FOR THE BENEFIT FOR PARCEL 1 OF INGRESS AND EGRESS COTAINED IN THE EASEMENT AGREEMENT DATED JANUARY 17, 1980, MADE BY AD BETWEEN LASALLE NATINOAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED AUGUST 23, 1978 AND KNOWN AS TRUST NUMBER 54930, AND LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 12, 1976 KNOWN AS TRUST NUMBER 51005 RECORDED APRIL 14, 1980 AS DOCUMENT 25423254.

## PIN(S) 08-22-401-051-0000 & 08-22-401-053-0000, 1520 MIDWAY CT., ELK GROVE VILLAGE

### PARCEL 1:

THAT PART OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTH EAST 1/4; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTH EAST 1/4 438.15 FEET TO THE CENTERLINE OF HIGGINS ROAD AS ORIGINALLY LAID OUT; THENCE NORTHWESTERLY ALONG SAID CENTERLINE, BEING ALONG A LINE THAT FORMS AN ANGLE OF 41 DEGREES 11 MINUTES TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 547.45 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTHWESTERLY ALONG SAID CENTERLINE 238.45 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTH EAST 1/4 310.98 FEET TO THE SOUTHERLY LINE OF A 50 FEET WIDE STRIP OF LAND LYNG SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF THE NORTHWEST TOLL HIGHWAY; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID 50 FEET WIDE STRIP OF LAND 224.77 FEET TO A LINE PARALLEL WITH THE EAST LINE OF SAID SOUTH EAST 1/4 FROM THE POINT OF BEGINNING; THENCE SOUTH ALONG SAID PARALLEL LINE 331.01 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

### PARCEL 2:

THAT PART OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINICIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTH EAST 1/4: THENCE NORTHERLY ALONG THE EAST LINE OF SAID SOUTH EAST 1/4 438.15 FEET TO THE CENTER LINE OF OLD HIGGINS ROAD AS ORIGINALLY LAID OUT; THENCE NORTHWESTERLY ALONG SAID CENTER LINE, BEING ALONG A LINE THAT FORMS AN ANGLE OF 41 DEGREES 11 MINUTES TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 785.85 FEET TO AN ANGLE IN SAID CENTER LINE FOR THE POINT OF BEGINNING, THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SOUTH EAST 1/4, 310.98 FEET TO THE SOUTHERLY LINE OF A 50.0 FEET WIDE STRIP OF LAND LYING SOUTHERLY THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE STATE OF ILLINOIS NORTHWEST TOLL HIGHWAY; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY LINE 93.4 FEET: THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 50.0 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE STATE OF ILLINOS NORTHWEST TOLL HIGHWAY: THENCE NORTHEASTERLY ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE 415.54 FEET TO A LINE 487.77 FEET EAST OF (MEASURED AT RIGHT ANGLES THERETO) AND PARALLEL WITH THE WEST LINE OF THE EAST 1/2 OF SAID SOUTH EAST 1/4; THENCE SOUTHERLY PARALLEL WITH SAID WEST LINE 646.90 FEET TO THE CENTER LINE OF OLD HIGGINS ROAD AS ORIGINALLY LAID OUT; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE 327.74 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOS.

### PIN 08-22-403-013-0000, 1550 E. HIGGINS ROAD, ELK GROVE VILLAGE

### PARCEL 1:

LOT 1 IN THE SDK SUBDIVISION, BEGIN A SUBDIVISION IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

### PARCEL 2:

PERPETUAL NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1, FOR INGRESS AND EGRESS AS CREATD BY CROSS-EASEMENT AGREEMENT RECORDED MAY 19, 1999 AS DOCUMENT 99485434 OVER THAT PART OF LOT 3 IN REGENT OFFICE CENTER PHASE II, A SUBDIVISION OF PART OF LOTS 2 AND 3 IN ASSESSORS DIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS AS SHOWN ON EXHIBIT "C" ATTACHED TO SAID INSTRUMENT.

### PIN 08-22-403-015-0000, 1500 E. HIGGINS RD, ELK GROVE VILLAGE

LOT 3 REGENT OFFICE CENTER PHASE II, A SUBDIVISION OF PART OF LOTS 2 AND 3 IN ASSESSORS DIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINICIPAL MERIDIAN RECORDED MAY 3, 1989 AS DOCUMENT NUMBER 89199229.

### PIN 08-22-403-010-0000, 1700 OAKTON ST., ELK GROVE VILLAGE

THE SOUTH 275.00 FEET (AS MEASURED ALONG THE WEST LINE OF BUSSE ROAD) OF THE EAST 200.00 FEET, (AS MEASURED ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4) OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRNICIPAL MERIDIAN, LYING WEST OF THE WEST LINE OF THE BUSSE ROAD, AS PER THE INSTRUMENT RECORDED FBRUARY 8. 1939 AS DOCUMENT 12269603, EXCEPTING FROM THE AFORESAID TRACT THAT PART TAKEN FOR OAKTON STREET RECORDED MARCH 27, 1928 AS DOCUMENT 9967968 AND ALSO EXCEPT THAT PART FOR ADDITIONAL DEDICATION FOR OAKTON STREET IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS PER CASE 68113091, IN COOK COUNTY, ILLINOIS.

Section 2: That the Village of Elk Grove Village, Illinois hereby supports and consents to the Class 6B Application and approves the classification of the subject property as Class 6B property pursuant to the Cook County Real Property Classification Ordinance and the Class 6B tax incentives shall apply to the property identified as Permanent Real Estate Index 08-22-401-051-0000, 08-22-401-053-0000, 08-22-403-013-0000, 08-22-403-015-0000, 08-22-403-014-0000 and 08-22-403-010-0000. Elk Grove Village is in receipt of an economic disclosure statement that is included with the application packet.

Section 3: That the Mayor and Village Clerk are hereby authorized to sign any necessary documents to implement this Resolution including the Elk Grove Village Class 6b Property Tax Incentive Terms and Agreement subject to the petitioner completing new construction of three (3) \$75,000 square foot buildings, in substantial conformance with the Applicant completing the improvements stated in their application.

<u>Section 4</u>: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

V	OTE: AYES:	NAYS:	ABSENT:
P	ASSED this	_ day of	2023.
A	PPROVED this	day of	2023.
			APPROVED:
			Mayor Craig B. Johnson Village of Elk Grove Village
ATTEST:			
Loretta M. 1	Murphy, Village C	lerk	

Res6b, Prime Data