

ORDINANCE NO. _____
Date Passed: June 26, 2017

**AN ORDINANCE APPROVING A VARIANCE TO BUILDING HEIGHT
AMERICOLD LOGISTICS, LLC
1010 Americold Drive**

WHEREAS, the City of Rochelle is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq.; and

WHEREAS, ART Mortgage Borrower Propco 2010-4 LLC is the owner of the property (“Owner”) at 1010 Americold Drive; and

WHEREAS, on behalf of the Owner, Americold Logistics LLC (“the Petitioner”), filed a petition requesting approval of a variance to the allowed building height in the I-2 General Industrial District to allow for the construction of a building on the property commonly identified as 1010 Americold Drive, which is legally described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to Section 110-321 of the Rochelle Municipal Code the allowable building height in the I-2 General Industrial District is sixty (60) feet; and

WHEREAS, Petitioner seeks a variance to allow a building height of one hundred forty (140) feet four (4) inches in order to construct a 183,000 square foot building that will be adjacent to and attached to the south end of the Petitioner’s existing building at 1010 Americold Drive; and

WHEREAS, in accordance with all legal requirements, the Rochelle Planning and Zoning Commission, following a duly noticed and called public hearing on June 19, 2017 received evidence and testimony and made findings that the variance petition did meet the standards for granting a variance and has recommended, by a vote of 3-1, that the Petitioner be granted a variance as proposed, without conditions other than the applicable requirements of any federal and state laws and the Rochelle Municipal Code; and

WHEREAS, the City Council has reviewed the matter herein and has determined that the findings and recommendation of the Planning and Zoning Commission to approve the requested variance is in the best interests of the City of Rochelle; and

WHEREAS, no objections were filed opposing the requested variance.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS:**

SECTION ONE: That the recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That a building height variance for the property legally described in the Exhibit A is approved to accommodate construction of a building to a height of one hundred forty (140) feet four (4) inches for Petitioner's 183,000 square foot addition to its existing building at 1010 Americold Drive.

SECTION THREE: The City Clerk of the City of Rochelle be and is directed hereby to publish this ordinance in pamphlet form, pursuant to the Statutes of the State of Illinois.

SECTION FOUR: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

PASSED AND APPROVED this _____ day of June, 2017.

Ayes: _____ Nays: _____ Abstain: _____

Mayor

Attested: _____
City Clerk

EXHIBIT A
Legal Description of Property

PARCEL I: (TRACT AA)

PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, AND PART OF THE EAST HALF OF NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, OGLE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89° 50' 06" EAST ALONG THE NORTH LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 667.22 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89° 43' 40" EAST ALONG THE NORTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 11.87 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE CITY LEAD TRACK; THENCE SOUTHEASTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE, ON A LINE CURVED TO THE RIGHT, HAVING A RADIUS OF 599.85 FEET, A CENTRAL ANGLE OF 3° 09' 13", A CHORD BEARING OF SOUTH 1° 45' 17" EAST, AND AN ARC DISTANCE OF 33.02 FEET TO A POINT 33.00 FEET SOUTHERLY OF, AS MEASURED PERPENDICULAR TO THE NORTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89° 43' 40" EAST PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 588.48 FEET TO A POINT 66.00 FEET WESTERLY OF AS MEASURED PERPENDICULAR TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 0° 13' 48" EAST PARALLEL WITH SAID EAST LINE, A DISTANCE OF 439.17 FEET; THENCE NORTH 89° 43' 40" EAST PARALLEL WITH THE NORTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 66.00 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT OF LAND; THENCE SOUTH 0° 13' 48" EAST ALONG SAID EAST LINE, A DISTANCE OF 860.72 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE SOUTH 00° 08' 36" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 32, A DISTANCE OF 571.61 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE EAST-WEST TOLLWAY (INTERSTATE 88), SAID POINT BEING 125.00 FEET NORTHERLY OF, AS MEASURED PERPENDICULAR TO THE CENTERLINE OF SAID EAST-WEST TOLLWAY; THENCE SOUTH 79° 55' 20" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 660.21 FEET TO A POINT ON THE SOUTHERLY PROJECTION OF THE EASTERLY RIGHT OF WAY LINE OF THE CITY LEAD TRACK; THENCE NORTH 00° 10' 33" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE AND SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 1600.77 FEET TO A POINT 406.17 FEET SOUTHERLY OF THE NORTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, AS MEASURED PARALLEL WITH THE WEST LINE OF SAID

SECTION 29; THENCE NORTH 89° 43' 40" EAST PARALLEL WITH THE NORTH LINE OF SAID EAST HALF, A DISTANCE OF 583.83 FEET TO A POINT 66.00 FEET WESTERLY OF AS MEASURED PERPENDICULAR TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 13' 48" EAST PARALLEL WITH SAID EAST LINE, A DISTANCE OF 66.00 FEET; THENCE NORTH 89° 43' 40" EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 66.00 FEET TO THE POINT OR BEGINNING. ALL SITUATED IN THE CITY OF ROCHELLE, COUNTY OF OGLE, STATE OF ILLINOIS.

Tax Parcel Identification Number: 25-29-300-017

Commonly Known As:

1010 Americold Drive
Rochelle, IL 61068