



Office of the Chicago City
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SO2011-9723

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City Council Document Tracking Sheet

Meeting Date:	12/14/2011
Sponsor(s):	Mendoza, Susana A. (Clerk)
Type:	Ordinance
Title:	Zoning Reclassification App No. 17393
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards



17393

DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

MEMORANDUM

TO: Alderman Daniel S. Solis
Chairman, City Council Committee on Zoning

FROM: Patricia J. Smith for Andrew Mooney
Andrew J. Mooney
Secretary
Chicago Plan Commission

DATE: January 20, 2012

RE: Proposed technical amendment to Institutional Planned
Development No. 435 for the property generally located at 901 South
Austin Boulevard.

On January 19, 2012, the Chicago Plan Commission recommended approval of the proposed technical amendment to Institutional Planned Development No. 435 submitted by Columbus Park, LLC. A copy of the proposed amendment is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning hearing.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Housing and Economic Development, Bureau of Planning and Zoning recommendation and a copy of the Resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-5777.

cc: Steve Valenziano
PD Master File (Original PD, copy of memo)

**REPORT
to the
CHICAGO PLAN COMMISSION
from the
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
JANUARY 19, 2012**

**FOR APPROVAL: PROPOSED AMENDMENT TO INSTITUTIONAL PLANNED
DEVELOPMENT NO. 435 (APPLICATION NO. 17393)**

APPLICANT: COLUMBUS PARK, LLC

LOCATION: 901 SOUTH AUSTIN BOULEVARD

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Housing and Economic Development hereby submits this report and recommendation regarding a proposed amendment to Institutional Planned Development No. 435 for your review and recommendation to the Chicago City Council. The application for this amendment to the Zoning Ordinance was introduced into the City Council on December 14, 2011. Proper legal notice of the public hearing on this application was published in the Chicago Sun-Times on January 4, 2012; the Applicant, Columbus Park, LLC, was separately notified of this hearing.

The Applicant is seeking approval for an amendment to this Planned Development, generally located at 901 South Austin Boulevard, to allow for an increase in the number of beds within their existing nursing home facility from 204 to 216. The Applicant is not proposing a change to the underlying zoning of RM-5 (Residential Multi-Unit District) or any other aspects of this Institutional Planned Development.

This request is being submitted as a mandatory amendment to an existing Planned Development, pursuant to Section 17-13-0611-A(3), due to the proposed increase to the maximum number of allowable units exceeding three (3).

PROJECT BACKGROUND

Columbus Park, LLC, is the sole owner and operator of the subject property, having acquired the facility and land in May 2002. Three entities have management authority in Columbus Park:

1. Brysson Care,
2. Bradlor Management, Inc.
3. N.E.M. Management, LLC

SITE AND AREA DESCRIPTION

The subject property is approximately 22,500 square feet and is located within Chicago's Austin Community Area and the 29th Ward. It is surrounded by the Eisenhower Expressway (I-290) to the north (on the other side of which is the 135-acre Christopher Columbus Park; zoned POS-1, Parks and Open Space District); residential properties

zoned RM-5 to the south; residential properties zoned RS-2 (Residential Single-Unit Detached House District) to the east; and residential properties within the Village of Oak Park to the west. The site is not located within the boundaries of Lake Michigan and Chicago Lakefront Protection District, a Chicago Landmark District or Tax Increment Finance District.

The site is served by the Chicago Transit Authority's bus routes #7 (Harrison), #12 (Roosevelt), #85 (Central), #91 (Austin) and #126 (Jackson) and CTA rail stations at Central/I-290 and Austin/I-290 on the Blue Line; all located within approximately one mile of the site.

PROJECT DESCRIPTION

The Applicant is seeking an increase in the number of beds within their existing nursing home facility as shown on the bulk regulations table from 204 to 216. The Applicant first leased the property in 1992. At that time, although the facility was constructed to a 216-bed capacity, the facility had a license from the State of Illinois for 204 beds. In 1995, unaware of the bed limitation in PD 435, the Applicant sought and was granted approval from the State to increase the bed capacity to 214. In 1997, the Applicant again sought and received approval from the State to increase the licensed number of beds to 216. In 2002, the Applicant purchased the facility. The 204 bed limitation in the PD was discovered only recently as a result of the refinancing of their loan with HUD. The nursing home facility was constructed to a 216-bed capacity and has been operating under a State of Illinois license with 216 beds since 2002. The Applicant is not proposing a change to the underlying zoning of RM-5 or any other aspects of this Institutional Planned Development.

RECOMMENDATION

The Department of Housing and Economic Development has reviewed the project materials submitted by the Applicant and compared this proposal to the existing development and the surrounding community. Based on that analysis, the Department of Housing and Economic Development has concluded that this proposal is appropriate for this site and supports this development for the following reasons:

1. The project meets the purpose and criteria set forth in Chapter 17-8 of the Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare. Specifically, this project meets the following provisions of Chapter 17-8:
 - a. Promotes unified planning and development (per 17-8-0102), as evidenced by the integration into the existing facility, the expansion of similar services to those currently being provided;
 - b. Promotes economically beneficial development patterns that are compatible with the character of existing neighborhoods (per 17-8-0103), as evidenced through the continued use of the existing facility and restricting the service expansion to the massing confines of the current structure;
 - c. Promotes transit, pedestrian and bicycle use (per 17-8-0904-A-2), as evidenced through its proximity to various forms of public transit;
 - d. Provides safe and attractive walkways and pedestrian routes (per 17-8-0905-A-1), as evidenced by the perimeter sidewalk connecting the planned

- development to adjacent property and public transit;
- e. Provides structures that abut sidewalks (per 17-8-0905-B-1) and allow for pedestrian entrances from said sidewalks (per 17-8-0905-B-2), as evidenced by the construction to the edge of the site's property lines and the provision of access to the facility and parking from the sidewalk; and,
 - f. All sides and areas of the buildings that are visible to the public are treated with materials, finishes and architectural details that are of high-quality and appropriate for use on primary street-facing façade (17-8-0907-A-4), as evidenced through the images and descriptions of the current structure.
2. The public infrastructure facilities and city services will be adequate to serve the proposed development. The proposed project has been reviewed by the Mayor's Office for People with Disabilities and the Department of Transportation and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and no comments have been received which have not been addressed.
 3. The project will comply with the requirements for access in case of fire and other emergencies.

Based on the foregoing, it is the recommendation of the Department of Housing and Economic Development that this application for an amendment to Institutional Planned Development #435 be approved and that the recommendation to the City Council Committee on Zoning, Landmarks and Building Standards be "Passage Recommended, as Amended".

Bureau of Planning and Zoning
Department of Housing and Economic Development



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

**901 SOUTH AUSTIN BOULEVARD
PROPOSED AMENDMENT TO
INSTITUTIONAL PLANNED DEVELOPMENT NO. 435**

RESOLUTION

- WHEREAS,** the Applicant, Columbus Park, LLC, filed this application requesting an amendment to Institutional Planned Development No. 435 for the property generally located at 901 South Austin Boulevard to allow for an increase in the number of beds within their existing nursing home facility from 204 to 216; and,
- WHEREAS,** pursuant to the Chicago Zoning Ordinance, Section 17-13-0611-A(3), Plan Commission review and recommendation is required due to the proposed increase to the maximum number of allowable units exceeding three (3); and,
- WHEREAS,** the Applicant's request to amend Institutional Planned Development No. 435 was introduced to the City Council on December 14, 2011; and,
- WHEREAS,** proper legal notice of the hearing before the Plan Commission was published in the Chicago Sun-Times on January 4, 2012. The Applicant was separately notified of this hearing and the proposed zoning application was considered at a public hearing by this Plan Commission on January 19, 2012; and,
- WHEREAS,** the Plan Commission has reviewed the application with respect to the provisions of the Zoning Ordinance and finds that the proposal will be consistent with said provisions; and,
- WHEREAS,** the Department of Housing and Economic Development recommended approval of the application, with the recommendation and explanation contained in the written report dated January 19, 2012, a copy of which is attached hereto and made a part hereof; and,
- WHEREAS,** the Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment to Institutional Planned Development No. 435, the report and recommendation of the

*Commissioner of the Department of Housing and Economic Development
and all other testimony presented at the public hearing held on January 19,
2012, giving consideration to the Zoning Ordinance.*

NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

1. THAT the final application dated January 19, 2012 be approved as being in conformance with the provisions, terms and conditions of the corresponding zoning application; and,
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final zoning application dated January 19, 2012; and,
3. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Housing and Economic Development be adopted as the findings of fact of the Plan Commission regarding this application.

Linda Searl
Chairman
Chicago Plan Commission

Approved: January 19, 2012

COPIES FOR PUBLICATION

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

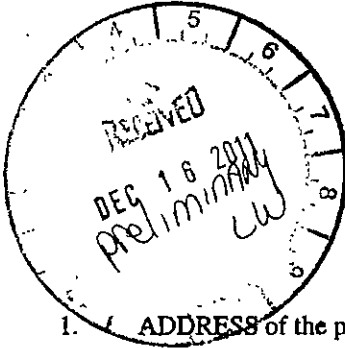
SECTION 1. That the Chicago Zoning Ordinance be amended by amending all the Institutional Planned Development #435, as amended, symbols and indications as shown on Map No. 2-M in the area bound by:

West Railroad Avenue; The public alley next east of and almost parallel to South Austin Boulevard; A line 185.65 feet south of and almost parallel to West Railroad Avenue; South Austin Boulevard.

to those of Institutional Planned Development #435, as amended, which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

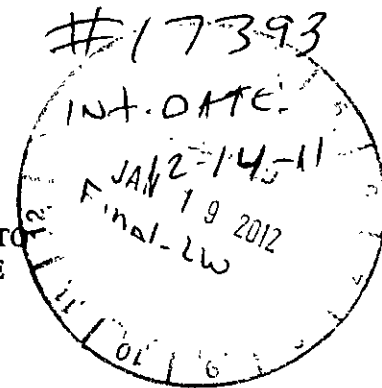
SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

NOT FOR PUBLICATION



CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE



1. ADDRESS of the property Applicant is seeking to rezone:

901 South Austin

2. Ward Number that property is located in: 29

3. APPLICANT Columbus Park, LLC

ADDRESS 6840 N. Lincoln Avenue CITY Lincolnwood

STATE IL ZIP CODE 60712 PHONE _____

mike@sirmanagement.com

EMAIL _____ CONTACT PERSON Mike Giannini

4. Is the applicant the owner of the property? YES x NO _____
If the applicant is not the owner of the property, please provide the following information
regarding the owner and attach written authorization from the owner allowing the application to
proceed.

OWNER _____

ADDRESS _____ CITY _____

STATE _____ ZIP CODE _____ PHONE _____

EMAIL _____ CONTACT PERSON _____

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the
rezoning, please provide the following information:

ATTORNEY Katriina McGuire/Schain Burney Banks & Kenny, Ltd.

ADDRESS 70 West Madison, #4500

CITY Chicago STATE IL ZIP CODE 60602

PHONE 312-345-5700 FAX 312-345-5701 EMAIL kmcguire@sbbklaw.com

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.) please provide the names of all owners as disclosed on the Economic Disclosure Statements.

Brysson Care, Inc.	Manager
Bradlor Management, Inc.	Manager
N.E.M. Management, LLC	Manager

7. On what date did the owner acquire legal title to the subject property? May, 2002

8. Has the present owner previously rezoned this property? If yes, when?
No

9. Present Zoning District IPD 435 Proposed Zoning District IPD#435
AS AMENDED

10. Lot size in square feet (or dimensions) _____

11. Current Use of the property Nursing Home

12. Reason for rezoning the property Technical Amendment to the PD to increase the number of beds as reflected in the bulk regulations from 204 to 216.

13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC)
No change to the existing facility (nursing home with 216 beds).
The parking will remain the same.

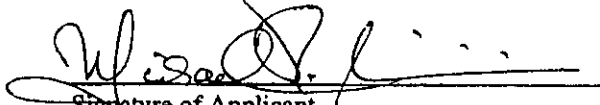
14. On May 14th, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See Fact Sheet for more information)-----

YES _____ NO ^x _____

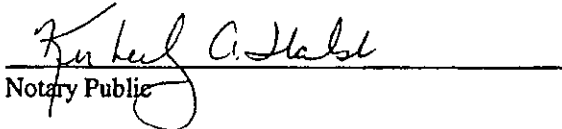
FINAL FOR PUBLICATION

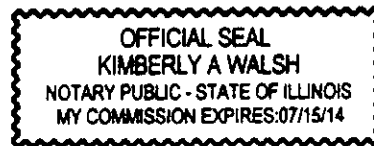
COUNTY OF COOK
STATE OF ILLINOIS

Mike Giannini, being first duly sworn on oath, states that all of the above
statements and the statements contained in the documents submitted herewith are true and correct.


Signature of Applicant

Subscribed and Sworn to before me this
6th day of December, 2011.


Notary Public



For Office Use Only

Date of Introduction: _____

File Number: _____

Ward: _____

Institutional Planned Development No. 435, as amended

Plan Of Development

Statements.

1. The area delineated herein as Institutional Planned Development is owned and controlled by Columbus Park, LLC, 901 South Austin Boulevard, Chicago, Illinois 60644.
2. The applicant, Columbus Park, LLC, is required to obtain all applicable official reviews, approvals, permits and/or licenses.
3. Any service drive or other ingress or egress roadways will be adequately designed and paved in accordance with the regulations of the Department of Streets and Sanitation and in compliance with the Municipal Code of the City of Chicago for providing ingress and egress for motor vehicles, including emergency vehicles. Any fire lanes will be adequately designed and paved in compliance with the Municipal Code of the City of Chicago to provide ingress and egress for emergency vehicles. There will be no parking within any such areas.
4. Any vacation or dedication of streets, alleys or other public rights of way or adjustments of rights of way shall require a separate submittal on behalf of the applicant, Columbus Park, LLC.
5. The use of the area delineated as an institutional planned development will consist of a health care facility containing a maximum of 216 intermediate and skilled care nursing facility and related uses. The facility will be devoted to nursing care and the activities related to the operation and administration of such a facility.
6. Identification and other signs, if necessary, may be permitted, subject to the review of and approval by the Department of Housing and Economic Development and the Department of Inspectional Services.
7. Off-street parking and loading will be provided in accordance with the attached plan of development.
8. The information attached hereto sets forth data concerning a generalized land use plan (site plan) illustrating proposed

development in accordance with the intent and purpose of the Chicago Zoning Ordinance.

9. The plan of development attached to the application is subject to the "Rules, Regulations and Procedures in Relation to the Planned Development Amendments", as promulgated by the Commissioner of Planning.

Use and Bulk Regulations Data attached to this Plan of Development reads as follows:

Planned Development

Use And Bulk Regulations Data.

Site Area Square Feet	Acres	General Description Of Land Use	Number Of Beds	Max F.A.R.	Max. % Of Land Covered
22,495	0.5164	Intermediate and Skilled Nursing Care Facility and Off-street Parking	216	2.5	48%

The Above Noted Information Relates To The Ultimate Development Within The Planned Development Area. Interim Stages Of Development May Exceed Above Permitted Standards, Subject To The Approval Of The Department Of Housing and Economic Development.

Maximum Permitted F.A.R. For Total Net Site Area - 2.5

Proposed Population:

(Intermediate and Skilled Nursing Care Facility -
Nursing Home)

Number of beds: 216

Number of attending doctors: 0

Number of Employees, in one shift: 38

Minimum Number Of Off-Street Parking
Spaces:

Total: 24 spaces

Minimum Building Setbacks:

1. Boundary and front yard - 15 feet
2. Boundary and side yard - 18.5 feet
3. Boundary and rear yard - 30 feet.

Subject to the approval of the Department of Housing and Economic Development, setbacks and yard regulations may be adjusted where required to permit conformance to the pattern of or architectural arrangement related to existing structures or when necessary for technical reasons.

Maximum Percent Of Land Covered (For Total Site Area) - 48%

FINAL FOR PUBLICATION

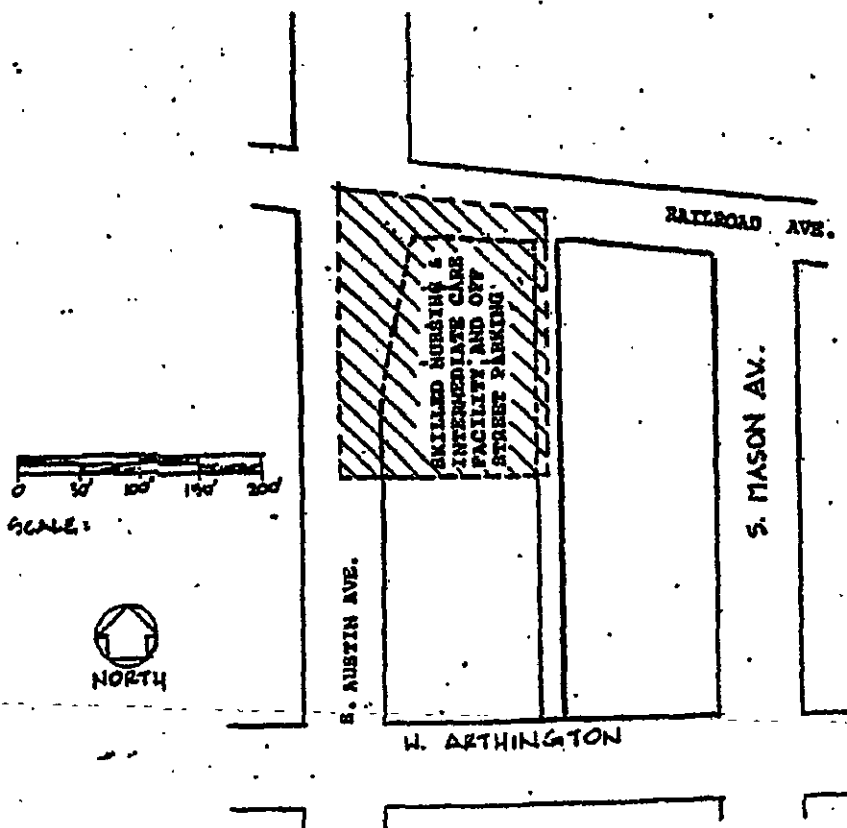
PROPERTY LINE MAP AND RIGHT OF WAY ADJUSTMENTS

INSTITUTIONAL PLANNED DEVELOPMENT

APPLICANT: COLUMBUS PARK, LLC

DATE: DECEMBER 14, 2011

— PLANNED DEVELOPMENT BOUNDARY



PROPERTY LINE MAP AND RIGHT OF WAY ADJUSTMENTS

INSTITUTIONAL PLANNED DEVELOPMENT

APPLICANT: COLUMBUS PARK, LLC

DATE: DECEMBER 14, 2011

— PLANNED DEVELOPMENT BOUNDARY

