



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Details (With Text)

**File #:** O2020-6215  
**Type:** Ordinance      **Status:** Passed  
**File created:** 12/16/2020      **In control:** City Council  
**Final action:** 1/27/2021

**Title:** Expenditure of Open Space Impact Fee funds to acquisition or reimbursement costs associated with acceptance of certain parcels within Indian Ridge Marsh at 11719-11753 S Calhoun Ave

**Sponsors:** Lightfoot, Lori E.

**Indexes:** Open Space Impact Fees

**Attachments:** 1. O2020-6215.pdf

Date	Ver.	Action By	Action	Result
1/27/2021	1	City Council	Passed	Pass
1/14/2021	1	Committee on Special Events, Cultural Affairs and Recreation	Recommended to Pass	
12/16/2020	1	City Council	Referred	

OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

December 16, 2020

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 expenditure of Open Space Impact Fees and associated acceptance of parcels within the Indian Ridge Marsh.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours;  
OFFICE OF THE MAYOR  
CITY OF CHICAGO  
MAYOR

LORI E. LIGHTFOOT

December 16, 2020

TO THE HONORABLE, THE CITY COUNCIL OF THE  
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Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith an ordinance authorizing the expenditure of Open Space Impact Fees and associated acceptance of parcels within the Indian Ridge Marsh.

Your favorable consideration of this ordinance will be appreciated.

### ORDINANCE

WHEREAS, the City of Chicago (the "City"), is a home rule unit of government under Article VII, Section 6(a) of the Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City is authorized under its home rule powers to regulate the use and development of land; and

WHEREAS, it is a reasonable condition of development approval to ensure that adequate open space and recreational facilities exist within the City; and

WHEREAS, on April 1, 1998, the City Council of the City (the "City Council") adopted the Open Space

Impact Fee Ordinance codified at Chapter 18 of Title 16 (the "Open Space Ordinance") of the Municipal Code of Chicago (the "Code") to address the need for additional public space and recreational facilities for the benefit of the residents of newly created residential developments in the City; and

WHEREAS, the Open Space Ordinance authorizes, among other things, the collection of fees from residential developments that create new dwelling units without contributing a proportionate share of open space and recreational facilities for the benefit of their residents as part of the overall development (the "Fee-Paying Developments"); and

WHEREAS, pursuant to the Open Space Ordinance, the Department of Finance ("DOF") has collected fees derived from the Fee-Paying Developments (the "Open Space Fees") and has deposited those fees in separate funds, each fund corresponding to the Community Area (as defined in the Open Space Ordinance), in which each of the Fee-Paying Developments is located and from which the Open Space Fees were collected; and

WHEREAS, the Department of Planning and Development ("DPD") has determined that the Fee-Paying Developments built in the South Deering Community Area have deepened the already significant deficits of open space in the South Deering Community Area, which deficits were documented in the comprehensive plan entitled "The CitySpace Plan," adopted by the Chicago Plan Commission on September 11, 1997 and adopted by the City Council on May 20, 1998 pursuant to an ordinance published at pages 69309-69311 of the Journal of the Proceedings of the City Council of the same date; and

WHEREAS, Openlands, an Illinois not-for-profit corporation, is an accredited land trust and is dedicated to preserving and creating open space; and

WHEREAS, the City desires to grant Openlands impact fee funds to pay or reimburse Openlands for transaction costs regarding the acquisition of certain parcels or real property within Indian Ridge Marsh at 11719-53 South Calhoun Avenue in the South Deering Community Area, as described on Exhibit A attached hereto and made a part hereof (the "Project"); and

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WHEREAS, DPD desires to provide to Openlands Open Space Fees in an amount not to exceed \$19,070.92 for the Project; and

WHEREAS, the Open Space Ordinance requires that the Open Space Fees be used for open space acquisition and capital improvements, which provide a direct and material benefit to the new development from which the fees are collected; and

WHEREAS, the Open Space Ordinance requires that the Open Space Fees be expended within the same or a contiguous Community Area from which they were collected after a legislative finding by the City Council that the expenditure of the Open Space Fees will directly and materially benefit the developments from which the Open Space Fees were collected; and

WHEREAS, DPD has determined that the use of the Open Space Fees to fund the Project will provide a direct and material benefit to each of the Fee-Paying Developments from which the Open Space Fees were collected; and

WHEREAS, DPD has determined that Open Space Fees to be used for the purposes set forth herein have come from the specific fund set up by DOF for the South Deering Community Area, in which the Fee-Paying Developments are located and from which the Open Space Fees were collected; and

WHEREAS, DPD has recommended that the City Council approve the use of the Open Space Fees for the purposes set forth herein through this ordinance; and

WHEREAS, DPD desires to reimburse Openlands for costs related to the Project in accordance with the terms and conditions specified in real estate sale agreement between the City and Openlands in a form that is subject to the approval of the Corporation Counsel as to form and legality (the "Real Estate Sale Agreement"); and

**WHEREAS, DPD has recommended that the City Council authorize the Commissioner of DPD to negotiate and execute a Real Estate Sale Agreement to provide for the acquisition of the Project parcels using an expenditure of the Open Space Fees as described herein, which expenditure will directly and materially benefit the Fee-Paying Developments from which the Open Space Fees were collected; now, therefore,**

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

SECTION 1. The above recitals are expressly incorporated in and made part of this ordinance as though fully set forth herein.

SECTION 2. The City Council hereby finds that the expenditure of the Open Space Fees will directly and materially benefit the residents of those Fee-Paying Developments from which the Open Space Fees were collected and approves the use of the Open Space Fees for the purposes described herein.

SECTION 3. The Commissioner of DPD (the "Commissioner") and a designee of the Commissioner are each hereby authorized, subject to the approval of the Corporation Counsel to enter into a Real Estate Sale Agreement with Openlands in connection herewith, containing such terms as the Commissioner deems necessary, and to provide Open Space Fees proceeds to Openlands in an amount not to exceed

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\$19,070.92, from the corresponding fund to pay for expenses permitted under the Open Space Ordinance.

SECTION 4. Open Space Fees in the amount of \$19,070.92 from the South Deering Community Area's Open Space Fees Funds are hereby appropriated for the purposes described herein.

SECTION 5. The Commissioner or a designee of the Commissioner is each hereby authorized to execute, or receive on behalf of the City, such documents as may be necessary or appropriate to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel.

SECTION 6. To the extent that any ordinance, resolution, rule, order or provision of the Code, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any 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 in full force and effect from and after the date of its passage.

3

**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPERTY**

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

LOTS 27 TO 30, BOTH INCLUSIVE, AND LOTS 34 TO 41, BOTH INCLUSIVE IN BLOCK 7 IN ALLEN'S SUBDIVISION IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF CHICAGO, COOK COUNTY, ILLINOIS.

KNOWN AS: 11719-53 SOUTH CALHOUN AVENUE, CHICAGO, ILLINOIS PINs:

11719	S	CALHOUN	AVE	-	25-24-216-008	11721	S	
CALHOUN	AVE	-	25-24-216-009	11723	S	CALHOUN	AVE	-
25-24-216-010		11725	S	CALHOUN	AVE	-	25-24-216-011	
11729	S	CALHOUN	AVE	-	25-24-216-012	11731	S	
CALHOUN	AVE	--	25-24-216-013	11733	S	CALHOUN	AVE	-
25-24-216-014		11735	S	CALHOUN	AVE	-	25-24-216-015	
11745	S	CALHOUN	AVE	-	25-24-216-019	11749	S	
CALHOUN	AVE	--	25-24-216-020	11751	S	CALHOUN	AVE	-
25-24-216-021		11753	S	CALHOUN	AVE	-	25-24-216-022	

TOTAL AREA = 37,500 SQ. FT. (12 lots each at 3,125 sq. ft. per lot)

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GENERAL INFORMATION

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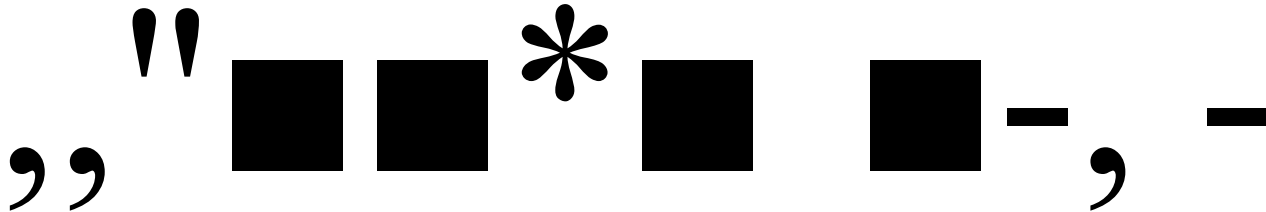
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CITY OF CHICAGO

APPENDIX B

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**Ms. Carrie C. McNally, Chair**

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CMcNally@sheppardmullin.com\*  
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*1320 N. State Pkwy, 4C\* Chicago, IL 60610 Cell (847)712-0800 joannseagren@gmail.com Elected to Board: 2014*

**Jeff R. Rode, Treasurer**

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*610 Newcastle Drive Lake Forest, IL 60045 Cell: (312) 543-2078 Spouse: Karen Elected to Board: 2013*

**Mr. Glenn W. Reed, Secretary**

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**Mr. Gary F. Balling**

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**Mr. Alan M. Bell**

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817-9829 Elected to Board: January 2008*

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9007 Spouse: Suzanne Elected to Board: September  
2012*

**Mr. Jonathan Copulsky**

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Barreto Elected to Board: September 2017*

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**Mr. George W. Davis**

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4856 Cell (773) 996-0225 Fax (312) 707-9408  
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**Ms. Garrett Handley Dee**

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**Mr. Matthew Dobry**

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**Donna Mcgreenera:** Donna.Mcgreenera@cbre.com  
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*Elected to Board: February 2020*

**Ms. Daisy Feidt**

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*Elected to Board: February 2020*

**Mr. Hugh D. Frisbie**

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17202 US Highway 14\* Woodstock, IL 60098 (815)  
337-6838 Spouse: Marlene *Elected to Board: March  
2009*

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### Mr. Dinesh Goburdhun

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Spouse: Bridget Jones *Elected to Board: September  
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### Mr. Jonathan C. Hamill (Jon)

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(312) 474-0521 Florida Address: The Bahama  
Club, APT 17 1121 Gulfshore Blvd. North  
Naples, FL 34228

545 Oak Knoll Road Barrington, IL 60010 (847)381-  
8381 Fax (847) 381-9820 Spouse: Nancy *Elected to  
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### Mr. Mark M. Harris

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2823 Mark.M.Harris@boeing.com  
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4744 Woodland Avenue\* Western Springs, IL 60558  
(708) 246-7447 Spouse: Lori *Elected to Board: June  
2012*

### Mr. Daniel Lauderback (Dan)

26006 West Cuba Road Barrington, IL 60010 Cell (3  
405-5382 daniel.d.lauderback@gmail.com  
<mailto:daniel.d.lauderback@gmail.com>Elected to  
Board: May 2019

### Mr. Andrew Otting (Andy)

Scott Byron & Co., Inc.\* 30088 N. Skokie  
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Fax (847) 689-0277 Assistant: Mary Plodzeen  
mplodzeen@scottbyron.com  
<mailto:mplodzeen@scottbyron.com>

1228 Judson Evanston, IL 60202 (847) 475-1574  
Spouse: Laura Hohnhold *Elected to Board: 2000*

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### Mr. Rommel Noguera

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*Elected to Board: November 2017*

### Ms. Wendy J. Paulson

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**Mr. James Rachlin (Jamie)**

Meristem Advisors LLC 2400 N Lakeview, Apt. 1201 Chicago, IL 60614

154 W. Dundee Road Barrington, IL 60010 (312) 450-8206 Spouse: Henry "Hank" Elected to Board: May 2012

2400 N Lakeview, Apt. 1201 Chicago, IL 60614 (773) 677-3653 jnrachlinfrt.fjmail.com Spouse: Leslie Elected to Board: November 2018

**Mr. Akhil Ramandham\***

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**Mr. Joseph Russo (Joe)**

Retired

33 W. Huron Street, Apt. 502\* Chicago, IL 60654 (312) 730-8606 joesrusso19@gmail.com Spouse: Bebe Novich Elected to Board: August 2017

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**Ms. Nicole Williams**

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<mailto:Nicole\_williams\_98@yahoo.com> Spouse: Dr. Lawrence (Larry) J. Becker Elected to Board: September 2018

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Honorary Directors

**Ms. Shaun C. Block**

*1245 N. Astor\* Chicago, IL 60610 Cell (312) 307-1464 (312) 943-1729 (Chicago) Elected to Board: 1977*

**Anthony T. Dean (Tony)**

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