



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2016-2658

Type: Ordinance **Status:** Passed

File created: 4/13/2016 **In control:** City Council

Final action: 10/5/2016

Title: Zoning Reclassification Map No. 7-H at 1760 W Wrightwood Ave and 2710-2716 N Paulina Ave - App No. 18746

Sponsors: Misc. Transmittal

Indexes: Map No. 7-H

Attachments: 1. O2016-2658.pdf, 2. SO2016-2658.pdf

Date	Ver.	Action By	Action	Result
10/5/2016	1	City Council	Passed as Substitute	Pass
9/27/2016	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
9/27/2016	1	Committee on Zoning, Landmarks and Building Standards	Substituted in Committee	Pass
4/13/2016	1	City Council	Referred	

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SUBSTITUTE ORDINANCE

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

SECTION L Title. 17. of the Municipal Code of Chicago, the Chicago Zoning Ordinance be amended by changing all the Residential Planned Development No. 797 District symbols and indications as shown on Map No. 7-H in the area bounded by

beginning at a point 972 feet north of West Wrightwood Avenue and 641.29 feet west of North Paulina Street; a line 972 feet north of and parallel to West Wrightwood Avenue; a line from a point 972 feet north of West Wrightwood Avenue and 331.07 feet west of North Paulina Street to a point, 971.24 feet north of West Wrightwood Avenue and 330.91 feet west of North Paulina Street; a line from a point 971.24 feet north of West Wrightwood Avenue and 330.91 feet west of North Paulina Street to a point, 925.48 feet north of West Wrightwood Avenue and 325.92 feet west of North Paulina Street, said line is a concave arc on a circle running to the southeast on a bearing of 6 degrees. 13 minutes, 54 sections with a radius of 225.02 feet with a length of 46.15 feet; a line

from a point 925.48 feet north of West Wrightwood Avenue and 325.92 feet west of North Paulina Street to a point, 868.95 feet north of West Wrightwood Avenue and 325.92 feet west of North Paulina Street; a line from a point 868.95 feet north of West Wrightwood Avenue and 325.92 feet west of North Paulina Street to a point, 868.59 feet north of West Wrightwood Avenue and the west right-of-way line of North Paulina Street; North Paulina Street; a line from a point 674.91 feet north of West Wrightwood Avenue and the west right-of-way line of North Paulina Street to a point, 674.95 feet north of West Wrightwood Avenue and 140 feet west of North Paulina Street; a line 140 feet west of and parallel to North Paulina Street; a line from a point 140 feet west of North Paulina Street and 511.21 feet north of West Wrightwood Avenue to a point, 509.99 feet north of West Wrightwood Avenue and 330.90 feet west of North Paulina Street; a line 330.90 feet west of and parallel to North Paulina Street; West Wrightwood Avenue; a line from a point 365.29 feet west of North Paulina Street and the north right-of-way line of West Wrightwood Avenue to a point, 99.45 feet north of West Wrightwood Avenue and 407.94 feet west of North Paulina Street; a line 99.41 feet north of and parallel to West Wrightwood Avenue; a line from a point 99.45 feet north of West Wrightwood Avenue and 407.94 feet west of North Paulina Street; to a point, 140.16 feet north of West Wrightwood Avenue and 407.61 feet west of North Paulina Street; a line from a point 140.16 feet north of West Wrightwood Avenue and 407.61 feet west of North Paulina Street to a point, 140.29 feet north of West Wright-

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wood Avenue, and 550.80 feet west of North Paulina Street; a line from a point 140.29 feet north of West Wrightwood Avenue and 550.80 feet west of North Paulina Street to a point. 213.394 feet north of West Wrightwood Avenue and 554.94 feet west of North Paulina Street; a line 213.39 feet north of and parallel to West Wrightwood Avenue; the easterly right-of-way line of Union Pacific Railroad (the former Chicago & Northwestern Railroad); a line from a point 28 feet north of West Wrightwood Avenue and 646.04 feet west of North Paulina Street to a point, 972.0 feet north of West Wrightwood Avenue and 29 feet west of North Paulina Street, said line is an arc on a circle running to the northeast a distance of 39.08 feet with a radius of 158 feet having a chord length of 38.98 feet to the point of beginning,

to those of the designation of Residential Planned Development No. 797, as Amended which is hereby established in the area described above 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.

Common Address of Property: 1760 West Wrightwood Avenue

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Residential Planned Development Number 797, As Amended. Plan
of Development Statements.

1. The area delineated herein as a Residential Planned Development ("Planned Development") consists of approximately three hundred forty-six thousand nine hundred eight (346,908) square feet (approximately seven and ninety-six hundredths (7.96)) acres of property located in the area more specifically designated on the attached Planned Development Boundary and Property Line Map ("Property"). The Property is under the unified control of the applicant, Wrightwood Development Partners, L.L.C. Hartland Park Master Homeowners Association.
2. All applicable official reviews, approvals or permits that are required in connection with the Planned Development shall be obtained or authorized to be obtained by the Applicant. Any dedication or

vacation of streets, alleys or easements, or adjustments of rights-of-way, or consolidation or re-subdivision of parcels shall require a separate submittal and approval by the City Council.

3. The requirements, obligations and conditions contained within the Planned Development shall be binding upon the applicant, its successors and assigns and, if different from the applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the applicant shall inure to the benefit of the applicant's successors and assigns and, if different from the applicant, the legal titleholders and any ground lessors of the Property. Any applications for amendments, modifications or changes (administrative, legislative or otherwise) to the Planned Development shall be made or authorized by all of the owners of the Property and any ground lessors, unless there is a recorded development agreement or master homeowners' agreement to the contrary. For purposes of this Planned Development, where portions of the improvements located on the Property are subject to a recorded homeowners' association declaration of covenants, the term "owner" shall be deemed to refer solely to the homeowners' association as the owner of such portions of the improvements and not to individual unit owners therein.

Nothing herein shall prohibit or in any way restrict the alienations, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term "Applicant" shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust), and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder subject to the development agreement and master homeowners' association declaration.

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4. The plan of development consists of these fifteen (15) statements; a Bulk Regulations Data Table; Building Standards for Single Family Homes; and the following exhibits: a Planned Development Boundary and Property Line Map; an Existing Zoning Map; an Existing Lane-Use Map; a Site/Landscape Plan for Phase I and Phase II; a Site Plan for Phase 1, a Site Plan for Phase II; and Building Elevation Exhibits prepared by Pappageorge/Haymes, Ltd. all dated March 29, 2006 and published in the City Council Journal of the same date on pages 74267 through 74278. Full size sets of the Site/Landscape Plans shall be placed on file with the Department of planning and Development.

These and no other zoning controls shall apply to the Property. The Planned Development conforms to the intent and purpose of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, and all requirements thereof and satisfies the established criteria for approval as a planned development.

5. The following uses are permitted within the areas delineated herein as Residential Planned Development Number 797, as amended: single-family residences; townhomes; open space; accessory and related uses.
6. On-Premise signs and temporary signs, such as construction and marketing signs, are permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the planned development.
7. Ingress and egress including emergency vehicle access and service drives shall be subject to the review and approval of the Department of Transportation and the Department of Planning and Development. North Hermitage Avenue between West Wrightwood Avenue and West Schubert Avenue, and West Schubert Avenue lying east of the west line of North Hermitage Avenue extended to North Paulina Street shall be adequately designed, constructed and paved the maintenance and repair of these private streets shall be the sole responsibility of the Hartland Park Master Homeowner's Association. The streetlights will be appropriately designed to reflect the character of "Hartland Park". There shall be no parking on West Schubert Street except on the north side of West Schubert Street between the alley next west of North Paulina Street and North Hartland Court (private), and no parking on the east side of Hermitage Avenue. North Hermitage Avenue and West Schubert Avenue shall remain open and un-gated at all times.

The private alley that serves the single-family homes in Phase I and the townhouse in Phases I and II, and which is located west of and parallel to North Hermitage Avenue, shall remain a private alley that is to be maintained by the Hartland Park Master Homeowners Association.

- . Garbage receptacles for each residential unit shall be stored in the garage of the respective unit. No garbage receptacles shall be stored on any of the paved areas except on days that the garbage is scheduled to be picked up.

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8. The measurement of building height for each of the buildings set forth in the Planned Development or any appurtenances attached thereto, shall be as defined in the Chicago Zoning Ordinance, except for the townhomes in Phase II. The building height for the townhomes in Phase II shall be measured from the top of the first floor slab on grade. The height of all improvements is also subject to height limitations as approved by the Federal Aviation Administration.
9. The maximum permitted Floor Area Ratio ("F.A.R.") shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of Floor Area and F.A.R. calculations, the definitions of the Chicago Zoning Ordinance shall apply.

- I. 0. The improvements on the Property in Phase I have received approval pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance as being in conformance with the Site Plan and Building Elevations set forth in the City Council Journal of the Proceedings of the City Council of the City of Chicago of October 3, 2001 at pages 68830-68837. The improvements on the Property in Phase II have received approval pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance on being in conformance with the Site Plan and Building Elevations set forth in the City Council Journal of the Proceedings of the City Council of the City of Chicago of March 29, 2006 at pages 74256-74278.
- II. The privately maintained open space shown on the Site/Landscape Plan, shall be constructed pursuant to the requirements set forth herein. This privately maintained open space is commonly known as "Hartland Park", as indicated on the Landscape Plan. The Applicant, (Hartland Park Master Homeowner's Association) shall maintain the open space, at its sole cost and expense, in perpetuity. Neither the Chicago Park District nor the City of Chicago shall have any responsibility whatsoever for the maintenance or repair of the privately maintained open space, nor for the failure of the Applicant, or any of its residents or occupants, to do so. At the request of the department, the applicant shall record a covenant against Hartland Park memorializing the foregoing terms.
12. The single-family homes in Phase I and Phase II shall conform to the building standards set forth in the Building Standards for Single-Family Homes Exhibit attached hereto and made a part of the Planned Development.
13. The terms, conditions and exhibits of the Planned Development may be modified administratively by the Commissioner of the Department of Planning and Development upon written application by the Applicant and a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated by the Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of the Planned Development by the Commissioner of the Department of Planning and Development shall be deemed a minor change in the Planned Development as contemplated by Section 17-13-0611-A of the Chicago Zoning Ordinance.
14. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes, enables and maximizes universal access

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throughout the property. Plans for all buildings and improvements on the property shall be reviewed and approved by the Mayor's Office for People with Disabilities (M.O.P.D.) to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

15. Unless substantial construction of the residential development contemplated in Phase II of the Planned Development has commenced within six (6) years following passage of the Planned Development, and unless completion of Phase II is diligently pursued thereafter, the Planned Development as it relates to Phase II shall expire and the zoning of the property in Phase II shall revert to the RT-4 Residential Two-

Flat, Townhouse and Multi-Unit District.

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**Residential Planned Development #797, as amended Bulk
Regulations and Data Table**

Net Site Area:

Area in Public Right-of-Way: Gross Site Area; Maximum Floor Area Ratio: Maximum Number of

Dwelling Units:

Single-Family Homes:

Townhouse Units:

Minimum Number of Parking Spaces:

Setbacks From Property Line:

Maximum Building Height:

Property east of North Hermitage Ave.: Property west of North Hermitage Ave.

346,908 square feet 0 square feet 346,908 square feet 1.2 109 29 80

2 (per dwelling unit) Per building Standard Exhibit and Site Plan

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Building Standards For Single-Family Homes

It is the intent of the standards set forth below to supplement the current regulations of the Chicago Zoning Ordinance and the City of Chicago Building Code, and to establish criteria for the design and construction of single-family homes in the Planned Development. Terminology used in this exhibit shall have the same meaning as contained in the Chicago Zoning Ordinance and City of Chicago Building Code. In the event these standards conflict with the Chicago Zoning Ordinance or City of Chicago Building Code, these standards will control. Reference is made to the Site/Landscape Plan dated February 16, 2006 prepared by Pappageorge/Haymes, Ltd.

A. Height/Area.

1. All buildings shall be not more than four (4) stories plus basement, with a maximum of two (2) dwellings. Building height in Phase II shall not exceed thirty-eight (38) feet as defined and measured in the Chicago Zoning Ordinance.
2. The underlying zoning is based upon an RT4 Residential Two-Flat, Townhouse and Multi-Unit District as defined in the Chicago Zoning Ordinance.

B. Setbacks.

1. Each building shall have a minimum front yard setback of ten (10) feet from the front lot line and be in accordance with the Site/Landscape Plan. Entry porches and stairs no more than six (6) feet above grade shall be allowed to Project into the front yard setback.
2. Buildings constructed on lots thirty-five (35) feet in width or less may have a bay window not to exceed forty percent (40%) of the width of the building's front facade. Bay windows may project into the required front yard setback up to thirty percent (30%) of the required front yard.
3. Buildings constructed on lots thirty-five (35) feet to fifty (50) feet in width may have a bay window not to exceed fifty percent (50%) of the width of the building's front facade. Bay windows may project into the required front yard setback up to thirty percent (30%) of the required front yard.
4. Buildings constructed on lots fifty (50) feet in width or more may have a bay window not to exceed fifty percent (50%) of the width of the building's front facade. Bay windows may project into the required front yard setback up to thirty percent (30%) of the required front yard.
5. Other features allowed to encroach in required setbacks are those as set forth in Section 17-17-0309 of the Chicago Zoning Ordinance.

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6. Roof dormers shall be set back twenty (20) feet from the front building line and fifteen (15) feet from the rear building line. Balconies, decks and porches shall be set back a minimum of three (3) feet from any side lot line.
7. Side yard setbacks in Phase 1 shall be not less than three (3) feet. Phase II combined total width of side yard setbacks shall be no less than four (4) feet, with neither required setback less than one (1) foot, zero (0) inches except that the single-family lot along Schubert Avenue may have zero (0) foot north side yard and a one (1) foot, zero (0) inches south side yard.

C. Parking.

1. There shall be a minimum of two (2) parking spaces per dwelling unit. All parking spaces shall be enclosed in an attached or detached garage structure. Outdoor parking spaces are not permitted. All garages shall be of a size to accommodate refuse containers within the garage.
2. Parking stalls shall be a minimum of eight (8) feet by eighteen (18) feet.
3. Roof slopes on pitched roofs of garages shall be not less than a 10:12 pitch and the ridge of the gable roof shall be oriented so that the gable ends face the alley and house. Garages with flat roofs and roof decks are allowed as defined in and subject to the Chicago Building Code.
4. All garages must provide one (1) seventy-five (75) watt high-pressure sodium light fixture in the alley that is activated by photoelectric cell switch.

D. Landscaping.

1. A continuous ornamental steel fence with black painted gates no less than three (3) feet, six (6) inches in height shall be installed along all front lot lines. Fencing shall be vertical picket type with picket spacing between three (3) inches and six (6) inches. Picket bars shall be a minimum of half (1/2) inch in size. Posts shall be a minimum of three (3) inches square, at least six (6) feet on center. All fencing between homes located in the front yard setback shall match. Other fencing shall be ornamental steel or cedar board.
2. Side yard fencing shall be wood, vinyl or ornamental steel and limited in height to no more than five (5) above grade. '
3. Front and rear yards shall have a minimum of one (1) ornamental tree in each yard. The trees must have a minimum caliper size of three (3) inches.
4. Not more than twenty percent (20%) of the front yard shall be hard surface paving.

5. Sod or ivy ground cover shall be provided ai all non-paved areas ofthe site.

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6. Grade within front yards shall be within two (2) feet of grade level adjacent to the public sidewalk. Below grade terraces and patios are not permitted.
7. Utility meters located in front yards must be fully screened with shrubs or other landscaping.
8. Exposed foundations at the front building lines must be screened with landscaping.
9. Public sidewalks and curbs shall be designed and constructed per City of Chicago Standards and in accordance with the Site/Landscape Plan.

E. Construction Standards.

1. Each building facade that faces a street shall be constructed of either masonry face brick, limestone, manufactured stone or horizontal lap side. Brick size shall be standard, modular or utility. No concrete or concrete masonry unit, stucco or synthetic stucco (E.I.F.S.) materials shall be allowed on the front facades. Metal trim (pre-finished or copper) is permitted on all elevations. Front facade materials shall wraparound from the front facade a minimum of eight (8) feet along both side facades.
2. Unpainted or uncolored concrete block masonry units are allowed at the side and rear facades. Permitted chimney projections into side yards shall match front facade materials if located within ten (10) feet ofthe front facade.
3. Windows and doors in masonry facades shall have eight (8) inch to ten (10) inch stone lintels and four (4) inch stone sills.
4. Horizontal lap siding shall have a maximum four (4) inches lap and be constructed of wood or premium vinyl. Door, window and corner trim shall be a minimum of four (4) inches.
5. Exhaust vents for fans or appliances shall not be allowed in front facades. Roof vents and flues shall be set back from front building facade a minimum of ten (10) feet.
6. Gutters and downspouts shall be. pre-finished aluminum and/or copper. Decorative leader boxes shall be permitted along the front and side facades.
7. Sliding doors and/or windows shall not be permitted along the front and side facades except when located at grade.

8. Pitched roof slopes shall be not less than 10:12 pitch. Roof coverings shall be a three (3) tab asphaltic shingle with granular face. Flat roofs shall be a single-ply membrane in accordance with the Energy Code of the City of Chicago.
9. Adjacent buildings, under the control of a single-Owner or Developer, shall have dissimilar facades, finishes, window configurations and material colors.

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10. Main entrance doors shall face the street.
11. Exterior patios, terraces and similar spaces shall only be located in the rear yard of the building. Patios, terraces and similar spaces are not permitted in the front yard.
12. Front entry doors shall be located either at grade or at the first floor above grade. Front entry doors below sidewalk grade are not permitted.
13. Satellite dishes, aerials and antennas shall be located in the rear one-third (1/3) of the residence. Satellite dishes shall not exceed two (2) feet in diameter.
14. Garages for the single-family homes in Phase II shall be set back one (1) foot from the rear of the property line.

Department of Planning and Development
city of chicago

MEMORANDUM

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

Patricia A(Scudiero Chicago Planji Commission

September 16, 2016

RE: Proposed Amendment to Planned Development No. 797 for property generally located at 1760

W Wrightwood Avenue.

On September 15, 2016, the Chicago Plan Commission recommended approval of the proposed amendment submitted by Hartland Park Master Homeowner's Association. 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 Planning and 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)

121 NORTH LASALLE STREET, ROOM 1000