



Office of the City Clerk

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

Legislation Text

File #: SO2022-3875, Version: 1

Dec 11, 2023

ORDINANCE

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the Institutional Planned Development # 666 and RS-1 Residential Single-Unit (Detached House) District symbols and indications as shown on Map Number 13-1 in the area bounded by:

West Bryn Mawr Avenue: a line along the southerly right of way line of West Bryn Mawr Avenue beginning at a point 387.25 feet east of North Kedzie Avenue and running southeasterly to a point 548 feet east of North Kedzie Avenue (Point 1); a line running 15 feet northeasterly and perpendicular from said Point 1; a line running southeasterly 419.40 feet to a point 649.06 feet east of North Kedzie Avenue; a line 1,174.97 feet south of and parallel to West Bryn Mawr Avenue; a line 124 feet east of and parallel to North Kedzie Avenue; a line 1,050 feet south of and parallel to West Bryn Mawr Avenue; North Kedzie Avenue; a line 127 feet south of and parallel to West Bryn Mawr Avenue; a line 124 feet east of and parallel to North Kedzie Avenue: and West Bryn Mawr Avenue (point of beginning) ("Property").

to those of an RS-2 Residential Single-Unit (Detached House) District which is hereby established in the area above.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the RS-2 Residential Single-Unit (Detached House) District symbols and indications as shown on Map Number 13-1 in the area bounded by:

West Bryn Mawr Avenue; a line along the southerly right of way line of West Bryn Mawr Avenue beginning at a point 387.25 feet east of North Kedzie Avenue and running southeasterly to a point 548 feet east of North Kedzie Avenue (Point 1); a line running 15 feet northeasterly and perpendicular from said Point 1; a line running southeasterly 419.40 feet to a point 649.06 feet east of North Kedzie Avenue; a line 1,174.97 feet south of and parallel to West Bryn Mawr Avenue; a line 124 feet east of and parallel to North Kedzie Avenue; a line 1,050 feet south of and parallel to West Bryn Mawr Avenue; North Kedzie Avenue; a line 127 feet south of and parallel to West Bryn Mawr Avenue; a line 124 feet east of and parallel to North Kedzie Avenue: and West Bryn Mawr Avenue (point of beginning) ("Property").

To those of an Institutional Planned Development # 666, As Amended, which is hereby established in the area above described, subject to such Use and Bulk Regulations as set forth in the Plan of Development herewith attached and made a part hereof and to no others.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and due publication.

Address of property: 3131 -3149 W. Bryn Mawr Avenue; 5421 -5543 N. Kedzie Avenue

*Institutional Planned Development Number 666, As Amended Plan Of
Development Statements.*

1. The area delineated herein as an Institutional Planned Development # 666, As Amended consists of approximately 573,402 square feet (13.16 acres) net site area which is depicted on the attached Planned Development Boundary and Property Line Map.

2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders, 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 than the Applicant, the legal title holder, and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications, or changes (administrative, legislative, or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.

3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees, or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assign or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Departments of Planning and Development (DPD) and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the City's Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by CDOT's Division of Infrastructure

Management:

Applicant: Chicago Board of Education for the City of Chicago
Address: 3131-3149 W. Bryn Mawr Avenue; 5421-5543 W. Kedzie Avenue
Introduced:
Plan Commission:

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Full width of street

Full width of alleys Curb and gutter

Pavement markings Sidewalks

ADA crosswalk ramps Parkway &

landscaping

The Perimeter Restoration Agreement shall be executed prior to any CDOT and Planned Development Part II review permitting. The Agreement reflects that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the CDOT Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the CDOT Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by CDOT.

4. This planned development consists of fifteen (15) statements; a Bulk Regulations and Data Table; and an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Site/Landscape Plan; and Building Elevations prepared by Site Design dated November 4, 2022. Full-size sets of the Site/Landscape Plan and Building Elevations are on file with the DPD. The planned development is applicable to the area delineated herein and these and no other zoning controls shall apply. In any instance where a provision of the planned development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The uses permitted within the area delineated herein as "Institutional Planned Development # 666, As Amended," shall be educational and recreational facilities, offices, accessory and non-accessory parking, and related uses incidental thereto.

6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the DPD. Off-Premise signs are prohibited within the boundary of the Planned Development.

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7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.

8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 573,402 square feet (13.16 acres).

9. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the DPD. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

10. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

11. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section 17.-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders, and any ground lessors.

12. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables, and maximizes universal access 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 to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

13. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs, and conserves

energy and natural resources. Any new construction must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the DPD.

- 14. The Applicant acknowledges that it is the policy of the City to maximize opportunities for
- 14. Minority and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for
- 14. contracts and jobs on construction projects approved through the planned development process. If the
- 14. project involves a City funding, the Applicant is required to achieve the following standards, at a
- 14. minimum: 26% MBE and 6% WBE participation (measured against the total construction budget for
- 14. the project or any phase thereof), and (ii) 50% City resident hiring (measured against the total
- 14. construction work hours for the project or any phase thereof). Furthermore, to assist the City in
- 14. promoting and tracking such M/WBE and city resident participation, an applicant for planned
- 14. development approval shall provide information at two points in the city approval process. First, at
- 14. the time of the Applicant's submission for Part II permit review for the project or any phase thereof,

14. Applicant: Chicago Board of Education for the City of Chicago
Address: 3131-3149 W Bryn Mawr Avenue; 5421-5543 W. Kedzie Avenue
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the Applicant must submit to DPD (a) the Applicant's outreach plan, (b) a description of the Applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof (c) responses to the Applicant's outreach efforts, and (d) the applicant's M/WBE and city resident participation goals. Second, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

15. Unless substantial construction has commenced within six (6) years following adoption of this Planned Development, and unless completion is thereafter diligently pursued, then this Planned Development shall expire and automatically revert back to Institutional Planned Development # 666.

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**Bulk Regulations and Data Table referred to in these Plan of Development
Statements reads as follows:**

**Institutional Planned Development Number 666, As Amended Planned of
Development Bulk Regulations and Data Table.**

**Gross Site Area (612,545 square feet/ 14.06 acres) = Net Site Area (573,402 square
feet/13.16acres) + Area Remaining in Public Right-of-Way (39,143 square feet/ 0.89 acres)**

Net Site Area:

Maximum Permitted F.A.R. for Net Site Area:

Minimum Number of Off-Street Parking Spaces: (See Footnote 1 below)

Minimum Number of Off-Street Loading Spaces:

Maximum Building Height: Minimum Setbacks:

Footnote ¹

573,402 square feet (13.16 acres) 0.5 144

1

70 feet

As per the Site/Landscape Plan

¹ An additional one hundred twenty (100) off-site parking spaces will be provided within three hundred (300) feet of the site. Loading docks shall be enclosed with decorative garage doors and/ or screened from view by fencing or landscaping.

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CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO THE
CHICAGO ZONING ORDINANCE

ADDRESS of the property Applicant is seeking to rezone: 3131-3149 W.

Bryn Mawr Avenue; 5421-5543 W. Kedzie Avenue

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Ward number that Property is located: 40 3. APPLICANT Chicago Board of Education for the City of Chicago

ADDRESS 42 W. Madison Street CITY Chicago

stateJJ zip code 60602 phone 772-72-^3j10J^

EMAIL sborstcin@nealandleroy.com <mailto:sborstcin@nealandleroy.com> CONTACT PERSON Scott R. Borstein, attorney for applicant

Is the applicant the owner of the property? YES NO x

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 City of Chicago in Trust for the Chicago Board of Education

ADDRESS 42 W Madison Street CITY Chicago

STATE IL ZIP CODE 60602 PHONE 773 5531000

EMAIL sborstein@nealandleroy.com <mailto:sborstein@nealandleroy.com> CONTACT PERSON Scott R. Borstein, attorney for applicant

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

ATTORNEY Scott R. Borstein

ADDRESS 20 s. clark Street Ste 2050

CITY Chicago STATE IL ZIP CODE 60606

PHONE 312-641-7144 FAX 312-641-5137 EMAIL sborstein@nealandleroy.com <mailto:sborstein@nealandleroy.com>

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.

N/A

- 7. On what date did the owner acquire legal title to the subject property? 1/25/1999
- 8. Has the present owner previously rezoned this property? If yes, when? 3/11/98

RS-2 then to

9- Present Zoning District_J^_6_6_6_&^RSij Proposed Zoning District_PD#666, As Amended

Lot size in square feet (or dimensions) 573,402 sq ft. 13.16 acres

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Current Use of the property S^hool_

12. Reason for rezoning the property To leplace the school's exislinS 6"ks athletic field with a new slightly expanded synthetic turf field. The boundaries of IPD#666 arc being slightly enlarged along the North Branch of the Chicago River to accommodate the new turf field.

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 ofthe proposed building! (BE SPECIFIC)

The new field will also include new bleachers, but no other changes to the School or its -opeiatioTTS aie pfanned':

The Affordable Requirements Ordinance (ARO)requires on-site affordable housing units and/or a financial contribution for residential housing projects with ten or more units that receive a zoning . change which, among other triggers, increases the allowable floor area, or, for existing Planned Developments, increases the number of units (sec attached fact sheet or visit www.cityofchicago.org/ARQ <http://www.cityofchicago.org/ARQ> for more information). Is this project subject to the ARO?

YES NO

being first duly swbfh oh 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

,, day of h/tfirtbue ,20 *Z ■

Jotary. Public

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AMBER L MCCONNACHIE Official Seal Notary Public - State of Illinois My Commission Expires Dec 6, 2022

Date of Introduction:

.File Number:

Ward:

Metropolitan Water Reclamation District of Greater Chicago

CHICAGO, ILLINOIS 60611-3154

Brian A. Perkovich, P.E.

Executive Director

312.751.7900 f: 312.751.7926 Brian.perkovich@mwrdr.org <mailto:Brian.perkovich@mwrdr.org>

Patrick Murphey
Zoning Administrator
Department of Planning and Development
121 North LaSalle Street, Room 905
Chicago, Illinois 60602

RE: Planned Development Application
APPLICANT: Board of Education of the City of Chicago
PROPERTY: 3131 West Bryn Mawr Avenue in Chicago, Illinois

Dear Mr. Murphey:

Available records indicate that the Metropolitan Water Reclamation District of Greater Chicago ("MWRD") holds an interest in the subject property. MWRD has no objection to the applicant the Board of Education of the City of Chicago, by and through Scott R. Borstein and Neal & Leroy, LLC, filing a Planned Development Application, permit documents, and other related documents with regard to this property.

Sincerely,

Brian A. Perkovich

cc: Susan T. Morakalis
General Counsel, MWRD
December 1, 2022

Thomas M. Tunney, Chairman Committee on Zoning Room 304, City Hall 121 North LaSalle Street Chicago, Illinois 60602

Laura Flores, Chairman Chicago Plan Commission City Hall
121 North LaSalle Street Chicago, Illinois 60602

**Re: Application for Rezoning Affidavit of
Notice**

Dear Chairman Tunney and Chairwoman Flores:

The undersigned, Scott R. Borstein, an attorney with the law firm of Neal & Leroy, LLC, on behalf of The Board of Education for the City of Chicago, the applicant to change the zoning for the property located at 3131-3149 W. Bryn Mawr Avenue; 5421-5543 W. Kedzie Avenue (Northside College Prep or the "Property" with a common address of 5501 N. Kedzie Avenue) from its current Institutional Planned Development # 666 (IPD # 666) and RS-1 Residential Single-Unit (Detached House) District designations to an RS-2 Residential Single-Unit (Detached House) District and then to Institutional Planned Development # 666, As Amended and certifies that he has complied with the requirements of Section 17-13-0107 of the Municipal Code of the City of Chicago by sending the attached letter by United States Postal Service First Class Mail to the owners of all property within 250 feet in each direction of the subject property, as determined by the most recent Cook County tax records of Cook County, exclusive of public roads, streets, alleys and other public ways, or a total distance limited to 400 feet.

The undersigned certifies that the notice contains the common street address of the subject property, a description of the nature, scope and purpose of the application; the name and address of the Applicant; the name and address of the owner; the date the Applicant intends to file the application on or about December 1, 2022.

The undersigned certifies that he has made a bona fide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Municipal Code of the City of Chicago and that the Applicant certifies that the accompanying list of names and addresses of surrounding properties located within 250 feet of the subject property, is a complete list containing the names and last known addresses of the owners of the property required to be served.

Very truly yours,

Subscribed and sworn to before me this 1st day of December 2022

Scott R. Borstein

NOTICE LETTER

December , 2022

Dear Property Owner:

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance, specifically Section 17-13-0107, please be informed that on or about December 1, 2022, the Board of Education for the City of Chicago ("BOE") will file an application to change the zoning for the property located at 3131-3149 W. Bryn Mawr Avenue; 5421-5543 W. Kedzie Avenue (Northside College Prep or the "Property" with a common address of 5501 N. Kedzie Avenue) from its current Institutional Planned Development # 666 (IPD # 666) and RS-1 Residential Single-Unit (Detached House) District designations to an RS-2 Residential Single-Unit (Detached House) District and then to Institutional Planned Development # 666, As Amended.

The purpose of the application is to allow the BOE to replace the School's existing grass athletic field with a new and slightly expanded synthetic turf athletic field. The boundaries of IPD # 666 are being slightly enlarged along the North Branch of the Chicago River to accommodate the new turf field, which requires amending IPD # 666. The new field will also include new bleachers, but no other changes to the School or its operations are planned. The School will retain its 144 on-site and 100 off-site parking spaces.

The BOE is located at 42 W Madison Street Chicago Illinois 60602. The owner of the Property is the City of Chicago in Trust for the Use of Schools, 121 N. LaSalle Street, Chicago, Illinois 60602 and the Metropolitan Water Reclamation District of Greater Chicago, 100 E. Erie St., Chicago, Illinois 60611. The contact person for this application is Scott R. Borstein, Esq., Neal & Leroy, LLC, 20 South Clark Street, Suite 2050, Chicago, Illinois 60602, 312-641-7144.

PLEASE NOTE THAT THE APPLICANT IS NOT SEEKING TO REZONE OR PURCHASE YOUR PROPERTY. THE APPLICANT IS REQUIRED BY LAW TO SEND THIS NOTICE BECAUSE YOU OWN PROPERTY WITHIN 250 FEET OF THE ABOVE-DESCRIBED PROPERTY (NORTHSIDE COLLEGE PREP GENERALLY LOCATED AT 5501 N KEDZIE AVENUE CHICAGO ILLINOIS).

Sincerely,

Scott R. Borstein, Esq. Attorney for
the BOE