



# Office of the City Clerk

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

## Legislation Details (With Text)

**File #:** SO2012-6544  
**Type:** Ordinance **Status:** Passed  
**File created:** 10/3/2012 **In control:** City Council  
**Final action:** 1/17/2013  
**Title:** Zoning Reclassification Map No. 11-K at 4117 N Kilpatrick Ave - App No. 17588  
**Sponsors:** Misc. Transmittal  
**Indexes:** Map No. 11-K  
**Attachments:** 1. O2012-6544.pdf, 2. SO2012-6544.pdf

Date	Ver.	Action By	Action	Result
1/17/2013	1	City Council	Passed as Substitute	Pass
1/14/2013	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	Pass
11/29/2012	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
10/3/2012	1	City Council	Referred	

**FINAL FOR  
PUBLICATION**

### Ordinance

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all the Residential Planned Development No. 1039 District symbols and indications as shown on Map No. 11-K in the area bounded by

West Berteau Avenue; the Chicago, Milwaukee and St. Paul Railroad right-of-way; a line 150 feet south of and parallel to West Berteau Avenue; and North Kilpatrick Avenue

to those of an RMS Residential Multi-Unit District, and a corresponding use district is hereby established in the area above described

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing the RM5 Residential Multi-Unit District symbols and indications as shown' on Map No. 11-K in the area bounded by

West Berteau Avenue; the Chicago, Milwaukee and St. Paul Railroad right-of-way; a line 150 feet south of and parallel to West Berteau Avenue; and North Kilpatrick Avenue

to those of Residential Planned Development No. 1039, as amended, which is 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 hereof and to no others.

SECTION 3. This ordinance takes effect after its passage and approval.

Common Address of Property: 4117 N. Kilpatrick Avenue

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 Statement. Nancy Kapp

Jeanmarie Kapp

Colleen James

7. On what date did the owner acquire legal title to the subject property? Applicant Contract Purchaser

8. Has the present owner previously rezoned this property? If yes, when?

Applicant has never rezoned the property

9. Present Zoning District <sup>RPD 1039</sup> Proposed Zoning District RM-5 to RPD 1039, as amended

10. Lot size in square feet (or dimensions) <sup>49>635</sup> square feet

11. Current Use of the property <sup>Used</sup>

12. Reason for rezoning <sup>Efficient use of land and increase in underlying</sup>

zoning from RT-4 to RM-5 and then to RPD 1039, as amended, to allow for number of units requested.

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)

98 Units of Independent Senior Housing; 34 parking spaces; no commercial space; and a building height of 42 feet.

14. On May 14<sup>th</sup>, 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 ;

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### •• RESIDENTIAL PLANNED DEVELOPMENT NO. 1039, AS AMENDED PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential Planned Development Number 1039, as amended, ("Planned Development") consists of approximately 49,635 square feet (1.14 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, RRG Development, Inc. ("Applicant").
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, assigns 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 Housing and Economic Development 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.

4. This Plan of Development consists of fourteen (14) Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; Floor Plans; Building Elevations (North, South, East and West); Elevation Material Key; and, Chicago Builds Green form prepared by

Applicant: RRG Development, Inc.  
Address: 4117 North Kilpatrick Avenue  
Introduced: October 3, 2012  
Plan Commission: December 20, 2012

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Worn Jerabek Architects P.C. and dated December 20, 2012, submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Housing and Economic Development. In any instance where a provision of this 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 following uses are permitted in the area delineated herein as a Residential Planned Development: elderly housing, accessory off-street parking and accessory uses.
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 Department of Housing and Economic Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
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 49,635 square feet.

9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Housing and Economic Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. 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 Department of Housing and Economic Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

Applicant: RRG Development, Inc.  
Address: 4117 North Kilpatrick Avenue  
Introduced: October 3, 2012  
Plan Commission: December 20, 2012

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12. 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.
13. 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.
14. The applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs, promotes and conserves energy and maximizes the preservation of natural resources. The applicant shall use commercially reasonable efforts to design, construct and maintain all new buildings within this Planned Development to Energy Star certification standards and in accordance with the City of Chicago's sustainable development matrix in effect as of the date of approval of this Planned Development.
15. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Housing and Economic Development shall initiate a Zoning Map Amendment to rezone the property to RT-4 (Residential Two-Flat, Townhouse and Multi-Unit

District).

Applicant:

Address:

Introduced:

Plan Commission:

RRG Development, Inc. 4117 North Kilpatrick Avenue October 3, 2012 December 20, 2012

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### RESIDENTIAL PLANNED DEVELOPMENT No. PLAN OF DEVELOPMENT BULK REGULATIONS AND DATA TABLE

GROSS SITE AREA:

65,417.3 square feet

AREA IN PUBLIC RIGHT-OF-WAY: 15,782.3 square feet

NET SITE AREA:

49,635 square feet (1.14 acres)

**MAXIMUM PERMITTED FAR: 1.8**

**MAXIMUM BUILDING HEIGHT: 42'**

**MINIMUM SETBACKS FROM PROPERTY LINE: Per approved Site/Landscape Plans**

**MINIMUM NUMBER OF OFF-STREET PARKING SPACES: 34**

MINIMUM NUMBER OF OFF-STREET BIKE PARKING SPACES: 9

MINIMUM NUMBER OF OFF-STREET LOADING BERTHS: 1(10'x25')

Applicant: RRG Development, Inc.  
Address: 4117 North Kilpatrick Avenue  
Introduction: October 3, 20 12  
Plan Commission: December 20, 2012

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### Chicago Builds Green

The Kilpatrick Renaissance

' Street Number (if the address only includes one street number, please fill only the cell 'From'):

4117 N. Kilpatrick Ave  
15

Ward No: Community Area No:  
45

Check applicable:  
From:

[^Planned Development ^Redevelopment Agreement QjZoning Change

RDA No: | |

PD No: 1039

QPublic project

Total land area in sq. ft.:  
49,564 s.f.

20,260 s.f.

Enter First Name Last Name

**Project Size:**

Patrick Murphey

Select project category:

**DPD Project Manager: BG/GR Matrix:**

Res. < 4 units (Market rate)-1 Res. > 20 units affordable

Check applicable: Financial Incentives: ☐TIF

☐grif

☐SBIF

☐Land Sale Write Down

☐Empowerment Zone Grant ^Class L ☐ind. Dev. Revenue Bonds QClass 6b ☐Bank Participation Loan QDOH

Check applicable:

☐Public plaza & pocket park

☐Chicago Rivetwalk improvements

☐Winter gardens

☐indoor through-block connection

☐Sidewalk widening

☐Arcades

- ☐ Water features in a plaza or pocket park ☐ Setbacks above the ground floor ☐ Lower level planting terrace ☐ Green roof  
☐ Underground parking and loading ☐ Concealed above-ground parking

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Code or Green Roof/Building Green Matrix

To be Provided by the development: ■

Please fill, if applicable

7' Landscape Setback Interior Landscape Area No. of Interior Trees No. of Parkway Trees

Square footage; Square footage:

362 s.f. 0 733	944 s.f. 0
s.f. 0	1,349s.f. 0
6 0	6 0
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River Setback

Squaw footage:

Private Open Space

square footage.-

Privately developed Public Open Space square footage:

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Stormwater Management (At-grade volume control):

Permeable paving Raingarden Filter strip Bioswale Detention pond Native landscaping Rain-water  
collection cistern/barrel Total impervious area reduction

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Cnec\* applicable: EH\*\* ' ; j  
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Square footage: Gallons: Square footage:

**Other sustainable surface treatments:**

Green roof Energy Star roof High-albedo pavement

Square footage: Square footage:

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Square footage:

No. of accessory parking spaces

Total no. of parking spaces (Accessory + Non- Act) No. of parking spaces dedicated to car sharing services (E.g.: I-Go, Zip-Car)

No. of bicycle parking

Within 600 ft of CTA or Metra station entrance

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Check if applicable:

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**Building Certification:**

Energy Star building

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LEED certification ☐

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**Energy efficiency strategies not captured above:**

■ IE Other than Energy Star Roof- or Energy Star Building Certification-

**Other sustainable strategies and/or Project Notes:**

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