



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2014-8798
Type: Ordinance
File created: 11/5/2014
Status: Passed
In control: City Council
Final action: 3/18/2015
Title: Zoning Reclassification Map No. 12-H at 5401 S Western Blvd - App No. 18212
Sponsors: Misc. Transmittal
Indexes: Map No. 12-H
Attachments: 1. O2014-8798.pdf, 2. SO2014-8798.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|---|----------------------|--------|
| 3/18/2015 | | City Council | Passed as Substitute | Pass |
| 1/20/2015 | 1 | Committee on Zoning, Landmarks and Building Standards | Held in Committee | Pass |
| 12/9/2014 | 1 | Committee on Zoning, Landmarks and Building Standards | Held in Committee | Pass |
| 11/5/2014 | 1 | City Council | Referred | |

**FINAL FOR
PUBLICATION**

ORDINANCE

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

SECTION I. That the Chicago Zoning Ordinance be amended by changing all the current M2-2 Light Industry District and RT-4 Residential Two-Flat, Townhouse and Multi-Unit Districts symbols and indications as shown on Map No.12-H in the area bounded by:

a line 780.81 feet north of West Garfield Boulevard; a line from a point 66.76 ft. east of the South Western Boulevard running southeast for a distance of 24.00 ft. to a point 775.81 feet north of West Garfield Boulevard; a line from the terminus of the last described line running southeast for a distance of 65.00 feet to a point 719.81 feet north of West Garfield Boulevard; a line 719.81 feet north of West Garfield Boulevard; a line 308.45 feet east of South Western Boulevard; a line 679.81 feet north of West Garfield Boulevard; a line 863.42 feet east of South Western Boulevard; a line from a point 711.64 feet north of West Garfield Boulevard running northeast for a distance of 36.91 feet to a point 729.81 feet north of West Garfield Boulevard; a line 729.81 feet north of West Garfield Boulevard; a line 971.21 feet east of South Western Boulevard; the public alley next north of West 54th Place; the public alley next east of South Claremont Avenue; a line 83.35 feet north of West 54th Place; the east line of South Claremont Avenue; a line 138.92 feet north of West 54th

Place; the west line of South Claremont Avenue; a line 448.10 feet north of West Garfield Boulevard; and South Western Boulevard

to those of a CI-1 Neighborhood Commercial District which is hereby established in the area described above.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the current CI-1 Neighborhood Commercial District symbols and indications as shown on Map No. 12-H in the area bounded by:

a line 780.81 feet north of West Garfield Boulevard; a line from a point 66.76 ft. east of the South Western Boulevard running southeast for a distance of 24.00 ft. to a point 775.81 feet north of West Garfield Boulevard; a line from the terminus of the last described line running southeast for a distance of 65.00 feet to a point 719.81 feet north of West Garfield Boulevard; a line 719.81 feet north of West Garfield Boulevard; a line 308.45 feet east of South Western Boulevard; a line 679.81 feet north of West Garfield Boulevard; a line 863.42 feet east of South Western Boulevard; a line from a point 711.64 feet north of West Garfield Boulevard running northeast for a distance of 36.91 feet to a point 729.81 feet north of West Garfield Boulevard; a line 729.81 feet north of West Garfield Boulevard; a line 971.21 feet east of South Western Boulevard; the public alley next north of West 54th Place; the public alley next east of South Claremont Avenue; a line 83.35 feet north of West 54th Place; the east line of South Claremont

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Avenue; a line 138.92 feet north of West 54th Place; the west line of South Claremont Avenue; a line 448.10 feet north of West Garfield Boulevard; and South Western Boulevard

to those of an Industrial Planned Development which is hereby established in the area described above.

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

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INSTITUTIONAL PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____, ("Planned

Development") consists of approximately 231,397.96 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, Education Capital Solutions, LLC.

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 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 fifteen (15) Statements: a Bulk Regulations Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site/Landscape Plan; and Building Elevations submitted herein. Full-sized copies of the Site Plan/Landscape Plan and Building Elevations are on file with the Department of Planning and 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

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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 allowed/permitted in the area delineated herein as a Institutional Planned Development:

School, recreational uses, athletic facilities (indoor and outdoor) and accessory uses including automobile and bicycle parking.
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 Planning and 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 Floor Area Ratio identified in the Bulk Regulations Table has been determined using a Net Site Area of 231,397.96 square feet and a base FAR of .45.
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 Planning and 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 Planning and 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, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
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.

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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, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The applicant has agreed to provide a bio-swale that will collect a portion of the surface storm water equal to the amount of storm water that would be retained by a 25% green roof over the net roof area other than the Phase I roof area (651 cubic feet), and to exceed by 14% or more ASHRAE 90.1-2004.
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 Planning and Development shall initiate a Zoning Map Amendment to rezone the property to a CI-1 Neighborhood Commercial District

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PLANNED DEVELOPMENT #

BULK REGULATIONS TABLE

Net Site Area:

Area in the Public Right of Way: Gross Site Area:

231,397.96 Square Feet 67,911.20 Square Feet 299,309.16 Square Feet

Maximum Floor Area Ratio:

Maximum Building Height: Minimum Number of Parking Spaces: Minimum Number of Loading

Berths: Minimum Number of Bicycle Parking: Minimum Setbacks:

45 ft. 10 in. 116 spaces

None

12 spaces In accordance with the Site Plan

Applicant: Education Capital Solutions, LLC
Address: 5401 S. Western Blvd.
Date Introduced: November 5, 2014
Plan Commission: February 19, 2015

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Chicago Plan Commission

5401 S. Western Avenue Proposed Planned Development February 19, 2015

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**REPORT to the
CHICAGO PLAN COMMISSION from the
DEPARTMENT OF PLANNING AND DEVELOPMENT**

FEBRUARY 19, 2015

**PROPOSED PLANNED
DEVELOPMENT (APPLICATION NO. 18212)**

EDUCATION CAPITAL SOLUTIONS, LLC

5401 SOUTH WESTERN AVENUE

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development hereby submits this report and recommendation on a proposed Planned Development for your review and recommendation to the Chicago City Council. The application was introduced to the Chicago City Council on November 5, 2014. Notice of this public hearing was published in the Chicago Sun-Times on February 4, 2014. The Applicant was separately notified of this public hearing.

The property is identified as 5401 S. Western Avenue and is generally located at the northeast corner of the intersection of West 54th Street and South Western Avenue. The applicant, Education Capital Solutions LLC, proposes to renovate the existing buildings at the subject site for the expansion of an established school and the schools related accessory uses. Additionally, the proposal would provide surface parking that would accommodate 116 vehicles on site.

This request is being submitted as a mandatory planned development, pursuant to Section 17-08-0506, which states that planned development review and approval is required for schools on sites with a net site area of 2 acres or more. The subject site is currently zoned M2-2 and RT-4, and the applicant proposes to rezone it to C1-1, prior to establishing the Institutional Planned Development.

SITE AND AREA DESCRIPTION

The subject property is located at the northeast corner of the intersection of West 54th Street and South Western Avenue. East of the site is an active railroad line, beyond the railroad line to the east lie parcels of land zoned RS-3, Residential Single-Unit (Detached House) District. South of the subject site lie parcels of land zoned POS-1 Regional or Community Park, RS-3 Residential Single-Unit (Detached House) District, and RT-4 Residential Two-Flat, Townhouse and Multi-Unit District. West of the site are parcels of land zoned

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POS-1 Regional or Community Park, B3-2 Community Shopping District, and C2-2, Motor Vehicle-Related Commercial District. North of the site are many parcels of land zoned M2-2 Light Industry District. The site is not situated within the Lake Michigan and Chicago Lakefront Protection District. The site is not located within a designated Tax Increment Financing (TIF) District. The site is not located within the boundaries of a Chicago Landmark District and it does not contain any designated local or national landmark structures or sites.

The CTA has bus routes #48 (South Damen); #49 (Western); #51 (51st Street); #55 (Garfield); #59 (59th/61st Street) and #94 (South California) all running on a route within a half-mile of the site. The CTA's Western Avenue Station on the Orange line is less than one mile away to the north of the subject site.

PROJECT BACKGROUND AND DESCRIPTION

The site consists of approximately 231,398 square feet and is currently improved with multiple industrial buildings. The applicant recently converted a small portion of the property for use as a school and will now propose to rehabilitate the remaining buildings on the site to use as a school

and the necessary accessory uses such as an auditorium and gymnasium. The subject site will also be improved with a surface parking lot that would accommodate 116 vehicles on site.

DESIGN

The proposed project consists of one western elevation that was previously rehabilitated and will remain as is and unchanged, this portion of the building has a stucco finish as well as some areas of brick masonry that has been recently tuck-pointed. The remaining three elevations of the proposed project will preserve the existing brick these sides will be cleaned and tuck-pointed as needed to provide a clean crisp like-new feel. The project abuts a boulevard which sits adjacent to park and open space and thus a larger landscape setback has been provided immediately adjacent to the public right-of-way.

LANDSCAPING AND SUSTAINABILITY

The entire planned development will be compliant with the requirements of the Chicago Landscape Ordinance. Additionally, the proposed development will include storm water compliance.

The subject site will be designed to be in compliance with the current City of Chicago Sustainable Development policy and will provide a rainwater collection system to collect roof-top run-off in quantities equivalent to that otherwise absorbed by a 25% green roof over the net roof area, other than the Phase i roof area, and to exceed by 14% or more ASHRAE 90.1-2004

ACCESS / CIRCULATION

Access to the subject site will be via three driveways, one driveway at the south of the property will be at the terminus of South Claremont Avenue, the second and third driveways will be off of South Western Avenue. The 116 surface stall

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parking will lot will be designed in accordance to section 17-10-1000 of the Chicago Zoning Ordinance. The northernmost driveway on Western Avenue will also provide access to a Fire Lane that will provide access to the building in case of emergency. The building will also provide (12) bicycle parking spaces on site the final location and design of these spaces is still undergoing discussion.

BULK / USE / DENSITY

The proposed project will be a K-12 school and the necessary accessory uses. The current maximum allowable Floor Area Ratio (FAR) for the proposed underlying zoning district (C1-1) is 1.2; however, the proposed planned development will be limited a maximum Floor Area Ratio of 0.45. The proposed project will have a maximum building height of 46'-0". The proposed planned development will maintain setbacks that are in compliance with the requirements of the C1-1 zoning designation. All remaining bulk, use and density items will be in substantial compliance with the stipulations of Section 17-3-0400 for C1-1 zoning districts.

RECOMMENDATION

The Department of Planning and Development has reviewed the project materials submitted by the Applicant and compared this proposal to the requirements of the Chicago Zoning Ordinance and

existing development in the community. The area around this project is composed of a mixture of various uses including commercial, retail, residential and light manufacturing uses and is accessible from public transit. Based on that analysis, DPD has concluded that this proposal is appropriate for this site and supports this development for the following reasons:

1. Promotes economically beneficial development patterns that are compatible with the character of existing neighborhood (per 17-8-0103), as evidenced by the design of the project, the proposal to reuse and repurpose a vacant building, and the fact that the proposed use is in context with the character of the adjacent properties and also meet the needs of the immediate community;
2. Promotes transit, pedestrian and bicycle use, ensures accessibility for persons with disabilities and minimizes conflicts with existing traffic patterns in the vicinity (per 17-8-0904-1-2, 3 & 4), as evidenced by the site's close proximity to public transit in the form of various CTA bus lines and a CTA Train Station on the CTA's Orange Line; the accessibility accommodations made on-site for the building users; pedestrian and bicycle ingress and egress options provided to the building users in the form of 12 bicycle parking stalls and lastly, ensuring that the design of the site works within the confines of the current existing traffic patterns at the site and creates little or no adverse impact to those patterns.
3. All sides and areas of the buildings that are visible to the public should be treated with materials, finishes, and architectural details that are of

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high-quality and appropriate for use on primary public-right-of-way-facing facade (per 17-8-0907-A-4), as evidenced through the information contained within this report, the proposed material is to be fiber cement panels accented with spandrel glass prefabricated metal panels along with aluminum window systems as shown on the elevations in the exhibits for this planned development, and the corresponding proposal renderings;

The project meets the purpose and criteria set forth in the Chicago Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare:

1. Per 17-13-0308-C, the proposed development is compatible with surrounding developments in terms of land use, as well as, the density and scale of the physical structure.
2. Per 17-13-0308-D, the proposed underlying zoning for this planned development is C1-1 and is similar to other business and commercial zoning districts on the west side of western avenue, the zoning designation provides a transition from the manufacturing zoning designations to the north of the property into the POS and R zoned designations to the south and the east of the subject site.
3. Per 17-13-0308-E, the public infrastructure facilities and City services will be adequate to serve the proposed development at the time of occupancy and the project will comply with the requirements for access in case of fire and other emergencies. 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 in the application.

Based on the foregoing, it is the recommendation of the Department of Planning and Development that this application for the establishment of a Planned Development be approved and that the recommendation to the City Council Committee on Zoning Landmarks and Building Standards be "Passage Recommended."

Bureau of Planning and Zoning Department of Planning and Development

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Department of Planning and Development city of chicago

**5401 SOUTH WESTERN AVENUE PROPOSED BUSINESS INSTITUTIONAL
PLANNED DEVELOPMENT
(APPLICATION NO. 18212)**

RESOLUTION

WHEREAS, the applicant, Education Capital Solutions, LLC, has submitted an application to establish a planned development; and,

WHEREAS, the Applicant is proposing to renovate and redevelop existing buildings for the expansion of a school currently operating at the subject site, additionally the proposal would provide one hundred and nineteen (116) parking stalls on site; and,

WHEREAS, the Applicant is proposing to rezone the property from M2-2 (Light Industry District) and RT-4 (Residential Two-Flat, Townhouse and Multi-Unit District) to a C1-1 (Neighborhood Commercial District) and then to an Institutional Planned Development; and,

WHEREAS, the Applicant's request to rezone the property was introduced to the City Council on

November 5, 2014; and,

WHEREAS, proper legal notice of the hearing for this application before the Plan Commission was published in the Chicago Sun-Times on February 4, 2015 and the Applicant was separately notified of this hearing; and,

WHEREAS, the proposed zoning application was considered at a public hearing by this Plan Commission on February 19, 2015; and,

WHEREAS, the Department of Planning and Development recommended approval of the application, with the recommendation and explanation contained in the written report dated February 19, 2015, a copy of which is attached hereto and made a part hereof; and,

WHEREAS, the Plan Commission has fully reviewed the application and all associated informational submissions, the report and recommendation of the Department of Planning Development and all other testimony presented at

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the public hearing held on February 19, 2015, giving consideration to the applicable provisions of the Zoning Ordinance.

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

1. THAT the above-stated recitals to this resolution together with the report of the Department of Planning and Development be adopted as the findings of fact of the Plan Commission regarding this zoning map amendment application; and,
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final zoning map amendment application dated November 5, 2014, as being in conformance with the provisions, terms and conditions of the Zoning Ordinance.

Martin Cabrera, Jr. Chairman
Chicago Plan Commission

PD No.:

Approved: February 19, 2015

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602