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Legislation Details (With Text)

File #: SO2018-6034
Type: Ordinance
Status: Passed
File created: 7/25/2018
In control: City Council
Final action: 10/16/2019
Title: Zoning Reclassification Map No. 16-G at 1223 W Marquette Rd - App No. 19771
Sponsors: Misc. Transmittal
Indexes: Map No. 16-G
Attachments: 1. O2018-6034.pdf, 2. SO2018-6034.pdf

Date	Ver.	Action By	Action	Result
10/16/2019	1	City Council	Passed as Substitute	Pass
7/25/2018	1	City Council	Referred	

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/Residential Planned Development Number 378, as amended, symbols and indications shown on Map Number 16-G in the area bounded by:

West Marquette Road (67th Street); South Racine Avenue; a line 297.2 feet south of and parallel to West Marquette Road; the alley next west of and parallel to South Racine Avenue; a line 372.24 feet south of and parallel to West Marquette Road; and South Elizabeth Street,

to those of Institutional/Residential Planned Development Number 378, 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 attached hereto and to no others.

SECTION 2: This ordinance shall be in force and effect from and after its passage and due publication.

ADDRESS: 1223 West Marquette Road
INSTITUTIONAL/RESIDENTIAL PLANNED DEVELOPMENT NO. 378,
AS AMENDED

PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as an Institutional/Residential Planned Development Number 378, as amended (the "Planned Development") consists of approximately 85,900 square feet of net site area (approximately 1.97 acres) (the "Property"), together with certain portions of existing adjacent rights of way, as depicted on the attached Planned Development Boundary and Property Line Map. For purposes of this amendment to the Planned Development, The Interfaith Housing Development Corporation of Chicago, an Illinois not-for-profit corporation, is the "Applicant" with due authorization from each property owner within the Planned Development.
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.
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 Planned Development.

Ingress or egress shall be pursuant to the Planned Development and may be subject to the review and approval of the Departments of Planning and 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 Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Planned Development consists of these seventeen (17) statements and the following "Design Exhibits" attached hereto: an Existing Zoning Map, an Existing Land Use Map, a Planned Development Boundary and Property Line Map, Landscape Plan, Ground Floor Plan, Roof Plan, Building Elevations (four pages), all prepared by Weese Langley Weese Architects, Ltd. and dated July 2, 2018, and Plan of Development Bulk Regulations and Data Table.

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The following Design Exhibits are incorporated by reference: Site Plan, Conceptual Site Landscape Plan, Plant List and Planting Details. East and West Building Elevations, South and North Building Elevations all prepared by Environ dated February 13, 2003; a Site Plan/Landscape Plan, and elevations prepared by Environ, dated January 10, 1991 and revised as of April 11, 1991.

Full size copies of the Design Exhibits are on file with the Department.

References in these Statements to the "Planned Development" shall be deemed to include the aforementioned Design Exhibits. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance and satisfies the established criteria for approval as a Planned Development. In the case of any express conflict between the terms of this

Planned Development, and the Chicago Zoning Ordinance, this Planned Development shall apply. Absent an express conflict, the terms of the Chicago Zoning Ordinance shall apply to reviews, determinations and approvals under these Statements and to improvements to the Property. In any instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Building Code shall control.

5. The following uses shall be permitted within the area delineated herein as Institutional Residential Planned Development: housing and senior housing, including but not limited to, housing for elderly persons, assisted living and independent living, permanent supportive housing, transitional residences, transitional shelters, temporary overnight shelters, daycare centers (adult and child), community center, senior center, recreation facilities, social service programs, limited accessory retail and commercial (including barber/beauty, sundries, banking, nutrition center and food service for campus residents and for community center programs), commercial kitchen, parking, related and incidental 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. Off-premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building or improvement shall also be subject to height limitations established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a net site area of 85,900 square feet and a base FAR of 1.55.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, 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.

The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final

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landscape plan review and approval will be by (he Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part 11 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, Fleet and Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
11. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, 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. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
14. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the city in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the city approval process. First, the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of city residents in the construction work. The city encourages goals of 26% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% city resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the Applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II permit review for the project or any phase thereof, the Applicant must submit to DPD (a) updates (if any) to the Applicant's preliminary 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

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project is located and receipts thereof; (c) responses to the Applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and city resident participation goals. Third, 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 foregoing, 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. The Applicant acknowledges and agrees that the rezoning of the Property from Institutional/Residential Planned Development Number 378, as amended to Institutional/Residential Planned Development Number 378, as amended, triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago (Affordable Requirements Ordinance or ARO). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (Required Units) as affordable units; (ii) pay a fee in lieu of the development of the Required Units; or, (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the Required Units on-site. The Property is located in a low-moderate income area, within the meaning of the ARO, and the project has a total of 25 units. As a result, the Applicant's affordable housing obligation is 3 affordable units (10% of 25 rounded up), 1 of which is a Required Unit (25% of 3, rounded up). Applicant has agreed to satisfy its affordable housing obligation by providing 25 affordable units in the rental building to be constructed in the PD. The Applicant agrees that the affordable rental units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the PD, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the number of required Affordable Units without amending the PD. Prior to

the issuance of any building permits for any residential building in the PD, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the PD, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 16, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the PD.

16. Notwithstanding the foregoing, if the Applicant receives Low-Income Housing Tax Credits, tax increment financing or other financial assistance whose affordability requirements exceed those of the Affordable Housing Ordinance from the City to develop affordable housing in any portion of the Planned Development (PD), the regulatory, redevelopment, loan or other agreement(s) to be executed by the Applicant in connection with such tax credits or other financial assistance shall

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govern and control the Applicant's obligation to provide affordable housing for such subsidized portion of the PD.

17. This Planned Development shall be governed by Section 17-13-0612. Unless substantial construction of the development has commenced within six (6) years following adoption of the Planned Development and unless completion thereof is diligently pursued, then this Planned Development shall expire and the zoning of the Property shall automatically revert to the preexisting Planned development Number 378, as amended, and the RS-3 zoning classifications.

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Institutional/Residential Planned development Number 378, As Amended Bulk Regulations and Data
Table

Gross Site Area: Net Site Area:

Maximum Floor Area Ratio for Total Net Site Area:

Maximum Number of Dwelling Units: Minimum Number of Off-Street Parking Spaces: Minimum Number of Off-Street Loading
Spaces: Minimum Periphery Setbacks (for Buildings): Maximum Building Height:

121,763 (approximately 2.8 acres to the centerline of all streets and alleys)

85,900 square feet (approximately 1.97 acres)

1.55

151

40

2

In accordance with the Site Plan

In accordance with the Building Elevations

Setback and yard requirements may be adjusted where required to permit conformance to the pattern of, or architectural arrangement related to, existing structures, or when necessary because of technical reasons, subject to the approval of the Department of Planning

and Development.

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