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Legislation Details (With Text)

File #: SO2022-3369
Type: Ordinance **Status:** Passed
File created: 10/26/2022 **In control:** City Council
Final action: 5/24/2023
Title: Zoning Reclassification Map No. 191-B at 8205-8259 S South Shore Dr, 3134-3158 E 83rd St and 8232-8258 S Brandon Ave - App No. 21178
Sponsors: Misc. Transmittal
Indexes: Map No. 20-B
Attachments: 1. O2022-3369.pdf, 2. SO2022-3369.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Passed as Substitute	Pass
5/9/2023	1	Committee on Zoning, Landmarks and Building Standards		
10/26/2022	1	City Council	Referred	

ORDINANCE

BE IT ORDAIN 1.1) BY III U CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the RS-3, Residential Single-Unit District symbols and indications as shown on Map Number 191- 13 in (he area bounded by:

South South Shore Drive; a line 548.02 north of East 83rd Street; a line 125.83 east of South South Shore Drive; a line 139.61 west of South Brandon Avenue; a line 259.00 north of East 83rd Street; South Brandon Avenue and East 83rd Street

to those of RM5, Multi-Unit District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the RM5, Multi-Unit District symbols and indications as shown on Map Number 191 -B in the area bounded by:

South South Shore Drive; a line 548.02 north of East 83rd Street; a line 125.83 east of South South Shore Drive; a line 139.61 west of South Brandon Avenue; a line 259.00 north of East 83rd Street; South Brandon Avenue and East 83rd Street

to those of Planned Development [], which is hereby established in the area above described, subject to such use and bulk regulation 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.

COMMON ADDRESS: 8205 - 8259 S. South Shore Drive, 3134 - 3158 E. 83rd Street and 8232-8258 S. Brandon Avenue
PLANNED DEVELOPMENT

1. The area delineated herein as Planned Development Number (the Planned Development or PD) consists of a net site area of approximately 105,16 square feet of property, as depicted on the attached Property and Planned Development Boundary Map (the Property). The Property is owned by the Catholic Bishop of Chicago (the CBC). The School for Social Entrepreneurship d/b/a Epic Academy (Epic), an Illinois nonprofit corporation is the Applicant for this Planned Development, with the authorization of CBC. References in these Planned Development Statements to the Applicant shall mean and refer to, with respect to Sub-Area A, Epic and, with respect to Sub-Area B, CBC.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon each Applicant, their respective successors and assigns and, if different than CBC or Epic, as the case may be, the legal title holders and any ground lessors of the respective portions of the Property. All rights granted hereunder to each Applicant shall inure to the benefit of each of their successors and assigns and, if different than CBC or Epic, as the case may be, the legal title holder and any ground lessors of their respective portion of the Property. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance (the 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. Single designated control for purposes of this statement shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground/air- rights lessors of the Property, subject, however, to the following exceptions and conditions: (a) any changes or modifications to this Planned Development applicable to or in a given subarea need only be made or authorized by the owners and/or any ground/air-rights lessors of such subarea; provided, however, that for so long as CBC or Epic, or any affiliate thereof, owns or controls any portion of their respective Sub-Areas, and unless expressly stated otherwise in a written instrument executed by CBC or Epic, any application to the City for any such changes or modifications (administrative, legislative or otherwise) must in all cases be additionally authorized by CBC (for changes affecting Sub-Area B) or Epic (for changes affecting Sub- Area A), and (b) for so long as either Applicant or any affiliate thereof owns or controls any portion of their respective Sub-Areas, and unless expressly stated otherwise in a written instrument executed by CBC or Epic, such entity may apply for any changes or modifications (administrative, legislative or otherwise) without the consent of any other owner or

owners. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein including any ground or air-rights leases. Upon any alienation, sale, or any other transfer of all or any portion

APPLICANT: Epic Academy

ADDRESS: 8205 - 8259 S. South Shore Drive, 3134 - 3158 E. 83rd Street and 8232-8258 S.
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PLAN COMMISSION: April 20, 2023 of the Property or the rights therein including any ground or air-rights leases (but not including an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for tiny 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; provided, however that CBC and Epic s right to authorize changes or modifications to this Planned Development for so long as either owns or controls all or any portion of their respective portions of the Property as set forth in clause (a) of this Statement Number 2 above shall not be deemed amended or transferred to apply to a third party or transferee (or its beneficiaries as aforesaid) unless expressly stated or assigned in a written instrument executed by CBC or Epic, depending on the portion of the Property transferred. For purposes of this Planned Development, the term subarea shall mean the Sub-Areas, as designated on the attached Planned Development Site Plan.

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.

Pursuant to a negotiated and executed Perimeter Restoration Agreement (Agreement) by and between the 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 the Department of Transportation s Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks

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- ADA crosswalk ramps
- Parkway & landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's 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 Department of Transportation's 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 the Department of Transportation.

4. This Plan of Development consists of these sixteen (16) Statements and the following exhibits prepared by Juan Gabriel Moreno Architects collectively, the Plans):

- (a) Bulk Regulations "table
- (b) Existing Zoning Map
- (c) Existing Land-Use Map
- (d) Site and Landscape Plan
- (e) Building Elevations

Full-sized copies of the 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 Chicago 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 Chicago Zoning Ordinance, this Planned Development shall control.

5. The following uses shall be allowed in this Planned Development Subarea A: School and Accessory Uses. Subarea B: Religious Assembly, Parking [Non-Accessory], and Accessory Uses.

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Brandon Avenue DATE INTRODUCED: October 26, 2022 PLAN COMMISSION: April 20, 2023. Oil-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 Chicago 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 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 105,116 square feet and a base FAR of 2.0.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, a Part II Review Fee shall be

assessed by DPD. 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, including Section 17-13- 0800. Final landscape plan review and approval will be by DPD. 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 -085, or any other provision of the Municipal Code of Chicago.
12. 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.
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.

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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 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.

15. 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 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.

16. Any and all of the Applicant s development rights as contained in this Planned Development shall fully vest and shall be enforceable upon the Applicant s commencement of any portion

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Map Amendment to rezone the property to a RMS, Residential Multi-Unit District.

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Brandon Avenue DATE INTRODUCED: October 26, 2022 PLAN COMMISSION: April 20, 2023 BUSINESS PLAN (A.N.N.H.I.) 1) 1 A 1 I

OPMENT BULK REGULATIONS AND DATA TABLE

Site Area

Gross Site Area

145,870 SF

Public Right-of-Way: 40,754 SF

Net Site Area: 105,116 SF

Sub Area A: 36,548 SF Sub Area B:
68,568 SF

Floor Area Ratio & Maximum Buildable Area (Net Site Area, FAR Maximum Buildable Area [210,232 SF])

Floor Area Ratio: 2.0

Maximum Buildable Area:

Sub Area A: 36,548 SF NSA x 2.0 FAR	73,096 SF
Sub Area B: 68,568 SF NSA x 2.0 FAR	137,136 SF
Total:	210,232 SF

Maximum Off-Street Parking Spaces: 80

Sub Area A: 0 Spaces - 17 spaces located in Subarea B Sub Area B: 80 Spaces,
includes 17 spaces for Subarea B

Minimum Off-Street Loading Spaces: 1

Maximum Building Height: 75

Minimum Setbacks:

Sub Area A:

North:	5 -0
South:	60 -0
East:	10 -0
West:	0 -0

Sub Area B (Existing Building):

North:	0.35
South:	9.36
East:	11 S
West:	1.43

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DEPARTM 12NT OF PLANNING AND DEVLLOPMFNT CITY OF CHICAGO

MEMORANDUM

To: Alderman Tom Tunney
Chairman, City Council Committee on Zoning

l-from: ,
Maurice D. Cox /

Chicago Plan Commission

Date: April 20, 2023

Re: Proposed Planned Development, Epic Academy (application # 21178)

On April 20, 2023, the Chicago Plan Commission recommended approval of a proposed Planned Development, submitted by The School for Social Entrepreneurship d/b/a Epic Academy, lor the property generally located at 8205-8259 S. South Shore Drive, 3134-3158 E. 83,d Street and 8232-8258 S. Brandon Avenue. The applicant proposes to rezone the site from RS-3 (Detached Housing District) to RM-5 (Residential Multi-Unit District) prior to establishing the Planned Development. The Planned Development will support the renovation of an existing, four-story school building and the construction of a four-story expansion building, for a total of an approximately 67,000 square foot high school with 17 accessory vehicular parking spaces and 12 bicycle parking spaces. A copy of the proposed ordinance is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, Bureau of Zoning recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Erika Sellke at 312-744-9146.

Cc: PD Master File (Original PD, copy of memo)

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