



# Office of the City Clerk

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

## Legislation Text

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File #: O2020-6215, Version: 1

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OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

December 16, 2020

TO THE HONORABLE, THE CITY  
COUNCIL OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith an ordinance authorizing the expenditure of Open Space Impact Fees and associated acceptance of parcels within the Indian Ridge Marsh.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours;  
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Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith an ordinance authorizing the expenditure of Open Space Impact Fees and associated acceptance of parcels within the Indian Ridge Marsh.

Your favorable consideration of this ordinance will be appreciated.

**ORDINANCE**

WHEREAS, the City of Chicago (the "City"), is a home rule unit of government under Article VII, Section 6(a) of the Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City is authorized under its home rule powers to regulate the use and development of land; and

WHEREAS, it is a reasonable condition of development approval to ensure that adequate open space and recreational facilities exist within the City; and

WHEREAS, on April 1, 1998, the City Council of the City (the "City Council") adopted the Open Space Impact Fee Ordinance codified at Chapter 18 of Title 16 (the "Open Space Ordinance") of the Municipal Code of Chicago (the "Code") to address the need for additional public space and recreational facilities for the benefit of the residents of newly created residential developments in the City; and

WHEREAS, the Open Space Ordinance authorizes, among other things, the collection of fees from residential developments that create new dwelling units without contributing a proportionate share of open space and recreational facilities for the benefit of their residents as part of the overall development (the "Fee-Paying Developments"); and

WHEREAS, pursuant to the Open Space Ordinance, the Department of Finance ("DOF") has collected fees derived from the Fee-Paying Developments (the "Open Space Fees") and has deposited those fees in separate funds, each fund corresponding to the Community Area (as defined in the Open Space Ordinance), in which each of the Fee-Paying Developments is located and from which the Open Space Fees were collected; and

WHEREAS, the Department of Planning and Development ("DPD") has determined that the Fee-Paying Developments built in the South Deering Community Area have deepened the already significant deficits of open space in the South Deering Community Area, which deficits were documented in the comprehensive plan entitled "The CitySpace Plan," adopted by the Chicago Plan Commission on September 11, 1997 and adopted by the City Council on May 20, 1998 pursuant to an ordinance published at pages 69309-69311 of the Journal of the Proceedings of the City Council of the same date; and

WHEREAS, Openlands, an Illinois not-for-profit corporation, is an accredited land trust and is dedicated to preserving and creating open space; and

WHEREAS, the City desires to grant Openlands impact fee funds to pay or reimburse Openlands for transaction costs regarding the acquisition of certain parcels or real property within Indian Ridge Marsh at 11719-53 South Calhoun Avenue in the South Deering Community Area, as described on Exhibit A attached hereto and made a part hereof (the "Project"); and

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WHEREAS, DPD desires to provide to Openlands Open Space Fees in an amount not to exceed \$19,070.92 for the Project; and

WHEREAS, the Open Space Ordinance requires that the Open Space Fees be used for open space acquisition and capital improvements, which provide a direct and material benefit to the new development from which the fees are collected; and

WHEREAS, the Open Space Ordinance requires that the Open Space Fees be expended within the same or a contiguous Community Area from which they were collected after a legislative finding by the City Council that the expenditure of the Open Space Fees will directly and materially benefit the developments from which the Open Space Fees were collected; and

WHEREAS, DPD has determined that the use of the Open Space Fees to fund the Project will provide a direct and material benefit to each of the Fee-Paying Developments from which the Open Space Fees were collected; and

WHEREAS, DPD has determined that Open Space Fees to be used for the purposes set forth herein have come from the specific fund set up by DOF for the South Deering Community Area, in which the Fee-Paying Developments are located and from which the Open Space Fees were collected; and

WHEREAS, DPD has recommended that the City Council approve the use of the Open Space Fees for the purposes set forth herein through this ordinance; and

WHEREAS, DPD desires to reimburse Openlands for costs related to the Project in accordance with the terms and conditions specified in real estate sale agreement between the City and Openlands in a form that is subject to the approval of the Corporation Counsel as to form and legality (the "Real Estate Sale Agreement"); and

**WHEREAS, DPD has recommended that the City Council authorize the Commissioner of DPD to negotiate and execute a Real Estate Sale Agreement to provide for the acquisition of the Project parcels using an expenditure of the Open Space Fees as described herein, which expenditure will directly and materially benefit the Fee-Paying Developments from which the Open Space Fees were collected; now, therefore,**

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

SECTION 1. The above recitals are expressly incorporated in and made part of this ordinance as though fully set forth herein.

SECTION 2. The City Council hereby finds that the expenditure of the Open Space Fees will directly and materially benefit the residents of those Fee-Paying Developments from which the Open Space Fees were collected and approves the use of the Open Space Fees for the purposes described herein.

SECTION 3. The Commissioner of DPD (the "Commissioner") and a designee of the Commissioner are each hereby authorized, subject to the approval of the Corporation Counsel to enter into a Real Estate Sale Agreement with Openlands in connection herewith, containing such terms as the Commissioner deems necessary, and to provide Open Space Fees proceeds to Openlands in an amount not to exceed

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\$19,070.92, from the corresponding fund to pay for expenses permitted under the Open Space Ordinance.

SECTION 4. Open Space Fees in the amount of \$19,070.92 from the South Deering Community Area's Open Space Fees Funds are hereby appropriated for the purposes described herein.

SECTION 5. The Commissioner or a designee of the Commissioner is each hereby authorized to execute, or receive on behalf of the City, such documents as may be necessary or appropriate to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel.

SECTION 6. To the extent that any ordinance, resolution, rule, order or provision of the Code, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provisions of this ordinance.

SECTION 7. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 8. This ordinance shall be in full force and effect from and after the date of its passage.

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EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

LOTS 27 TO 30, BOTH INCLUSIVE, AND LOTS 34 TO 41, BOTH INCLUSIVE IN BLOCK 7 IN ALLEN'S SUBDIVISION IN THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF CHICAGO, COOK COUNTY, ILLINOIS.

KNOWN AS: 11719-53 SOUTH CALHOUN AVENUE, CHICAGO, ILLINOIS PINs:

11719	S	CALHOUN	AVE	-	25-24-216-008	11721	S	
CALHOUN	AVE	-	25-24-216-009	11723	S	CALHOUN	AVE	-
25-24-216-010	11725	S	CALHOUN	AVE	-	25-24-216-011	11729	S
11729	S	CALHOUN	AVE	-	25-24-216-012	11731	S	
CALHOUN	AVE	--	25-24-216-013	11733	S	CALHOUN	AVE	-
25-24-216-014	11735	S	CALHOUN	AVE	-	25-24-216-015	11745	S
11745	S	CALHOUN	AVE	-	25-24-216-019	11749	S	
CALHOUN	AVE	--	25-24-216-020	11751	S	CALHOUN	AVE	-
25-24-216-021	11753	S	CALHOUN	AVE	-	25-24-216-022		

TOTAL AREA = 37,500 SQ. FT. (12 lots each at 3,125 sq. ft. per lot)

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GENERAL INFORMATION

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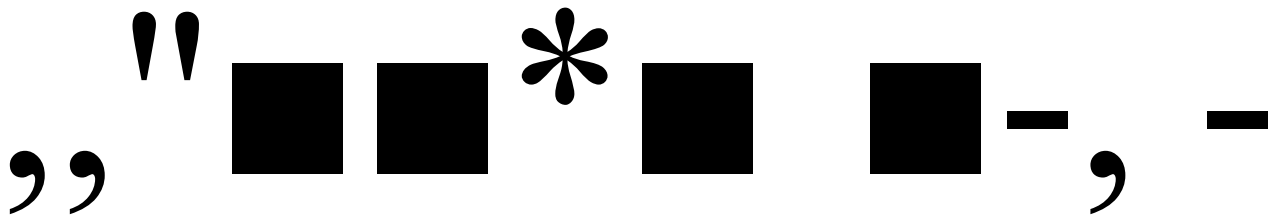
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"Applicable Party; means (1^ aU of the Disclosing Par^ Section ILBi^^.^B'AeDKcldsing Part^US aicbrpran^ Partyj.if the Disclosing Party is a general parlriersi^ of &e Disposing Party, ifthe 1 Disciosing Party is a\$imited parting and meinbers.of the ' e pjiscJosmg'Parlfy is^ i^ted iiabftt^co^^ principal officers < 0)imfj^i^^Mv^^gie^ai a\$^^.b^ership interestji^^ Part^^Praciibal offic ers^ means'fe financial?officeri; treaj urer orisecretary ofalegal entity or any person exercismg smiilar authority. \*

\ Dpes^eiDisclos Party" oriariy. Spouse, p Dprnestic Partner thereof ci^rently-have a>"fam [iiaTrel'^

ivl/ If y^i pleaseviden tif^elb^(^ which such pe^ is iohnected^^^ h^^-^^;fit^e ; pf|hp ele^ity^joffiHa^ ^^M^y?Sp^^ ^^ ifajm^i^relatiomhig?

CITY OF CHICAGO

Legistar™

APPENDIX B

This Appendix is to the City of Chicago's legal entity:

\_\_\_\_\_ has a direct

1. Pursuant to MCC Section 2, a person who is a

Section 2-54-010 is the Applicant or any Owner identified as a building code

and the person who is the Applicant or any Owner identified as a building code

2. If the Applicant is the Applicant

a legal entity; public or private; a Warrant or a Warrant pursuant to MCC Section  
bidding process) flow  
{as, a

3. If yes to (1) or (2) above, please identify the person or persons

identify

violations:

violations:

violation or prohibition

as a result of the violation

but the person which

is the person which

.Page 14'of 15

APPENBIXet

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This Appendix is: to definealhi  
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; U^V™ ■fcV.C!.\*\*^! J•5\*:Viv!i> .J ■ 'i-/V" :

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**Ms. Carrie C. McNally, Chair**

Sheppard Mullin Richter & Hampton LLP 70 W. Madison St., 48<sup>th</sup> Floor Chicago, IL 60602 (312) 499-6300 Fax (312) 499-6301  
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<mailto:CMcNally@sheppardmullin.com\*>

*1917 N. Mohawk Street \* Chicago, IL 60614 (312) 649-9538 Carrie\_McNally@yahoo.com Spouse: Rick Maechling Elected to Board: March 2005*

**Ms. JoAnn Seagren, Vice Chair**

JA Glynn Private Wealth

*1320 N. State Pkwy, 4C\* Chicago, IL 60610 Cell (847)712-0800 j\_oannseagren@gmail.com Elected to Board: 2014*

**Jeff R. Rode, Treasurer**

Segall Bryant & Hamill \* 540 W. Madison Street, Suite 1900 Chicago, IL 60661 (312) 474-4133 Fax (312) 474-0521 jrode@sbhic.com  
<mailto:jrode@sbhic.com>

*610 Newcastle Drive Lake Forest, IL 60045 Cell: (312) 543-2078 Spouse: Karen Elected to Board: 2013*

**Mr. Glenn W. Reed, Secretary**

376 W. County Line Road Barrington, IL 60010 Home (847)381-6206 Cell (847) 650-6206  
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**Mr. Richard J. Carlson (Rich), Immediate Past Chair**

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rcarlson@carlsonenv.com  
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*260 E. Chestnut, Apt. 3301 Chicago, IL 60611 (312) 280-9282 Spouse: Cristina Benitez Elected to Board December 1999*

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**Ms. Jill Allread**

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**Mr. Gary F. Balling**

179-3 N. Linden Avenue Oak Park, IL 60302 (708) 383-3747 Spouse: Pam Freese *Elected to Board: November 2004*

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**Mr. Alan M. Bell**

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*3843 N. Fremont Street Chicago, IL 60613 Cell (773) 817-9829 Elected to Board: January 2008*

**Mr. Bill Clarkin**

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**Mr. Jonathan Copulsky**

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**Ms. Garrett Handley Dee**

*190 N. Ahwahnee Road\* Lake Forest, IL 60045 (773) 388-1988 Cell (773) 590-2626 ttgdee@gmail.com <mailto:ttgdee@gmail.com>Spouse: Terry Dee Elected to Board: May 2008*

**Mr. Matthew Dobry**

CBRE Chicago | Advisory & Transaction Services *Elected to Board: February 2020*  
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**Donna Mcgreenera:** Donna.Mcgreenera@cbre.com  
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### **Ms. Daisy Feidt**

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### **Mr. Hugh D. Frisbie**

RSM US LLP (retired) 20 N. Martingale Rd., 17202 US Highway 14\* Woodstock, IL 60098 (815)  
Suite 500 Schaumburg, IL 60173 (847)517-7070 337-6838 Spouse: Marlene *Elected to Board: March*  
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### **Mr. Dinesh Goburdhun**

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Spouse: Bridget Jones *Elected to Board: September*  
2017

### **Mr. Jonathan C. Hamill (Jon)**

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1900 Chicago.IL 60661-2551 (312) 474-1222 Fax 8381 Fax (847) 381-9820 Spouse: Nancy *Elected to*  
(312) 474-0521 Florida Address: The Bahama *Board: September 2001*  
Club, APT 17 1121 Gulfshore Blvd. North  
Naples, FL 34228

### **Mr. Mark M. Harris**

The Boeing Company 100 N. Riverside M/C 4744 Woodland Avenue\* Western Springs, IL 60558  
5003-1001 Chicago, IL 60606-1596 (312) 544- (708) 246-7447 Spouse: Lori *Elected to Board: June*  
2823 Mark.M.Harris@boeing.com 2012  
<mailto:Mark.M.Harris@boeing.com>

### **Mr. Daniel Lauderback (Dan)**

26006 West Cuba Road Barrington, IL 60010 Cell (3  
405-5382 daniel.d.lauderback@gmail.com  
<mailto:daniel.d.lauderback@gmail.com> *Elected to*  
*Board: May 2019*

### **Mr. Andrew Otting (Andy)**

Scott Byron & Co., Inc.\* 30088 N. Skokie 1228 Judson Evanston, IL 60202 (847) 475-1574  
Highway Lake Bluff, IL 60044 (847) 689-0266 Spouse: Laura Hohnhold *Elected to Board: 2000*  
Fax (847) 689-0277 Assistant: Mary Plodzeen  
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<mailto:mplodzeen@scottbyron.com>



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**Mr. Rommel Noguera**

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1133 W. Monroe Street, IL 60611 Chicago, IL 60607  
*Elected to Board: November 2017*

**Ms. Wendy J. Paulson**

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Hilary Lane hlane@paulsonoffice.com  
<mailto:hlane@paulsonoffice.com>

*154 W. Dundee Road Barrington, IL 60010 (312) 450-  
8206 Spouse: Henry "Hank" Elected to Board: May  
2012*

**Mr. James Rachlin (Jamie)**

Meristem Advisors LLC 2400 N Lakeview, Apt.  
1201 Chicago, IL 60614

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677-3653 jnrachlinfrt).fjmail.com Spouse: Leslie  
*Elected to Board: November 2018*

**Mr. Akhil Ramandham\***

*\*Kellogg Board Fellow* Kellogg Northwestern  
University  
akhil.ramanadham@kellogg.northwestern.edu  
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**Mr. Joseph Russo (Joe)**

Retired

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730-8606 j\_oerusso\_19@gmail. com Spouse: Bebe  
Novich *Elected to Board: August 2017*

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**Ms. Nicole Williams**

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<mailto:Nicole\_williams\_98@yahoo.com> Spouse:  
Dr. Lawrence (Larry) J. Becker *Elected to Board:  
September 2018*

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Honorary Directors

**Ms. Shaun C. Block**

*1245 N. Astor\* Chicago, IL 60610 Cell (312) 307-1464 (312) 943-1729 (Chicago) Elected to Board: 1977*

**Anthony T. Dean (Tony)**

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