



Office of the City Clerk

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

Legislation Text

File #: SO2021-632, Version: 1

FINAL for PUBLICATION

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 RT-4 Residential Two-Flat, Townhouse and Multi-Unit District, symbols and indications shown on Map Number 5-H in the area bounded by:

West Lyndale Street, North Hoyne Avenue, West Webster Avenue, North Hamilton Avenue

to the RM-5.5 Residential Multi-Unit District.

SECTION 2: That the Chicago Zoning Ordinance be amended by changing all the RM-5.5 Residential Multi-Unit District, symbols and indications shown on Map Number 5-H in the area bounded by:

West Lyndale Street, North Hoyne Avenue, West Webster Avenue, North Hamilton Avenue

to those of an Institutional Residential Planned Development, 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 3: This ordinance shall be in force and effect from and after its passage and publication.

ADDRESS: 2101-2125 West Lyndale Street/2200-2240 North Hoyne Avenue/2100-2124 West Webster Avenue/2201-2243 North Hamilton Avenue

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PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____, (the "Planned Development") consists of approximately 113,113 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (Property). 2219 North Hamilton LLC is the "Applicant" for this Planned Development with the consent of the property owner.
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.

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
ADA crosswalk ramps Parkway &
landscaping

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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 Planned Development consists of these 17 Statements and an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Subarea Map; a Subarea A Site/Landscape Plan; Floor Plans (typical); and, Building Elevations (North, South, East and West) prepared by Space Architects and Planners and dated June 17, 2021, submitted herein. 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 permitted within the area delineated herein as Planned Development Subarea A: dwelling units on and above the ground floor; convents and monasteries; day care centers; community center; community garden; religious assembly; school; office; philanthropic and eleemosynary institutions; parking, related and incidental accessory uses.

The following uses shall be permitted within the area delineated herein as Planned Development Subarea B: dwelling units on and above the ground floor; convents and monasteries; day care centers; community center; community garden; religious assembly; school; office; philanthropic and eleemosynary institutions; 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 13,113 square feet and an FAR of 1.2.
9. Upon review and determination. Part II Review, pursuant to Section 17-13-0610, a Part II Review

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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, including Section 17-13-0800. 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, 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.
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

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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 JI 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. The Applicant acknowledges and agrees that the rezoning of the Property from the RT-4 Residential Two-flat, Townhouse and Multi-Unit District to the RM-5.5 Residential Multi-Unit District, and then to this Planned Development (PD), for construction of the Planned Development triggers the requirements of Section 2-44-080 of the Municipal Code (the "Affordable Requirements Ordinance" or the "ARO"). The Applicant further acknowledges and agrees that the Property is located in the Milwaukee Corridor Pilot Area, pursuant to Section 2-44-100 of the Municipal Code (the "Milwaukee Corridor ARO Pilot Area Ordinance" or the "Pilot") and as a result, the percentage of units in a residential housing project required to be affordable for a period of 30 years ("ARO.. Units"), whether rental or for-sale, is increased from 10% to 15% if units are located on-site, or, with the approval of the Commissioner of the Department of Housing ("DOH"), from 10% to 20% if the units are located in an off-site location within the Pilot. The Planned Development has a total of twenty-three (23) units. As a result, the Applicant's affordable housing obligation is three (3) ARO Units (15% of 23 rounded down). Applicant has agreed to satisfy its affordable housing obligation by providing all 3 ARO Units in the rental building to be constructed in the Planned Development, to be approved by the Department of Housing in consultation with DPD as appropriate, as set forth in the Affordable Housing Profile Form attached hereto as an Exhibit. In accordance with the Pilot, the Applicant is required to lease the affordable units to households earning up to 80% of the Chicago Primary Metropolitan Statistical Area Median Income ("AMI"), at prices affordable to households earning up to 60% AMI. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development, or elects to build a for-sale project instead of a rental project, or (with the Commissioner's approval) elects to construct 20% off-site units instead of 15% on-site units in accordance with the Pilot's Section 2-44-100 (G)(2), the Applicant shall update and resubmit the Affordable Housing Profile Form to DOH for review and approval. DOH may adjust the requirements to reflect any such change without amending the Planned Development. Prior to the issuance of any building permits for any residential building in

Applicant 221> North Hamilton LLC
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the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must execute and record an affordable housing agreement in accordance with Section 2-44-080(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 Planned Development, or the applicable portion thereof and will constitute a lien against such property. The Commissioner of DOH 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 Planned Development.

17. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to the RM-5.5 Residential Multi-Unit District.

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Institutional/Residential Planned Development Number Bulk Regulations and Data Table

Gross Site Area (sf): Subarea A: Subarea B: Total

Area of Public Rights-of-Way (si):

Subarea A:

Subarea B:

Total Net Site Area (sf):

Subarea A:

Subarea B:

Total

Maximum floor Area Ratio:

Subarea A:

Subarea B: Maximum Number of Dwelling Units:

Subarea A:

Subarea B:

Minimum Number of Off-Street Parking Spaces: Subarea A: Subarea B:

Minimum Number of Off-Street Loading Spaces:

2.5

1.45

1.1

23 0

18 37 0

30,238 SF 132,990 SF 163,228 SF

10,708 SF 39,407 SF 50,115 SF

19,530 SF 93,583 SF 113,113 SF

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Minimum Periphery Setbacks (for Buildings): In accordance with the Site Plan

Maximum Building Height: In accordance with the Building Elevations

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■ ' **ARO Affordable Housing Profile Form (AHP)**

Justin^Root or Denise Roman, DOH Date
ARO Web Form

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AFFORDABLE REQUIREMENTS ORDINANCE

Applicant Contact Information

Name: 2219 North Hamilton LLC Email:
anthony@chedidproperties.com
<mailto:anthony@chedidproperties.com>

Development Information Address

Number From: 2219 Street Name: Hamilton

Development Name

St Hedwig

Submitted Date: 04/29/2021

Number To: N/A Direction: N Postal Code: 60647

Are you rezoning to downtown?: No

Is your project subject to the ARO Pilots?: PILOTS APPLY

Information

Pilot Area: Milwaukee Corridor

Details

ARO Trigger: Zoning change Total Units:
23 Development Type: Rent Date
Submitted: 02/24/2021

Requirements

Onsite Units: 3 Off-Site units: 5

How do you intend to meet your ARO Unit obligations?

On-Site:-0 3

Off-Site: 0

On-Site to CHA or Authorized agency 0 Off-Site to CHA or Authorized agency: 0 Total Units: 3

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

Alderman Tom Tunney
Chairman, City Council Committee on Zoning

From
Maurice D. Cox
Chicago Plan Commission

Date: June 17th, 2021

Re: Proposed Planned Development (2101-2125 W. Lyndale St., 2200-2240 N. Hoyne Ave., 2100-2124 W. Webster Ave., and 2201-2243 N. Hamilton Ave.)

On June 17, 2021, the Chicago Plan Commission recommended approval of a proposed Planned Development, submitted by 2219 North Hamilton, LLC. The Applicant is proposing to rezone the site from a zoning designation of RT-4 (Residential Two-Flat, Townhouse, and Multi-Unit District) to RM5.5 (Residential Multi-Unit District) and then to Institutional Residential Planned Development. The request is sought to allow for the conversion of a group living facility (convent) to multi-unit residential consisting of 23 dwelling units and 18 accessory off-street parking spaces within Sub-Area A of the proposed planned development. No changes are proposed for existing uses, buildings, or structures located within Sub-Area B of the proposed planned development. The proposal consists of two (2) sub-areas with a maximum FAR of 1.45 for Sub-Area A and 1.1 for Sub-Area B.

A copy of the proposed ordinance, planned development statements, and bulk table are 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 James Harris at james.harris@cityofchicago.org <<http://cityofchicago.org>>.

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

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