

City of Chicago



SO2018-3797

Office of the City Clerk Document Tracking Sheet

Meeting Date:

4/18/2018

Sponsor(s):

Misc. Transmittal

Type:

Ordinance

Title:

Zoning Reclassification Map No. 4-I at 1256-1368 S Talman Ave, 1257-1411 S Washtenaw Ave, 1348-1412 S Fairfield Ave, 1355-1365 S Talman Ave, 2604-2726 W Ogden Ave

and 2703-2724 W 14th St - App No. 19647

Committee(s) Assignment:

Committee on Zoning, Landmarks and Building Standards

SUBSTITUTE 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 of the RT-4 Two Flat, Townhouse and Multi-Unit District symbols and indications as shown on Map 4-1 in the area bounded by:

South Washtenaw Avenue; a line approximately 533 feet north of and parallel to West 13th Place; South Talman Avenue; the alley next north of and parallel to West Ogden Avenue; and a line approximately 192 feet east of South Talman Avenue as measured along and perpendicular to the south boundary line of said alley next north of and parallel to West Ogden Avenue; and West Ogden Avenue

to those of a B3-3 Community Shopping District.

SECTION 2: That the Chicago Zoning Ordinance be amended by changing all of the B3-3 Community Shopping District symbols and indications as shown on Map 4-I in the area bounded by:

South Washtenaw Avenue; a line approximately 533 feet north of and parallel to West 13th Place; South Talman Avenue; the alley next north of and parallel to West Ogden Avenue; and a line approximately 192 feet east of South Talman Avenue as measured along and perpendicular to the south boundary line of said alley next north of and parallel to West Ogden Avenue; and West Ogden Avenue

to those of a Residential-Business Planned Development No. _____, which is hereby established in the area above described, subject to such Use and Bulk Regulations as set forth in the Plan of Development herewith attached and made a part hereof and to no others.

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

Common address:

1257-1411 S. Washtenaw Avenue; 1256-1368 S. Talman Avenue; 1355-65 S. Talman Avenue; 2604-2664 W. Ogden Avenue, Chicago, Illinois.

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO.

PLANNED DEVELOPMENT STATEMENTS

- The area delineated herein as Residential-Business Planned Development Number 1. ("Planned Development") consists of approximately 239,813 net square feet of property (5.5 acres) which is depicted on the attached Planned Development Boundary, Property Line and Subarea Map ("Property") and is owned or controlled by The Habitat Company LLC (the "Applicant").
- The requirements, obligations and conditions contained within this Planned Development 2. 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, 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 City's 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 CDOT's Division of Infrastructure Management:

APPLICANT:

The Habitat Company LLC

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1257-1411 S. Washtenaw Avenue; 1256-1368 S. Talman Avenue; 1355-65 S. Talman

Avenue; 2604-2664 W. Ogden Avenue.

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- · Full width of streets
- · Full width of alleys
- · Curb and gutter
- · Pavement markings
- · Sidewalks
- · ADA crosswalk ramps
- · Parkway & landscaping

The Perimeter Restoration Agreement must be must be executed prior to any CDOT 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 CDOT 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 CDOT 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 CDOT.

- 4. This Plan of Development consists of 18 Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary, Property Line and Subarea Map; Phasing Plan; Overall Site Vision; Phase I Parcel A-1 Site Plan; Phase I Parcel B-1 Site Plan; Phase I Landscape Plan; Phase I Parcel A-1 Building Elevations; Phase I Parcel B-1 Building Elevations dated November 15, 2018, 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 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 shall control.
- 5. The following uses are allowed in each of the subareas delineated herein:
 - Office (all); Medical Service; Retail Sales, General; Postal Service; Colleges and Universities; Cultural Exhibits and Libraries; Day Care; Animal Services (all except Stables); Artist Work or Sales Space; Building Maintenance; Business Equipment Sales and Service; Business Support Services (all); Eating and Drinking Establishments (all with the exception of Rooftop Patios and Taverns);

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banks, savings banks, savings and loan association, currency exchange and credit union; Food and Beverage retail Sales with Liquor Sales as accessory use only; Personal Service (all); Household living (all, including Artist Live/Work Space located above and on the ground floor, dwelling units located on and above the ground floor, elderly housing, multi-unit residential and townhouses but excluding detached houses and single room occupancy); dry cleaners; Lodging (all), and accessory parking and related accessory uses. Accessory parking may be shared between subareas.

- 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.
- For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. 7. 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 FAR identified in the Bulk Regulations Table has been determined using a total Net Site Area of (239,767) square feet: a Net Site Area for Subarea A of 145,714 square feet, a Net Site Area for Subarea B of 69,302 square feet and a Net Site Area for Subarea C of 24,751 square feet. It is further acknowledged that the proposed Phase I project includes a portion of property located within Subarea A to be dedicated for right of way widening purposes. In the event that the dedication results in a change in the overall Net Site Area of the project, the Applicant shall and will be permitted to pursue an administrative change (Minor Change) to the Planned Development to update the project's bulk table and other documents as may be necessary at the time of such dedication (s). Such dedications will be subject to a final survey and the review and approval of the Departments of Planning and Development and Transportation.
- ´9. The Site and Landscape Plan 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.
 - 10. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and

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Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-085 of the Municipal Code, or any other provision of that Code.

- 11. 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.
- 12. The Applicant acknowledges and agrees that the rezoning of the Property to a Residential-Business Planned Development No. for construction of this Planned Development, triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). In accordance with these requirements and the Affordable Housing Profile Form attached hereto as Exhibit A, the Applicant has agreed to provide 10% of the total number of dwelling units constructed in any building within the Planned Development containing 10 or more units as affordable housing units for households earning up to 60% of the Chicago Primary Metropolitan Statistical Area median income (the "Affordable Units"). or make a cash payment to the Affordable Housing Opportunity Fund per unit ("Cash Payment") in accordance with the Affordable Housing Ordinance. At the time of each Part II review for any building containing 10 or more dwelling units, Applicant may update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval. If the Applicant subsequently reduces the number of dwelling units in the Planned Development, DPD may adjust the requirements of this Statement 12 (i.e., number of Affordable Units and/or amount of Cash Payment) accordingly without amending the Planned Development. Prior to the issuance of any building permits for a building containing 10 or more dwelling units, including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment, or execute an Affordable Housing Agreement in accordance with Section 2-45-110(i)(2). 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 only that parcel for which the Part II review is being sought and will constitute a lien against each for sale Affordable Unit or the residential portion of the building, if rental, as the case may be, within that parcel. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit within that parcel to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit. The City shall execute a release of

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the Affordable Housing Agreement for a rental building upon compliance with the terms of such Agreement. The Commissioner of DPD may enforce remedies for breach of the 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.

- 13. 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.
- 14. Prior to the Part II Approval (Section 17-13-0610 of the Chicago Zoning Ordinance) in Sub-Area(s) C and the northern half (approximately) of Subarea A, the Applicant shall submit a site plan, landscape plan and building elevations for the specific Sub-Area(s) for review and approval by the Department of Planning and Development (DPD). Review and approval by DPD is intended to assure that specific development components substantially conform with the Planned Development (PD) and to assist the City in monitoring ongoing development. Sub-Area Site Plan Approval Submittals (Section 17-13-0800) need only include that portion of the Property for which approval is being sought by the Applicant. If the Applicant is seeking approval for a portion of the Property that represents less than an entire Sub-Area, the Applicant shall also include a site plan for that area of the Property which is bounded on all sides by either public Rights-of-Way or the boundary of the nearest Sub-Area. The site plan provided shall include all dimensioned and planned street Rights-of-Way.

No Part II Approval for any portion of the Property shall be granted until Sub-Area Site Plan approval has been granted. Following approval by DPD, the approved Sub-Area Site Plan Approval Submittals, supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of the PD.

After approval of the Sub-Area Site Plan, changes or modifications may be made pursuant to the provisions of Statement TBD. In the event of any inconsistency between approved plans and the terms of the PD, the terms of the PD shall govern. Any Sub Area Site Plan Approval Submittals shall, at a minimum, provide the following information:

- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned building elevations;
- fully-dimensioned landscape plan(s); and,
- statistical information applicable to the subject Sub-Area, including floor area, the applicable floor area ratio, uses to be established, building heights and setbacks.

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Sub Area Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the PD. As part of Site Plan Approval, as applicable, the Department of Planning and Development shall require the Applicant to submit Site Plans to the Chicago Department of Transportation, Mayor's Office for People with Disabilities and the Chicago Fire Department for their review and comment. If, after review, the Commissioner of DPD determines that the Site Plans are not in substantial compliance with the Planned Development, then the Commissioner shall advise the Applicant in writing of the ways in which the Site Plans do not so comply, and the Applicant shall be given the opportunity to submit revised site Plans. If, after review, the Commissioner determines that the Site Plans are in substantial compliance with the Planned Development, such Site Plans may, at the discretion of the Commissioner, be presented to the Chicago Plan Commission at a public meeting (for which placement on a Chicago Plan Commission Agenda shall be required, but for which publication, posting, and written notice pursuant to Sections 17-13-0107-A, -B, and -C of the Chicago Zoning Ordinance shall not be required) but shall not require review or approval by the City Council. Provided further, any hearing conducted by the Chicago Plan Commission shall be for review purposes only and no approval or recommendation shall be required for the Commissioner of DPD or to issue approval of the Site Plan. Following the Chicago Plan Commission review, if applicable, the Commissioner shall issue written approval of the applicable Site Plans. Following such approval, the approved Site Plans shall be made part of the main file and shall be deemed to be an integral part of this Planned Development. Additionally, the Phase I project scope shall include approximately ½ of the square footage and improvements planned for the open space portion of the project to be located between the northern portion of Subarea A (Parcel A-1) and the southern portion of Subarea A (Parcel A-2).

- 15. 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.
- 16. 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.

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- The Applicant acknowledges that it is the policy of the City to maximize opportunities 17. 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. As a project which involves a public agency, the Applicant is required to achieve the following standards, at a minimum: 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). Furthermore, 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 two points in the city approval process. First, 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) the Applicant's 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) the applicant's M/WBE and city resident participation goals. Second, 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 forgoing, 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.
- 18. 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 the RT-4 Residential Two Flat, Townhouse and Multi-Unit District that existed prior to such lapse.

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO _____. **BULK REGULATIONS**

Gross Site Area	371,526 square feet (8 53 acres)
Total Public Area Right-of-Way (including dedicated area): Area to be Dedicated	129,726 square feet (2.93 acres) 2,033
Total Net Site Area Net Site Area for Subarca A: Net Site Area for Subarca B. Net Site Area for Subarea C:	239,767 square feet (5.51 acres) 145,714 square feet (3.35 acres) 69,302 square feet (1.59 acres) 24,751 square feet (0.57 'acres)
Maximum Overall Floor Area Ratio.	2.0
Subarea A. Subarea B: Subarea C:	1.5 1.2 1.7
Maximum Residential Units:	332
Subarea A: Subarea B: Subarea C.	275 12 45
Minimum Number of Off-Street Loading Spaces	
Subarea A: Subarea B: Subarea C:	2 (10x25) I
Minimum Number of Off-Street Parking and Bike Spaces:	
	111 197
and Bike Spaces: Subarea A: Parking Spaces:	
and Bike Spaces: Subarea A: Parking Spaces: Bike Spaces: Subarea B: Parking Spaces:	197 92
and Bike Spaces: Subarea A: Parking Spaces: Bike Spaces: Subarea B: Parking Spaces: Bike Spaces: Subarea C: Parking Spaces	92 16

APPLICANT:

The Habitat Company LLC

ADDRESS:

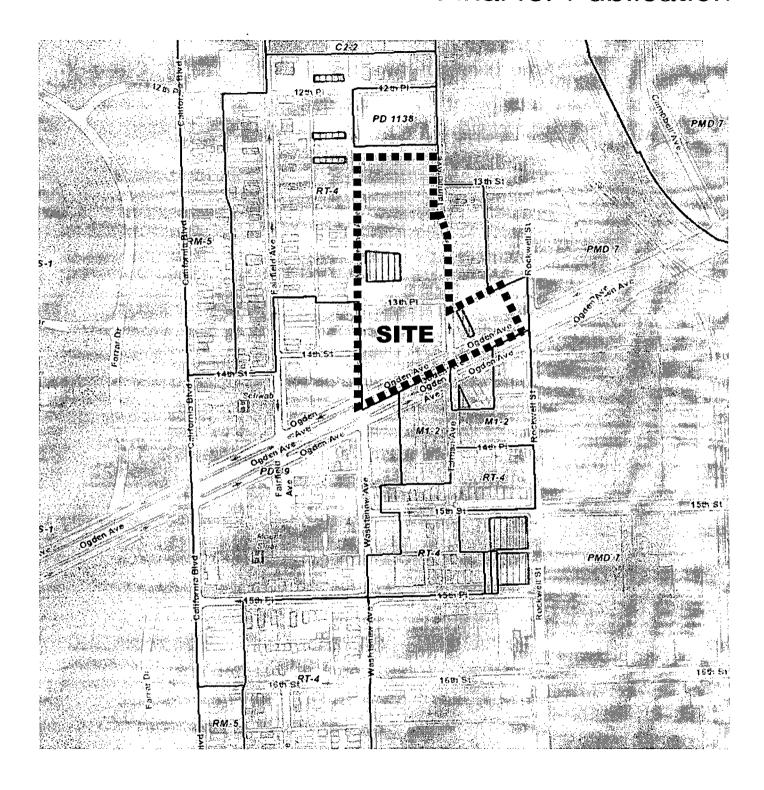
1257-1411 S. Washtenaw Avenue; 1256-1368 S. Talman Avenue; 1355-65 S. Talman

Avenue; 2604-2664 W. Ogden Avenue.

FILING DATE:

April 18, 2018 November 15, 2018

PLAN COMMISSION DATE:





EXISTING ZONING MAP

Project:

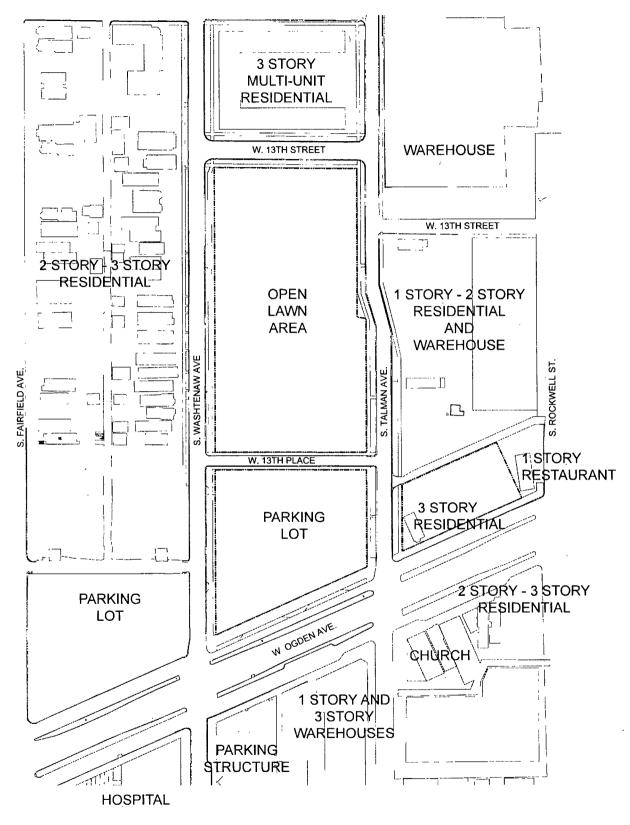
OGDEN COMMONS

Applicant:

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Date:





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EXISTING LAND USE MAP

Project:

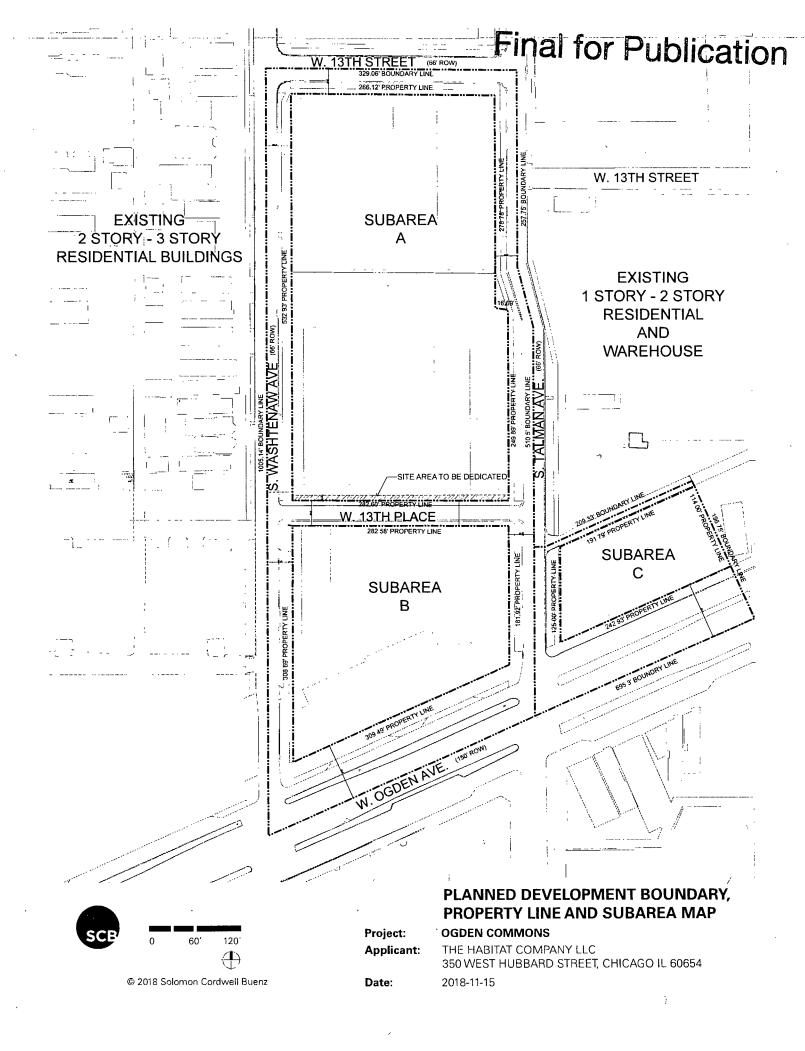
OGDEN COMMONS

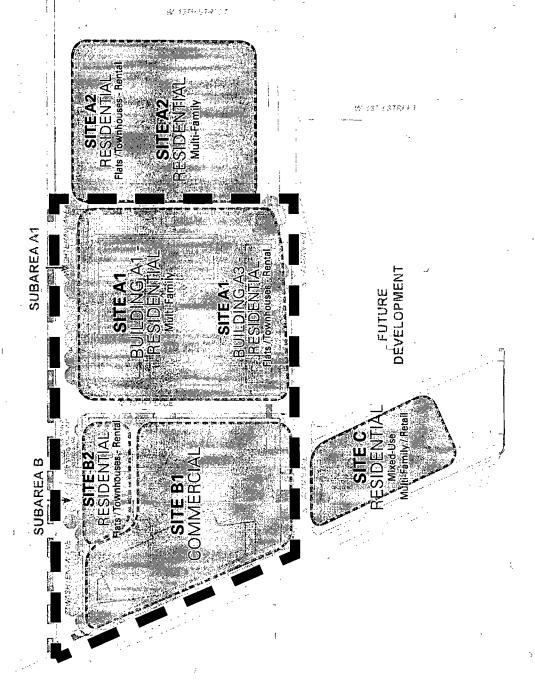
Applicant:

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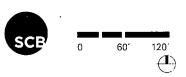
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Date:





PHASE



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PHASING PLAN

Project:

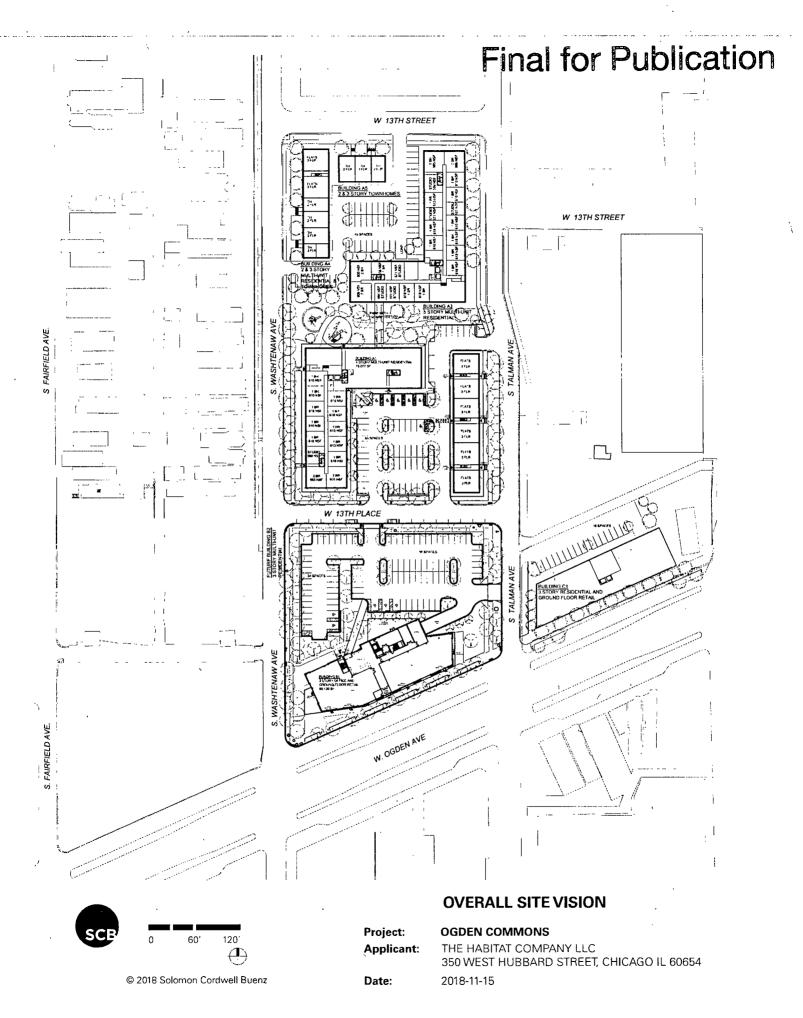
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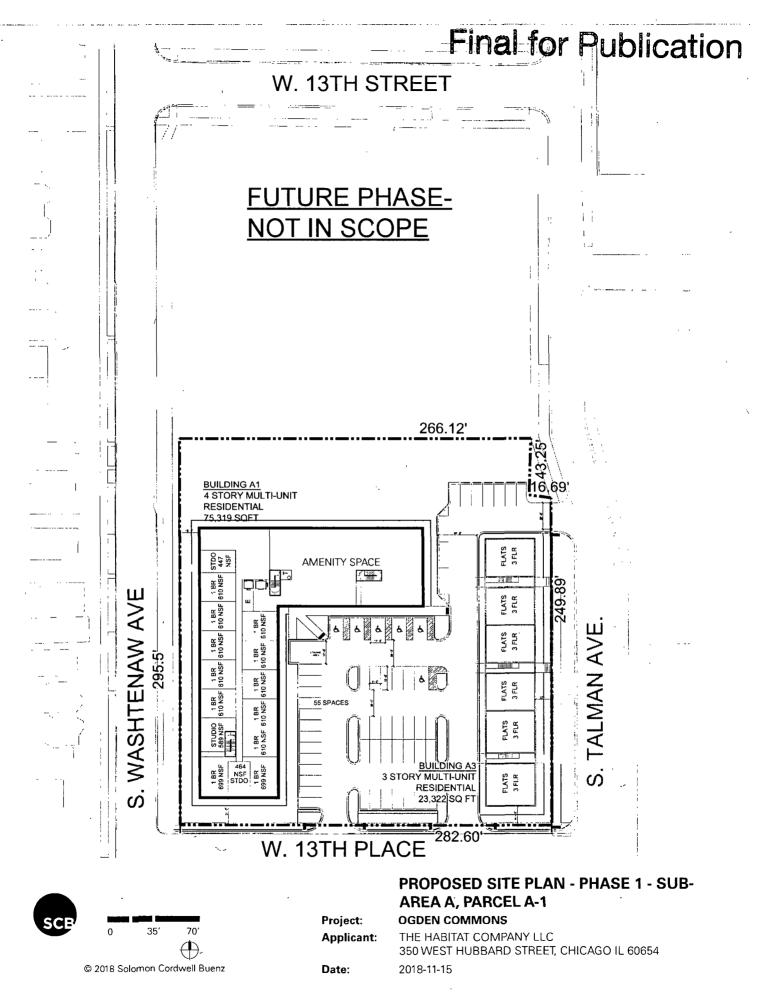
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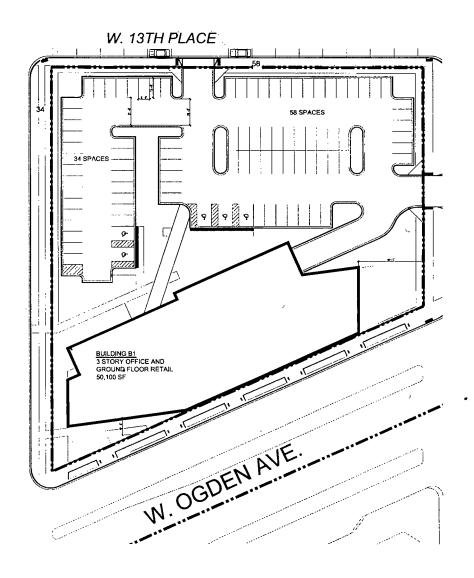
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PROPOSED SITE PLAN - PHASE 1 - SUB-AREA B, PARCEL B-1

Project:

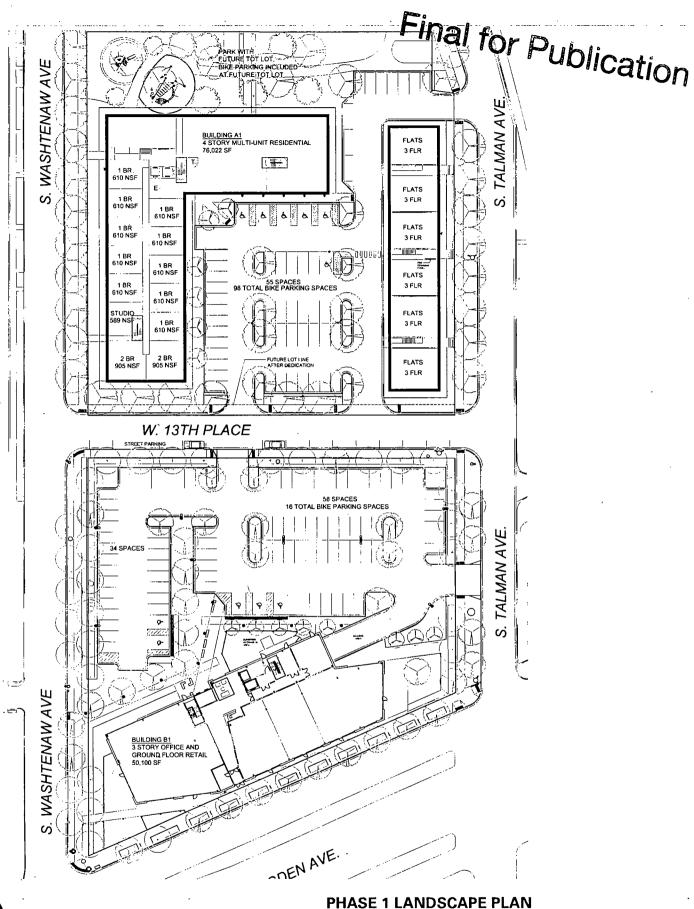
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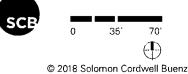
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Project:

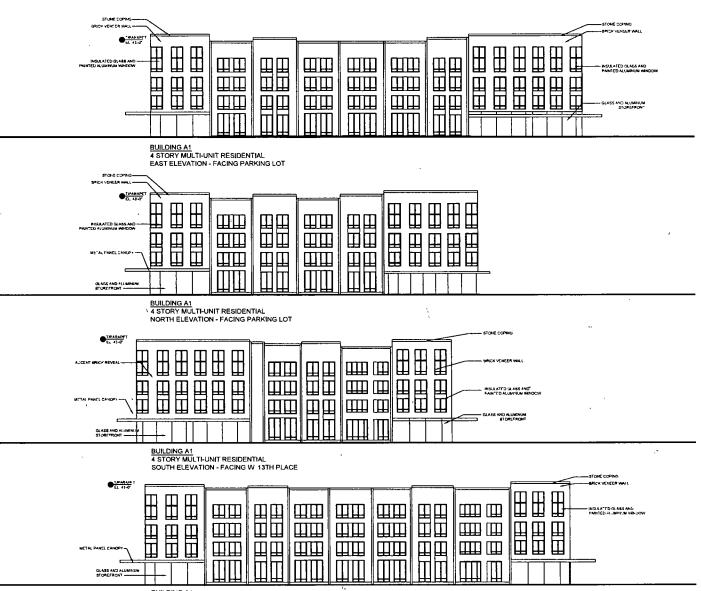
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Date:



BUILDING A1
4 STORY MULTI-UNIT RESIDENTIAL
WEST ELEVATION - FACING WASHTENAW AVE

SCE 0 25' 50'

BUILDING A1 ELEVATIONS - PHASE 1 SUBAREA A, PARCEL A -1

Project:

OGDEN COMMONS

Applicant:

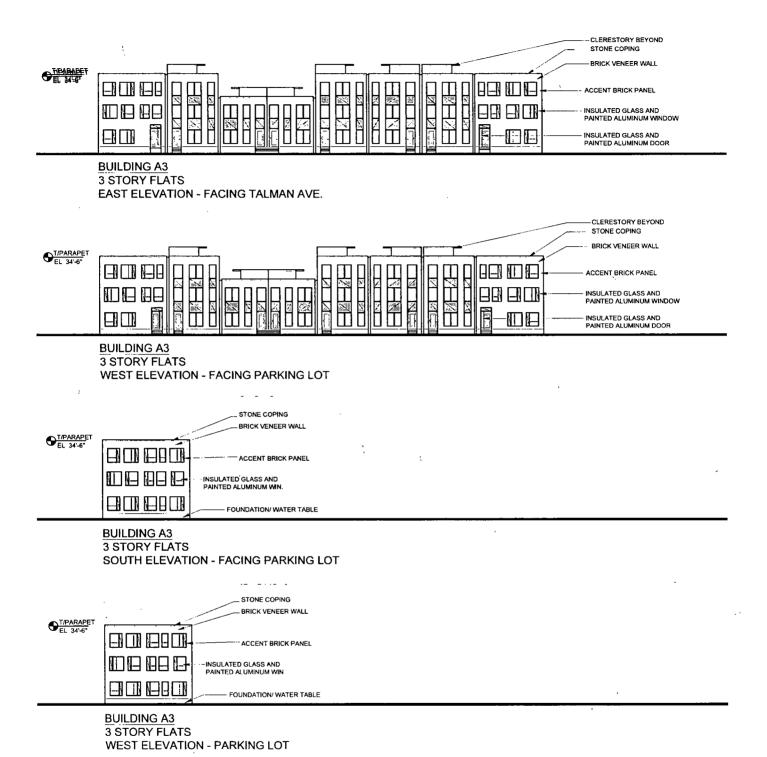
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Date:

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SCB 0 25' 50'

BUILDING A3 ELEVATIONS - PHASE 1 SUBAREA A, PARCEL A -1

Project:

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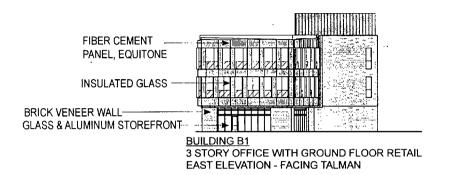
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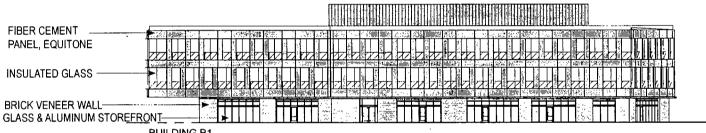
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Date:

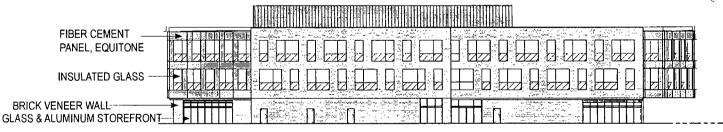




BUILDING B1 3 STORY OFFICE WITH GROUND FLOOR RETAIL WEST ELEVATION - FACING WASHTENAW



<u>BUILDING B1</u> 3 STORY OFFICE WITH GROUND FLOOR RETAIL SOUTH ELEVATION - FACING OGDEN



<u>BUILDING B1</u> 3 STORY OFFICE WITH GROUND FLOOR RETAIL NORTH ELEVATION



BUILDING B1 ELEVATIONS - PHASE 1 SUBAREA B

Project:

OGDEN COMMONS

Applicant:

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Date:



DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

To:

Alderman Daniel S. Solis

Chairman, City/Council Committee on Zoning

From:

David L. Reifman Commissioner

Department of Planning and Development

Date: November 15, 2018

Re: Proposed Residential Business Planned Development at 2600 W. Ogden Avenue

On November 15, 2018, the Chicago Plan Commission recommended approval of a proposed planned development located at 2600 W. Ogden Avenue. The Applicant, the Habitat Company, LLC, intends to rezone an approximately 5.5 acre site from RT-4 to B3-3, prior to establishing the planned development. The planned development will establish three subareas (A, B, C) and authorize across all subareas up to 332 dwelling units, commercial space and accessory parking spaces to be built in phases.

A copy of the proposed ordinance, planned development statements, exhibits, bulk table, staff report and Chicago Plan Commission resolution are attached. I would very much appreciate your assistance in having this matter heard at the next possible City Council Committee on Zoning. If you have any questions in this regard, please do not hesitate to contact me at 744-9476. Thank you.

Cc: Anna Robles, Dan Klaiber

PD Master File (Original PD, copy of memo)

City Clerk copy

19647