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Legislation Details (With Text)

File #: SO2022-1322
Type: Ordinance **Status:** Passed
File created: 5/23/2022 **In control:** City Council
Final action: 6/22/2022
Title: Zoning Reclassification Map No. 3-L at 5202-5224 W Chicago Ave, 802-812 N Laramie Ave and 803-813 N Latrobe Ave - App No. 21027
Sponsors: Misc. Transmittal
Indexes: Map No. 3-L
Attachments: 1. O2022-1322.pdf, 2. SO2022-1322.pdf

Date	Ver.	Action By	Action	Result
6/22/2022	1	City Council	Passed as Substitute	Pass
6/21/2022	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
5/23/2022	1	City Council	Referred	

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ORDINANCE

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-1 Community Shopping District symbols and indications as shown on Map No. 3-L in the area bounded by

The public alley next north of and parallel to West Chicago Avenue; North Laramie Avenue; West Chicago Avenue; North Latrobe Avenue,

to those of a B2-3 Neighborhood Mixed-Use District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B2-3 Neighborhood Mixed-Use District symbols and indications as shown on Map No. 3-L in the area bounded by

The public alley next north of and parallel to West Chicago Avenue; North Laramie Avenue; West Chicago Avenue; North Latrobe Avenue,

to those of a Planned Development, which is hereby established in the area described above and subject to such use and bulk regulations set forth in the Plan of Development attached hereto and to no others.

SECTION 3. This ordinance takes effect after its passage and due publication.

Common Street Address: 5202-5224 West Chicago Avenue; 802-812 North Laramie Avenue; 803-813 North Latrobe Avenue

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PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____, (Planned Development) consists of approximately 34,254 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (Property) and is controlled by the Applicant, Austin United Alliance Development Company, LLC, an Illinois limited liability company.
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 Plan of Development consists of 18 Statements: a Bulk Regulations Table; an Existing Land Use Map; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Planned

Development Sub-Area Map; Sub-Area A & B - Site Plan; Sub-Area A & B - Landscape Plan; Sub-Area A & B - North Elevation; Sub-Area A - East Elevation; Sub-Area B - East Elevation; Sub-Area A & B - South Elevation; Sub-Area A - West Elevation; Sub-Area B - West Elevation; Sustainable Policy Matrix; prepared by Valerio Dewalt Train, submitted herein. Full-sized copies of the Site Plan, 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. In each of the following Sub Areas, the following uses shall be permitted in this Planned Development:

Sub-Area A: The following uses shall be permitted in this Planned Development: Household Living (all, including live/work space located on and above the ground floor, elderly housing, multi-unit residential and townhouses); Parks and Recreation; Community Center; Accessory Parking and Accessory Uses.

Sub-Area B: Cultural Exhibits and Libraries; Community Center; Colleges and Universities; Animal Services (Sales and Grooming excluding kenneling); Artist Work or Sales Space; School; Building Maintenance; Business Equipment Sales and Service; Business Support Services; Restaurant, Limited; Outdoor patio (if located at grade level); Indoor Special Event including incidental liquor sales; Banks, Savings Banks, Savings and Loan Association, Currency Exchange and Credit Union (excluding drive-throughs, Payday/title secured loan stores and pawn shops); Automated Teller Machine Facility (walk up only); Food and Beverage Retail Sales With Liquor Sales as Accessory Use Only; Undertaking; Medical Service; Office; Personal Service (Hair Salon, Nail Salon, or Barbershop); Retail Sales, General; Valuable Objects Dealer; Accessory Parking and Accessory Uses, including but not limited to indoor self-service lockers for mail and package delivery.

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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 and the Commission on Chicago Landmarks. 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

34,254 square feet and a base FAR of 3.6.

9. Upon review and determination, Part IT 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.
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 IT 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

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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 (i) 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 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.

16. The Applicant acknowledges and agrees that the rezoning of the Property from B3-1 Community Shopping District to B2-3 Neighborhood Mixed-Use District, and then to this Planned Development ("PD") No. _____ is an "entitlement" that triggers the requirements of Section 2-44-085 of the Municipal Code of Chicago (the "ARO"). The Applicant has applied for Low-Income Housing Tax Credits or other forms of financial assistance from the City. Such financial assistance imposes affordability requirements (the "Financing Requirements") that exceed the ARO requirements. As a result, if the Applicant receives such financial assistance, the Financial Requirements shall govern the Applicant's obligation to provide affordable housing in the PD. If the Applicant does not receive such financial assistance, the Applicant shall comply with the ARO.

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- 17. Pursuant to the Chicago Zoning Ordinance (Section 17-8-0911), a Planned Development gives priority to the preservation and adaptive reuse of Chicago Landmark buildings. The**

Planned Development includes Laramie State Bank Building which is a designated Chicago Landmark. Work to designated Chicago Landmarks is subject to the review and approval of the Commission on Chicago Landmarks pursuant to the Chicago Landmarks ordinance, Section 2-120-740.

- 18. 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 B2-3 Neighborhood Mixed-Use District.**

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**RESIDENTIAL PLANNED DEVELOPMENT NUMBER BULK
REGULATIONS AND DATA TABLE**

Gross Site Area:	57,877 square feet (1.33 acres)
Area Remaining in Public Right of Way	23,623 square feet (.54 acres)
Net Site Area:	34,254 square feet (.79 acres)
Sub-Area A: Gross Site Area: Net Site Area:	42,013 square feet 26,731 square feet
Sub-Area B: Gross Site Area: Net Site Area:	15,864 square feet 7,523 square feet
Maximum Number of Dwelling Units:	78 Dwelling Units
Maximum Number of Dwelling Units in Sub-Area A:	78 Dwelling Units
Maximum Number of Dwelling Units in Sub-Area B:	0 Dwelling Units
Maximum Floor Area Ratio for all Sub-Areas:	3.6
Maximum Floor Area Ratio in Sub-Area A:	3.9
Maximum Floor Area Ratio in Sub-Area B:	2.1

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Minimum Number of Off-Street Total Parking Spaces:

Minimum Number of Off-Street Parking Spaces in Sub-Area A:

Minimum Number of Off-Street Parking Spaces in Sub-Area B:

1 (10x25)-In Sub-Area A 0(10x25)-In Sub-Area B

Minimum Required Setbacks:

As per the Site Plan

0' north line 0' west line 0' east line 0' south line

Maximum Building Height of the top Residential Floor per Section 17-17-0311 of the Zoning Ordinance:

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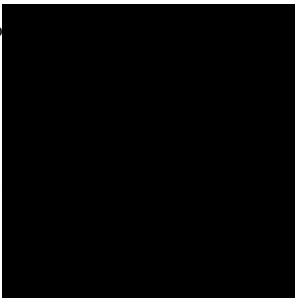
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