



Office of the City Clerk

City Hall
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 Room 107
 Chicago, IL 60602
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Legislation Details (With Text)

File #: SO2020-1901

Type: Ordinance **Status:** Passed

File created: 4/22/2020 **In control:** City Council

Final action: 6/17/2020

Title: Zoning Reclassification Map No. 9-K at 3911-3985 N Milwaukee Ave/4671-4777 W Irving Park Rd - App No. 20394

Sponsors: Misc. Transmittal

Indexes: Map No. 9-K

Attachments: 1. O2020-1901.pdf, 2. SO2020-1901.pdf

Date	Ver.	Action By	Action	Result
6/17/2020	1	City Council	Passed as Substitute	Pass
6/16/2020	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
4/22/2020	1	City Council	Referred	

Final for Publication

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 the Business Planned Development No. 1321 symbols and indications as shown on Map No. 9-K in the area bounded by

West Irving Park Road; a line 95.0 feet west of and parallel to North Kilpatrick Avenue; the east west public alley south of and parallel to West Irving Park Road; North Kilpatrick Avenue; North Milwaukee Avenue;

to the designation of B3-3 Community Shopping District and a corresponding use district is hereby established in the area above described.

SECTION 2: Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all B3-3 Community Shopping District symbols and indications established in Section 1 above to the designation of Business Planned Development No. 1321 as amended, which is hereby established in the area above described, subject

to such use and bulk regulations as are set forth in the Plan of Development attached herewith and made a part hereof and to no others.

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

Common Address: 3911-3985 North Milwaukee Avenue, 4671-4777 West Irving Park Road, Chicago, Illinois

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BUSINESS PLANNED DEVELOPMENT NO. 1321 As Amended PLANNED 1) EVE
LOPMENT STATEMENTS

1. The area delineated herein as Business Planned Development Number 1321 as Amended, ("Planned Development") consists of approximately 139,618 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, CSD Six Comers LLC.
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 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 Plans.

Ingress or egress shall be pursuant to the Plans 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
- Pull width of alleys
- Curb and gutter

Applicant Address

CSD Six Conors I.I.C

745 West Vanhook Ave. Chicago, IL 60641

- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part M 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 19 Statements: a Bulk Regulations table; an Existing Zoning Map; an Existing Land Use Map; a Planned Development Boundary and Sub-Area Plan; Right of Way Adjustment Map; Site Plan; Landscape Plan; Building Elevations (North, South, East and West); and Aerial Diagram dated May 21, 2020, submitted herein. Also attached is a ARO Profile Form. 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 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 Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are allowed in the area delineated herein as a Business Planned Development:

Sub Area A: postal service; animal services; sales and grooming; veterinary (not including shelter/boarding kennel); construction sales and service including building material sales (excluding contractor/construction storage yard); eating and drinking establishments including restaurant, limited; restaurant, general; outdoor patio (permitted if located at grade level and on rooftop); financial services (no payday loan stores or pawn shop/cash for gold as primary business); including automated teller machine facility (no drive-thru permitted); food and beverage retail including liquor sales (package goods) and liquor sales (as accessory use); medical service; office; personal service; repair or laundry service, consumer including dry cleaning drop-off or pick up (no on-premises plant) and coin-operated laundromat; retail sales, general; children's play center; new vehicle sales (used vehicle sales only at new car dealership) including auto supply/accessory sales but no warehousing or storage of inventory

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on site and no vehicle service allowed on site (electric charging stations are permitted); and all accessory uses.

Sub Area B: financial institution; eating drinking establishments including restaurant, limited; restaurant, general; outdoor patio (located at grade level); retail sales, general and office; and all accessory uses.

Sub Area C: multi-unit residential (no mobile home park or sales); dwelling units above the ground floor; elderly housing; and assisted living (elderly custodial care); postal service; animal services; sales and grooming; veterinary (not including shelter/boarding kennel); construction sales and service including building material sales (excluding contractor/construction storage yard); eating and drinking establishments including restaurant, limited; restaurant, general; outdoor patio (permitted if located at grade level and on rooftop); financial services (no payday loan stores or pawn shop/cash for gold as primary business); including automated teller machine facility (no drive-thru permitted); food and beverage retail including liquor sales (package goods) and liquor sales (as accessory use); medical service; office; personal service; repair or laundry service, consumer including dry cleaning drop-off or pick up (no on-premises plant) and coin-operated laundromat; retail sales, general (however no mattress stores as primary use located at the hard corner of Milwaukee Avenue and Irving Park Road, but can be located in off-corner retail space); children's play center; new vehicle sales (used vehicle sales only at new car dealership) including auto supply/accessory sales but no warehousing or storage of inventory on site and no vehicle service allowed on site (electric charging stations are permitted); and all 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 of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development. Signage in one Sub Area advertising a business in another Sub Area shall not constitute Off-Premise signage.
7. For purposes of height measurement, the definitions in the 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 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 aNet Site Area of 139,618 square feet.
9. Upon review and determination, "Part 11 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 CSI) S \ Comers LLC
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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. Pinal 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 acknowledges and agrees that the rezoning from PD 1321 to 133-3, and then to PD 1321, as amended, triggers the requirements of Section 2-44-080 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project ("ARO Units") as affordable units, or with the approval of the commissioner of the Department of Housing ("DOH") (subject to the transition provisions of Section 2-44-040(c)), in consultation with the commissioner of the Department of Planning and Development ("DPD") as appropriate; (ii) pay a fee in lieu of the development of the ARO Units (Cash Payment); or (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the ARO Units on-site or off-site (Required Units). If the developer elects to provide ARO Units off-site, the off-site ARO Units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a higher income area within the meaning of the ARO, and the project has a total of 258 senior living units, 114 of which meet the definition of "Housing Unit" under the ARO. As a result, the Applicant's affordable housing obligation is 11 ARO Units (10% of 114 rounded down), 3 of which are Required Units (25% of 11, rounded up). Applicant has agreed to satisfy its affordable housing obligation by providing 11 ARO Units in the senior housing 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 Exhibit

[]. ARO Units must include services being provided to market rate tenants of the Housing Units in the senior living building. The Applicant agrees that the ARO rental Units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of Housing Units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Housing for review and approval, and DOH may adjust the number of required ARO Units without amending the Planned Development; provided, however, if the number of units which meet the definition of "Housing Unit" for purposes of the ARO decreases, Applicant will still provide 11 ARO Units. Prior to the issuance of any building permits for any residential building in 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

Applicant	CSL) Six Corner, LLC
Address	»»11 Noil, Milwaukee Avenue. 4fr71 -4777 Wo: in\ mg Hark Road
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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 11, 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.

12. Subarea C allows for Senior Housing as a permitted use. Applicant intends to construct a total of 258 senior living units, 114 of which are Independent Living Units and 98 of which are Assisted Living Units and 46 are Memory Care Units.. Applicant acknowledges and agrees, as set forth in Statement No. II, that the Independent Living Units trigger the requirements of the ARO.
13. Review and approval of a proposed site plan 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 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 15. 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.

Sub Area Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the PD.

14. 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

Applicant	CSD S'x Corners LLC
Address	1533 North Milwaukee Avenue, 4671-4777 West Irving, Park Quad
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Facility Management and Buildings, under Section 13-32-085 of the Municipal Code, or any other provision of the Municipal Code of Chicago.

15. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section I 7-13-0611-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.
16. 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.
17. 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.
18. 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 11 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	CSD Six Corners LLC
Address	J9X5-3911 North Milwaukee Avenue, 4671-1777 West Irving Park Road
Introduced	April 15, 2020
Plan Commission	May 21, 2020

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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.

19. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to Business Planned Development No. 1321 as approved by the Chicago City Council on May 18, 2016.

Applicant	CS1) Six Corners LLC
Address	.KH5-J911 North Milwaukee Avenue. -1671-477? West Irving Park Road
Introduced	April 15, 2020
Plan Commission	May 21, 2020

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BUSINESS PLANNED DEVELOPMENT NO. 1321, as Amended BULK REGULATIONS AND DATA TABLE

Gross Site Area:

Area in Right of Ways:

Net Site Area:

Sub Area A: Sub Area B: Sub Area C:

208,803 sq.ft.

69,185 sq.ft.

139,617.95 sq. ft. 65,692.38 s.f. 19,952.74 si. 53,972.83 s.f.

Maximum Floor Area Ratio: Sub Area A: Sub Area B: Sub Area C:

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In accordance with Site Plan

Maximum Building Height: Sub Area A: Sub Area B: Sub Area C:

32 feet Existing 135 feet

Minimum Parking Spaces: Sub Area A: Sub Area B: Sub Area C: Total:

Min. 67 Min.27 Min. 122 Minimum 216

Dwelling Units:

Sub Area A: 0

Sub Area B: 0

Sub Area C:

Independent Living Units: 114

Assisted Living/Memory Care Units: 144

Bicycle Parking Spaces: Loading Spaces

43

3

Applicant: CSD Six Corners LLC

Property: 3911-3985 North Milwaukee Avenue, 4747 West Irving Park Road

Introduced: April 15, 2020

Plan Commission Date: May 21, 2020

EXISTING ZONING MAP NTS

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SIX CORNERS - PLANNED DEVELOPMENT EXHIBITS APPLICANT - CSD SIX CORNERS EXISTING ZONING SHEET AND STREET MAP 1
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DATE

CPC DATE APRIL 15, 2020

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EXISTING LAND USE NTS

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SIX CORNERS - PLANNED DEVELOPMENT EXHIBITS

APPLICANT - CSD SIX CORNERS LLC ADDRESS 3911-3935 NOR TH MILWAUKEE AVE 4G71-4777 WEST IRVING PARK ROAD
SHEET NO

EXISTING LAND USE AREA MAP

CPC DATE

May 21, 2020

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PLANNED DEVELOPMENT BOUNDARY AND SUB AREA PLAN

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SCALE: 1" = 100'

SIX CORNERS - PLANNED DEVELOPMENT EXHIBITS

APPLICANT - CSD SIX CORNERS LLC ADDRESS- 3911-3985 NORTH MILWAUKEE AVE 4671-4 777 WEST IRVING PARK ROAD
APRIL 15, 2020

P.D. BOUNDARY, PROPERTY LINE/RIGHT OF WAY

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NORTH KILPATRICK AVENUE

RIGHT-OF-WAY ADJUSTMENT

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SIX CORNERS - PLANNED DEVELOPMENT EXHIBITS APPLICANT - CSD SIX
CORNERS LLC ADDRESS 3911-3985 NORTH MILWAUKEE AVE 4671-4777 WE

RIGHT OF WAY ADJUSTMENT 4

IRVING PARK ROAD



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SITE PLAN

0 25' 50' 100' SCALE: 1" = 100'

SIX CORNERS - PLANNED DEVELOPMENT EXHIBITS

APPLICANT - CSD SIX CORNERS LLC ADDRESS 3911-3985 NORTH MILWAUKEE AVE 4S71-4777 WEST IRVING PARK ROAD

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SIX CORNERS - PLANNED DEVELOPMENT EXHIBITS

APPLICANT - CSD SIX CORNERS LLC ADDRESS 3911-3985 NORTH MILWAUKEE AVE 4S71-4777 WEST IRVING PARK ROAD

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APPLICANT - CSD SIX CORNERS LLC ADDRESS- 391 1-3985 NORTH MILWAUKEE AVE . 4671-4777 WEST IRVING PARK ROAD
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SIX CORNERS - PLANNED DEVELOPMENT EXHIBITS

APPLICANT - CSD SIX CORNERS LLC ADDRESS. 3911-3985 NORTH MILWAUKEE AVE 4671-4777 WEST IRVING PARK ROAD

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APPLICANT - CSD SIX CORNERS LLC ADDRESS. 3911-3905 NORTH MILWAUKEE AVE 46/1-4777 WEST IRVING PARK ROAD
BUILDING ELEVATIONS

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APPLICANT - CSD SIX CORNERS LLC ADDRESS 3911-3985 NORTH MILWAUKEE AVE 4671-4777 WEST IRVING PARK ROAD

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CPC DATE

May 21, 2020

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

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

Maurice D. Cox

Chicago Plan Commission Dale: May 21, 2020

Re: Proposed Amendment to Planned Development #1321 for the property generally located at 3911 North Milwaukee

Avenue

On May 21, 2020, the Chicago Plan Commission recommended approval of the proposed planned development submitted by, CSD Six Comers, LLC. A copy of the proposed amendment to the planned development 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 and Land Use recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-9476.

Cc: Steve Valenziano

PD Master File (Original PD, copy of memo)

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