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Legislation Details (With Text)

File #: SO2022-2736

Type: Ordinance **Status:** Passed

File created: 9/21/2022 **In control:** City Council

Final action: 12/14/2022

Title: Zoning Reclassification Map No. 45-B at 4651-4719 N Western Ave, 2320-2332 W Leland Ave and 2323-2333 W Leland Ave - App No. 21122

Sponsors: Misc. Transmittal

Indexes: Map No. 45-B

Attachments: 1. O2022-2736.pdf, 2. SO2022-2736.pdf

Date	Ver.	Action By	Action	Result
12/14/2022	1	City Council	Passed as Substitute	Pass
11/29/2022	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
9/21/2022	1	City Council	Referred	

F INAL FOR PUBLICATION #21122

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 B3-2 Community Shopping District symbols and indications as shown on Map 45-13 in the area bounded by:

North Western Avenue; a line 191 feet north of the north right of way line of West Leland Avenue, as platted pursuant to P.J. Sexton's Addition to Chicago; the alley next east of North Western Avenue; Leland Avenue; the alley next east of North Western Avenue; and a line 73 feet south of the south right of way line of West Leland Avenue, as platted pursuant to P.J. Sexton's Addition to Chicago.

to the 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 45-B in the area bounded by:

North Western Avenue; a line 191 feet north of the north right of way line of West Leland Avenue, as platted pursuant to P.J. Sexton's Addition to Chicago; the alley next east of North Western Avenue; Leland Avenue; the alley next east of North Western Avenue; and a line 73 feet south of the south right of way line of West Leland Avenue, as platted pursuant to P.J. Sexton's Addition to Chicago.

to those of Residential-Business Planned Development.

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

Address: 4651-4719 N. Western Avenue, 2320-2332 W. Leland Avenue, and 2323-2333 W. Leland Avenue

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FINAL FOR PUBLICATION 7/21/22

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO.
PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____, ("Planned Development") consists of approximately 26,143 square feet of property which is depicted on the attached Property Line, Planned Development Boundary, Subarea, and Right of Way Adjustment Map (the "Property"). The Community Builders, Inc. is the "Applicant" for this Planned Development, with the authorization of the City of Chicago, which is the owner of the Property.
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 "Zoning Ordinance"), the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development, shall be under single ownership or designated control. Single designated control is defined in Section 17-S-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 Chicago Department of Transportation ("CDOT") 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 (defined below).

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Department of Planning and Development ("DPD") and CDOT. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of CDOT.

All work proposed in the public way must be designed and constructed in accordance with CDOT Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by CDOT.

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:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks

Applicant: The Community Builders, Inc.

Address: 4651 -4719 N. Western Avenue, 2320-2332 W. Leland Avenue, and 2323-2333 W. Leland Avenue

Introduced: September 21, 2022

Plan Commission: November 17, 2022

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- ADA crosswalk ramps
- Parkway A!; landscaping

The Perimeter Restoration Agreement must be executed prior to any ("DOT 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 Planned Development consists of these 18 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by DesignBridge and dated November 17, 2022 (the "Plans"): an Existing Zoning Map; an Existing Land Use Map; a Planned Development Boundary, Property Line, Subarea and Right of Way Adjustment Map; a Subarea A Site and Landscape Plan; Subarea A West and South Elevations; and Subarea A East and North Elevations. 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 thereof, 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. In each of the following Sub Areas, the following uses shall be permitted in this Planned Development:

Sub Area A: dwelling units located above the ground floor; animal services (excluding overnight kennels or boarding); artist live/work space; artist work or sales space; community center; limited and general restaurants, with or without

outdoor patio at grade; financial services (excluding payday/title loans, pawnshops and drive-throughs); food and beverage retail sales; office; personal service; general retail sales; banquet or meeting hall; consumer repair or laundry service; participant sports and recreation (indoor and children's play center); daycare; cultural exhibits and libraries; non-accessory parking; co-located wireless communication facilities; and accessory and incidental uses.

Sub Area B: outdoor public pedestrian plaza; right of way uses as designated by CDOT.

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 DPD. Off-Premise signs are prohibited within the boundary of the Planned Development.
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 Property shall be in accordance with the attached Bulk Regulations and Data table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted overall FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 26,143 square feet.

Applicant: The Community Builders, Inc.
Address: 4651-4719 N. Western Avenue, 2320-2332 W. Leland Avenue, and 2323-2333 W. Leland Avenue
Introduced: September 21, 2022
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9. Pursuant to Section 17-13-0610, a Part II Review Fee shall be assessed by DPD and paid by the Applicant as follows: The review fee is \$0.50 per square foot of buildable floor area. One-half of the review fee is due at the time of Plan Commission review, and one-half of the review fee is due at the time of permit review. The Plan Commission review fee is due at the time of filing the planned development application and is based on the total buildable floor area proposed to be developed, as identified in the planned development's Bulk Regulations and Data Table. If the planned Development includes phases or sub areas which are subject to future review by the Department or the Chicago Plan Commission prior to the issuance of permits for that phase or sub area, the Plan Commission review fee for such phases or sub areas is due when the relevant phase or sub area submission is made, pursuant to Section 17-13-0800. If the buildable floor area square footage changes between Plan Commission review and permit review, the total review fee will be prorated, accordingly, at the time of permit review.

The Plans are hereby approved in their entirety and no further approvals shall be required under this Planned Development or the Zoning Ordinance for the improvements undertaken in accordance with the Plans, other than Part II Approval (per Section 17-13-0610 of the Zoning Ordinance).

10. The Site and Landscape Plans 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 DPD. 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 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The terms and conditions of development under this Planned Development ordinance may be modified

administratively, pursuant to section 17-13-061 1-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.

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

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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 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.

17. The Applicant acknowledges and agrees that the rezoning of the Property from the B3-2 Community Shopping District to

the B3-3 Community Shopping District and then to this Residential-Business Planned Development ("PD") 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 Financing 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.

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 DPD shall initiate a Zoning Map Amendment to rezone the property to the B3-3 Community Shopping District.

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BUSINESS PLANNED DEVELOPMENT NO.
BULK REGULATIONS AND DATA TABLE

Total Gross Site Area (si): Sub Area A (sf): Sub Area B (si):

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

Sub Area A (sf): Sub Area B (si):

Total Net Site Area (sf):

Sub Area A (si): Sub Area B (sf):

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

Maximum Number of Dwelling Units

Minimum Off-Street Accessory Parking Spaces:

Maximum Parking Spaces: Minimum Off-Street Loading Spaces: Maximum Building Height: Minimum Setbacks:

55,876 34,586 21,290

29,733

(includes area of Leland Avenue in Subarea A currently developed and used, and to be opened, as right-of-way)

16,230

(includes 2,662 square feet of existing Leland Avenue right of way to be opened)

13.503 26,143

(includes area of Subarea B before right-of-way adjustments contemplated by this PD)

18,356

7,787

(area to be opened as right-of-way)

4.0

4.58

2.63

6.3

None required

36 (no more than 18 non-accessory spaces) 1 (10'x25') 80 feet

In conformance with the Plans

Applicant: The Community Builders, Inc.

Address: 465 1 -4719 N. Western Avenue, 2320-2332 W. Leland Avenue, and 2323"-2333 W.
Leland Avenue

Introduced: September 21,

2022

Plan Commission: November 17, 2022

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EXISTING ZONING MAP

APPLICANT: THE COMMUNITY BUILDERS, INC.

ADDRESS: 4715 N WESTERN AVE

CHICAGO, IL

INTRODUCED: SEPTEMBER 21, 2022

PLAN COMMISSION: NOVEMBER 17, 2022

EXISTING LAND USE MAP

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LINCOLN SQUARE

THE COMMUNITY BUILDERS, INC.
47 15 N WESTERN AVE CHICAGO, IL

INTRODUCED: SEPTEMBER 21, 2022

PLAN COMMISSION: NOVEMBER 17, 2022

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PLANNED DEVELOPMENT, BOUNDARY, PROPERTY LINE, SUBAREA AND RIGHT OF WAY ADJUSTMENT MAP

LINCOLN SQUARE

APPLICANT: THE COMMUNITY BUILDERS, INC.

ADDRESS: 47 1 5 N WESTERN AVE

CHICAGO, IL

INTRODUCED: SEPTEMBER 21, 2022

PLAN COMMISSION: NOVEMBER 17, 2022

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SUBAREA A: SITE AND LANDSCAPE PLAN

LINCOLN SQUARE

THE COMMUNITY BUILDERS, INC.
47 1 5 N WESTERN AVE CHICAGO, IL

INTRODUCED: SEPTEMBER 21, 2022

PLAN COMMISSION: NOVEMBER 17, 2022

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SUBAREA A WEST AND SOUTH ELEVATION

NORTH

LINCOLN SQUARE

APPLICANT: THE COMMUNITY BUILDERS, INC.

ADDRESS: 47 1 5 N WESTERN AVE

CHICAGO, IL

INTRODUCED: SEPTEMBER 21, 2022

PLAN COMMISSION: NOVEMBER 17, 2022

SUBAREA A EAST AND NORTH ELEVATION

LINCOLN SQUARE

APPLICANT: THE COMMUNITY BUILDERS, INC.

ADDRESS: 47 1 5 N WESTERN AVE

CHICAGO, IL

INTRODUCED: SEPTEMBER 21, 2022

PLAN COMMISSION: NOVEMBER 17, 2022

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

Alderman Thomas Tunney
Chairman, City Council Committee on Zoning

'Maurice D. Cox " " /' Chicago Plan Commission

Date: November 17, 2022

Re: Proposed Residential Business Planned Development at 4651-4719 N. Western Avenue, 2320-2332 W. Leland Avenue, and 2323-2333 W. Leland Avenue

On November 17, 2022, the Chicago Plan Commission recommended approval of a proposed planned development submitted by The Community Builders, Inc. A copy of the proposed 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 recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact me at 312-742-9442.

Cc: Noah Szafranice
PD Master File (Original PD, copy of memo)

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