



Office of the City Clerk

City Hall
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Room 107
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Legislation Text

File #: SO2019-2661, Version: 1

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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 be amended by changing all the M1-2 Limited Manufacturing/Business Park District and RT4 Residential Two-Flat, Townhouse and Multi-Unit District symbols and indications as shown on Map No.9-G in the area bounded by

West School Street; a line 225.37 feet east of and parallel to the alley next east of and parallel to North Lakewood Avenue; the alley next south of and parallel to West School Street; the easterly line of the former Chicago, Milwaukee, St. Paul & Pacific Railroad right-of-way; a line 79.29 feet east of and parallel to the alley next east of and parallel to North Lakewood Avenue; West Melrose Street; and the alley next east of and parallel to North Lakewood Avenue,

to those of a RM4.5 Residential Multi-Unit District and a corresponding use district is hereby established in the area above described.

Section 2. That the Chicago Zoning Ordinance be amended by changing all the RM4.5 Residential Multi-Unit District symbols and indications within the area herein above described to the designation of a Residential Planned Development No. , 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 here with attached and made a part thereof and to no others.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

1225-35 West School Street, and 1240 West Melrose Street

Hna! for Publication

RESIDENTIAL PLANNED DEVELOPMENT No. PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential Planned Development No. _____, (The Planned Development) consists of forty-one thousand, five hundred, and thirty-four (41,534) _____ square feet or 0.953 acres of property which is depicted on the attached "Planned Development Boundary and Property Line Map" which is owned or controlled by the Applicant: US Investments-Residential 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.
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

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Introduced: April 10,2019
Plan Commission: December 19, 2019

- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

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 seventeen (17) Statements: a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map, an Existing Land-Use Map, Site Plan, Preliminary Floor Plans; School and Melrose Elevations; Alley and Side Elevations; Esplanade Elevations; prepared by A+C Architects and dated December 19, 2019 submitted herein and the ARO Affordable Housing Profile Form. 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 Residential Planned Development: multi-unit residential; accessory uses, and accessory off-street parking spaces.
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.
7. For purposes of height of any measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations established by the (FAA) Federal Aviation Administration.
8. The maximum permitted floor area ratio (F.A.R.) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definition in the Zoning Ordinance shall apply.

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The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a net site area of 41,534 square feet with a base FAR of 1.5.

9. Upon review and determination, Part II Review, pursuant to section 17-13-0610 a Part H 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 corresponding regulations and guidelines, including Section 17-13-0880. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with Site plan review or Part II reviews, are conditional until final part II approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A of the Zoning Ordinance by the Zoning administrator upon the application for such modification by the applicant, its successors and assigns and, if different than the Applicant, the legal titleholders 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 and agrees that the rezoning of the Property from RT4 Residential Two-Flat, Townhouse and Multi-Unit District and MI-2 Limited Manufacturing/Business Park District to this Planned Development, 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

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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 28 units. As a result, the Applicant's affordable housing obligation is 3 ARO Units (10% of 28 rounded up), one of which are Required Units (25% of 28, rounded up). Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$600,000 ("Cash Payment"), to be approved by the Department of Housing in consultation with DPD as appropriate, as set forth in the Affordable Housing Profile Form attached hereto as an Exhibit. The Commissioner of the Department of Housing has agreed to an enhanced Cash Payment in lieu of constructing ARO units. If the Applicant subsequently reduces (or increases) the number of ARO 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. 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 make the required Cash Payment and/or 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 Commissioner of DOH may enforce remedies' for any breach of this Statement 14, 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.

- 15. 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.
- 16. The Applicant acknowledges that it is the policy of the City to maximize opportunity for Minority and Woman-Owned Business Enterprises ("M/WBEs") and city residents to complete 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 process. First, the applicant must submit to DPD, as part of its application for Planned Development

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approval, an M/WBE participation proposal. The M/WBE participation proposed 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 residents hiring (measured against the total construction hours for the project or any phase thereto). The M/WBE participation proposal must include a description of the Applicant's proposal outreach plan designed to inform M/WBEs and city residents of jobs and construction 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 associates and the ward office of the alderman in which the project is located and receipts thereof, (c) responses to the Applicant's out-reach efforts, and (d) update (if any) to the applicant's M/WBE and city residents participation goals. Third, prior to issuance of a Certification of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city residents participation in the project or any phase thereof, and evidence of such 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 residents are informed of utilized in planned development projects. All such information will be provide in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and any city resident in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

17. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to a RM4.5 Residential Multi-Unit District.

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RESIDENTIAL PLANNED DEVELOPMENT No. BULK REGULATIONS AND DATA TABLE

Gross Site Area:

Area in Public R.O.W.:

Net Site Area:

Maximum Floor Area Ratio:

Maximum Number of Dwelling Units:

Minimum Private Open Space to be provided:

Number of Off-Street Parking Spaces to be provided:

Setbacks from Property Lines: Setbacks between Buildings Maximum Building Height:

54,761 square feet 13,227 square feet 41,534 square feet

1.5

28 units

5,600 sq. ft. (200 sq. ft. per DU)

I accessory parking spaces per unit (28 off-street parking spaces)

II feet along West School Street,

10 feet along West Melrose Street,

5.5 feet along any alleys,

24 feet from front wall to side wall, 24 feet from front wall to rear wall 14 feet from side wall to side wall

38 feet as measured by the CZO.

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ARO Affordable Housing Profile Form (AHP)

This form for projects that are eligible to the 2015 ARO (only projects in the City of Chicago)
City Council after October 13, 2015) More information is online at:
This completed form should be returned to the Department of Housing (U.S.), 121 N LaSalle Street, 10th Floor,
Chicago, IL 60602. For more information, contact the ARO staff at...

Date: 11/25/19

DEVELOPMENT INFORMATION

Development Name:

Development Address: 1225 W School St Chicago, IL 60657

Zoning Application Number, if applicable: 48-18 S

Ward: AA

If you are working with a Planner at the City, what is his/her name?

Justin Root

Type of City Involvement

D City Land

0 Planned Development (PD)

check all that apply

Q Financial Assistance

Q Transit Served Location (TSL) project

fj Zoning increase

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received ARO Web Form completed and
attached - or submitted online on Q ARO "Affordable Unit Details and Square Footage" worksheet completed and attached
(Excel) n If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (pdf) 0 If ARO units
proposed are off-site, required attachments are included (see next page) D If ARO units are CHA/Authorized Agency units,
signed acceptance letter is attached (pdf)

DEVELOPER INFORMATION

Developer Name: US Investments - Residential LLC
John L. Pellouchoud Developer Contact
6767 N Milwaukee Ave. (Miles, IL 607014
Developer Address

Email: jpellouchoud@scgroupre.com <mailto:Emailjpellouchoud@scgroupre.com> Developer Phone 312 520 0600

Attorney Name: Paul Kolpak

Attorney Phone 9476470335

TIMING

Estimated date marketing will begin February 2020 Estimated date
of building permit* April 2020 Estimated date ARO units will be
complete

*the in-lieu fee, recorded covenant and \$5,000 per unit administration fee (for off-site units) are required prior to the issuance of any
building permits, including the foundation permit.

PROPOSED UNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

Paul Kolpak

11/25/19

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Justin Roppair DoniSf! Romnn, DOH Date

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Lfist updated January 11, 2019

KOLPAK & GRCIC, LLC

ATtoRN-vsaTLAW Final for Publication

SUITE 202 6767 NORTH MILWAUKEE AVENUE NILES,
ILLINOIS 60714

TELEPHONE (047) 647-0336

FACSIMILE (847) 647-8107

Commissioner Marisa Novara:

I represent the sponsor of the development project located at 1225 West School Street (US Investments - Residential LLC, an Illinois Limited Liability Company). As part of the development process, the sponsor has prepared and submitted an application for rezoning the subject property as a Planned Development. Under the development plan, 28 new housing units are contemplated and the development project falls under the city's Affordable Requirements Ordinance (ARO). During 2018, the project sponsor investigated and evaluated several approaches to ARO compliance, which included working with the Alderman's office (44th Ward) and the city's ARO compliance staff.

For more than 12 months, the project sponsor worked in good faith to fulfill its obligations under the ARO insofar as this project is concerned (please refer to the attached history of ARO compliance). As of November 2019, a viable means of ARO compliance with respect to the one required on- or off-site unit has eluded the sponsor. However, the sponsor understands its responsibility under the ARO and respectfully requests that it be permitted to comply through the payment of a single in-lieu fee of \$600,000 to cover the obligation for three ARO units.

Respectfully submitted,

Fw: 1225 W. School

Justin Root

i'ue 11/26/2019 9 11 AM

To: Emily Thrun <Emily.Thrun@cityofchicago.org <mailto:Thrun@cityofchicago.org>: FYI

From: Marisa Novara <Marisa.Novara@cityofchicago.org

<mailto:Marisa.Novara@cityofchicago.org>> Sent: Monday,
November 25, 2019 12:51 PM To: Justin Root
<Justin.Root@cityofchicago.org
<mailto:Justin.Root@cityofchicago.org>> Subject: 1225 W. School

Justin, I approve the hardship waiver request in regards to 1225 W. School. Thank you.

Marisa
Commissioner
Department of Housing, City of Chicago 121 N.
LaSalle, room 1000 Chicago IL 60602
312.744.0771
marisa.novara@cityofchicago.org

Novara

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