



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Text

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**File #:** SO2014-6810, **Version:** 1

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### 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 the current CI-1 Neighborhood Commercial District symbols and indications as shown on Map No. 5-1 in the area bounded by:

West Belden Avenue; the public alley next west of and parallel to North Washtenaw Avenue; the public alley next northeast of and parallel to North Milwaukee Avenue; the public alley next south of and parallel to West Belden Avenue; North Washtenaw Avenue; North Milwaukee Avenue; and West Belden Avenue

to those of a B3-5 Community Shopping District which is hereby established in the area described above.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the current B3-5 Community Shopping District symbols and indications as shown on Map No. 5-1 in the area bounded by:

West Belden Avenue; the public alley next west of and parallel to North Washtenaw Avenue; the public alley next northeast of and parallel to North Milwaukee Avenue; the public alley next south of and parallel to West Belden Avenue; North Washtenaw Avenue; North Milwaukee Avenue and West Belden Avenue

to those of a Residential Business Planned Development which is hereby established in the area described above.

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

## FINAL FOR PUBLIC

### ORDINANCE

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

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to those of a Residential Business Planned Development which is hereby established in the area described above.

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*for  
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**PLANNED DEVELOPMENT #**

**BULK REGULATIONS TABLE**

**Net Site Area:**

**Area in the Public Right of Way: Gross Site Area:**

**42,331.00 Square Feet 29,192.43 Square Feet 71,523.43 Square Feet**

**Maximum Floor Area Ratio:**

**Maximum Number of Units:**

**Maximum Building Height:**  
**North Building: South Building:**

**Minimum Number of Parking Spaces:**

**Minimum Number of Loading Berths:**

**Minimum Number of Bicycle Parking:**

**Minimum Setbacks:**

**156 ft. 10 in. 146 ft. 4 in.**

**67 spaces**

**One berth (10'x25'). One per Unit**

**In accordance with the Site Plan**

Applicant: 2293 North Milwaukee LLC  
Address: 2255 - 93 North Milwaukee  
Date Introduced: September 10,2014  
Plan Commission: April 16,2015

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**SUBSTITUTE STATEMENTS RESIDENTIAL - BUSINESS PLANNED DEVELOPMENT**

**STATEMENTS**

1. The area delineated herein as Planned Development Number \_\_\_\_\_, ("Planned Development") consists of approximately 42,331 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, 2293 North Milwaukee 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, assign 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.

*All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction 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 the Department of Transportation.*

4. This Plan of Development consists of sixteen (16) Statements: a Bulk Regulations Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site/Landscape Plan; and Building Elevations submitted herein. Full-sized

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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. Should the commencement of construction of the second of the two mixed-use buildings contemplated by this Planned Development not commence within two years of the completion of the first building, then the Applicant shall landscape the area to be occupied by such second building until such time as its construction commences.

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

Residential Units, include Dwelling Units above the ground floor and Efficiencies; Day Care; Business Equipment Sale and Service; Business Support Services; Communication Service Establishments; Eating and Drinking Establishments; Indoor Special Event Space; Banks and other Financial Institutions and Services; ATM Facilities; Food and Beverage Retail Sales; Medical Service Office; Personal Service; Repair or Laundry Service, Consumer; Retail Sales, General; Outdoor and Indoor Participant Sports and Recreation; Restaurant; Tavern; Office; Children's Activity Facility; Wireless Communications Facilities; and accessory uses, excluding pawn shops and adult uses provided further, however, that the establishment of Day Care, Bank and other Financial Institutions and Services, and a Children's Activity Facility shall be limited to ground floor and to a maximum size of 3,000 sq. ft. in the southern building and 5,000 sq. ft. in the northern building.

Any use that requires curb side pickup and drop off areas shall require review and approval by the Department of Transportation and The Department of Planning and Development.

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 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.

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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 Floor Area Ratio identified in the Bulk Regulations Table has been determined using a Net Site Area of 42,331 square feet and a base FAR of 5.0.
9. The Applicant acknowledges and agrees that the rezoning of the Property from CI-1 to a B3-5 and then to a Planned Development for construction of the Residential Project 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 must: (i) develop affordable housing units as part of the residential housing 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 \_\_\_\_\_, the Applicant has agreed to provide 10% affordable housing units in the Residential Project (the "Affordable Units"), if rental for households earning up to 60% of the Chicago Median Income, or, if the units are to be owner-occupied (e.g., condominium), then the Applicant shall either provide the Affordable Units on-site or off-site in accordance with the income-eligibility and off-site unit requirements in the Affordable Housing Ordinance as amended on April 15, 2015.

At the time of each Part II review for the Residential Project, Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval. If the Applicant subsequently reduces the number of dwelling units in the Residential Project, DPD may adjust the requirements of this Statement accordingly without amending this Planned Development. Prior to the issuance of a building permit for the Residential Project, 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 the Property and will constitute a lien against each Affordable Unit. Notwithstanding anything to the contrary contained in Sec. 17-4-1003-E, the Commissioner of Planning and Development 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 ordinance.

10. 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.

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11. 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 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.
12. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and

Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

13. 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, among such authorized administrative modifications are revisions to the Site Plan and Elevations as required.
14. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner that 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.
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 has agreed to provide a 50% green roof over the net roof area and achieve Building Certification to comply with the City of Chicago's Sustainable Matrix.
16. 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 a B3-5 Community Shopping.
17. In addition to the Affordable Units the Applicant voluntarily agrees to provide an additional 3.78% affordable workforce housing units in the Residential Project consisting of three bedroom and two bedroom units for households earning up to 100% of the Chicago Median Income.

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Applicant: 2293 North Milwaukee LLC  
Address: 2255-93 N Milwaukee Ave/  
2208-26 N. Washtenaw Ave/ 2715 - 35 W Belden St  
Introduction Date: September 10th, 2014  
Plan Commission Date: April 16th, 2015

## PD 1

Existing Zoning Map  
2255-93 N Milwaukee Ave/ 2208-26 N. Washtenaw Ave/ 2715-35 W Belden St

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Planned  
Gross Area = 75,941 sf (1.74acre) to PD Boundary Line Net Area = 42,331st (.97acre) to Property Line  
Development^ [ Boundary Line'

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## PD 2

Boundary and Property Line Map

1 ^ PD - Boundary and Property Line Map J 1/64" = r-o"~  
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l "j • \_ | ~ •'  
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Applicant: 2293 Address: 2255-93 [^Milwaukee 2208-26 N. Washtenaw^ye/ 2715^5 W Introduction Date:  
September 10th, 2014 Plan Commission Date: April 16th, 2015

## PD 3

Site Plan

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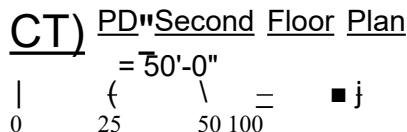
PD - Site Plan 1" = 50'-0"

25

Plan Commission Date: April 16th, 2015

PD 4

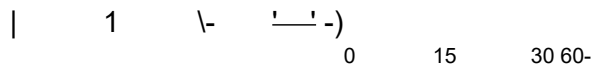
Second Floor Plan



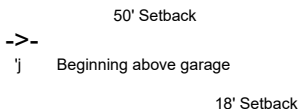
Applicant: 2293 North Milwaukee LLC  
 Address: 2255-93 N Milwaukee Ave/  
 2208-26 N. Washtenaw Ave/ 2715 - 35 W Belden St  
 PD - Enlarged Plan 1" = 30'-0"  
 Introduction Date: September 10th, 2014  
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PD 5

Enlarged Plan



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Vegetated Roof - over Elevator/Stairs = 1323 sf  
 Vegetated Roof  
 Roof Level = 3072 sf

Level 2 Roof Deck = 7059 sf  
 LINE OF ROOF AREA  
 INCLUDED IN CALCULATION  
 Vegetated Roof  
 over parking or on top of 1 story optional structure = 950 sf  
 Roof Deck = 1901 sf

TOTAL CALCULATED ROOF AREA: 50% Total Green Roof Area -  
 90 % Vegetated Roof Area -

LINE OF ROOF AREA INCLUDED IN CALCULATION

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o f7\ PD - Green Roof Plan

Green Roof Plan | | 1 | 0 25 50 100

NOTES:

- 1. Parapet height subject to adjustment to allow for retention of stormwater to occur on roof.
- 2. Exterior Enclosure/ Window Wall system subject to adjustment to conform to unit layouts

MATERIAL LEGEND:

- MTL 1A: Metal Panels, slab edge cover
- MTL 1B: Metal Panels, painted
- MTL-7: Metal Screen Wall
- GL-1: Clear Glazing, Low-E Coated
- GL 2: Tinted Glazing, Low -E Coated
- GL 3: Clear Glazing
- CON-2: Architectural Concrete

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# PD 7 ©

North Elevation F=

PD - North Elevation f= 60'-0"  
"1=1= 1

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NOTES:

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2. Exterior Enclosure/Window Wall system subject to adjustment to conform to unit layouts

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MATERIAL LEGEND:

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- MTL 1B: Metal Panels, painted
- MTL-7: Metal Screen Wall
- GL-1: Clear Glazing, Low-E Coated
- GL 2: Tinted Glazing, Low -E Coated
- GL 3: Clear Glazing
- CON-2: Architectural Concrete

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 Introduction Date: September 10th, 2014  
 PD - Southwest Elevation  
 Plan Commission Date: April 16th, 2015

## PD 9

1" = 60'-0"

### Southwest Elevation

$F=q$        $p$   
 30      60 120

NOTES:

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MATERIAL LEGEND:  
MTL 1A: Metal Panels, slab edge cover  
MTL 1B: Metal Panels, painted  
MTL-7: Metal Screen Wall  
GL-1: Clear Glazing, Low-E Coated  
GL 2: Tinted Glazing, Low -E Coated  
GL 3: Clear Glazing  
CON-2: Architectural Concrete

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## PD 8 &

PD - East Elevation 1" = 60'-0"  
East Elevation

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0      30      60 120