



Office of the City Clerk

City Hall
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Legislation Text

File #: SO2017-150, Version: 1

FWAL 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 be amended by changing all the B3-1 Community Shopping District symbols and indications as shown on Map No. 5-1 in the area bounded by

beginning at the alley next northeast of North Milwaukee Avenue; North Campbell Avenue; North Milwaukee Avenue; a line 164.89 feet northeasterly of the intersection of North Milwaukee Avenue and North Campbell Avenue as measured at the northeasterly right-of-way line of North Milwaukee Avenue and perpendicular thereto; a line 75.21 feet northeast of and parallel to North Milwaukee Avenue; and a line 165.18 feet northeasterly of the intersection of North Milwaukee Avenue and North Campbell Avenue as measured at the northeasterly right-of-way line of North Milwaukee Avenue and perpendicular thereto (running northeast to the point of beginning),

to those of a B3-5 Community Shopping 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 B3-5 Community Shopping District symbols and indications within the area hereinabove described to the designation of Residential-Business 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 herewith attached and made a part thereof and to no others.

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

Common address of properties: 2025-2037 North Milwaukee Avenue and
2018-2030 North Campbell Avenue

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**RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT No.
PLAN OF DEVELOPMENT STATEMENTS**

1. The area delineated herein as Residential Business Planned Development No. _____, (the "Planned Development") consists of approximately thirteen thousand, nine hundred and eighty-seven (13,987) square feet (point thirty-two hundredths) 0.32 acres of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property") and is owned or controlled by the Applicant, " Metropolitan Housing Development Corp."
2. 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, alleys or 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, assignees or grantees and approval by the City Council. 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 by 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.



3. 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 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 Sec. 17-8-0400 of the Chicago Zoning Ordinance.

Applicant: Metropolitan Housing Development Corp.
Address: 2025-2037 North Milwaukee Avenue and
2018-2030 North Campbell Avenue
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Plan Commission: July 20, 2017

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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 and Green Roof Plan, Building Elevations, and Floor Plans prepared by CSA Partners, LTD, and dated July 20, 2017 and Affordable Housing Profile Form submitted herein. 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 Business Planned Development: a total of 88 residential dwelling at grade and above; retail, office and service use, accessory uses, and off-street parking and loading.
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 ("DPD"). 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 site shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and floor area measurements, the definitions in the Chicago Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using Net Site Area of 13,987 square feet.
9. 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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10. The Site Plan and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan 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 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.
12. 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 ("MOPD") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
13. The Applicant will comply with Rules and Regulations for the Maintenance of Stock-Piles Promulgated by the Commissioner of Street and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings pursuant to Section 13-32-125 of the Municipal Code of

Chicago or any other provision of that Code.

14. The Applicant acknowledges that 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 and agrees that the rezoning of the property from B3-1 Community Shopping District to a B3-5 Community Shopping District and then to this of this Planned Development triggers the requirement of Section 2-45-115 of the Municipal-Code of Chicago (Affordable Requirements Ordinance or ARO). Any Developer of a residential housing project within the meaning of the ARO must (i)

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set aside 10% of the housing units in the residential housing project (the Required Units) as affordable units or with the Commissioner of the Department of Planning and Development's (DPD) approval, provide the Required Units in an approved off-site location: (ii) pay a fee in lieu of the development of the Required Units; 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 Required Units on-site or off-site. If the developer elects to provide affordable units off-site, the off-site affordable 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 88 units. As a result, the Applicant's affordable housing obligation is 9 affordable units (10% of the 88 units rounded up), of which 2 are Required Units (25% of 9, rounded down). Applicant has agreed to satisfy its affordable housing obligation by providing forty (40) on-site units in the rental/for sale building and has also entered into an agreement with the Chicago Housing Authority (CHA) to provide forty-eight (48) on-site affordable units in the PD. The Applicant agrees that the affordable rental/ for sale units must be affordable to households no more than 60% of the Chicago Primary 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 submit an Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the number of required Affordable Units without amending the PD. Prior to the issuance of any building permits for any residential building in the PD, 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 2-45-115 (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 agreement will be recorded against the PD, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement No. 15, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any breach, subject to the approval of the Corporation Counsel, without amending the PD.

Notwithstanding the foregoing, if the Applicant receives Low-Income Housing Tax Credits, tax increment financing or other financial assistance whose affordability requirements exceed those of the Affordable Housing Ordinance from the City to develop affordable housing in any portion of the Planned Development, the regulatory,

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redevelopment, loan or other agreements(s) to be executed by the City and the Applicant in connection with such tax credits or other financial assistance shall govern and control the Applicant's obligation to provide affordable housing for such subsidized portion of the Planned Development.

16. The applicant acknowledges the city's ongoing and evolving initiatives to enhance awareness of, and support and encourage participation by, Minority and Women's Business Enterprise certified contractors and local city residents. To assist the city in promoting such MBE, WBE and local city resident involvement, the Applicant has already provided the Department of Planning and Development with any preliminary outreach plans designed to elicit MBE, WBE and local city resident participation, such submission may include copies of certified letters, and receipts of such, sent to MBE/WBE contractors associations and the ward office of the alderman in which this project is proposed to be located. In conjunction with the Applicant's submission for Part ii permit reviews, the Applicant will provide DPD, , and upon request, the full Plan Commission, with all responses to any preliminary outreach plans and certified letters, updates on any associated communications or meetings and anticipated percentages of MBE, WBE and local city resident participation. Prior to issuance of their Certificate of Occupancy, the Applicant will provide DPD with their actual level of MBE and WBE certified contractor and local resident participation. All such details will be provided in a form acceptable

to the Zoning Administrator or Commissioner of the Department of Planning and Development.

17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of Planning and Development shall initiate a zoning map amendment to rezone the Property to a B3-5 Community Shopping District.

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RESIDENTIAL-BUSINESS PANNED DEVELOPMENT No.

BULK REGULATIONS AND DATA TABLE

Gross Site Area: Area of Public R.O.W. Net Site Area:

Permitted Floor Area Ratio:

Maximum Number of Residential Dwelling Units:

Number of Off-Street Parking Spaces to be provided:

Minimum Number of Bicycle Parking Spaces:

Minimum Off-Street Loading Spaces: Setbacks from Property Line:

Maximum Building Height:

26,299 square feet 12,312 square feet 13,987 square feet

5.0

88 units

18 total parking spaces

60 bicycle parking spaces

one (1) space at 10' x 25'

In substantial compliance with the attached Site Plan

79 feet 10 inches in height as measured by the Chicago Zoning Ordinance

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF
CHICAGO

MEMORANDUM

To:

Alderman Daniel S. Solis Chairrr art, City Council Committee
on Zoning

From:

David L. Reifman Chicago Plan
Commission

Date: July 20, 2017

Re: Proposed Planned Development for the property generally located at 2037 N. Milwaukee Avenue

On July 20, 2017, the Chicago Plan Commission recommended approval of the proposed planned development submitted by Metropolitan Housing Development Corporation. 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, 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