



# Office of the City Clerk

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

## Legislation Text

File #: SO2016-99, Version: 1

**FINAL FOR  
PUBLICATION**

### SUBSTITUTE 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 of the B3-2 Community Shopping District symbols and indications as shown on Map No. 3-H in the area bounded by:

the alley next southwest of an parallel to North Milwaukee Avenue; a line 318.28 feet southeasterly of and parallel to North Paulina Street; a line 194.50 feet southwesterly of and parallel to the alley next southwesterly of and parallel to North Milwaukee Avenue; a line 27.24 feet west of the west boundary line of the public alley (vacated) next east of and parallel to North Paulina Street (as measured along the north line of West Division Street); West Division Street; a line 30 feet east of and parallel to the east line of the alley (if extended) next east of and parallel to North Paulina Street; the public alley next north of and parallel to West Division Street; the public alley next east of and parallel to North Paulina Street; the public alley next, southeast of and parallel to North Paulina Street (running in a northeasterly direction); a line 50 feet southwest of and parallel to the public alley next southwest of and parallel to North Milwaukee Avenue; North Paulina Street,

to those of a B3-5 Community Shopping District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-5 Community Shopping District symbols and indications as shown on Map No. 3-H in the area bounded by

the alley next southwest of an parallel to North Milwaukee Avenue; a line 318.28 feet southeasterly of and parallel to North Paulina Street; a line 194.50 feet southwesterly of and parallel to the alley next southwesterly of and parallel to North Milwaukee Avenue; a line 27.24 feet west of the west boundary line of the public alley (vacated) next east of and parallel to North Paulina Street (as measured along the north line of West Division Street); West Division Street; a line 30 feet east of and parallel to the east line of the alley (if extended) next east of and parallel to North Paulina Street; the public alley next north of and parallel to West Division Street; the public alley next east of and parallel to North Paulina Street; the public alley next southeast of and parallel to North Paulina Street (running in a northeasterly direction); a line 50 feet southwest of and parallel to the public alley next southwest of and parallel to North Milwaukee Avenue; North Paulina Street,

to those of a Residential Business Planned Development 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 of thereof and to no others.

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

Address: 1257-1259 North Paulina Street, 1640-1668 West Division Street, Chicago, Illinois  
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### RESIDENTIAL BUSINESS PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number TBD, ("Planned Development") consists of approximately 97,750 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). CP West Division LLC is the "Applicant." for this planned development pursuant to authorization from the other Property owners.
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 (he 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<sup>7</sup>"), 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 17-8-0400 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 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.

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.

4. This Plan of Development consists of these 16 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Hirsch Architects and dated July 21, 2016 (the "Plans"): an Existing Zoning Map; a Planned Development Property and Boundary Line Map; an Existing Land-Use Map; a Site and Ground Floor Plan; a Proposed Landscape/Green Roof Plan; Building Elevations (North, South, East and West). 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. The following uses are permitted in the area delineated herein as a Business Planned Development: general retail sales, office, multi-family dwelling units (at and above the ground floor), schools, colleges

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and universities, animal services (sales and grooming, veterinary, excluding shelter/boarding kennel), artist work or sales space, business support services, day care, dry cleaner, eating and drinking establishments (all including outdoor patios), food and beverage retail sales (provided any sale of liquor shall be accessory only), vacation rental, medical service, financial services (except drive-through facilities, payday/title secured loan stores and pawn shops), personal service (including, without limitation, yoga and fitness studios), participant sports and recreation, residential storage, warehouse, co-located wireless communication facilities, accessory and non-accessory parking (up to 45% pursuant to Section 17-10-0503), and accessory and related 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 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 FAB calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of 97,750 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 DPD. 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 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 (he 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 17-13-0611 -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.
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. .

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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 seek LEED certification (or equivalent alternative certification, such as Energy Star) and provide a 50% net green roof on Building 2 and Building 4 as shown on the Proposed Landscape/Green Roof Plan.

Applicant shall construct the open space shown on the site plan. The open space shall continue to be privately owned, maintained and subject to occasional partial closure for private use but, subject to the foregoing, shall remain accessible to the public during hours in which public parks are accessible to the public. Nothing contained herein shall preclude residents or other individuals from using the open space for other private uses, provided that they obtain all necessary governmental approvals and permits.

15. The Applicant acknowledges and agrees that the rezoning of the Property from the B3-3 Community Shopping District to the B3-5 Community Shopping District and then to this Planned Development, triggers the requirements of Section 2-45-115 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 (the "Required Units") as affordable units, or 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, with the Commissioner's approval, 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 a higher income area or downtown district. The Property is located in a "higher income area" within the

meaning of the ARO, and the Applicant has agreed to satisfy its affordable housing obligation by providing 26 affordable units in the rental Building 1 and Building 2 to be constructed in the Planned Development, as set forth in the Affordable Housing Profile Form attached

hereto as Exhibit f [ ]. The Applicant agrees that the affordable 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 Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required Affordable 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 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 Planned Development, 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 15. including any breach of any affordable housing agreement, and enter into settlement agreements with respect lo any such breach, subject to the approval ofthe Corporation Counsel, without amending the Planned Development.

16. This Planned Development shall be governed by Section 17-13-0612 ofthe Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of DPD shall initiate a Zoning Map ' Amendment to rezone'the property to the B3-2 Community Shopping District/

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**BUSINESS PLANNED DEVELOPMENT NO.  
BULK REGULATIONS AND DATA TABLE**

Gross Site Area (sf):

Area of Public Rights-of-Way (sf):

Net Site Area (sf):

Maximum Floor Area Ratio:

Maximum Number of Dwelling Units: Subarea A: Subarea B

Minimum Off-Street Parking Spaces:

Minimum Bike Parking Spaces:

Minimum Off-Street Loading Spaces: Subarea A: Subarea B

Maximum Building Height: Subarea A: Subarea B

Minimum Setbacks:

121,558

23,808

97,750

3.5

260

61

199

160

119

2 (10'x25') 2 (10'x25')

In conformance with the Plans 68'8"

177' (top of roof)

190' (top of elevator overrun/fan room) In conformance with the Plans

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## Affordable Housing Profile Form (Rental)

Submit this form to the Department of Planning & Development for each project that triggers an affordability requirement (including CPAN, ARO, and the Density Bonus).

This completed form should be returned (via e-mail, fax, postal service or interoffice mail), to: Marcia Baxter, Department of Planning & Development, 121 N. LaSalle Street, Chicago, IL 60602. E-mail: Marcia.Baxter@cityofchicago.org <mailto:Marcia.Baxter@cityofchicago.org>; Telephone: (312) 744-0696.

For information on these programs/requirements, visit [www.cityofchicago.org/dpd](http://www.cityofchicago.org/dpd) <<http://www.cityofchicago.org/dpd>>

Date: July 19, 2016

### SECTION 1: DEVELOPMENT INFORMATION

Development Name: Wicker Park Connection Development  
Address: 1660-1664 W. Division St. Ward: 1

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

Type of City involvement: Land write-down  
(check all that apply) Financial Assistance (If receiving TIF assistance, will TIF funds be used for housing construction? \*) \*if yes, please provide copy of the TIF Eligible Expenses  Zoning increase, PD, or City Land purchase

### SECTION 2: DEVELOPER INFORMATION

Developer Name: Centrum Partners  
Developer Contact (Project Coordinator): Larry Powers  
Developer Address: 225 W Hubbard St, Chicago, IL 60654  
Email address: lpowers@centrumpartners.net <mailto:lpowers@centrumpartners.net> May we use email to contact you? (Yes) No Telephone Number: (708-288-8718

### SECTION 3: DEVELOPMENT INFORMATION

#### a) Affordable units required

For ARO projects:  $260 \times 10\% = 26$  (always round up)  
Total units total affordable units required

\*20% if TIF assistance is provided

For Density Bonus projects: \_ Not Applicable  
Bonus Square Footage\* Affordable sq. footage required

\*Note that the maximum allowed bonus is 20% of base FAR in dash-5; 25% in dash-7 or -10; and 30% of base FAR in dash-12 or -16 ([www.cityofchicago.org/zoning](http://www.cityofchicago.org/zoning))

<<http://www.cityofchicago.org/zoning>> for zoning info).

b) building details

In addition to water, which of the following utilities will be included in the rent (circle applicable): Cooking gas  
electric    gas heat    electric heat    other (describe on back)

Is parking included in the rent for the: affordable units? yes (no) market-rate units? yes (no)

If parking is not included, what is the monthly cost per space? tbd

Estimated date for the commencement of marketing: subarea A: July 2016 / Subarea B: February 2018

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Estimated date for completion of construction of the affordable units: n/a

For each unit configuration, fill out a separate row, as applicable<sup>1</sup> (see example).

Expected Proposed  
Total Square Footage/Unit  
Unit Type\*  
Rent  
Rent\*

Number : of  
of Units ! Bedroom

\$1000  
800  
759  
1

1 bed/1 bath

: ms/Unit

*Example*  
Affordable Units

## Please See Attached Spreadsheet

Proposed Level of Affordability , ,  
(60% or <sup>^</sup>to <sup>P</sup>roce<sup>Gd</sup>? less of AMI)  
60%

Market t Rate  
Units

N/A

<sup>1</sup>Rent amounts updated Bnnually in Iti9 "City of Chicago's Maximum Affordable Monthly Rent Chart"

### SECTION 4: PAYMENT IN LIEU OF UNITS

When do you expect to make the payment -in-lieu?    **Not Applicable**  
(typically corresponds with issuance of building permits) Month/Year



**For ARO projects, use the following formula to calculate payment owed:**

$$\begin{aligned}
 & \text{X \$100,000 = \$} && \text{Number of total units in development} \\
 & && \text{(round up to nearest whole number)}
 \end{aligned}$$

**For Density Bonus projects, use the following formula to calculate payment owed:**

$$\begin{aligned}
 & = \$ \\
 & \qquad \qquad \qquad \times 80\% \times \$
 \end{aligned}$$

**Amount owed**  
**Bonus Floor Area (sq ft)**  
*median price per base FAR foot*  
 \_ (from table below)

Submarket (Table for use with the Density Bonus fees-in-lieu calculations)

- Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east North: Division on north; Chicago River on south/west; Lake Shore Dr. on east
- j South: Congress on north; Stevenson on south; Chicago River on west; Lake Shore Dr. on east
- j West: Lake on north; Congress on south; Chicago River on east; Racine on west j

**Authorization to Proceed (to be completed by Department of HEP)**

Marcia Baxter,  
Department of Planning & Development

Date

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Developer/Project Manager

Date ' ('

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Wicker Park Connection - Affordable Houseiog Profile Form (Rental)

Proposed  
Level of AHj: oatlity

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N/A

N/A

1 Bdm-/10sfi

1 Bdmv/Bjth

1 Bnrm/13a.h

1 Sdirr./llidtn

2Bdr:n/: Bait'

2B=-r'i/2 Both

2-?dr<r./2

3Bdrm/2 B-jth

Market Rate Units

\,A

Studio

VA

1 Bsmr/lBaih

1 Bdrmr/lBatt-

1 Bd'r/lBath

1 Bdrm/13ath

"i BJ-m/lBath

3 adm/133ti

1 Bs-n/lBath

1 BdrmlBsi-i

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3dr~/13eh 1			723 Sf	2 ICO	N/A	N/A
Bnrcr/lBaih		1	332 SF	2i<if. *e;;3-	N/A N/A	N/A N/A
1 Sdrm/lBath	1		706 SF			
23drm/2 8ath	2	.	1..C94 SF	J)B2	N/A	N/A
2Bdrm/2 3att<	.1	2	1.100 SF	3300	N/A	N/A
T.ndrm/2 Both	2	2 >	1,289 SF	3HS7	N/A	N/A

2Bdrm/2Ban   J			1,244 SF	3737	I>JA	M/A
2Bd/P71 Bath 23drm/2 Bath	2		1,084 SF	17SZ	N/A	Si/A
	1	2	693 SF	2079	N/A	N/A
2Bdrm/2 Bath	3	2	'J37 SF	7811	N/A	N/A
2adrm/2 Bath	8	2	1,181 SF	<i>kh</i>	N/A	N/A
2Bdrm/2 Batn	3	2	1,041 SF	312J	N/A	N/A
2Bdrm/2 Bath	2	2	1,227 SF	3881	N/A	N/A
3B.J/m/2Bath	9	3	1,250 SF	1750	N/A	N/A
4Bdrm/48air.	13	3	2,269 Sr	kiA	N/A	N/A
4Bdrm/4Bath	2	3	2,775 Sf	NA	N/A	N/A
4adrm/48an	2	3	2,344 SF	NA	M/A	N/A
3Bdrm/3Balh	30	3	2,020 SF	NA	N/A	N/A
4Bdrm/3Ban	6	4	2,299 Sf	NA	N/A	N/A

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Department of Planning and Development  
CITY OF CHICAGO

MEMORANDUM

Alderman Daniel S. Solis Chairman, City Council Committee on Zoning

David L Reifman Secretary  
Chicago Plan Commission

July 22, 2016

RE: Proposed Planned Development for property generally located at 1257 North Paulina Street.

On July 21, 2016, the Chicago Plan Commission recommended approval of the proposed planned development submitted by CP West Division, LLC. 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 hearing.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, bureau of Planning and Zoning recommendation and a copy of the Resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-5777.

cc: Steve Valenziano  
PD Master File (Original PD, copy of memo)

121 NORTH LASALLE STREET, ROOM 1.000, CHICAGO, ILLINOIS 60602