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Legislation Details (With Text)

File #: SO2014-3304
Type: Ordinance **Status:** Passed
File created: 4/30/2014 **In control:** City Council
Final action: 10/8/2014
Title: Zoning Reclassification Map No. 5-I at 2201-2231 N Milwaukee Ave and 2142-2158 N Talman Ave - App No. 18024
Sponsors: Misc. Transmittal
Indexes: Map No. 5-I
Attachments: 1. O2014-3304.pdf, 2. SO2014-3304.pdf

Date	Ver.	Action By	Action	Result
10/8/2014	1	City Council	Passed as Substitute	Pass
9/30/2014	1	Committee on Zoning, Landmarks and Building Standards	Substituted in Committee	Pass
7/28/2014	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
6/23/2014	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
4/30/2014	1	City Council	Referred	

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SUBSTITUTE ORDINANCE

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

SECTION 1. That the Chicago Zoning Ordinance be, and is hereby amended by changing all the CI-1 Neighborhood Commercial District symbols and indications as shown on Map No. 5-1 in the area bounded by

North Milwaukee Avenue; a line 325.26 feet northwest of North Talman Avenue as measured along the north line of and perpendicular to North Milwaukee Avenue; a line 135 feet northeast of and parallel to North Milwaukee Avenue; the alley immediately northeast and parallel to North Milwaukee Avenue; and North Talman Avenue

to those of a CI-3 Neighborhood Commercial District.

SECTION 2. That the Chicago Zoning Ordinance be, and is hereby amended by changing all the C1-3 Neighborhood Commercial District symbols and indications as shown on Map No. 5-1 in the area bounded by

North Milwaukee Avenue; a line 325.26 feet northwest of North Talman Avenue as measured along the north line of and perpendicular to North Milwaukee Avenue; a line 135 feet northeast of and parallel to North Milwaukee Avenue; the alley immediately northeast and parallel to North Milwaukee Avenue; and North Talman Avenue

to those of a Residential Business Planned Development No. _____, which is hereby established in the area above described, subject to such Use and Bulk Regulations as set forth in the Plan of Development herewith attached and made a part hereof 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 Property: 2201-31 N. Milwaukee Avenue; 2142-58 N. Talman Avenue

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**RESIDENTIAL BUSINESS PLANNED DEVELOPMENT NO.
PLAN OF DEVELOPMENT STATEMENTS**

Gross Site Area:	56,057 SF
Area in the R-O-W:	21,807 SF
Net Site Area:	34,250 SF

Maximum Floor Area Ratio:	j 3.5
Minimum Number of Off-Street Loading Spaces:	1
Maximum Number of dwelling units:	120
Minimum Number of Off-Street (accessory)	
Parking Spaces:	67
Minimum number of bike parking spaces:	211
Maximum Building Height:	70'-0"
Minimum Required Setback:	Per Site Plan

APPLICANT: PMG LS Investments, LLC
ADDRESS: 2201-31 N. Milwaukee Avenue; 2142-58 N. Talman Avenue
FILING DATE: April 30, 2014
PLAN COMMISSION DATE: July 17, 2014

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RESIDENTIAL BUSINESS PLANNED DEVELOPMENT NO. PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential Business Planned Development No. .. consists of property commonly known as 2201-31 N. Milwaukee Avenue; 2142-58 N. Talman Avenue, Chicago Illinois ("the Property")- The Property consists of approximately 34.250 square feet (.78 acres), which is depicted on the attached Planned Development Boundary and Property Line Map.

PMG LS Investments, LLC, is the Applicant (the "Applicant") and controls the Property.

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 or alleys, or easements, or adjustments of right-of-way, or consolidation or resubdivision of parcels, shall require a separate submittal 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, and subject to review and approval by the Department of Business Affairs and Consumer Protection.
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 then to the owners of record title to all of the Property and to any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property.
4. This Plan of Development consists of seventeen (17) Statements; Bulk Regulations and Data Table; Existing Zoning Map; Existing Land Use Map; Planned Development Boundary & Property Line Map; Site Plan, Landscape and Green Roof Plan and Building Elevations prepared by Brininstool & Lynch and dated July 17, 2014. Full size sets of the Site Plan, Landscape and Green Roof Plan and Building Elevations are on file with the Department of Planning and Development. The Planned Development is applicable to the area delineated hereto and these and no other zoning controls shall apply.

APPLICANT: PMG LS Investments, LLC
ADDRESS: 2201-31 N. Milwaukee Avenue; 2142-58 N. Talman Avenue
TILING DATE: April 30, 2014
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5. The following uses shall be permitted within the Planned Development: residential dwelling units located above the ground floor, retail sales (general), Co-located wireless Facilities and all other uses permitted in the Commercial Use Group in the CI-3 Neighborhood District. The following uses are excluded; Entertainment and Spectator sports. Undertaking, Urban Farm, Lodging, and Non-Accessory Parking,

6. On premise Business Identification signs shall be permitted within the Planned Development subject to the review⁷ and approval of the Department of Planning and Development. Temporary signs, such as construction and marketing signs shall be permitted, subject to the review and approval of the Department of Planning and Development. No off premise signs shall be permitted.
7. Ingress and egress shall be subject to the review and approval of the Department of Transportation Bureau of Traffic, and the Department of Planning and Development. 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. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Department of Transportation.
8. For the purposes of measuring height, the definition in the Zoning Ordinance shall apply. In addition to the maximum height of the building and any appurtenance thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
9. 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 FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 34,250 square feet and a base FAR of 3.5.
10. The Applicant will comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of the Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings under Section 13-32-125 of the Municipal Code or any other provision of that Code.
11. The City of Chicago established a Part 11 Review Fee in the amount of Zero and 25/100 Dollars (\$0.25) per square foot of the total buildable square footage (floor area). The Part U Review Fee will be assessed by the Department of Planning and Development during the actual Part II Review of each sub-area. The fee as determined by the Department of Planning and Development staff at that time is final and binding on the Applicant and must be paid to the Department of Planning and Development prior to the issuance of the Part II approval of each sub-area.

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12. The improvements on the property shall be designed, installed and maintained in substantial conformance with the Site Plan, Landscape and Green Roof Plan and Building Elevations and in accordance with the parkway tree provisions of the Zoning Ordinance and corresponding regulations

and guidelines.

Notwithstanding any statement to the contrary, this Planned Development shall be subject to the provisions of Chapter 17-11 of the Zoning Ordinance governing landscaping and screening, in any instance where a provision of this Planned Development conflicts with landscape and screening provisions of the Zoning Ordinance, the Zoning Ordinance shall control. Nothing in this Planned Development is intended to waive the applicability of the landscape and screening provisions of the Zoning Ordinance.

13. The terms, conditions and exhibits of this Planned Development Ordinance may be modified administratively pursuant to Section 17-13-0611 of the Zoning Ordinance by the Commissioner of the Department of Planning and Development, upon the application for such a modification by the Applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated in this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of this Statement by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13-0611 of the Zoning Ordinance.
14. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. The Applicant shall construct the building under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. The Applicant shall provide a vegetated ("green") roof of fifty percent (50%) of the building's net roof area in the amount of 17,125 square feet. "Net roof area" is defined as total roof area minus any required perimeter setbacks, pool, roof top structures, and roof-mounted equipment.
15. 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 new 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. No approvals shall be granted pursuant to Section 17-13-0610 of the Zoning Ordinance until the Director of MOPD has approved detailed construction drawings for each building or improvement.

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16. The Applicant acknowledges and agrees that the rezoning of the Property from the C1-1 designation to C1-3 and then to a Transit Oriented Residential Business Planned

Development No. _____ for construction of the residential units contemplated by this Plan of Development ("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 A, the Applicant has agreed to provide either 12 affordable housing units for households earning 60% of the Chicago Primary Metropolitan Statistical Area median income (the "Affordable Units"), or make a cash payment to the Affordable Housing Opportunity Fund in the amount of \$100,000 per required affordable unit ("Cash Payment"). At the time of each Part II review for the Residential Project, Applicant shall update and resubmit the Affordable Housing Profile Form to (the Department of Planning and Development ("DPD") for review and approval. If the Applicant subsequently reduces the number of dwelling units in the Residential Project, DOPD may adjust the requirements of this Statement 16 (i.e., number of Affordable Units and/or amount of Cash Payment) accordingly without amending this Planned Development. Prior to the issuance of any 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 Residential Project and will constitute a lien against each Affordable Unit. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit, or upon receipt of the per unit Cash Payment. The Commissioner of DOPD 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 this Planned Development.

17. Unless substantial construction has commenced within six (6) years following adoption of this Planned Development, and unless completion is thereafter diligently pursued, then this Planned Development shall expire. If this Planned Development expires under the provisions of this section, then the zoning of the property within the Planned Development shall automatically convert to that of the C1-3 Neighborhood Commercial District.

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Property Line



2211
MAP

NORTH

MILWAUKEE

AVE

EXISTING

ZONING

Scale: NTS

Applicant: PMG LS Investments, Inc.
Address.

Introduced April 30, 2014

Plan
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Commission:

July

17th,

2014

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Address.

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2211 NORTH MILWAUKEE AVE Applicant PMG LS Investments, Inc Address-

PLANNED DEVELOPMENT BOUNDARY AND PROPERTY LINE Scale. 1/64"-V-0"

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50% GREEN ROOF REQ'D. 17125 SF
PROVIDED GREEN ROOF: 17,125 SF

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SITE PLAN
1/4" Scale. NTS

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2.211 NORTH MILWAUKEE AVE Applicant: PMG LS Investments, Ir Address: :

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SOUTHWEST ELEVATION (MILWAUKEE AVE.)
Scale. NTS

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SOUTHEAST ELEVATION (ALLEY) Scale NTS

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NORTHEAST ELEVATION (ALLEY) Scale- NTS

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