



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2016-5586
Type: Ordinance **Status:** Passed
File created: 7/20/2016 **In control:** City Council
Final action: 1/25/2017
Title: Zoning Reclassification Map No. 5-I at 1968-1986 N Milwaukee Ave and 2433-2435 W Armitage Ave - App No. 18911
Sponsors: Misc. Transmittal
Indexes: Map No. 5-I
Attachments: 1. SO2016-5586.pdf, 2. O2016-5586.pdf

Date	Ver.	Action By	Action	Result
1/25/2017	1	City Council	Passed as Substitute	Pass
1/23/2017	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
1/23/2017	1	Committee on Zoning, Landmarks and Building Standards	Substituted in Committee	Pass
9/12/2016	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
7/20/2016	1	City Council	Referred	

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 of the B3-2 Community Shopping District symbols and indications as shown on Map 5-1 in the area bounded by.

West Armitage Avenue; North Milwaukee Avenue; a line 200 feet southeast of the southwest corner of the intersection of West Armitage Avenue and North Milwaukee Avenue as measured along the southwest boundary of North Milwaukee Avenue; the 10 foot public alley southwest of and parallel to North Milwaukee Avenue; the northwest boundary of the 10 foot public alley southwest of and parallel to North Milwaukee Avenue; a line 55.75 feet west of the southwest corner of the intersection of West Armitage Avenue and North Milwaukee Avenue and perpendicular to West Armitage Avenue as measured along the southern boundary of West Armitage Avenue;

to those of the B3-5 Community Shopping District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the B3-5 Community Shopping District symbols and indications as shown on Map 5-1 in the area bounded by:

West Armitage Avenue; North Milwaukee Avenue; a line 200 feet southeast of the southwest corner of the intersection of West Armitage Avenue and North Milwaukee Avenue as measured along the southwest boundary of North Milwaukee Avenue; the 10 foot public alley southwest of and parallel to North Milwaukee Avenue; the northwest boundary of the 10 foot public alley southwest of and parallel to North Milwaukee Avenue; a line 55.75 feet west of the southwest corner of the intersection of West Armitage Avenue and North Milwaukee Avenue and perpendicular to West Armitage Avenue as measured along the southern boundary of West Armitage Avenue;

to those of Residential-Business Planned Development.

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

Address: 1968-1986 North Milwaukee; 2433 -2435 West Armitage

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. O.'A'"S^P .-P.
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1. The area delineated herein as Planned Development Number TDD. ("Planned Development") consists of approximately 22,145 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"), i9S0 Milwaukee, LLC is the "Applicant" for this planned development pursuant to authorization from the owner of the Property
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 "Zoning Ordinance"), 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 Forum Studio and dated December 15, 2016 (the "Plans"): an Existing Zoning Map; a Land Use Map; a Planned Development Boundary and Property Line Map; a Site Plan; a Landscape/Green Roof Plan; Building Elevations (Northeast, Southwest, Southeast 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.

Applicant: 1980 Milwaukee, LLC
Address: 1968-1986 North Milwaukee; 2433-2435 West Armitage
Introduction: July 20, 2016
Plan Commission: December 15, 2016

- ; The following uses are permitted in the area delineated herein as a Residential-Business Planned Development; artist work or sales space, dry cleaner; eating and drinking establishments; food and beverage retail sales (provided any sale of liquor shall be accessory only); business support services; financial services (except drive-through facilities, payday/title secured loan stores and pawn shops); general retail sales; offices; personal services (including, without limitation, yoga and fitness studios); multi-family dwelling units above the ground floor; children's play center, and accessory parking.
- 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 FAR 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 22,145 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 the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 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.
- (3. 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.

Applicant: 1980 Milwaukee, LLC
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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 obtain building certification and provide a 50% net green roof equivalent to an actual total of 8,166 square feet.
15. The Applicant acknowledges and agrees that the rezoning of the Property from the B3-2 Community Shopping District to the B3-5 Community Shopping District, and then to this Planned Development, triggers the requirements of Section 2-45-1 15 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 with the Commissioner's 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 134 units. As a result, the Applicant's affordable housing obligation is 13 affordable units (10% of 134 rounded down), 3 of which are Required Units (25% of 13, rounded down). Applicant has agreed to satisfy its affordable housing obligation by providing 13 affordable units in the rental building to be constructed in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit []. 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 to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.
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 DPD shall initiate a Zoning Map Amendment to rezone the property to the B3-5 Community Shopping District.

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RESIDENTIAL-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: Minimum Off-Street Parking Spaces: Minimum Bicycle Parking: Minimum Off-Street Loading Spaces: Maximum
Building Height: Minimum Setbacks:

30,761

8,616

22,145

5.0

134

17

117

1 (10' x25') 79*11"

In conformance with the Plans

Applicant: 1980 Milwaukee, LLC

Address: 1968-1986 North Milwaukee; 2433-2435 West Armitage
Introduction: July 20, 2016
Plan Commission: December 15, 2016

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2015 Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 ARO (all projects submitted to City Council after October 13, 2015). More information is online at www.cityofchicago.org/ARO at www.cityofchicago.org/ARO.

This completed form should be returned to: Kara Breems, Department of Planning & Development (DPD), 121 N. LaSalle Street, Chicago, IL 60602. E-mail: kara.breems@cityofchicago.org <<mailto:kara.breems@cityofchicago.org>>

Date: 11/23/16

DEVELOPMENT INFORMATION

Development Name: 1980 N. Milwaukee Development
Address: 1980 N. Milwaukee
Zoning Application Number, if applicable: 18911 Ward: 01
If you are working with a Planner at the City, what is his/her name? Noah Szeftanik

Type of City Involvement

☐ City Land ☐ Planned Development (PD)

check all that apply ☐ Financial Assistance ☐ (v) Transit Served Location (TSL) project

(^) Zoning increase REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received I ✓ IAR Web Form completed and attached - or submitted online on 'ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (Excel)' If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (pdf) If ARO units proposed are off-site, required attachments are included (see next page)

| If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached (pdf)

DEVELOPER INFORMATION

Developer Name CRG - Clayco Realty Group
Developer Contact Alan Schachtman
Developer Address 35 E. Wacker Drive, Suite 1300, Chicago
Email schachtmana@claycorp.com <<mailto:schachtmana@claycorp.com>> Developer Phone 312-216-5416
Attorney Name Katie Dajc Attorney Phone 312-368-2153

TIMING

Estimated date marketing will begin 5/1/18 Estimated date of building permit* 4/15/17 Estimated date ARO units will be complete 6/1/18

*note that the in-lieu fee and recorded covenant are required prior to the issuance of any building permits. Including the foundation permit

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

[yA^]

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kaHTBreerns, DPD, Date Developer/Project Manager Date

ARO Web Form

Development Information

Address

Submitted Date: 12/06/2016

Address Number From :1968 Address Number To: 1980 Street Direction: N

Street :milwaukee

Postal Code: 60622

Development Name, if applicable

1980 N Milwaukee

Information

Ward :1

ARO Zone: Higher Income

Details

Type of city involvement :Zoning change and planned development

Total Number of units in development: 132

Type of development: Rent

Is this a Transit Served Location Project: Y100

Requirements

Required affordable units :13 Required On-site aff. Units: 13 How do you intend to meet your required obligation On-

Site: 13 Off-Site: 0

On-Site to CHA or Authorized agency: 0 Off-Site to CHA or Authorized agency: 0 Total Units Committed: 13 Remaining In-Lieu Fee

Owed: 0

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

Alderman Daniel S. Solis

Chairman, City Council Committee on Zoning

From:

Date: December 15, 2016

Re: Proposed Residential Business Planned Development for the property generally located at 1970 N.
Milwaukee Avenue

On December 15, 2016, the Chicago Plan Commission recommended approval of the proposed Residential Business Planned Development application as submitted by 1980 Milwaukee, LLC. A copy of the proposed map amendment 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 312-744-5777.

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

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602