



Office of the City Clerk

City Hall
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Chicago, IL 60602
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Legislation Details (With Text)

File #: SO2017-2156
Type: Ordinance **Status:** Passed
File created: 3/29/2017 **In control:** City Council
Final action: 11/8/2017
Title: Zoning Reclassification Map No. 11-G at 943-957 W Wilson Ave and 4545-4557 N Sheridan Rd - App No. 19146
Sponsors: Misc. Transmittal
Indexes: Map No. 11-G
Attachments: 1. SO2017-2156.pdf, 2. O2017-2156.pdf

Date	Ver.	Action By	Action	Result
11/8/2017	1	City Council	Passed as Substitute	Pass
10/23/2017	1	Committee on Zoning, Landmarks and Building Standards		
5/9/2017	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
3/29/2017	1	City Council	Referred	

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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 of the B3-2 Community Shopping District symbols and indications as shown on Map 11-G in the area bounded by:

West Wilson Avenue; a line 175.50 feet east of and parallel to North Sheridan Road; a line 141 feet south of and parallel to West Wilson Avenue; North Sheridan Road;

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 11-G in the area bounded by:

West Wilson Avenue; a line 175.50 feet east of and parallel to North Sheridan Road; a line 141 feet south of and parallel to West Wilson Avenue; North Sheridan Road;

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 thereof and to no others.

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

Address: 943-957 West Wilson/4545-4557 North Sheridan, Chicago, IL

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO.

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number ("Planned Development") consists of approximately 24,795 net square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"). CRG Acquisition, LLC is the Applicant for this Planned Development, pursuant to authorization from the Property owner.
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 in effect as of the date of this Planned Development.
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 Chicago

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 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 CDOT.

4. This Plan of Development consists of these 17 Statements, a Bulk Regulations and Data Table, and the following exhibits and plans prepared by Forum Studio Inc. and dated September 20, 2017 (collectively, the "Plans"): an Existing Zoning Map; an Existing Land Use Map; Planned Development Property and Boundary Line Map; Site Plan;

Applicant: CRG Acquisition, LLC
Address: 943-957 West Wilson/4545-4557 North Sheridan
Introduced: March 29, 2017
Plan Commission: September 20, 2017

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Landscape Plan; Green Roof Plan; and Building Elevations. 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 shall be permitted in this Planned Development: multi-family dwelling units above the ground floor; 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; 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 overall FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 24,795 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 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 and with no exception shall the square footage of landscaping or hardscape shown on the Landscape Plan be materially reduced. 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 applicable provision of that Code.

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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 or assigns and, if different than the Applicant, the legal title holders and any ground lessees of the Property.
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.
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 comply with the City of Chicago Sustainable Development Policy (Green Matrix) and evidence compliance with such policy prior to Part II approval.
15. The Applicant acknowledges and agrees that the rezoning of the Property from the B3-2 District to the B3-5 District, and then to this Planned Development (PD), triggers the requirements 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) 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 149 units. As a result, the Applicant's affordable housing obligation is 15 affordable units (10% of 149, rounded up), 4 of which are Required Units (25% of 15, rounded up). Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$125,000 per unit (Cash Payment) and providing 7 affordable units in the rental building to be constructed in the PD, 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 PD, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the number of required Affordable Units without

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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 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 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 PD.

16. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the city in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the city approval process. First, the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of city residents in the construction work. The city encourages goals of 26% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof)> and (ii) 50% city resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the Applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II permit review for the project or any phase thereof, the Applicant must submit to DPD (a) updates (if any) to the Applicant's preliminary outreach plan, (b) a description of the Applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof; (c) responses to the Applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and city resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

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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 DPD shall initiate a Zoning Map Amendment to rezonc 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):	38,210
Area of Public Rights-of-Way (sf):	13,415
Net Site Area (sf):	24,795
Maximum Floor Area Ratio:	5.0
Maximum Number of Dwelling Units:	149
Minimum Off-Street Parking Spaces:	29
Minimum Off-Street Loading Spaces:	1 (10' x 25')
Maximum Building Height:	134'0"
Minimum Setbacks:	Per plans
Minimum Bicycle parking spaces:	120

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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/ARp <<http://www.cityofchicago.org/ARp>>.

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

Date: & / °[fa 6 ft

DEVELOPMENT INFORMATION ^

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Zoning Application Number, If applicable: | ^ | 14fej

Ward: iLL^

If you are working with a Planner at (he City, what is his/nor name? f££fJiLt*iDo 3^****^ ^»

Type of City Involvement ☐ City Land

0 Planned Development (PD)

c/wc/f all that apply

[H Financial Assistance

Q Transit Served Location (TSL) project

7 Zoning Increase

0

0

REQUIRED ATTACHMENTS: ih/AHP will not be reviewed until all required docs are received j/** ARO 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 Plan3 with affordable units highlighted are attached (pd7) 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 (poT)

DEVELOPER INFORMATION

Developer Name CPA AefilAI^»+V&*~I LLC

Developer Phone I^>. t^I". Attorney Phone *3/2L. *£b>t>.

Developer Name CPA A e fi IAI ^~»

Email CASS^^AJUCR-^ .C<»VVJ Attorney Name \fcLA»Vs>t^"e.<*-.

TIMING .

Estimated date marketing will begin | *■ / **

Estimated date of building permit*

Estimated date ARO units will be complete £ | £,01 ^

'note that ihoAn-lmu faa and recorded covenant are required prior to the lesuanee of any building permits, Including, the foundation permit

ED^JNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

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Date

Date

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ARO Web Form

Development Information

Address

Printed Date: 08/30/2017

Address Number From :943 Address Number To: 957 Street Direction: W

Street :Wilson Postal Code: 60640

Development Name, If applicable

Information

Ward :46

ARO Zone: Higher Income

Details

Type of city involvement :ZP

Total Number of units in development: 149

Type of development: Rent

Is this a Transit Served Location Project: N

Requirements

Required affordable units :15 Required *On-site aff. Units: 4 How do you

intend to meet your required obiligation On-Site: 7 Off-Site: 0

On-Site to CHA or Authorized agency: 0 Off-Site to CHA or Authorized agency: 0 Total Units

Committed: 7 Remaining In-Lieu Fee Owed: 1,000,000

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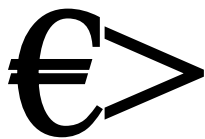
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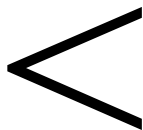
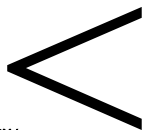
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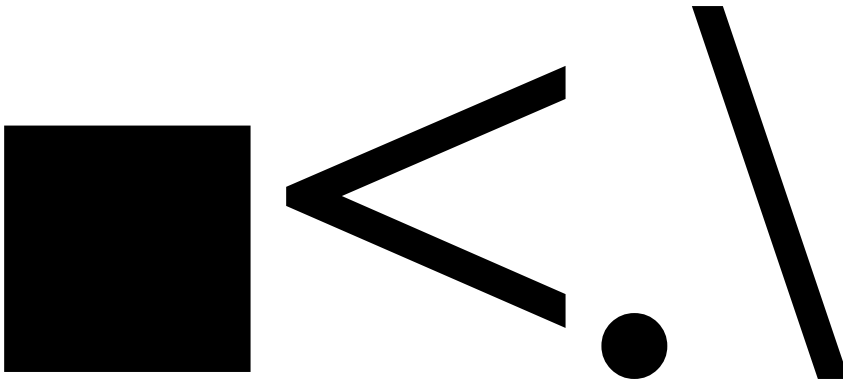
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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

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

From

Date: September 20, 2017

Re: Residential Business Planned Development, located at 943-957 West Wilson and 4545-4557 North Sheridan Road.

On September 20, 2017, the Chicago Plan Commission recommended approval of the proposed Planned Development submitted by CRG Acquisitions, LLC. A copy of the zoning application and proposal 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 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 744-9476.

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

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