



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
[www.chicityclerk.com](http://www.chicityclerk.com)

## Legislation Text

File #: SO2014-3309, Version: 1

FINAL 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, is hereby amended by changing all of the B3-2 Community Shopping District symbols and indications as shown on Map No. 9-H in the area bounded by

North Lincoln Avenue; West Roscoe Street; the public alley next west of North Lincoln Avenue (or a line 149.72 feet west of North Lincoln Avenue (as measured along the north boundary line of West Roscoe Street); the public alley next northeast of West Roscoe Street; a line 1.18 feet northwest of the east boundary line of the public alley next east of and parallel to North Ravenswood Avenue (as measured along the northeast boundary line of the public alley next northeast of West Roscoe Street); a northeasterly line 20.50 feet long perpendicular to North Lincoln Avenue and ending at a point 73.93 feet southwest of the southwest boundary line of North Lincoln Avenue and 147 feet southeast of the south boundary line of West Newport Avenue (as measured along the southwest boundary line of North Lincoln Avenue); a perpendicular line to North Ravenswood Avenue 26.81 feet long ending at a point 112.27 feet northwest of the north line of West Roscoe Street (as measured along the southwest boundary line of North Lincoln Avenue) and 82.81 feet west of the southwest boundary line of North Lincoln Avenue; a perpendicular line 20 feet long to West Roscoe Street and being 66.09 feet west of the southwest boundary line of North Lincoln Avenue and 89.87 feet northwest of and parallel to West Roscoe Street (as measured along the southwest boundary line of North Lincoln Avenue); A line 66.09 feet long 89.87 feet north of and parallel to West Roscoe Street (as measured along the southwest boundary line of North Lincoln Avenue); North Lincoln Avenue.

to those of a B3-3 Community Shopping District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the B3-3 Community Shopping District symbols and indications as shown on Map 9-H in the area bounded by.

North Lincoln Avenue; West Roscoe Street; the public alley next west of North Lincoln Avenue (or a line 149.72 feet west of North Lincoln Avenue (as measured along the north boundary line of West Roscoe Street); the public alley next northeast of West Roscoe Street; a line 1.18 feet northwest of the east boundary line of the public alley next east of and parallel to North Ravenswood Avenue (as measured along the northeast boundary line of the public alley next northeast of West Roscoe Street); a northeasterly line 20.50 feet long perpendicular to North Lincoln Avenue and ending at a point 73.93 feet southwest of the southwest boundary line of North Lincoln Avenue and 147 feet southeast of the south boundary line of West Newport Avenue (as measured along the southwest boundary line of North Lincoln Avenue); a perpendicular line to North Ravenswood Avenue 26.81 feet long ending at a point 112.27 feet northwest of the north line of West Roscoe Street (as measured along the southwest boundary line of North Lincoln Avenue).

Avenue) and 82.81 feet west of the southwest boundary line of North Lincoln Avenue; a perpendicular line 20 feet long to West Roscoe Street and being 66.09 feet west of the southwest boundary line of North Lincoln Avenue and 89.87 feet northwest of and parallel to West Roscoe Street (as measured along the southwest boundary line of North Lincoln Avenue; A line 66.09 feet long 89.87 feet north of and parallel to West Roscoe Street (as measured along the southwest boundary line of North Lincoln Avenue); North Lincoln Avenue,

to those of a Residential-Business Planned Development.

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

Common Address of Property: 3400-08 N. Lincoln Avenue and 1702-14 W. Roscoe Street

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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

Spaces: Minimum Off-Street Loading Spaces: Maximum Building Height: Minimum Setbacks:

21,588

10,330

11,258

3.50

36

8

28

1 (10' x 25') 67'

In substantial conformance with the Plans

Applicant: Lincoln and Roscoe, LLC  
Address: 3400-3408 North Lincoln Avenue and 1702-1714 West Roscoe Street, Chicago, IL 60657  
Introduced: April 30, 2014  
Plan Commission: July 17, 2014  
EASTY74639795.2

## FINAL FOR PUBLICATION

### RESIDENTIAL - BUSINESS PLANNED DEVELOPMENT NO.

#### PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number \_\_\_\_\_ ("Planned Development") consists of approximately 11,258 net square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). Lincoln and Roscoe, LLC, is the applicant ("Applicant") for this planned development pursuant to authorization of 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 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.

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 Department of Transportation 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 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.

4. This Plan of Development consists of 15 Statements, a Bulk Regulations and Data Table, and the following plans prepared by Hirsch Associates LLC and dated \_\_\_\_\_, 2014 (collectively, the "Plans"): Existing Zoning Map, Existing Land Use Map, Planned

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## FINAL FOR PUBLICATION final

Development Property Line and Boundary Map, Site Plan, Proposed Landscape/Green Roof Plan, and Building Elevations. Full-sized copies of the Plans are on file with the Department of Planning and Development ("DPD"). 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 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: 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); 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; 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 the Department of Planning and Development. 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 site 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 11,258 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. 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

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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.
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 and a green roof of not less than 50% of the net roof area shall be provided.
15. The Applicant acknowledges and agrees that the change of zoning of the underlying zoning district of this Planned Development No. \_\_\_\_\_ from the B3-2 to the B3-3 Community Shopping District for construction of this Planned Development 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 ("Residential Project") must: (i) develop affordable housing units as part of the Residential 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 4 affordable housing units in the Residential Project for households earning up to 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 may update and resubmit the Affordable Housing Profile Form to DPD for review and approval. If the Applicant subsequently reduces the number of dwelling units in the Residential Project, DPD may adjust the requirements of this Statement 15 (i.e., number of Affordable Units and/or amount of Cash Payment) accordingly without amending the Planned Development. Prior to the issuance of any building permits 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

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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. The Commissioner of DPD 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 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 B3-2 Community Shopping District.

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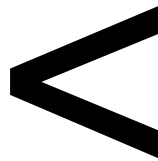
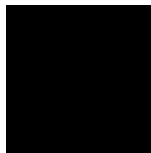
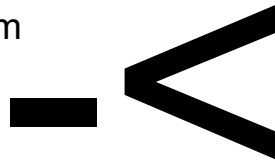
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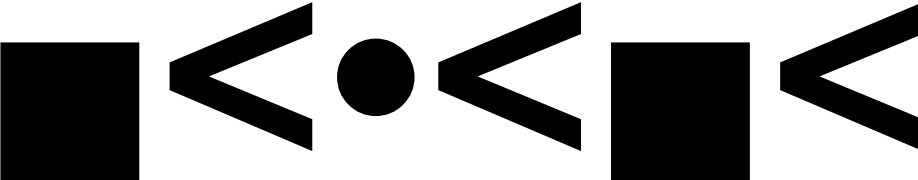
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