



# Office of the City Clerk

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

## Legislation Text

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File #: SO2014-4174, Version: 1

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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 the current B1-3 Neighborhood Shopping District symbols and indications as shown on Map No. 3-H in the area bounded by:

A line perpendicular to the northeast line of North Milwaukee Avenue and 565.51 feet southeast of North Paulina Street, as measured from the east line of North Paulina Street along the northeast line of North Milwaukee Avenue; the public alley next northeast of North Milwaukee Avenue; North Ashland Avenue; a line from a point 101.78 feet south of the southwest line of the public alley next northeast of North Milwaukee Avenue, as measured along the west line of North Ashland Avenue, running in a southwesterly direction for a distance of 24.01 feet to a point 754.43 feet southeast of North Paulina Street, as measured from the east line of North Paulina Street along the northeast line of North Milwaukee Avenue; and North Milwaukee Avenue

to those of a B3-5 Community Shopping District which is hereby established in the area described above.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the current B3-5 Neighborhood Shopping District symbols and indications as shown on Map No. 3-H in the area bounded by:

A line perpendicular to the northeast line of North Milwaukee Avenue and 565.51 feet southeast of North Paulina Street, as measured from the east line of North Paulina Street along the northeast line of North Milwaukee Avenue; the public alley next northeast of North Milwaukee Avenue; North Ashland Avenue; a line from a point 101.78 feet south of the southwest line of the public alley next northeast of North Milwaukee Avenue, as measured along the west line of North Ashland Avenue, running in a southwesterly direction for a distance of 24.01 feet to a point 754.43 feet southeast of North Paulina Street, as measured from the east line of North Paulina Street along the northeast line of North Milwaukee Avenue; and North Milwaukee Avenue

to those of a Residential Business Planned Development which is hereby established in the area described above.

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

Property Address: 1237 - 53 N. Milwaukee Avenue/1230 - 40 N. Ashland Avenue

**RESIDENTIAL - BUSINESS PLANNED DEVELOPMENT STATEMENTS**

1. The area delineated herein as Planned Development Number \_\_\_\_\_, ("Planned Development") consists of approximately 16,337 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, 1237 North Milwaukee, LLC.

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 titleholder 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.

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, assign or grantees. Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

"Ingress and egress shall be \_\_\_\_\_ 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 sixteen (16) Statements: a Bulk Regulations Table; an Existing Land-Use Map; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site/Landscape Plan; a Basement Plan; a First Floor Plan; a Green Roof Plan and Building Elevations submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. 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

FINAL

Zoning Ordinance, and all requirements thereto, 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 Residential Business Planned Development: Residential Units; Animal Services, Sales & Grooming, Veterinary; Artist Work or Sales Space, Business Equipment Sales and Services, Communication Services Establishments; Restaurants, Limited & General; Financial Services, Bank, Savings Bank, Savings and Loan Associations, Credit Unions; Food and Beverage Retail Sales with Liquor Sales as accessory use; Medical Service; Office; Repair or Laundry Service, Consumer; Retail Sales, General; Auto Supply/ Accessory Sales; Wireless Communications Facilities; and accessory uses, 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 Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply.

The permitted "Floor Area Ratio" determined using a Net Site Area of 16,337 square feet and a base FAR of 5.0.

9. The Applicant acknowledges and agrees that the rezoning of the Property from B1-3 to B3-5 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 six 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 \$600,000 ("Cash Payment"). At the time of each Part 11 review for the Residential Project, Applicant may 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

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the Residential Project, DPD may adjust the requirements of this Statement 9 (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 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.

10. 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 the Department of Planning and Development. 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.

11. 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 the Department of Planning and "Development: Any interimHreviews associated with site plan review of"PaTTTT reviews, are conditional until final Part II approval.

12. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

13. 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.

14. 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

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to access for persons with disabilities and to promote the highest standard of accessibility.

15. 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 has agreed to provide a 50% green roof over the net roof area and achieve Building Certification to comply with the City of Chicago's Sustainable Development Policy.

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 the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to a B1-3, Neighborhood Shopping District.

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RESIDENTIAL BUSINESS PLANNED DEVELOPMENT PLAN OF  
DEVELOPMENT BULK REGULATIONS AND DATA TABLE

Gross Site Area	25,174.00 sq. ft. (0.58 acres)
Net Site Area	16,337.00 sq. ft. (0.38 acres)
Area Remaining in Public Right of Way	8,837.00 sq. ft. (0.20 acres)
Maximum Floor Area Ratio	5.00
Minimum Setbacks	Per Site Plan
Maximum Number of Dwelling Units	60
Minimum Number of Accessory Off-Street Parking	16 spaces
Minimum Number of Off-Street Loading	One berth
	10'x 25'
Minimum Number-of-Bicycle Parking	60

Maximum Building Height 96'-6"

Zoning data reflects all ordinances passed in the most recent Council meeting. Copyright (c) 2011. City of Chicago, IL

**Zoning Map**

**1253 N MILWAUKEE AVE**

**EXISTING ZONING MAP**

**jSa**  
jonathanSPLITT architects ltd.

4001 north ravenswood avenue suite 60 1  
Chicago ilhnois 6061 3-2 576 773 113 1 11 7 fax 773 113 3\*11

**Applicant: 1237 North Milwaukee, LLC Address: 1237-53 N. Milwaukee Ave./  
1230-40 N.Ashland Ave. Intro Date: May 21,2014 Plan Commission Date: November 20. 2014**

PARKING LOT

1279 M. MILWAUKEE 4 STORY BUILDING

**C/R**

1279 N MILWAUKEE 5 STORY BUILDING

**C**

*N MILWAUKEE AVC  
(TWO WAY)*

**C/R**

STORY  
BLDG BLDG

1286 4

**C/R**

1282  
"i"  
STORY BLDG

**C/R** 1272-78 **C** **C**  
N. MILWAUKEE 1270 3 1266-68 N.  
STORY MILWAUKEE  
"bld E  
g  
4 STORY BUILDING 1 STORY BUILDING

EMPTY LOT  
**C** **C** **C/R** **C/R** **C/R** 1232-40 N. 1210-1214 N.  
1256 1 1252 3 1246-50 N. 1242 N. MILWAUKEE  
STOR STOR MILWAUKEE  
Y Y  
MILWAUKEE 4 STORY BUILDING MILWAUKEE 2 STORY BUILDIN  
3 STORY 3 STORY  
BLDG BLDG BUILDING BUILDING

## EXISTING LAND USE MAP

**jSa**

jonathan SPLITT architects ltd.

4001 north ravenwood avenue suite 601  
Chicago Illinois 6061 3-2 576 773 113 1 11 7 lax 773 113 3«t1

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1230-40 N.Ashland Ave. Intro Date: May 21,2014 Plan Commission Date: November 20. 2014**  
NEW TREES AND GRATES. TYP.

NEW TREES AND GRATES. TYP. */V MILWAUKEE AVE (TWO WAY)*

## SITE / LANDSCAPE PLAN

**jSa**

jonathan SPLITTarchitects ltd.

4001 north ravenwood avenue suite 601  
Chicago Illinois 6061 3-2576 773 »t3 1117 fax 773 113 3«S1

**Applicant: 1237 North Milwaukee, LLC Address: 1237-53 N. Milwaukee Ave./  
1230-40 N.Ashland Ave. Intro Date: May 21,2014 Plan Commission Date: November 20. 2014**

**j Sa**  
jonathan SPLITT architects ltd.

4001 north ravenswood avenue suite 601  
Chicago Illinois 60613-2576 773 113 1117 fax 773 113 3411

**Applicant: 1237 North Milwaukee, LLC Address: 1237-53 N. Milwaukee Ave./  
1230-40 N.Ashland Ave. Intro Date: May 21, 2014 Plan Commission Date: November 20.2014**

*final for mmm*

ONEWAY RAMP ^COMMERCIAL OVERHEAD LIGHT INDICATORS7 \ DOOR  
1>

**FIRST FLOOR PLAN**

**j S a**  
jonathan SPLITT architects ltd.

4001 north ravenswood avenue suite 601  
Chicago illinois 60613-2576 773 113 H17 fax 773 SI3 3tt1

**Applicant: 1237 North Milwaukee, LLC Address: 1237-53 N. Milwaukee Ave./  
1230-40 N.Ashland Ave. Intro Date: May 21,2014 Plan Commission Date: November 20. 2014**





## GREEN ROOF PLAN

**j Sa**

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Chicago Illinois 60613-2576 773 113 1\*17 (ax 773 t«3 3(11

**Applicant: 1237 North Milwaukee, LLC Address: 1237-53 N. Milwaukee Ave./**

**1230-40 N. Ashland Ave. Intro Date: May 21,2014 Plan Commission Date: November 20. 2014**

PROJECTED CORNICE

### EXISTING 2 STORY ROOF

39 -JO

GREEN ROOF AREA CALCULATION GREEN ROOF AREA:

5,857 S.F

TOTAL	NEW	CONSTRUCTION	NET	ROOF	AREA-	7	7,676	S.F.	GREEN	ROOF	AREA
PERCENTAGE: 50.3%											

## GREEN ROOF PLAN

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Chicago Illinois 60613-2576 773 «13 l»17 fax 773 113 3111

**Applicant: 1237 North Milwaukee, LLC Address: 1237-53 N. Milwaukee Ave./**

**1230-40 N. Ashland Ave. Intro Date: May 21,2014 Plan Commission Date: November 20. 2014**

## NORTHEAST ELEVATION

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Chicago illinois 6061 3-2 576 773 113 1 117 fax 773 3 3111

**Applicant: 1237 North Milwaukee, LLC Address: 1237-53 N. Milwaukee Ave./**

**1230-40 N.Ashland Ave. Intro Date: May 21,2014 Plan Commission Date: November 20. 2014**

FIRST FLOOR ALUM. STOREFRONT SYSTEM /

AT RETAIL FLOOR

## SOUTHWEST ELEVATION

**jSa**

Jonathan SPLITT Architects Ltd.

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Chicago Illinois 6061 3-2576 773 «S3 1117 fax 773 113 3«S1

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**1230-40 N.Ashland Ave. Intro Date: May 21, 2014 Plan Commission Date: November 20. 2014**

DECORATIVE METAL CORNICE  
BOT. OF STRUCT, @ ELEVATOR PENTHOUSE

+ 77' - 11"

BOT. OF STRUCT. @ 7th FLOOR

PERFORATED METAL PANEL BALCONY RAILINGS-

+ 96' - 5"

HEIGHT OF EXISTING

NEIGHBORING

BUILDING

-HORIZONTAL CORRUGATED METAL

-THROUGH WALL MASONRY

nnvFRFn ry fxistinr

NEIGHBORING BUILDING -

METAL AND GLASS WINDOW WALL BAYS

+ it - n"

FIRST FLOOR

**jSa**

jonathan SPLITT Architects Ltd.

4001 north ravenwood avenue suite 601

Chicago Illinois 60613-2576 773 3117 fax 773 3117

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**1230-40 N.Ashland Ave. Intro Date: May 21, 2014 Plan Commission Date: November 20, 2014**