



Office of the City Clerk

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

Legislation Text

File #: SO2020-782, **Version:** 1

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 Residential-Business Planned Development No. 1329 symbols and indications as shown on Map 11-G in the area bounded by:

West Wilson Avenue; North Kenmore Avenue; North Winthrop Avenue; the public alley next northwest of and almost parallel to West Wilson Avenue, and a line 175 feet west of and parallel to North Kenmore Avenue;

to those of Residential-Business Planned Development No. 1329, as amended.

SECTION 2. This Ordinance shall be in force and effect from and after its passage and due publication.

FINAL FOR
PUBLICATION

1038-1054 West Wilson; 4600-4608 North Kenmore; 4600-4612 North Winthrop, Chicago, IL

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1329, AS AMENDED PLANNED

DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number 1329 ("Planned Development") consists of approximately 17,619 net square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). 1050 Wilson Partners LLC (the "Applicant") is 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. 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 16 Statements, a Bulk Regulations and Data Table, and the following exhibits and plans prepared by Booth Hansen and dated (collectively, the "Plans"): an Existing Zoning Map; an Existing Land Use Map; Planned Development Property and Boundary Line Map; Site Plan; 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

Applicant: 1050 Wilson Partners LLC
Address: 1038-1054 West Wilson; 4600-4608 North Kenmore; 4600-4612 North Winthrop, Chicago, IL
Introduced: February 19, 2020
Plan Commission: TBD

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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: Dwelling Units located above the ground floor; Eating and Drinking Establishments; Retail Sales, General; Animal Sales/Service; Artist Work or Sales Space; Business Support Services; Food and Beverage Retail Sales; Vacation Rental; Office; Personal Service; Indoor Sports and Recreation and accessory/related uses and 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 17,619 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 Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other applicable provision of that Code.
12. The terms and conditions of development under this Planned Development Ordinance may be modified administratively, pursuant to section 17-13-061 1-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

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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 building certification, and provide a green roof of not less than 50% of the net roof area on the new construction building equivalent to an actual total of 4,097 square feet.
15. The Applicant acknowledges and agrees that the change of zoning of the underlying zoning district of this Planned Development No. 1329 from the B3-2 Community Shopping District to the B3-5 Community Shopping District for construction of this Planned Development triggered the requirements of Section 2-45-110 of the Municipal Code (the "2007 Affordable Housing Ordinance"). Any developer of a "residential housing project" within the meaning of the 2007 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 11 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 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 B3-5 Community Shopping District.

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**RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1329, AS AMENDED BULK REGULATIONS
AND DATA TABLE**

Gross Site Area (sf):

Area of Public Rights-of-Way (sf):

Net Site Area (sf):

Subarea A:

Subarea B: Maximum Floor Area Ratio:

Subarea A:

Subarea B:~ Maximum Number of Dwelling Units:

Subarea A:

Subarea B: Minimum Off-Street Parking Spaces:

Subarea A:

Subarea B: Minimum Off-Street Loading Spaces: Maximum Building Height:

Subarea A:

Subarea B: Minimum Setbacks:

33,220

15,593

17,619

11,664

5,955

5.0

2.09

6.49

0

110

0

16

0

74'-0"(top of existing upper roof) 96'-8" (top of upper roof) Per plans

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>f City Involvement

all that apply

|| City Land (~[Financial Assistance Zoning increase

jXj Planned Development (PD)

^ Transit Served Location (TSL) project

UIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received 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 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)

;OPER INFORMATION

Owner Name 1050 Wilson Partners, LLC
Owner Contact Mark Heffron

Owner Address 1°20 West Lawrence Ave, Chicago IL, 60640 - suite 300

vlheffron@cedarst.com <mailto:vlheffron@cedarst.com> Developer Phone 312-339-8536

Buyer Name Katie Jahnke Dale Attorney Phone 312-368-2153

Estimated date marketing will begin January 30th_2022
Estimated date of building permit* April 15th, 2021
Estimated date ARO units will be complete 3/15/2022

Other fees: lieu fee, recorded covenant and \$5,000 per unit administration fee (for off-site units) are required prior issuance of any building permits, including the foundation permit.

3/15/2022

lieu fee, recorded covenant and \$5,000 per unit administration fee (for off-site units) are required prior issuance of any building permits, including the foundation permit.

5 ED UNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

1/12/2021

Date

January 15, 2021

Date

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

Alderman Thomas Tunney
Chairman, City Council Committee on Zoning

From:
Maurice D. Cox J Chicago Plan
Commission

Date: December 17, 2020

Re: Proposed Amendment to Residential Business Planned Development #1329, for the property generally located at 1050 W Wilson Street

On December 17, 2020, the Chicago Plan Commission recommended approval of the proposed planned development submitted by, 1050 Wilson Partners LLC. A copy of the proposed planned development 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 744-9476.

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

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