



Office of the City Clerk

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

Legislation Text

File #: SO2020-1896, 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 B1 -1 Neighborhood Shopping District symbols and indications as shown on Map No. 3-1 in the area bounded by

A line 109.86 feet north of the north line of West Division Street; the public alley next east of and parallel to North California Avenue; a line 79.67 feet north of the north line of West Division Street; a line 24.81 feet west of the west line of the public alley next east of and parallel to North California Avenue; a line 62.08 feet north of the north line of West Division Street; a line 139.33 feet east of the east line of North California Avenue; West Division Street; and North California Avenue,

to those of an B3-5 Community Shopping District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-5 Community Shopping District symbols and indications as shown on Map No. 3-1 in the area bounded by

A line 109.86 feet north of the north line of West Division Street; the public alley next east of and parallel to North California Avenue; a line 79.67 feet north of the north line of West Division Street; a line 24.81 feet west of the west line of the public alley next east of and parallel to North California Avenue; a line 62.08 feet north of the north line of West Division Street; a line 139.33 feet east of the east line of North California Avenue; West Division Street; and North California Avenue,

to those of a Planned Development Number _____, which is hereby established in the area described above and subject to such use and bulk regulations set forth in the Plan of Development attached hereto and to no others.

SECTION 3. This ordinance takes effect after its passage and due publication.

Common Street Address: 1201-1209 N. California Avenue; 2744-2758 W. Division Street

250399.2

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Planned Development

Plan of Development Statements

1. The area delineated herein as Planned Development Number _____, ("Planned Development") consists of approximately 16,102 square feet (.37 acres) of Net Site Area which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by 1201 N. California HHDC, LLC, an Illinois limited liability company.
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.
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 Planned Development.

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.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full _____ width _____ of _____ streets Full _____ width _____ of _____ alleys Curb and gutter

- Pavement markings

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Introduced March 18, 2020
Plan Commission December 16, 2021

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Sidewalks

ADA crosswalk ramps • Parkway &
landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation.

4. This Plan of Development consists of seventeen (17) Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land Use Map; a Property and Planned Development Boundary Map; a Site Plan; a North Elevation; a South Elevation; a West Elevation; an East Elevation; and a Building Section prepared by Pappageorge Haymes Partners submitted herein. 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 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-unit residential; Dwelling Units located above the ground floor; Cultural Exhibits and Libraries; Community Centers; Postal Service; Animal Services (Sales and Grooming excluding kenneling); Artist Work or Sales Space; Business Support Services; Restaurant, Limited; Outdoor patio (if located at grade level); Indoor Special Event including incidental liquor sales; Bank, Savings Bank, Savings and Loan Association, Currency Exchange, and Credit Union (excluding drive-throughs, Payday/title secured loan stores and pawn shops); Automated Teller Machine Facility (walk up only); Food and Beverage Retail Sales; Liquor Sales (as accessory use); Medical Service; Office; Personal Service (Hair Salon, Nail Salon, or Barbershop); Repair or Laundry Service, Consumer; Dry cleaning drop-off or pick-up (no on-premise plant); Retail Sales, General; Sports and Recreation, Participant (Children's Play Center), Wireless Communication Facilities (Co-located); Accessory Parking and Accessory Uses.
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.

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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 FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 16,102 square feet and a base FAR of 5.0.
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 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.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. 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, Environment and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
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 obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development

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Policy, in effect at the time the Part 11 review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.

15. 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.
16. The Applicant acknowledges and agrees that the rezoning of the Property from BI-1 Neighborhood Shopping District to B3-5 Community Shopping District, and then to this Planned Development ("PD") No. _____ is an "entitlement" that triggers the requirements of Section 2-44-085 of the Municipal Code of Chicago (the "ARO"). The PD is located in a "community preservation area" within the meaning of the ARO and permits the construction of 64 dwelling units. The Applicant intends to construct a 64-unit development.

Developers of rental projects in community preservation areas with 30 or more units must provide between 10% and 20% of the units in the residential development as affordable units, depending on the depth of affordability provided, as described in subsection (F)(2) of the ARO.

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Regardless of the applicable percentage of affordable units in the rental project, developers must construct at least 25% of the affordable units on-site and another 25% on-site or off-site (collectively, the "Required Units"), and may satisfy the balance of their affordable housing obligation through (a) the establishment of on-site or off-site affordable units; (b) payment of a fee in lieu of the establishment of additional on-site or off-site affordable units; or (c) any combination thereof. All on-site affordable units must be accessible dwelling units, as required under subsection (W)(10) of the ARO, and developers must give preference in leasing accessible units to people with disabilities, as specified in the ARO rules. All off-site affordable units must have at least two bedrooms and must be located in a community preservation area within a 1-mile radius of the triggering project. Whether on-site or off-site, developers must give preference in leasing affordable units of two bedrooms or more to multi-person households, as specified in the ARO rules. If a residential project is located in a transit-served location, off-site units must be located in a substantially comparable transit-served location.

The Applicant has elected the 20% option as set forth in the chart in subsection (F)(2) of the ARO. As a result, the Applicant's affordable housing obligation is 12.8 affordable units (20% of 64), and half of those affordable units are Required Units. Pursuant to subsection (T) of the ARO, the Applicant must provide an additional unit to satisfy the fractional obligation of 0.5 or greater. The Applicant has agreed to satisfy its affordable housing obligation by providing 13 affordable units in the rental building in the PD, as set forth in the Affordable Housing Profile (AHP) attached hereto. The Applicant agrees that the affordable rental units must be affordable to households with a range of incomes averaging 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually, provided that (x) the maximum income level for any affordable unit may not exceed 80% of the AMI, (y) at least one-third must be affordable to households at or below 50% of the AMI, of which one-sixth must be affordable to households at or below 40% of the AMI, and (z) all income levels must be multiples of 10% of the AMI.

If the Applicant requests any material change to its method of compliance with the ARO, such as locating affordable units off-site instead of on-site or changing the target affordability level after the passage of this PD, DOH may adjust the AHP as requested, in accordance with the ARO, without amending the PD, provided however, the Applicant must update and resubmit the revised AHP to DOH for review and approval and, at DOH's request, provide an informational presentation to the Plan Commission on such change. 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 execute and record an Inclusionary Housing Agreement (IHA), in accordance with subsection (N) of the ARO. The terms of the IHA and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the IHA will be recorded against all Subareas of the PD and will constitute a lien against such property. The Commissioner of DOH may enforce remedies for any breach of this Statement 16, including any breach of any IHA, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the PD.

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Address- 1201-1209 N California Avenue; 2744-2758 W Division Street
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Notwithstanding the foregoing, if the Applicant receives Low-Income Housing Tax Credits or other financial assistance from the City, and the affordability requirements for such financing (the "Financing Requirements") exceed the ARO requirements, then the Financial Requirements shall govern the Applicant's obligation to provide affordable housing in such subsidized portions of the PD.

This statement does not include all ARO requirements and options. It is intended to provide an overview of the application of the ARO to this PD. In the event of any conflict between this statement and the terms and conditions of the ARO, the ARO shall govern.

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 the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to B3-5 Community Shopping District.

250461.5

Applicant- 1201 N. California HHDC, LLC
Address. 1201-1209 N California Avenue, 2744-2758 W Division Street
Introduced March 18, 2020
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**RESIDENTIAL PLANNED DEVELOPMENT NUMBER BULK
REGULATIONS AND DATA TABLE**

Gross Site Area:	30,090 square feet (.69 acres)
Area Remaining in Public Right of Way:	13,988 square feet (.32 acres)
Net Site Area:	16,102 square feet (.37 acres)
Maximum Number of Dwelling Units:	64 Dwelling Units
Maximum Floor Area Ratio:	5.0
Minimum Number of Off-Street Total Parking Spaces:	19 Parking Spaces
Minimum Bicycle Spaces	49 spaces
Off-Street Loading Spaces:	1 10x25
Minimum Required Setbacks:	As Per Site Plan
Maximum Building Height of the top Residential Floor per Section 17-17-0311 of the Zoning Ordinance:	Not to exceed 94'
Maximum Building Height of the top Structure:	Not to exceed 105'-1"

250462.7

Applicant 1201 N California HHDC, LLC
Address 1201-1209 N. California Avenue, 2744-2758 W Division Street
Introduced April 20, 2020
Plan Commission December 16, 2021

APPLICANT: 1201 N. CALIFORNIA HHDC, LLC.

**EXISTING
ZONING MAP**

ADDRESS OF PROJECT: 1201-1209 NORTH CALIFORNIA AVENUE, 2744-27

INTRODUCTION DATE: APRIL 22, 2020

PLAN COMMISSION DATE: DEC 16, 2021

KEY

PROPERTY BOUNDARY

400' PROPERTY OFFSET

400' PROPERTY_BOUNDARY OFFSET

- A-1 SINGLE FAMILY RESIDENTIAL
- A-2 MULTIFAMILY RESIDENTIAL
- F MERCHANTILE
- G INDUSTRIAL UNITS
- H-3 GARAGES
- J MISC. USE, GAS FILLING STN.

APPLICANT: 1201 N. CALIFORNIA HHDC, LLC.

EXISTING LAND USE

ADDRESS OF PROJECT: 1201-1209 NORTH CALIFORNIA AVENUE, 2744-2746

INTRODUCTION DATE: APRIL 22, 2020

PLAN COMMISSION DATE: DEC 16, 2021 SCALE: N.T.S.

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GROSS SITE AREA = 30,090 sq ft AREA IN R.O.W. = 13,990 sq ft NET SITE AREA = 16,102 sq ft
LEGEND

PD BOUNDARY PROPERTY BOUNDARY

APPLICANT: 1201 N. CALIFORNIA HHDC, **PROPERTY AND**
LLC.

BOUNDARY MAP

ADDRESS OF PROJECT: 1201-1209 NORTH CALIFORNIA AVENUE

INTRODUCTION DATE: APRIL 22, 2020

PLAN COMMISSION DATE: DEC 16, 2021 SCALE: N.T.S.

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1201 N. CALIFORNIA HHDC, LLC.
1201-1209 NORTH CALIFORNIA AVENUE, 2744-2758 WEST DIVISION, CHICAGO, IL
INTRODUCTION DATE:
PLAN COMMISSION DATE:

FINAL FOR PUBLICATION

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1 Phenolic Hom3CfCci Panel System
(Solid Color)

2 (Art Mural)

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Sy.v.om

3 Panel Join.; Typ

Face Bfick wi Cnrv:iy Wall

5 Brick Reveal. Typ

Ei Brick Soldier Course Header. Typ

7 GPRC Panelized Rainscreen System

8 j GPRC Architectural Banding

9 GFRC Cornice

10 Wrought Iron Railing

11 Vinyl Awning Window System, Typ

12 , Metal Entry/Exit Door, Typ

13 Phenolic Panel-Clad Canopy

14 Aluminum Parapet Coping

15 ! Canopy Awning

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Refer to Building Section for vertical height information.

APPLICANT: 1201 N. CALIFORNIA HHDC, LLC.

**NORTH
ELEVATION**

ADDRESS OF PROJECT: 1201-1209 NORTH CALIFORNIA AVENUE, 2744-27

INTRODUCTION DATE: APRIL 22, 2020

PLAN COMMISSION DATE: DEC 16, 2

FINAL FOR PUBLICATION

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Ramscreen (Sol:d
Colo:}

- 0 Phenolic Ramscreen Panel System
" (Art Mural)
- 3 Panel Joint, Typ
- 4 Pace Bnck w/ Cavity Wall
- 5 J Brick Reveal, Typ
- 6 Brick Soldier Course Header, Typ
- 7 GFRC Panelled Ramscreen System
- 8 GFRC Architectural Banding
- 9 GFRC Cornice
- 10 Wrought Iron Railing
- 11 Vinyl Awning Window System, Typ
- 12 Metal Entry/Exit Door, Typ
- 13 Phenolic Panel-Clad Canopy
- 14 Aluminum Parapet Coping
- 15 Canopy Awning

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Refer to Building Section for vertical height information.

APPLICANT: 1201 N. CALIFORNIA HHDC, LLC.

SOUTH ELEVATION

ADDRESS OF PROJECT: 1201-1209 NORTH CALIFORNIA AVENUE, 2744-27:
INTRODUCTION DATE: APRIL 22, 2020
PLAN COMMISSION DATE: DEC 16, 2



FINAL FOR PUBLICATION

- Typ
- Brick Soldier Course Header, Typ 1
- GFRC Panelized Ramscreen System 1
- GFRC Architectural Banding
- GFRC Cornice
- Wrought Iron Railing
- Vinyl Awning Window System, Typ
- Metal Entry/Exit Door, Typ
- Phenolic Panel-Clad Canopy
- Aluminum Parapet Coping
- Canopy Awning

Refer to Building Section for vertical height information.

APPLICANT: 1201 N. CALIFORNIA HHDC, LLC.

**EAST
ELEVATION**

ADDRESS OF PROJECT: 1201-1209 NORTH CALIFORNIA AVENUE, 2744-27

IL

INTRODUCTION DATE: APRIL 22, 2020

PLAN COMMISSION DATE: DEC 16, 2019

FINAL FOR PUBLICATION

(Sold Color)

; (all)

1 Face Brick W/ Cavity Wall

5 Brick Reveal, Typ

6 Brick Solo

7 GFRC Panel

9 GFRC Cornice

1 Vinyl Awning Wn

2 Metal Entry/Exit Door, Typ

3 Phenolic Panel-Clad Canopy

4 Aluminum Parapet Coping

5 Canopy Awning

Refer to Building Section for vertical height information.

APPLICANT: 1201 N. CALIFORNIA HHDC, LLC.

**WEST
ELEVATION**

ADDRESS OF PROJECT: 1201-1209 NORTH CALIFORNIA AVENUE, 2744-27

INTRODUCTION DATE: APRIL 22, 2020

PLAN COMMISSION DATE: DEC 16, 2019

APPLICANT: 1201 N. CALIFORNIA HHDC, LLC.
ADDRESS OF PROJECT: 1201-1209 NORTH CALIFORNIA AVENUE, 2744
-2758 WEST DIVISION, CHICAGO, IL
INTRODUCTION DATE: APRIL 22, 2020
PLAN COMMISSION DATE: DEC 16, 2021

BUILDING SECTION

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

Aldennan Thomas Tunney
Chairman, City Council Committee on Zoning

From
Maurice D. Cox / Chicago Plan Commission

Date: December 16, 2021

Re: Proposed Planned Development for the property generally located at 1203 N California Avenue

On December 16, 2021, the Chicago Plan Commission recommended approval of the proposed planned development submitted by, Hispanic Housing Development Corporation and 1201 N California HHDC, 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

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

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