

# PD 1146

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16802

*Reclassification Of Area Shown On Map No. 4-J.*

(As Amended)

(Application No. 16802)

(Common Addresses: 1529 -- 1599 S. Avers Avenue, 1540 -- 1598 S. Hamlin Avenue, 3800 -- 3824 W. 16<sup>th</sup> St.)

RBP 1146

[SO2009-4843]

*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 RT4 Residential Two-Flat Townhouse and Multi-Unit and B3-2 Community Shopping District symbols and indications as shown on Map Number 4-J in area bounded by:

a line 300.17 feet north of West 16<sup>th</sup> Street; a line 133.00 feet east of South Avers Avenue; a line 200.26 feet north of West 16<sup>th</sup> Street (as measured along the west line of South Hamlin Avenue); South Hamlin Avenue; West 16<sup>th</sup> Street; and South Avers Avenue,

to those of a B2-2 Neighborhood Mixed-Use District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the current B2-2 Neighborhood Mixed-Use District symbols and indications as shown on Map Number 4-J in the area bounded by:

a line 300.17 feet north of West 16<sup>th</sup> Street; a line 133.00 feet east of South Avers Avenue; a line 200.26 feet north of West 16<sup>th</sup> Street (as measured along the west line of South Hamlin Avenue); South Hamlin Avenue; West 16<sup>th</sup> Street; and South Avers Avenue,

to those of Residential Business Planned Development Number 1146, 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 shall be in force and effect from and after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

*Residential Business Planned Development Number 1146*

*Plan Of Development Statements.*

1. The area delineated herein as Residential Business Planned Development Number 1146 (the "Planned Development") consists of a net site area of approximately sixty-six thousand six hundred (66,600) square feet (one and fifty-three hundredths (1.53)) acres of property, which is depicted on the attached Planned Development Boundary and Property Line (the "Property"), and is owned or controlled by King Legacy, L.L.C. (the "Applicant").

2. The Applicant shall obtain all necessary official reviews, approvals or permits. Any dedication or vacation of streets, alleys or easements or adjustments of rights-of-way shall require a separate submittal on behalf of the Applicant and approval by the City Council.
3. 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 and beneficial titleholders and any grantees, ground lessors and lessees. All rights granted hereunder to Applicant shall inure to the benefit of Applicant's successors and assigns and, if different than the Applicant, the legal and beneficial titleholders and any grantees, ground lessors and lessees. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) (hereafter "Modifications") to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any Modifications to this Planned Development is made or authorized by the Applicant, its successor and assigns, or the owner, including any property owner association that is formed.
4. This plan of development consists of thirteen (13) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site Plan; and Elevations prepared by Johnson and Lee Architects and dated January 13, 2009. Full-size sets of the Site Plan and Elevations are on file with the Department of Planning and Development. These and no other zoning controls shall apply to the Property. This plan of development conforms with the intent and purpose of the Chicago Zoning Ordinance (Title 17 of the Municipal Code in Chicago) and all requirements thereof, and satisfies the established criteria for approval as a planned development. In any instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Building Code shall control.
5. The property within the Planned Development is indicated on the Planned Development Boundary and Property Line Map. Subject to the Bulk Regulations and Data Table, the following uses are permitted on the Property: residential dwelling units, service and retail uses and accessory uses.
6. Temporary signs such as construction and marketing signs shall be permitted subject to the review and approval of the Department of Planning and Development. On-premise business identification signs shall be permitted within the Planned Development subject to the review and approval of the Commissioner of the Department of Zoning and Land Use. Off-premise signs shall not be permitted within the Planned Development.
7. Off-street parking shall be provided in compliance with this Planned Development subject to review of the Department of Transportation. Any service drives or other ingress or egress shall be adequately designed and paved in accordance with the Municipal Code of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas. Ingress and egress shall be subject to the review and approval of the Department of Transportation.

8. In addition to the maximum height of the buildings or any appurtenance attached thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations as approved by the Federal Aviation Administration.
9. The improvements depicted on the Site Plan and Elevations including the landscaping along adjacent rights-of-way and all entrances and exits to and from the parking and loading areas shall be designed, constructed and maintained in substantial conformance with the Site Plan and Elevations.
10. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department of Zoning and Land Use, upon the application for such modification by the Applicant and after a determination by the Commissioner of the Department of Zoning and Land Use that such a modification is minor in nature, appropriate and consistent with the nature of the improvements contemplated in this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of this Planned Development by the Commissioner of the Department of Zoning and Land Use shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13 -0611-A of the Chicago Zoning Ordinance.
11. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. To that end, the Applicant shall comply with the provisions of Energy Star rating and will include permeable pavers in the parking area and the access drives thereto.
12. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project buildings 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 ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
13. Unless substantial construction of the improvements contemplated by this Planned Development has commenced within six (6) years of the effective date hereof and unless completion of those improvements is thereafter diligently pursued, then this Planned Development shall expire and the zoning of the Property shall automatically revert to the B2-2 Neighborhood Mixed-Use District applicable to the Property immediately preceding the adoption of this Planned Development. The six (6) year period may be extended for one (1) additional year if, before expiration, the Commissioner of the Department of Planning and Development determines that good cause for such an extension is shown.

[Existing Zoning Map; Planned Development Boundary  
and Property Line Map; Site Plan; Landscape Plan;  
and Building Elevations referred to in these  
Plan of Development Statements printed  
on page 68930 through  
68936 of this *Journal*.]

16802

7/29/2009

REPORTS OF COMMITTEES

68929

Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

*Residential Business Planned Development Number 1146.*

*Plan Of Development*

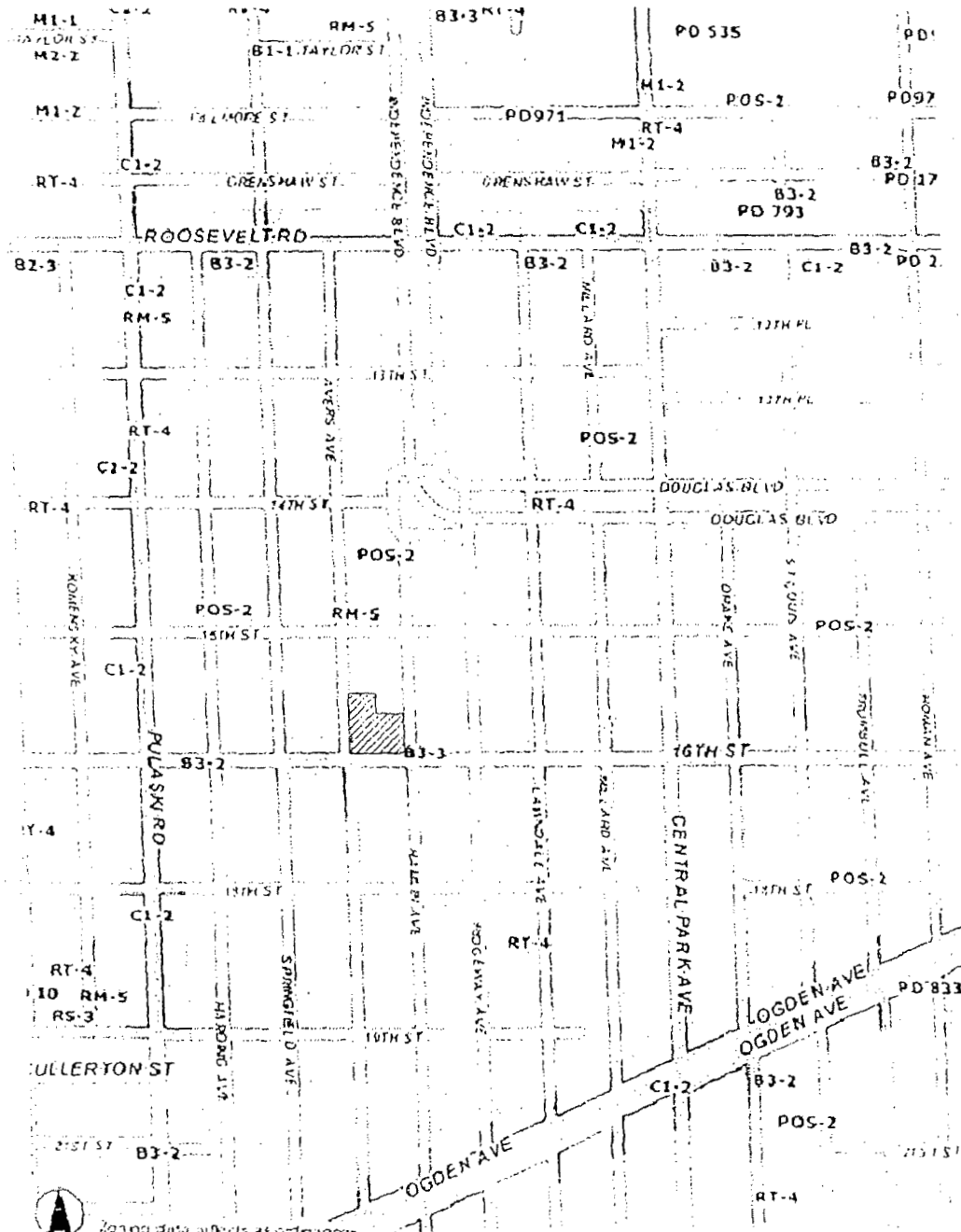
*Bulk Regulations And Data Table.*

Gross Site Area (91,902.09 square feet; 2.11 acres) = Net Site Area (66,600 square feet; 1.53 acres) + Area Remaining in Public Right-of-Way (25,302.09 square feet; 0.58 acres)

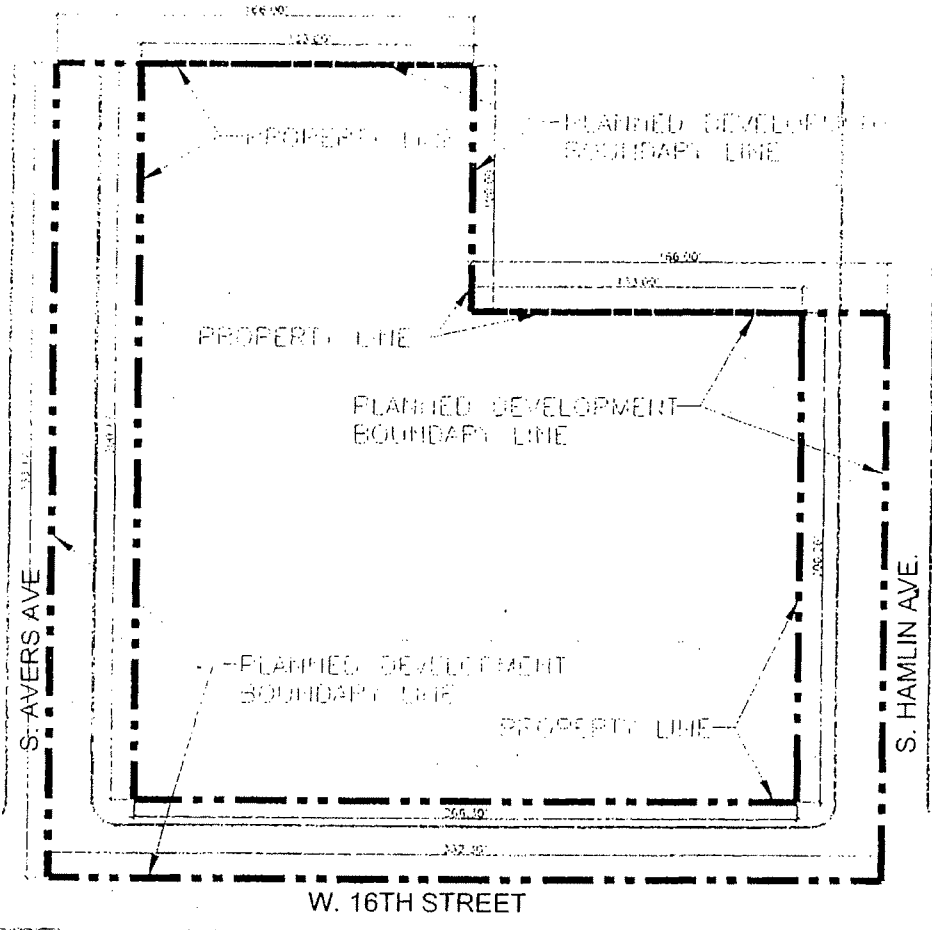
Maximum Permitted Floor Area Ratio:	1.75
Permitted Uses:	See Statement Number 5 of this Planned Development
Setback from Property Line:	
South Avers Avenue	7 feet
West 16 <sup>th</sup> Street	0 feet
South Hamlin Avenue	7 feet
North Property Line	27 feet
Maximum Percentage of Site Coverage:	In substantial conformance with the Site Plan
Maximum Number of Dwelling Units:	45
Minimum Number of Off-Street Parking Spaces:	45
Minimum Number of Off-Street Loading Berths:	1
Maximum Building Height:	32 feet

Existing Zoning Map.

PLANNED DEVELOPMENT

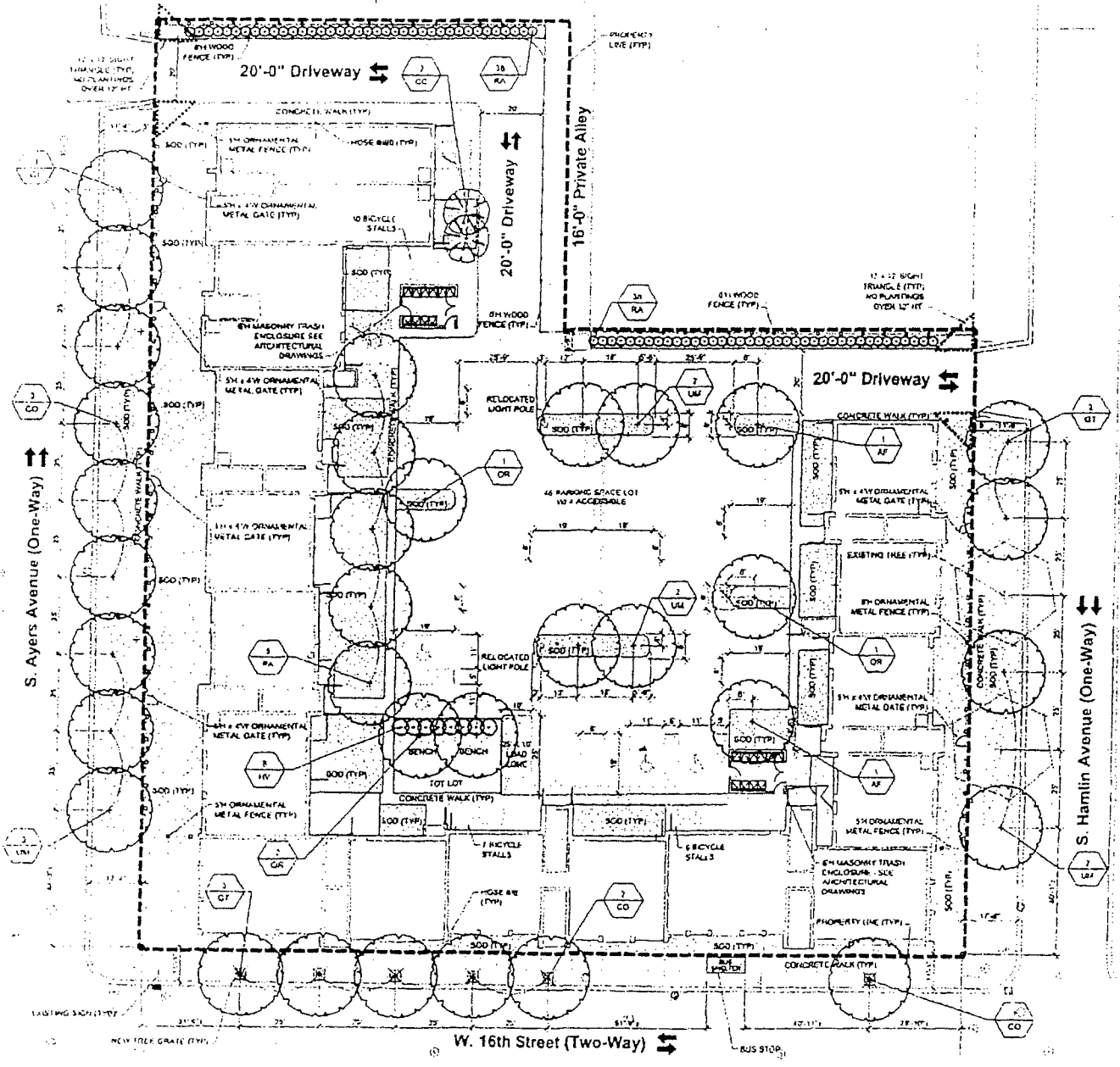


Planned Development Boundary  
And Property Line Map.





Landscape Plan.



Partial Building Elevations.  
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