

# PD 1387

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19273

10/11/2017

REPORTS OF COMMITTEES

58071

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

Reclassification Of Area Shown On Map No. 11-J.  
(As Amended)  
(Application No. 19273)  
(Common Address: 4022 -- 4040 N. Elston Ave.)

BBPD 1387

[SO2017-4820]

*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 C2-2 Commercial, Manufacturing and Employment District symbols and indications as shown on Map Number 11-J in the area bounded by:

North Elston Avenue; a line perpendicular to North Elston Avenue 140 feet northwesterly of the north line of West Irving Park Road as measured along the west line of North Elston Avenue; a line 72 feet southwesterly of the west line of North Elston Avenue; a line perpendicular to North Elston Avenue 165.01 feet northwesterly of the north line of West Irving Park Road as measured along the west line of North Elston Avenue; the public alley next southwest of North Elston Avenue; and a line perpendicular to North Elston Avenue 340.08 feet northwesterly of the north line of West Irving Park Road as measured along the west line of North Elston Avenue,

to those of a B3-3 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 B3-3 Community Shopping District symbols and indications as shown on Map Number 11-J in the area bounded by:

North Elston Avenue; a line perpendicular to North Elston Avenue 140 feet northwesterly of the north line of West Irving Park Road as measured along the west line of North Elston Avenue; a line 72 feet southwesterly of the west line of North Elston Avenue; a line perpendicular to North Elston Avenue 165.01 feet northwesterly of the north line of West Irving Park Road as measured along the west line of North Elston Avenue; the public alley next southwest of North Elston Avenue; and a line perpendicular to North Elston Avenue 340.08 feet northwesterly of the north line of West Irving Park Road as measured along the west line of North Elston Avenue,

to those of Planned Development Number 1387 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:

*Planned Development No. 1387.*

*Plan Of Development Statements.*

1. The area delineated herein as Planned Development Number 1387 ("Planned Development") consists of approximately 23,684 square feet (.543 acre) of Net Site Area which is depicted on the attached Planned Development Boundary Map ("Property") and is owned or controlled by the Chicago Housing Authority. The Chicago Housing Authority has given consent to the Applicant, EREG Development LLC, an Illinois limited liability company, to file this application.
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 titleholders 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 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 seventeen (17) Statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land Use; a Planned Development Boundary Line Map; a Site Plan; a Roof Plan; South and East Elevations; North and West Elevations; a Site Landscape Plan; a Residential Terrace and Green Roof Plan dated July 20, 2017; prepared by John Ronan Architects 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 are permitted in the area delineated herein as a Planned Development: elderly housing; cultural exhibits and libraries; postal service; business support services; restaurants (limited and general); outdoor patio if located at grade level); bank, savings bank, savings and loan association, and credit union (excluding drive-through facilities); automated teller machine facility (excluding drive-through facilities); food and beverage retail sales; medical service; office; personal service; retail sales, general; wireless communication facilities (co-located); accessory parking and accessory uses.
6. On-premises 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-premises 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 FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 194,188 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 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. 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 13-32-125 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 titleholders 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 Policy, in effect at the time the Part II Review process is initiated for each improvement that is subject to the aforementioned policy and must provide documentation verifying compliance.
15. The Applicant acknowledges and agrees that the rezoning of the Property from C2-2 to B3-3, and then to this Planned Development triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10 percent of the housing units in the residential housing project (the "Required Units") as affordable units; (ii) pay a fee in lieu of the development of the Required Units; or (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25 percent of the Required Units on-site. The Property is located in a "low-moderate income area" within the meaning of the ARO; the project has a total of 44 units; and the project will receive TIF funds from the City. As a result, the Applicant's affordable housing obligation is 5 affordable units (10 percent of 44 units rounded up), one of which is a Required Unit (25 percent of 5). Applicant has agreed to satisfy its

affordable housing obligation by providing nine affordable units in the rental building to be constructed in the Planned Development. The Applicant agrees that the affordable rental units must be affordable to households earning no more than 60 percent of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required Affordable Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(L). 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 Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 13, including any breach of any 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.

Notwithstanding the foregoing, if the Applicant receives Low-Income Housing Tax Credits, tax increment financing or other financial assistance whose affordability requirements exceed those of the Affordable Housing Ordinance from the City to develop affordable housing in any portion of the Planned Development, the regulatory, redevelopment, loan or other agreement(s) to be executed by the City and the Applicant in connection with such tax credits or other financial assistance shall govern and control the Applicant's obligation to provide affordable housing for such subsidized portion of the Planned Development.

- 16 The Applicant acknowledges the city's ongoing and evolving initiatives to enhance awareness of, and support and encourage participation by, Minority and Women's Business Enterprise certified contractors and local city residents. To assist the city in promoting such MBE, WBE and local city resident involvement, the Applicant has already provided the Department of Planning and Development with any preliminary outreach plans designed to elicit MBE, WBE and local city resident participation, such submission may include copies of certified letters, and receipts of such, sent to MBE/WBE contractor associations and the ward office of the alderman in which this project is proposed to be located. In conjunction with the Applicant's submission for Part II permit reviews, the Applicant will provide DPD, and upon request, the full Plan Commission, with all responses to any preliminary outreach plans and certified letters, updates on any associated communications or meetings and anticipated percentages of MBE, WBE and local city resident participation. Prior to issuance of their Certificate of Occupancy, the Applicant will provide DPD with their actual level of MBE and WBE certified contractor and local city resident participation. All such details will be provided in a form acceptable to the Zoning Administrator or Commissioner of the Department of Planning and Development.

- 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 B3-3 Neighborhood Shopping District.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary Line Map; Site Plan; Roof Plan; Elevations; Site Landscape Plan; and Residential Terrace and Green Roof Plan referred to in these Plan of Development Statements printed on pages 58077 through 58085 of this *Journal*.]

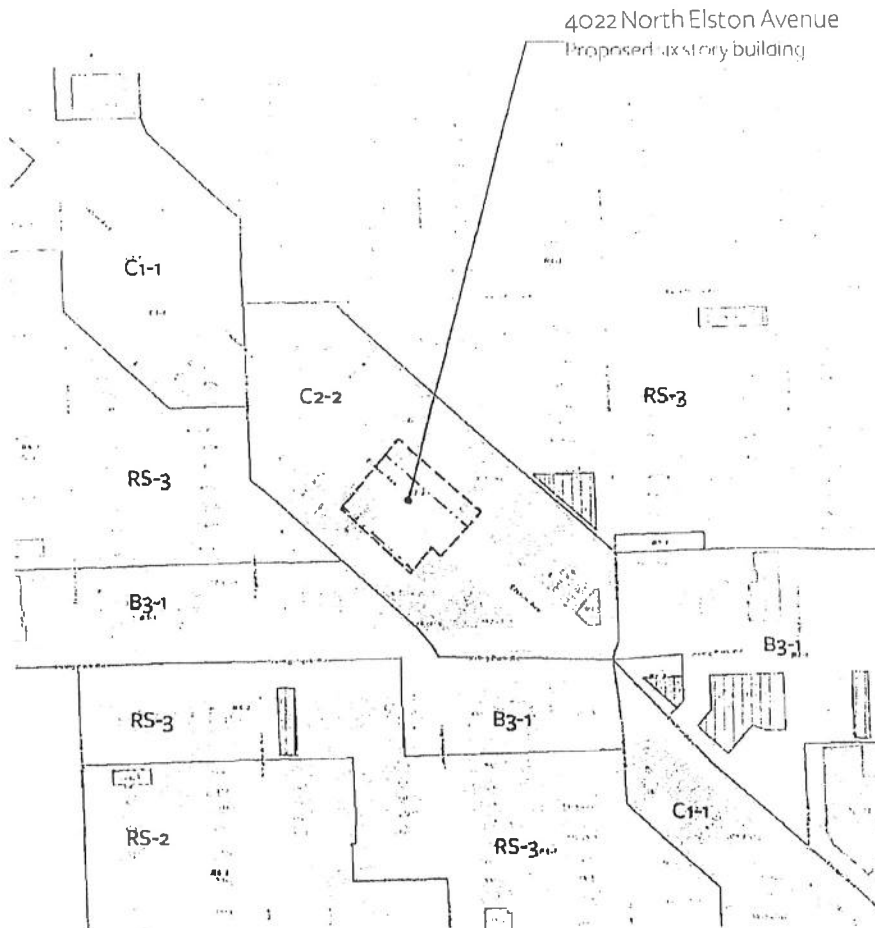
Bulk Regulations and Data Table referred to in these Plan of Development Statements read as follows:

*Planned Development No. 1387.*

*Bulk Regulations And Data Table.*

Gross Site Area:	33,434 square feet (.77 acre)
Area Remaining in Public Right-of-Way:	9,750 square feet (.22 acre)
Net Site Area:	23,684 square feet (.54 acres)
Maximum Number of Dwelling Units:	44 elderly housing units
Maximum Floor Area Ratio:	2.59
Minimum Number of Off-Street Parking Spaces:	29 spaces
Off-Street Loading Spaces:	0
Minimum Required Setbacks:	As per Site Plan
Maximum Building Height:	77 feet, 9½ inches
Minimum Number of Bicycle Spaces:	8 spaces

### Final Plan Publication



EXISTING ZONING MAP

(1)

- Drawing Legend:
- Property Line (Net Site Area)
  - Planned Development Boundary Line (Gross Site Area)

APPLICANT:  
EREG Development, LLC

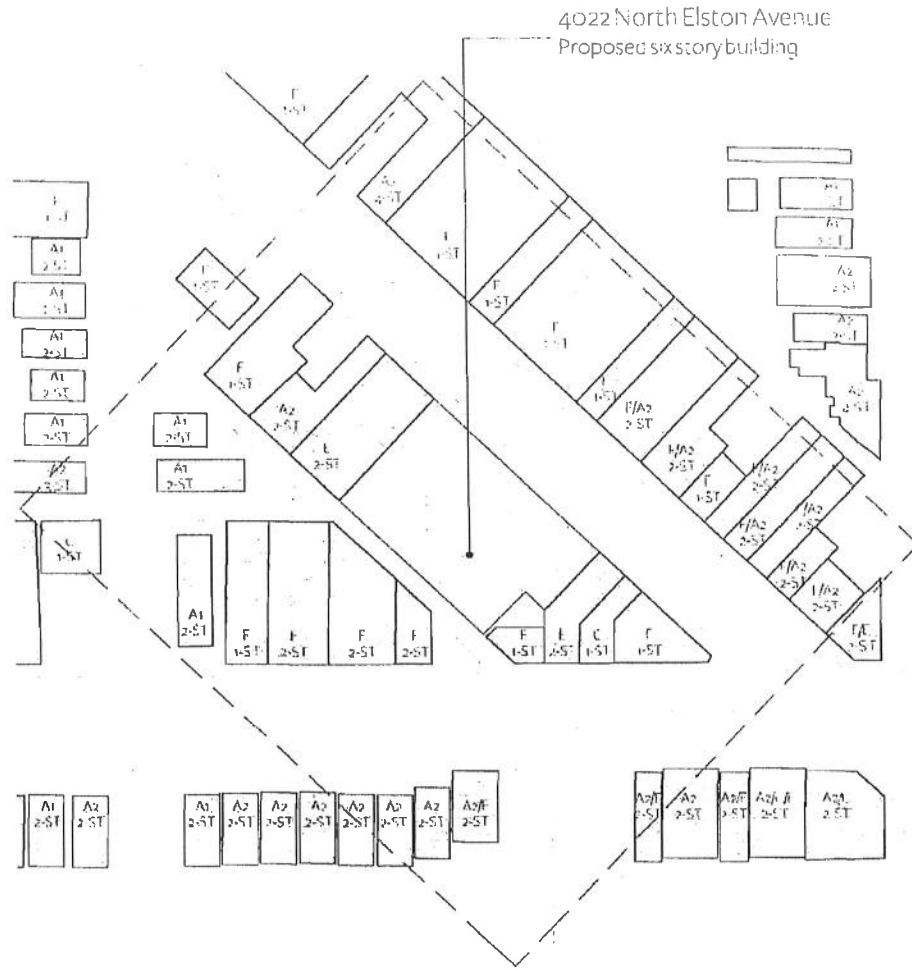
4022 N. Elston Avenue, Chicago, Illinois, 60618

PLANNED DEVELOPMENT #XXXX  
INDEPENDENCE LIBRARY AND APARTMENTS

INTRODUCED: 28 JUNE 2017  
PLAN COMMISSION: 20 July 2017

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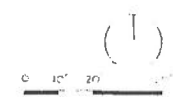
Final Plan Publication



Drawing Legend:

- A1 SINGLE FAMILY RESIDENTIAL
- A2 MULTIFAMILY RESIDENTIAL
- C RESTAURANT/BAR
- F OFFICE
- M/A2 MERCHANDISE

--- 400' BOUNDARY



APPLICANT:  
EREG Development, LLC

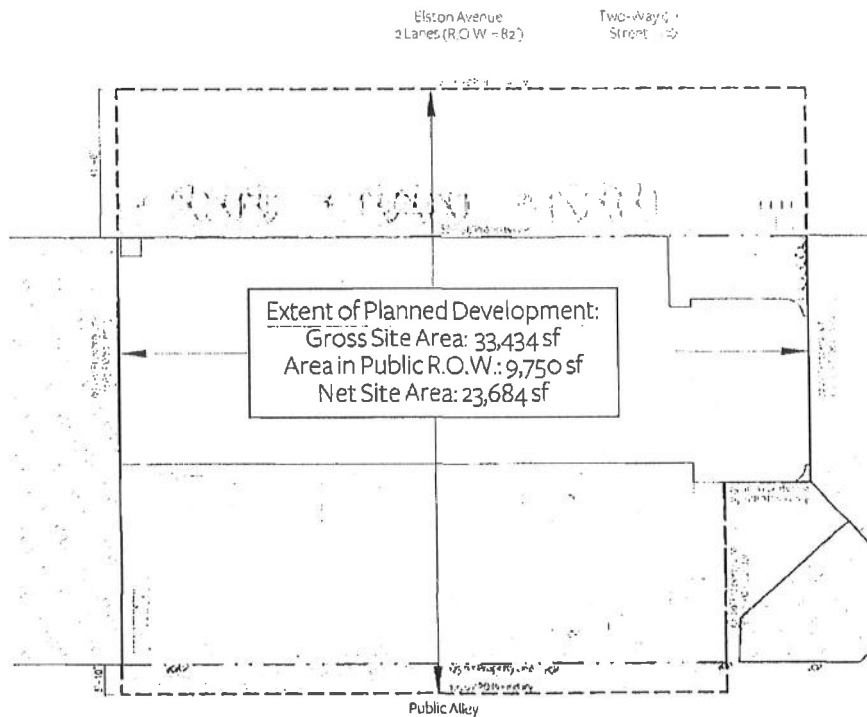
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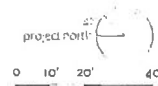
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PLANNED DEVELOPMENT BOUNDARY LINE MAP

Drawing Legend:

- Property Line (Net Site Area)
- - - Planned Development Boundary Line (Gross Site Area)
- ⊗ Proposed Street Tree in Flush Tree Grate, Mature Height Over 30', Installation Size of Caliper or Larger
- Ornament of Tree
- PD Area in the Public Right of Way



APPLICANT:  
EREG Development, LLC

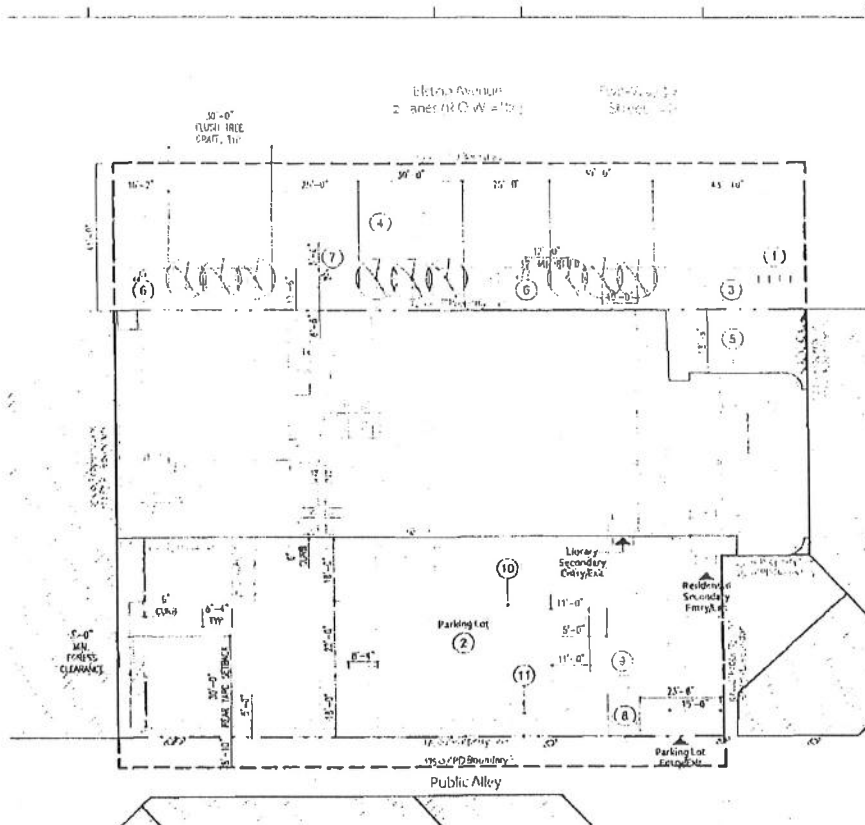
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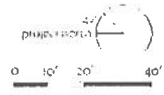
SITE PLAN

Keynote Legend:

- 1 Bike Parking - 8 Spaces (Library-Residential)
- 2 Parking Lot - 29 Spaces (Including 2 Accessible Spaces)
- 3 Existing Sidewalk
- 4 Existing Striped Bike Lane
- 5 Landscaped Entry Plaza
- 6 Existing Street Light
- 7 Existing Fire Hydrant
- 8 Trash Enclosure
- 9 Book Drop-off Bin
- 10 Stormwater Retention Tank, Underground
- 11 Combined Transformer on Concrete Pad

Drawing Legend:

- Property Line (Net Site Area)
- Planned Development Boundary Line (Gross Site Area)
- Proposed Street Tree in Flush Tree Grate. Maturity Height: Over 30', Installation Size 4" Caliper or Larger
- Ornamental Tree



APPLICANT:  
EREG Development, LLC

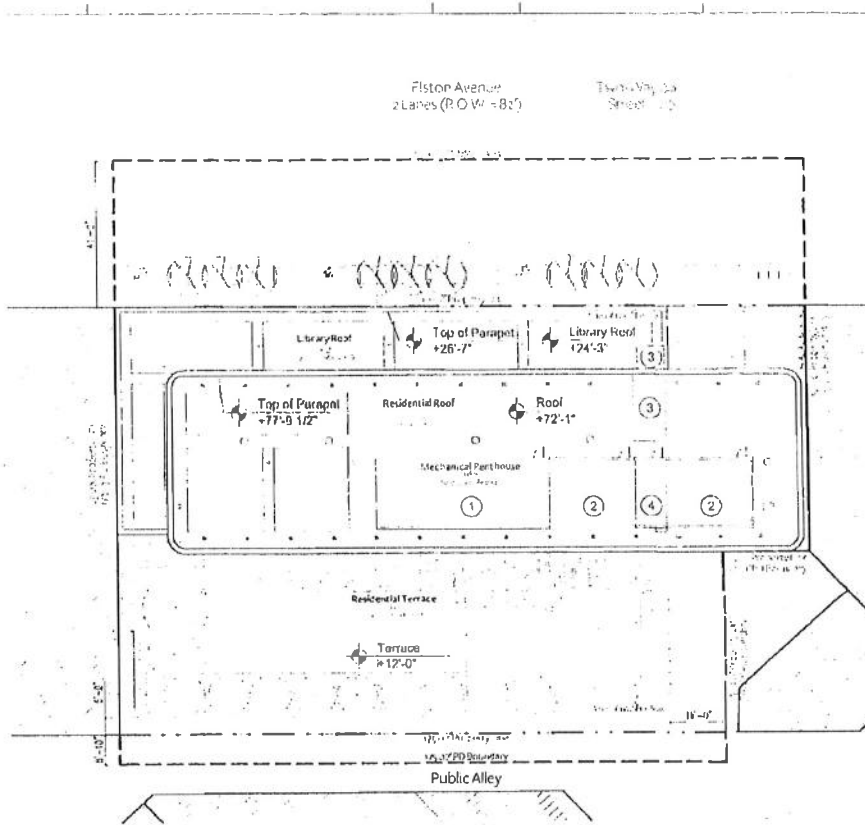
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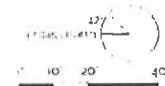
**ROOF PLAN**

- Keystone Legend:**
- 1 Mechanical Penthouse
  - 2 Screened Enclosure, Mechanical Equipment
  - 3 Elevator Overhead
  - 4 Sun Deck

**Green Roof Calculations:**

Net Roof Area	16,950 sq ft
Green Roof Area	9,014 sq ft
Green Roof Percentage (5,457/16,950)	53%

- Drawing Legend:**
- Property Line (Net Site Area)
  - Planned Development Boundary Line (Grass Pave Area)
  - Proposed Street: Traffic Signal, 10' Grade, 1' Minimum Height Overlap, 1/2" Minimum Seal, 1/2" Caliper or Larger
  - Commercial Tree



APPLICANT  
EREG Development, LLC

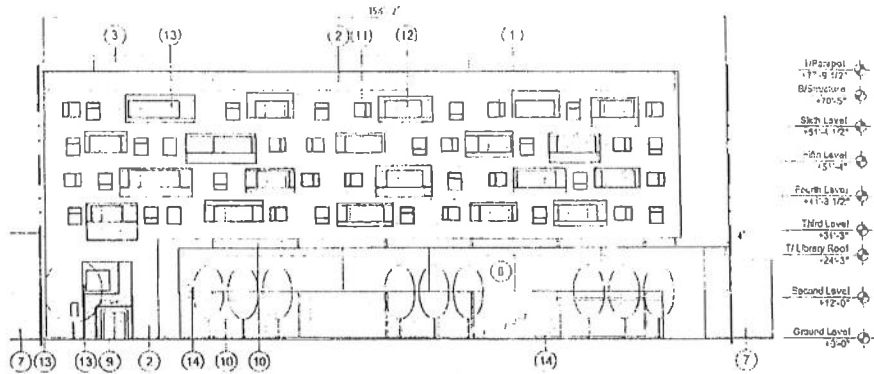
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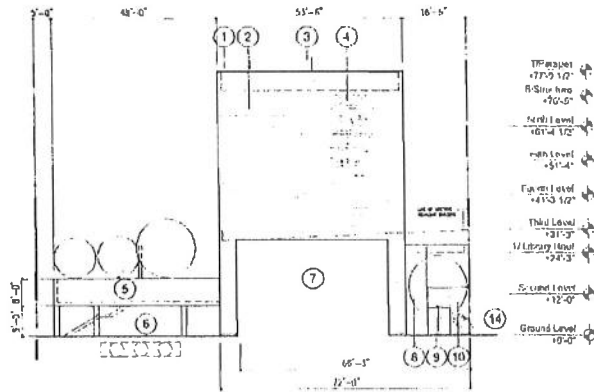
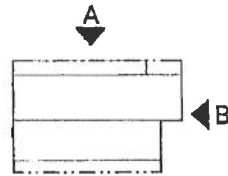
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A. EAST ELEVATION



B. SOUTH ELEVATION

Keynote Legend:

- 1 Stainless Steel Coping
- 2 Corrugated Aluminum Siding
- 3 Mechanical Penthouse
- 4 CPL Logo in Siding
- 5 Outdoor Terrace
- 6 Covered Parking, 29 Spaces
- 7 Existing Adjacent Building
- 8 Precast Concrete
- 9 Doors
- 10 Anodized Aluminum Framed Window/Wall System With Insulated Low-E Glass
- 11 Operable Windows
- 12 Balcony
- 13 Aluminum Composite Material
- 14 CPL Graphic

SOUTH AND EAST ELEVATIONS



APPLICANT:  
EREG Development, LLC

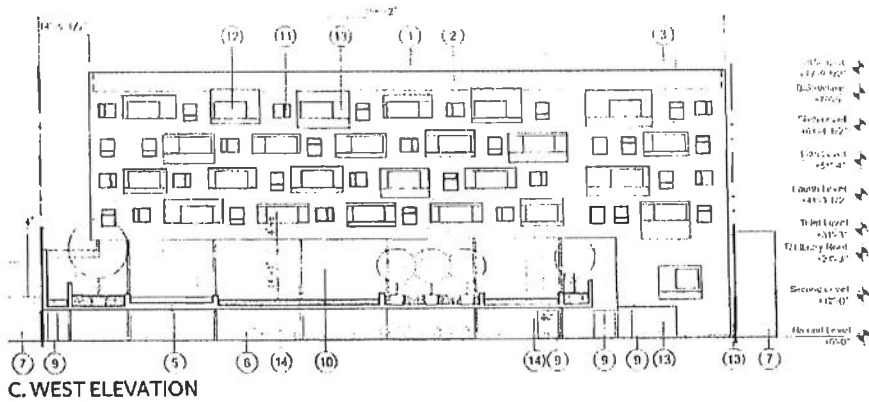
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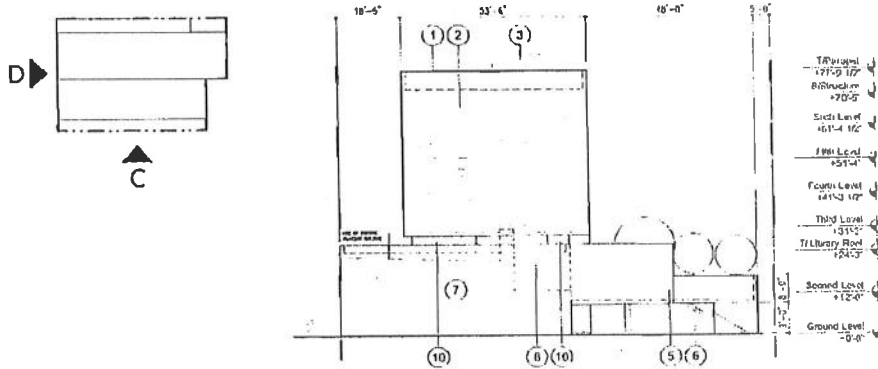
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C. WEST ELEVATION

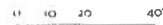


D. NORTH ELEVATION

Keynote Legend:

- 1 Flexible Steel Cladding
- 2 Corrugated Aluminum Siding
- 3 Mechanical Penthouse
- 4 CPL Loggia Siding
- 5 Outdoor Terrace
- 6 Covered Parking Spaces
- 7 Existing Adjacent Building
- 8 Precast Concrete
- 9 Door
- 10 Anodized Aluminum Framed Window Wall System With Insulated Low-E Glass
- 11 Operable Windows
- 12 Balcony
- 13 Aluminum Composite Material
- 14 CPL Graphic

NORTH AND WEST ELEVATIONS



APPLICANT:  
ERFG Development, LLC

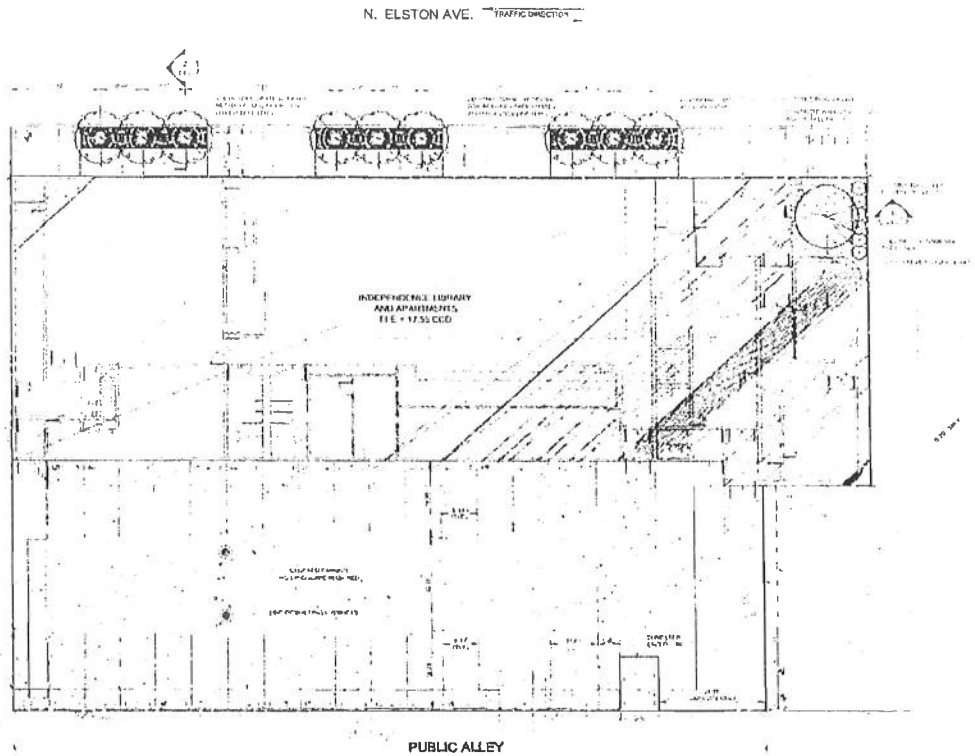
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PLANNED DEVELOPMENT #XXXX  
INDEPENDENCE LIBRARY AND APARTMENTS

INTRODUCED 18 JUNE 2017  
PLAN COMMISSION 20 July 2017

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1 SITE LANDSCAPE PLAN

**LEGEND**

	2' x 4' TREES
	LAWN AREAS
	SHRUBS
	GROUND COVER
	SITE PLAN
	FINAL PLAN
	SITE PLAN
	SITE PLAN
	SITE PLAN
	SITE PLAN
	SITE PLAN
	SITE PLAN

APPLICANT:  
EREG Development, LLC

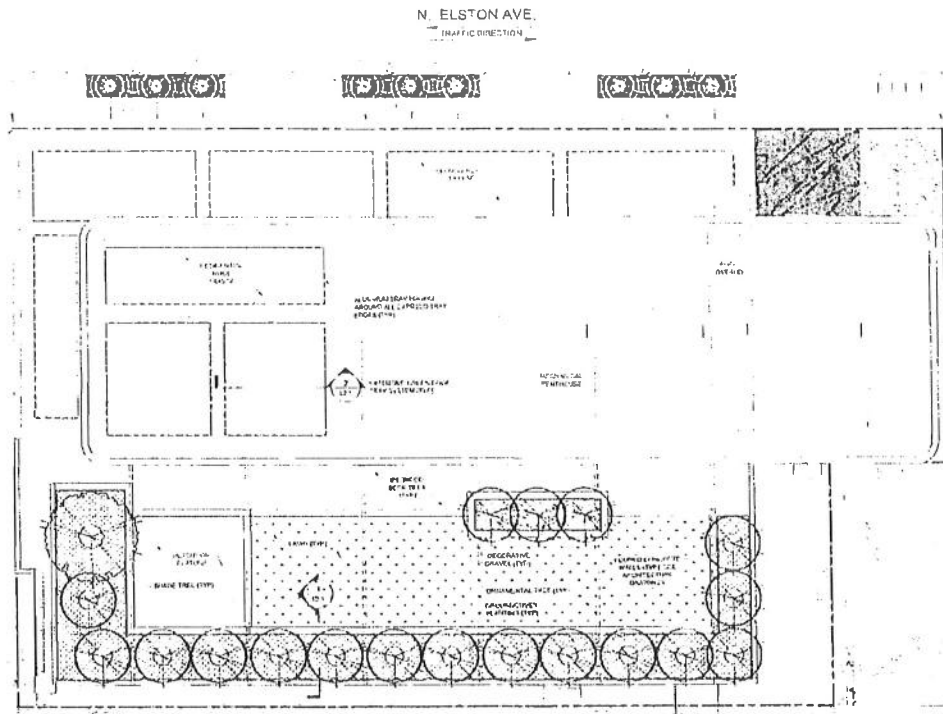
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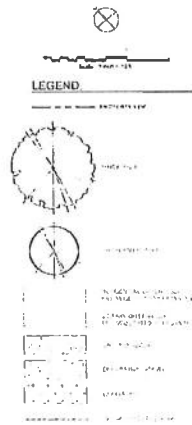
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1 RESIDENTIAL TERRACE AND GREEN ROOF PLAN



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EREG Development, L.P.C

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PLAN COMMISSION 20 JULY 2017