

PD 1400

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02/28/2018 PD Adoption **2**

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*Reclassification Of Area Shown On Map No. 3-G.
(As Amended)
(Application No. 19374)
(Common Address: 1114 -- 1128 W. Chicago Ave./
800 -- 818 N. Milwaukee Ave.)*

BBPD 1400

[SO2017-6218]

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 C1-2 Neighborhood Commercial District symbols and indications as shown on Map Number 3-G in the area bounded by:

West Chicago Avenue; the public alley west of and parallel to North Milwaukee Avenue; a line 228.12 feet north of West Chicago Avenue measured along and perpendicular to North Milwaukee Avenue; and North Milwaukee Avenue,

to those of a C1-5 Neighborhood Commercial District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the C1-5 Neighborhood Commercial District symbols and indications as shown on Map Number 3-G in the area bounded by:

West Chicago Avenue; the public alley west of and parallel to North Milwaukee Avenue; a line 228.12 feet north of West Chicago Avenue measured along and perpendicular to North Milwaukee Avenue; and North Milwaukee Avenue,

to those of a Residential-Business Planned Development which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof 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 No. 1400.

Planned Development Statements.

1. The area delineated herein as Planned Development Number 1400 (the "Planned Development") consists of approximately 18,268 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"). 1505 Milwaukee LLC is the owner of a portion of the Property and the "Applicant" for this Planned Development pursuant to authorization from the remaining owners.

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.
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, assigns 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 Planned Development 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 Chicago. Prior to the issuance of any Part II Approval, the submitted plans must be approved by the Department of Transportation.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the City's 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 CDOT's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway and landscaping

The Perimeter Restoration Agreement must be executed prior to any CDOT 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 CDOT 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 CDOT 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 CDOT.

4. This plan of development consists of 17 Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; and Building Elevations (North, South, East and West) prepared by Pappageorgehaymes Partners and dated February 15, 2018, 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 Chicago 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 Chicago Zoning Ordinance, this Planned Development shall control.
5. The following uses are permitted in the area delineated herein: multi-family dwelling units above the ground floor; school; animal services (all except stables); artist work or sales space; day care; dry cleaner; eating and drinking establishments (all, including outdoor rooftop patios but excluding taverns); food and beverage retail sales (provided any sale of liquor shall be accessory only); financial services (except drive-through facilities, payday/title secured loan stores and pawn shops); general retail sales; vacation rental; medical service; offices; personal services (including, without limitation, yoga and fitness studios); co-located wireless communication facilities; accessory parking and accessory and related 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 Chicago 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 purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a net site area of 18,268 square feet and a base FAR of 5.0.

9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, 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, Fleet and Facility Management 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, 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 C1-2 Neighborhood Commercial District to C1-5 Neighborhood Commercial District, and then to this Planned Development, for construction of the Project triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or the "ARO"). The Applicant further acknowledges and agrees that the Property is located in the Near North/Near West Pilot Area, as described in Section 2-45-117 of the Municipal Code (the "Near North/Near West ARO Pilot Area Ordinance" or the "Pilot"), and therefore is subject to the Pilot's

modified ARO requirements. Among other modifications to the ARO, the Pilot eliminates the option to pay a fee in lieu of the establishment of affordable units and increases the required percentage of affordable units. The Near North/Near West Pilot Area is divided into two zones: the Near North Zone and the Near West Zone. The Property is located in the Near North Zone. In the Near North Zone, the percentage of units in a residential housing project required to be affordable for a period of 30 years, whether rental or for-sale, is increased from 10 percent to 20 percent. Any developer of a residential housing project in the Near North Zone must provide the first 10 percent of units required to be affordable (the "First Units") either: (i) in the residential housing project, or (ii) with the approval of the Commissioner of the Department of Planning and Development (the "Commissioner"), in an off-site location within two miles of the Property and in the same or a different higher income area or downtown district, or (iii) any combination of (i) and (ii). In addition, the developer must provide the second 10 percent of units required to be affordable (the "Additional Units") either: (i) in the residential housing project, or (ii) with the Commissioner's approval, in an off-site location anywhere within the Near North/Near West Pilot Area, regardless of distance from the project or income area, or (iii) any combination of (i) and (ii). The project has a total of 97 housing units. As a result, the Applicant's affordable housing obligation is 20 affordable units (20 percent of 97, rounded up), consisting of 10 First Units and 10 Additional Units. Applicant has agreed to satisfy its affordable housing obligation by providing the First Units and the Additional Units in the rental building to be constructed in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto. In accordance with the requirements of the ARO, as modified by the Pilot, the Applicant is required to lease the First Units to households earning up to 60 percent of the Chicago Primary Metropolitan Statistical Area median income ("AMI") at prices affordable to households at such income level, and the Additional Units to households earning up to 80 percent or 100 percent of AMI, as determined by rule and approved by the Commissioner at prices affordable to households at such income level. If the Applicant subsequently reduces (or increases) the number of housing units in the project, or elects to build a for-sale project instead of a rental project, or (with the Commissioner's approval) elects to construct off-site units instead of on-site units, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval. DPD may adjust the requirements to reflect any such change 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 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 may enforce remedies for any breach of this Statement 15, 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.

16. 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 percent MBE and 6 percent WBE participation (measured against the total construction budget for the project or any phase thereof), and *(ii) 50 percent 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.
17. This Planned Development shall be governed by Section 17-13-0612. 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 the C1-5 Neighborhood Commercial District.

* Editor's Note: Numbering sequence error; (i) missing in original document.

[Land-Use Map; Boundary Map; Existing zoning Map; Site Plan; Landscape Plan; Northeast, Northwest, South and Southwest Building Elevations; and Chicago Department of Transportation Site Plan referred to in these Plan of Development Statements printed on pages 68551 through 68560 of this *Journal*.]

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

Residential-Business Planned Development No. 1400.

Bulk Regulations And Data Table.

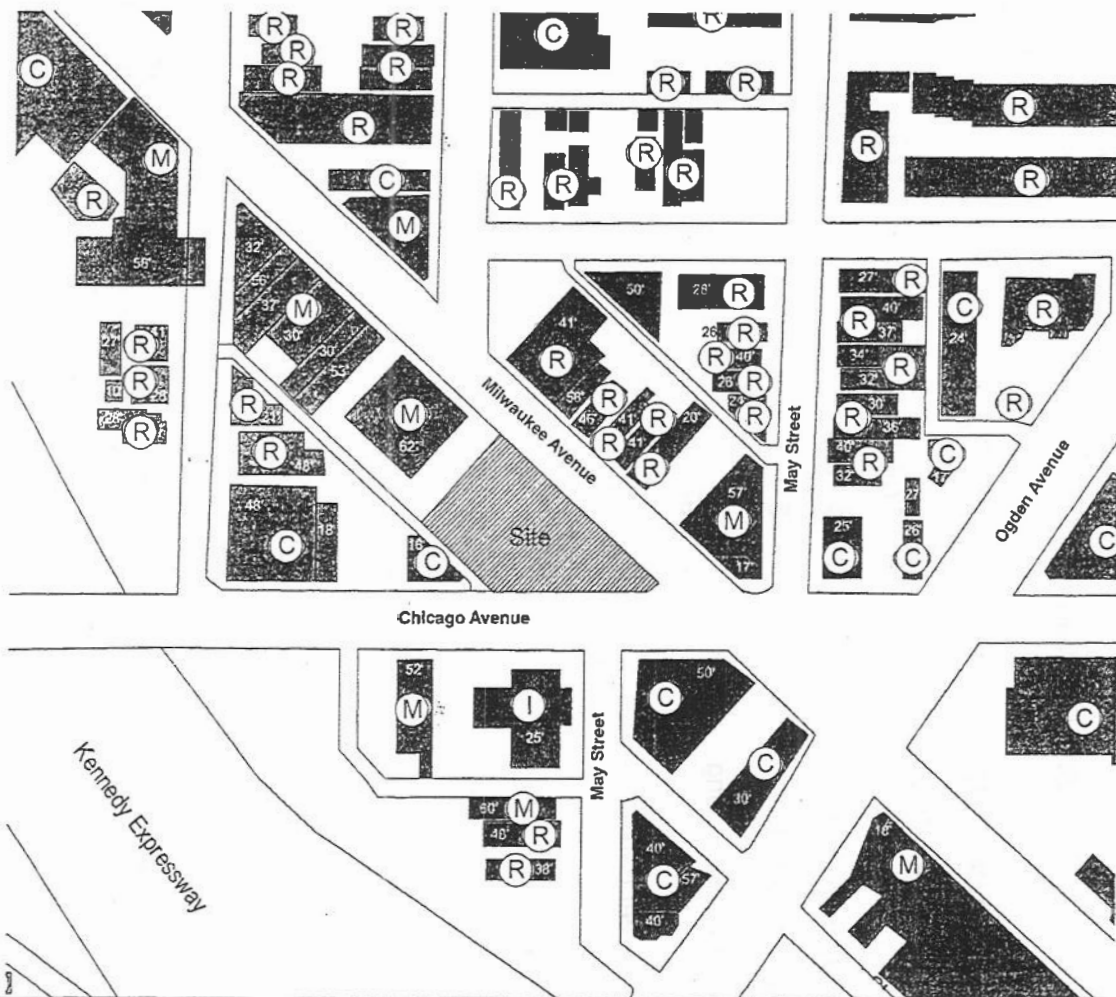
Gross Site Area (square feet):	36,126
Area of Public Rights-of-Way (square feet):	17,858
Net Site Area (square feet):	18,268
Maximum Floor Area Ratio:	5.0
Maximum Number of Dwelling Units:	97
Minimum Off-Street Parking Spaces:	23
Minimum Bicycle Parking:	86
Minimum Off-Street Loading Spaces:	1 (10 feet by 25 feet)
Maximum Building Height:	78 feet, 8 inches (bottom of structure) 99 feet, 0 inches (top of elevator penthouse)
Minimum Setbacks:	In accordance with Plans

Allowed automotive lifts shall be operated by a valet or an attendant employed by the equipment's owner or owned and operated by an owner or resident of a dwelling unit within the building.

2/28/2018

REPORTS OF COMMITTEES

68551



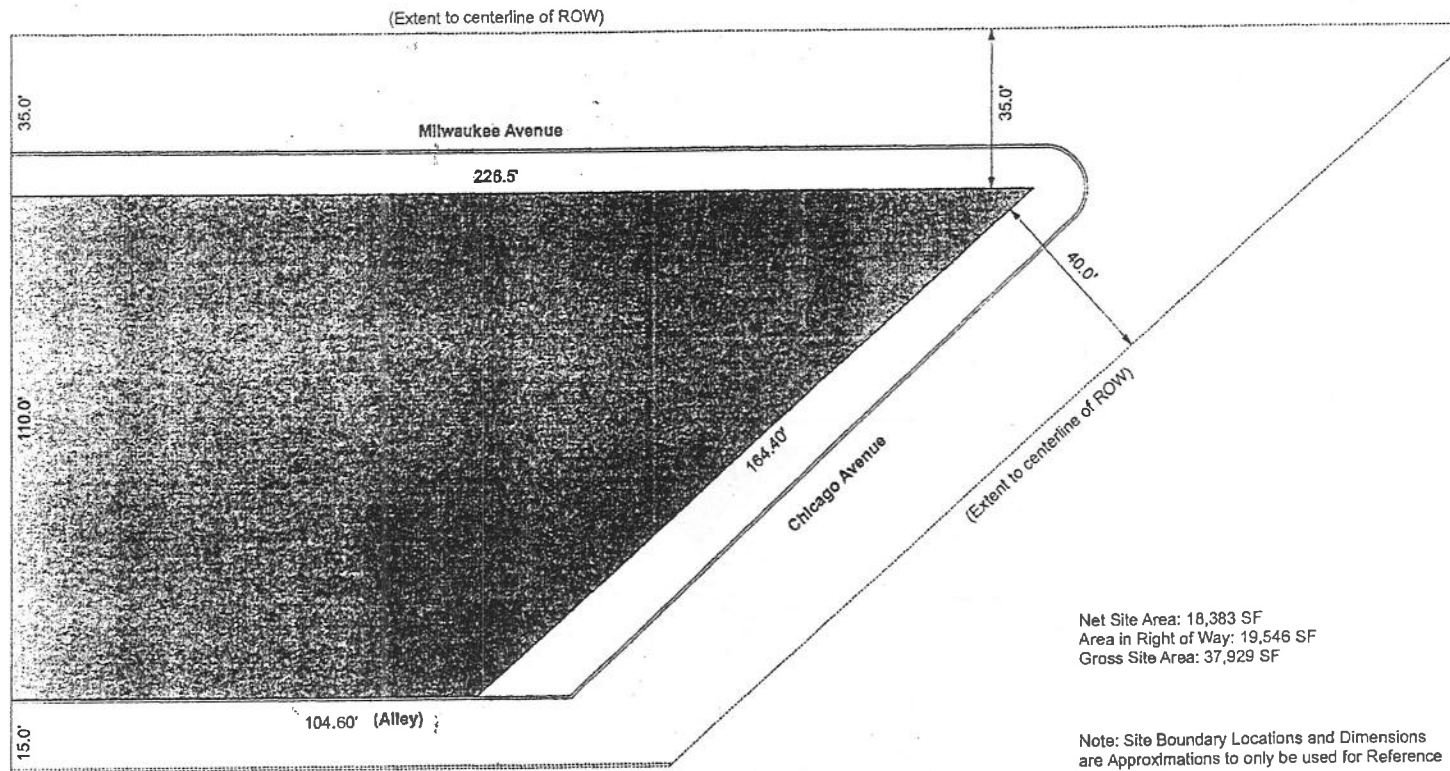
- (M) Mixed Use
- (C) Commercial Use
- (F) Manufacturing Use
- (R) Residential Use
- (I) Institutional Use

Applicant: 1505 Milwaukee LLC
Address: 1122 West Chicago Ave, Chicago, Illinois
Introduced: September 6, 2017
Plan Commission: February 15, 2018

Land Use Map



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Applicant: 1505 Milwaukee LLC
 Address: 1122 West Chicago Ave, Chicago, Illinois
 Introduced: September 6, 2017
 Plan Commission: February 15, 2018

PD Boundary Map



2/28/2018

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68553



Applicant: 1505 Milwaukee LLC
Address: 1122 West Chicago Ave, Chicago, Illinois
Introduced: September 6, 2017
Plan Commission: February 15, 2018

Existing Zoning Map (1)

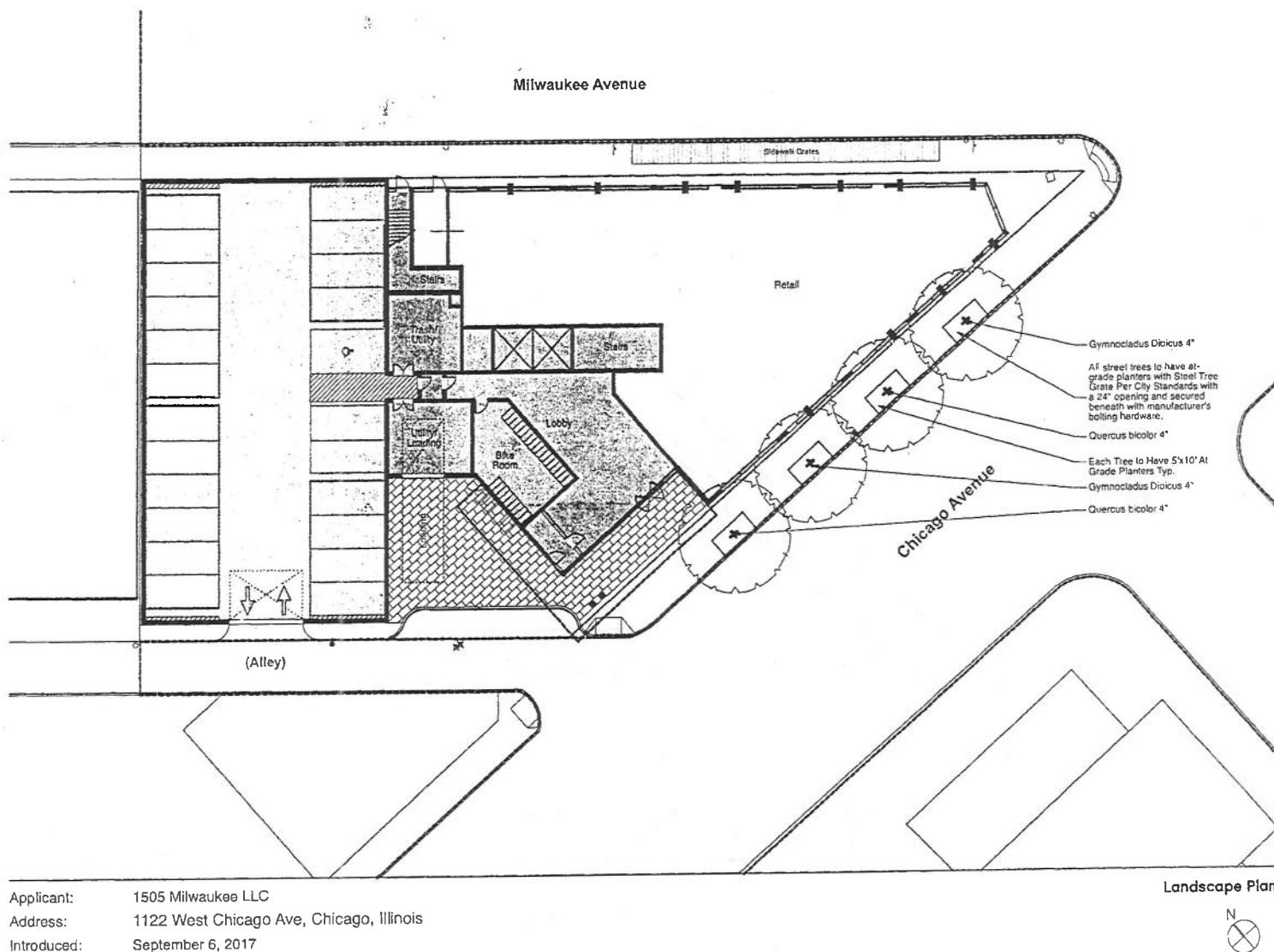


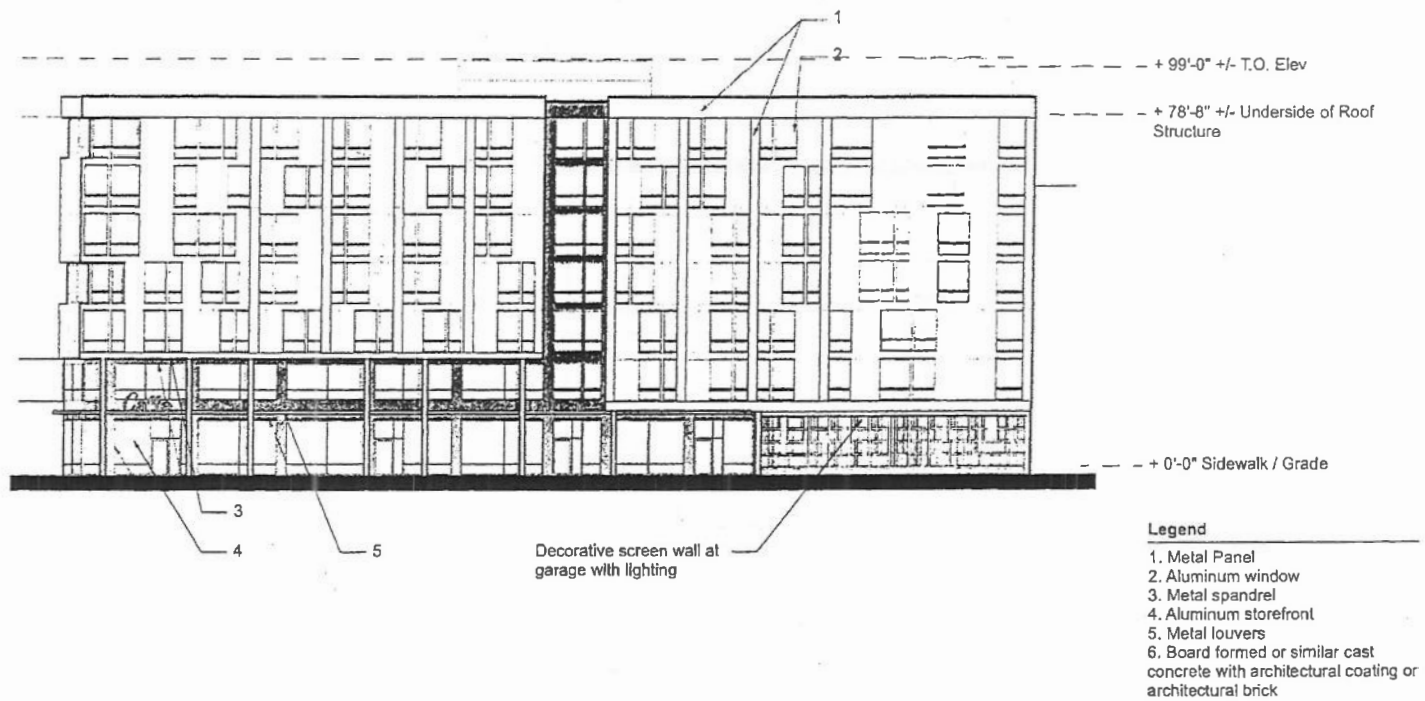
2/28/2018

REPORTS OF COMMITTEES

68555

FINAL FOR PUBLICATION





Applicant: 1505 Milwaukee LLC
 Address: 1122 West Chicago Ave, Chicago, Illinois
 Introduced: September 6, 2017
 Plan Commission: February 15, 2018

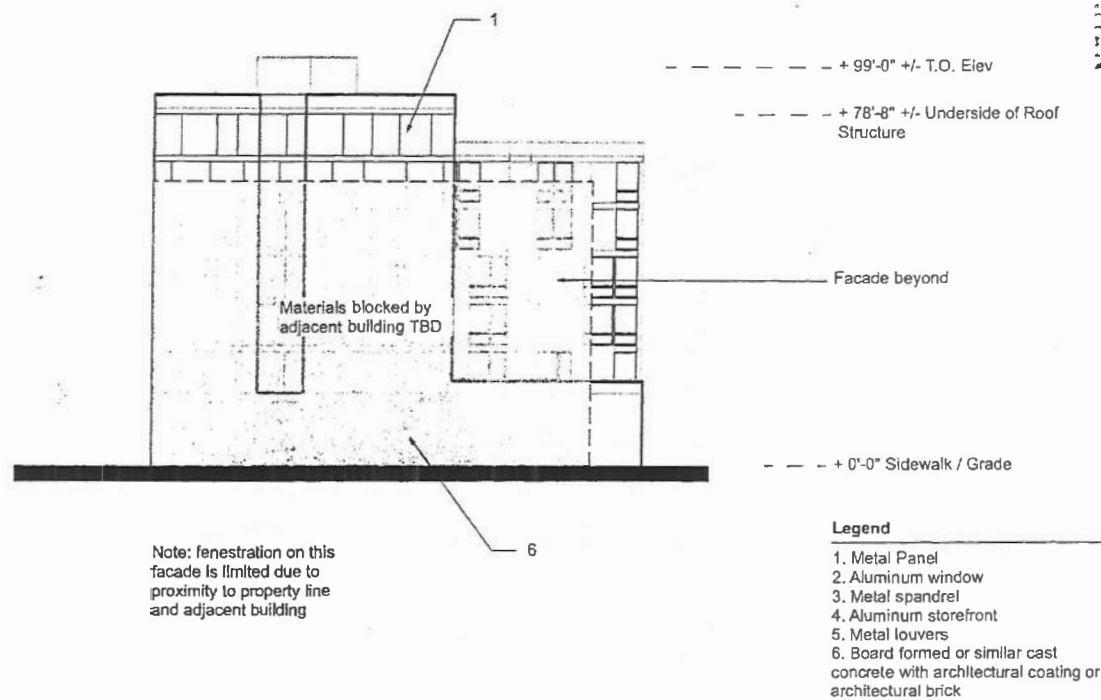
Northeast Elevation

2/28/2018

REPORTS OF COMMITTEES

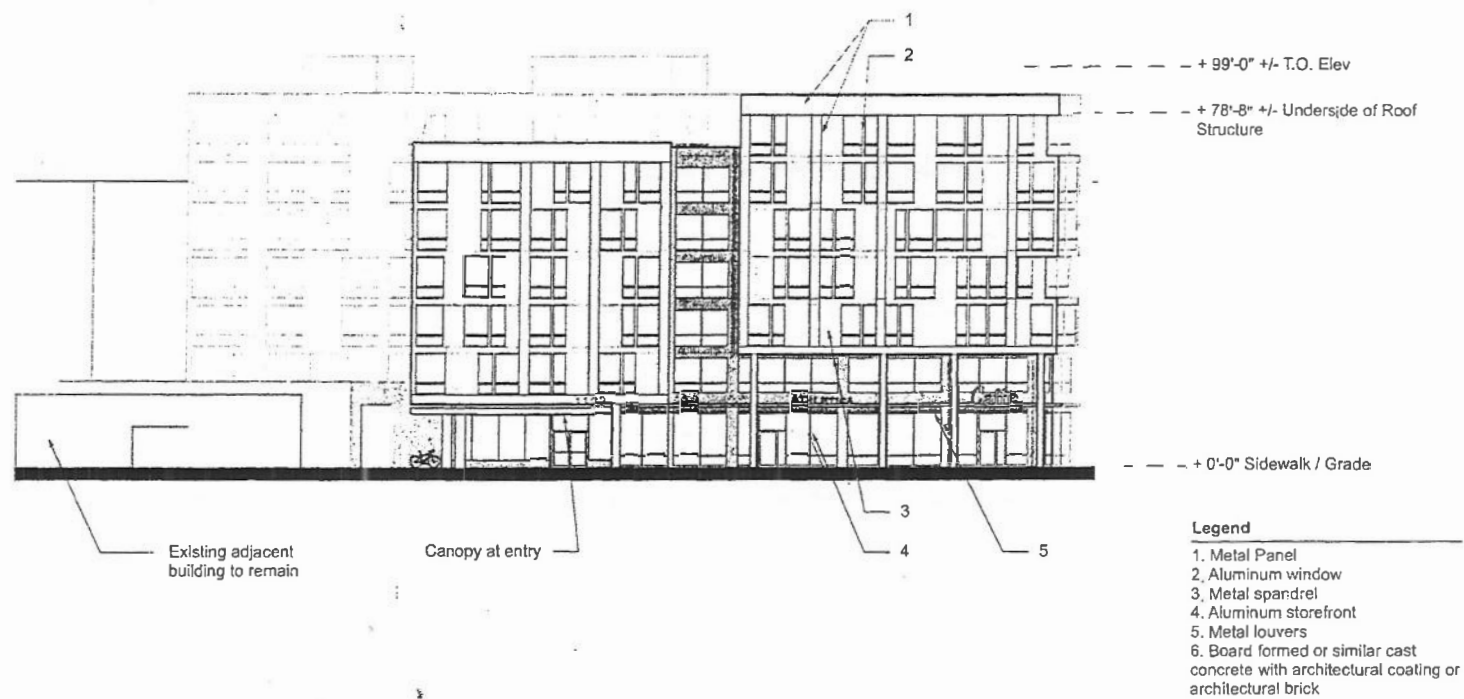
68557

NOT FOR PUBLICATION



Applicant: 1505 Milwaukee LLC
Address: 1122 West Chicago Ave, Chicago, Illinois
Introduced: September 6, 2017
Plan Commission: February 15, 2018

Northwest Elevation



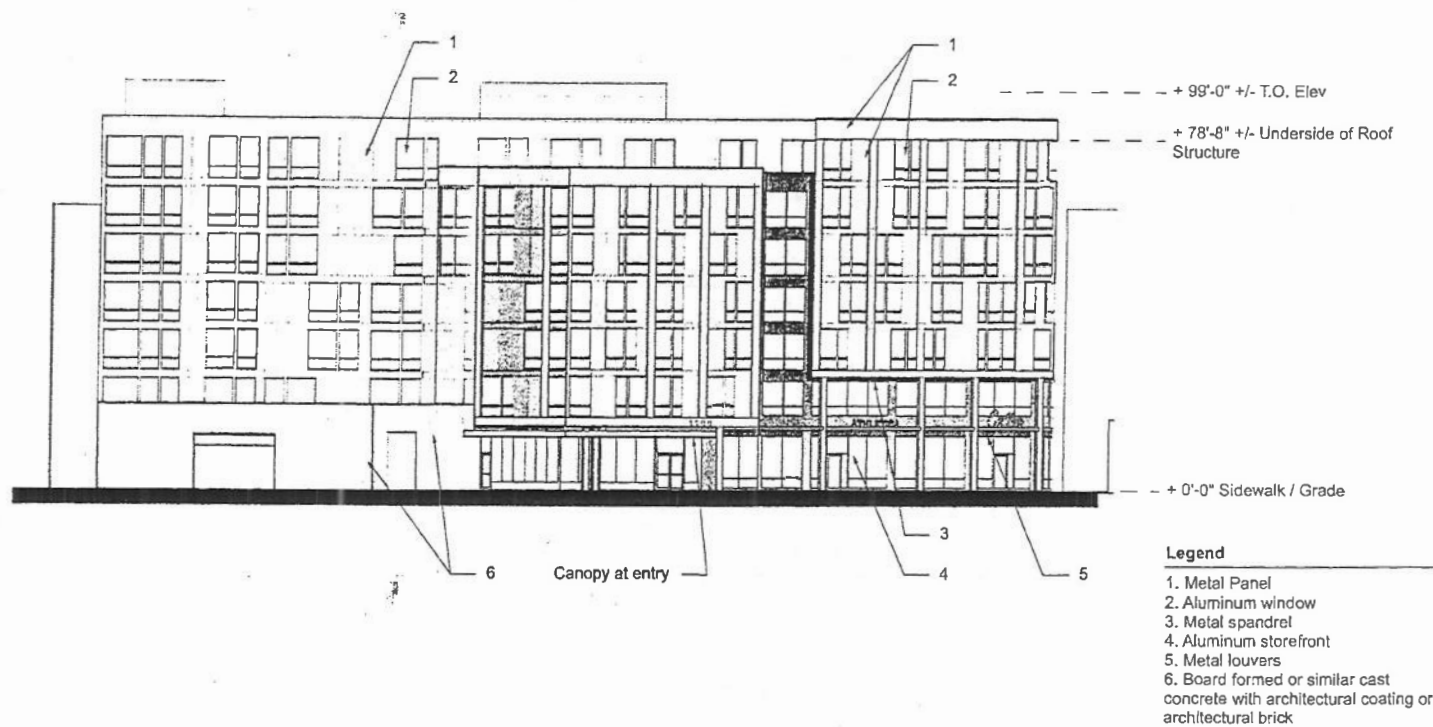
Applicant: 1505 Milwaukee LLC
 Address: 1122 West Chicago Ave, Chicago, Illinois
 Introduced: September 6, 2017
 Plan Commission: February 15, 2018

South Elevation

2/28/2018

REPORTS OF COMMITTEES

68559



Applicant: 1505 Milwaukee LLC
Address: 1122 West Chicago Ave, Chicago, Illinois
Introduced: September 6, 2017
Plan Commission: February 15, 2018

Southwest Elevation

with a scale of 1" = 20' and a north arrow. The drawing is a plan view of the site and is not to be used for construction purposes.

prepared by: PAPPAGEORGE HAYMES
www.pappageorgehaymes.com



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These drawings may have been prepared as a site plan for a project and are not to be used for construction purposes. The drawings are not to be used for construction purposes without the prior written permission of Pappageorge Haymes.

CITY OF CHICAGO
Department of Transportation
Plan Review Committee

Approved By: *[Signature]*

Date: 2/16/18

Project Title: 1122 West Chicago

Subject to acceptable construction drawings and required COOT permits.

1122 West Chicago Avenue
Chicago, IL 60642

orientation



project number

162451

scale

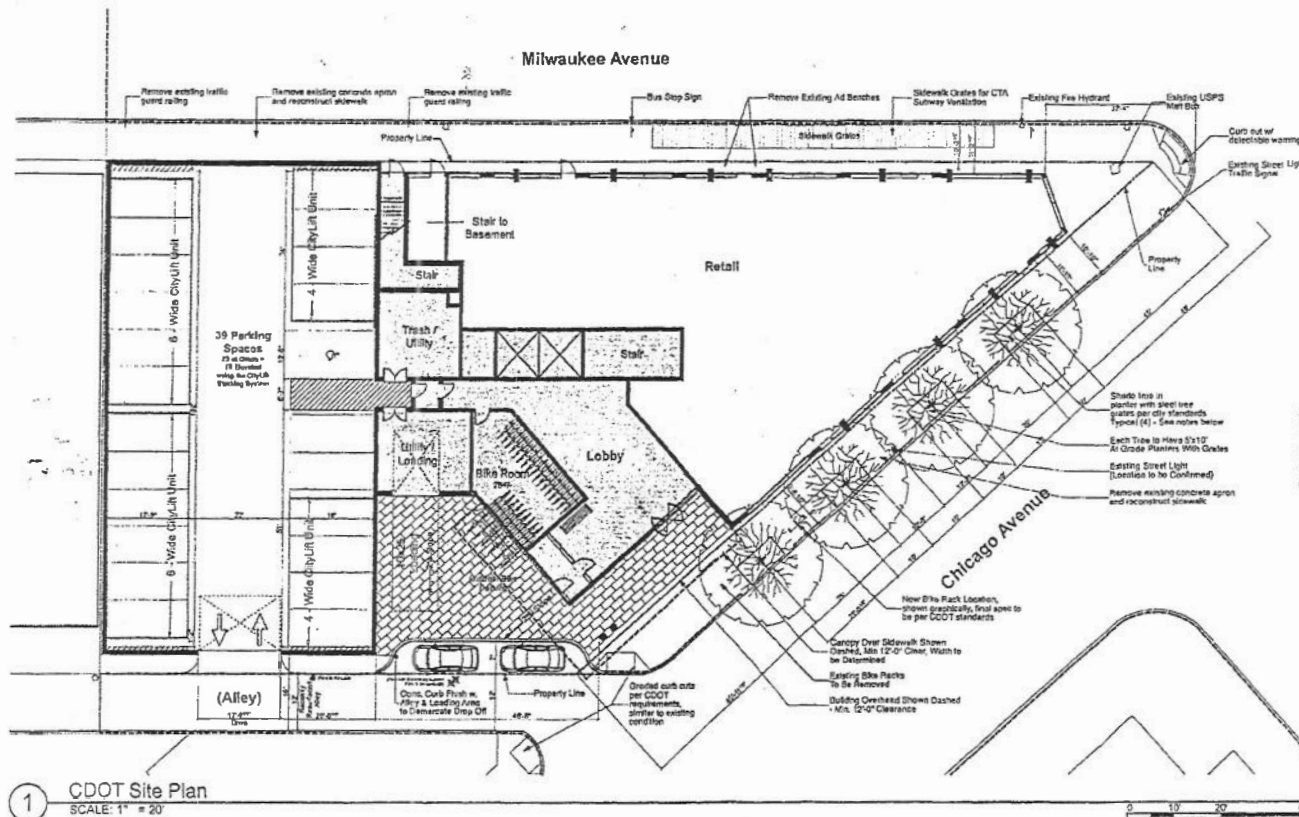
As Noted

date

2/1/18

sheet title

COOT Plan



1 CDOT Site Plan
SCALE: 1" = 20'