

PD 1435

Table of Contents

12/09/2024 PD Extension **2**

08/09/2024 Minor Change **3**

 Bulk Table 4

 ARO 5

01/23/2019 PD Adoption **13**

 Ordinance 13

 Statements 13

 Bulk Table 19

 ARO 20

 Exhibits 25



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

December 9, 2024

Andrew P. Scott
Dykema Gossett
10 S. Wacker Dr.
Suite 2300
Chicago, IL 60606

Re: **One-year sunset extension for PD 1435, Congress Theater
2117-2133 N. Milwaukee Avenue**

Dear Mr. Scott:

Please be advised that your request for a one-year extension to the six-year construction period for Residential Business Planned Development No. 1435 ("PD 1435") has been considered by the Department of Planning and Development pursuant to Section 17-13-0612-B of the Zoning Ordinance and Statement No. 17 of the Planned Development. You are seeking this extension on behalf of BR Congress Owner, LLC, the owner of the property.

PD 1435 was approved by the City Council on Jan. 23, 2019. Pursuant to Statement No. 17 and Section 17-13-0612 of the Zoning Ordinance, unless substantial construction has commenced within 6 years following adoption of the PD, and unless completion is thereafter diligently pursued, then the PD shall expire, and a zoning map amendment rezoning the property shall be initiated. Pursuant to Section 17-13-0612-B, the 6-year period may be extended by up to 1 additional year if, before expiration, the Zoning Administrator receives a written request from the applicant stating the reasons for the proposed extension, and the Zoning Administrator determines that good cause for an extension is shown.

Per your request letter, the original developer did not undertake the rehabilitation of the Congress Theater. The lender foreclosed on the property in 2020. The foreclosing lender solicited requests for proposals for purchasers of the property in 2021 and ultimately selected BR Congress Owner, LLC. The property was conveyed to them in December 2023 and they have spent this year arranging for financing, securing historic tax credits and negotiating a redevelopment agreement. They were issued a minor change in August and expect to begin construction in the first half of 2025. Based on the foregoing, and pursuant to the authority granted by the Chicago Zoning Ordinance and PD 1435, I hereby approve a 1-year sunset extension from Jan. 23, 2025, to Jan. 23, 2026.

Sincerely,

Patrick Murphey
Zoning Administrator

PM:tm

C: Mike Marmo, Janice Hill, Noah Szafraniec, Main file



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

August 9, 2024

Andrew P. Scott
Dykema Gossett
10 S. Wacker Dr., Suite 2300
Chicago, IL 60606

**Re: Minor change to PD 1435, Subarea A, proposed addition of two dwelling units
Congress Theater building, 2117-2133 N. Milwaukee Ave.**

Dear Mr. Scott:

Please be advised that your request for a minor change to Residential Business Planned Development No. 1435 ("PD 1435"), Subarea A, has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 13 of PD 1435.

On behalf of the current owner of Subarea A, BR Congress Owner, LLC, you are seeking a minor change to increase the maximum number of dwelling units within Subarea A from 14 to 16 units. All 16 units will be affordable units. Your client is seeking to renovate and restore the Congress Theater and the existing commercial and residential space within the building. A revised Bulk Regulations and Data Table, along with an ARO Intake Application, which includes a Site Plan, First, Second and Third Floor Plans, are attached.

The Department of Planning and Development has determined that allowing the addition of two dwelling units will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Pursuant to the authority granted by the Chicago Zoning Ordinance and PD 1435, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,

Noah Szafraniec
Assistant Commissioner

NS:tm

C: Mike Marmo, Janice Hill, Main file

Residential-Business Planned Development No. 1435

Bulk Regulations And Data Table

Subarea A Net Site Area:	58,518.00 square feet
Subarea B Net Site Area:	15,401.00 square feet
Total Net Site Area:	73,919.00 square feet
Area Remaining in the Public Right-of-Way:	30,955.44 square feet
Gross Site Area:	104,874.44 square feet
Maximum Floor Area Ratio;	
Subarea A:	1.88
Subarea B:	4.63
Overall:	2.46
Maximum Number of Hotel Rooms:	50 keys
Maximum Number of Residential Units:	
Subarea A:	16
Subarea B:	72
Minimum Setbacks:	Per Site/Landscape Plan
Minimum Number of Parking Spaces:	None
Minimum Number of Off-Street Loading:	
Subarea A:	None
Subarea B:	Three, of which two may be used <i>for</i> Subarea A
Maximum Building Height:	
Subarea A:	95 feet, 11 inches
Subarea B:	88 feet



ARO Intake Application



Submission ID: 884735

Applicant Contact Information

Section 2-44-085 of the Municipal Code of the City of Chicago (the "ARO") is effective as of October 1, 2021, and is available to read in its entirety online at: https://codelibrary.amlegal.com/codes/chicago/latest/chicago_il/0-0-0-2598874.

The Pilsen-Little Village ARO Pilot shall expire without further action by the City Council on 12/31/2023 and its requirements have been incorporated into this web form. More information is available in [Section 2-44-105 of the City's Municipal Code](#).

PLEASE READ CAREFULLY. This form requires several steps and does NOT support an automatic save or save for later function.

Before starting the submission process, please gather and complete all the necessary documentation outlined in [Article 5.1.2 of the ARO Rules](#), and listed below. Please start by first completing the Affordable Unit Details Worksheet, available for [download here](#). The Affordable Unit Details Worksheet is required to be submitted as an attachment under Step 4 of this submission.

If affordable units are proposed, please ensure that you have the following documents ready to submit when prompted:

- Affordable Unit Mix Details and Square Footage Spreadsheet
- Dimensional Floor Plans with affordable units highlighted
- If affordable units are proposed off-site, off-site unit application as detailed in Article 6.2.5 of the ARO Rules.
- If affordable units are proposed as authorized agency units, a signed acceptance letter from the authorized agency.

Your application will be reviewed when all required documentation has been received. Additional documents may be requested during the review period by DOH staff.

The ARO Rules are available online at www.chicago.gov/ARO. If you have any questions about completing this application, please contact ARO@cityofchicago.org.

Please help us improve the form by reporting any errors, inconsistencies or sharing any suggestions to ARO@cityofchicago.org.

Applicant Name * BR Congress Owner, LLC	Applicant Contact Person * John Reynolds
Applicant Email * reynolds@baumrevision.com	Applicant Phone * (925) 580-2004
Applicant Address * 1030 W Chicago, #300, Chicago, IL 60642	
Attorney Name * Andrew Scott	Attorney Email * APScott@dykema.com

Development Information

Development Address:

From * 2117	To 2133	Direction * N	Street Name * MILWAUKEE
-----------------------	-------------------	-------------------------	-----------------------------------

Zip Code * 606474014	Ward * 1	ARO Zone * ARO Community Pre
--------------------------------	--------------------	--

Development Name * New Congress Theatre	If you are working with a Planner at the City, what is his/her/their name?
---	---

Zoning Application Number (if applicable)	Council Introduction Date * 07/19/2023
--	--

Is your project currently in, or do you plan to rezone to, a downtown zoning district? *

ARO Trigger * Financial Assistance	Development Type * Rental
--	-------------------------------------

Total Units *

16

Is your Project in a Transit Served Location? *

Not TSL – or FAR doesn't exceed 3.5.

Estimated date marketing will begin *

9/1/2026



Estimated date of building permit (in-lieu fee, \$5,000 per off-site unit administration fee, and recorded covenant are required prior to issuance of any building permits) *

12/1/2024



ARO Requirements

ARO Option

- 20% at 60% average AMI
- 16% at 50% average AMI
- 13% at 40% AMI
- 10% at 30% AMI

ARO Option

- 20% at 100% AMI
- 16% at 80% AMI

ARO Option *

10% SET-ASIDE AT A WEIGHTED AVERAGE OF 60% OF THE AMI

ARO Option *

- 10% AT A WEIGHTED AVERAGE OF 100% AMI
- 8% AT A WEIGHTED AVERAGE OF 80% AMI

Affordable Units
Required *

3.2

Minimum On-Site
Units *

1

Maximum Units Paid
For In-Lieu *

2

Proposed On-Site
Units *

16

Proposed Off-Site
Units *

0

Proposed In-Lieu
Units *

0

In-Lieu Amount
Owed *

\$0.00

On-Site Units To
CLHITF or CHA *

0

If the In-Lieu Amount Owed calculation results in a fractional unit that is less than 0.5, the developer shall either pay an in lieu fee or provide an additional unit to satisfy the fractional obligation. The in lieu fee for any fractional unit will be calculated as follows: [fractional unit] x [applicable in lieu fee].

Off Site Address:

From

To

Direction

Street Name

Select One

Select One

Zip Code

Ward

ARO Zone

Off-Site Type

Select One

Off-Site Admin Fee

\$ 0.00

Forms

Unit Mix and Square Footage Spreadsheet *

[Congress ARO Spreadsheet.xlsx](#)

Dimensioned Floor Plans with affordable units highlighted

[Congress ARO Units 05.22.2024.pdf](#)

If ARO units are CLIHTF or CHA, attach signed acceptance letter
If off-site units are new construction, attach:

- A. Schematic and design development drawings for on-site units
 - B. Schematic and design development drawings for off-site units
- If off-site units are rehab, please attach the following documents:
- A. Schematic and design development drawings for on-site units
 - B. Schematic and design development drawings for off-site units
 - C. A Physical Needs Assessment (PNA)
 - D. Surveys
 - E. Outstanding code violations
 - F. Scope of work and estimated cost of renovations

Off-Site Units Only: Documents Required for Architectural Approval Letter

- A. Owner Sworn Statement
- B. GC Sworn Statement
- C. Bounday Survey
- D. Draft permit application prior to submission to the Department of Buildings (DOB)
- E. Final construction drawings stamped by the architect of record prior to submission to DOB

OFF-SITE UNITS ONLY: Documents required for Architectural Construction a Approval Letter and Notice to Proceed

- A. A letter from the Developer on company letterhead stating the project is complete and requesting a final site inspection from DOH
- B. A copy of the front and back of each building permit for each property with all DOB signoffs
- C. A copy of the Certificate of Occupancy for each property (if applicable)
- D. Final GC and Owner Sworn Statements
- E. All final waivers of lien or a title report showing no liens for each property
- F. As built Survey (new construction)
- G. Final Issued for Construction Permitted Construction Drawings
- H. List of any Buyer changes (if applicable, for-sale units only)

Signature

James [unclear] Deputy Commissioner

Developer or their Agent *

John Reynolds

John Reynolds

Summary Work Log

Submission Date: 05/22/2024 02:46:51 PM

Amended Date:

Admin Amended Date:

Admin Amended By:

Admin Amended Justification:

Options

[Show Notes](#)

[Email User](#)

Action

[Accept](#)

[Deny](#)

[Follow Up](#)



Project Name	New Congress Theater
Zoning Application number, if applicable	
Address	2117-2133 N Milwaukee Ave
Is this a For Sale or Rental Project?	Rental
Anticipated average psf rent/price?*	\$1,075.63
Total Units in Project	16
Total Affordable units	16

Summary							
Unit type	Market Rate			ARO			
	how many?	% of total	avg. square footage	how many?*	% of total	avg. square footage	affordable v. market square footage**
Studio	0	0%	0	12	75%	492	100%
One-bed	0	0%	0	4	25%	740	100%
Two-bed	0	0%	0	0	0%	0	0%
Three-bed	0	0%	0	0	0%	0	0%

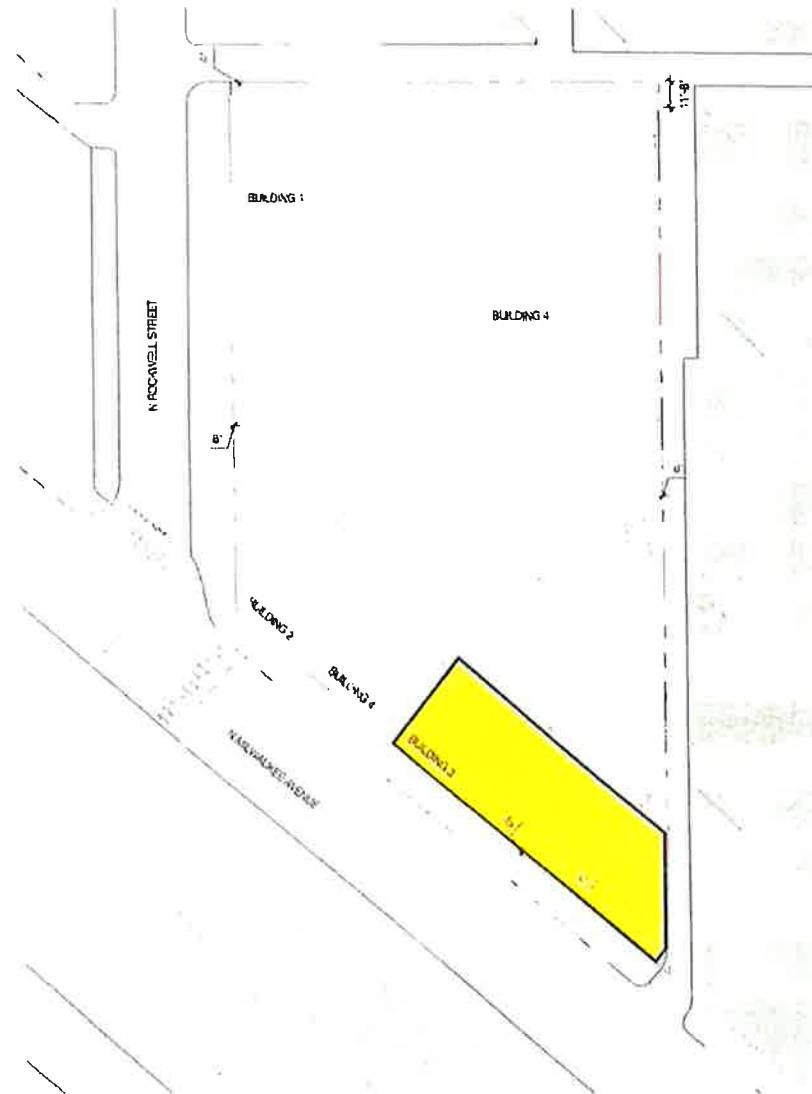
*ARO unit percentages, by unit type, should reflect corresponding market rate percentages (for example, if 10% of market rate units are studios, roughly 10% of ARO units can be studios).
 **the average affordable square footage should be 85% or greater of market-rate square footage for comparable unit type. Off-site units must meet minimum unit sizes specified in the Design Guidelines.

Features and Amenities		
	Market Rate Units	Affordable Units
Parking	NA	No
Laundry	NA	Common Laundry
Appliances	NA	Yes - New
Refrigerator age/EnergyStar/make/model/color	NA	Yes - New
Dishwasher age/EnergyStar/make/model/color	NA	No
Stove/Oven age/EnergyStar/make/model/color	NA	Yes - New
Microwave age/EnergyStar/make/model/color	NA	Yes - New
Bathroom(s) how many? Half bath? Full bath?	NA	1 - Full
Kitchen countertops material	NA	Solid Surface
Flooring material	NA	Concrete/Wood Floors
HVAC	NA	Yes - New
Other	NA	

NOTE: DOH will review specific details for features and amenities for approval when they become available. File Applicant shall provide comparable unit finishes and amenities in affordable units as in market rate units as required by the ARO Rules.

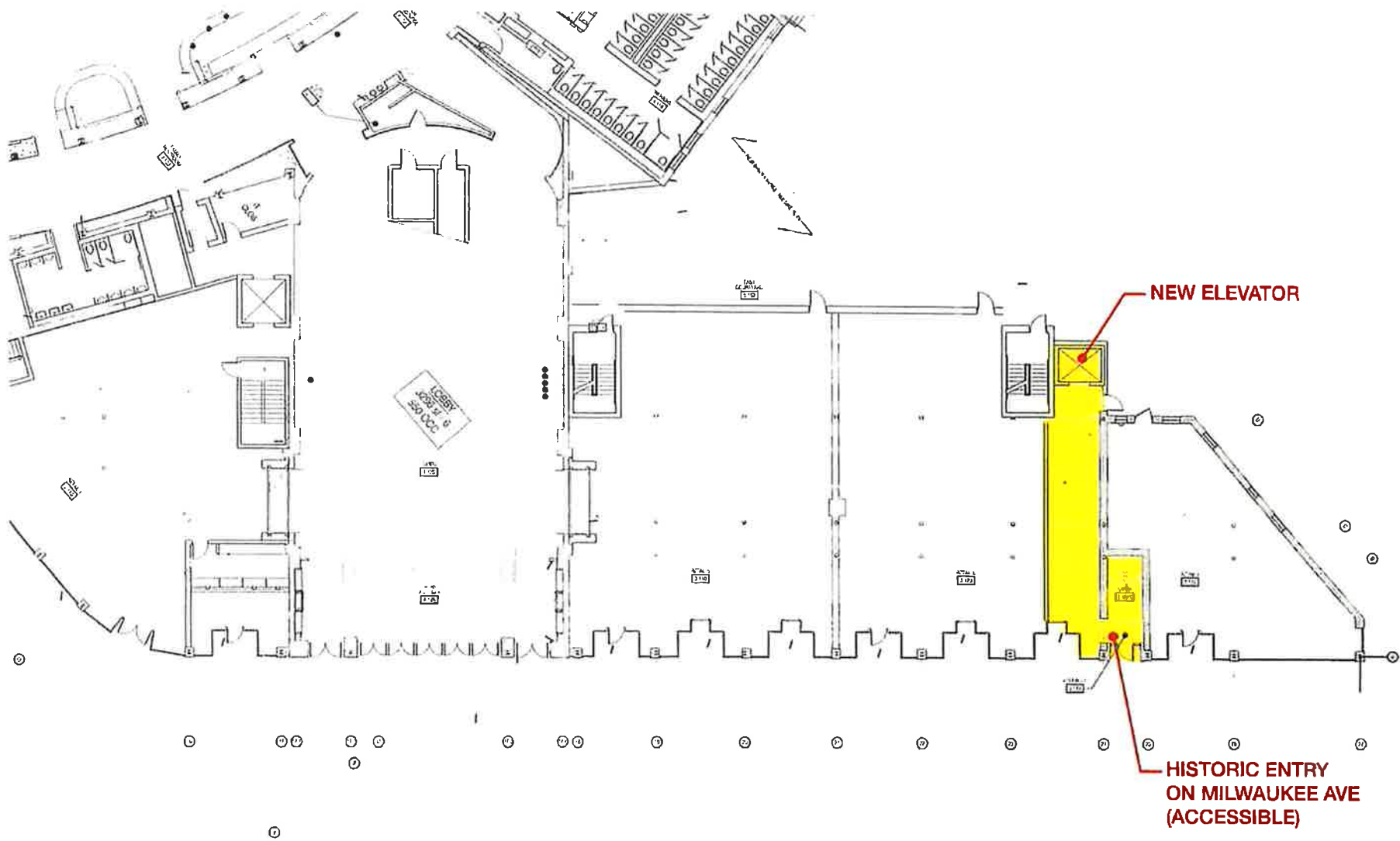
AMI Mix for ARO Units								
Affordable Units								
Unit Type	30% AMI	40% AMI	50% AMI	60% AMI	70% AMI	80% AMI	Total Units	Average
Studio	-	3	4	3	2	-	12	53.33%
1 bed	-	-	-	-	-	4	4	80.00%
2 bed	-	-	-	-	-	-	-	#DIV/0!
3 bed	-	-	-	-	-	-	-	#DIV/0!
4 bed	-	-	-	-	-	-	-	#DIV/0!
	-	3	4	3	2	4	16	60.00%

		Current Use	Proposed Use	Const Type	Fire Protection
1	Rockwell	M - Retail R2 - Residential R2 - Residential	M - Retail B - Office B - Office	3A	Yes (new)
2	Corner	M - Retail R2 - Residential R2 - Residential	A2 - Restaurant B - Office B - Office	3A	Yes (new)
3	Milwaukee	M - Retail R2 - Residential R2 - Residential	M - Retail R2 - Residential R2 - Residential	3A	Yes (new)
4	Theater	A1 - Theater	A1 - Theater	1B	Partial (existing to remain)



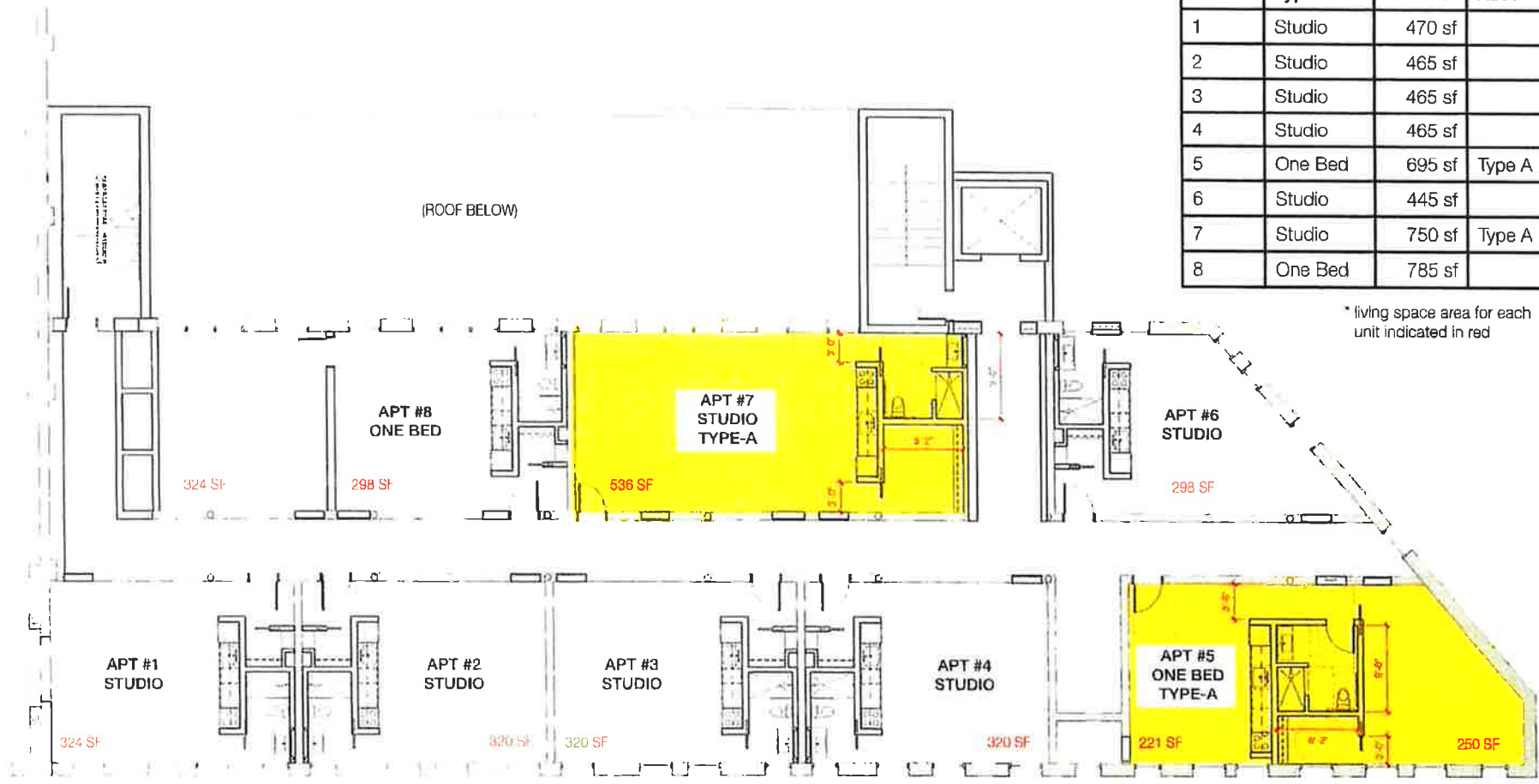
BUILDING-3 IMPROVEMENTS

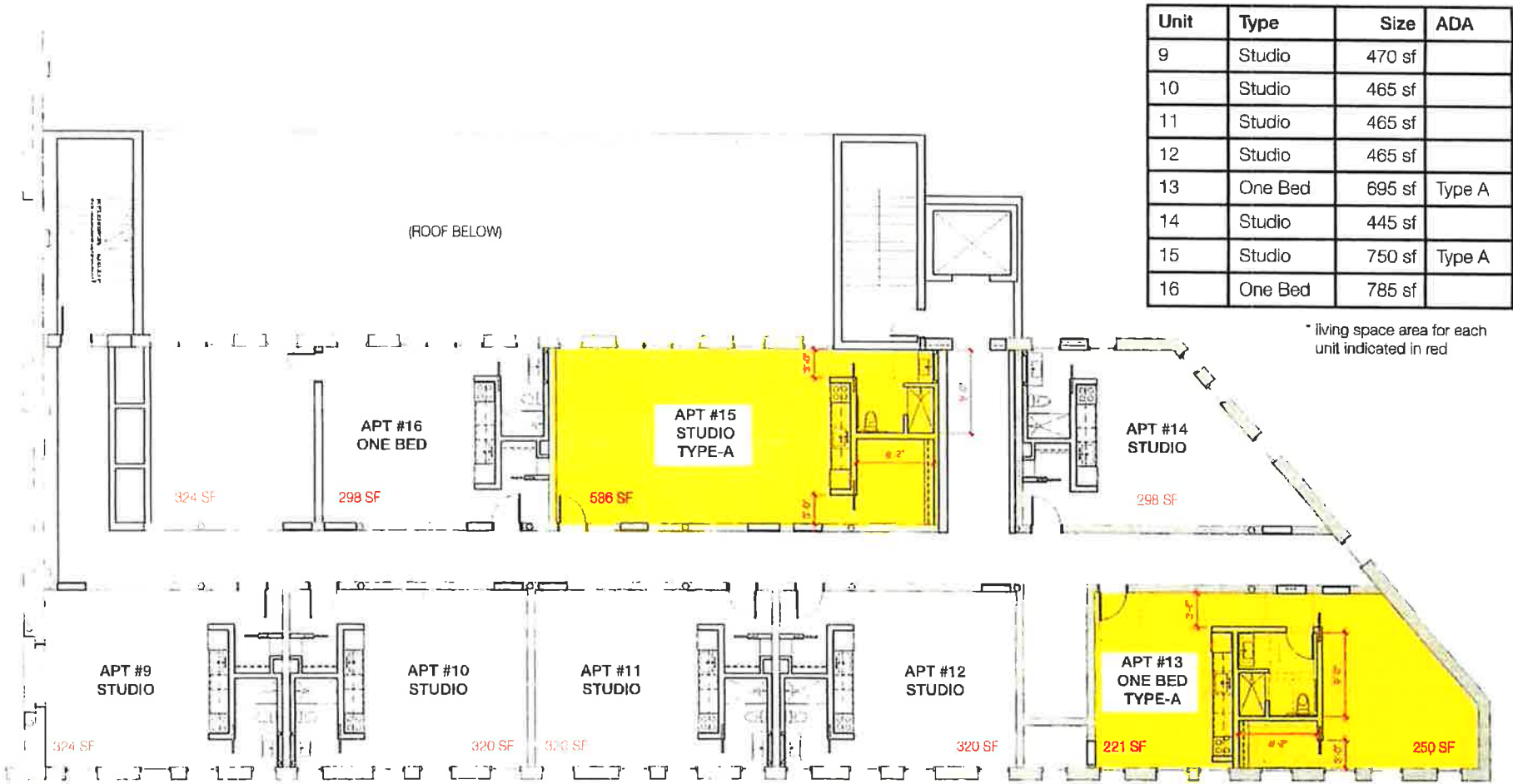
- * New accessible entry at historic doorway
- * New elevator provides access to all floors
- * New sprinkler system throughout
- * (16) Affordable apartment units
- * (4) Type-A accessible apartment units



Unit	Type	Size	ADA
1	Studio	470 sf	
2	Studio	465 sf	
3	Studio	465 sf	
4	Studio	465 sf	
5	One Bed	695 sf	Type A
6	Studio	445 sf	
7	Studio	750 sf	Type A
8	One Bed	785 sf	

* living space area for each unit indicated in red





18896

95138

JOURNAL--CITY COUNCIL--CHICAGO

1/23/2019

Reclassification Of Area Shown On Map No. 5-1.
(As Amended)

RBPD 1435

(Application No. 18896)

(Common Address: 2117 -- 2163 N. Milwaukee Ave./2117 -- 2125 N. Rockwell St./
2120 -- 2132 N. Rockwell St.)

[SO2016-5571]

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 B3-1 Community Shopping District and C1-1 Neighborhood Commercial District symbols and indications as shown on Map Number 5-1 in the area bounded by:

the public alley next northeast of and parallel to North Milwaukee Avenue; North Rockwell Street; the public alley next north of North Milwaukee Avenue; the public alley next east of North Rockwell Street; North Milwaukee Avenue; and a line 187.77 feet northwest of North Rockwell Street as measured along the northeasterly line of North Milwaukee Avenue,

to those of a B3-3 Community Shopping District which is hereby established in the area described above.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the B3-3 Community Shopping District symbols and indications as shown on Map Number 5-1 in the area bounded by:

the public alley next northeast of and parallel to North Milwaukee Avenue; North Rockwell Street; the public alley next north of North Milwaukee Avenue; the public alley next east of North Rockwell Street; North Milwaukee Avenue; and a line 187.77 feet northwest of North Rockwell Street as measured along the northeasterly line of North Milwaukee Avenue,

to those of a Residential-Business Planned Development which is hereby established in the area described above.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

Planned Development Statements attached to this ordinance read as follows:

Residential-Business Planned Development Statements.

1. The area delineated herein as Planned Development Number 1435 ("Planned Development") consists of approximately 73,919 square feet of property which is depicted on the attached Planned Development Boundary, Property Line and Subarea Map ("Property") and is owned or controlled by the Applicant, New Congress LLC.

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.

The Applicant shall provide an upgraded traffic signal at Francis Place and Milwaukee Avenue in accordance as reviewed and approved by the Department of Transportation. In addition, the Applicant shall prepare and submit to the Department of Transportation for its review and approval a traffic management plan to be implemented during events in the theatre within Subarea A.

4. This plan of development consists of seventeen (17) Statements; a Bulk Regulations Table; an Existing Zoning Map; a Planned Development Boundary, Property Line and Subarea Map; an Overall Site Plan; a Site Plan, Roof Plan and Elevations for Subarea A; and a Site Plan, Roof Plan and Elevations for Subarea B, all submitted herein. Full-sized copies of the Plans and Building Elevations are on file with the Department of Planning and Development. 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 Residential Business Planned Development:

Subarea A:

large venue; residential units; hotel; day care; artist work or sales space; business equipment sale and service; eating and drinking establishments (including the incidental sale of alcohol, live entertainment and outdoor patios at-grade and roof-top); financial services (except payday/title secured loan stores and pawn shops); food and beverage retail sales (including accessory liquor sales); medical service; office; personal service (including hair salons, nail salons, barbershops and massage establishments); consumer repair and laundry services (including dry cleaning drop-off/pick-up); retail; entertainment cabaret; wireless communications facilities; and accessory uses.

Subarea B:

residential units; day care; artist work or sales space; business equipment sale and service; eating and drinking establishments (including the incidental sale of alcohol and outdoor patios at-grade); financial services (except payday/title secured loan stores and pawn shops); food and beverage retail sales (including accessory liquor sales); medical service; office; personal service (including hair salons, nail salons, barbershops and massage establishments); consumer repair and laundry services (including dry cleaning drop-off/pick-up); retail; wireless communications facilities; and loading, including loading associated with Subarea A uses; 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. Notwithstanding any provision of the Zoning Ordinance, on the Subarea A property the previously existing projecting two-sided on-premises sign indicating "Congress" may be re-established, provided that it does not exceed 580.0 square feet with a maximum height of 138 feet and the existing marquee sign also may be re-established provided that its total area does not exceed 250 square feet (consisting of a 100 square feet center panel and two 75 square feet side panels) and further provided that the design of the "Congress" sign and the marquee sign is approved pursuant to the applicable provisions of the Chicago Commission on Chicago Historical and Architectural Landmarks Ordinance. The balance of the signs on the property shall conform to the total sign area limitations applicable to the property under Zoning Ordinance, excluding from such total sign area calculations the area of the "Congress" sign and the marquee sign both referenced above in the immediately preceding sentence of this statement.
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 Floor Area Ratio identified in the Bulk Regulations Table has been determined using a net site area of 73,919 square feet and a base FAR of 3, increased pursuant to Section 17-3-0403-B to 3.5 FAR.
9. The Applicant acknowledges and agrees that the rezoning of the Property from B3-1 to B3-3, and then to this Residential-Business Planned Development, for construction of the Planned Development 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 Milwaukee Corridor Pilot Area, pursuant to Section 2-45-119 of the Municipal Code (the "Milwaukee Corridor ARO Pilot Area Ordinance" or the "Pilot"). Notwithstanding the foregoing, it is anticipated that the affordability requirements for this Planned Development will be governed by a separate redevelopment agreement to be entered into between the Applicant, or its successors or assigns, and the City.
10. 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.
11. 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. Prior to the Part II Approval (Section 17-13-0610 of the Chicago Zoning Ordinance) in Subarea B, the Applicant shall submit a site plan, landscape plan and building elevations for Subarea B for review and approval by the Department of Planning and Development. Review and approval by DPD is intended to assure that specific development components substantially conform with the Planned Development and to assist the City in monitoring ongoing development. The site plan provided shall include all dimensioned and planned street rights-of-way. No Part II Approval for any portion of the Property shall be granted until Site Plan approval has been granted. Following approval by DPD, the approved Subarea B Site Plan Approval Submittals, supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of the P.D. After approval of the Subarea B Site Plan, changes or modifications may be made pursuant to the provisions of Statement 13. In the event of any inconsistency between approved plans and the terms of the Planned Development, the terms of the Planned Development shall govern. Any Subarea B Site Plan Approval Submittals shall, at a minimum, provide the following information:
 - fully-dimensioned Site Plan (including a footprint of the proposed improvements);
 - fully-dimensioned building elevations;
 - fully-dimensioned landscape plan(s); and

- statistical information applicable to the subject subarea, including floor area, the applicable floor area ratio, uses to be established, building heights and setbacks. Subarea Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the Planned Development.
12. 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.
 13. 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. The Applicant may continue to evolve the design of the buildings elevation for the building to be located in Subarea B. If the Department of Planning and Development is in agreement with the design of such further evolved building elevations, it may approve them administratively as a minor change.
 14. 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.
 15. 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.
 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 foregoing, 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 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 a B3-3 Commercial Shopping District.

[Existing Zoning Map; Boundary, Property Line and Subarea Map; Overall Site Plan; Subareas A and B Site Plans; Subareas A and B Roof Plans; Building Elevations; Subarea A Theaters 2 and 3 Plans; and Second, Third, Fourth, Fifth and Sixth ARO Units referred to in these Plan of Development Statements printed on pages 95150 through 95170 of this *Journal*.]

Bulk Regulations and Data Table, 2015 ARO Affordable Housing Profile Form (AHP) and ARO Web Form referred to in these Plan of Development Statements read as follows:

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

Residential-Business Planned Development No. 1435.

Bulk Regulations And Data Table.

Subarea A Net Site Area:	58,518.00 square feet
Subarea B Net Site Area:	15,401.00 square feet
Total Net Site Area:	73,919.00 square feet
Area Remaining in the Public Right-of-Way:	30,955.44 square feet
Gross Site Area:	104,874.44 square feet
Maximum Floor Area Ratio:	
Subarea A:	1.88
Subarea B:	4.63
Overall:	2.46
Maximum Number of Hotel Rooms:	50 keys
Maximum Number of Residential Units:	
Subarea A:	14
Subarea B:	72
Minimum Setbacks:	Per Site/Landscape Plan
Minimum Number of Parking Spaces:	None
Minimum Number of Off-Street Loading:	
Subarea A:	None
Subarea B:	Three, of which two may be used for Subarea A
Maximum Building Height:	
Subarea A:	95 feet, 11 inches
Subarea B:	88 feet

2015 ARO Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 ARO (all projects submitted to City Council after October 13, 2015). More information is online at [http://www.airo.org](#). This completed form should be returned to: Kara Breems, Department of Planning & Development (DPD), 121 N. LaSalle Street, Chicago, IL 60602.

Date: December 10, 2018

Final for Publication

DEVELOPMENT INFORMATION

Development Name: Congress Theatre

Development Address: 2115 - 63 N. Milwaukee Ave., Chicago, IL

Zoning Application Number, if applicable: 18896

Ward: 1

If you are working with a Planner at the City, what is his/her name? Noah Szafraniec

Type of City Involvement

check all that apply

City Land

Planned Development (PD)

Financial Assistance

Transit Served Location (TSL) project

Zoning Increase

REQUIRED 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*)

DEVELOPER INFORMATION

Developer Name: New Congress, LLC

Developer Contact: Michael Moyer

Developer Address: 180 N. Stetson, Chicago, IL 60601

Email: mmoyer@msn.com

Developer Phone: 312-952-1194

Attorney Name: Rolando R. Acosta

Attorney Phone: 312-636-6937

TIMING

Estimated date marketing will begin Phase I: 10-1-20

Estimated date of building permit* Phase I: 3-1-19/Phase II: 3-1-20

Estimated date ARO units will be complete Phase I: 12-31-20/Phase II: 8-1-21


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

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



 Kara Breems, DPD

 Developer/Project Manager



 Date
 12-14-18

 Date





ARO Web Form

Final for Publication

Applicant Contact Information
 Name: Rolando R. Acosta
 Email: rolando@acostaezgur.com

Development Information

Address **Submitted Date: 12/12/2018**

Number From: 2115 Number To: 2163 Direction: N
 Street Name: Milwaukee Postal Code: 60647

Development Name
 Congress Theatre

Are you rezoning to downtown?: No
 Is your project subject to the ARO Pilots?: PILOTS APPLY

Information

Ward: 1 ARO Zone: Higher Income Pilot Area: Milwaukee Corridor

Details
 ARO trigger: Financial assistance
 Total units: 86
 Development type: Rent

Requirements

On-site Units: 0 Off-Site units: 0

How do you intend to meet your ARO Unit obligations?

On-Site: 0 Off-Site: 0
 On-Site to CHA or Authorized agency: 0 Off-Site to CHA or Authorized agency: 0
 Total Units: 0

Final for Publication

Requirements On-site Units: 17
How do you intend to meet your required obligation? On-Site: 26 On-Site to CHA or Authorized agency: 0 Total Units: 26

Note: Developer is offering 26 affordable units (30%) instead of 15% due to its receiving TIF funds and its RDA with the City.

Project is going in two phases

1. Phase I: Restoration of the theater: 50 hotel rooms + 14 units
At construction, ALL 14 units will be ARO units
2. Phase II: 72-unit residential building
if this building is constructed, 30% of these units must be affordable

At that point, ARO units in the Phase I building (Theater) may be converted to hotel units: if that happens, the 30% ARO requirement will be calculated off the units (currently proposed as 72) in the Phase II building.

If the residential units in Phase I remain, the 30% ARO requirement will be based off of the total unit count, or $14 + 72 = 86 \times 30\% = 26$ units. In other words, if the 14 residential units in the Congress theater remain as residential, not all ARO units as currently designated in the Theater as ARO will continue to be ARO units.

In that scenario, DPD/DOH would need to review and sign off on the final mix.

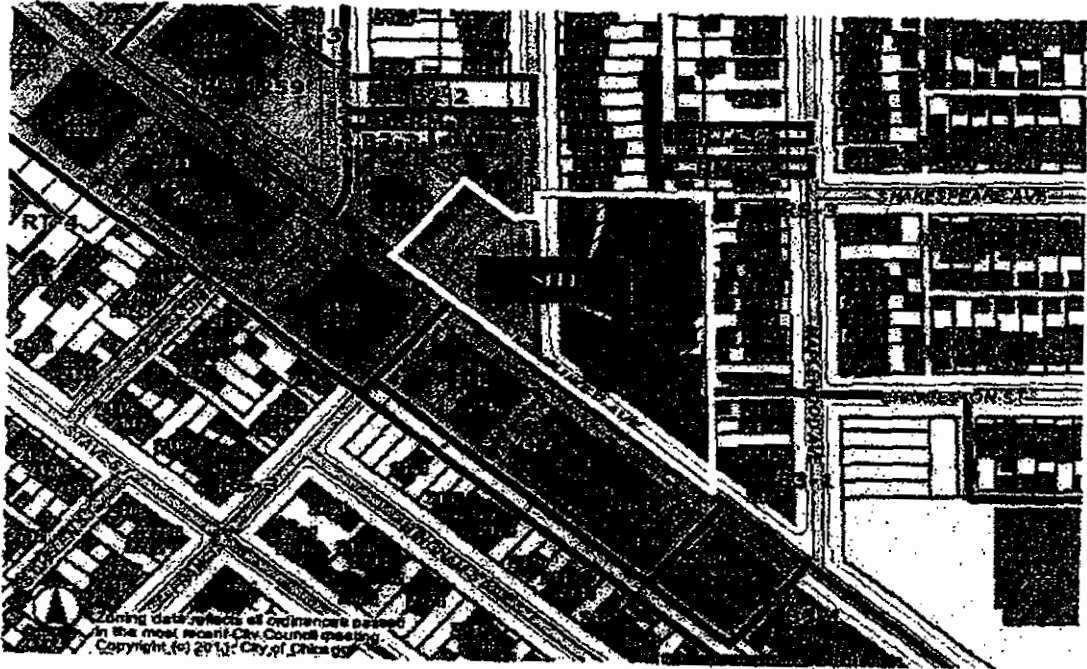
All projects with proposed ARO units must complete this tab

Painting	
Laundry	
Appliances	
Refrigerator	
ppg/EnergyStar/make/model/color	
Dishwasher	
ppg/EnergyStar/make/model/color	
Stove/Oven	
ppg/EnergyStar/make/model/color	
Microwave	
ppg/EnergyStar/make/model/color	
Bathroom(s)	
how many?	
Half bath? Full bath?	
Kitchen countertops	
material	
Flooring	
material	
HVAC	
Other	

Project Name	Zoning Application number, if applicable	Market table				ARO			affordable a/c in other square footage*
		unit type	how many?	% of total	avg. square footage	how many?	% of total	avg. square footage	
Address: 2115 - 59th Avenue		condo	8	100%	800/0	24	100%	418	800/0
Is this a For Sale or Rental Project?		condo	0	0%	800/0	0	0%	800/0	800/0
Anticipated average rent/rental?		condo	0	0%	800/0	0	0%	800/0	800/0
		condo	0	0%	800/0	0	0%	800/0	800/0
		condo	0	0%	800/0	0	0%	800/0	800/0
		condo	0	0%	800/0	0	0%	800/0	800/0
Total Units in Project	22								
Total ARO units (must be 15% of Total Units if on-site or 20% of Total units if off	33								

Final for Publication

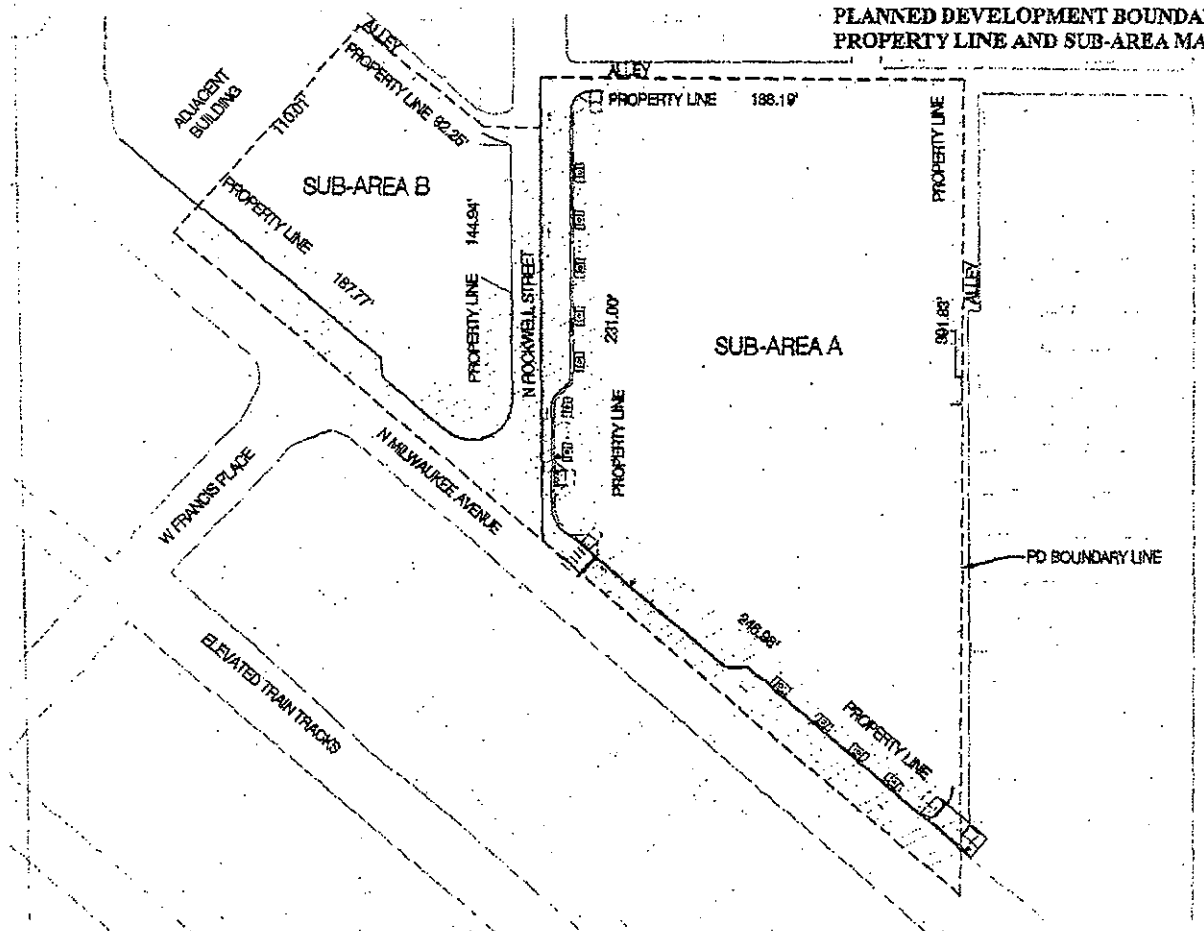
EXISTING ZONING MAP



APPLICANT: NEW CONGRESS LLC
ADDRESS: 2117 - 63 North Milwaukee Avenue/2117 - 25 North Rockwell Street/
2120 - 32 North Rockwell Street
INTRO DATE: 7/20/16
PLAN COMMISSION DATE: 12/20/18

Final for Publication

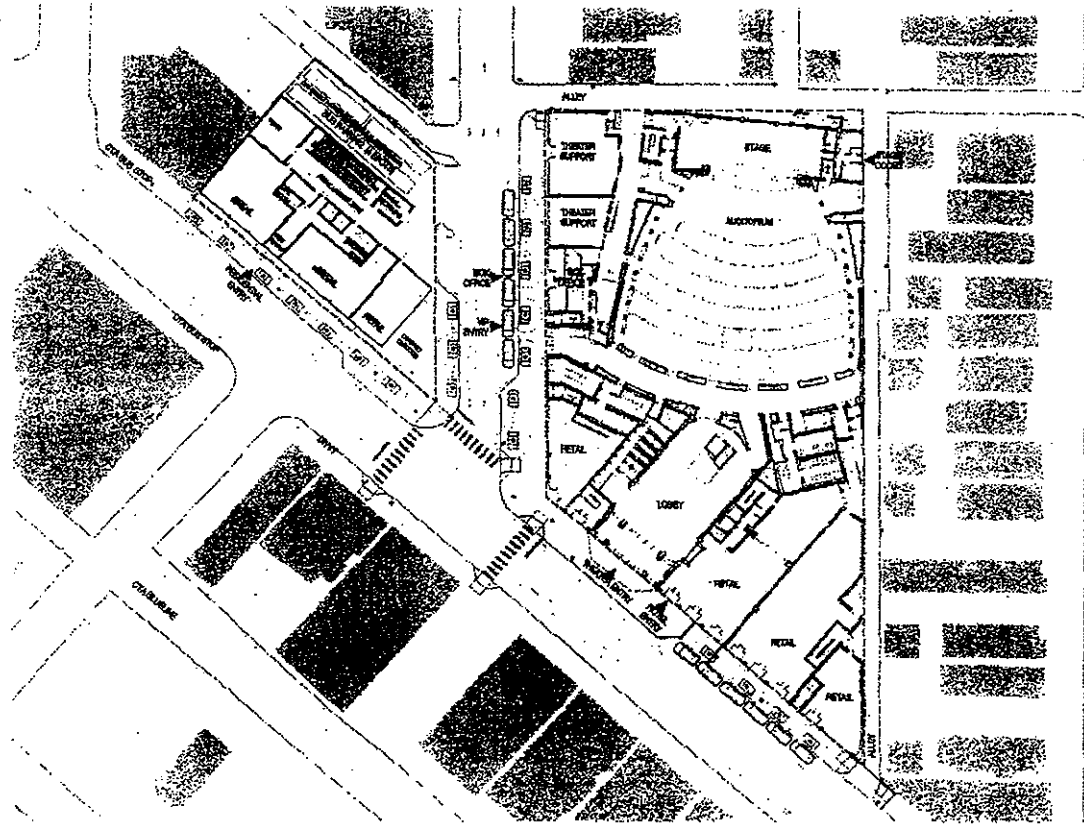
PLANNED DEVELOPMENT BOUNDARY,
PROPERTY LINE AND SUB-AREA MAP



Final for Publication

Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2018 Plan Commission Date: 12/20/18
 Woodhouse Tinuzzi Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

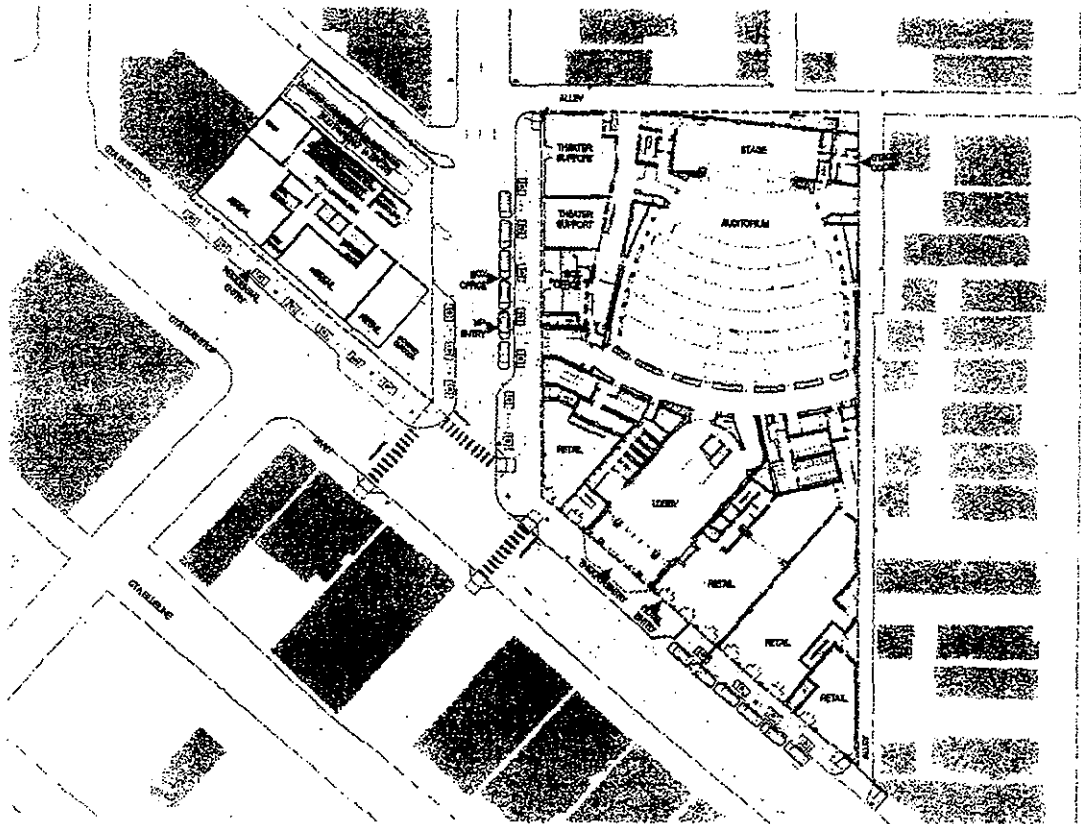
OVERALL SITE PLAN



Final for Publication

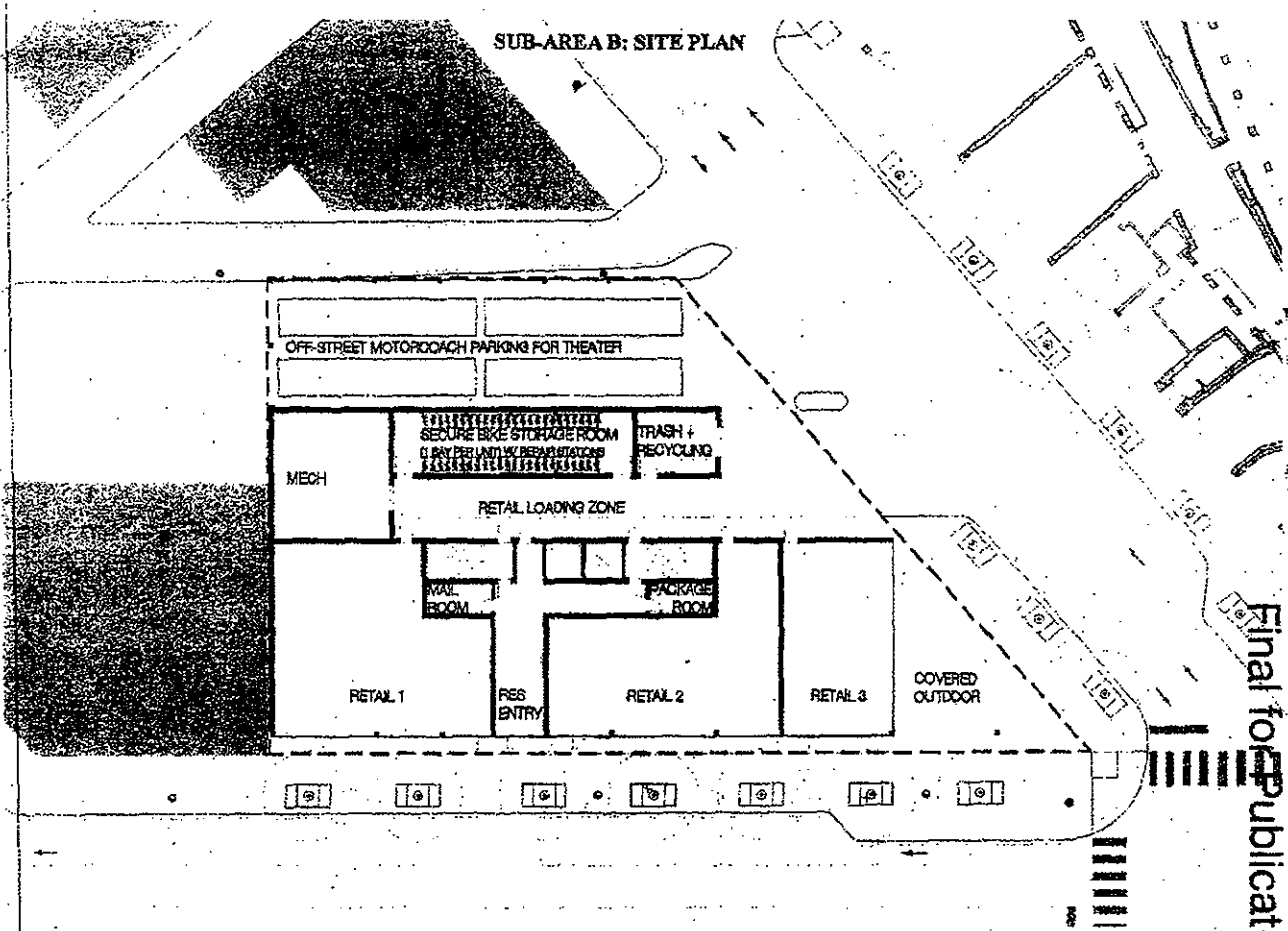
Applicant: New Congress LLC 2117 - 83 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
Introduction Date: 07/20/2016 Plan Commission Date: 12/20/18
Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

OVERALL SITE PLAN



Final for Publication

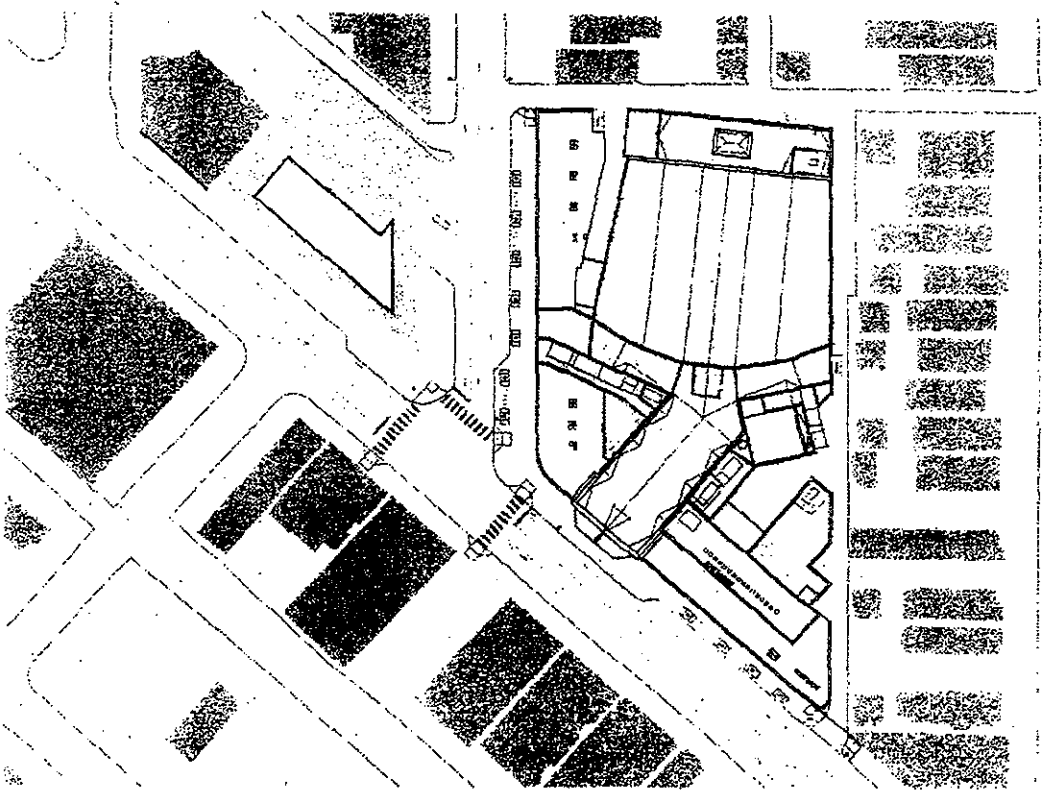
Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave. _ 2117/25 N. Rockwell St. _ 2120/32 N. Rockwell St.
Introduction Date: 07/20/2018 Plan Commission Date: 12/20/18
Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com



Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave. _ 2117/25 N. Rockwell St. _ 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2016 Plan Commission Date: 12/20/18
 Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

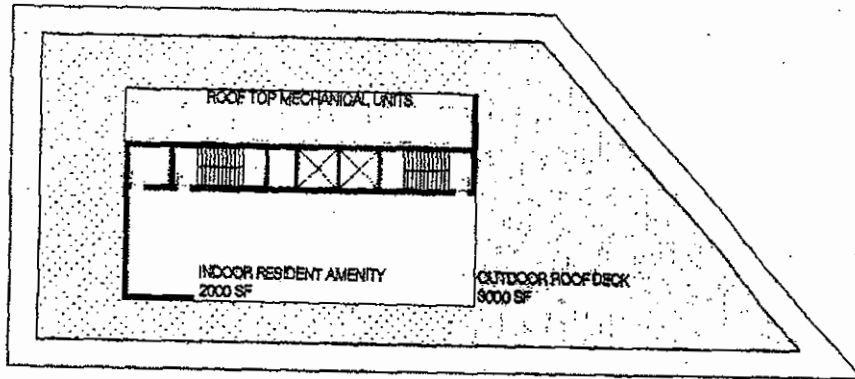
Final for Publication

SUB-AREA A ROOF PLAN



Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave. _ 2117/25 N. Rockwell St. _ 2120/32 N. Rockwell St.
Introduction Date: 07/20/2016 Plan Commission Date: 12/20/18
Woodhouse Titusci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

SUB-AREA B ROOF PLAN



Final for Publication

Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
Introduction Date: 07/20/2018 Plan Commission Date: 12/20/18
Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

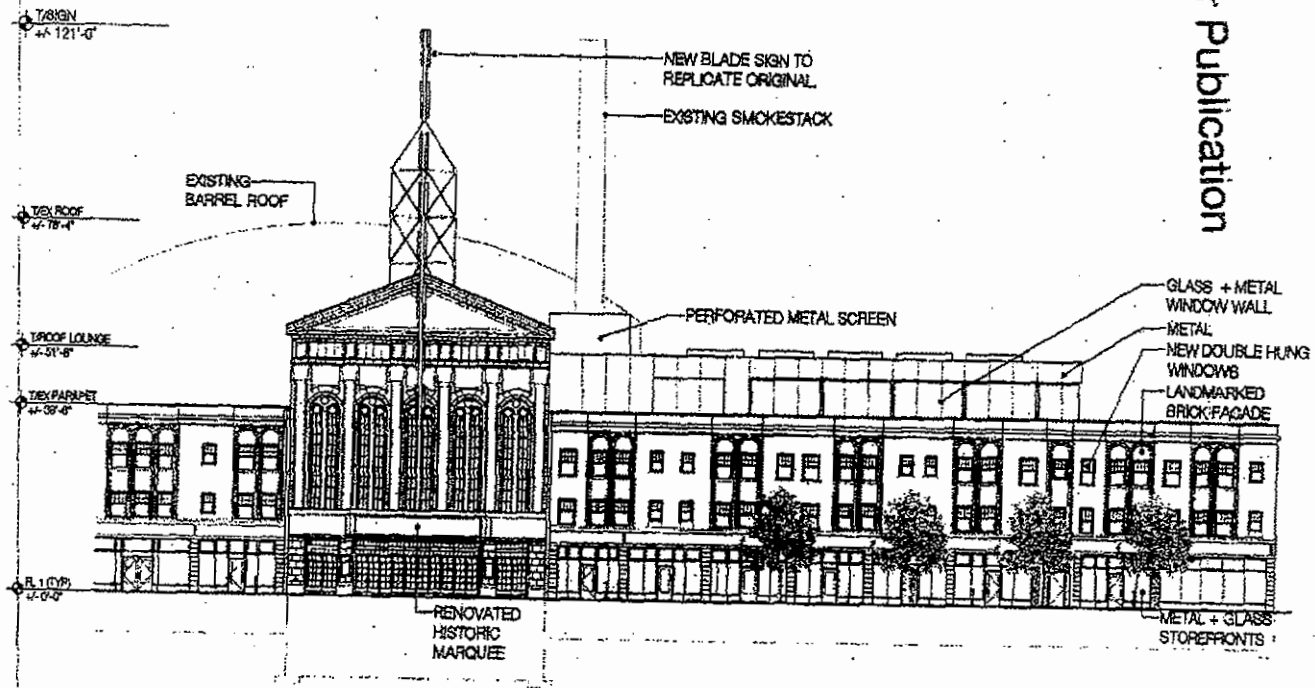
1/23/2019

REPORTS OF COMMITTEES

95157

SUB-AREA A MILWAUKEE ELEVATION

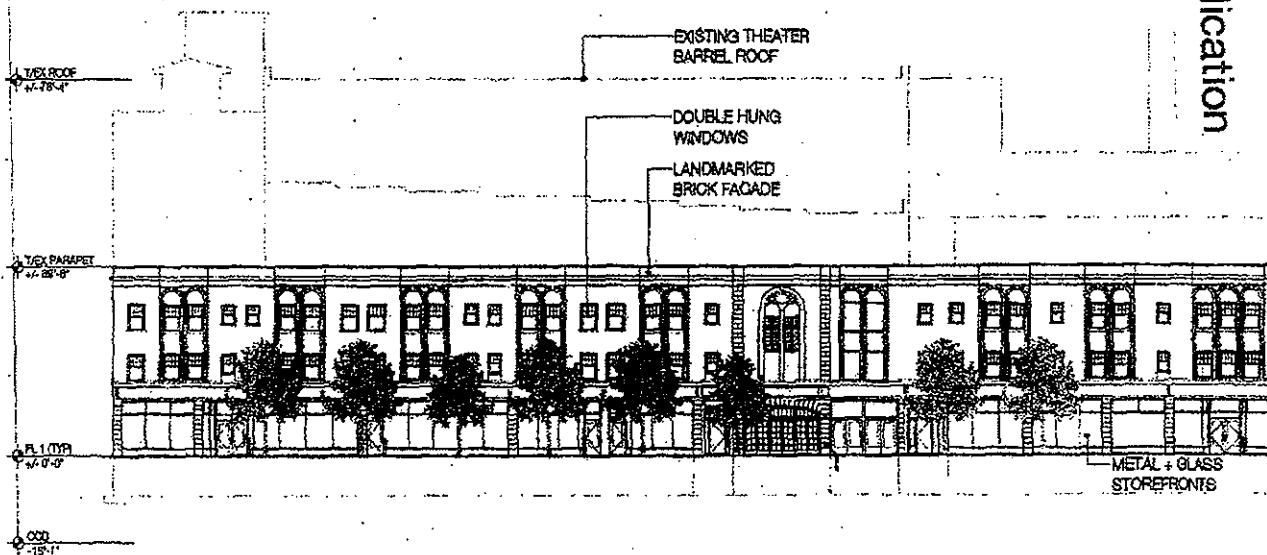
Final for Publication



Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2018 Plan Commission Date: 12/20/18
 Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

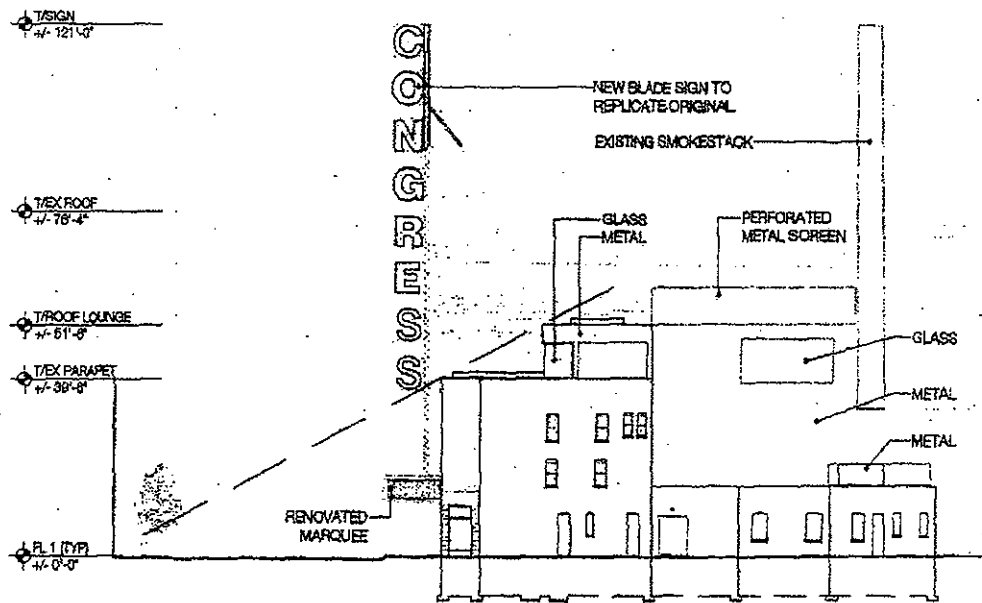
Final for Publication

SUB-AREA A ROCKWELL ELEVATION



Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave. 2117/25 N. Rockwell St. 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2018 Plan Commission Date: 12/20/18
 Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

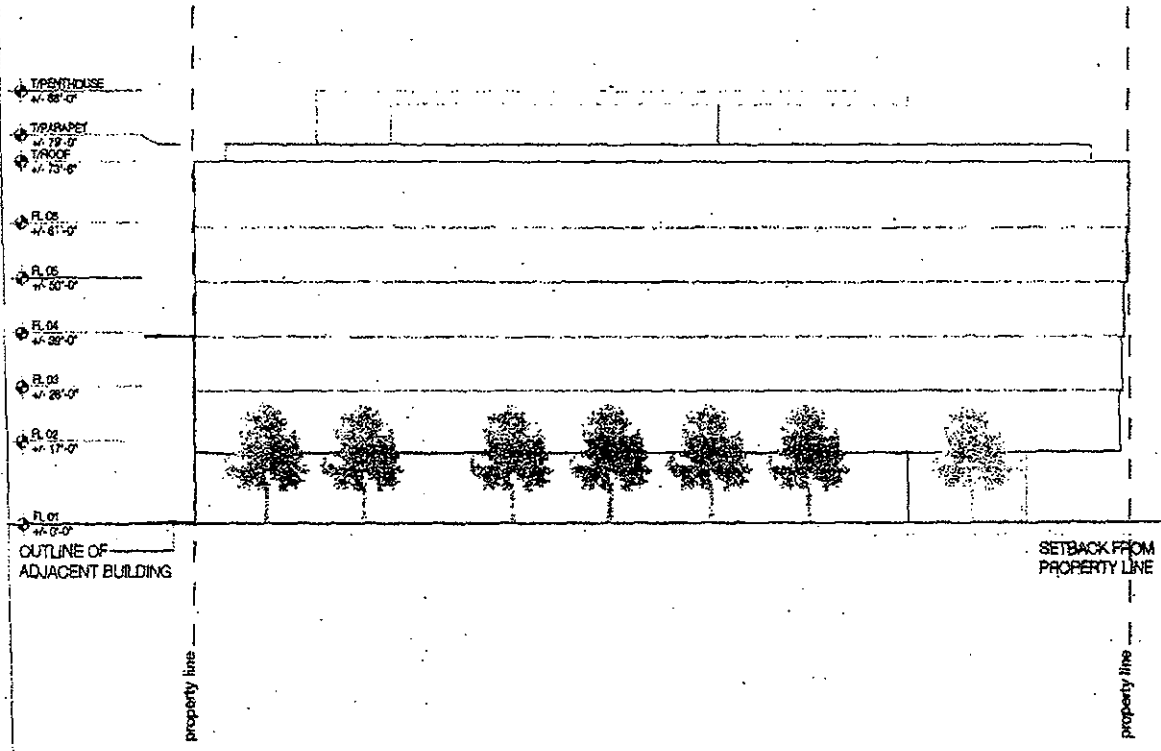
SUB-AREA A EAST ALLEY ELEVATION



Final for Publication

Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2018 Plan Commission Date: 12/20/18
 Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinucci.com

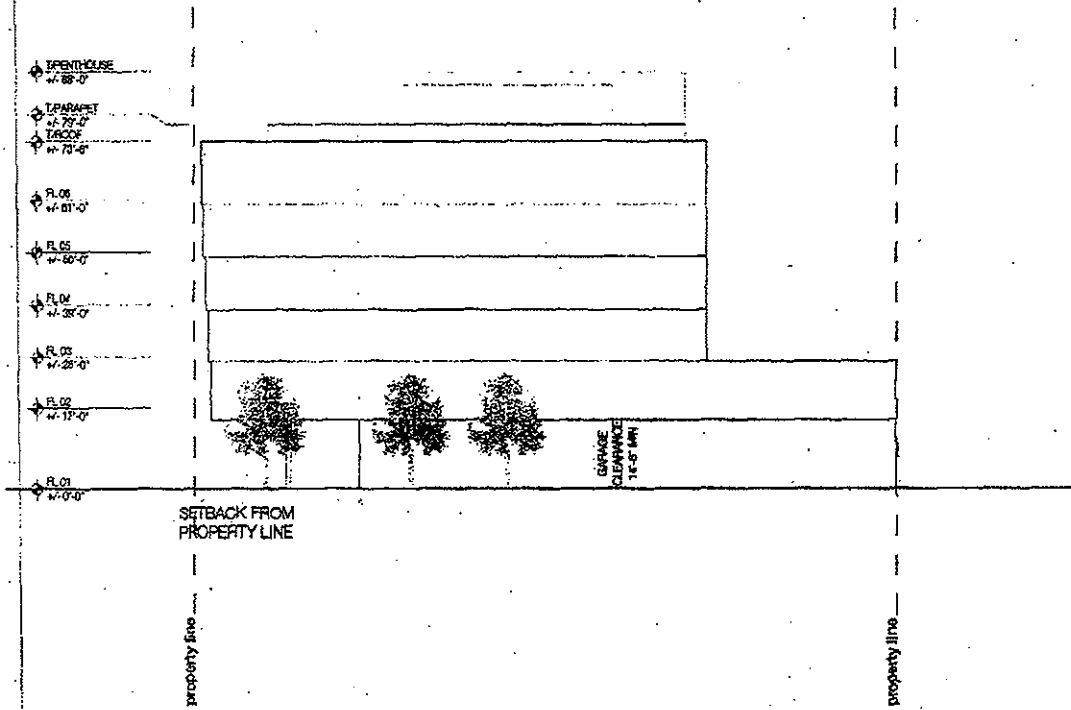
SUB-AREA B MILWAUKEE ELEVATION



Final for Publication

Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2018 Plan Commission Date: 12/20/18
 Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel: 312 943 3120 www.woodtmarch.com

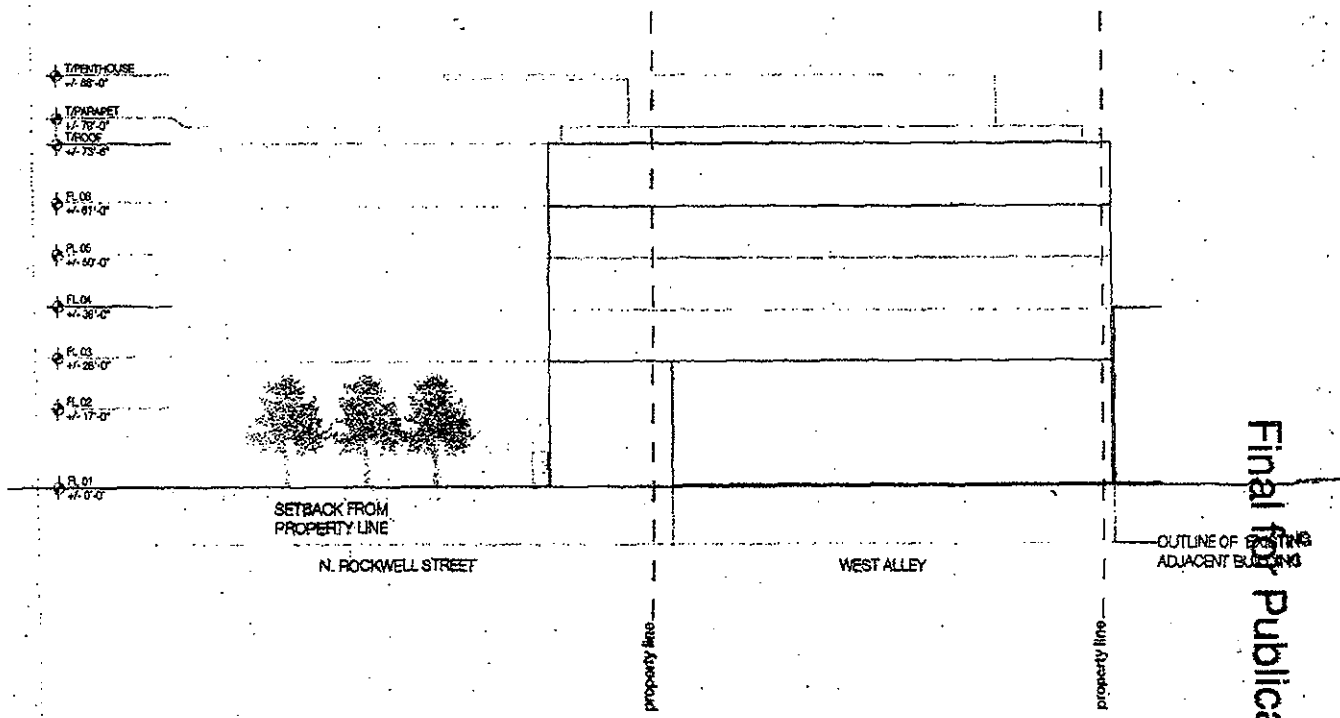
SUB-AREA B ROCKWELL ELEVATION



Final for Publication

Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
Introduction Date: 07/20/2018 Plan Commission Date: 12/20/18
Woodhouse Thrucci Architects 230 W Superior 5th Flr Chicago IL 60654 Tel 312 943 3120 www.woodthrucci.com

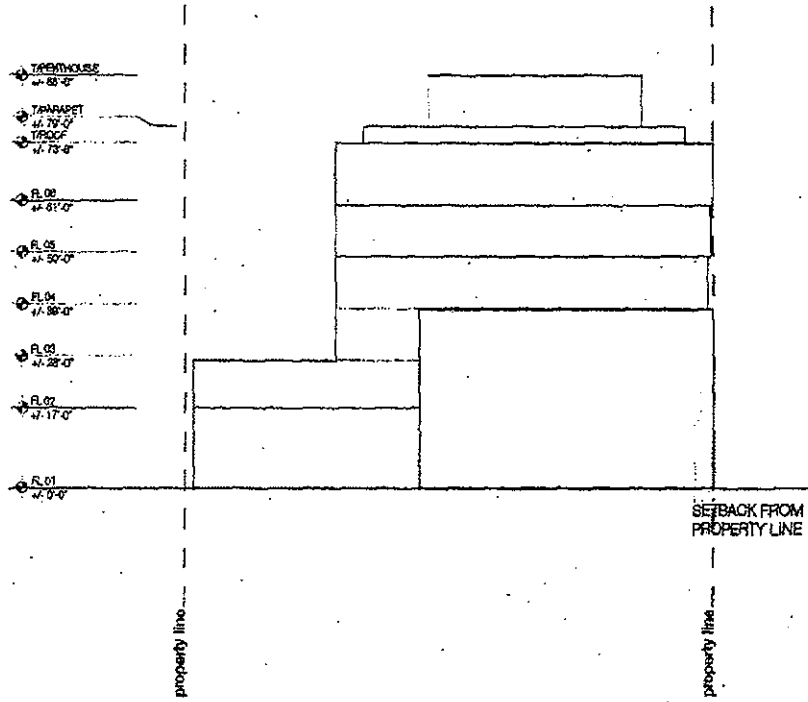
SUB-AREA B WEST ELEVATION



Final for Publication

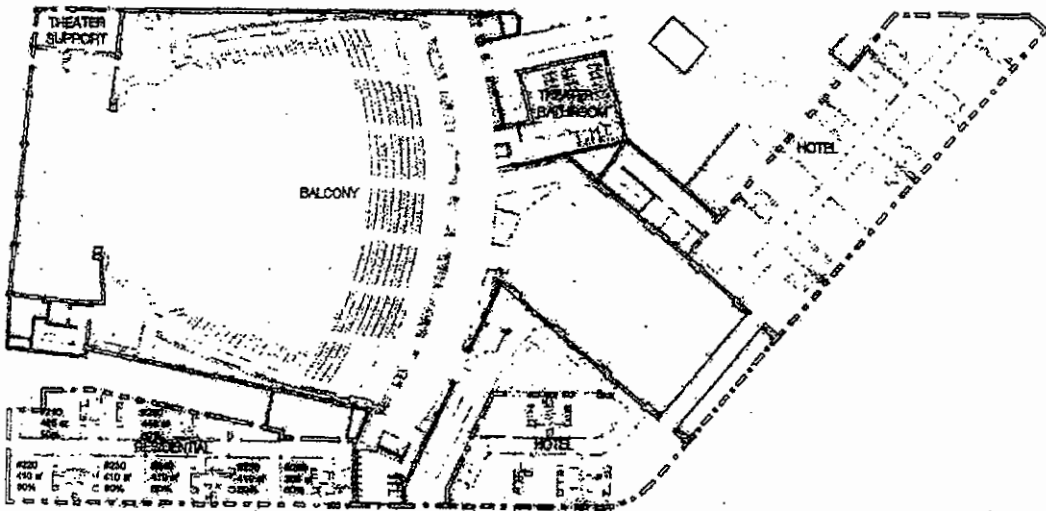
Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2015 Plan Commission Date: 12/20/18
 Woodhouse Tinoco Architects 230 W Superior 6th Fl Chicago IL 60654 Tel 312 943 3120 www.woodhousarch.com

SUB-AREA B NORTH ELEVATION



Final for Publication

Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave. 2117/25 N. Rockwell St. 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2016 Plan Commission Date: 12/20/18
 Woodhouse Tinoco Architects 230 W Superior 6th Flr Chicago IL 60654 Tel: 312 943 3120 www.woodtinarch.com



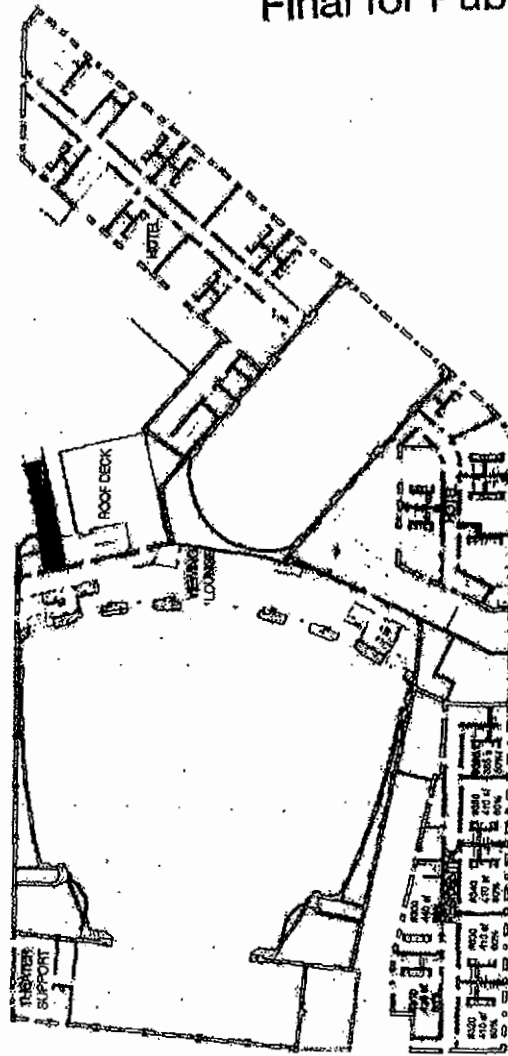
Final for Publication

Applicants: New Congress LLC 2117 - 83 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2018 Plan Commission Date: 10/18/18
 Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

Subarea A_theater plan 02

PD-15

Final for Publication



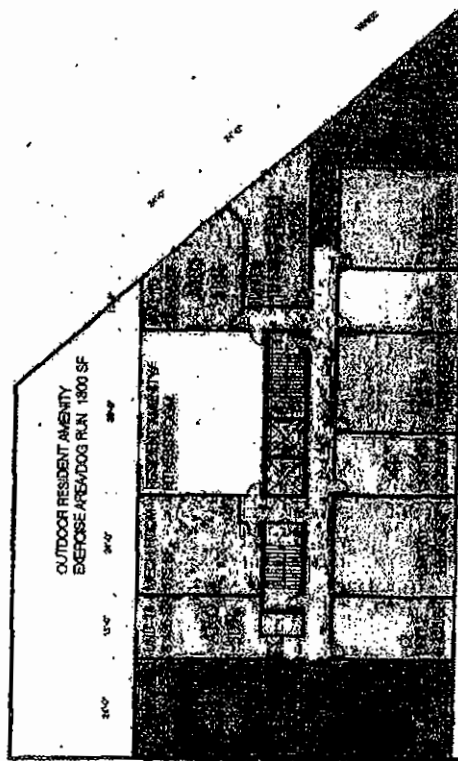
Subarea A, Theater plan 03
© PD-16

Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave., 211705 N. Rockwell St., 212052 N. Rockwell S.
Introduction Date: 07/20/2016 Plan Commission Date: 10/19/16
Woodhouse Trincel Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 843 3120 www.woodhousarch.com

Final for Publication

PD-23

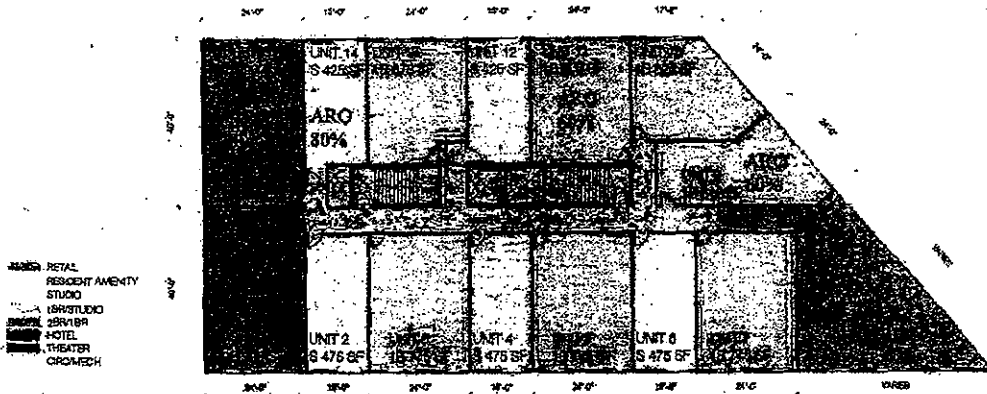
2nd Floor ARO Units



RETAIL
 RESIDENT AMENITY
 OFFICE
 MEETING
 STORAGE
 MECHANICAL
 THEATER
 CIRCULAR

Applicant: New Congress LLC 2117 - 63 N. Milwaukee Ave. - 211726 N. Rockwell St. - 212032 N. Rockwell St.
 Introduction Date: 07/20/2016 Plan Commission Draft: XXXXXXX
 Woodhouse Triusec Architects 230 W Superior 6th Fl Chicago IL 60654 Tel 312 948 5120 www.woodhousearch.com

5th Floor ARO Units

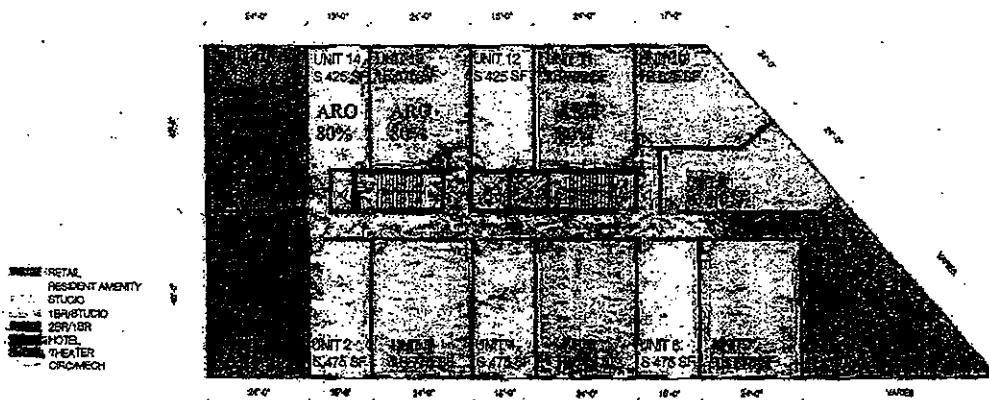


Final for Publication

Applicant: **New Congress LLC** 2117 - 63 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2016 Plan Commission Date: XXXXXX
 Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

PD-24

6th Floor ARO Units



Final for Publication

Applicant: **New Congress LLC** 2117 - 83 N. Milwaukee Ave., 2117/25 N. Rockwell St., 2120/32 N. Rockwell St.
 Introduction Date: 07/20/2016 Plan Commission Date: XX/XX/XX
 Woodhouse Tinucci Architects 230 W Superior 6th Flr Chicago IL 60654 Tel 312 943 3120 www.woodtinarch.com

PD-24