



# City of Chicago



SO2015-4175

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	5/20/2015
<b>Sponsor(s):</b>	Misc. Transmittal
<b>Type:</b>	Ordinance
<b>Title:</b>	Zoning Reclassification Map No. 7-F at 506-514 W Diversey Ave - App No. 18382
<b>Committee(s) Assignment:</b>	Committee on Zoning, Landmarks and Building Standards

**SUBSTITUTE  
ORDINANCE**

**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 B3-5 Community Shopping District symbols and indications as shown on Map 7-F in the area bounded by:

West Diversey Parkway; a line approximately 82.00 feet west of and parallel to North Pine Grove Avenue; the public alley next north of and parallel to West Diversey Parkway and a line approximately 182.00 feet west of and parallel to North Pine Grove Avenue;

to those of a Residential-Business Planned Development.

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

Applicant: Broder Diversey LLC  
Address: 506-514 West Diversey Parkway, Chicago, Illinois  
Introduced: May 20, 2015  
Plan Commission: August 20, 2015

## RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. \_\_\_\_\_

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number \_\_\_\_\_ (“Planned Development”) consists of approximately 15,000 net square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (“Property”). Broder Diversey LLC is the owner of Subarea A and the Applicant for this Planned Development, with the consent of the owner of Subarea B.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant’s successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance in effect as of the date of this Planned Development.
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 Chicago Department of Transportation (“CDOT”) 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 Plans.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Chicago Department of Planning and Development (“DPD”) and CDOT. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of CDOT.

All work proposed in the public way must be designed and constructed in accordance with CDOT 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 CDOT.

4. This Plan of Development consists of these 15 Statements, a Bulk Regulations and Data Table, and the following exhibits and plans prepared by PappageorgeHaymes Partners, Ltd. and dated August 20, 2015 (collectively, the “Plans”): an Existing Zoning Map; an

Applicant: Broder Diversey LLC  
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Existing Land Use Map; Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; Green Roof Plan; and Building Elevations. Full-sized copies of the Plans are on file with the DPD. 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 thereof, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses shall be permitted in this Planned Development: Dwelling units located above the ground floor (and on the ground floor, as to Subarea B only); Animal Services; Artist Work or Sales Space; Eating and Drinking Establishments; Financial Services; Food and Beverage Retail Sales; Medical Service; Office; Consumer Repair or Laundry Service; Personal Service; General Retail Sales; Valuable Objects Dealer; Co-located Wireless Communications Facilities; Accessory Parking; and related, incidental and accessory uses. As contemplated by Section 17-10-0503 of the Zoning Ordinance, upon the Applicant's request and only after satisfactory evidence is provided to the Commissioner of Department of Planning and Development that fewer than 53 spaces are needed to adequately serve the needs of on-site uses, the Zoning Administrator may allow, up to a maximum of 25 percent of the required number of parking spaces (13 spaces) may be leased out to the adjacent neighboring residential developments on a daily, weekly or monthly basis to persons who are not residents, tenants, patrons, employees, or guests of the principal use.
6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of DPD. Off-Premise 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 Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted overall FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 15,000 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 DPD. 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.

Applicant: Broder Diversey LLC  
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10. The 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 DPD. 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 13-32-125 of the Municipal Code, or any other applicable 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 or assigns and, if different than the Applicant, the legal title holders and any ground lessees of the Property.
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 seek LEED certification, and provide a green roof of not less than 50% of the net roof area equivalent to an actual total of 4,287 square feet in Subarea A.
15. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development Ordinance lapse, the Commissioner of DPD shall initiate a Zoning Map Amendment to rezone the property to the B3-5 Community Shopping District.

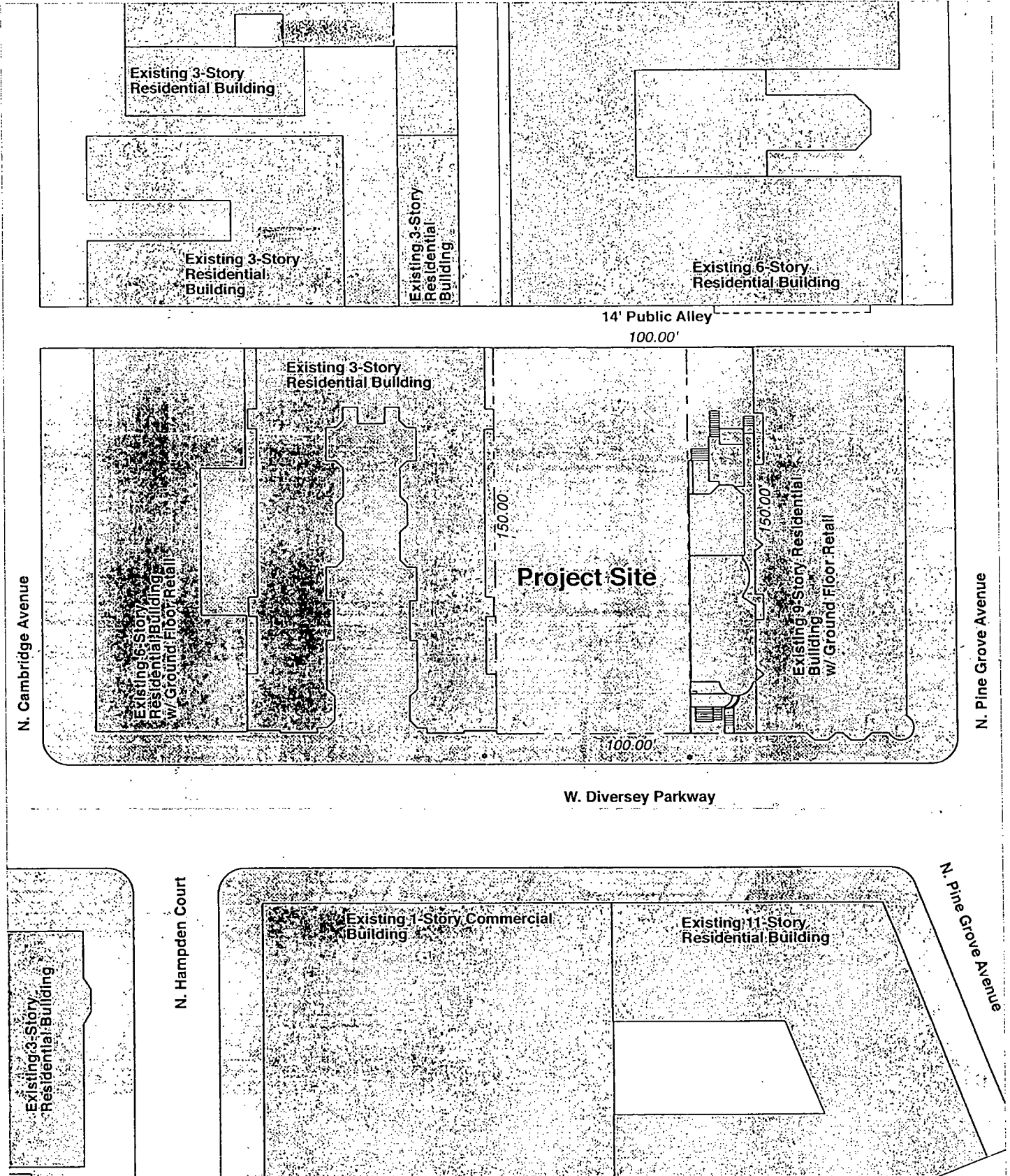
Applicant: Broder Diversey LLC  
Address: 506-514 West Diversey Parkway, Chicago, Illinois  
Introduced: May 20, 2015  
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**RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. \_\_\_\_\_**  
**BULK REGULATIONS AND DATA TABLE**

	<b>Sub-Area A</b>	<b>Sub-Area B</b>	<b>Total</b>
Gross Site Area (sf):	14,250	4,750	19,000
Area of Public Rights-of-Way (sf):	<u>3,000</u>	<u>1,000</u>	<u>4,000</u>
Net Site Area (sf):	11,250	3,750	15,000
Maximum Permitted Floor Area (sf)			
Existing	NA	4,982	4,982
Proposed	70,018	NA	70,018
Maximum Floor Area Ratio:			5.0
Maximum Number of Dwelling Units:	53	3	56
Minimum Off-Street Parking Spaces:	53	0	53
Minimum Off-Street Loading Spaces:	1 (10' x 25')	0	1
Maximum Building Height:	135'-4"	Existing	
Minimum Setbacks:	Per plans	Per plans	


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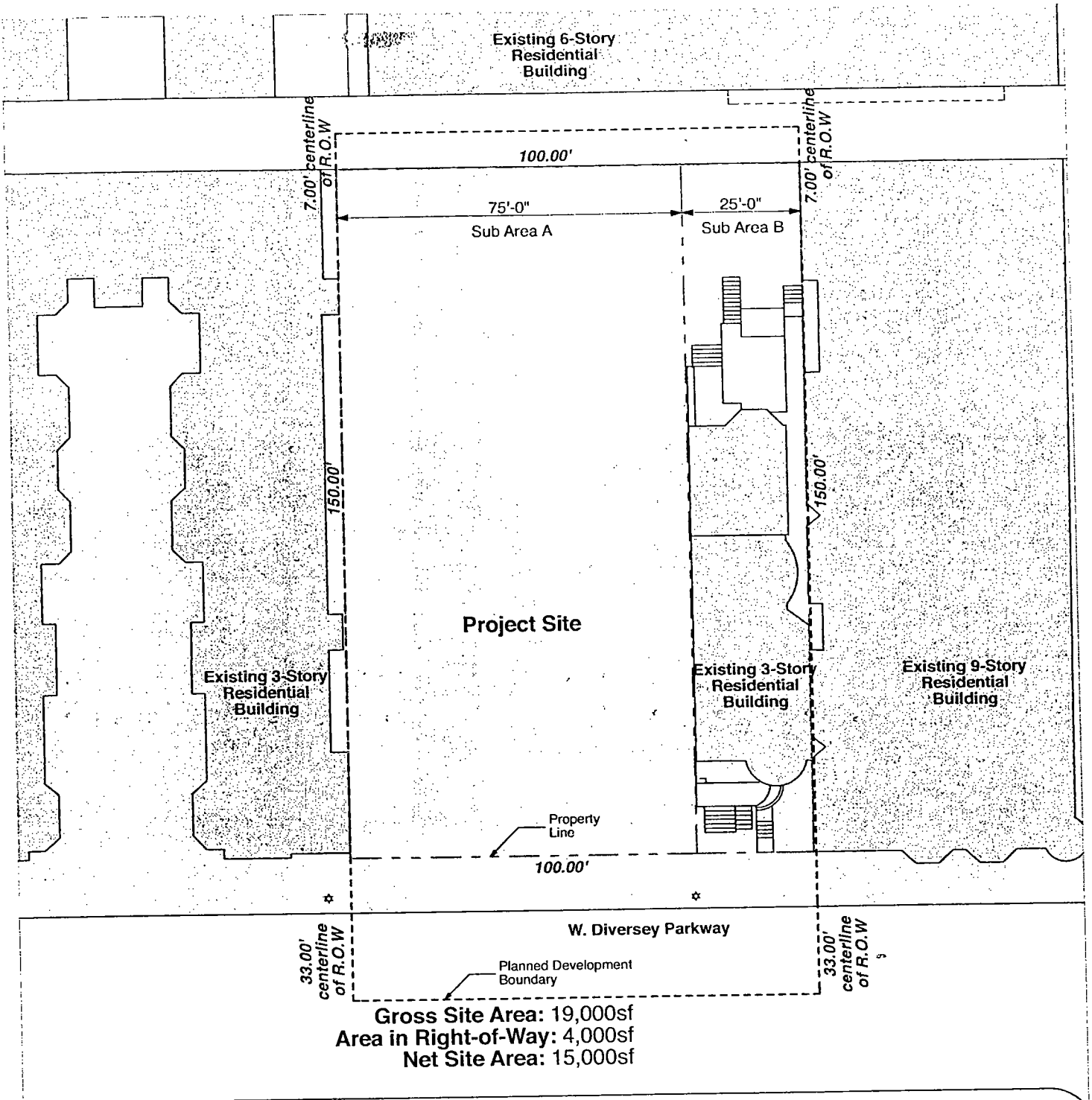


**PAPPAGEORGE HAYMES**  
 pappageorgehaymes partners  
 architect  
 640 N. LaSalle, Suite 400  
 Chicago, IL 60654  
 312.337.3344 FAX 204.8988

Applicant: **Broder Diversey LLC**  
 Address: 506-514 West Diversey Parkway  
 Chicago, IL 60614  
 Introduction date: May 20th, 2015  
 Plan commission date: August 20th, 2015

**Existing Land Use Map**  
 Scale 1" = 50'  






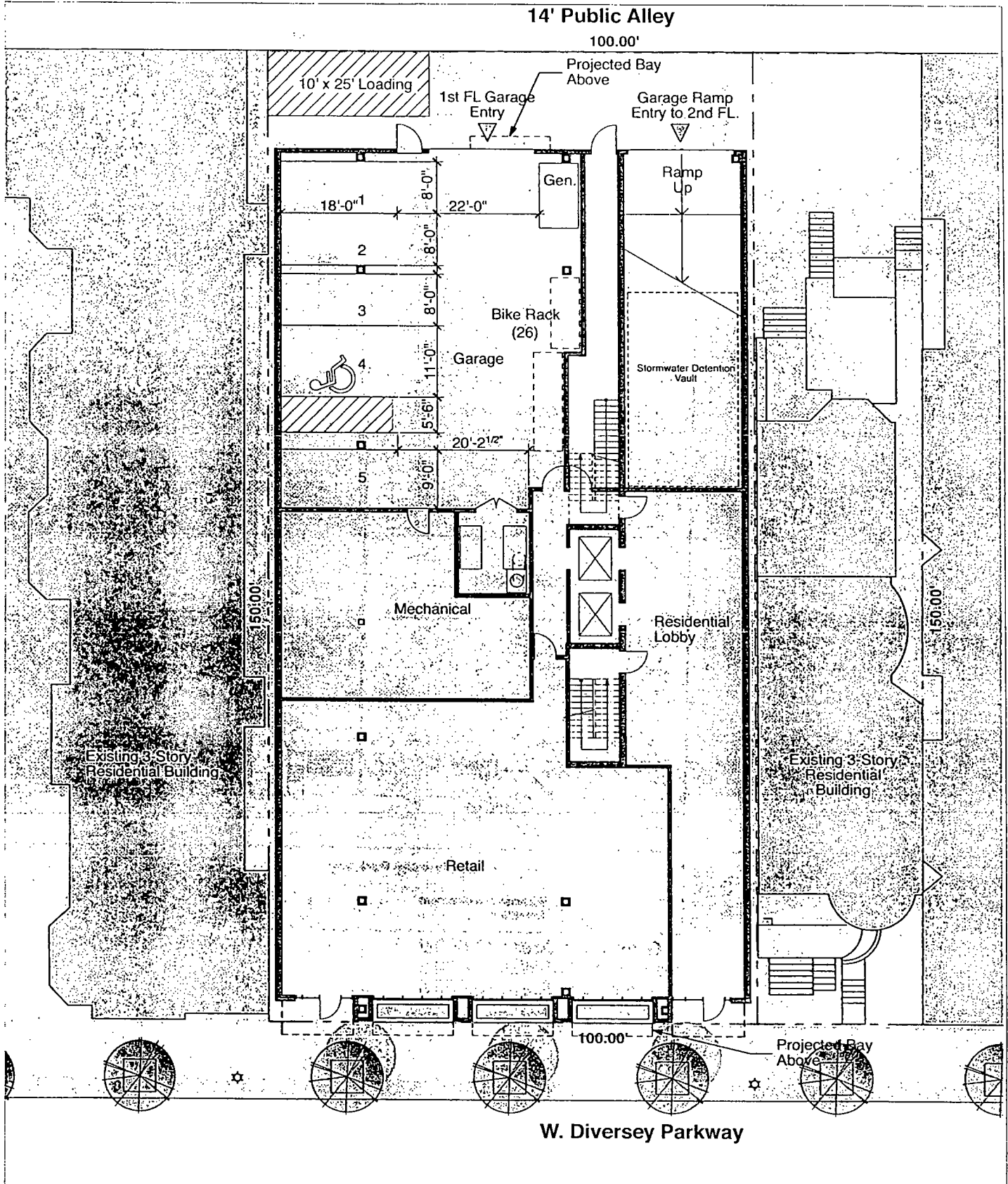
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 Introduction date: **May 20th, 2015**  
 Plan commission date: **August 20th, 2015**

**Planned Development Boundary and Property Line Map**  
 Scale: 1" = 30'

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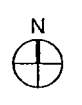
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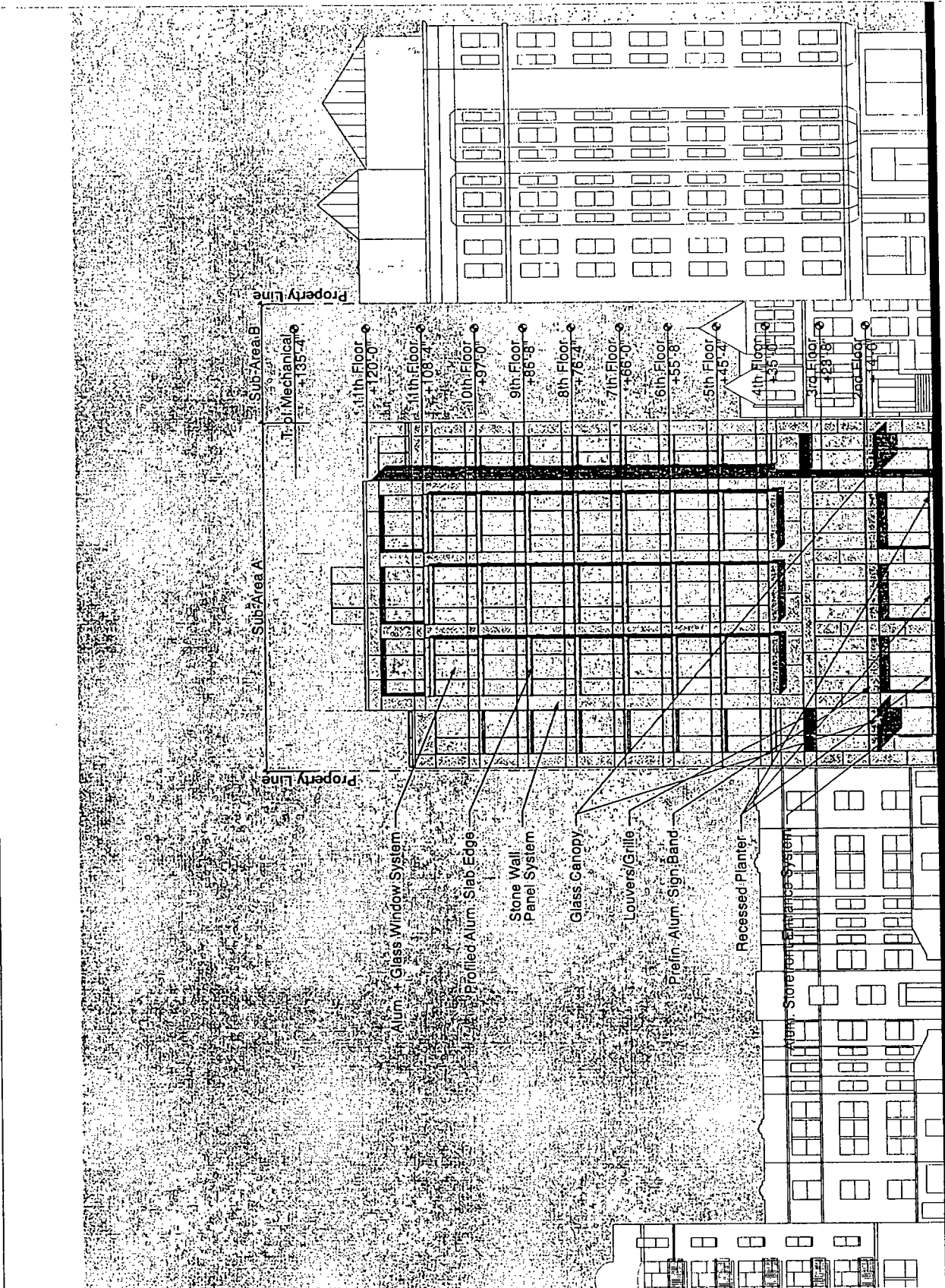
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 Address: 506-514 West Diversey  
 Parkway  
 Chicago, IL 60614  
 Introduction date: **May 20th, 2015**  
 Plan commission date: **August 20th, 2015**

Site Plan  
 Scale: 1" = 20'



South Elevation

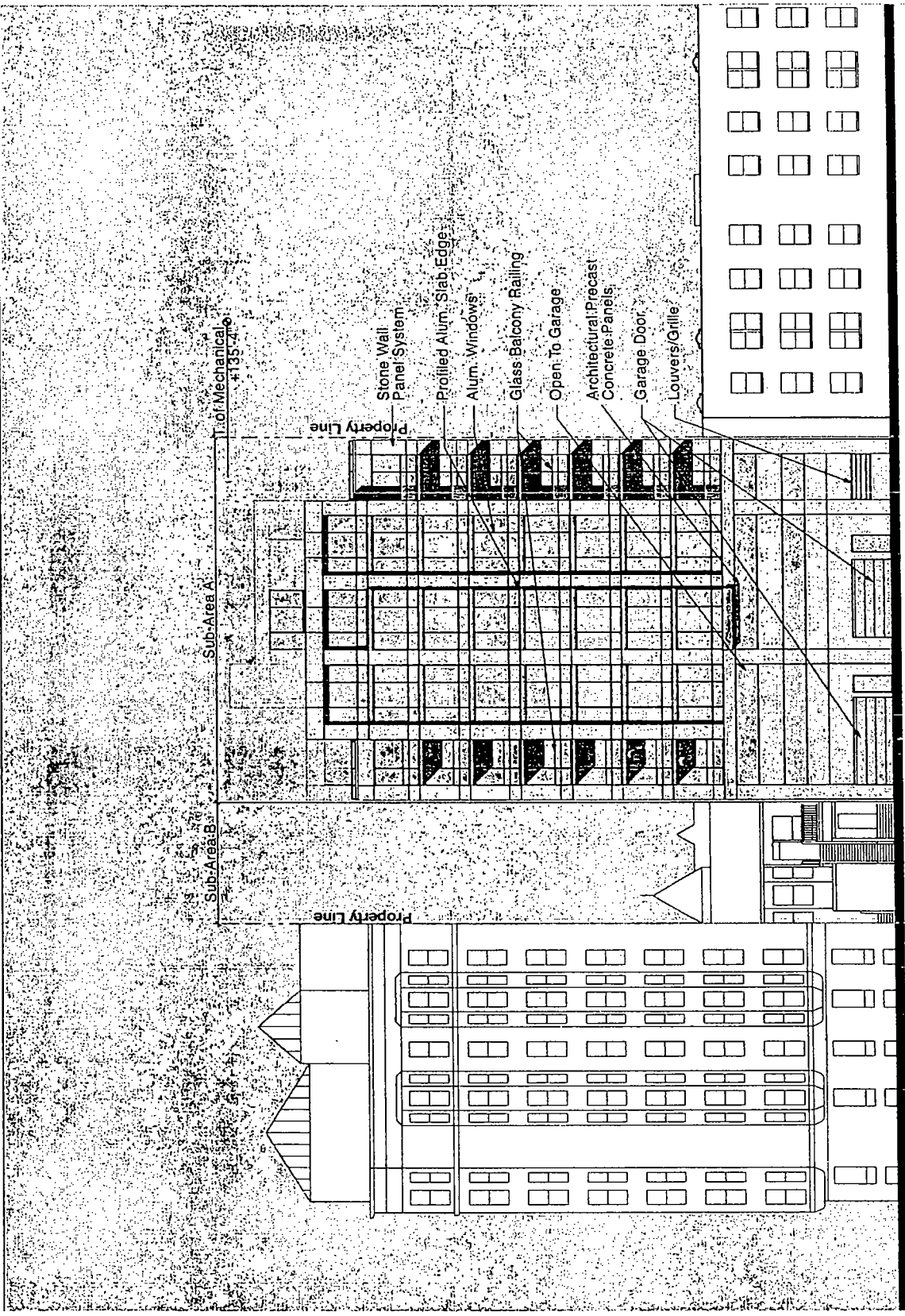


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 Parkway  
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 Introduction date: **May 20th, 2015**  
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**South Elevation**  
 Scale 1" = 30'

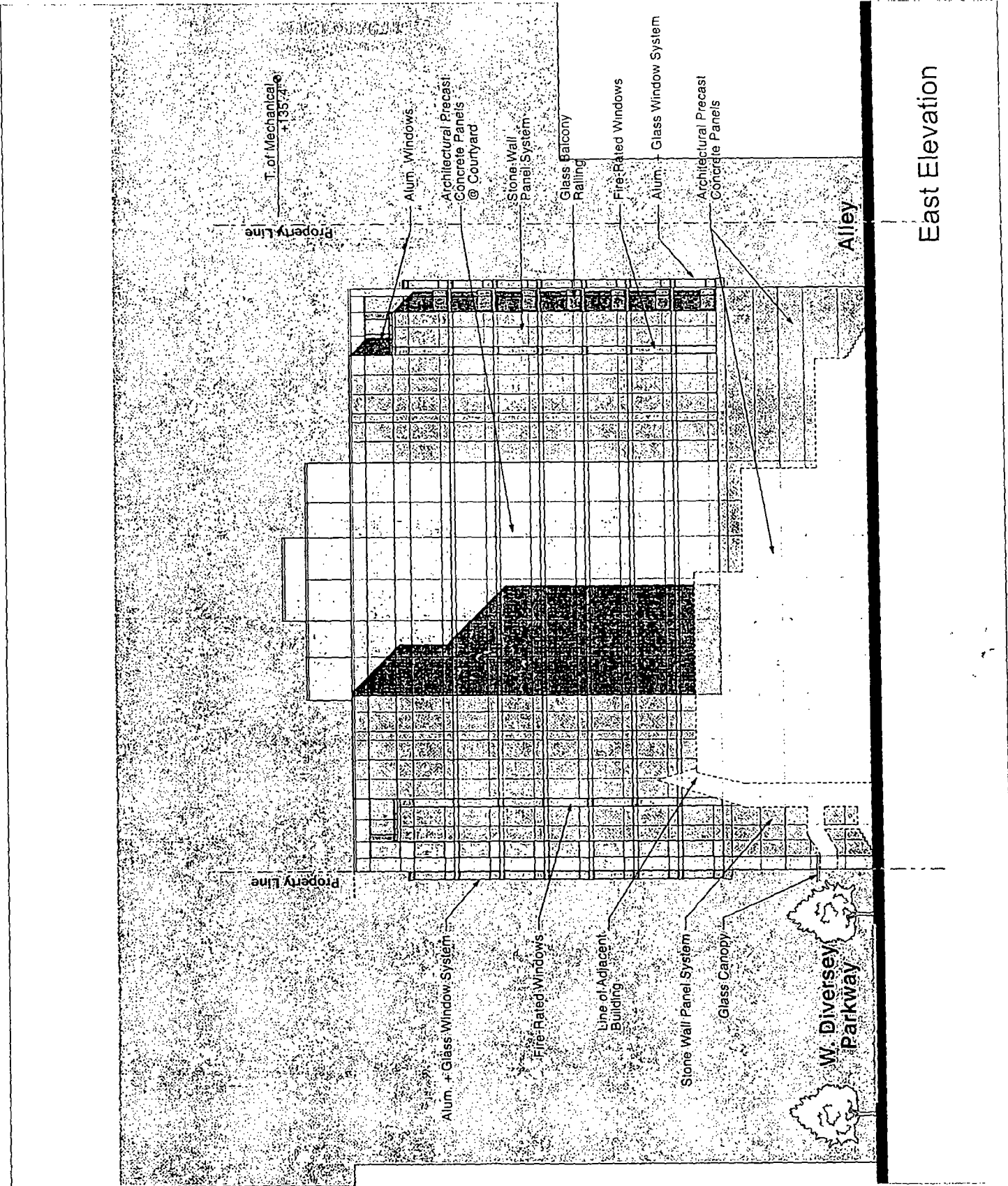
North Elevation



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Applicant: **Broder Diversey LLC**  
 Address: 506-514 West Diversey  
 Parkway Chicago, IL 60614  
 Introduction date **May 20th, 2015**  
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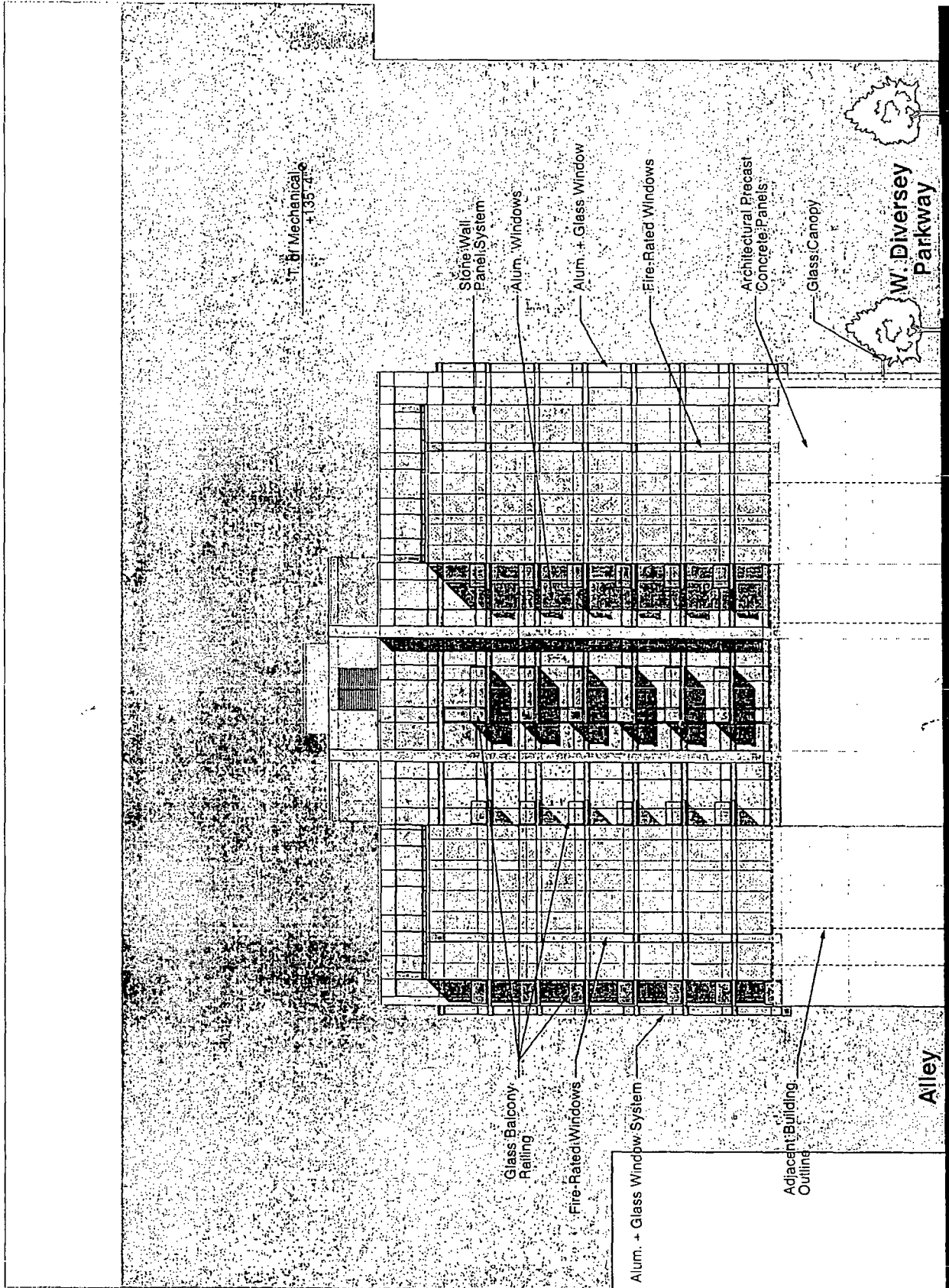
**North Elevation**  
 Scale: 1" = 30'



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**Applicant:** Broder Diversey LLC  
**Address:** 506-514 West Diversey Parkway  
 Chicago, IL 60614  
**Introduction date:** May 20th, 2015  
**Plan commission date:** August 20th, 2015

**East Elevation**  
 Scale: 1" = 30'

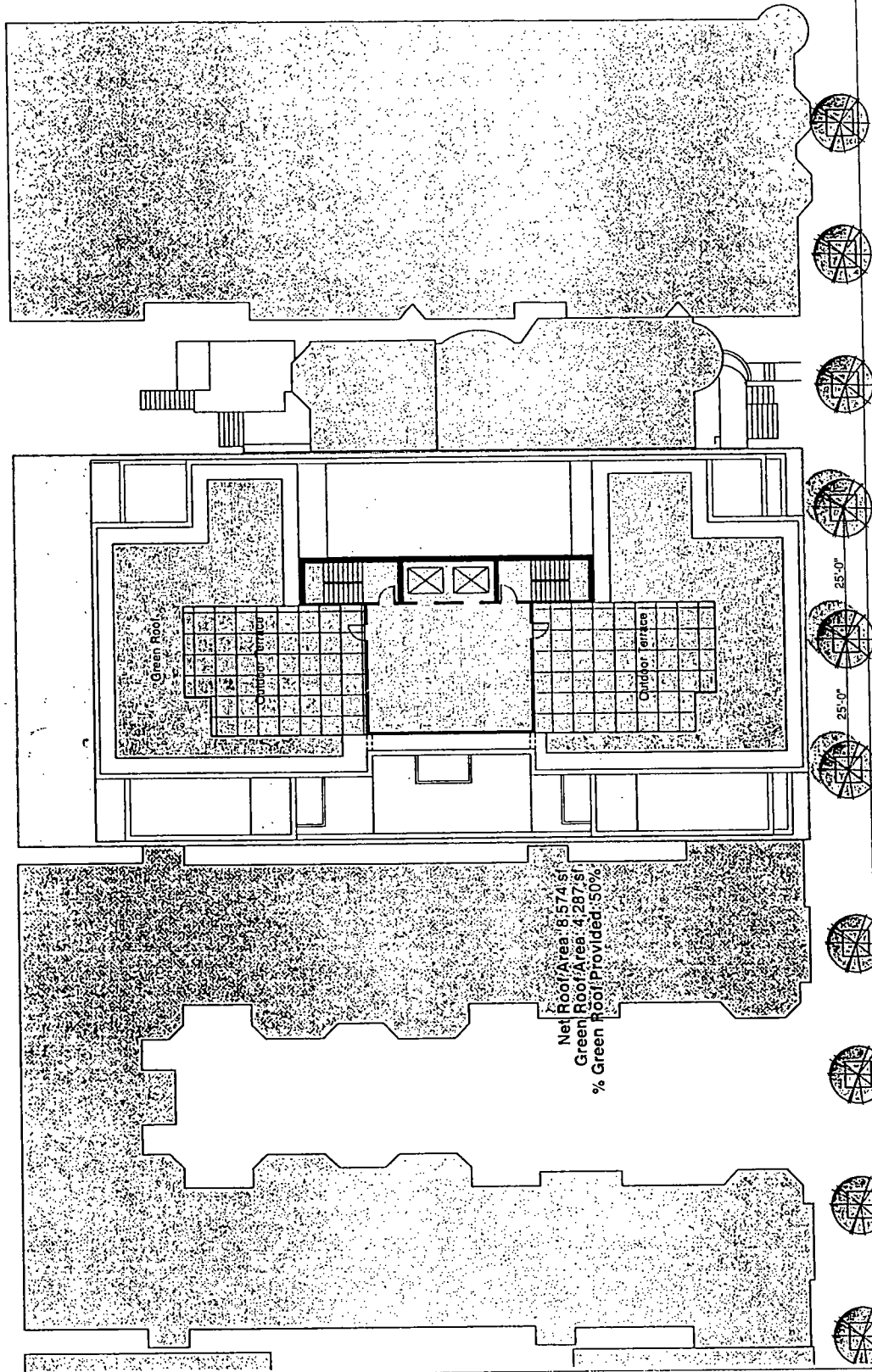


West Elevation

**PAPAGEORGE HAYMES**  
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Applicant: **Broder Diversey LLC**  
 Address: **506-514 West Diversey Parkway**  
 Chicago, IL 60614  
 Introduction date, **May 20th, 2015**  
 Plan commission date, **August 20th, 2015**

**West Elevation**  
 Scale 1" = 30'



Three Additional Trees with Pits and Grates on the Diversey Parkway right-of-way East as shown subject to Landscape Ordinance minimum space requirements.


New Parkway Trees minimum 2.5" caliper in 25sf min Grate  
No Linden or Maple Trees  
25'-0"  
25'-0"

Four Additional Trees with Pits and Grates on the Diversey Parkway right-of-way West as shown subject to Landscape Ordinance minimum space requirements

Net Roof Area: 8,574 sq. ft.  
Green Roof Area: 4,287 sq. ft.  
% Green Roof Provided: 50%

**PAPPA GEORGE HAYMES**  
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Applicant: **Broder Diversey LLC**  
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**Landscape and Green Roof Plan**  
 Scale 1" = 30'  


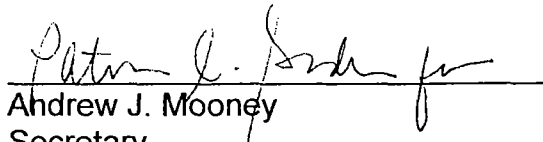


18382  
FINAL

DEPARTMENT OF PLANNING AND DEVELOPMENT  
CITY OF CHICAGO

MEMORANDUM

TO: Alderman Daniel S. Solis  
Chairman, City Council Committee on Zoning

FROM:   
Andrew J. Mooney  
Secretary  
Chicago Plan Commission

DATE: August 21, 2015

RE: Proposed Residential Business Planned Development for property generally located at 506-514 West Diversey Parkway.

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On August 20, 2015, the Chicago Plan Commission recommended approval of the proposed planned development submitted by Broder Diversey, LLC. A copy of the proposed planned development is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning hearing.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, bureau of Planning and Zoning recommendation and a copy of the Resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-5777.

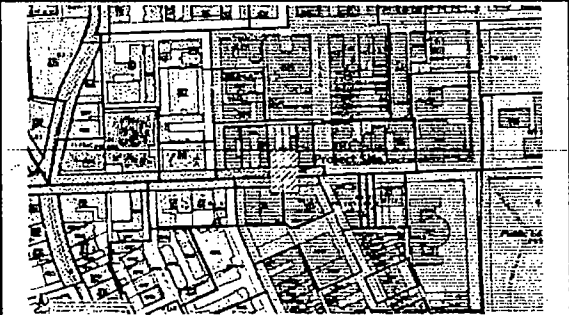
cc: Steve Valenziano  
PD Master File (Original PD, copy of memo)



Chicago Plan Commission  
August 20, 2015



PROPOSED PLANNED DEVELOPMENT AND LPO NO 669  
506-508 WEST DIVERSEY PARKWAY



Current Zoning Map



Aerial Map

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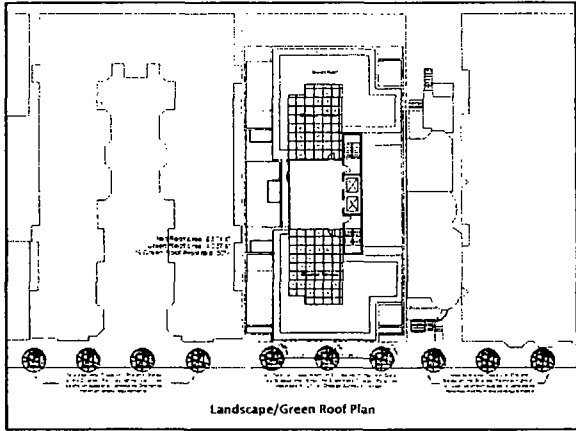
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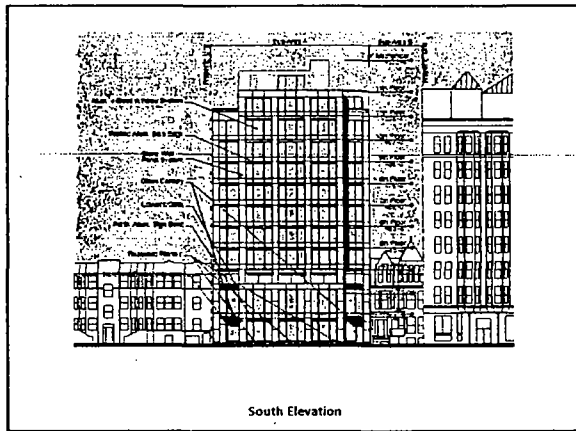
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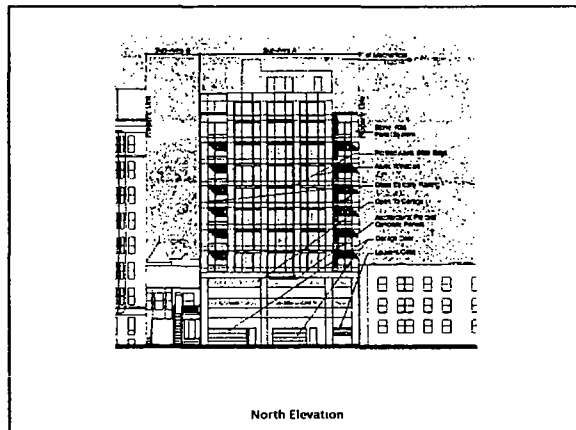
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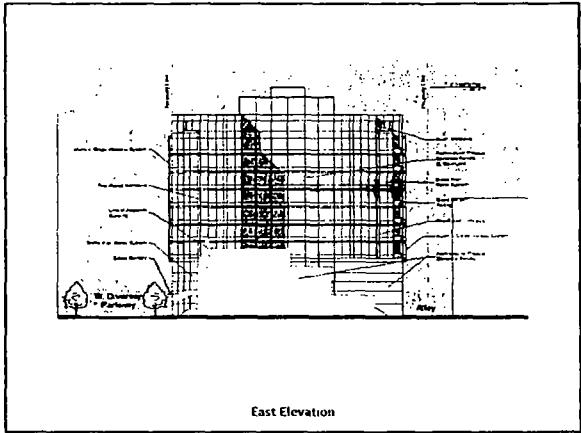
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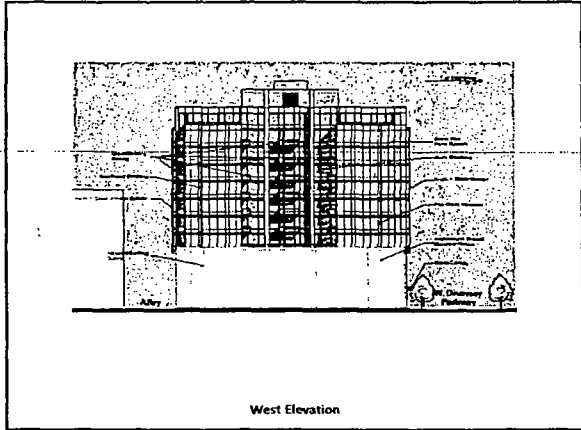
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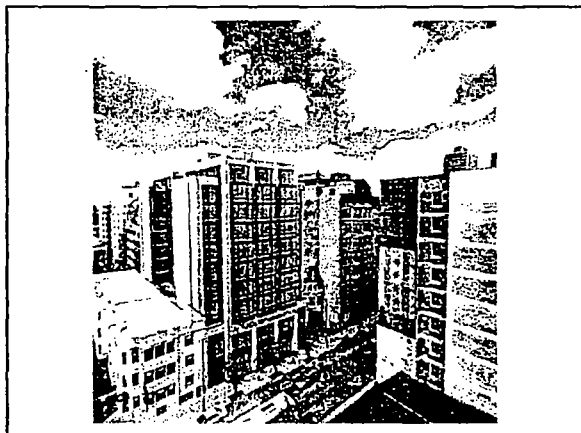
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**REPORT  
TO THE  
CHICAGO PLAN COMMISSION  
FROM  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT  
BUREAU OF ZONING AND LANDUSE**

**FINAL**

**AUGUST 20, 2015**

**FOR APPROVAL: RESIDENTIAL BUSINESS PLANNED DEVELOPMENT  
AND LAKEFRONT APPLICATION NO. 669.**

**APPLICANT: BRODER DIVERSEY, LLC**

**LOCATION: 506-514 WEST DIVERSEY**

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development hereby submit this report and recommendation on a proposed Residential Business Planned Development for your review and recommendation to the Chicago City Council. The application for the amendment to the Chicago Zoning Ordinance was introduced into the City Council on May 20, 2015 and a Lakefront Protection Ordinance application was submitted to the Department on May 13, 2015. Proper legal notice of the public hearing on the application was published in the Chicago Sun Times on August 5, 2015. The Applicant was separately notified of this hearing.

This application is submitted by the Applicant, as a mandatory planned development pursuant to section 17-8-512 A, which requires that buildings over 80 feet in height in a B3-5 district be processed and reviewed as a planned development.

**SITE AND AREA DESCRIPTION**

The project site is a rectangular shaped lot containing 15,000 square feet and is bounded on the east by 9-story mixed use masonry building, on the south by West Diversey Parkway, on the west by an existing 3-story masonry residential building, and a public alley on the north. The site is currently zoned B3-5, Community Shopping District and is located in the Lake View (6) Community Area.

The surrounding property to the north is zoned RM-5, Residential Multi-Unit District, the property to the east is zoned B3-5, Community Shopping District, and the property located south of the site is zoned B1-2 and B1-5, Neighborhood Shopping District. This portion of West Diversey Parkway is a designated Retail Pedestrian Street and does not permit new drive ways or curb cuts.

The site is located in the Lake Michigan and Chicago Lakefront Protection District. The site is not in a Chicago Landmark District. The site is immediately accessible via public transit from CTA's No. 76 Diversey, No. 22 Clark Street, No. 8 Halsted Street, and the No. 151 Sheridan bus lines. The CTA's Diversey Brown Line Station is located approximately one ½ mile away from the site and serves the immediate area.

### **PROJECT DESCRIPTION**

The site is improved with a 3 - story commercial building with 3 existing dwelling units and accessory surface parking lot. The applicant proposes to reclassify the site to a Residential Business Planned Development to construct a multi-story residential building containing up to eleven (11) stories, ground floor retail, 53 dwelling units, accessory uses and accessory parking. The planned development will create two subareas; Subarea A and B, and transfer floor area and dwelling units from one subarea to another.

### **DESIGN**

The proposed project materials include architectural store front window system at the base of the West Diversey Parkway Elevation. The remaining elevations are comprised of an architectural window wall system and an aluminum cap system to conceal the concrete slabs. The remaining portion of the building is comprised of an architectural precast concrete wall system.

The main lobby entrance is defined by a prefinished metal panel canopy and designed to an appropriate pedestrian scale. The design vocabulary continues from the ground floor up to the ninth floor and steps back at the tenth floor. At levels four and above, the building is set back to provide relief of the massing from the east and west property lines. The mechanical rooftop equipment is concealed from the public view by an articulated architectural louver system.

### **ACCESS/CIRCULATION**

Vehicular access is provided via the 14 foot public alley to the north of the site onto a 2nd floor parking level. The parking ramp is designed to allow queuing of cars internal to the building envelope for both ingress/egress. An overhead door located on the alley elevation allows for an additional five accessory spaces on the ground floor and an additional 48 accessory parking spaces are located on the second and third levels. The building is also setback fifteen feet from the public and allows for a 10 foot by 25 foot loading berth area.

Access to the residential component of the proposed project occurs through a residential entry lobby located along West Diversey Parkway. Pedestrian access for the retail patrons is located along West Diversey Parkway.

### **LANDSCAPING and SUSTAINABILITY**

The applicant has agreed to be in substantial compliance with the City of Chicago's Landscape Ordinance. Three new parkway trees will be installed in pits at grade along the West Diversey Parkway. In addition the proposed building in Subarea A project will achieve basic L.E.E.D Certification as defined by the U.S. Green Building Council for new construction projects. In addition the building will have a 50% green roof comprised of space located on the roof.

### **BULK/USE/DENSITY**

The Plan Development permits a maximum F.A.R of 5.0. The building will remain consistent in bulk, scale and density with the greater surrounding area. The applicant is providing the required parking ratio of 1 – to – 1 ratio for dwelling units to parking spaces pursuant to section 17-10-0207-C.

The Brewster Building (a Chicago Landmarked building) is adjacent to the existing building within Subarea B and is of similar height and scale as the proposed 11-story mixed use building to be located in Subarea A. No work is contemplated at this time for the building in Subarea B.

### **RECOMMENDATION**

The Department of Planning and Development has reviewed the project materials submitted by the Applicant and have concluded that the proposed development would be appropriate for the site for the following reasons:

1. The project complies with the Standards and Guidelines for Planned Developments in the Zoning Ordinance (Section 17-8-0900).

Compliance with Zoning. The proposed Planned Development would not increase the maximum Floor Area Ratio (F.A.R.) stipulated under the dash-5 District but would remain consistent with the surrounding community. This project would have similar uses as the surrounding areas, which include residential, commercial and accessory parking spaces.

2. The public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy. The proposed Planned Development has been reviewed by the Chicago Department of Transportation and all requested changes have been made; and
3. Motor vehicle parking would be accessed from an existing public alley located directly to the rear of the building. An overhead door leading to a ramp allows vehicular traffic into the second and third floor parking levels.

Pedestrian/vehicle conflicts will be minimized by the significant setback of the parking entrance door, providing a greater sight angle for drivers entering the building; and

4. Pedestrian Orientation. The proposed project will allow unimpeded pedestrian flow on West Diversey Parkway and separate the vehicular by allowing only access from the public alley.

5. Copies of the application have been circulated to other City departments and agencies and no comments have been received; the project will comply with the requirements for access in case of fire and other emergencies.
6. The proposed development is compatible with the character of the surrounding area in terms of uses, density, and building scale.

The proposed Planned Development would be consistent in bulk, density, and Floor Area Ratio (F.A.R.) with the surrounding area. The proposed project will remain with a maximum total Floor Area Ratio (F.A.R.) to 5.0. This project has similar uses as the surrounding area, which includes residential, commercial, and accessory parking. The height of the 11-story (135'-4") mixed-use building will be consistent and is within the context of the surrounding area.

The Department of Planning and Development has reviewed the project materials submitted by the applicant for Lakefront application No. 669 and has concluded that this proposal would be in compliance with the applicable Policies of the Lakefront Plan of Chicago and the Purposes of the Lake Michigan and Chicago Lakefront Protection Ordinance, as they apply to development in the Private-Use Zone, specifically:

- Policy No. 3 (Continue to improve the water quality and ecological balance of Lake Michigan) and Purpose No. 3 (To maintain and improve the quality of the waters of Lake Michigan):

A vegetated green roof system and on-site storm water retention systems will reduce storm water run-off. All sanitary and storm water runoff will be directed to the City's sewer system and will not enter Lake Michigan.

- Policy No. 8 (Increase personal safety)

The project will maintain and possibly enhance pedestrian activity near the subject site. Additionally, the completion of the previously stalled project will provide a better aesthetic quality for the adjacent properties and for the pedestrians walking through the area.

- Policy No. 10 (To ensure a harmonious relationship between the lakeshore parks and the community edge, but in no instance will private development be permitted east of Lake Shore)

The proposed development falls within the Private-Use Zone of the Lake Michigan and Chicago Lakefront Protection District and has been and will continue to be consistent and conform to the District's restrictions and regulations. The site will be developed with an 11-story, 53 dwelling unit building that is within the context of the surrounding neighborhood and will continue to maintain this harmonious relationship.



- Policy No. 14 (Coordinate all public and private development within the water, park and community zones)

The applicant is committed to working with the community to ensure that the proposed development of the subject property will have minimal impact on the surrounding neighborhood.

- Purpose No. 10 (To insure that development of properties adjacent to the Lake or Lakefront Parks is so defined as to implement the above-stated purposes).

The proposed project will be constructed in accordance with all applicable provisions of the Chicago Zoning Ordinance and Building Code.

With respect to the Policies and Purposes not enumerated here, the Department of Planning and Development has determined that they are either not applicable to development in the Private-Use Zone or that the proposed project will not have a detrimental effect on the Lake Michigan shoreline or any wildlife habitats therein. The proposed project is separated from the shoreline, does not contemplate the introduction of new roadways, does not reduce existing open space and does not interfere with existing access to, or use of, Lake Michigan and its park system.

Based on the foregoing, it is the recommendation of the Department of Planning and Development that the revised application for a Residential Business Planned Development and Lake Michigan and Chicago Lakefront Protection Ordinance (Application No. 669) be approved and that the recommendation to the City Council Committee on Zoning, Landmarks and Building Standards is: "As Amended, Passage Recommended."

Department of Planning and Development  
Bureau of Zoning and Land Use



DEPARTMENT OF PLANNING and DEVELOPMENT  
CITY OF CHICAGO

RESOLUTION

RESIDENTIAL BUSINESS PLANNED DEVELOPMENT  
AND LAKEFRONT APPLICATION NO. 669

506-514 WEST DIVERSEY PARKWAY

- WHEREAS,** The applicant, BRODER DIVERSEY, LLC, proposes to establish a Residential Business Planned Development and proposes to construct a mixed-use multi-story building with 53 dwelling units, ground floor commercial space, and 53 accessory parking spaces. The site is improved by a 3-story residential and commercial building with 3 dwelling units. The site is currently zoned B3-5, Community Shopping District and the applicant proposes to rezone the site to a Residential Business Planned Development;
- WHEREAS,** This development is being submitted by the applicant as a mandatory planned development application and an application for a Planned Development was introduced to the City Council on May 20, 2015. The site is located in the Private Use Zone of the Lake Michigan and Chicago Lakefront Protection District and an application was filed with the Department on May 13, 2015; and
- WHEREAS,** proper legal notice of the hearing before the Chicago Plan Commission was published in the Chicago Sun-Times on August 5, 2015. The proposed Zoning Application was considered at a public hearing by this Plan Commission on August 20, 2015. The Applicant was separately notified of this hearing; and
- WHEREAS,** the Plan Commission has reviewed the applications with respect to the provisions of the Chicago Zoning Ordinance and finds that the proposal will be consistent with said provisions; and
- WHEREAS,** the Department of Planning and Development recommended approval of the applications, with the recommendation and explanation contained in the written report dated August 20, 2015, a copy of which is attached hereto and made a part hereof; and

FINAL

**WHEREAS**, the Chicago Plan Commission has fully reviewed the applications and all informational submissions associated with the proposed amendment, the report and recommendation of the Commissioner of the Department of Planning and Development, and all other testimony presented at the public hearing held on August 20, 2015 giving due and proper consideration to the Chicago Zoning Ordinance; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:**

1. THAT the final application dated August 20, 2015 be approved as being in conformance with the provisions, terms and conditions of the corresponding Zoning application; and
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final zoning application dated August 20, 2015; and
3. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Chicago Plan Commission regarding the zoning map amendment for a Residential Business Planned Development and the Lakefront Protection Ordinance application.



~~Martin Cabrera, Jr.~~ SMITH N. SMITH  
Chairman  
Chicago Plan Commission

Approved: August 20, 2015  
RBPD No. \_\_\_\_\_

RECEIVED

MAY 26 2015

Initial: PLM/lw

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

#18382  
Intro DATE?  
MAY 20, 2015

RECEIVED

AUG 20 2015

Initial: Foul. W

1. ADDRESS of the property Applicant is seeking to rezone:

506-514 West Diversey Parkway

2. Ward Number that property is located in: 44th Ward

3. APPLICANT Broder Diversey LLC

ADDRESS 15 Broad Street

CITY Boston STATE MA ZIP CODE 02109

PHONE (617)292-2009 CONTACT PERSON Mark Kozlowski

4. Is the applicant the owner of the property? YES  NO

If the applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the applicant to proceed.

**\*\*Note: The applicant owns the property located at 508-514 West Diversey. The following entity owns the property located at 506 West Diversey.**

OWNER LA Commercial, L.L.C.

ADDRESS 65 E. Wacker Place, Suite 2300

CITY Chicago STATE IL ZIP CODE 60601

PHONE 312-460-8870 CONTACT PERSON David Aufrecht

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:

ATTORNEY DLA Piper LLP (US), Attn: Paul Shadle & Katie Jahnke Dale

ADDRESS 203 North LaSalle, Suite 1900

CITY Chicago STATE IL ZIP CODE 60601

PHONE (312) 368-3493 / -2153 FAX (312) 251-2856

EMAIL paul.shadle@dlapiper.com / katie.dale@dlapiper.com

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.) please provide the names of all owners as disclosed on the Economic Disclosure Statements:

See attached economic disclosure statements.

7. On what date did the owner acquire legal title to the subject property? November 2014 / July 2013

8. Has the present owner previously rezoned this property? If yes, when? No

9. Present Zoning District B3-5 Community Shopping District

Proposed Zoning District Residential Business Planned Development

10. Lot size in square feet (or dimensions) 15,000 sf

11. Current Use of the Property Commercial/Residential/Surface Parking Lot

12. Reason for rezoning the property To allow for an approximately 11-story residential building with ground floor retail containing up to 6.3 FAR and up to 53 dwelling units.

13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC)

The Applicant requests a rezoning of the subject property from the B3-5 Community Shopping District to a Residential Business Planned Development, to allow an approximately 11-story residential building containing up to 6.3 FAR, 53 dwelling units, ground floor retail and accessory uses, as set forth in the enclosed project narrative and plans.

14. On May 14<sup>th</sup>, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See fact Sheet for more information) subsequent

YES \_\_\_\_\_ NO X

RECEIVED

RECEIVED

MAY 13 2015

AUG 20 2015

Initial: Peterson (6)

APPLICATION NUMBER 669

CITY OF CHICAGO  
AN APPLICATION TO THE CHICAGO PLAN COMMISSION UNDER THE LAKE MICHIGAN AND CHICAGO LAKEFRONT PROTECTION ORDINANCE

(This Application Must Be Typewritten)

The Chicago Plan Commission has provided this Application Form in accordance with Section 194B-6.1 (a) of the Lake Michigan and Chicago Lakefront Protection Ordinance. The Conditions under which the provisions of this Ordinance are applicable are stated in Section 194B-5.1 of the Ordinance. The process of Plan Commission review and public hearing on each proposal within the Lake Michigan and Chicago Lakefront Protection District will commence with the Applicant's submission to the Chicago Plan Commission of a completed Application Form and the required proof of notice. Strict compliance with Section 194B-6.1(c) is required.

The staff of the Department of Planning is available to provide technical assistance to the Applicant, before preparation of his application, during the processing stages, and to review the application at submission to the Chicago Plan Commission. Copies of the Ordinance and this Application Form and examples of forms for both notification and proof of notice, are available from the Commissioner of Planning, in Room 1003, Lakefront Unit, City Hall, 121 N. LaSalle Street, Chicago, Illinois 60602. Phone 744-6551.

This Application Form consists of Five Parts on 17 pages:

- Part One: General Information
- Part Two: Character of Proposal
- Part Three: Zoning Information
- Part Four: Potential Impact of Proposal (2 Sections)
- Part Five: Disclosure Forms (6 Sections)

A copy of this Application will be available for public inspection in the office of the Commissioner of Planning, Room 1000, five days prior to the date of which the public hearing on this Application before the Chicago Plan Commission is to commence.

-SECTION BELOW FOR OFFICE USE ONLY-

Date of receipt in DP: _____ in Bldgs: _____	ZBA action necessary? _____ yes _____ no: Type and Status: _____
Date of Applicant Notice To taxpayers of record: _____	Disclosure necessary? _____ yes _____ no
Date set for public hearing: _____	Simultaneous Planned Development processing _____ yes _____ no
Date on which Plan Commission published newspaper notice: _____	Previous Application this address? _____ yes _____ no; number: _____
Date of publication of report of Commissioner of DP: _____	Zoning map amendment? _____ yes _____ no: # _____
Date forwarded to: DIS _____ DSS _____ DPW _____ Pk D. _____ Other _____	DISPOSITION Approved _____ Disapproved _____ Continued _____, to: _____ Date Applicant notified of decision: _____

Address: 508-514 West Diversey, Chicago, Illinois

## GUIDELINES FOR COMPLETING PART ONE OF THE APPLICATION

Part One of this Application provides general information to the Plan Commission for use in preparing its public notices of the proposal set forth in the Application and in preparing its review of that proposal.

1. The date entered in I. should be the date on which the Application is filed.
2. The location of the site of the proposal should be given by street address; if there is no address, the location must be described in relation to existing streets, rights-of-way or other fixed points of reference.
3. The Applicant must state his own name, address and telephone number and the name, address and telephone number of the owner of the subject property. The Applicant must be either the owner of the subject property or his duly authorized agent or representative, and, if the Applicant is an agent or representative, the Applicant must submit proof to the Commission that he is authorized to represent the owner of the subject property.

Whenever the ownership of the subject property is complex – a partnership, corporation, land trust or association – the Applicant shall so indicate. Further, the Commission may require disclosure of all real parties of interest in the subject property.

4. The description of a proposal should include, at a minimum, types of land uses and space uses, floor area, number of dwelling units and height of proposed structures in feet or stories. Additional concise information may also be included.
5. Under the provisions of Section 194B-6.1(c) of the Lake Michigan and Chicago Lakefront Protection Ordinance, the Applicant must submit to the Commission at the time of filing an Application a list of the names and last known addresses of the owners of all property on which notice must be served, the method of service employed, the names and addresses of persons so served, and a statement certifying that the Applicant has complied with the noticing provisions of Section 194B-6.1(c) of the Lake Michigan and Chicago lakefront Protection Ordinance. The Commission will not accept an application unless and until the Applicant furnishes the required list and certificate.
6. If there are any other approvals required from other public agencies before the Applicant can proceed with his proposal, they should be listed; except that other City of Chicago licenses and permits may be omitted as items requiring listing herein. If no other approvals are required, enter "NONE" under VI A. Examples of items which should be listed include approval of FHA financing, a U.S. Corps of Engineers permit, Federal Aviation Authority Approval, among others.

Address: 508-514 West Diversey, Chicago, Illinois

PART ONE: GENERAL INFORMATION

I. Date of Application: May 13, 2015  
Address or location of the Site of the Proposal: 508-514 West Diversey

II. Information on the Applicant and the Owner

A. Applicant

1. Name: Broder Diversey LLC Phone: (617)292-2009  
2. Address: 15 Broad Street, Boston, MA 02109

B. Owner

1. Name: Same as Applicant Phone: \_\_\_\_\_  
2. Address: \_\_\_\_\_

C. If the Applicant is not the owner, check here  that proof has been attached to this Application that the Applicant is the duly authorized agent or representative of the owner.

D. If the ownership of the subject property is complex, the Applicant shall indicate the type of ownership:

- |                      |                                     |
|----------------------|-------------------------------------|
| 1. _____ Land Trust  | 2. _____ Partnership or Association |
| 3. _____ Corporation | 4. _____ Units of Local Government  |

III. Brief Description of the Proposal: See Part Two, Figure 6 for project narrative.

IV. The noticing provisions of Section 16-4-100 have been completed as they apply to the Applicant: Check here .

V. The Applicant must also obtain the following approvals in addition to the approval of the Plan Commission:

A. Nature of Approval: Planned Development Approval

Agency: Department of Planning and Development

B. Nature of Approval: \_\_\_\_\_

Agency: \_\_\_\_\_

C. Nature of Approval: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: 508-514 West Diversey, Chicago, Illinois



## GUIDELINES FOR COMPLETING PART TWO OF THE APPLICATION

All graphic materials must be submitted in an 8.5" x 11" format and must be suitable for clear and sharp, black and white reproduction. Each map or diagram should have a scale and a north arrow. Each sheet of graphic material must be labeled with the appropriate figure number. If there are multiple sheets comprising one figure – for example figure 4 – those sheets should be labeled consecutively, for example Figure 4-1, Figure 4-2, etc., and each sheet should contain the address of the site of the proposal in the lower left corner.

For Figure 1, the Applicant should consider the "vicinity of the site" to be at least as extensive as the area for which he is required to give notice plus any intervening streets or other public rights-of-way.

For Figures 3 and 4, the Applicant should consider that "recreation areas" and "recreation space and facilities" include game courts, swimming pools and pool areas, game rooms, exercise rooms, party rooms, community rooms, observation decks and sun decks.

The required narrative statement should describe the features of the proposed development, including size and mix of dwelling units, mix of uses on the site, etc. It should present a basic rationale for the development.

For Figure 6, the Applicant is urged to provide any materials at 8.5" x 11" which will facilitate the review of his Application.

## PART TWO: CHARACTER OF THE PROPOSAL

This portion of the Application must be completed by attaching the following items, correctly sized and labeled, to the Application:

- I. Figure 1: A Map of the Vicinity of the Site, showing Lake Michigan, lakefront parks, preferential streets, schools, parks, major institutions. All streets on this map should be named, and the outline and height on all structures on properties immediately adjacent to the site of the proposal must be shown.
- II. Figure 2: A Map of the Existing Site, showing locations and dimensions of lot lines; contour intervals (5-foot) ; existing structures, walkways, driveways, special features.
- III. Figure 3: The Proposed Site Plan, showing locations and dimensions of proposed structures, driveways and walkways; proposed exterior parking areas; proposed exterior open space and recreation areas.
- IV. Figure 4: Proposed Floor Plans, including the ground floor, a typical floor, and floor with recreation space or facilities.
- V. Figure 5: An Elevation or Cross-section, showing the height and number of stories for all proposed structures.
- VI. Figure 6: Narrative: A Statement Describing the Proposed Development.

In addition, the Applicant is encouraged to provide additional graphic materials, visual aids; e.g., photographs, renderings, data tables, among others. Any such exhibits shall be labeled Figure 6.

Address: 508-514 West Diversey, Chicago, Illinois

## **PART TWO: CHARACTER OF THE PROPOSAL**

### **FIGURE 6 - NARRATIVE**

Broder Diversey LLC (the "Applicant") proposes the construction of a new 5-story building with ground-floor commercial uses and 53 dwelling units. The subject property is bounded by West Diversey Parkway on the south, a public alley on the north and existing buildings to the east and west. Currently, the property is used as a surface parking lot.

The proposed building will contain approximately 70,000 FAR square feet. The building will provide a number of amenities, including a 50% green roof. The proposal utilizes high-quality construction to put this underutilized property to productive use in a manner that fits with the surrounding context within the private lakefront zone.

Address: 508-514 West Diversey, Chicago, Illinois

PART THREE:

ZONING INFORMATION

The Applicant shall provide the basic data on zoning considerations for the site of the proposal. Calculations may be shown below on this page and on page 8.

I. Is a planned ~~development~~ ordinance or an amendment to an existing planned development required or permitted for the subject site?

X Required \_\_\_\_\_permitted \_\_\_\_\_ no

If a planned development approach is required, or if it is permitted and the Applicant chooses to seek a planned development amendment, the Applicant is not required to complete the remainder of Part Three of this Application Form.

II. Is Zoning Board of Appeals approval a variation or a special use either necessary or contemplated in relation to the Applicant's proposal? \_\_\_\_\_ yes \_\_\_\_\_ no.

If "yes," please explain the nature of the approval.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

III. Net Site Area and Existing Zoning District Classification (list that portion of the net site area in each):

<u>District Classification</u>	<u>Area</u>
A. _____	_____ sq. ft.
B. _____	_____ sq. ft.
C. _____	_____ sq. ft.
D. Total Net Site Area:	_____ sq. ft.

IV. Dwelling Units

A. Maximum units allowed

1. Without efficiency units: \_\_\_\_\_.
2. With maximum percent of efficiency units: \_\_\_\_\_.

B. Proposed number of units

1. Dwelling units: \_\_\_\_\_.
2. Efficiency Units: \_\_\_\_\_.
3. Total Units: \_\_\_\_\_.

Address: 508-514 West Diversey, Chicago, Illinois

C. Does the Applicant intend to increase allowable floor area by reducing the number of units constructed below the maximum allowed?  
\_\_\_\_\_ yes \_\_\_\_\_ no.

If "yes" there will be \_\_\_\_\_ units fewer than the maximum allowed, and the Floor Area Ratio for the site will be increased by \_\_\_\_\_

V. Bulk

A. Base Floor Area Ratio (F.A.R.), without bonuses: \_\_\_\_\_

B. Proposed F.A.R., include all bonuses: \_\_\_\_\_

C. List all bonuses used in computing B., above:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

D. Proposed Floor Area: \_\_\_\_\_ sq. ft.

E. Percentage of floor area devoted to interior recreation space, meeting rooms, etc.:  
\_\_\_\_\_ %.

VI. Off-street Parking and Loading

	<u>Minimum</u>	<u>Proposed</u>
A. Parking Spaces	_____	_____
B. Loading Docks	_____	_____

VII. Setbacks

Address: 508-514 West Diversey, Chicago, Illinois

## PART FOUR: POTENTIAL IMPACT OF THE PROPOSAL

The Chicago Plan Commission requires that the Applicant address the Fourteen Basic Policies of the Lakefront Plan Of Chicago and the Thirteen Purposes of the Lake Michigan and Chicago Lakefront Protection Ordinance, as listed below, in a written statement to the Commission attached to this Application Form and labeled Part Four. The statement should indicate which policies or purposes are or are not applicable to the Applicant's proposal, and, for those policies and purposes which are applicable, the statements should discuss the potential impact of the proposal.

### 1. Fourteen Basic Policies

1. Complete the publicly owned and locally controlled park system along the entire Chicago lakefront.
2. Maintain and enhance the predominantly landscaped, spacious and continuous character of the lake shore parks.
3. Continue to improve the water quality and ecological balance of Lake Michigan.
4. Preserve the cultural, historical, and recreational heritage of the lakeshore parks.
5. Maintain and improve the formal character and open water vista of Grant Park with no new above-ground structures permitted.
6. Increase the diversity of recreational opportunities while emphasizing the lake-oriented leisure time activities.
7. Protect and develop natural lakeshore park and water areas for wildlife habitation.
8. Increase personal safety.
9. Design all lake edge and lake construction to prevent detrimental shoreline erosion.
10. Ensure a harmonious relationship between the lakeshore parks and the community edge, but in no instance will further private development be permitted East of Lake Shore Drive.
11. Improve access to the lakeshore parks and reduce through vehicular traffic on secondary park roads.
12. Strengthen the parkway characteristics of Lake Shore Drive and prohibit and roadway of expressway standards.
13. Ensure that all port, water supply, and public facilities are designed to enhance lakefront character.
14. Coordinate all public and private development within the water, park, and community zones.

Address: 508-514 West Diversey, Chicago, Illinois

## PART FOUR: POTENTIAL IMPACT OF THE PROPOSAL

### II. Thirteen Purposes

1. To promote and protect the health, safety, comfort, convenience, and the general welfare of the people, and to conserve our natural resources;
2. To identify and establish the Lake Michigan and Chicago Lakefront Protection District and to divide that District into several zones wherein any and all development or construction, as specified in Article V hereinafter, shall be specifically restricted and regulated;
3. To maintain and improve the purity and quality of the waters of Lake Michigan;
4. To insure that construction in the Lake or modification of the existing shoreline shall not be permitted if such construction or modification would cause environmental or ecological damage to the Lake or would diminish water quality; and to insure that the life patterns of fish, migratory birds and other fauna are recognized and supported;
5. To insure that the Lakefront Parks and the Lake itself are devoted only to public purposes and to insure the integrity of and expand the quantity and quality of the Lakefront Parks;
6. To promote and provide for continuous pedestrian movement along the shoreline;
7. To promote and provide for pedestrian access to the Lake and Lakefront Parks from and through areas adjacent thereto at regular intervals of one-fourth mile and additional places wherever possible, and to protect and enhance vistas at these locations and wherever else possible;
8. To promote and provide for improved public transportation access to the Lakefront;
9. To insure that no roadway of expressway standards, as hereinafter defined, shall be permitted in the Lakefront Parks;
10. To insure that development of properties adjacent to the lake or the Lakefront Parks is so defined as to implement the above-stated purposes, provided, however, that with respect to property located within the Private Use Zone as established by Article V, VI, and IX of this Ordinance, the permitted use, special use, lot area per dwelling unit, and floor area ratio provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, shall govern except where such provisions are in substantial conflict with the purposes of this Ordinance or the Fourteen Basic Policies of the Lakefront Plan of Chicago;
11. To achieve the above-stated purposes, the appropriate public agency should acquire such properties or rights as may be necessary and desirable;
12. To define and limit the powers and duties of the administrative body and officers as provided herein;
13. Nothing contained in the Lake Michigan and Chicago Lakefront Protection Ordinance shall be deemed to be a waiver or consent, license or permit to use any property or to locate, construct or maintain any building, structure or facility or to carry on any trade, industry, occupation or activity which may be otherwise required by law.

Address: 508-514 West Diversey, Chicago, Illinois

## PART FOUR: POTENTIAL IMPACT OF THE PROPOSAL

### FOURTEEN POLICIES

1. **Complete the publicly owned and locally controlled park system along the entire Chicago lakefront.**

The proposed development is on private property in the Private Use Zone and will have no adverse impact on pursuit of this policy.

2. **Maintain and enhance the predominately landscaped, spacious and continuous character of the lake shore parks.**

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this policy.

3. **Continue to improve the water quality and ecological balance of Lake Michigan.**

The proposed development includes storm water management features such as green roof areas. The green roof areas help remove suspended solids from storm water and improve the quality of the water that may enter the combined city sewer system.

4. **Preserve the cultural, historical, and recreational heritage of the lakeshore parks.**

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this policy.

5. **Maintain and improve the formal character and open water vista of Grant Park with no new above-ground structures permitted.**

The proposed development is in the Private Use Zone and not in Grant Park and will have no adverse impact on pursuit of this policy.

6. **Increase the diversity of recreational opportunities while emphasizing lake-oriented leisure time activities.**

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this policy.

7. **Protect and develop natural lakeshore park and water areas for wildlife habitation.**

The proposed development is on private property in the Private Use Zone and will have no adverse impact on pursuit of this policy.

8. **Increase personal safety.**

Currently the property is utilized as a surface parking lot. The development will put this property to productive use and increase the personal safety of the neighborhood.

Address: 508-514 West Diversey, Chicago, Illinois



**9. Design all lake edge and lake construction to prevent detrimental shoreline erosion.**

The proposed development is not located on the lake edge or within the lake.

**10. Ensure a harmonious relationship between the lakeshore parks and the community edge, but in no instance will further private development be permitted east of Lake Shore Drive.**

The proposed new building is west of Lake Shore Drive, within the Private Use Zone.

**11. Improve access to the lakeshore parks and reduce through vehicular traffic on secondary park roads.**

The Applicant has been working with CDOT to ensure that its vehicular traffic will not impede pedestrian and vehicular access to the lakefront. Further, the proposed development will activate a currently underutilized parcel on Diversey Avenue, improving the pedestrian experience leading to the lake and lakefront parks.

**12. Strengthen the parkway characteristics of Lake Shore Drive and prohibit any roadway of expressway standards.**

The proposed development will have no adverse impact on pursuit of this policy.

**13. Ensure that all port, water supply, and public facilities are designed to enhance lakefront character.**

The proposed development is in the Private Use Zone and includes no port, water supply or other public facilities.

**14. Coordinate all public and private development within the water, park and community zones.**

The proposed development fits within the surrounding context, which is characterized by other commercial and residential buildings.

**THIRTEEN PURPOSES**

**1. To promote and protect the health, safety, comfort, convenience, and the general welfare of the people, and to conserve our natural resources;**

The building is planned to achieve LEED certification, with multiple features that will assist in conserving our natural resources, and will include a 50% green roof.

**2. To identify and establish the Lake Michigan and Chicago Lakefront Protection District and to divide that District into several zones wherein any and all development or construction, as specified in Article V hereinafter, shall be specifically restricted and regulated;**

Address: 508-514 West Diversey, Chicago, Illinois

This purpose does not apply to individual projects.

**3. To maintain and improve the purity and quality of the waters of Lake Michigan;**

The proposed development will utilize environmentally friendly features, including a 50% green roof and LEED certification, and will have no negative impact on the waters of Lake Michigan.

**4. To insure that construction in the Lake or modifications of the existing shoreline shall no be permitted if such construction or modification would cause environmental or ecological damage to the Lake or would diminish water quality; and to insure that the life patterns of fish, migratory birds and other fauna are recognized and supported;**

The proposed development involves no construction in the lake or modifications of the existing shoreline.

**5. To insure that the Lakefront Parks and the Lake itself are devoted only to public purposes and to insure the integrity of and expand the quantity and quality of the Lakefront Parks;**

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this policy.

**6. To promote and provide for continuous pedestrian movement along the shoreline;**

The proposed development is in the Private Use Zone and not on the shoreline and will have no adverse impact on pursuit of this purpose.

**7. To promote and provide for pedestrian access to the Lake and Lakefront Parks from and through areas adjacent thereto at regular intervals of one-fourth mile and additional places wherever possible, and to protect and enhance vistas at these locations and wherever else possible;**

The proposed development will activate a portion of Diversey Avenue that leads to the Lake and the Lakefront Parks. This will enhance the pedestrian experience leading to the access established access points.

**8. To promote and provide for improved public transportation access to the Lakefront;**

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this purpose.

**9. To insure that no roadway of expressway standards, as hereinafter defined, shall be permitted in the Lakefront Parks;**

Address: 508-514 West Diversey, Chicago, Illinois