



City of Chicago



SO2023-45

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	1/18/2023
Sponsor(s):	Misc. Transmittal
Type:	Ordinance
Title:	Zoning Reclassification Map No. 1-G at 933-943 W Washington Blvd/11-25 N Morgan St/942-948 W Madison St/22-42 N Sangamon St - App No. 22064
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

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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 Residential-Business Planned Development No. 1385 District symbols and indications as shown on Map 1-G in the area bounded by:

West Washington Boulevard; North Sangamon Street; a line 215.33 feet south of and parallel to West Washington Boulevard; a line 125 feet west of and parallel to North Sangamon Street; a line 315.33 feet south of and parallel to West Washington Boulevard; a line 107.5 feet west of and parallel to North Sangamon Street; West Madison Street; a line 75 feet east of and parallel to North Morgan Street; a line 100 feet north of and parallel to West Madison Street; North Morgan Street; a line 165.33 feet south of and parallel to West Washington Boulevard; and a line 125 feet west of and parallel to North Sangamon Street

to those of the Residential-Business Planned Development No. 1385, as amended.

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

Address: 935-939 West Washington Blvd./ 11-19 North Morgan / 942-946 West
Madison/26-32 North Sangamon, Chicago, IL

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*Residential-Business Planned Development No. 1385,
As Amended.*

Plan of Development Statements.

1. The area delineated herein as Planned Development Number 1385, as amended (“Planned Development” or “PD”) consists of approximately 52,813 net square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the “Property”). Haymarket Apartments Joint Venture, LP is the Applicant for this Planned Development, pursuant to authorization from the Property owner.
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.
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 Planned Development.

Ingress or egress shall be pursuant to the Planned Development 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 18 Statements, a Bulk Regulations and Data Table, and the following exhibits and plans prepared by bKL Architects and dated February

Applicant: Haymarket Apartments Joint Venture, LP
Address: 935-939 West Washington Blvd/ 11-19 North Morgan / 942-946 West Madison / 26-32 North Sangamon, Chicago, IL.

Introduced: January 18, 2023
Plan Commission: February 16, 2023

Final for Publication

16, 2023 (collectively, the “Plans”): an Existing Zoning Map; a General Land-Use Map; a Planned Development Boundary and Property Line Map; a Site Plan; a Landscape Plan; Building Elevations (North, South, East and West); and Axonometric Views (Typical Base, Building and Building Top). 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: multi-family dwelling units located above the ground floor; the following uses located on the ground floor: artist work or sales space; repair and laundry service; eating and drinking establishments; food and beverage retail sales (provided any sale of liquor shall be accessory only); business support services (except day labor employment agencies); financial services (except drive-through facilities, payday/title secured loan stores and pawn shops); general retail sales; offices; personal services (including, without limitation, yoga and fitness studios); children’s play center; co-located wireless communication facilities; non-accessory parking (underground and, for above-grade parking, up to 45% pursuant to Section 17-10-0503); medical service; accessory uses and accessory parking.
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 52,813 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.
10. The Site and Landscape plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan

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Introduced: January 18, 2023
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Final for Publication

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 Commissioner of the Public Health, under Section 11-4-765, or any other provision of the Municipal Code of Chicago.
12. The terms and conditions of development under this Planned Development Ordinance may be modified administratively, pursuant to section 17-13-0611-A 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 obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated, for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
15. The Applicant acknowledges 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% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% 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

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Final for Publication

time of the Applicant's submission for Part II permit review for the project or any phase thereof, the Applicant must submit to DPD (a) updates (if any) to the Applicant's preliminary outreach plan, (b) a description of the Applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof; (c) responses to the Applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and city resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

16. The Applicant acknowledges and agrees that the rezoning of the Property from the DX-3 District to the DX-5 District then to this Residential-Business Planned Development No. 1385 triggered the requirements of Section 2-45-115 of the Municipal Code of Chicago (Affordable Requirements Ordinance or ARO). Any developer of a residential housing project within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (the Required Units) as affordable units, or with the Commissioner of the Department of Planning and Development's (DPD) approval, provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of the Required Units; or, (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the Required Units on-site or off-site. If the developer elects to provide affordable units off-site, the off-site affordable units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a higher income area, within the meaning of the ARO, and the project has a total of 358 units. As a result, the Applicant's affordable housing obligation is 36 affordable units (10% of 358, rounded up), 9 of which are Required Units (25% of 36). The Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$175,000 per unit (Cash Payment) and providing 9 affordable units in the rental building to be constructed in the PD, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit _____. The Applicant agrees that the affordable rental/for sale units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units

Applicant: Haymarket Apartments Joint Venture, LP
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Introduced: January 18, 2023
Plan Commission: February 16, 2023

Final for Publication

in the PD, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the number of required Affordable Units without amending the PD. Prior to the issuance of any building permits for any residential building in the PD, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and execute and record an affordable housing agreement in accordance with Section 2-45-115(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the PD, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 15, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the PD.

17. The Applicant acknowledges that the project has received a bonus FAR of 1.5, pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 6.5. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17.4-1003-B & C, prior to the issuance of the first building permit for any building in the Planned Development; provided, however, if the Planned Development is constructed in phases, the bonus payment may be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The bonus payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C.3

The bonus payment will be split between three separate funds, as follows: 80% to the Neighborhoods Opportunity Fund, 10% to the Citywide Adopt-a-Landmark Fund and 10% to the Local Impact Fund. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property owner to finance specific landmark restoration projects; or, (c) approve proposals for in-kind improvements to satisfy the Local Impact portion of the payment.

In this case, the Applicant will contribute the Local Impact portion of the bonus payment for construction of a STEM Lab located at Skinner West Elementary School (the "Project") The Project is located within one mile of the Planned Development site, as required by Sec. 17-4-1005-C. The Applicant must make such payment, or the applicable portion thereof in the case of a phased development, prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. The City must enter into an intergovernmental agreement regarding the manner in which the funds will be used.

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Final for Publication

18. 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 Residential-Business Planned Development No. 1385, approved on October 11, 2017..

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Final for Publication

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1385, AS AMENDED BULK REGULATIONS AND DATA TABLE

Gross Site Area (sf):	73,471
Area of Public Rights-of-Way (sf):	20,658
Net Site Area (sf):	52,813
Maximum Floor Area Ratio:	6.5
Maximum Number of Dwelling Units:	358
Minimum Off-Street Parking Spaces:	186
Minimum Off-Street Loading Spaces:	2 (10' x 25')
Maximum Building Height:	184'0"
Minimum Setbacks:	In substantial conformance with the plans
Minimum Bicycle Parking Spaces:	69

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Development Information

Address

Printed Date: 05/30/2017

Address Number From :935 Address Number To: N/A Street Direction: W
Street :Washington Street Postal Code: 60607

Development Name, if applicable

Union West

Information

Ward :25 ARO Zone: Downtown

Details

Type of city involvement :ZP
Total Number of units in development: 356
Type of development: Rent
Is this a Transit Served Location Project : N

Requirements

Required affordable units :36 Required *On-site aff. Units: 9

How do you intend to meet your required obligation

On-Site: 9 Off-Site: 0

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

Total Units Committed: 9 Remaining In-Lieu Fee Owed: 4,725,000

Summary: Union West/935 W Washington

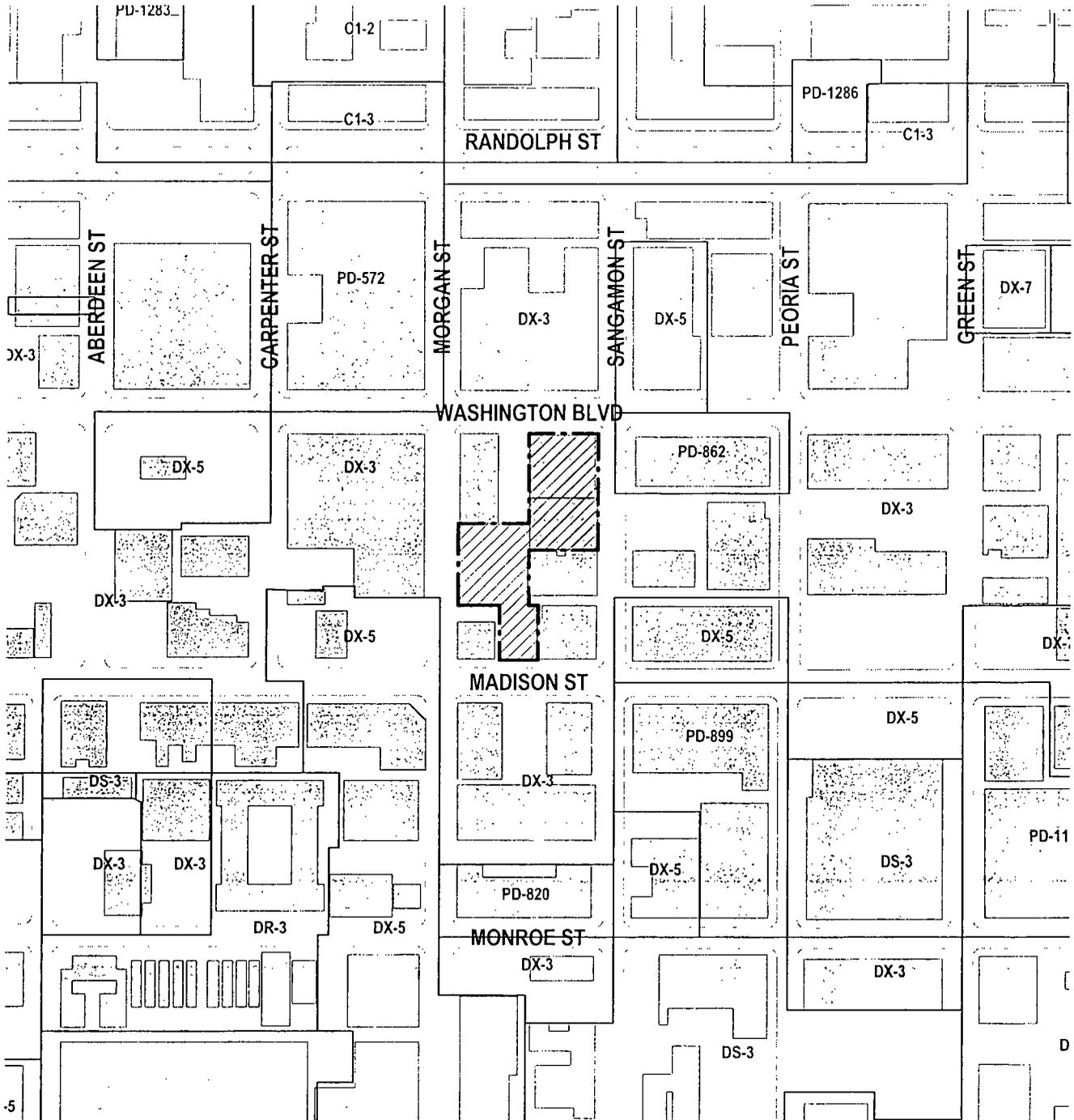
		market rate		affordable		
	how many?	% of total	avg. square footage	how many?	% of total	avg. square footage
studio	108	31%	534	3	33%	502
one-bed	187	54%	730	4	44%	658
two-bed	38	11%	1,098	1	11%	1,005
three-bed	15	4%	1,316	1	11%	1,247

All projects with proposed ARO units must complete this tab

	Market Rate Units	Affordable Units
Parking	Not included in rent	Not included in rent - but affordable tenants be eligible to lease those spaces at the same rate as market rate tenants
Laundry	In-unit	In-unit
Appliances		
Refrigerator age/EnergyStar/make/model/color	New/TBD	New/TBD
Dishwasher age/EnergyStar/make/model/color	New/TBD	New/TBD
Stove/Oven age/EnergyStar/make/model/color	New/TBD	New/TBD
Microwave age/EnergyStar/make/model/color	New/TBD	New/TBD
Bathroom(s) how many? Half bath? Full bath?	Varies	Same as market rate
Kitchen countertops material	TBD	TBD
Flooring material	Vinyl Plank	Vinyl Plank
HVAC	Central	Central
Other		

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EXISTING ZONING MAP
Scale: N.T.S.



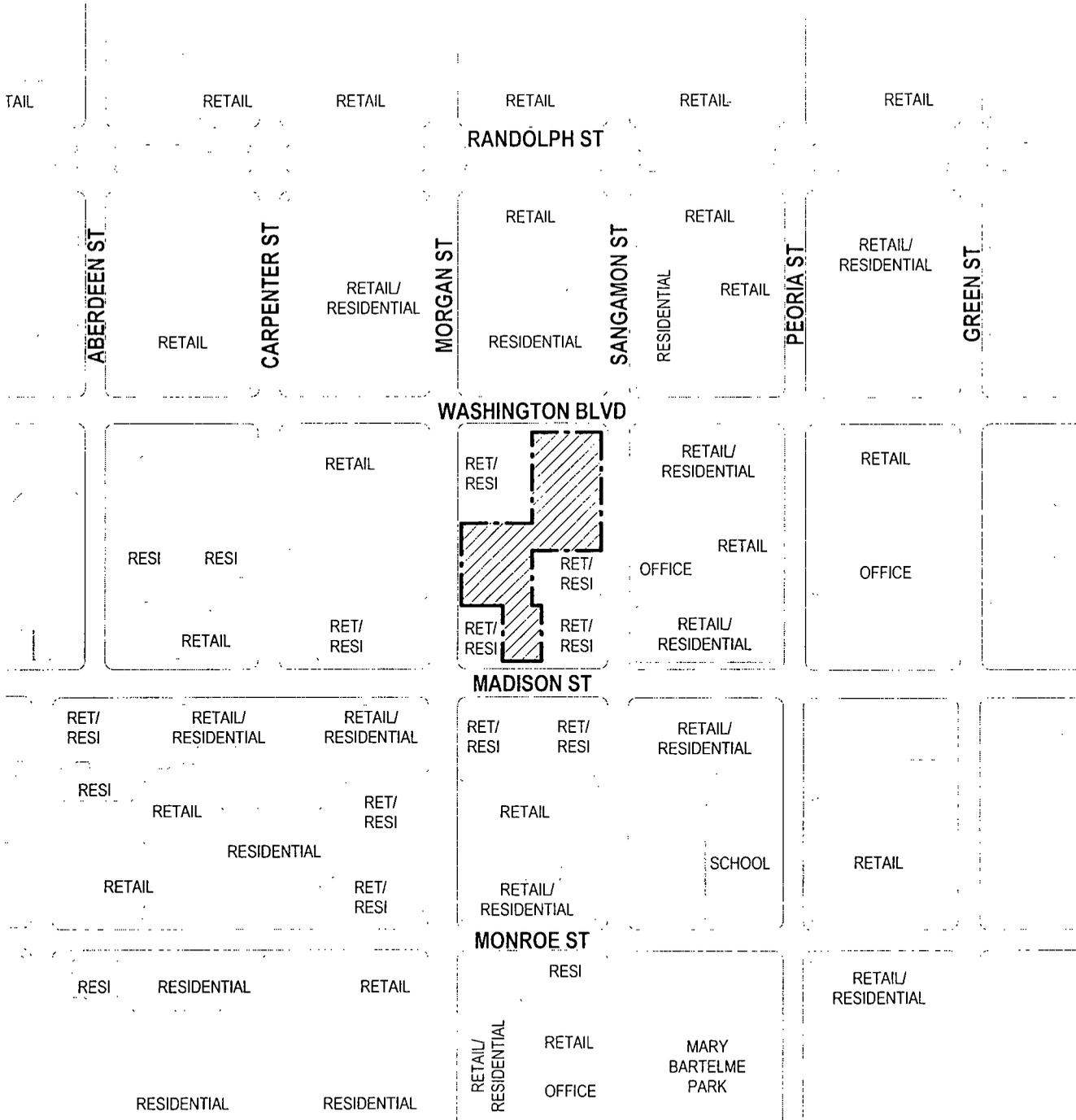
 Subject Property

 Property Line

APPLICANT: HAYMARKET APARTMENTS JOINT VENTURE, LP
ADDRESS: 935-939 WEST WASHINGTON / 11-19 NORTH MORGAN /
 942-946 WEST MADISON / 26-32 NORTH SANGAMON, CHICAGO, ILLINOIS
DATE OF INTRODUCTION: JANUARY 18, 2023
PLAN COMMISSION: FEBRUARY 16, 2023



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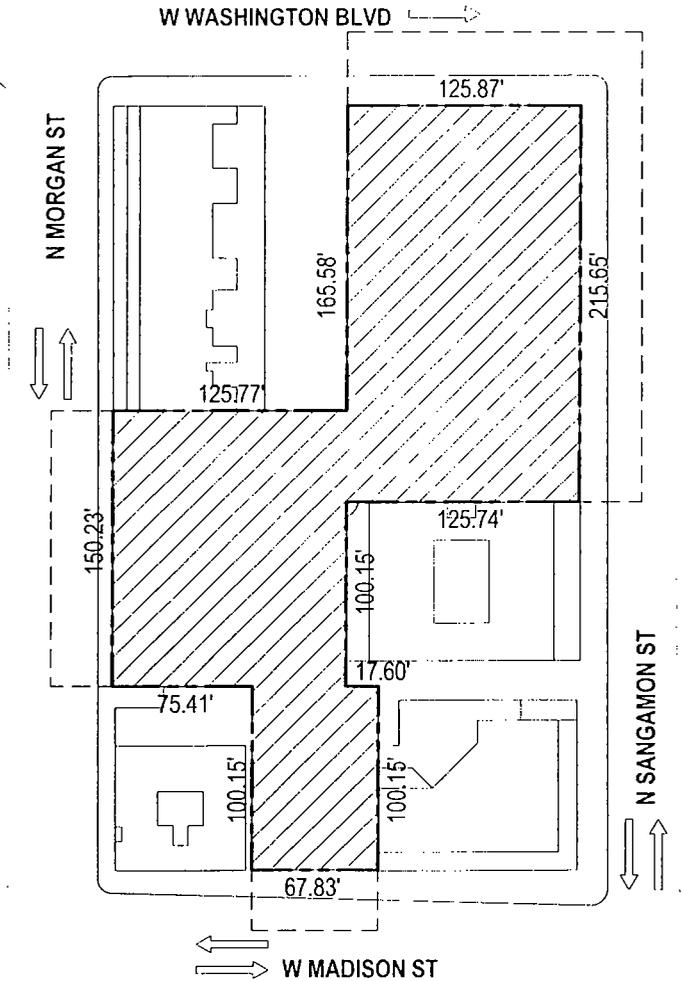
GENERAL LAND-USE MAP
Scale: N.T.S.



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 942-946 WEST MADISON / 26-32 NORTH SANGAMON, CHICAGO, ILLINOIS
DATE OF INTRODUCTION: JANUARY 18, 2023
PLAN COMMISSION: FEBRUARY 16, 2023



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Net Site Area: 52, 813 sq ft
 Area in Public Right of Way: 20, 658 sq ft
 Gross Site Area: 73, 471 sq ft

PLANNED DEVELOPMENT BOUNDARY
 AND PROPERTY LINE MAP
 Scale: N.T.S.

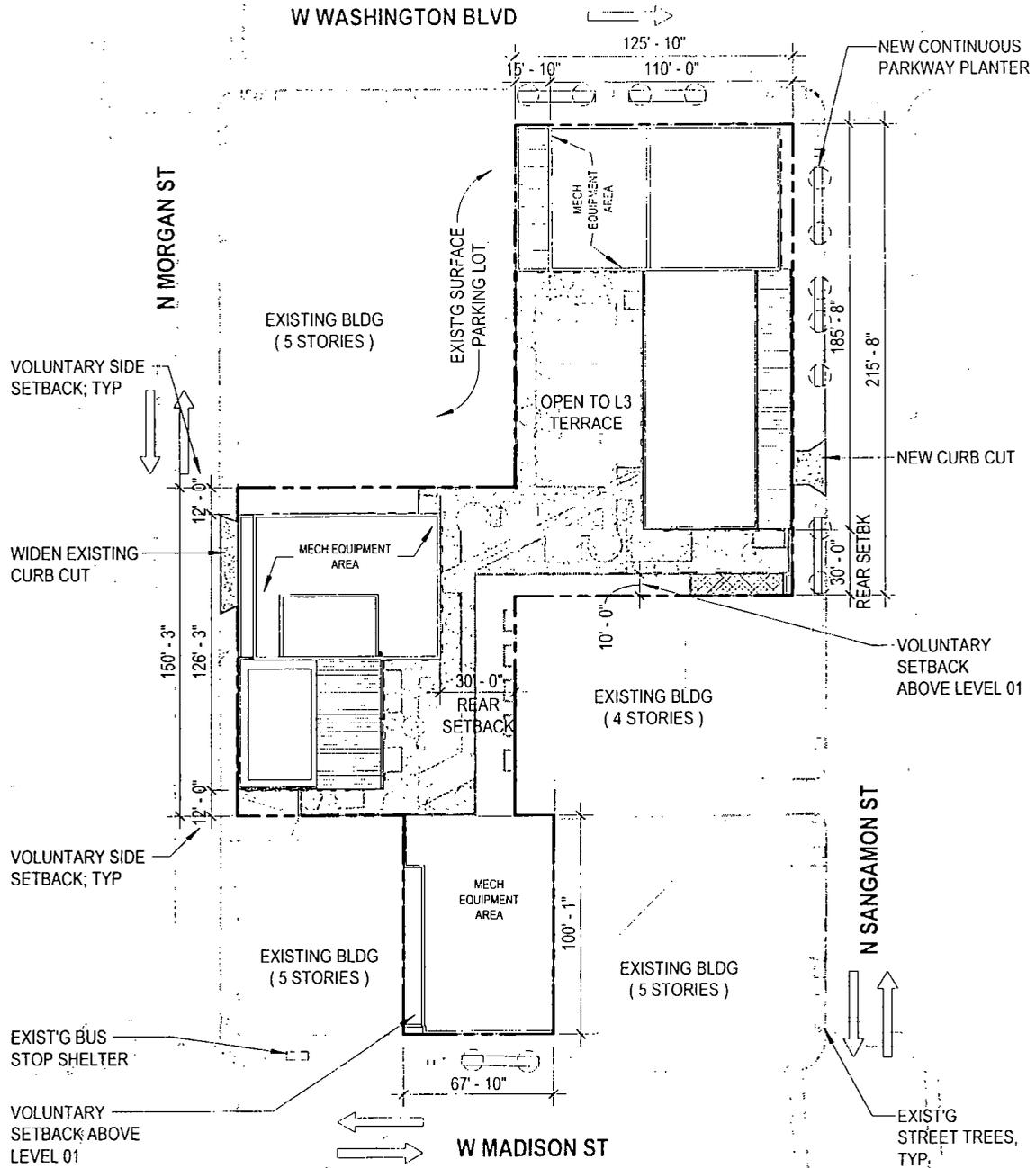


-  Subject Property
-  Property Line
-  Planned Development Boundary

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 942-946 WEST MADISON / 26-32 NORTH SANGAMON, CHICAGO, ILLINOIS
DATE OF INTRODUCTION: JANUARY 18, 2023
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SITE PLAN
Scale: N.T.S.

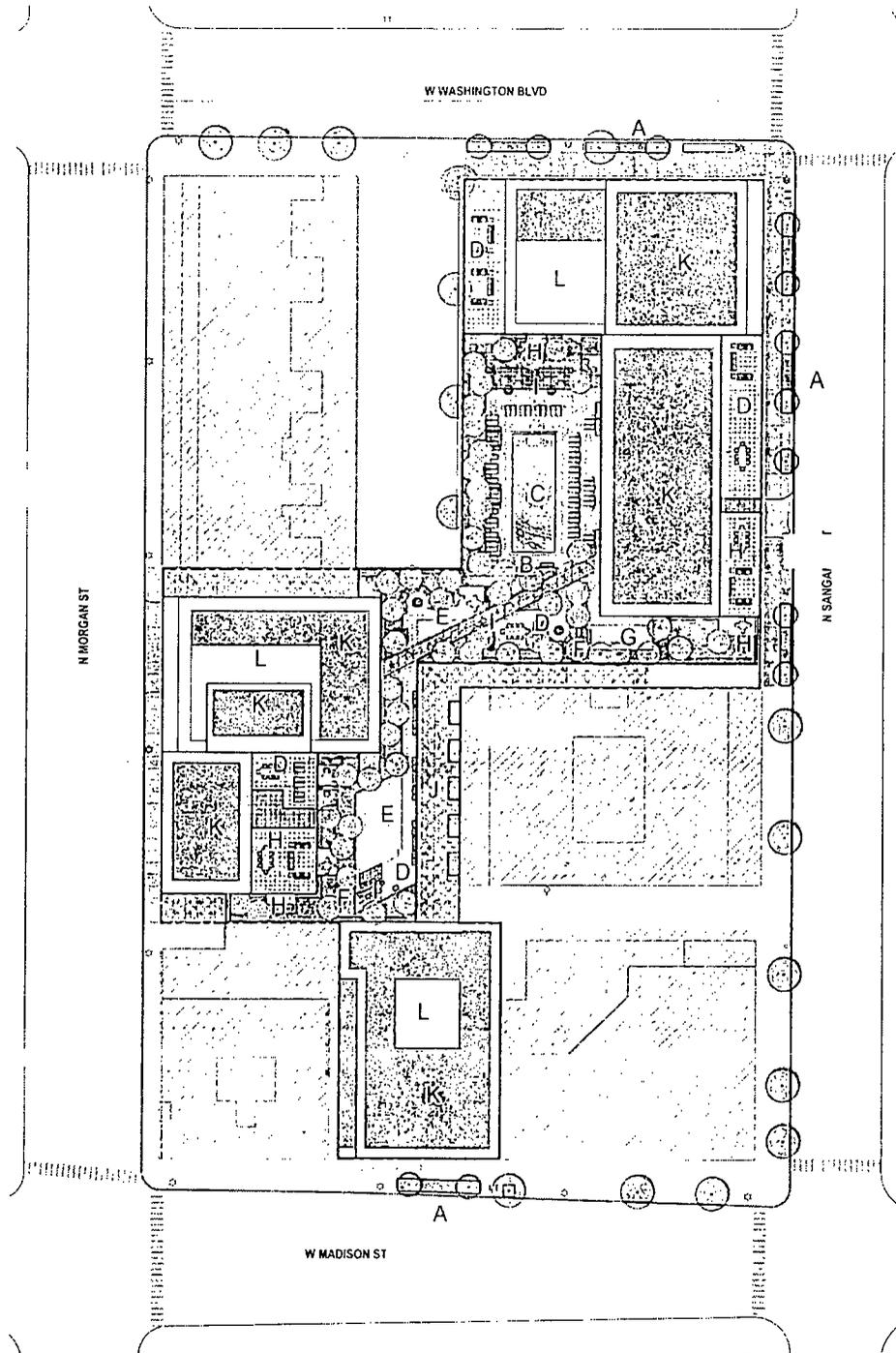


 PROPOSED PARKWAY TREES
(SEE STREESCAPE DWGS)

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 942-946 WEST MADISON / 26-32 NORTH SANGAMON, CHICAGO, ILLINOIS
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LANDSCAPE PLAN
Scale: N.T.S.



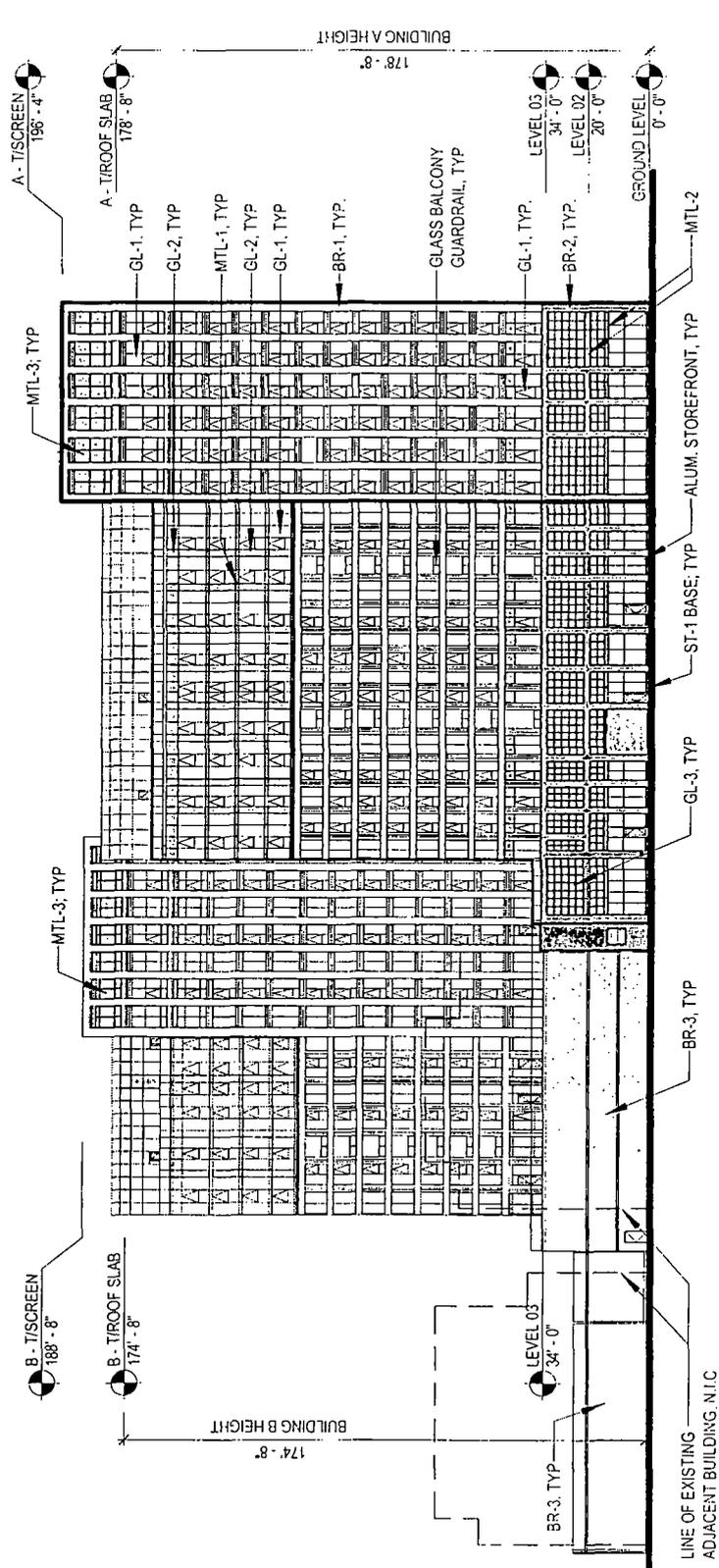
LEGEND

- | | |
|--|-------------------------------|
| A Street trees in continuous planters with perennials | G Fenced dog run |
| B Level 03 Amenity Deck | H Private patio |
| C Pool | I Covered walkway and pergola |
| D Lounge & dining terraces | J Lattice screen with vines |
| E Amenity lawn | K Sedum planting |
| F Naturalistic planting multi-stem trees, shrubs & groundcover | L Mechanical equipment |

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DATE OF INTRODUCTION: JANUARY 18, 2023
PLAN COMMISSION: FEBRUARY 16, 2023



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MATERIAL LEGEND

- BR-1 TOWER BRICK
- BR-2 PODIUM BRICK
- BR-3 PAINTED CMU
- GL-1 VISION GLASS
- GL-2 SPANDREL GLASS
- GL-3 SPANDREL GLASS
- MTL-1 SLAB EDGE COVER
- MTL-2 METAL PANEL
- MTL-3 PERFORATED METAL SCREEN
- ST-1 PRECAST STONE BASE
- ST-2 DIRECT APPLIED STUCCO w/ SMOOTH FINISH

NOTE: EXISTING BUILDING OUTLINES ARE APPROXIMATE AND BASED ON GOOGLE EARTH.

EAST BUILDING ELEVATION

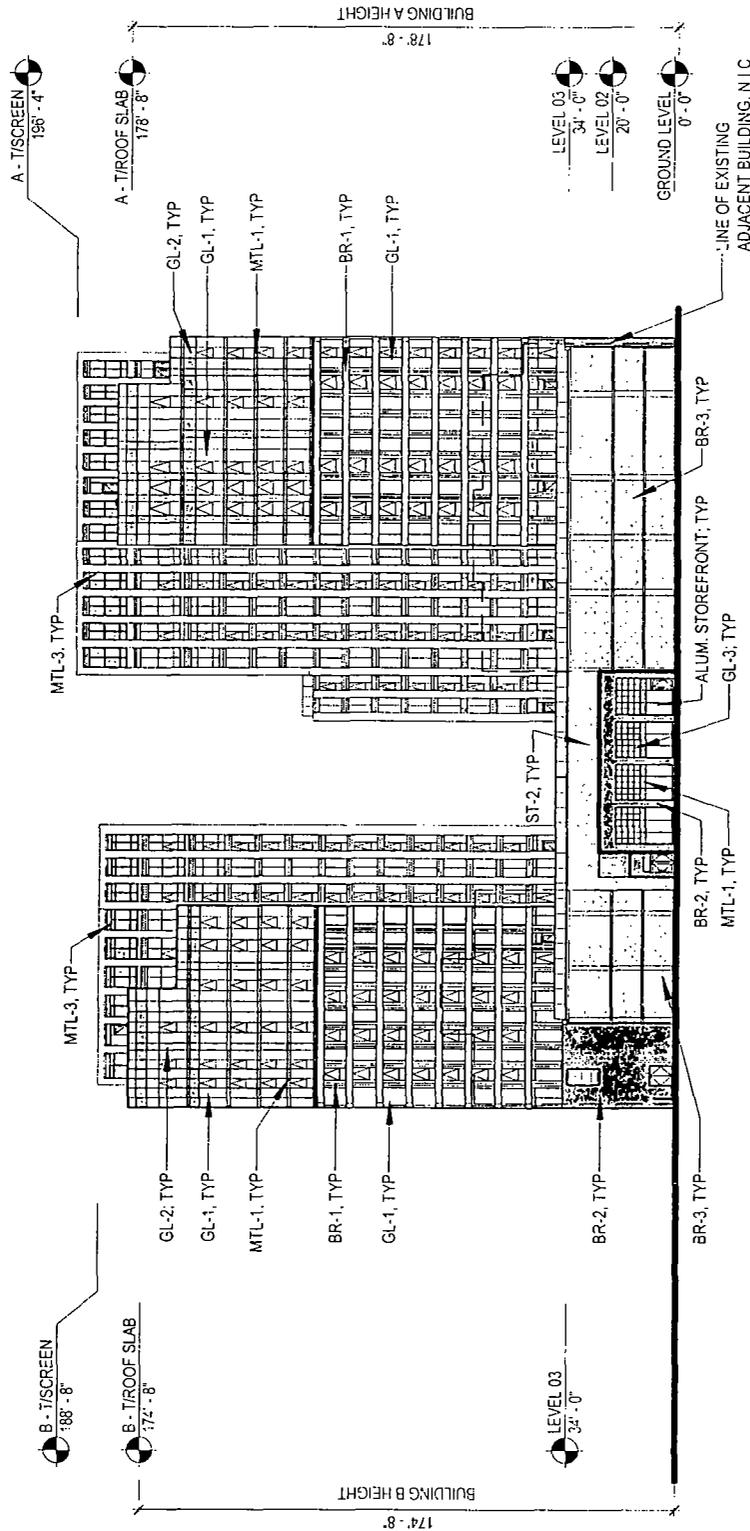
Scale: 1" = 60'-0"



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 942-946 WEST MADISON / 26-32 NORTH SANGAMON, CHICAGO, ILLINOIS
 DATE OF INTRODUCTION: JANUARY 19, 2023
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Final for Publication



MATERIAL LEGEND

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- BR-2 PODIUM BRICK
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- GL-1 VISION GLASS
- GL-2 SPANDREL GLASS
- GL-3 SPANDREL GLASS
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- MTL-2 METAL PANEL
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SOUTH BUILDING ELEVATION

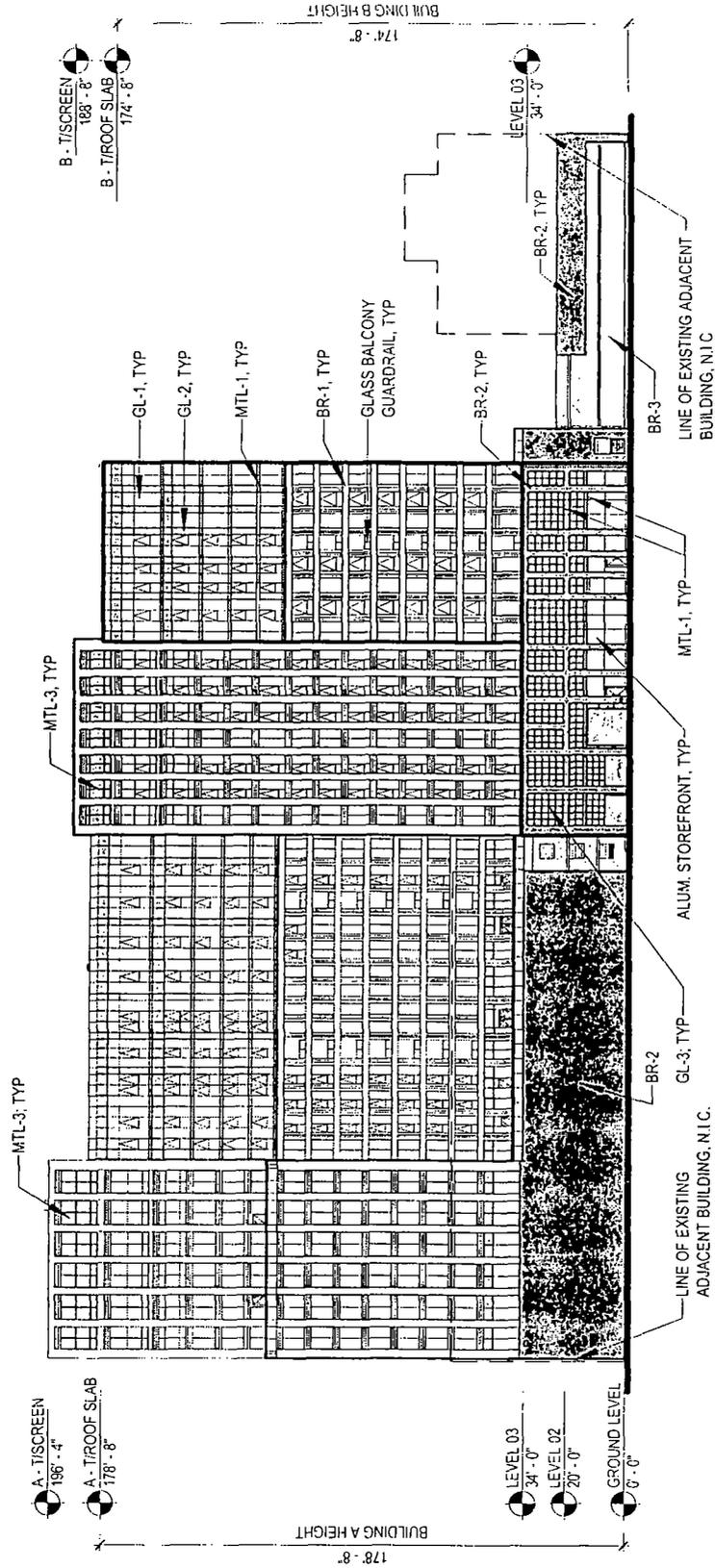
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WEST BUILDING ELEVATION

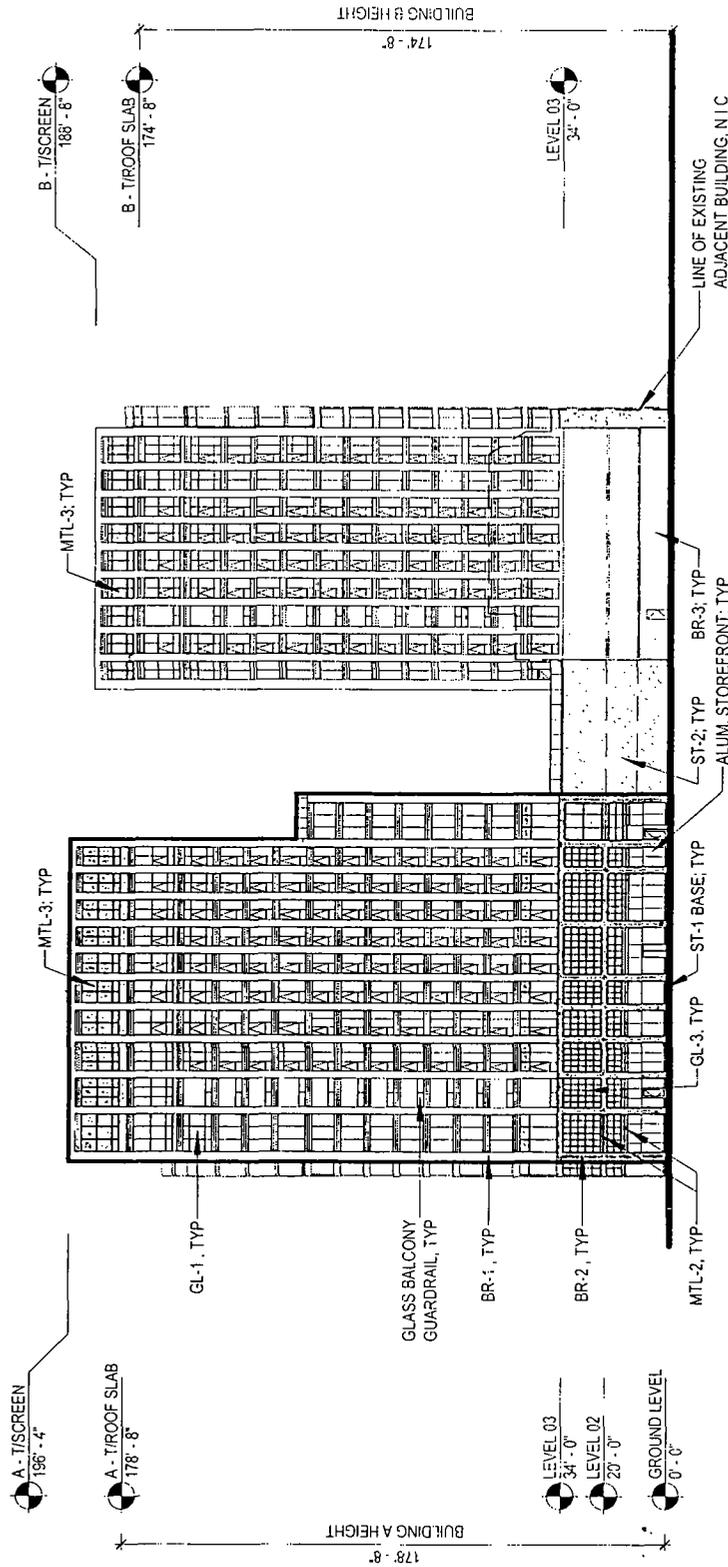
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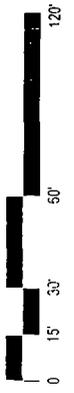
MATERIAL LEGEND

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NORTH BUILDING ELEVATION

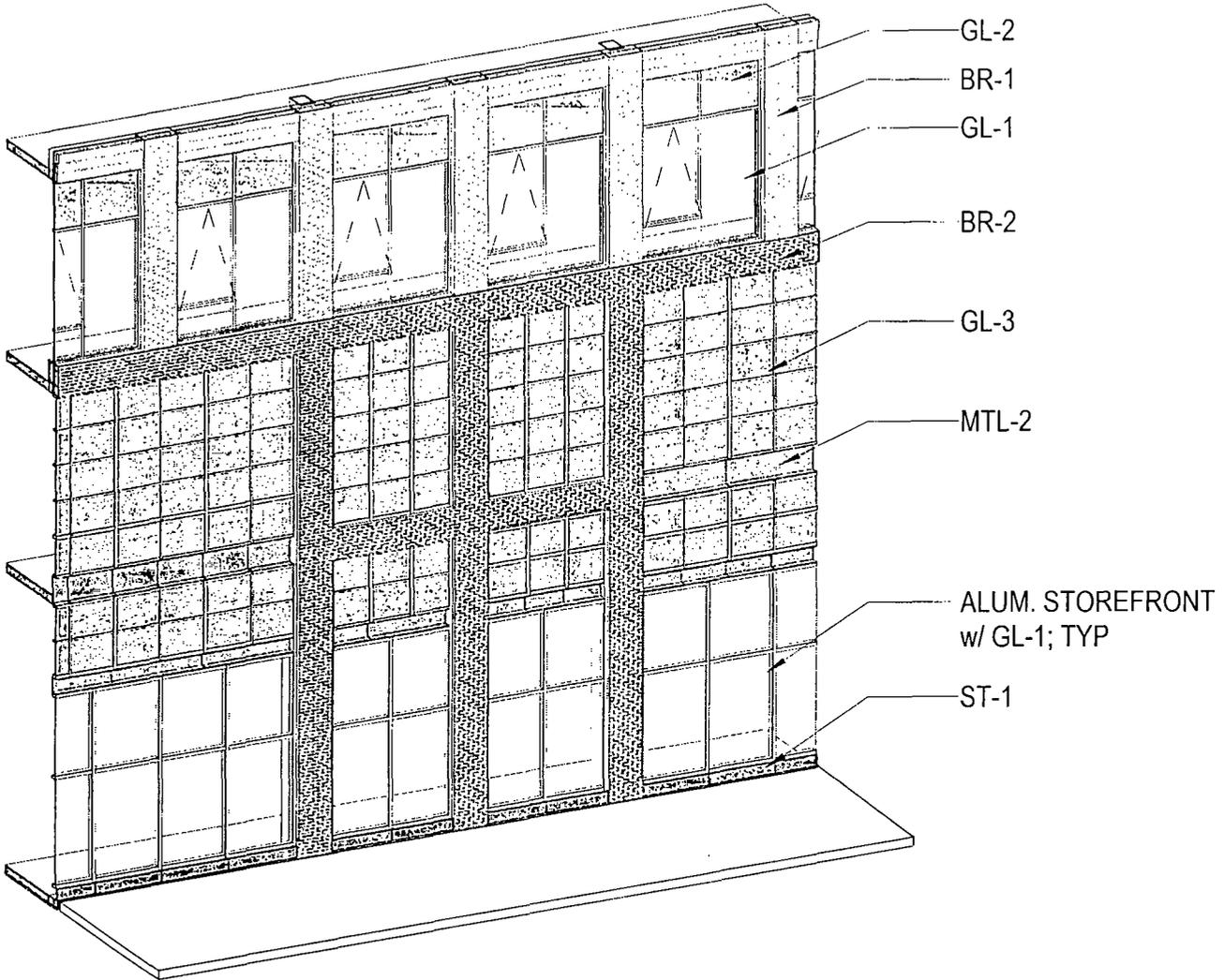
Scale: 1" = 60'-0"



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TYPICAL BASE AXONOMETRIC VIEW

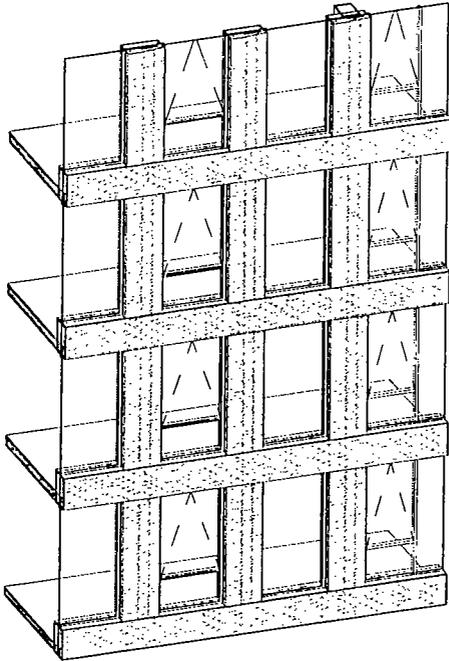
MATERIAL LEGEND

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- BR-3 PAINTED CMU
- GL-1 VISION GLASS
- GL-2 SPANDREL GLASS
- GL-3 SPANDREL GLASS
- MTL-1 SLAB EDGE COVER
- MTL-2 METAL PANEL
- MTL-3 PERFORATED METAL SCREEN
- ST-1 PRECAST STONE BASE

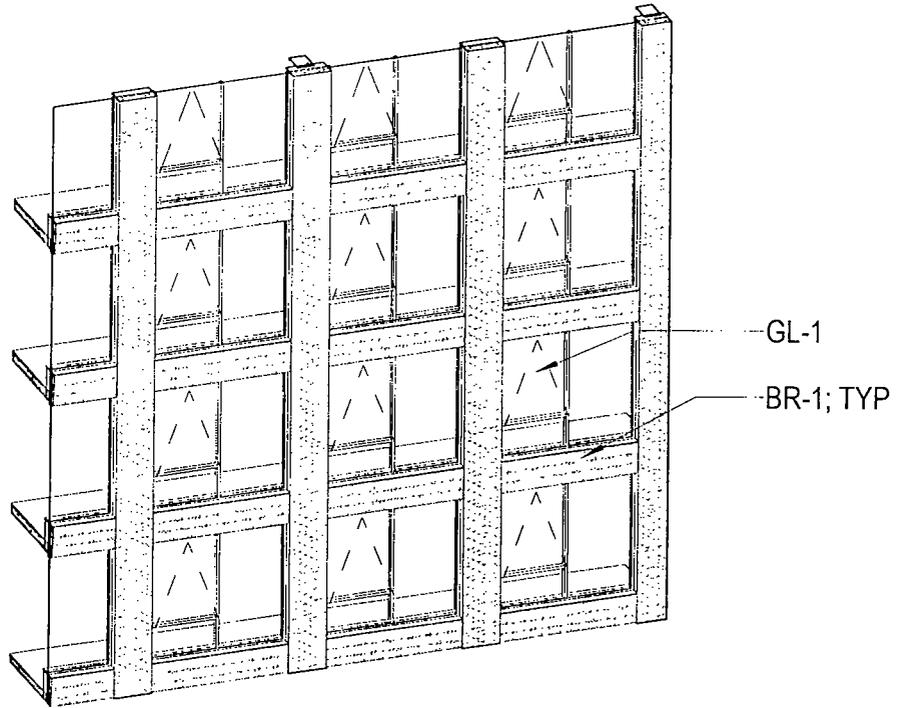
APPLICANT: HAYMARKET APARTMENTS JOINT VENTURE, LP
ADDRESS: 935-939 WEST WASHINGTON / 11-19 NORTH MORGAN /
 942-946 WEST MADISON / 26-32 NORTH SANGAMON, CHICAGO, ILLINOIS
DATE OF INTRODUCTION: JANUARY 18, 2023
PLAN COMMISSION: FEBRUARY 16, 2023



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FACADE B



FACADE A

TYPICAL BUILDING AXONOMETRIC VIEW

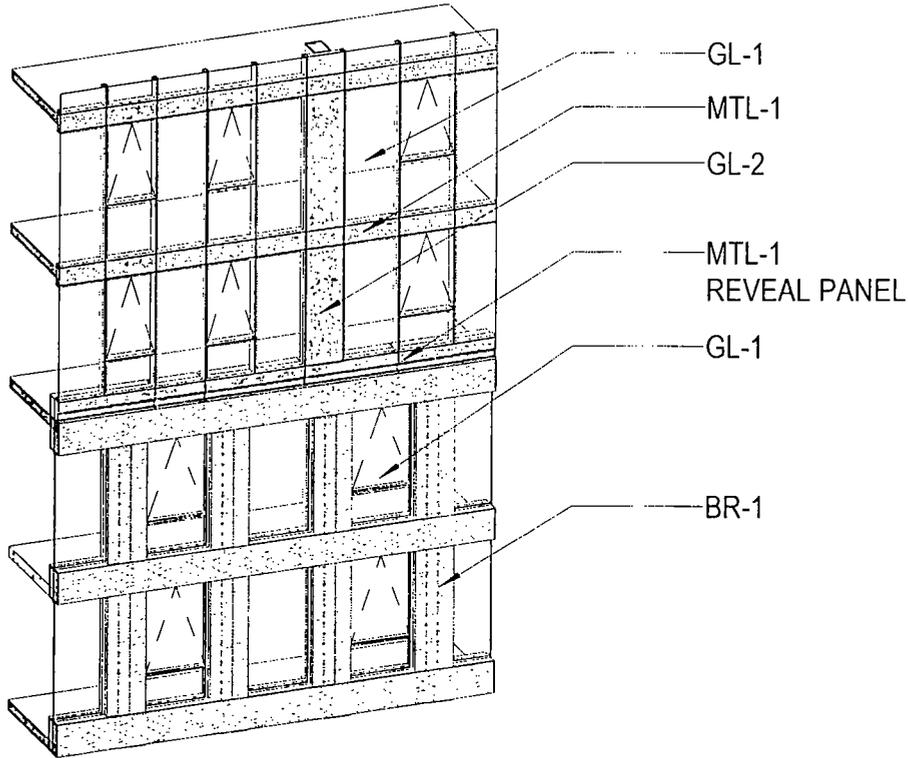
MATERIAL LEGEND

- BR-1 TOWER BRICK
- BR-2 PODIUM BRICK
- BR-3 PAINTED CMU
- GL-1 VISION GLASS
- GL-2 SPANDREL GLASS
- GL-3 SPANDREL GLASS
- MTL-1 SLAB EDGE COVER
- MTL-2 METAL PANEL
- MTL-3 PERFORATED METAL SCREEN
- ST-1 PRECAST STONE BASE

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BUILDING TOP AXONOMETRIC VIEW

MATERIAL LEGEND

BR-1	TOWER BRICK
BR-2	PODIUM BRICK
BR-3	PAINTED CMU
GL-1	VISION GLASS
GL-2	SPANDREL GLASS
GL-3	SPANDREL GLASS
MTL-1	SLAB EDGE COVER
MTL-2	METAL PANEL
MTL-3	PERFORATED METAL SCREEN
ST-1	PRECAST STONE BASE

APPLICANT: HAYMARKET APARTMENTS JOINT VENTURE, LP
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APP. NO. 22064

DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

MEMORANDUM

To: Alderman Tom Tunney
Chairman, City Council Committee on Zoning

From: 
Maurice D. Cox
Chicago Plan Commission

Date: February 16, 2023

Re: Technical Amendment to Planned Development No. 1385 (App. No. 22064)
935-939 W. Washington Blvd., 11-19 N. Morgan, 942-946 W. Madison, 26-32 N. Sangamon

On Thursday, February 16, 2023, the Chicago Plan Commission recommended approval of the proposed amendment to Planned Development No. 1385, submitted by Haymarket Apartments Joint Venture, LP. A copy of the proposed ordinance, planned development statements, bulk table and exhibits are attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, Bureau of Zoning recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Fernando Espinoza at 312-744-0755 or via email @ Fernando.espinoza@cityofchicago.org.

Cc: PD Master File (Original PD, copy of memo)