



City of Chicago



SO2017-7753

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	11/8/2017
Sponsor(s):	Misc. Transmittal
Type:	Ordinance
Title:	Zoning Reclassification Map No. 1-F at 365 W Huron St - App No. 19430
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

FINAL FOR PUBLICATION

19430
INTRO DATE
NOV. 8, 2017

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Residential-Business Planned Development No. 461 symbols (Sub-Area B) shown on Map 1-F in the area generally bounded by:

West Huron Street; a line 157.50 feet east of and parallel to North Sedgwick Street;
the alley next south of and parallel to West Huron Street; and North Sedgwick Street

to the designation of Residential-Business Planned Development No. 461 as amended, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

SECTION 2. This ordinance takes effect after its passage and due publication.

**RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 461, AS AMENDED
PLANNED DEVELOPMENT STATEMENTS**

1. The area delineated herein as Planned Development Number 461, as amended (Planned Development) consists of approximately 79,978 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (Property). This amendment relates to Sub-Area B which is owned or controlled by the Applicant, Morningside Huron, 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 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.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Planned Development.

Ingress or egress shall be pursuant to the Planned Development and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation. The Applicant shall enter into an agreement with the Department of Transportation to implement the provisions of this Statement 3. Such agreement shall be recorded against the Property prior to the issuance of any Part II approval.

Applicant:	Morningside Huron, LLC
Address:	365 West Huron Street
Introduced:	November 8, 2017
Plan Commission:	February 15, 2018

4. This Plan of Development consists of eighteen Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; and Building Elevations (North, East, South and West) prepared by Pappageorge Haymes dated February 15, 2018 and submitted herein. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Chicago Zoning Ordinance, this Planned Development shall control.
5. The following uses are permitted in the area delineated herein as a Planned Development No. 461, as amended:
 - Sub-Area A: Residential; Retail; Office/Commercial; Eating and Drinking Establishments; Any permitted use in the DX-7, Downtown Mixed-Use District; Wireless Communications Facilities; accessory parking and accessory and related uses.
 - Sub-Area B: Multi-Unit Residential; accessory parking and accessory and related uses.
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 the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR for Sub-Area A identified in the Bulk Regulations and Data Table has been determined using a net site area of 64,196 square feet and a base FAR of 7.0. The permitted FAR for Sub-Area B identified in the Bulk Regulations and Data Table has been determined using a net site area of 15,782 square feet and a base FAR of 7.0. The Commissioner of the Department of Planning and Development shall have the administrative authority to transfer floor area and adjust the FAR between Sub-Areas A and B.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.

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10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
15. The Applicant shall provide full perimeter improvements and restoration of all public way adjacent to the Property, including but not limited to,
 - Full width of streets
 - Full width of alleys
 - Curb and gutter
 - Pavement markings
 - Sidewalks
 - ADA crosswalk ramps
 - Parkway and landscaping

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All improvements are contained in the Perimeter Restoration Agreement which must be signed by the Applicant and CDOT Division of Infrastructure Management prior to permitting. Said work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation (CDOT) Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago, Chapter 10-20. Design of said improvements should follow the CDOT Rules and Regulations for Construction in the Public Way as well as the Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by CDOT.

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% 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 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.

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17. The Applicant and City acknowledge and agree that pursuant to that certain Real Estate Purchase and Sale Agreement by and between the Applicant and the City of Chicago, dated September 6, 2016, the requirements of Section 2-45-110 of the Municipal Code (the 2007 Affordable Housing Ordinance) applies to Sub-Area B. Any developer of a “residential housing project” within the meaning of the Affordable Housing Ordinance must: (i) develop affordable housing units as part of the residential housing project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) and combination of (i) and (ii). In accordance with these requirements and the Affordable Housing Profile Form attached hereto as an exhibit, the Applicant has elected to make a cash payment in lieu of providing on-site affordable housing units in the amount of \$100,000 per unit (“Cash Payment”). At the time of each Part II review for the Residential Project, Applicant may update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development (“DPD”) for review and approval. If the Applicant subsequently reduces the number of dwelling units in the Residential Project, DPD may adjust the requirements of this Statement (*i.e.*, number of Affordable Units and/or amount of Cash Payment) accordingly without amending the Planned Development. Prior to the issuance of any building permits for the Residential Project, including without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment. The Commissioner of DPD may enforce remedies for breach of the Affordable Housing Agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

18. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development Ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to Residential-Business Planned Development No, 461 as approved November 16, 1988.

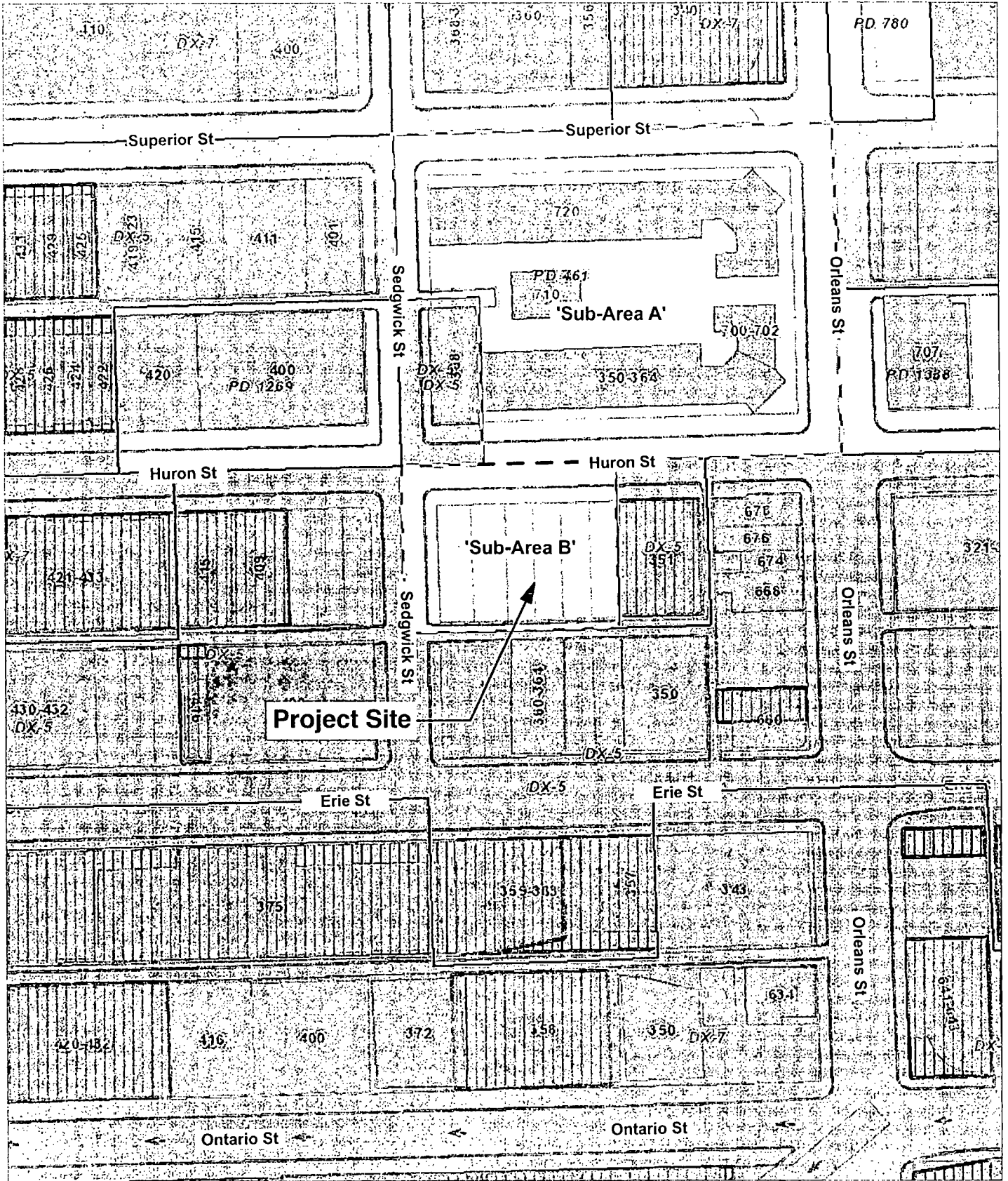
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PLANNED DEVELOPMENT NO. 461, as amended
BULK REGULATIONS TABLE

Gross Site Area Total:	130,599 Square Feet
Sub-Area A:	103,205 Square Feet
Sub-Area B:	27,394 Square Feet
Area in Public Right-of-Way Total:	50,621 Square Feet
Sub-Area A:	39,009 Square Feet
Sub-Area B:	11,612 Square Feet
Net Site Area:	79,978 Square Feet
Sub-Area A:	64,196 Square Feet
Sub-Area B:	15,782 Square Feet
Maximum Floor Area Ratio: **	
Sub-Area A:	6.7
Sub-Area B:	8.1
Maximum Building Height:	
Sub-Area A:	Existing Four-Stories
Sub-Area B:	138'
Minimum Number of Parking Spaces:	
Sub-Area A:	64
Sub-Area B:	45
Minimum Number of Bicycle Parking Spaces:	
Sub-Area A:	0
Sub-Area B:	25
Minimum Number of Loading Berths:	
Sub-Area A:	5
Sub-Area B:	1
Maximum Number of Dwelling Units:	
Sub-Area A:	212
Sub-Area B:	45
Minimum Setbacks:	In accordance with the Site Plan

** The Commissioner of the Department of Planning and Development shall have the administrative authority to transfer floor area and adjust the FAR between Sub-Areas A and B.


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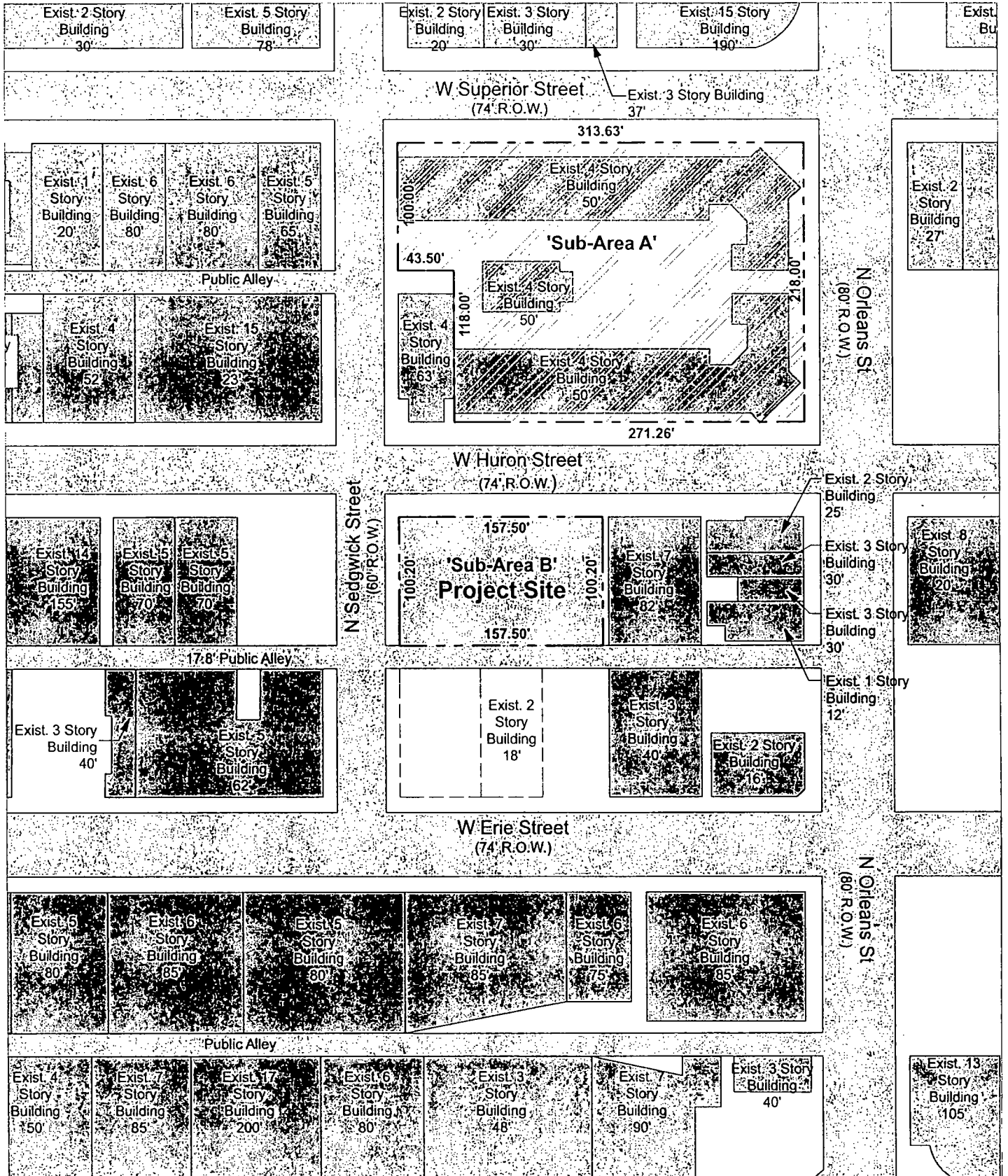
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 312 337 3344 FAX 204 8988

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Existing Zoning Map

N


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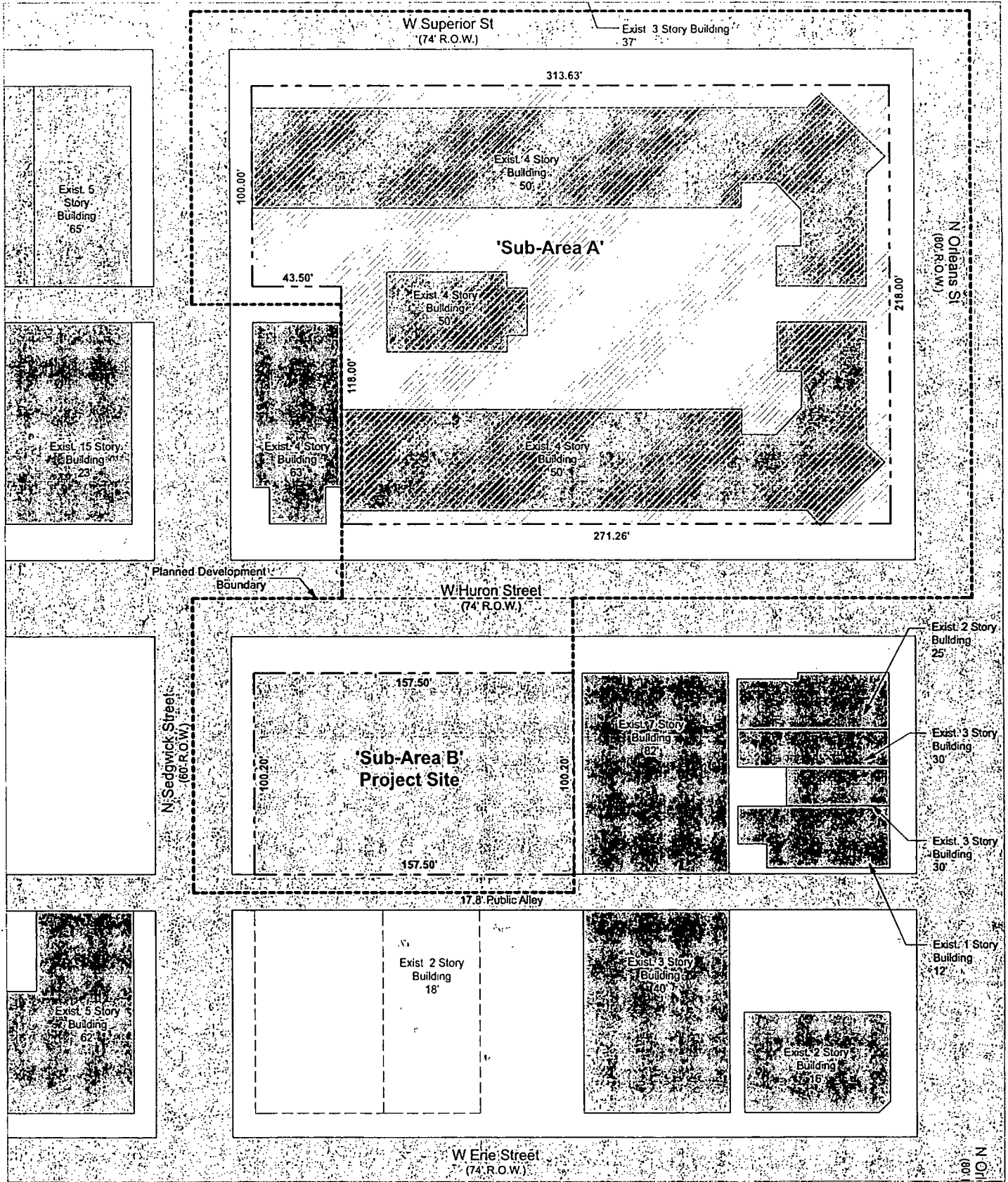
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Existing Land Use Map
Scale: 1" = 100'


N

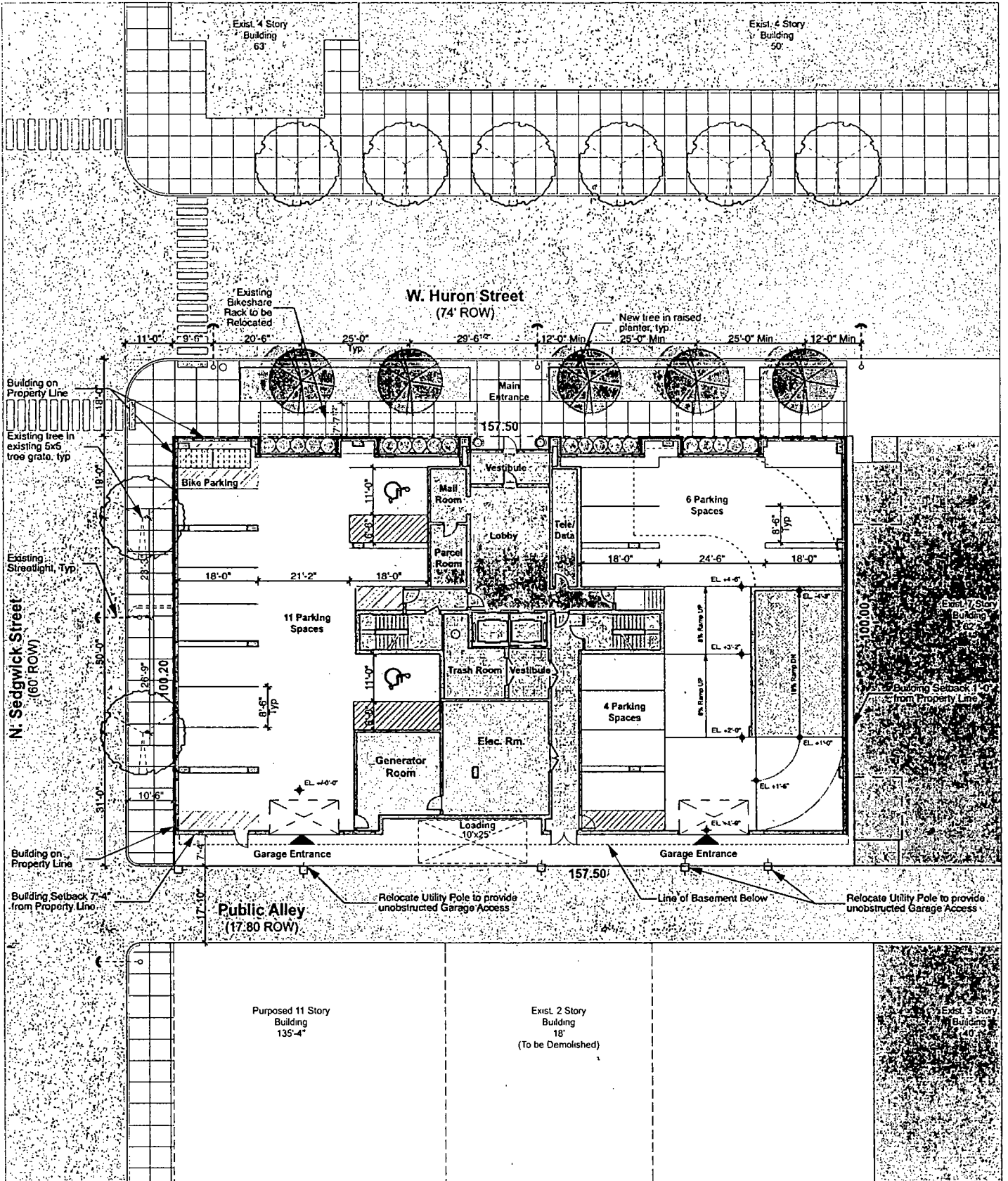


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PD Boundary/Property Line Map
 Scale: 1/64" = 1'-0"

N


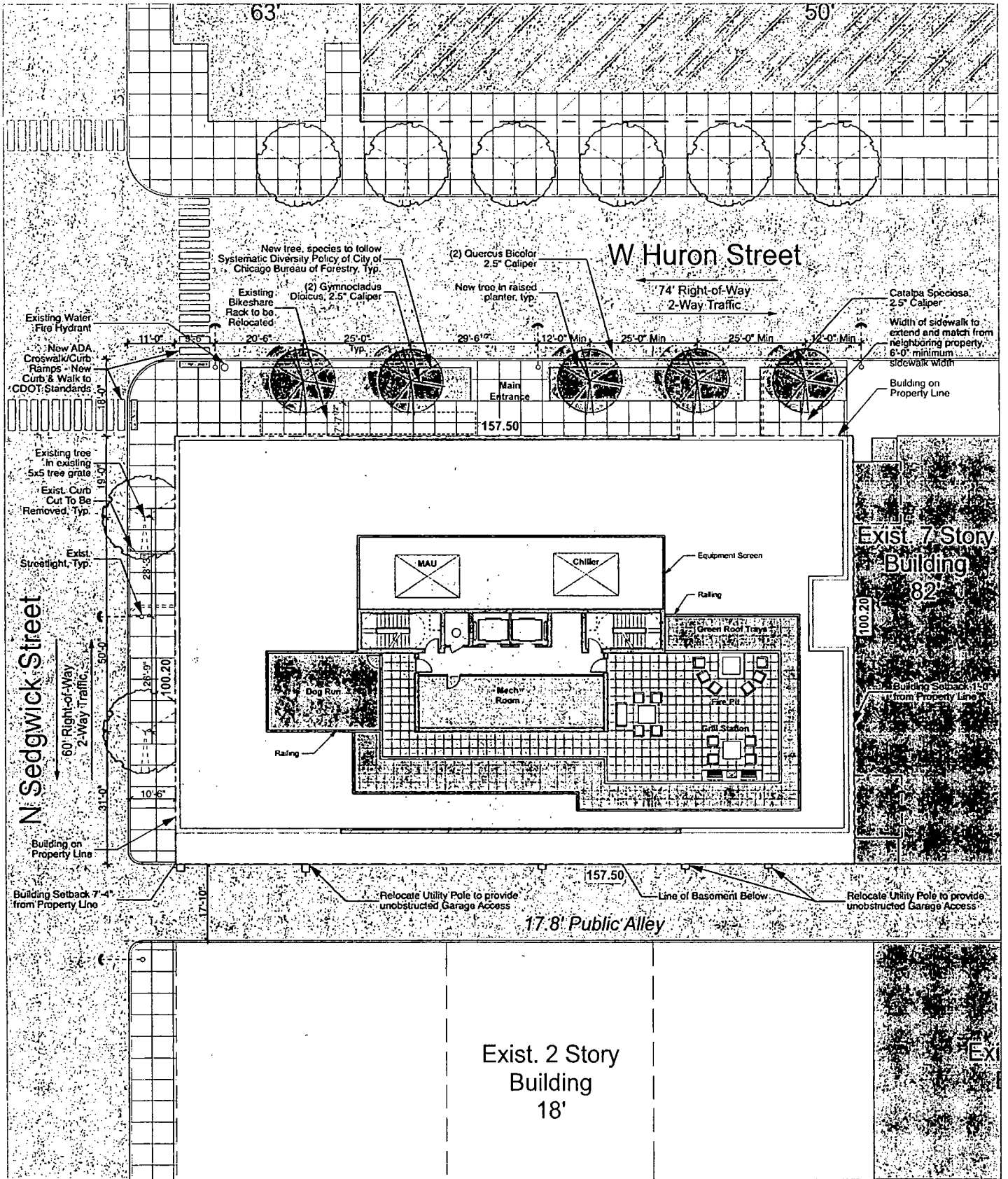


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Site Plan
 Scale: 1" = 30'

N

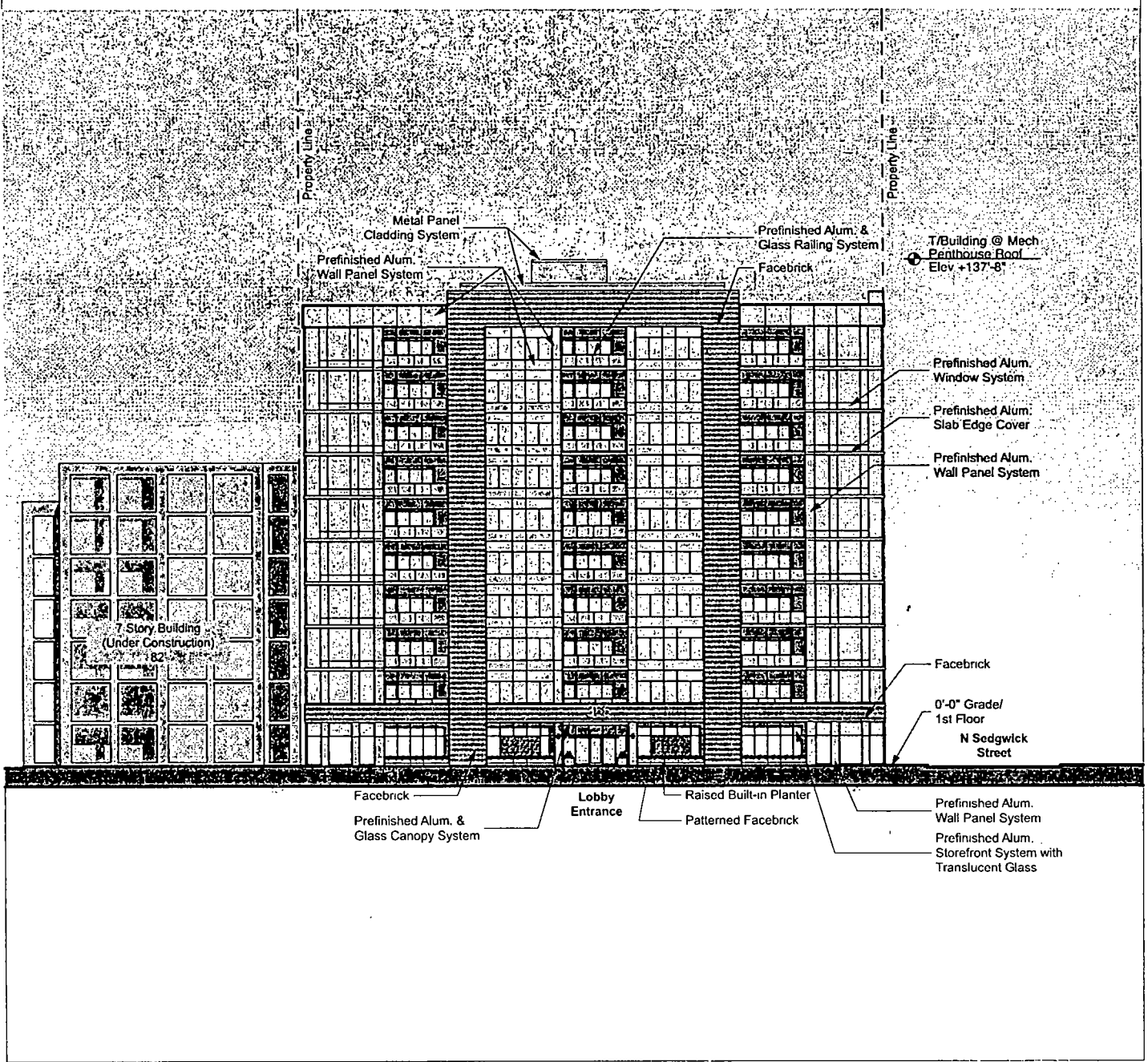



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Landscape Plan
 Scale 1" = 30'

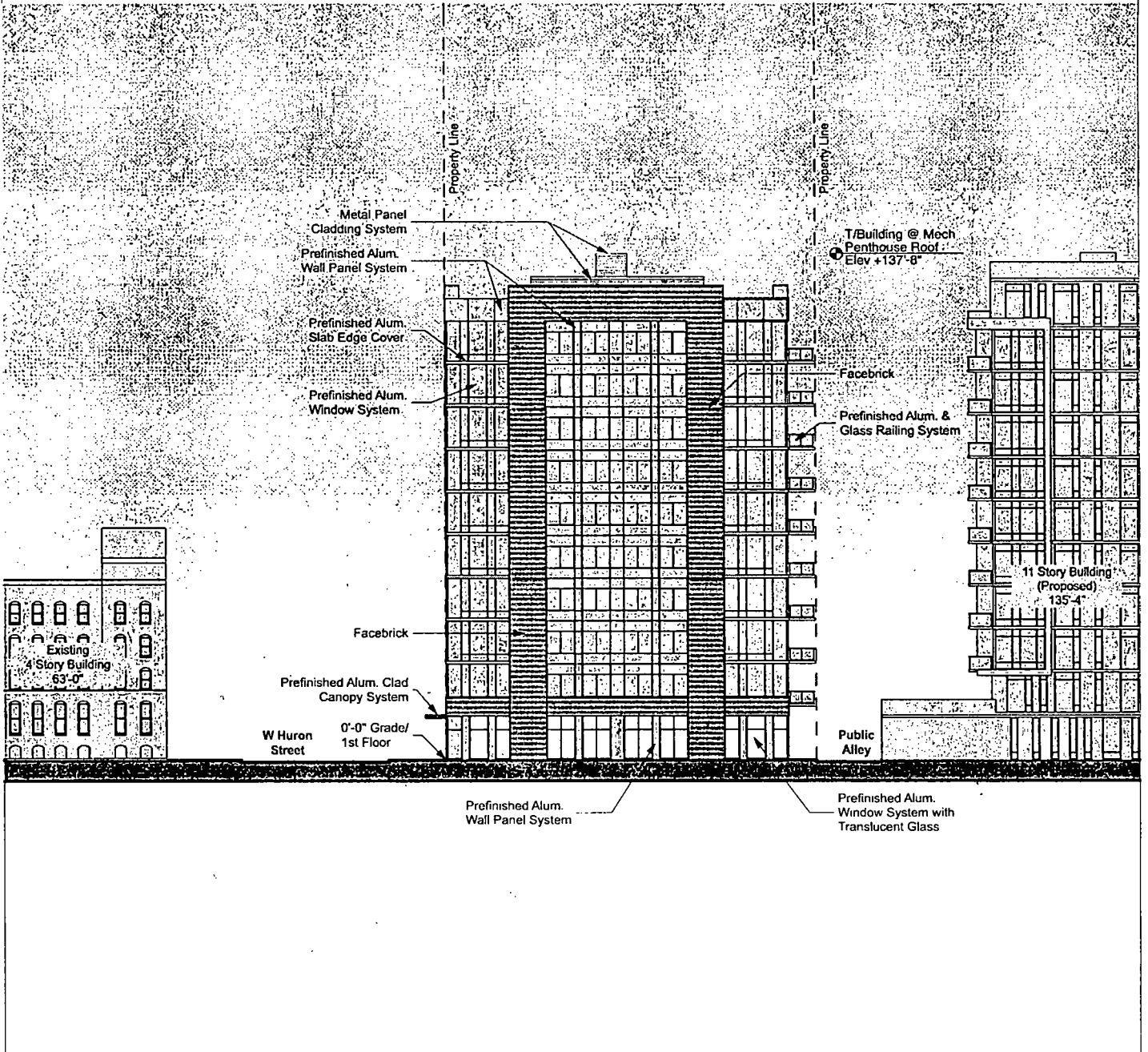




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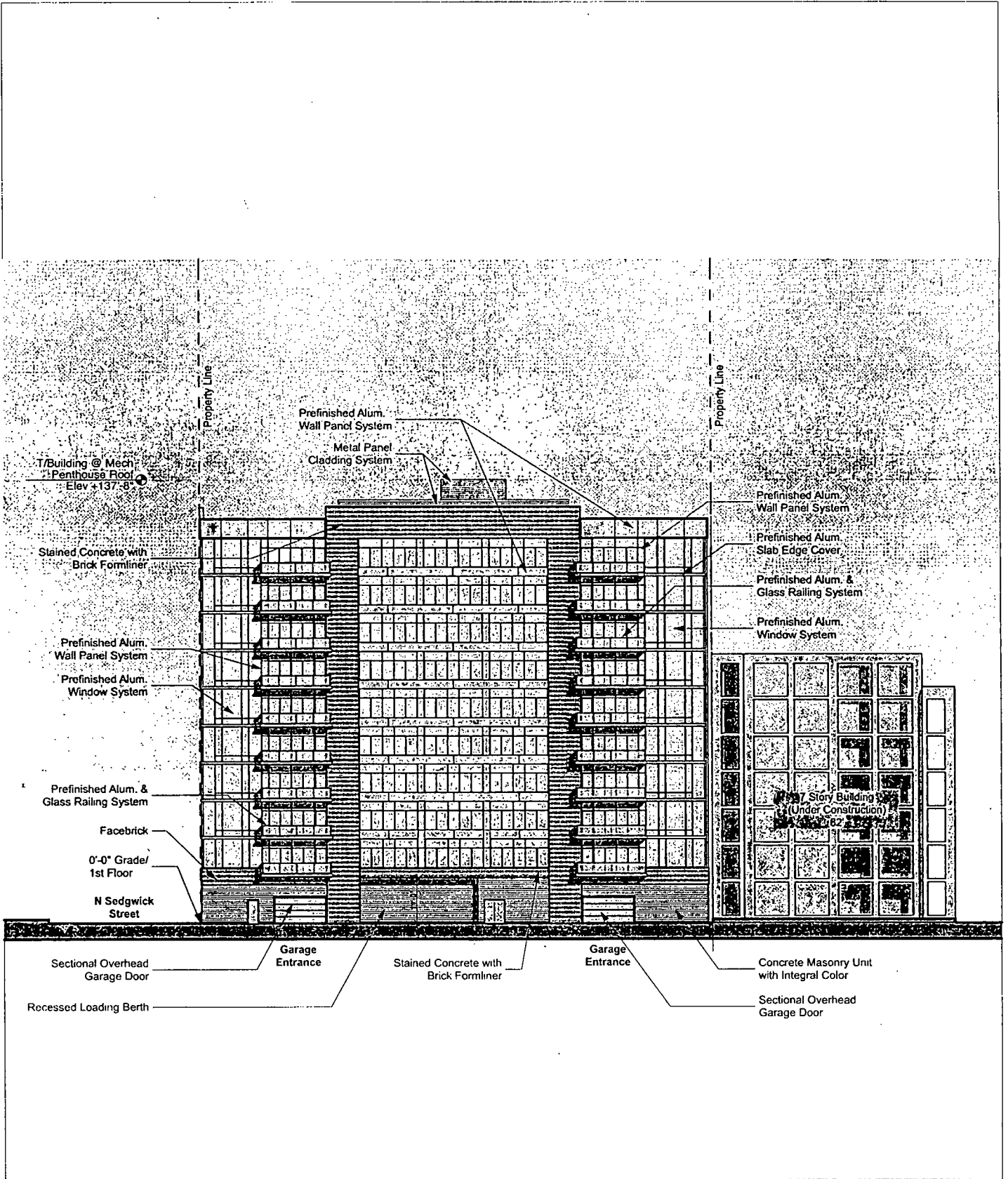
North Elevation
 Scale 1" = 40'



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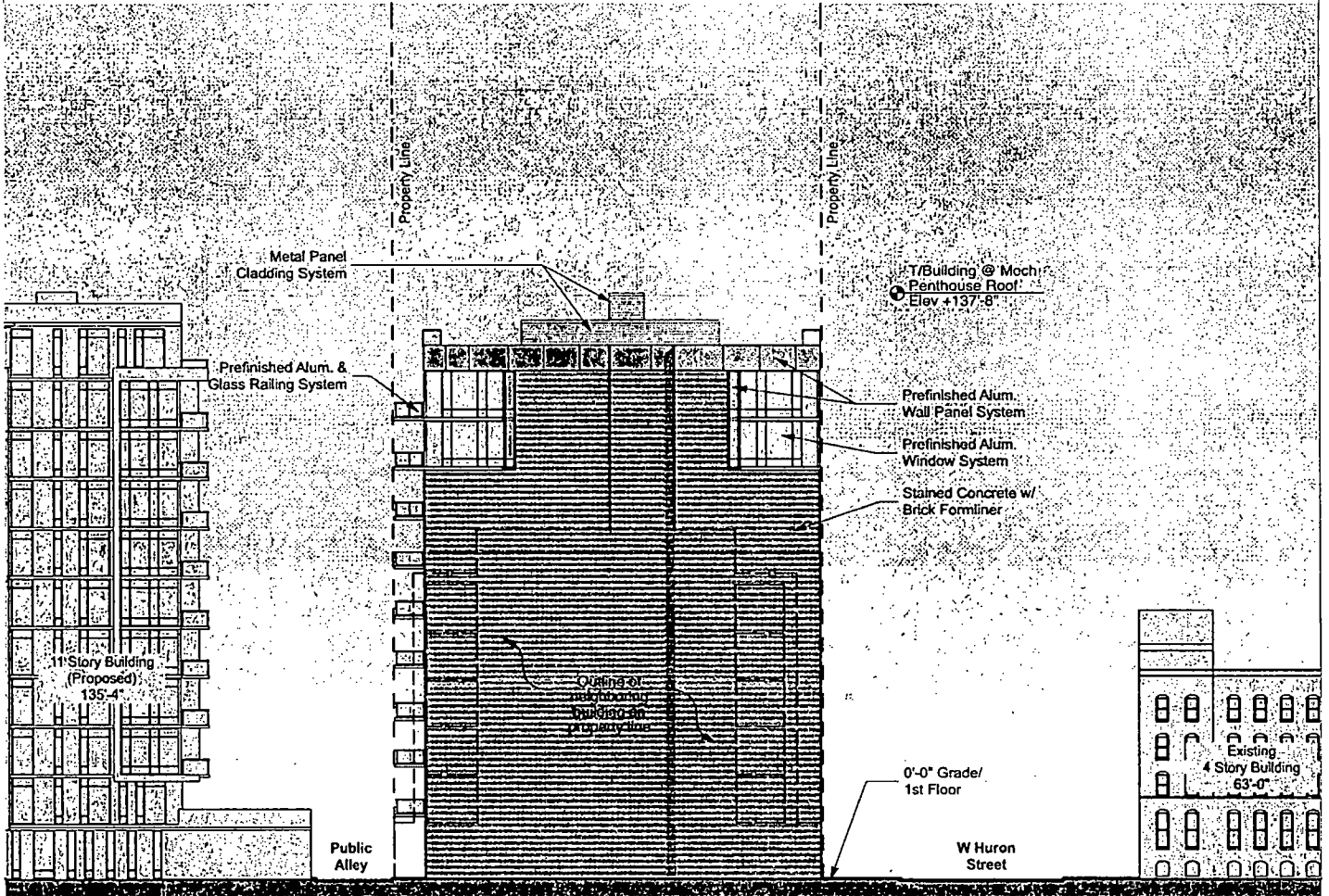
West Elevation
 Scale: 1" = 40'



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Applicant: **Morningside Huron, LLC**
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South Elevation
 Scale: 1" = 40'



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 Plan Commission Date February 15, 2018

East Elevation
 Scale: 1" = 40'

365 W Huron
Chicago, Illinois

Site Plan
DATE: 11-27



CITY OF CHICAGO
Department of Transportation
Plan Review Committee

Approved By: *[Signature]*

Date: 11/18

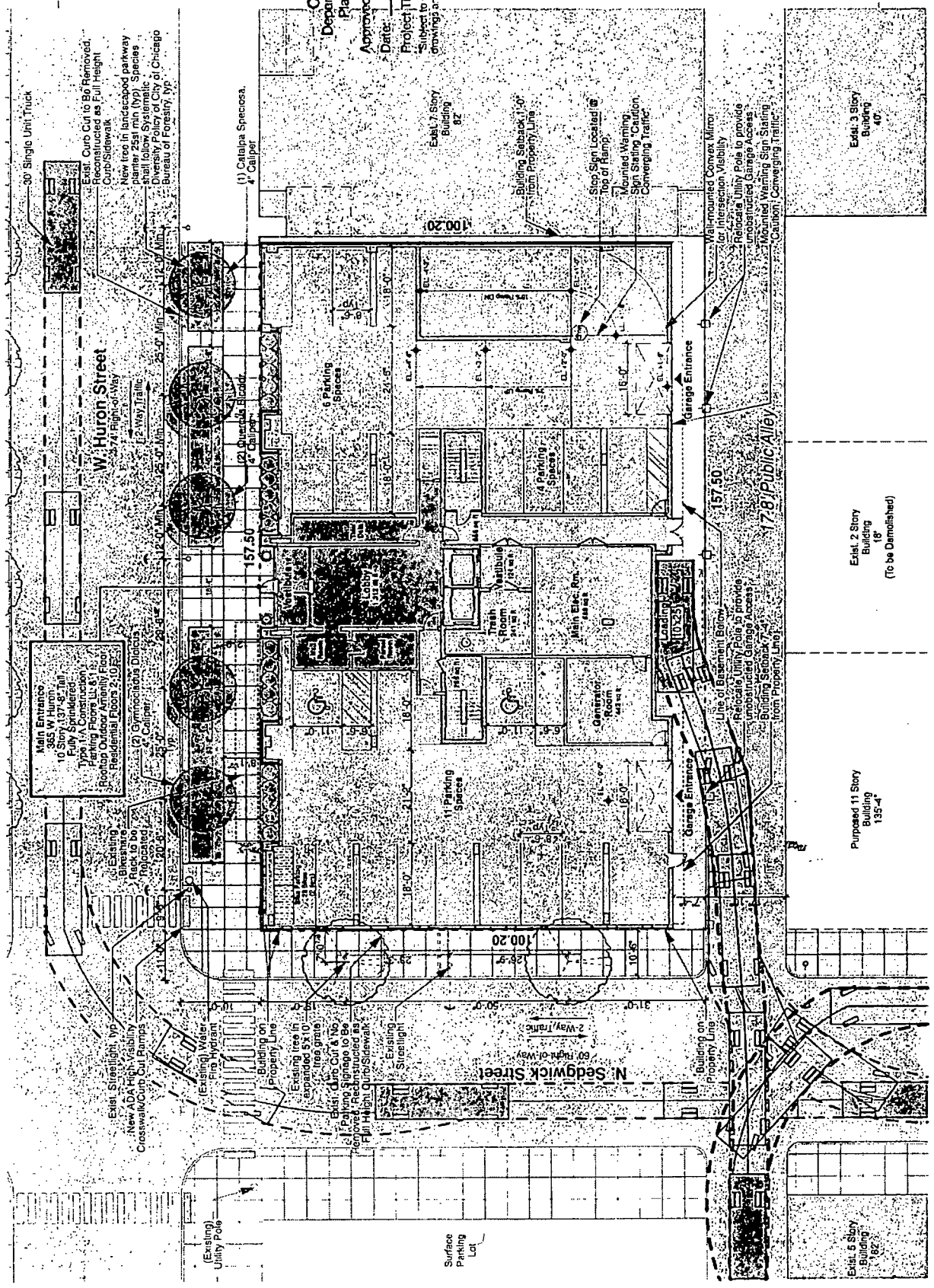
Project Title: 365 W Huron

Subject to acceptable construction drawings and required CDDT permits.



papageorgehaysms.com
www.papageorgehaysms.com

01/18
PH: 8666



Exist. 3 Story Building 40'

Exist. 2 Story Building (8' (to be Demolished)

Purposed 11 Story Building 135-4'

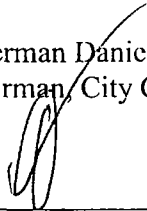
Exist. 5 Story Building 62'



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

MEMORANDUM

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

From: 
David L. Reifman
Chicago Plan Commission

Date: February 15, 2018

Re: PD 461 Amendment – 365 W. Huron St

On February 15, 2018, the Chicago Plan Commission recommended approval of the proposed amendment submitted by Morningside Huron, LLC. A copy of the proposed amendment is 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 and Land Use recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-9476.

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