



City of Chicago



SO2023-48

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	1/18/2023
Sponsor(s):	Misc. Transmittal
Type:	Ordinance
Title:	Zoning Reclassification Map No. 11-G at 4601-4617 N Broadway, 1056-1064 W Wilson Ave and 4616-4626 N Winthrop Ave - App No. 22067
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

AMENDMENT TO
RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1366

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential-Business Planned Development Number 1366, ("Planned Development") consists of approximately 30,245 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned by Uptown 4601 Owner, 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 "Zoning Ordinance"), the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, 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 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

Applicant: Uptown 4601 Owner, LLC
Address: 4601-4617 North Broadway/1056-1064 West Wilson
4616-4626 North Winthrop

Introduced:
Plan Commission:

for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of 17 Statements; a Bulk Regulations Table; a Site Plan; Floor Plans; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Landscape Plan; a Green Roof Plan; and Building Elevations (North, South, East, and West) prepared by MX3 Architects, Inc. and dated March 16, 2017. Full-sized copies of the Site Plan and Building Elevations are on file with the Department of Planning and Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code (the "Building Code"), the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.
5. The following uses are permitted in the area delineated herein as a Residential-Business Planned Development: Residential Dwelling Units, Retail Sales, General, Restaurant, Limited and General, Postal Service, Animal Services (except boarding or kennel), Medical Services, Personal Services (including fitness-related uses limited to a size not to exceed 5,000 square feet), Repair or Laundry Services (consumer), Financial Services (except payday/title secured loan store or pawn shop), 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 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 Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of

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FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 30,245 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 the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. The Site and Landscape Plans shall be in substantial conformance with the City of Chicago Landscape Ordinance and any other corresponding regulations and guidelines, Sections 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 13-32-125 of the Municipal Code, or any other 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 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.

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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. Pursuant to the Chicago Zoning Ordinance (Sec. 17-8-0911), Planned Developments are to give priority to the preservation and adaptive reuse of Chicago Landmark buildings. The Planned Development is within the parameters of Uptown Square Historic District, which is a district designated as a Chicago Landmark. Work to designated Chicago Landmarks is subject to the review and approval of the Commission on Chicago Landmarks pursuant to the Chicago Landmarks Ordinance, Section 2-120-740.
16. The Applicant acknowledges and agrees that the rezoning of the Property from a B3-2 Community Shopping District to a B3-5 Community Shopping District for construction of the Residential Project triggers the requirements of Section 2-45-115 of the Municipal Code (the "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's 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. The Property is located in a higher income area within the meaning of the ARO, and the project has a total of 197 units. As a result, the Applicant's affordable housing obligation is 20 affordable units (10% of 197 rounded up), 5 of which are Required Units (25% of 20). Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$1,875,000 and providing 5 affordable units in the rental building to be constructed in the Planned Development as set forth in the Affordable Housing Profile Form attached hereto as Exhibit A. The Applicant agrees that the affordable rental units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI),

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as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development (“DPD”) for review and approval, and DPD may adjust the number of required Affordable Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must 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 Planned Development, 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, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to B3-2 Community Shopping District.

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4616-4626 North Winthrop
Introduced:
Plan Commission:

AMENDMENT TO
RESIDENTIAL BUSINESS PLANNED DEVELOPMENT NO. 1366

BULK REGULATIONS AND DATA TABLE

Gross Lot Area:	48,047 sq. ft.
Area in Right of Ways:	17,756 sq. ft.
Net Site Area:	30,291 sq. ft.
Maximum Floor Area Ratio:	5.0
Required Setbacks:	
Rear:	30' (Floors with Dwelling Units) 0' (Floors without Dwelling Units)
Side:	0' North Side / 0' South Side
Front:	0'
Maximum Dwelling Units:	46 Dwelling Units <u>154 Efficiency Units</u> 200 Total Units
Maximum Building Height:	103'-0"
Minimum Parking Spaces:	22 Parking Spaces
Required Bicycle Spaces:	178
Loading Spaces:	Two 10' x 25' Loading Spaces

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4616-4626 North Winthrop
Introduced:
Plan Commission:

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

1. ADDRESS of the property Applicant is seeking to rezone:
4601-4617 North Broadway, 1056-1064 West Wilson, and 4616-4626 North Winthrop
2. Ward Number that property is located in: 46
3. APPLICANT Uptown 4601 Owner, LLC
ADDRESS 151 N. Franklin, Suite 300 CITY Chicago
STATE IL ZIP CODE 60606 PHONE 312-627-7662
EMAIL kknutson@tjbc.com CONTACT PERSON Kate Knutson
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 application to proceed.
OWNER _____
ADDRESS _____ CITY _____
STATE _____ ZIP CODE _____ PHONE _____
EMAIL _____ CONTACT PERSON _____
5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:
ATTORNEY Tyler Manic, Schain Banks
ADDRESS 70 W. Madison Street, Suite 2300
CITY Chicago STATE IL ZIP CODE 60602
PHONE (312) 345-5700 FAX (312) 345-5701 EMAIL tmanic@schainbanks.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.

Uptown 4601 JV LLC; Uptown 4601 LLC; REEF IL Uptown LLC; JBC Funds Uptown LLC;

~~JBC Fund VI LP; JBC Investors VI, LLC;~~

~~Washington Capital Joint Master Trust Real Estate Equity Fund;~~

John A. Buck II; Jeanne Lazar; Mike Moraveck

7. On what date did the owner acquire legal title to the subject property? February 28, 2020

8. Has the present owner previously rezoned this property? If yes, when?

No

9. Present Zoning District PD 1366 Proposed Zoning District PD 1366 as Amended

10. Lot size in square feet (or dimensions) 30,245

11. Current Use of the property ten story mixed use building with 200 dwelling units

12. Reason for rezoning the property to add new permitted uses to PD 1366

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)

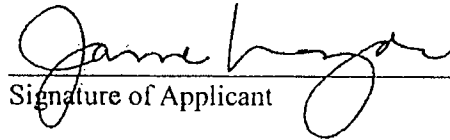
The building will have the same 200 dwelling units, 10,042 SF of ground floor commercial space, and 14 parking spaces, and 103' height as previously approved. The purpose of the rezoning is to allow postal service, animal services (except kennel or boarding), medical services, personal services, consumer repair or laundry services, financial services (except payday/title secured loan store or pawn shop), and indoor participant sports and recreation as permitted uses in PD 1366.

14. The Affordable Requirements Ordinance (ARO) requires on-site affordable housing units and/or a financial contribution for residential housing projects with ten or more units that receive a zoning change which, among other triggers, increases the allowable floor area, or, for existing Planned Developments, increases the number of units (see attached fact sheet or visit www.cityofchicago.org/ARO for more information). Is this project subject to the ARO?


YES _____ NO

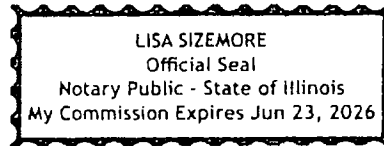
COUNTY OF COOK
STATE OF ILLINOIS

Jeanne Lazar, being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.


Signature of Applicant

Subscribed and Sworn to before me this
07 day of December, 2022.


Notary Public



For Office Use Only

Date of Introduction: _____

File Number: _____

Ward: _____



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

**4611 NORTH BROADWAY
AMENDED RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT
(APPLICATION NO. 22067)**

RESOLUTION

- WHEREAS,** the Applicant, Uptown 4601 Owner LLC, has submitted an application for a proposed Residential-Business Planned Development Amendment within the boundaries of the Uptown Community Area; and,
- WHEREAS,** the site was designated as PD No. 1366, a residential-business planned development in 2017; and
- WHEREAS,** the approved 200 dwelling units, 22 parking spaces, and retail space has already been constructed onsite; and,
- WHEREAS,** an application for a Planned Development Amendment was introduced to the City Council on January 18, 2023; and,
- WHEREAS,** notice of the public hearing to consider the application was published in the Chicago Tribune on February 1, 2023; the applicant was notified of the hearing; and,
- WHEREAS,** the proposed application was considered at a public hearing by this Plan Commission February 16, 2023; and,
- WHEREAS,** the Zoning Administrator recommends approval of the application, with the recommendation and explanation contained in the written report dated February 16, 2023, a copy of which is attached hereto and made a part hereof; and,
- WHEREAS,** this Plan Commission has fully reviewed the application and all associated informational submissions, the report and recommendation of the Zoning Administrator and all other testimony presented at the public hearing held on February 16, 2023, giving consideration to the applicable provisions of the Chicago Zoning Ordinance.

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

1. THAT the application dated February 16, 2023, be approved as being in conformance with the provisions, terms and conditions of the Chicago Zoning Ordinance; and,
2. THAT the above-stated recitals to this resolution, together with the report of the Department of Planning and Development, be adopted as the findings of fact of the Chicago Plan Commission regarding this application; and,
3. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final Planned Development application dated August 20, 2020.



Andre Brumfield,
Vice-Chairman
Chicago Plan Commission

Approved: February 16, 2023

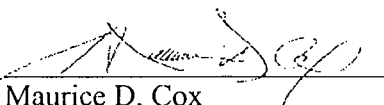
RBPD No. 1366, as amended



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: Proposed Residential-Business Planned Development No. 1366, as amended – 4611 N. Broadway

On February 16, 2023, the Chicago Plan Commission recommended approval of the proposed Residential-Business Planned Development No. 1366, as amended and submitted by Uptwon 4601 Owner, LLC. The applicant proposes to amend Planned Development No. 1366 to allow for the inclusion of additional uses, no other building construction is contemplated as a result of this application. 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 Danielle Crider at 312-744-3875 or Danielle.Crider@cityofchicago.org.

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