



Office of the City Clerk

City Hall
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Chicago, IL 60602
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Legislation Details (With Text)

File #: SO2012-4972
Type: Ordinance **Status:** Passed
File created: 7/25/2012 **In control:** City Council
Final action: 2/13/2013
Title: Zoning Reclassification Map No. 2-E at 1-15 E 9th St and 901-1007 S State St - App No. 17535
Sponsors: Misc. Transmittal
Indexes: Map No. 2-E
Attachments: 1. O2012-4972.pdf, 2. SO2012-4972.pdf

Date	Ver.	Action By	Action	Result
2/13/2013	1	City Council	Passed as Substitute	Pass
1/14/2013	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
11/29/2012	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
9/27/2012	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
7/25/2012	1	City Council	Referred	

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ORDINANCE

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

SECTION 1: Title 17 of the Municipal Code of Chicago, Chicago Zoning Ordinance, is amended by changing all the DX-12 Downtown Mixed-Use District symbols and indications as shown on Map No. 2-E in the area bounded by:

East 9th Street; South Holden Court; a line 281.93 feet south of and parallel to East 9th Street; South State Street

to those of a Residential-Business Planned Development, which is hereby established in the area described, subject to such use and bulk regulations as are set forth in the attached Plan of Development.

This ordinance shall take effect upon its passage and due publication.

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Residential-Business Planned Development No.

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential-Business Planned Development Number ("Planned Development") consists of approximately 39,124 square feet (0.90 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, Ninth St. Investors, 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 section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assign or grantees. Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

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

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of these 16 Statements: a Bulk Regulations Table; an Existing Zoning Map; a Surrounding Land-Use Plan; a Planned Development Boundary and Property Line Map; a Site Plan; a Landscape Plan; a Roof Plan; an Overall Section A; Building Elevations (North, South, East and West) and a Chicago Builds Green form prepared by Solomon Cordwell Buenz and dated December 20, 2012, submitted herein.

APPLICANT: Ninth St. Investors, LLC
ADDRESS: 1-15 E. 9th St.; 901-1007 S. State St.
INTRODUCTION DATE: July 25, 2012 REVISED / CPC
DATE: December 20, 2012

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In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are permitted in the area delineated herein as a Residential-Business Planned Development: Multi-Unit Residential / Dwelling Units, Parking (Accessory Parking and Non-Accessory) All Commercial Uses permitted in a DX-12 Downtown Mixed-Use District (excluding Urban Farm and Lodging). Day Care, Postal Service, Co-Located Wireless Communication Facilities.

Up to 40% of the number of accessory parking spaces required for residential uses may be leased out 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 the Department of Housing and Economic 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 established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply; however, in addition to the other exclusions from Floor Area for purposes of determining FAR permitted by the Zoning Ordinance, all floor area devoted to mechanical equipment in excess of five thousand (5,000) square feet in a contiguous location, regardless of placement in the building, shall be excluded. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 39,124 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 Housing and Economic 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 Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Housing and Economic Development.

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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 Department of Streets and Sanitation, and the Department of Fleet and Facility Management, 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 the 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.
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. At the time of a hearing before the Chicago Plan Commission, all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Housing and Economic Development. Aspects of the proposed Planned Development that bring it into compliance with the Sustainable Development Policy include the following: The project shall obtain LEED Certification and will include a minimum of 50% green roof (15,000 s.f. green area).
15. The Applicant has elected to make a cash payment in lieu of providing on-site affordable housing units. In accordance with the formulas set forth in Section 17-4-1004-C and the Bonus

Worksheet, the Applicant acknowledges and agrees that it must make a cash payment in the amount of \$4,000,000 ("Cash Payment"). The Applicant must make the required Cash Payment before the issuance of any building permits for the eligible building, and must comply with all applicable affordable housing standards and requirements set forth in Section 17-4-1004, the terms of which are incorporated herein by this reference.

16. 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 Housing and Economic Development shall initiate a Zoning Map Amendment to rezone the property to DX-12 Downtown Mixed-Use District.

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**RESIDENTIAL-BUSINESS PLANNED
DEVELOPMENT NO. BULK REGULATIONS AND
DATA TABLE**

Gross Site Area: Net Site Area:

Maximum Floor Area Ratio (FAR):

Maximum Percentage of Land Coverage:

Actual Number of Dwelling Units:

Number of Off-Street Parking Spaces, Residential:

Number of Off-Street Parking Spaces, Commercial/Retail:

Minimum Number of Bike Parking Spaces:

Minimum Periphery Setbacks:

Maximum Building Height:

64,175.5 SF (1.47 Acres)

39,124.0 SF (0.90 Acres)

11.4

Per Site Plan 396 Dwelling Units 248 0

50

Per Site Plan 450'-0"

Minimum Number of Off-Street Loading Berths:

BULK REGULATIONS AND DATA TABLE

Applicant: NINTH ST. INVESTORS, LLC Address: 11 -15 E. 9TH ST.; 901 -1007 S. STATE ST. CHICAGO, IL 60605

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EXISTING ZONING MAP

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Applicant: NINTH ST. INVESTORS, LLC Address: 11 -15 E. 9TH
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RESIDENTIAL 231-

RESIDENTIAL 240-
RESIDENTIAL 373'

MIXED USE

RESIDENTIAL 212-

E9THST.

GARAGE

RESIDENT AL 2ff

RESIDENTIAL 28'

RESIDENTIAL 63'

- TOP OF ELEVATED TRACKS AT 30'

COMMERCIAL 9V

COMMERCIAL

COMMERCIAL 19

COMMERCIAL 19

COMMERCIAL 19

RESIDENTIAL 115'

RESIDENTIAL 28'
EDUCATIONAL 126'

RESIDENTIAL 28'

RESIDENTIAL 28'
EDUCATIONAL 126'

SURROUNDING LAND USE PLAN

Applicant: NINTH ST. INVESTORS, LLC Address: 11-15 E. 9TH ST.; 901-1007 S. STATE ST CHICAGO, IL 60605

Intro Date: July 25,2012

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PLANNED DEVELOPMENT BOUNDARY AND PROPERTY LINE

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PROPOSED 4" CAL SHADE TREES
SHRUB HEDGE

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FROPOSED SHRUB. GROUNDCOVER AND PERENNIAL MIX

EXTENSIVE GREEN
ROOF SYSTEM CSEDUM varieties;

Applicant: NINTH ST. INVESTORS, LLC Address: 11 -15 E. 9TH ST.; 901-1007 S. STATE ST. CHICAGO, IL 60605

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B/RESIDENTIAL

T7BUILDING

AMENITY LEVEL

STREET.

**Applicant: NINTH ST. INVESTORS, LLC Address: 11 -15 E. 9TH
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ARCHITECTURAL

CONCRETE

CANTILEVERED

BALCONY

ARCHITECTURAL CONCRETE, PAINTED

ARCHITECTURAL CANOPY T/PARAPET ,,
STREET.

BUILDING ENTRANCE

STOREFRONT SYSTEM

Applicant: NINTH ST. INVESTORS, LLC Address: 11 -15 E. 9TH
ST.; 901-1007 S. STATE ST. CHICAGO, IL 60605

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CPC Date: December 20,2012

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T/PARAPET

B/RESIDENTIAL

AMENITY LEVEL

: S3 -0- fl*

ar-a"

ARCHITECTURAL CONCRETE, PAINTED

STREET

o'-o- W

GARAGE ENTRY, OPEN

Applicant: NINTH ST. INVESTORS, LLC Address: 11 -15 E. 9TH
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ARCHITECTURAL CONCRETE, PAINTED

T/PARAPET

ARCHITECTURAL CANOPY T/HABITABLE SPACE,

GLASS & METAL STOREFRONT SYSTEM

HIGH PERFORMANCE VISION SPANDREL GLASS AND METAL WALL SYSTEM

BALCONY

ARCHITECTURAL CONCRETE COLUMNS, PAINTED

PERFORATED METAL PANELS METAL GARAGE DOORS

ARCHITECTURAL CONCRETE, PAINTED

B/RESIDENTIAL

AMENITY LEVEL

BLADE SIGNAGE

Applicant: NINTH ST. INVESTORS, LLC Address: 11-15 E. 9TH
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STREET

Intro Date: July 25,2012
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Project Name:

** S/ree(Number (if the address only includes one street number, please fill only the cell 'From'):*

901 1007 S State St

Ward No: Community Area No:
32

Check applicable:

^Planned Development h PD No: ffBD
!* From:

[>3Redevelopment Agreement DZoning Change I* RDA No:
To

Public project

Total land area in sq.ft.:

39124
Enter First Name Last Name
Project Size:
Fernando Espinoza
Select project category:

DPD Project Manager: BG/GR Matrix:
Res. 4 or more Market Rate

Check applicable:

Financial Incentives: QTIF

- grif
- SBIF
- KILand Sale Write Down

93640
30,445

- Empowerment Zone Grant Class L
- ind. Dev. Revenue Bonds Class 6b Bank Participation Loan DOH

Check applicable:

- Public plaza & pocket park
- Chicago Riverwalk improvements
- Winter gardens
- indoor through-block connection
- Sidewalk widening
- Arcades

- Water features in a plaza or pocket park Setbacks above the ground floor Lower level planting terrace Green roof
- Underground parking and loading Concealed above-ground parking

ago Builds Green

7' Landscape Setback Interior Landscape Area No. of Interior Trees No. of Parkway Trees

Square footage: Square footage:

Required par Zoning. *>>.J , ^-Y /• ■!:"CocleorGreenV'.' T~d\te\$tovtie&by;t ■Roof/Building Green ■ ■ the'deyelopriert: -:
Please fill, if applicable

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River Setback Private Open Space
Privately developed Public Open Space square footage:

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Stormwater Management (At-grade volume control):

Permeable paving Raingarden Filter strip Bioswale Detention pond Native landscaping
Rain-water collection cistern/barrel Total impervious area reduction

Square footage:
Check applicable:] - ■ 'S^CD 'r<&i--h

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Square footage.
Gallons Square footage.

Other sustainable surface treatments:

Green roof Energy Star roof High-albedo pavement

Square footage: Square footage:

• '4.<: 15000;
;feo

Square footage:

No. of accessory parking spaces

Total no. Of parking spaces (Accessory + Non-Acc.) No. of parking spaces dedicated to car sharing services (E.g.: I-Go, Zip-Car) No. of bicycle parking
Within 600 ft of CTA or Metra station entrance

-y-: -V218
.M~> 248

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Check if applicable:!

Chicago Builds Green

Building Certification:

Energy Star building . LEED certification

LEED Certified LEED Silver LEED Gold LEED Platinum

Chicago Green Homes

Chicago Green Homes [one-star] Chicago Green Homes [two-star] Chicago Green Homes [three-star]

Energy efficiency strategies

not captured above:

-IE: Other than Energy Star Roof- or Energy Star Building Certification-

Other sustainable strategies and/or Project Notes:

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