

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the B3-5 Community Shopping District symbols and indications within the area hereinabove described to the designation of Residential-Business Planned Development No. _____, which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

Common address of properties: 3200-3226 North Clark Street/
854-856 West Belmont Avenue

**FINAL FOR
PUBLICATION**

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO.

BULK REGULATIONS AND DATA TABLE

Gross Site Area: Area in Public R.O.W.: Net Site Area:

Permitted Floor Area Ratio:
41,484 square feet 15,759 square feet 25,725 square feet

5.0

Maximum Number of Dwelling Units:

Minimum Number of Accessory Off-Street Parking Spaces to be provided:

Minimum Number of Bicycle Parking Spaces:

Minimum Off-Street Loading Spaces: Setbacks from Property Line:

Maximum Percentage of Site Coverage:

Maximum Building Height: Setbacks from Property Lines:

90

39 parking spaces; 1 "shared" vehicle

20 (50% of provided vehicle parking)

Two (2) spaces at 10' x 50" each

In substantial compliance with the attached Site Plan

In substantial compliance with the attached Site Plan

96'-0"

In substantial compliance with the attached Site Plan

Applicant: 3200 N. Clark, LLC
Address: 3200-3226 North Clark Street
Intro Date: January 15, 2014
CPC Date: May 15, 2014

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential-Business Planned Development No. _____, (the "Planned Development") consists of approximately twenty-five thousand, seven hundred and twenty-five (25,725) square feet (0.59 acres) of property which is depicted on the attached Planned Development Boundary and Properly Line Map (the "Property") and is owned or controlled by the Applicant, "3200 N. Clark, LLC."
2. 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, alleys or easements or any adjustment of the right-of-way shall require a separate submittal on behalf of the Applicant or its successors, assignees or grantees and approval by the City Council.
3. 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 application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Designated control for the purpose of this paragraph shall mean that any application to the City for any amendments to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by the owners of the Property and any ground lessors. An agreement among property owners, the board of directors of any property owners' association, or a covenant binding the property owners, may designate the authorized party for any future amendment, modification or change.
4. This Plan of Development consists of eighteen (18) Statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map, an Existing Land-Use Map; and a Site Plan, Landscape Plan and Building Elevations, prepared by Hirsch Associates, LLC and dated May 15, 2014, submitted herein. Full sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development ("DPD"). These and no other zoning controls shall apply to this property.

In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall apply. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago and all requirements thereto and satisfies the established criteria for approval as a Planned Development.

Applicant: 3200 N. Clark, LLC

Address: 3200-3226 North Clark Street, 854-856 West Belmont Avenue
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5. The following uses are allowed in the area delineated herein as the Residential-
5. Business Planned Development No. : residential units, permitted uses in the Commercial Use Group in the B3 Community Shopping District, with related and accessory uses and off-street parking and loading. The following uses are excluded from the allowed uses; Building Material Sales, Pawn Shops. Automated Teller Machine Facility, Non-Accessory Parking, Auto Supply / Accessory Sales, and Motor Vehicular Repair Shops.
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 ("DPD"). Off-Premise signs are prohibited within the boundary of this Planned Development.
7. Off-street parking and loading facilities shall be provided in compliance with this Planned Development, subject to the review of the Chicago Department of Transportation ("CDOT") and the approval of the Department of Planning and Development ("DPD").
8. Ingress or egress shall be subject to the review and approval by the Chicago Department of Transportation ("CDOT") and the Department of Planning and Development ("DPD"). Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation ("CDOT"). All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago.
9. 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.
10. The maximum permitted floor area ratio (F.A.R.) for the parcel(s) shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of floor area ratio calculations and floor area measurements, the definitions in the Chicago Zoning Ordinance shall apply.
11. The City of Chicago established a Part II Review Fee in the Amount of \$ 0.25 per square feet for the total buildable square feet (FAR). The Part II Review Fee is assessed by the Department of Planning and Development ("DPD") during the actual Part II Review. The fee as determined by DPD staff at that 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.
12. The improvements on the property, including the on-site exterior landscaping and the landscaping along the adjacent rights-of-way and all entrances and exits to and from the parking and loading areas, shall be designed, constructed and maintained in substantial conformance

with the Site Plan and Landscape Plan. In addition, parkway trees shall be installed and maintained in accordance with the parkway tree planting provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.

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- '13. The terms, conditions and exhibits this the Planned Development ordinance may be modified administratively, by the Commissioner of the Department of Planning and Development ("DPD") upon the application for such a modification by the Applicant or its successors or assigns and a determination by the Commissioner of the Department of Planning and Development ("DPD") that such modification is minor, appropriate and consistent with the nature of the improvements contemplated by this Planned Development and the purposes underlying the provisions hereof. Any modification of the requirements of the Planned Development by the Commissioner of the Department of Planning and Development ("DPD") shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13-0611-A of the Chicago Zoning Ordinance.
14. 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 Persons with Disabilities ("MOPD") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
15. The Applicant will comply with Rules and Regulations for the Maintenance of Stock-Piles promulgated by the Commissioner of Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings pursuant to Section 13-32-125 of the Municipal Code of Chicago or any other provision of that Code.
16. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. All development shall be in substantial compliance with the current City of Chicago Sustainable Development policy set forth by the Department of Planning and Development ("DPD"). The proposed multistory building shall provide a vegetated ("green") roof totaling a minimum of 50% of the net roof area (10,270 square feet) and obtain LEED's certification.

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17. The Applicant acknowledges and agrees that the rezoning of the Property from a B3-3 Community Shopping District to a B3-5 Community Shopping District for construction of this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). In accordance with these requirements and the Affordable Housing Profile Form attached hereto as Exhibit the Applicant has agreed to make a cash payment to the Affordable Housing Opportunity Fund in the amount of \$100,000.00 per unit ("Cash Payment"). At the time of each Part II review for the Residential Project, the 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 No. 17 (i.e. 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 the Department of Planning and Development may enforce remedies with respect to any breach of this Statement 17, and may enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.
18. Unless substantial construction of any improvements as contemplated by this Planned Development amendment has commenced within six (6) years following adoption of this Planned Development and unless completion thereof is diligently pursued, then this Planned Development shall expire and the zoning of the Property shall automatically revert to its prior

B3-3 Community Shopping District. This six (6) year period may be extended for up to one additional year if, before expiration of the six (6) year period, the Commissioner of the Department of Planning and Development ("DPD") determines that good cause for an extension is shown.

Applicant: Address: Intro Date: CPC Date:
3200 N. Clark, LLC 3200-3226 North Clark Street January 15, 2014 May 15, 2014

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