



Office of the City Clerk

City Hall
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Legislation Details (With Text)

File #: SO2017-9003
Type: Ordinance **Status:** Passed
File created: 12/13/2017 **In control:** City Council
Final action: 2/28/2018
Title: Zoning Reclassification Map No. 9-G at 3300 N Clark St - App No. 19482
Sponsors: Misc. Transmittal
Indexes: Map No. 9-G
Attachments: 1. O2017-9003.pdf, 2. SO2017-9003.pdf

Date	Ver.	Action By	Action	Result
2/28/2018	1	City Council	Passed as Substitute	Pass
2/22/2018	1	Committee on Zoning, Landmarks and Building Standards	Substituted in Committee	
12/13/2017	1	City Council	Referred	

FINAL FOR SUBSTITUTE 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 be amended by changing all the B3-3 Community Shopping District symbols and indications as shown on Map No. 9- G in the area bounded by

beginning at a line 196.8 feet northwest of the intersection of North Clark Street and West School Street as measured at the southwesterly right-of-way line of North Clark Street and perpendicular thereto; North Clark Street; West School Street; and the alley west of and parallel to North Clark Street running northwest to the point of beginning,

to those of a B3-5 Community Shopping District and a corresponding use district is hereby established in the area above described.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the C3-5 Community

Shopping District symbols and indications within the area herein above 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 property:

FINAL FOR PIB1 fCATS

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. _____ PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential-Business Planned Development No. _____, ("Planned Development"), consists of approximately twenty-three thousand and twenty-seven (23,027) square feet or zero point five two nine (0.529) acres of real property (the "Subject Property"), as shown, which is depicted on the attached Planned Development Boundary and Property Line Map. The Applicant 3300 N Clark, LLC, an Illinois Limited Liability Company, has filed this application, is the sole owner of the land subject to the proposed Planned Development.
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 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 Subject 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 Chicago Zoning Ordinance.]
3. All applicable official reviews, approvals and/or permits are required to be obtained by the Applicant or its successors, assignees or grantees, with any formal amendments to this Planned Development requiring the informed consent of all owners of property located within the boundaries of the Planned Development. Any dedication or vacation of streets, alleys or easements or any adjustments to any right-

of-way (ROW) 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 this Planned Development. Ingress or egress shall be pursuant to the Planned Development and may be subject to the review and approval of the Department of Planning and Development (DPD) and/or the Chicago Department of Transportation (CDOT). 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, including but not limited to the alley restoration described in the Planned Development Building Plan Set, must be designed and constructed in accordance with the Chicago Department of Transportation's Construction Standards, and shall be in compliance with all applicable provisions of the Municipal Code of Chicago. Prior to the issuance of any "Part II" approval, the submitted plans must be approved by the Chicago Department of Transportation (CDOT). Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the City's Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be

limited to, the following as shall be reviewed and determined by CDOT's Division of Infrastructure Management: "

- Full width of streets
- Full width of alleys
- Curb and Gutter
- Pavement Markings
- Sidewalks
- ADA crosswalk ramps
- Parkway and Landscaping

The Perimeter Restoration Agreement must be must be executed prior to any CDOT and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the 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.

4. This Plan of Development consists of eighteen (18) Statements: a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Site Plan; Floor Plans; a Landscape and Green Roof Plan; the wall axonometric drawings/sections; and Building Elevations, all of which* were prepared by bKL Architecture, LLC, and dated February 15, 2018, which are accordingly submitted and referenced 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

Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the tenets of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

- 5.. The following uses are allowed in the area delineated herein as the Residential-Business Planned Development, and shall include the following, without limitation: multi-unit residential and related accessory uses; financial services without an accessory drive-through lane, and not a payday loan store or pawn shop; general office; retail sales; general food and beverage retail sales; eating and drinking establishments (alcoholic liquor sales only as an accessory or incidental use); and accessory off-street parking and loading.
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

Applicant: 3300 N Clark, LLC
Address: 3300 N. Clark St., Chicago, IL
Plan Commission: February 15, 2018

Department of Planning and Development (DPD). Off-premise signs are prohibited within the boundary of the Planned Development.

7. For purposes of height calculations and measurements, 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 (FAA).
8. The maximum permitted floor area ratio (FAR), for the Property, shall be in accordance with the attached Bulk Regulations and Data Table (Exhibit). For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR, identified in the Bulk Regulations and Data Table, has been determined using a net site area of 23,027 square feet and a base FAR of 5.0.
9. Upon review and determination, and pursuant to section 17-13-0610 of the Zoning Ordinance, Part II Review shall be assessed a fee, by the Department of Planning and Development (DPD). The fee, as determined by Staff at the time of submission, is
 - * final and binding on the Applicant and must be paid to the Chicago 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 corresponding regulations and guidelines, including Section 17-13-0880 of the Zoning Ordinance. Final landscape plan review and approval will be by the Department of Planning and Development (DPD). Any interim reviews associated with Site plan review or Part II Reviews, are conditional until final Part II Approval.
11. 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.

12. 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 Subject Property. Plans for all buildings and improvements, within the Planned Development Boundary, shall be reviewed and approved by the Mayor's Office for People 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.
13. The Applicant will comply with the Rules and Regulations, for the Maintenance of Stockpiles, as promulgated by the Commissioner of Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings, pursuant to

Applicant: 3300 N Clark, LLC
Address: 3300 N. Clark St, Chicago, IL ;
Plan Commission: February 15, 2018

Section 13-32-125 of the Municipal Code of Chicago or any other relevant provision of that Code.

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, conserves energy and maximizes the preservation of 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 will be required to repair or otherwise rebuild the public sidewalks, parkways, and public alleyway surrounding the subject property consistent with the approved site and landscape plans incorporated into this Planned Development. All work will be completed consistent with the standards and regulations of the City of Chicago's Department of Transportation ("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

Applicant: Address:
Plan Commission:
3300 N Clark, LLC
3300 N. Clark St, Chicago, IL
February 15, 2018

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.

17. The Applicant acknowledges and agrees that the rezoning of the Subject Property from B3-3 Community Shopping District to B3-5 Community Shopping District and then to a Residential-Business Planned Development, triggers 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 project contemplates a total of one hundred and forty (140) dwelling units. As a result, the Applicant's affordable housing obligation is fourteen (14) Affordable Units (10% of 140). The Applicant has agreed to satisfy its affordable housing obligation by providing five (5) Affordable Units within the proposed building, and by making a cash payment to the Affordable Housing Opportunity Fund in the amount of one million one hundred and twenty-five thousand dollars (\$1,125,000) or one-hundred and twenty-five thousand dollars (\$125,000) per each Affordable Unit paid for, as set forth in the Affordable Housing Profile Form, attached hereto' as Exhibit A. If the Applicant subsequently reduces (or increases) the number of housing units in the PD, or elects to build a condominium project instead, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the requirements or 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/or 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 16, 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.

Applicant: 3 3 00 N Clark, LLC
Address: 3300 N. Clark St, Chicago, IL
Plan Commission: February 15, 2018

18. This Planned Development shall be governed by Section 17-13-0612, et seq. Should this Planned Development Ordinance lapse, the Commissioner of the Department of Planning and Development (DPD) shall initiate a Zoning Map Amendment to rezone the property to a B3-3 Community Shopping District.

Applicant: 3300 N Clark, LLC
Address: 3300 N. Clark St, Chicago, IL
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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO.

BULK REGULATIONS AND DATA TABLE

Gross Site Area:

Gross Area of Public Rights of Way Net Site Area:

38,867 square feet (0.892 acres) 15,840 square feet (0.363 acres) 23,027 square feet (0.529 acres)

Maximum Floor Area Ratio within PD:

Maximum Residential Units within PD:

Total Number of Vehicular Off-Street Parking Spaces to be provided within PD:

Number of Bicycle Parking Spaces to be Provided within PD:

Number of Off-Street Loading Spaces to be provided within PD:

Setbacks from Property Line:

Maximum Building Height allowed within PD:

5.0 FAR

140 dwelling units

20 vehicular parking spaces

120 bicycle parking spaces

1 loading space

Per the attached Site Plan.

92 feet

Subject Property: 3300 N. Clark St., Chicago, IL

2015 Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 ARO (all projects submitted to City Council after October 13, 2015). More information is online at www.cityofchicago.org/ARQ <<http://www.cityofchicago.org/ARQ>>.

This completed form should be returned to: Kara Breems, Department of Planning & Development (DPD), 121 N. LaSalle Street, Chicago, IL 60602. E-mail; kara.breems@cityofchicago.org <<mailto:kara.breems@cityofchicago.org>>

Date: 1/17/18

DEVELOPMENT INFORMATION

Development Name: 3300 N Clark LLC

Development Address: 3300 N Clark Chicago IL 60657

Zoning Application Number, if applicable: 19482 Ward:44

If you are working with a Planner at the City, what is his/her name? Noah Szafranec

Street: Clark Postal Code: 60657

Development Name, if applicable

3300 N Clark LLC

Information

Ward: 44 ARO Zone: Higher Income

Details

Type of city involvement: ZC

Total Number of units in development: 140

Type of development: Rent

Is this a Transit Served Location Project: N

Requirements

Required affordable units: 14 Required *On-site aff. Units: 4 How do

you intend to meet your required obligation On-Site: 5 Off-Site: 0

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

Total Units Committed: 5 Remaining In-Lieu Fee Owed: 1,125,000

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EXISTING ZONING MAP Scale: N.T.S.

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//: Subject Property

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Property Line

APPLICANT: 3300 CLARK

LLC ADDRESS: 3300

NORTH CLARK STREET

DATE OF INTRODUCTION: DECEMBER 08, 2017 ESSS PLAN COMMISSION: FEBUARY
15, 2018 ^oiabKLArch^iLc

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

APPLICANT: 3300 CLARK LLC ADDRESS:
3300 NORTH CLARK STREET DATE OF
INTRODUCTION: DECEMBER 08, 2017
PLAN COMMISSION: FEBUARY 15, 2018

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GROSS SITE AREA: 37,131 SF
AREA IN PUBLIC RIGHT OF WAY:
14,104 SF

NET	SITE	AREA:
23,027 SF		

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

APPLICANT: 3300 CLARK LLC ADDRESS: 3300 NORTH CLARK STREET DATE OF
INTRODUCTION: DECEMBER 08,2017 PLAN COMMISSION: FEBUARY 15, 2018
Property Line

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APPLICANT: 3300 CLARK
LLC ADDRESS: 3300 NORTH
CLARK STREET

DATE OF INTRODUCTION: DECEMBER 08, 2017 13131 PLAN COMMISSION: FEBUARY 15, 2018

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APPLICANT: 3300 CLARK LLC ADDRESS: 3300 NORTH CLARK STREET DATE OF
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APPLICANT: 3300 CLARK LLC ADDRESS: 3300 NORTH CLARK STREET DATE OF
INTRODUCTION: DECEMBER 08, 2017 PLAN COMMISSION: FEBUARY 15, 2018

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APPLICANT: 3300 CLARK LLC ADDRESS: 3300 NORTH CLARK STREET DATE OF
INTRODUCTION: DECEMBER 08, 2017 PLAN COMMISSION: FEBUARY 15,2018

MATERIAL LEGEND

BR-1	STANDARD SIZE HORIZONTAL BRICK
BR-2	STANDARD SIZE VERTICAL BRICK
BR-3	BRICK SCREEN
GL-1	VISION GLASS
MTL-1	METAL SCREEN
MTL-2	METAL BASE
CC-1	CAST IN PLACE, PAINTED CONCRETE

APPLICANT: 3300 CLARK LLC ADDRESS: 3300 NORTH CLARK STREET DATE OF INTRODUCTION: DECEMBER 08, 2017 PLAN COMMISSION: FEBRUARY 15, 2018

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

Daniel S. Solis
City Council Committee on Zoning

David M., Reifman Commissioner
Department of Planning and Development

Date: February 15, 2018

Re: Proposed Planned Development (generally located at 3300 N. Clark Street)

On February 15, 2018, the Chicago Plan Commission recommended approval of a proposed planned development submitted by the Applicant, 3300 N Clark, LLC. :The project involves the construction of an 8-story mixed use building with ground floor retail space, 140 dwelling units and approximately 20 parking spaces. The site is currently zoned B3-3 and would be rezoned to B3-5 to accommodate the proposal. 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 and Land Use recommendation and a^copy of the resolution. If you have any questions injhis regard, please do not hesitate to contact me at 744-9476.

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

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602