



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: SO2015-6439, Version: 1

**FINAL FOR
PUBLICATION**

ORDINANCE

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the DX-5 Downtown Mixed-Use District symbols and indications as shown on Map 3-F in the area bounded by:

North Clark Street; a line 100 feet north of and parallel to West Chicago Avenue; the public alley next west of and parallel to North Clark Street; and a line 152 feet next north of and parallel to West Chicago Avenue;

to those of a DX-7 Downtown Mixed-Use District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the DX-7 Downtown Mixed-Use District symbols and indications as shown on Map 3-F in the area bounded by:

North Clark Street; West Chicago Avenue; the public alley next west of and parallel to North Clark Street; and a line 152 feet next north of and parallel to West Chicago Avenue;

to those of a Residential-Business Planned Development.

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

Address: 800-814 North Clark and 100-114 West Chicago, Chicago, IL 60610
EASTM 03902532 4

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number TBD, ("Planned Development") consists of approximately 23,002 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). Clark 800 LLC is owner of the Property and the "Applicant" for this 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, 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, 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 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 the Plans.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Department of Planning and Development ("DPD") and CDOT. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of CDOT.

All work proposed in the public way must be designed and constructed in accordance with CDOT 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 CDOT.

4. This Plan of Development consists of these 16 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Hartshorne Plunkard Architecture and dated January 21, 2016 (the "Plans"): an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Property and Boundary Line Map; a Site Plan; a Landscape/Green Roof Plan; Subarea A Building Elevations (North, South, East and West) and Subarea B Building Elevations (North, South, East and West). 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 thereof, 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 Business Planned Development: Dwelling Units located above the ground floor; Animal Services; Artist Work or Sales Space; Business Support Services; Eating and Drinking Establishments; Financial Services; Food and Beverage Retail

Applicant: Clark 800 LLC
Address: 800-814 North Clark and 100-114 West Chicago, Chicago, IL 60610
Introduced: September 24, 2015 Plan
Commission: January 21, 2016
EASTU 03902532.4

FINAL FOR PUBLICATION

Sales; Vacation Rental; ; Office; Personal Service; General Retail Sales; Indoor Participant Sports and Recreation; Valuable Objects Dealer; Co-located Wireless Communication Facilities and related, incidental and accessory uses 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 DPD. Off-Premise signs are prohibited within the boundary of the Planned Development.

I. . 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 Property shall be in accordance with the attached Bulk Regulations and Data Table. 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 23,001 square feet and an FAR of 7.0.

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 DPD. 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 DPD. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
- II. 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.
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 seek LEED certification (or equivalent alternative certification, such as Energy Star) and provide a 50% net green roof equivalent to an actual total of approximately 2,382 square feet for the building in Subarea B.

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15. The Applicant acknowledges and agrees that the rezoning of Subarea B from DX-5 Downtown Mixed Use District to DX-7 Downtown Mixed Use 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 provide 23 affordable housing units in the Residential Project for households earning up to 60% of the Chicago Primary Metropolitan Statistical Area median income (the "Affordable Units"), or make a cash payment to the Affordable Housing Opportunity Fund 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 15 (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 including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment, or execute an Affordable Housing Agreement in accordance with Section 2-45-110(i)(2). 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 Residential Project and will constitute a lien against each Affordable Unit. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit. 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.

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 DPD shall initiate a Zoning Map Amendment to rezone the property to the DX-7 Downtown Mixed-Use District.

Applicant: Clark 800 LLC
Address: 800-814 North Clark and 100-114 West Chicago, Chicago, IL 60610
Introduced: September 24, 2015
Plan Commission: January 21, 2016
EASTU 03902532.4

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

Gross Site Area (sf):

Area of Public Rights-of-Way (sf):

Net Site Area (sf):

Maximum Floor Area Ratio:

Maximum Number of Dwelling Units:

Subarea A:

Subarea B: Minimum Off-Street Parking Spaces:

Subarea A:

Subarea B:

Minimum Bicycle Parking Spaces:

Subarea A:

Subarea B: Minimum Off-Street Loading Spaces:

Subarea A:

Subarea B: Maximum Building Height:

Subarea A:

Subarea B: Minimum Setbacks:

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Existing 179'

In substantial conformance with the Plans

Applicant: Clark 800 LLC
Address: 800-814 North Clark and 100-114 West Chicago, Chicago, IL 60610
Introduced: September 24, 2015 Plan
Commission: January 21, 2016
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APPLICANT: 800 CLARK LLC

810-814 N. CLARK STREET & 100 W. CHICAGO

INTRODUCED: SEPTEMBER 24, 2015 PLAN COMMISSION: JANUARY 21, 2016

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CHICAGO AVE.

1 STORY

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5 STORY

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2 STORY

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APPLICANT: 800 CLARK LLC
ADDRESS:

810-814 N. CLARK STREET & 100 W. CHICAGO
SCALE: 1" = 275'-0"

INTRODUCED: SEPTEMBER 24, 2015 PLAN COMMISSION: JANUARY 21, 2016

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**GROSS SITE AREA: 40,400
SF
AREA IN RIGHT-OF-WAY: 17,399
SF
NET SITE AREA: 23,001
SF**

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SUB-AREA B

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APPLICANT: 800 CLARK LLC

PLANNED DEVELOPMENT BOUNDARY/ SUB-AREA MAP

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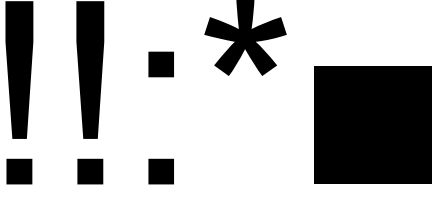
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Affordable Housing Profile Form (Rental)

Submit this form to the Department of Planning & Development for each project that triggers an affordability requirement (including CPAN, ARO, and the Density Bonus).

This completed form should be returned (via e-mail, fax, postal service or interoffice mail), to: Marcia Baxter, Department of Planning & Development, 121 N. LaSalle Street, Chicago, IL 60602. E-mail: Marcia.Baxter@cityofchicago.org <mailto:Marcia.Baxter@cityofchicago.org>; Telephone: (312) 744-0696.

For information on these programs/requirements, visit www.cityofchicago.org/dpd <<http://www.cityofchicago.org/dpd>>

Date: January 15, 2016

SECTION 1: DEVELOPMENT INFORMATION

Development Name: 800-814 North ciar* Development Address: 800-814
North Clark Ward: 2nd

If you are working with a Planner at the City, what is his/her name? ^{Dan} Kiaioer

Type of City involvement: Land write-down
(check all that apply) Financial Assistance (If receiving tif assistance, win tif funds be

used for housing construction? ") "if yes, please provide copy
of the TIF Eligible Expenses X Zoning increase, PD, or City Land purchase

SECTION 2: DEVELOPER INFORMATION

Developer Name: dark 800 LLC
Developer Contact (Project Coordinator): Mark Heffron
Developer Address: 1025 W Sunnyside Avenue, Chicago, IL 60640
Email address: mh.effron@cedarst.com <mailto:mh.effron@cedarst.com> May we use email to contact you?
Telephone Number: 312-506-3200

SECTION 3: DEVELOPMENT INFORMATION

a) Affordable units required

For ARO projects: 230 x 10%* = 23 (always round up)
Total units total affordable units required
*20% if TIF assistance is provided

For Density Bonus projects: X 25% =
Bonus Square Footage* Affordable sq. footage required

*Note that the maximum allowed bonus is 20% of base FAR in dash-5; 25% in dash-7 or -10; and 30% of base FAR in dash-12 or -16 (www.cityofchicago.org/zoning <http://www.cityofchicago.org/zoning> for zoning info).

b) building details

in addition to water, which of the following utilities will be included in the rent (circle applicable): Cooking gas electric gas heat
electric heat other (describe on back)

Is parking included in the rent for the: affordable units? yes no market-rate units? yes no

If parking is not included, what is the monthly cost per space?

Estimated date for the commencement of marketing

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Estimated date for completion of construction of the affordable units: n/a

Unit Type ¹	Number of Units	Number of Bedrooms/Unit:	Total Square Footage/Unit	Expected Market Rent	Proposed Affordable Rent*	Proposed Level of Affordability (60% or less of AMI)	Unit Mix O to proceed
	4						

Example 1 bed/1 bath 1 . 800 : \$1000 60%

75
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Affordable Unit		\	
	-	\!	
Mar		N/A	N/A
Units		N/A	N/A
		N/A	N/A

(typically corresponds with issuance of building permits) Month/Year For ARO projects, use the following formula to

calculate payment owed:

23C

$$\frac{\text{X } \$100,000 = \$ 2,300 000}{\text{Number of total units in development}}$$

(round up to nearest whole number)

For Density Bonus projects, use the following formula to calculate payment owed:

\$
Amount owed

x 80% x \$

Bonus F:cor Area (sq ft)

median price per base FAR foot (from table below) _

Submarket (Table for use with the Density Bonus fees-in-lieu calculations)

Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east

North: Division on north; Chicago River on south/west; Lake Shore Dr. on east South. Congress on north; Stevenson on south;

Chicago River on west, Lake Shore Dr. on east

West: Lake on north. Congress on south; Chicago River on east; Racine_on west [

Authorization to Proceed (to be completed by Department of HEP)

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& Development

Date

Developer/Pr

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Date

Department of Planning and Development

CITY OF CHICAGO

MEMORANDUM

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

David L. Reifman Secretary
Chicago Plan Commission

DATE: January 22, 2016

RE: Proposed Residential Business Planned Development for property generally located at
800-814 North Clark Street and 100-114 West Chicago Avenue.

On January 21, 2016, the Chicago Plan Commission recommended approval of the proposed planned development submitted by Clark 800, LLC. A copy of the proposed planned development is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning hearing.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, bureau of Planning and Zoning recommendation and a copy of the Resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-5777.

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

121 NORTH LASALLE STREET, ROOM 10D0, CHICAGO, ILLINOIS 60602

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Typical Floor Plan

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Site/Landscape Plan

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**REPORT to the
CHICAGO PLAN COMMISSION from the
DEPARTMENT OF PLANNING AND DEVELOPMENT JANUARY
21, 2016**

FOR APPROVAL: PROPOSED RESIDENTIAL BUSINESS PLANNED DEVELOPMENT

APPLICANT: CLARK 800, LLC

**LOCATION: 800-814 NORTH CLARK STREET; 100-114 WEST CHICAGO
AVENUE**

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development hereby submits this report and recommendation regarding a proposed Residential Business Planned Development for your review and recommendation to the Chicago City Council. The application for the amendment to the Zoning Ordinance was introduced into the City Council on September 24, 2015. Proper legal notice of the public hearing on the application was published in the Chicago Sun-Times on January 6, 2016. The Applicant was separately notified of this hearing.

The Applicant, Clark 800, LLC, is seeking approval to rezone property from DX-5 (Downtown Mixed-Use District) and DX-7 (Downtown Mixed-Use District) to a unified DX-7 district, prior to establishing a Residential Business Planned Development. The Applicant is seeking a planned development in order to construct a 179' residential/mixed use building with approximately 129 dwelling units, ground floor commercial uses and accessory parking, to be known as Subarea B. The proposed planned development also includes a City of Chicago landmark building known as the Bush Temple of Music which is separately being adaptively reused by the Applicant and will include approximately 101 residential units as well as ground floor commercial uses, to be known as Subarea A. Pursuant to Section 17-8-0512-B of the Chicago Zoning Ordinance, a planned development application is required because the proposed tower's height exceeds 155'.

PROJECT BACKGROUND

The Applicant, Clark 800, LLC, purchased the subject properties in 2014. The property located at 810-814 N. Clark Street is currently improved with two three-story buildings that will be demolished in order to construct the proposed tower. The property located at 100-114 West Chicago Avenue/800-808 North Clark Street is known as the Bush Temple of Music and is a City of Chicago Landmark

building. Bush Temple was originally constructed in 1901 and housed the Bush and Gerts Piano Company. It was designated a Chicago Landmark in 2001 and is a large scale example of French Renaissance-Revival architecture.

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The seven-story Bush Temple building, containing approximately 74,348 square feet of floor space, will be included within the boundary of the proposed residential business planned development. Currently, Bush Temple is undergoing a facade restoration and is planned to be adaptively reused to include ground floor commercial uses and 101 residential dwelling units on the upper floors. Both the facade restoration and the interior buildout of the Bush Temple building are being pursued separately by the Applicant in compliance with DPD's historic preservation guidelines as well as the underlying DX-7 zoning district in which the property lies.

SITE AND AREA DESCRIPTION

The site is located within the broader Near North Side Community Area of Chicago, encompassing some of the most economically vibrant as well as diverse neighborhoods and business districts in Chicago. The proposed planned development boundary is bounded by North Clark Street on the east, West Chicago Avenue on the south, a north-south public alley to the west and private property to the north. As previously discussed, the proposed boundary includes the building at the northwest corner of West Chicago Avenue and North Clark Street and known as the Bush Temple of Music, which is a City of Chicago Landmark property. The Bush Temple property includes approximately 15,149 square feet of net site area. The property immediately to the north of Bush Temple, currently improved with two-3-story commercial-buildings,; contains approximately 7,852 square feet of net site area. In total, the proposed planned development boundary is approximately 23,001 square feet in size.

The Bush Temple property is currently zoned DX-7 (Downtown Mixed-Use District) while the property immediately to the north is zoned DX-5 (Downtown Mixed Use District). The surrounding zoning in the area generally also includes DX-7, DX-5 and DX-3 zoning . districts as well as various planned development designations with very similar underlying zoning districts. The surrounding land uses in the area include mixed use, residential, commercial and institutional. A variety of mixed use/residential towers exist and are under construction in the immediate area in addition to planned townhomes at Clark/Chestnut and the Moody Bible Institute campus one block to the west. Lastly, the site is not located within either the Lake Michigan and Chicago Lakefront Protection District or a tax increment financing area.

PROJECT DESCRIPTION

The Applicant is proposing to construct a 15-story mixed use building on the property immediately to the north of the Bush Temple building (Subarea B). The new building will contain approximately 2,700 square feet of ground floor commercial space, 15 enclosed parking spaces and a total of 129

dwelling units on floors two thru 14. Additionally, the building will contain various amenities for residents including provisions for at least 84 bicycles. The dwelling units will range from approximately 360 square feet to 535 square feet. Upon completion, the Bush Temple building will include 101 dwelling units, approximately 10,000 square feet of ground floor commercial space, 60 bicycle spaces and

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amenities for residents (Subarea A).

In total, the planned development will contain no more than 230 dwelling units and a minimum of 15 parking spaces, 144 bicycle spaces and 12,700 square feet of ground floor commercial space.

DESIGN/LANDSCAPING

The footprint of the proposed tower building measures approximately 52 feet along North Clark Street by 152 feet deep. The first floor of the tower is proposed to be built over the entire 7,852 square foot site with no setbacks. The first floor will contain the ground floor commercial space as well as the building lobby/entry and access to the enclosed parking area via the alley. The basement area will include the remainder of the parking spaces, accessed via an internal ramp and bike storage.

Floors two thru 14 include the residential units. The building includes partial setbacks on the north and south sides beginning on the second floor. The north side setback is approximately 15 feet deep by 69 feet long and will act as a second floor private amenity deck. Two smaller setbacks will be located on the south side of the building, each approximately 9 V2 feet deep by 18 feet long. All of the setbacks will provide light to the north and south sides of the tower which will immediately abut the Bush Temple property to the south and a planned institutional-building to the north, to be developed by others^

The partial 15th floor of the tower will provide indoor amenity space for residents and access to the rooftop amenity deck. The 15th floor will be setback substantially on all sides of the building. The building will be approximately 179' in height.

The simple and modernly designed building will contain a glass storefront system at the ground level including the main pedestrian access point to the residential tower. Materials on the upper floors on all of the elevations will include metal panel, a glass window wall system, channel glass and aluminum slab edge covers in a unified design.

The sidewalk along North Clark Street at the subject property will be improved with new trees in compliance with the Chicago Landscape Ordinance.

ACCESS/CIRCULATION

The site is very well served by public transportation including bus and rail. The Chicago Transit Authority's Red Line Station at Chicago Avenue is approximately 900 feet to the east while the Brown Line station, also at Chicago Avenue, is 1200 feet to the west. The project is seeking to take advantage of this proximity and will incorporate 15 total parking spaces in accordance with the Transit-Served Locations section of the Chicago Zoning Ordinance (17-10-0102-B), which allows for a reduction of up to 100% of the required parking spaces for projects within 1,320 feet of a CTA rail station entrance. The 15 enclosed parking spaces included with this project will be accessed via the public alley on the west side of the site. One interior loading berth will also be accessed from this public

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alley. Also in accordance with the zoning ordinance, the tower will incorporate space for approximately 84 bicycles while the Bush Temple project will accommodate 60 more, bringing the total bike storage for the project to 144 spaces.

The primary pedestrian access to the tower will be achieved via North Clark Street. In addition, residents will be able to access the tower through an internal connection within the Bush Temple building.

SUSTAINABILITY

In accordance with the City of Chicago's Sustainability Policy, the Applicant will achieve either LEED certification or Energy Star certification for the project. Also in accordance with the policy, the Applicant will provide a green roof totaling 50% of the net roof area. The project will also comply with the Storm Water Management Ordinance, implementing best practices in all storm water management.

BULK/USE/DENSITY

As stated earlier, the Applicant seeks to first rezone the subject property from DX-5 and DX-7 to a unified DX-7 district, prior to establishing the proposed Residential Business Planned Development. Per the proposed Bulk Table included as an exhibit to this report, the overall proposed maximum floor area ratio for this planned development will-be 7-0-

This Residential Business Planned Development includes the following uses: eating and drinking establishments; food and beverage retail sales; financial services; general retail sales; offices; personal services; multi-family dwelling units above the ground floor; and accessory parking.

The maximum number of dwelling units allowed for the proposed tower will be 129 while the Bush Temple property will include no more than 101 dwelling units, totaling 230 for the

proposed planned development. The Minimum Lot Area (MLA) for the project will be 100, which is less than the minimum requirement under the Chicago Zoning Code of 123. In accordance with Section 17-4-0409-A of the Chicago Zoning Ordinance, the maximum number of efficiency units proposed for the project will not exceed 40%.

Finally, this project will trigger the City of Chicago's Affordable Requirements Ordinance (ARO) as the project is seeking an increase in the underlying zoning to proceed as planned, from DX-5 and DX-7 districts to a unified DX-7 district. The Applicant is proposing to comply with the ARO by paying the in-lieu fee (\$2,300,000) under the 2007 ARO, as detailed in the attached ARO Profile Form.

RECOMMENDATION

The Department of Planning and Development has reviewed the project materials submitted by the Applicant and compared this proposal to existing development in the community. The area around this project consists of a mix of downtown zoning districts

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and planned developments and the project represents an opportunity to utilize the site's proximity to public transit while incorporating an appropriate mixed use development along North Clark Street in Chicago's Near North Side Community Area.

Based on that analysis, the Department of Planning and Development has concluded that this proposal is appropriate for this site and supports this development for the following reasons:

1. The proposed rezoning of the subject property, from DX-5 and DX-7, to a unified DX-7 district, is appropriate under Chapter 17-13 of the Zoning Ordinance. Specifically, the proposed zoning classification is compatible with surrounding zoning districts (17-13-0309-C) and the development is compatible with the character of the surrounding area in terms of uses, density and building scale (17-13-0308-C).
2. The project meets the purpose and criteria set forth in Chapter 17-8 of the Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare. Specifically, this project meets the following provisions of Chapter 17-8:
 - a - Promotes transit, pedestrian and bicycle use (per 17-8-0904-A) as evidenced by the project incorporating fewer automobile spaces and more bicycle spaces, capitalizing on the project's proximity to public transit;
 - b. Promotes economically beneficial development patterns that are compatible with the character of existing neighborhoods (per 17-8-0103), as evidenced through the project's design and massing keeping within the context of adjacent structures;
 - c. Provides that parking is located behind the buildings or to the side of buildings (per 17-8

- 0904-C-2), as evidenced by the enclosed parking area on the site to be located to the rear of the lot, accessed from a public alley;
 - d. Provides street-level spaces within buildings that are designed to accommodate active uses or to otherwise engage pedestrian interest (per 17-8-0905-A-2), as evidenced by the incorporation of street level retail/commercial space fronting on North Clark Street;
 - e. Promotes green design by conserving non-renewable energy and scarce materials (per 17-8-0908-A) as evidenced by the proposed green roof; and,
 - f. All sides and areas of the buildings that are visible to the public are treated with materials, finishes and architectural details that are of high-quality and appropriate for use on primary street-facing facade (17-8-0907-A-4), as evidenced through the material callouts in this report and on the elevations.
3. The project is consistent with the Central Area Action Plan and the CTA Typology Study, which were both adopted by the Chicago Plan Commission in 2009. Specifically, the Near North subdistrict of the Central Area Action Plan supports higher residential densities around existing transit stations while the CTA Typology

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Study calls for projects that preserve the pedestrian experience, improve walkability, bicycling and access to transit.

- 4. The public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy. The proposed project has been reviewed by the Mayor's Office for People with Disabilities and the Department of Transportation and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and no comments have been received which have not been addressed in the application.
- 5. The project will comply with the requirements for access in case of fire and other emergencies.

Based on the foregoing, it is the recommendation of the Department of Planning and Development that this application for a Residential Business Planned Development be approved and that the recommendation to the City Council Committee on Zoning, Landmarks and Building Standards be "Passage Recommended".

Bureau of Zoning and Land Use Department of Planning and Development

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF
CHICAGO

**RESIDENTIAL BUSINESS PLANNED DEVELOPMENT 800-814 NORTH CLARK
STREET; 100-114 WEST CHICAGO AVENUE**

RESOLUTION

WHEREAS, the Applicant, Clark 800, LLC, has submitted an application seeking approval for a Residential Business Planned Development on property currently zoned DX-5 (Downtown Mixed-Use District) and DX-7(Downtown Mixed-Use District); and,

WHEREAS, the Applicant intends to rezone the property to a unified DX-7 district (Downtown Mixed-Use District) prior to establishing the proposed Residential - Business Planned Development; and,

WHEREAS, the Applicant intends to construct a 15-story mixed use building with approximately 129

dwelling units and accessory parking on the property located at approximately 810-814 North Clark Street, to be known as Subarea B; and,

WHEREAS, the Applicant is separately adaptively reusing the City of Chicago Landmark property known as the Bush Temple of Music, located at approximately 100-114 West Chicago Avenue and 800-808 North Clark Street to accommodate 101 dwelling units and ground floor commercial uses, to be known as Subarea A; and,

WHEREAS, the Applicant's request to rezone the property was introduced to the City Council on September 24, 2015; and,

WHEREAS, proper legal notice of the hearing before the Plan Commission was published in the Chicago Sun-Times on January 6, 2016. The Applicant was separately notified of this hearing and the proposed zoning application was considered at a public hearing by this Plan Commission on January 21, 2016; and,

WHEREAS, the Plan Commission has reviewed the application with respect to the provisions of the Zoning Ordinance and finds that the proposal will be

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consistent with said provisions; and

WHEREAS, the Department of Planning and Development recommended approval of the application, with the recommendation and explanation contained in the written report dated January 21, 2016, a copy of which is attached hereto and made a part hereof; and,

WHEREAS, the Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment, the report and recommendation of the Commissioner of the Department of Planning and Development and all other testimony presented at the public hearing held on January 21, 2016, giving consideration to the Zoning Ordinance;

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

1. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Plan Commission regarding this zoning map amendment application.
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning,

Landmarks and Building Standards of the final zoning application dated September 24, 2015; and,

Martin Cabrera, Jr. / Chairman | Chicago
Plan Commission

RBPD No.
Approved: January 21, 2016

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

RECEIVED JAN 21 2016

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

Initial: I^c==k-S^-

1. ADDRESS of the property Applicant is seeking to rezone:

800-814 North Clark and 100-114 West Chicago. Chicago, IL 60610

2. Ward Number that property is located in: 2nd Ward

3. APPLICANT Clark 800 LLC

ADDRESS 1025 W Sunnyside Ave

CITY Chicago

STATE IL

ZIP CODE 60640

PHONE 312-506-3200

CONTACT PERSON Mark Heffron

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 applicant to proceed.

OWNER Clark 800 LLC. Clvbourn Commons LLC and Clark 800 Partners LLC as tenants-in-common

ADDRESS 1025 W Sunnyside Ave

CITY Chicago STATE IL ZIP CODE 60640

PHONE 312-506-3200 CONTACT PERSON Jay Michael

If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:

ATTORNEY Ted Novak & Katie Jahnke Dale - DLA Piper LLP (US)

ADDRESS 203 N. LaSalle Street Suite 1900

CITY Chicago STATE IL ZIP CODE 60601

PHONE (312) 368-4037 7-2153 ■ FAX (312)630-7398

EMAIL theodore.novak@dlapiper.com <<mailto:theodore.novak@dlapiper.com>> / katie.dale@dlapiper.com <<mailto:katie.dale@dlapiper.com>>

EASTU 03902532.4

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:
See attached Economic Disclosure Statements

7. On what date did the owner acquire legal title to the subject property? "November 24. 2014

8. Has the present owner previously rezoned this property? If yes, when? No

9. Present Zoning District DX-5 and DX-7 Downtown Mixed-Use District

Proposed Zoning District DX-7 Downtown Mixed-Use District, then to a Residential-Business

Planned Development

- 10. Lot size in square feet (or dimensions) +/- 23,002 square feet
- 11. Current Use of the Property Commercial
- 12. Reason for rezoning the property Mandatory Planned Development pursuant to Section 17-8-0513 of the Zoning Ordinance (Large Residential DeVelc^meWsyolid Sect
- 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 Applicant requests a rezoning of the subject property from DX-5 to a unified DX-7 Downtown Mixed-Use District and then to Residential-Business Planned Development to allow for the historic restoration of a +/- 104'6" mixed use commercial and residential building and construction of a new +/- 178*2" residential building containing an overall FAR of 7.0, up to 230 dwelling units, accessory parking, commercial uses on the ground floor, and accessory and incidental uses.

- 14. On May 14th, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See fact Sheet for more information)

YES X NO

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