



Office of the City Clerk

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

Legislation Text

File #: SO2016-648, Version: 1

FINAL FOR
PUBLICATION

ORDINANCE

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

SECTION J. Title 17, of the Municipal Code of Chicago, the Chicago Zoning Ordinance be amended by changing all the DX-5 Downtown Mixed-Use District symbols and indications as shown on Map No. 1-F in the area bounded by

- the alley next north of and parallel to West Huron Street; North Franklin Avenue;-West Huron Street; and North Orleans Street,

to the designation ol-Residential-Business Planned Development Number 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 attached and made a part thereto and to no others.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Common address of property: 300 West Huron Street

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PLANNED DEVELOPMENT - STATEMENTS

1. The area delineated herein as Planned Development Number _____, ("Planned Development") consists of approximately 32,503 net square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Properly"). The Applicant is JFJ 300 Huron, LLC. h
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 in Section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant, or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, 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 Planning and Development. 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 16 Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site and Landscape Plan; Green Roof Plan; and Building Elevations (North, South, East, and West) dated July 21, 2016, submitted 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 terms of this

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Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are allowed in the area delineated herein: dwelling units located above the ground floor, and related accessory uses, office, eating and drinking establishments, retail sales, urban farm- rooftop operation, and accessory parking. The green space located along Orleans Street shall be a park, which will be open and accessible to the public and will be maintained by the owner of the property. Seating, tables and furniture serving the retail tenants, will not be permitted within the green space.
6. On-Premise signs and temporary signs, such as construction and, marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 32,503 square feet. The improvements to be constructed on the Property will utilize the following series of FAR bonuses summarized in Bonus Worksheet, attached as Exhibit A:

<u>Description (list of all bonuses applied for and calculations')</u>	<u>FAR</u>
Base FAR:	5.00
Affordable Housing:	1.00
Transit Infrastructure Improvements:	1.00
Total FAR:	7.00

Pursuant to the Transit Infrastructure Improvements Bonus provisions of Section 17-4-1020 of the Zoning Ordinance, the Applicant has requested an increase in the floor area permitted on the Property based on a cash contribution for public transit infrastructure improvements. The Applicant shall make a cash contribution in the amount of One Million One Hundred Eighteen Thousand One Hundred Three Dollars and 20 cents (\$1,118,103.20), which corresponds to a floor area bonus of 1.0 over the net site area of 32,503 square feet. Pursuant to Section 17-4-1020-A of the Zoning Ordinance, the Applicant must enter into an agreement with the agency undertaking the improvements providing for such cash contribution. The Commissioner may require evidence that such cash contribution has been funded by the Applicant as a condition to issuance of any Part II approvals.

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9. The Applicant acknowledges and agrees that the rezoning of the Property from a DX-5 to this Planned Development, triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (the "Required Units") as affordable units, or 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, with the Commissioner's approval, off-site - if in higher income or downtown; and provided that owner-occupied residential housing projects in downtown districts have the option to pay a higher in-lieu fee if they elect not to provide a minimum of 25% of the required affordable owner-occupied units either 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 a higher income area or downtown district. The project is an owner-occupied project located in a downtown area within the meaning of the ARO, and the Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$160,000.00 per unit ("Cash Payment"), 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 Planned Development, or the project changes to include rental units, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required Affordable Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment. The Commissioner of DPD may enforce remedies for any breach of this Statement including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

The Applicant further acknowledges and agrees that the project is subject to Section 17-4-1004-C of the Zoning Code and has requested an increase in the floor area ratio for the Property, as set forth in the bonus worksheet attached hereto as Exhibit B ("Bonus Worksheet"), and as a result is also subject to the requirements of Section 17-4-1004-C of the Zoning Code (the "Density Bonus Provisions"). The Affordable Housing Density Bonus payment of \$1,118.103.20 will be applied as a credit against the in-lieu fees required under the ARO.

10. Upon review and determination, "Part IJ Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.

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11. 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 Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional

until final Part 11 approval.

12. 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.
13. 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.
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 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.
15. 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 project will be in substantial compliance with the City of Chicago Sustainable Development Policy by achieving LEED Silver certification and providing a green roof of approximately 4,800 square feet.
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 Planning and Development shall initiate a Zoning Map Amendment to rezone the property to the DX-5.

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**RESIDENTIAL BUSINESS PLANNED DEVELOPMENT BULK
REGULATION AND DATA TABLE**

Gross Site Area:	49,705 SF
Net Site Area:	32,503 SF
Total Area in Right of Way:	27,202 SF
Base Floor Area Ratio	5.0
Transit Infrastructure Improvements Bonus	1.0
Affordable Housing Bonus	1.0

Maximum Floor Area Ratio: 7.0

Minimum Number of Off-Street Loading Spaces: 1

Minimum Number of Off-Street Parking Spaces: 71

Minimum Number of Bike Parking Spaces: 35

Setbacks: In substantial conformance with Site Plan

Maximum Dwelling Units 71

Maximum Height of Structure

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2007 ARO Affordable Housing Profile (For Sale)

Submit this form to the Department of Planning & Development for projects that are subject to the 2007 ARO. Projects submitted after October 13, 2015 - or that do not receive City Council approval by July 13, 2016 - will be subject to the 2015 ARO. More information is online at www.cityofchicago.org/ARO <<http://www.cityofchicago.org/ARO>>.

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>> Telephone: (312) 744-6476

Date: Juiyi2,2016 . . .

SECTION 1: DEVELOPMENT INFORMATION

Development Name: 300 W. Huron Development Address: 300

W. Huron Ward: 42

If you are working with a Planner at the City, what is his/her name? Daniel Klaiber Type of City involvement:

j l.Land write-down

(check all that apply)

pd. Financial Assistance (If receiving tif assistance, will tif funds be used for housing construction?!" h'ifyes, please provide copy of the TIF Eligible Expenses I_-l f/jZoning increase, PD. or City Land purchase

SECTION 2: DEVELOPER INFORMATION

Developer Name: JFJ Development Contact Person: Jon

Zitzman

Address: 1046 W. Kinzie Street, Suite 300, Chicago, Illinois Email address: i_on

(^jfjdevelopment.com Telephone. Number: (773)294-6395

SECTION 3: DEVELOPMENT INFORMATION - All projects (even paying fee-in-lieu) must complete

How many affordable units are required?

If this is an ARO proiect:

JJ x 10%* - 7 , (note that we always round up)

Total units total affordable units required
 *20%, if TIF assistance is provided

If this is a Density Bonus project:

32,503 X 25% = 8,125.75
 Bonus Square Footage* Amount of affordable square 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/hed <<http://www.cityofchicago.org/hed>> for zoning info).

Is parking included in the price of: market rate unit?
affordable unit

Is parking optional?
 Yes Yes
 Yes No

If parking is not included in the unit price, what is the price to purchase parking?
\$40,000-\$80,000 per space

Estimated date for the commencement of marketing August 15,2016 Estimated date
 for completion of construction of the affordable units: n/a

Building Type: (condo, townhouse, etc): Condo

***You must include an appraisal or CMA justifying projected market price for each unit type. SECTION 4: PAYMENT IN LIEU OF UNITS**

For each unit configuration, fill out a separate row, as applicable (see example)

Unit Configuration	Square feet/ Unit	Number of affordable Units Proposed	Number of Market-rate units proposed	Total # s	Projected Assessment	Proposed Affordable Price	Proposed Level of Affordability (80, 90, or 100% AMI)	Expected Market Price*	Land Trust? (admin-use only)
		0	0			N/A	N/A		<input type="checkbox"/>
Building Total					N/A	N/A	N/A	N/A	<input type="checkbox"/>

When do you expect to make the payment -in-lieu?
 (typically corresponds with payment/issuance of building permits)

For ARO projects, use the following formula to calculate payment owed: ^

Amount owed
 71 7 **\$160,000.00 % 120 000 00**
X 10% (round up to nearest whole number)
Number of total units in development

32,503

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

Upper-Level Setbacks (-7 & -10 Districts)	0.3
Upper-Level Setbacks (-12 & -16 Districts)	0.4
Lower-Level Planting Terrace	1
Green Roofs	0.3
Underground Parking (Levels -1 & -2)	0.15
Underground Parking (Level -3 or lower)	0.2
Underground Loading	0.15
Parking Concealed by Occupiable Space	0.4
<u>FAR Bonus Cap</u> <u>compare with</u> 1.00 (-5). 1-.75 (-7.) 2.50 (-10) 3.60 (-12) 4:80 (-16) -	

25% of D

2

30% of D 30% of D

30% of D

25% of D

Total FAR Bonus On-Site
Improvements

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OFF-SITE BONUSES

Calculation of Financial Contribution

Formula:

Formula. Cash contribution (or 1 sq.ft. of FAR bonus = 0.8 x median cost of 1 sq. ft. of buildable floor area

Amenity	Bonused Square Feet Disciied	Discount Factor	median cost of 1 sqfl of buildable floor area (in \$): See City Survey of Land Cost	Base FAR	Financial Contribution
E=A*B*C					
Off-Site Park or Riverwalk		0.8.			
Street Lighting and Landscaping		0.8			
Transit Infrastructure Improvements	32,503 SF	0.8	\$43		\$1,118,103.20
Pedwav Improvements		0.8			
Adopt-A-Landmark		0.8			
Affordable Housingq	32,503 SF	0.8	\$43	5.0	\$1,118,103.20
Education		.0.8			

\$2,236,206.40

Formula:

$I = (F/G) * H$

Comparison to FAR Bonus Cap

Amenity	Total Bonused Square Feet Desired	Square Lot Area (in sq. ft.)	Base FAR	FAR Bonus calculated	FAR Bonus Cap:
Compare with Off-Site Park or Riverwalk					20% of H
Street Liphing and Landscaping					20% of H
Transit Station Improvements	32,503 SF	32,503 SF	5.0	1-.0	20% of H
Pedwav Improvements					20% of H
Adopt-A-Landmark					20% of H
Affordable Housing	32,503 SF	32,503 SF.	5.0	1.0	20% of H (-5) 25% of H (-7, -10) 30% of H(-12, -16)
Education					25% of H (-10) 30% of H (-12.-16)

If FAR Bonus calculated exceeds FAR Bonus Cap, the effective FAR Bonus for Off-Site Improvements is equal to the FAR Bonus Cap

Summary

Base FAR	5.0
FAR Bonus for On-Site Improvements	0
FAR Bonus for Off-Site Improvements	2.0
Total FAR	7.0
Total Financial Contribution	
Maximum Floor Area with Base FAR	162,515 SF
Floor Area with FAR Bonus On-Site Improvements	
Floor Area with FAR Bonus Off-Site Improvements	55,006 SF
Total Maximum Floor Area _A	227,521 SF

For JI-J 300 Huron LLC 07/19/16

Signature of Applicant

Rev April 2015

Date Received by (Dept. of Planning & Dev.) Date Page 2 of 2

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DEPARTMENT OF PLANNING AND DEVELOPMENT

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MEMORANDUM

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

David L-Reifman Secretary
Chicago Plan Commission

July 22, 2016

RE: Proposed Planned Development for property generally located at 701 North Orleans Street.

On July 21, 2016, the Chicago Plan Commission recommended approval of the proposed planned development submitted by JFJ 300 Huron, 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)

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