



# Office of the City Clerk

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

## Legislation Text

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**File #:** SO2021-1931, **Version:** 1

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FINAL FOR PUBLICATION

### ORDINANCE

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

SECTION 1. That Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, be amended by changing all the Residential-Institutional Planned Development District Number 37 symbols and indications as shown on Map Number 11-F in the area bounded by:

North Clarendon Avenue; West Lakeside Place; North Marine Drive; West Wilson Avenue; a line from a point 254.65 feet west of North Clarendon Avenue to a point 253.53 feet west of North Clarendon Avenue; the alley next north of West Wilson Avenue; North Clarendon Avenue; West Eastwood Avenue; a line from a point 249.4 feet west of North Clarendon Avenue to a point 247.51 feet west of North Clarendon Avenue; and West Leland Avenue,

to those of Residential-Institutional Planned Development Number 37, as amended, which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in this Plan of Development herewith attached and made a part hereof and to no others.

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

Address: 4600 N Marine, Chicago, Illinois

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*Residential-Institutional Planned Development No. 37, As Amended.*

*Plan Development Statements.*

1. The area delineated herein as Planned Development Number 37, as amended, ("Planned Development") consists of approximately 298,251 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by multiple owners.
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 titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicants successors and assigns and, if different than the Applicant, the legal titleholder 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. The person or entity as may then own or control a subarea delineated herein shall be authorized to obtain all required reviews, approvals, licenses and permits which are necessary to implement this Planned Development.
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, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Planned Development.

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

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of 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 Statements; a Bulk Regulations Table, Existing Zoning Map, Existing Land-Use Map, Planned Development Boundary and Property Line Map and Subarea Map, Site Plan and Building Elevations (North, South, East, West) prepared by Valerio Dewalt Train and dated July 15, 2021. The Design Exhibits set forth

Applicant: Lincoln Property Company National LLC Address: 4600 N Marine, Chicago, Illinois Introduction Date: May 26, 2021 Plan Commission: July 15, 2021

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in the January 25, 2017 Journal of the Proceedings of the City Council of the City of Chicago, pages 42303 to 42307 (inclusive), prepared by Horizon Group XX LLC and dated December 15, 2016; the Design Exhibits set forth in the approved Administrative Relief granted November 28, 2016; the Design Exhibits set forth in the approved Administrative Relief granted May 1, 2006; and the Design Exhibits set forth in the February 11, 2004 City Council Journal of the Proceedings of the City Council of the City of Chicago, pages 18696 to 18917 (inclusive), prepared by FGA Fitch Gellick Association Architects, G.A. Gellick Associates, Inc., and dated December 11, 2003. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. 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 Chicago Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development ordinance and the Chicago Zoning Ordinance, this Planned Development shall control.

5. The following uses are permitted in the area delineated herein as Planned Development Number 37, as amended:

Subarea A-1A:

Dwelling Units located on and above the ground floor, accessory parking and accessory uses.

Subarea A-1B:

Hospital, research, medical, professional offices, commercial, retail, restaurant, accessory parking and related or accessory uses;

Subarea A-2:

Hospital, research, medical, professional offices, commercial, retail, restaurant, elderly housing, assisted housing, accessory parking and related or accessory uses;

Subarea B:

Accessory and non-accessory off-street parking and accessory uses; and Subarea C:

Multi-family dwellings, professional office, storage, accessory parking and accessory uses.

6. On-premises 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-premises signs are prohibited within the boundary of the Planned Development.

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7. For purposes of height measurement, the definitions in the Chicago 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 purpose 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 298,251 square feet.

9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, 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.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. 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 II Approval.
11. 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 13-32-085, or any other provision of the Municipal Code of Chicago.
12. The Applicant acknowledges and agrees that the rezoning of the Property from Residential-Institutional Planned Development Number 37 to Residential-Institutional Planned Development Number 37, as amended, triggers the requirements of Section 2-44-080 of the Municipal Code of Chicago (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10 percent of the housing units in the residential housing project or, with the approval of the Commissioner of the Department of Housing ("DOH"), in an approved off-site location, as affordable units ("ARO Units"); (ii) pay a fee in lieu of the development of the ARO 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 ARO Units on-site or off-site (the "Required Units"). If the developer elects to provide ARO Units off-site, the off-site ARO 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.

Subarea A-1 A is located in a higher income area within the meaning of the ARO. Subarea A-1 A is an existing parking lot and its proposed project is a new construction 12-story residential building with a total of 314 dwelling units. As a result, the Applicant's affordable housing obligation is 31 ARO Units (10% of 314, rounded down), 8 of which are Required Units (25% of 31, rounded up). The Subarea A-1A Applicant's ARO obligation will be satisfied by (a) providing the 8 Required Units on-site in the Subarea A-1 A project, as set forth in the Affordable Housing Profile Form attached hereto and (b) making a cash

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payment in the amount of \$134,242 per ARO Unit or \$3,087,566 in total, as adjusted in accordance with Section 2-44-080 ("Cash Payment") in lieu of the development of the remaining 23 ARO Units. Notwithstanding Section 2-44-080(K), the developer of the Subarea A-1 A Project ("Subarea A-1 A Developer") may pay the Cash Payment into an escrow account controlled by the City of Chicago (the "City") at the time that the Subarea A-1 A Developer records the Affordable Housing Agreement (defined below). The City shall release the escrowed funds to the developer ("Sarah's Developer") of Sarah's on Lakeside Supportive Housing to be located at 4747 N. Sheridan Rd., Chicago, IL. 60640 ("Sarah's on Lakeside Project"), at the closing of the construction financing for the Sarah's on Lakeside Project, provided that Sarah's Developer has executed and recorded a regulatory agreement or other instrument obligating the Sarah's Developer to construct the Sarah's on Lakeside Project. Sarah's on Lakeside Project will be a new construction 5-story building with a total of 28 permanent affordable residential units and will also house a large open space for supportive services, case manager and staff office, and outdoor space for the tenants' use. If the closing of the construction financing for the Sarah's on Lakeside Project does not occur by December 31, 2022, the escrowed funds will be transferred to the Affordable Housing Opportunity Fund. The Applicant agrees that the ARO Units in Subarea A-1 A must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City. If the Applicant, or its successor in interest, subsequently reduces (or increases) the number of housing units in the PD, the Applicant, or its successor in interest, shall update and resubmit the Affordable Housing Profile Form to DOH for review and approval, and DOH may adjust the number of required ARO Units without amending the PD. Prior to the issuance of any building permits for any residential building in

Subarea A-1 A, including, without limitation, excavation or foundation permits, the Applicant, or its successor in interest with respect to Subarea A-1 A, must execute and record an affordable housing agreement in accordance with Section 2-44-080(L) (the "Affordable Housing Agreement") and pay the Cash Payment either to the Affordable Housing Opportunity Fund, or to the escrow account controlled by the City in accordance with the above terms. The terms of the Affordable Housing Agreement and any amendments thereto are incorporated herein by this reference. The Applicant of Subarea A-1 A 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 DOH 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 PD.

13. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, 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 titleholders 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. Future plans for all buildings and improvements on the

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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 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.
16. The Applicant acknowledges the city's ongoing and evolving initiatives to enhance awareness of, and support and encourage participation by, Minority and Women's Business Enterprise certified contractors and local city residents. To assist the city in promoting such MBE, WBE and local city resident involvement, the Applicant has already provided the Department of Planning and Development with any preliminary outreach plans designed to elicit MBE, WBE and local city resident participation, such submission may include copies of certified letters, and receipts of such, sent to MBEEA/BE contractor associations and the ward office of the alderman in which this project is proposed to be located. In conjunction with the Applicant's submission for Part II permit reviews, the Applicant will provide DPD, and upon request, the full Plan Commission, with all responses to any preliminary outreach plans and certified letters, updates on any associated communications or meetings and anticipated percentages of MBE, WBE and local city resident participation. Prior to issuance of their Certificate of Occupancy, the Applicant will provide DPD with their actual level of MBE and WBE certified contractor and local city resident participation. All such details will be provided in a form acceptable to the Zoning Administrator or Commissioner of the Department of Planning and Development.
17. In the event of a change in the boundaries of Subarea A-1 or Subarea A-2 resulting from the need to transfer property to comply with Section 3(b) of the Amended and Restated Reciprocal Easement Agreement dated September 23, 2005 governing the Property, the owner of either Subarea A-1 or Subarea A-2 may file a written request with the Department of Planning and Development forwarding a copy of the recorded quitclaim deed contemplated by said Section 3(b) containing the revised legal descriptions and asking that the boundaries of Subareas A-1 and A-2 be modified to reflect same without amending the Planned Development.
18. This Planned Development shall be governed by Section 17-13-0612. 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 Residential-Institutional Planned Development No. 37, as it existed prior to this amendment.

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Bulk Regulation

Gross Site Area: Public Rights-of-Way: Net Site Area for Entire P.D.: Net Site Area by Subareas.

Subarea A-1 A:

Subarea A-1B:

Subarea A-2:

Subarea B:

Subarea C: Maximum Floor Area Ratio for Entire P.D.:

Subarea A-1 A:

Subarea A-1B:

Subarea A-2:

Subarea B:

Subarea C: Allowed Uses:

Maximum Number of Dwelling Units:

Maximum Number of Hospital Beds: Setbacks from Property Line:

Minimum Number of Off-Street Parking Spaces:

And Data Table

352,684 square feet (8.11 acres) 54,433 square feet (1.24 acres) 298,251 square feet (6.87 acres)

43,087 square feet

112,621 square feet

43,663 square feet

65,722 square feet (1.51 acres)

33,158 square feet (0.76 acre)

3.62

6.62

3.36

5.0 (MOB)

0.0

6.0

See Statement 5

314 units permitted in Subarea A-1A

150 units permitted in Subarea A-2

165 units permitted in Subarea C

373 beds permitted in Subarea A-1B

In substantial conformance with the Site Plan for Subareas A, B, and C and Building Elevations for Subareas A and C

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Subarea A-1 A: Subarea A-1B: Subarea A-2 Subarea B:

Subarea C:

Minimum Number of Off-Street Loading Spaces.

Subarea A-1A:

Subarea A-1B:

Subarea A-2:

Subarea B:

Subarea C: Maximum Building Height:

136 spaces 0 spaces 17 spaces

779 (Hospital - Subarea A-1) spaces 193 (MOB - Subarea A-2) spaces 9 (Subarea C) spaces 29 spaces

2 spaces

2 (Hospital) spaces 2 (MOB) spaces 0 spaces 2 spaces

In substantial conformance with the attached Building Elevations

- 1. Includes nine (9) dwellings below the second floor and accessory uses.
- 2. Ten (10) parking spaces were eliminated from the original P.D. and the existing P.D. will contain ten (10) non-accessory parking spaces for the 46th Ward residents with City issued permits.

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### ARO Affordable Housing Profile Form (AW F0R PUBLICATION

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/ARO](http://www.cityofchicago.org/ARO) <<http://www.cityofchicago.org/ARO>>.

This completed form should be returned to the Department of Housing (DOH), 121 N LaSalle Street, 10th Floor, Chicago, IL 60602. E-mail: [ARO@cityofchicago.org](mailto:ARO@cityofchicago.org) <<mailto:ARO@cityofchicago.org>>

Date:s/27/2021

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#### DEVELOPMENT INFORMATION

Development Name Lincoln Property Company National LLC Development Address.4600 N. Marine Dr.

Zoning Application Number, if applicable: Ward:46

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

- |                          |   |  |
|--------------------------|---|--|
| Type of City Involvement | <input type="checkbox"/> City Land            | 0 Planned Development (PD)                                     |
| check all that apply     | <input type="checkbox"/> Financial Assistance | <input type="checkbox"/> Transit Served Location (TSL) project |

0 Zoning increase

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received 0 ARO Web Form completed and attached - or submitted online on

0 ARO "Affordable Unit Details and Square Footage" worksheet completed and attached [Excel] 0 If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached {pdf} 0 If ARO units proposed are off-site, required attachments are included (see next page) D If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached {pdf}

DEVELOPER INFORMATION

Developer Name Lincoln Property Company National LLC  
Joe Segobiano Developer Contact  
2000 McKinney Ave. Suite 1000 Dallas, TX 75201  
Developer Address

Email jsegobiano@lpsi.com <mailto:Emailjsegobiano@lpsi.com> Developer Phone 630-572-6661

Attorney Name p au( \$hadle Attorney Phone 312.368-3493

TIMING

Estimated date marketing will begin 1/2024 Estimated date of building permit\* 1/2022 ; . ■■ Estimated date ARO units will be complete 5/2024

"the in-lieu. fee, recorded covenant and \$5,000. per unit administration fee (for off-site units) are required prior to the issuance of any building permits, including the foundation permit. ;

PROPOSED UNITS MEET REQUIREMENTS (to be executed by Developer \* ARO Project Manager)

■ 5/28/2021

Date July 9, 2021

# ARO

affordable requirements ordinance  
Justin Roofbr Denise Roman, DOH Date

Last updated January 11, 2019

# i^ARO

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**Applicant Contact Information**

Name: Lincoln Property Company National LLC Email: jsegobiano@lpsi.com  
<mailto:jsegobiano@lpsi.com>

**Development Information**

**Address** Printed Date: 05/28/2021

Number From: 4600 Number To: N/A Direction: N  
Street Name: Marine Dr. Postal Code: 60640

**Development Name**

4600 Marine Dr.

Are you rezoning to downtown?: No

**Is your project subject to the ARO Pilots?: 2015 ARO REQUIREMENTS APPLY Information**

Ward: 46

ARO Zone: Higher Income

**Details**

ARO Ttrigger: DP

Total Units 314

Development Type: Rent

TSL Project: TSL-or FAR doesn't exceed 3.5

Date Submitted: 05/11/2021

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**Requirements**

Affordable Units: 31 \*On-site aff. Units: 8

How do you intend to meet your required obligation

On-Site: 8 Off-Site: 0

On-Site to CHA or Authorized Agency: 0 Off-Site to CHA or Authorized agency: 0 Total Units: 8 In-Lieu Fee

Owed: 3,087,566

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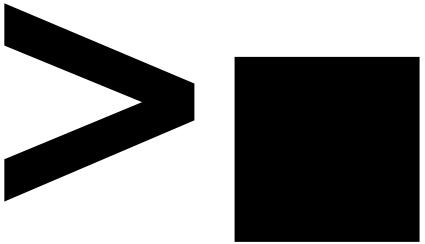
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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

**MEMORANDUM**

To: Alderman Thomas Tunney  
Chairman, City Council Committee on Zoning

From: . . -■yf-~. ^-£\(. ^/'~:  
Maurice D. Cox / Chicago Plan Commission  
Date: July 20, 2021

Re: Proposed Planned Development Amendment for Planned Development Number 37.

On July 15, 2020, the Chicago Plan Commission recommended approval of the proposed planned development amendment submitted by Lincoln Property Company National LLC. A copy of the proposed planned development amendment is 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 in this regard, please do not hesitate to contact me at 742-9442.

Cc: Steve Valenziano

PD Master File (Original PD, copy of memo)

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