



# Office of the City Clerk

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

## Legislation Text

File #: SO2017-906, Version: 1

# FINAL FOR PUBLICAT!

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## SUBSTITUTE ORDINANCE

*BE IT ORDAINED B Y THE CITY COUNCIL OF THE CITY OF CHICAGO:*

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-5 Community Shopping District symbols and indications as shown on Map No. 19-B in the area bounded by

a line 479 feet north of the north line of West Devon Avenue; North Sheridan Road; West Devon Avenue; North Magnolia Avenue; the alley next north of West Devon Avenue; and the alley next west of North Sheridan Road

to those of an RM 6.5 Residential Multi-Unit District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the RM 6.5 Residential Multi-Unit District symbols and indications as shown on Map No. 19-B in the area bounded by

a line 479 feet north of the north line of West Devon Avenue; North Sheridan Road; West Devon Avenue; North Magnolia Avenue; the alley next north of West Devon Avenue; and the alley next west of North Sheridan Road

to those of a Residential Planned Development.

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

6400 to 6446 North Sheridan Road, 1200 to 1222 West Devon Avenue, and 6401 to 6409 North Magnolia Avenue

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RESIDENTIAL PLANNED DEVELOPMENT NO.

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential Planned Development No. (the "Planned

Development") consists of a net site area of approximately 72,665 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"). The Property is owned by the Chicago Housing Authority ("CHA"). Three■■Gonwre Development, Inc. (the "Applicant") makes this application with the consent of the CHA.

2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant, its successors and assigns. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, the Property shall be under single ownership or under single designated control. Single designated control for purposes of this Statement shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessees of the Property. An agreement among property owners (together with ground lessees and sub-ground lessees) or a covenant binding property owners (together with ground lessees and sub-ground lessees) may designate the authorized party for any future amendment, modification or change. In addition, where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" shall be deemed to refer solely to the condominium association of the owners of such portions of the improvements and not to the individual unit owners therein. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term "Applicant", "ground lessee" or "titleholder" shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder with respect to the portion of the Property so transferred.
3. All applicable official reviews, approvals or permits are required to be obtained by any owner of the Property, as applicable, or its successors, assigns or grantees, which require such reviews, approvals or permits. 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 applicable Property owner, its successors, assigns or grantees, seeking such action.

Applicant:	Three Corners Development, Inc
Address	6438 North Sheridan Road. Chicago, Illinois
Introduced:	February 22, 2017
Plan Commission'	May 18,2017

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Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans (as defined below).

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 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 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 Planned Development consists of 16 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 (Hedger Building); a Site Plan (Concord Building); a Landscape Plan (Hedger and Concord Buildings; a Below Grade Parking Plan; ); a Roof Plan (Concord Building); a Signage Elevation Plan; Elevations (North, South, East and West - Hedger Building); and Elevations (North, South, East and West -Concord Building) all prepared by GREC Architects and May 18, 2017 (collectively, the "Plans"). In addition, attached hereto as Exhibit A is an Affordable Requirements Ordinance Profile Form. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Chicago 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 Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.
5. The following uses are permitted within the Planned Development: Dwelling units above the ground floor; accessory parking; residential support services; eating and drinking establishments; banks (excluding drive-thru facilities, pay day loan stores and pawn shops), credit union and ATM facilities; food and beverage retail sales uses; medical service; office; personal service uses; consumer repair or laundry services (excluding on-premise plants); general retail sales; co-located wireless communications facilities i.e., no free standing towers); and incidental and related uses. Residential Support Services are limited to a maximum of 30,000 square feet within the planned development, any single residential support service use may not exceed 24,000 square feet.
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. The signage set forth on the Signage Elevation Plan is hereby approved subject to Statement No. 3. Off-Premise signs are prohibited within the boundary of the Planned Development.

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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 72,665 square feet.
9. The Applicant acknowledges and agrees that the rezoning of the Property to this Planned Development for<sup>1</sup> the construction of the project 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 for thirty (30) years; (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. The Property is located in a "low-moderate income area" within the meaning of the ARO, and the project has a total of 111 units. As a result, the Applicant's affordable housing obligation is 11 affordable units (10% of 111, rounded down), three of which are Required Units (25% of 11, rounded up). Applicant has agreed to satisfy its affordable housing obligation by providing all Required Units in the rental building to be constructed in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto. If the Applicant subsequently receives "financial assistance" from the City, as that term is defined in the ARO, then Applicant must set aside 20% of the housing units in the residential housing project as affordable units, and must update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development for review and approval. The Applicant agrees that the affordable rental units 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 of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development for review and approval, and the Department 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 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 Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of the Department of Planning and Development may enforce remedies for any breach of this Statement No. 9, including any

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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.

Notwithstanding the foregoing, if the Applicant receives Low-Income Housing Tax Credits or other financial assistance from the City, and the affordability requirements for such financing (the "Financing Requirements") exceed the ARO requirements, then the Financing Requirements shall govern the Applicant's obligation to provide affordable housing for such subsidized portion of the Planned Development.

10. 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 the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding and must be paid to the Department of Revenue prior to the issuance of any Part II approval.

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The Site and Landscape Plan 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 II approval.

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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, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

13. Subject to the provisions of Statement No. 2 of this Planned Development, 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 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 and enables universal access throughout the Property as required by law. Plans for all new buildings and improvements on the Property constructed after the date hereof 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.

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

Three Coiners Development, Inc. 643R North Sheridan Road, Chicago, Illinois  
February 22, 2017 May 18, 2017

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initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.

16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse due to the passage of time, the Commissioner of the Department of shall initiate a Zoning Map Amendment to rezone this Planned Development to RM 6.5 Residential Multi-Unit District.

Applicant Three Corners Development, Inc.  
Address 6438 Nulh Siteidan Ruad, Clucd£,u, Illinois  
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RESIDENTIAL - BUSINESS PLANNED DEVELOPMENT NO.

BULK REGULATIONS AND DATA TABLE

GROSS SITE AREA: 114,763 sf

AREA IN THE PUBLIC RIGHT OF WAY:

NET SITE AREA:

MAXIMUM PERMITTED FAR:

MAXIMUM NUMBER OF DWELLING UNITS:

MINIMUM NUMBER OF OFF STREET PARKING SPACES:.

MINIMUM NUMBER OF BIKE PARKING SPACES:

The Applicant will provide at least 55 parking spaces for use by Hedger Building residents and staff upon completion of the Concord Building improvements. During construction of the Concord Building improvements, Applicant shall be permitted to satisfy the parking requirements for the Hedger Building by temporarily providing parking spaces in the public parking garage at 1210 West Arthur Avenue. Such temporary parking arrangement shall not exceed 16 months from the date of publication of this Planned Development.

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Aikhesb. 0-438 Noitli Slicidiini Road, Chicago, Illinois  
Introduced: February 22, 2017  
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MINIMUM NUMBER OF OFF STREET LOADING BERTHS:

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2 10' x 25'

SETBACKS FROM THE PROPERTY LINE:

Hedger Building - 215 feet (as measured to the underside of the roof of the highest occupied floor)



Concord Building - 80 feet

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Three Corners Development, Inc.  
6438 North Sheridan Road, Chicago, Illinois  
February 22, 2017  
May 18, 2017

### **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/ARO](http://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) <<mailto:kara.breems@cityofchicago.org>>

Date: May 1, 2017

**DEVELOPMENT INFORMATION**

Development Name: Concord at Sheridan Development

Address: 6438 N. Sheridan

Zoning Application Number, if applicable: 19130

Ward: 49th

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

/ Planned Development (PD)

Type of City Involvement

*check all that apply*

</ Transit Served Location (TSL) project

| | City Land | j Financial Assistance j j Zoning increase REQUIRED ATTACHMENTS: the AHP will

not be reviewed until all required docs are received IJ |aRO Web Form completed and attached - or

submitted online on

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

**DEVELOPER INFORMATION**

Developer Name Three Corners Development, Inc. Developer Contact Matt Ferrino Developer Address 444 North Orleans St., Suite 350 Email mferrino@3cornersdevelopment.cc <mailto:mferrino@3cornersdevelopment.cc>Attorney Name AndrewScott

Developer Phone (708)704-8480 Attorney Phone (312) 627-8325

**TIMING**

Estimated date marketing will begin Assuming 8/2017 closing, 11/2018 (rental blc Estimated date of

building permit\* June 2017 Estimated date ARO units will be complete January 2019

"note that the fn-lieu fee and recorded covenant 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)

Date

ARO Web Form

**Development Information**

**Address**

**Submitted Date: 05/02/2017**

Address Number From :6438    Address Number To: null    Street Direction: N

Street :sheridan                      Postal Code: 60626

**Development Name, if applicable**

Concord at Sheridan

**Information**

Ward :49                                  ARO Zone: Low / Moderate Income

**Details**

Type of city involvement :Zoning change and planned development

Total Number of units in development: 111

Type of development: Rent

Is this a Transit Served Location Project: N

**Requirements**

Required affordable units :11    Required \*On-site aff. Units: 3 How do you intend to meet

your required obligation On-Site: 11    Off-Site: 0

On-Site to CHA or Authorized agency: 0    Off-Site to CHA or Authorized agency: 0    Total Units Committed: 0

Remaining In-Lieu Fee Owed: 0

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