



Office of the City Clerk

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

Legislation Text

File #: SO2013-6536, Version: 1

FINAL FOR PUBLICATION

ORDINANCE

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

SECTION 1: Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance is hereby amended by changing all the Residential Business Planned Development No. 113 symbols and indications as shown on Map No. 1-E in an area bounded by:

E. Hubbard Street, N. Rush Street, E. North Water Street, N. Wabash Avenue

to the designation of Residential Business Planned Development No. 113, as amended with the elimination of hotel as a permitted use in the district hereby established in the area above described.

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

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Residential- Business Planned Development # 113 Plan of
Development Statements

1. The area delineated herein as "Residential-Business Planned Development" (except for the public areas) is controlled by Rush-Hubbard, Inc., 401 North Wabash Avenue, Chicago, Illinois. Rush-Hubbard, Inc. intends to enter into a joint venture agreement with James P. McHugh and Daniel E. Levin for development of the area. Notices should be directed to Daniel E. Levin, 332 South Michigan Avenue, Chicago, Illinois.
2. Off-street parking and off-street loading facilities shall be provided in compliance with this Plan of Development, subject to the review of the Department of Streets and Sanitation and the approval of the Department of Development and Planning.
3. The Applicant or its successors, assignees or grantees shall obtain all official reviews, approvals, licenses and permits.
4. Any dedication or vacation of streets or alleys or easements or any adjustments of rights-of-way shall require separate submittal on behalf of the Applicant or its successors, assignees or grantees.
5. The following uses shall be permitted within the area delineated herein as "Residential-Business Planned Development": elevator apartment structure; related health and recreational uses, including swimming pool; limited retail and service type business uses; professional and business uses; and required parking. Hotel and motel uses shall not be permitted.
6. Business and business identification signs may be permitted within the area delineated herein as "Residential-Business Planned Development" subject to the review and approval of the Department of Buildings and the Department of Development and Planning.

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September 11, 2013 CPC DATE: December 19, 2013

" "FINAL FOB PUBLICATION

7. Any service drive or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Streets and Sanitation and in compliance with the Municipal Code of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas. Fire lanes shall be adequately designed and paved in compliance with the Municipal Code of Chicago and shall have minimum width of 20 feet to provide ingress and egress for emergency vehicles. There shall be no parking within such paved areas.
8. The height restriction of each building and any appurtenances attached thereto shall be subject to:
 - a. Height limitations as certified on form FAA-117 (or on successor forms involving the same subject matter) and approved by the Federal Aviation Administration pursuant to Part 77 of the Regulations of the Administrator, Federal Aviation Administration; and,
 - b. Airport Zoning Regulations as established by the Department of Development and Planning, Department of Aviation, and Department of Law and approved by the City Council.
9. For the purposes of the Planned Development, the plaza level covering the entire site is established at a maximum height of 40.00 CCD. There shall be no parking provided above the plaza level and the entire plaza must be completed in Stage I.
10. The Planned Development will follow a two stage program:

Stage I shall include the full plaza level over the entire site, including parking and related uses below; residential use of 612 D.U.'s maximum and its related uses; and commercial space of 30,000 sq. ft.

Stage II may include additional dwelling units beyond the 612 in Stage I within the following restrictions:

 - a. Total dwelling units in Stage II are not to exceed 200, or a total of 812 D.U.'s for the total net site area.
 - b. Every D.U. beyond the first 612 shall count as minimum 1600 sq. ft. of F.A.R. without regard to actual size. Stage II may also include business,

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commercial and related uses to a maximum of 320,000 sq. ft, or a mixture of residential and commercial uses provided that the overall F.A.R. for the total net site area be in accordance with the above. Stage II may commence upon a determination by the Commissioner of Development and Planning that the first stage is in substantial compliance with the ordinance.

11. The development of the area delineated herein as "Residential Business Planned Development" shall be restricted to a maximum total net site coverage of 75% at plaza level, and 50% at and above a plane 50 feet above plaza level.
12. The information in the table attached hereto sets forth data concerning the generalized land use plan of the area delineated herein as "Residential-Business Planned Development" and illustrates that the development of such area will be in accordance with the intent and purpose of the Chicago Zoning Ordinance.
13. The Plan of Development shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Developments" as promulgated by the Commissioner of the Department Development and Planning.

Recommended amendments to the proposed Planned Development Ordinance for the property at 401 North Wabash Avenue submitted by Rush-Hubbard. Inc.

The proposed Planned Development should be amended as herein after described:

Statement 9: Delete the language contained in brackets below:

9. For the purposes of the Planned Development, the plaza level covering the entire site is established at a maximum height of 40.00 CCD. There shall be no parking provided above the plaza level, [and the entire plaza must be completed in Stage I.]

Statement 10: Delete the entire statement and replace with:

10. The Planned Development shall consist of one or more buildings, above a common plaza, subject to the following provisions:
 - a. A finished plaza, suitably paved and landscaped, with completed edges at all property lines,

and the construction of all required

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parking and any other spaces to be included below the plaza level, shall be completed concurrently with the first building developed under this plan of development. No occupancy certificate shall be issued for any part of the development until this condition is met.

- b. The completed development shall include not more than two distinct building masses rising more than (50) fifty feet above the plaza level.
- c. The maximum permitted business space shall be a function of the number of dwelling units provided on the site as calculated according to the provisions of Table Two in the "Planned Development Use and Bulk Regulations and Data," but in no instance shall business uses exceed a maximum of 350,000 gross square feet of development.
- d. Residential uses shall be limited to a maximum of 800 dwelling units including any efficiency units. The Floor Area Ratio shall be reduced according to the provisions of Table Two in the "Planned Development Use and Bulk Regulations and Data", but in no instance shall the actual FAR. exceed 20.0
- e. Total development shall be limited by and to an effective F.A.R. of 20.0 as calculated according to the provisions of Table Two in the "Planned Development Use and Bulk Regulations and Data", but in no case shall the actual F.A.R. exceed 20.0.

Planned Development Use and Bulk Regulations and Date. Amend the table to correspond to the foregoing

statements by substituting an entire table, as attached:

APPLICANT: INTRODUCED: CPC DATE:

Alderman Brendan Reilly September 11, 2013 December 19, 2013

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT PLANNED DEVELOPMENT USE AND BULK REGULATIONS AND DATA

Table One

Net Site Area (sq. ft.)	Net Site Area (acres)	General Description of Land Use	Max FAR.	Max. No. of D.U.	Max. % Coverage	Min. No. of Parking Spaces
50,329	1.15	Elevator apartment structure; related health and recreational uses, including swimming pool; limited retail and service type business uses; professional and business office; and required parking.	20 (Note: see table Two)	800 (Note: See Table Two)	75% at Plaza Level (See Note Below)	336

Gross Site Area - Net site Area (50,329 sq. ft.) + area of public rights-of-way (34,843 sq ft.) 85,172 sq ft. or 1.95 acres.

TABLE TWO: DEVELOPMENT ALTERNATIVES IF MORE THAN 612 DWELLING UNITS ARE PROPOSED (See Note Below if Number of Dwelling Units Differs from Number of Dwelling units Shown in Table Two)

Number of Dwelling units	Maximum Allowable Business Space	Maximum Floor Area Ratio
612	350,000 sq. ft.	20.0
706	190,000 sq. ft.	18.8
800	30,000 sq. ft.	17.6

Note: The controls stated in Table Two shall be varied in direct proportion to identify maximum allowable business space and maximum allowable F.A.R. overall for any number of dwelling units in the range between 612 and 800.

- Maximum number of dwelling units for the total net site area, including efficiency units: 800 D.U.
 - Maximum allowable percent of efficiency units: 40%
 - Maximum allowable percent of site coverage at grade level at Hubbard Street: 100%
 - Maximum allowable percent of site coverage at plaza level: 75%
 - Maximum allowable percent of site coverage at and above a plane 50 feet above plaza level: 50%
 - Maximum allowable business or commercial space: 350,000 sq. ft.
 - Minimum required number of off-street loading berths: 4 berths
 - Minimum required number of off-street parking space: 336 spaces
 - Elevation at or above which parking shall not be permitted +40 ft. CCD.
 - Minimum required perimeter setbacks on all streets: 0 feet
 - Minimum allowable distance between tower faces: 45 feet

The plaza must be completed in conjunction with completion of first structure.

Setback and yard requirements may be adjusted where required to permit conformance to the pattern of, or architectural arrangement related to, existing structures, or when necessary because of technical reason, subject to the approval of the Department of Development and Planning.

Applicant:	Alderman	Brendan	Reilly	Address:
403-405 N. Wabash				
UNFINISHED BUSINESS				

ZONING & PREFERENTIAL STREETS MAP

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PROPOSED PLANNED DEVELOPMENT AREA

applicant: J_1_L

^PREFERENTIAL STREETS

Rush-Hubbard, Inc. April 16, 1974
JOURNAL-CITY COUNCIL-CHICAGO

RESIDENTIAL - BUSINESS PLANNED DEVELOPMENT

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**-APPLICANT:
RUSH-HUBBARD, INC.
PLANNED DEVELOPMENT...BOUNDARY MAP**

Rush-Hubbard, Inc.

April 16, 1974¹

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UNFINISHED BUSINESS

.RESIDENTIAL - BUSINESS PLANNED DEVELOPMENT;

ⁱⁱ
PROPOSED GENERALIZED -LAND-USE PLAN
RESIDENTIAL - COMMERCIAL AND RELATED USES (INCLUDING PARKING)
BUSINESS-(OR RESIDENTIAL)
& RELATED USES (INCLUDING PARKING)

APPLICANT: ... Rush-Hubbard, Inc.

DATE: April 16, 1974.

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RESIDENTIAL - BUSINESS - PLANNED DEVELOPMENT

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SECTION A-A

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rAPPUCANT:, Rush-Hubbard, Inc.
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Department of Housing and Economic Development

city of chicago

MEMORANDUM

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

FROM: Andrew Mooney Secretary Chicago Plan
Commission

DATE: December 20, 2013

RE: Proposed Technical Amendment to Residential-Business Planned Development
No. 113 for the property generally located at 403 - 405 North Wabash Avenue.

On December 19, 2013, the Chicago Plan Commission recommended approval of the proposed amendment submitted by Alderman Brendan Reilly. A copy of the proposed amendment 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 Housing and Economic Development 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 1000, CHICAGO. ILLINOIS 00602

Chicago Plan Commission

403 N. Wabash December 19, 2013

ZONING MAP

PLANNED DEVELOPMENT "1^1^1^1^1"

BOUNDARY MAP _t|=:M««ia.«»*

AERIAL PHOTO

STREET VIEW LOOKING SOUTHEAST

STREET VIEW LOOKING NORTHEAST

12/16/2013

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**REPORT to the
CHICAGO PLAN COMMISSION from the
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT**

DECEMBER 19, 2013

**PROPOSED TECHNICAL AMENDMENT TO RESIDENTIAL-BUSINESS PLANNED
DEVELOPMENT #113**

ALDERMAN BRENDAN REILLY

403^05 NORTH WABASH AVENUE

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Housing and Economic Development hereby submits this report and recommendation on a proposed technical amendment to Residential-Business Planned Development #113 for your review and recommendation to the Chicago City Council. The application was introduced to the Chicago City Council on September 11, 2013. Notice of this public hearing was published in the Chicago Sun-Times on December 4, 2013. Written notice was also provided to property owners within 250' of the planned development boundaries.

Residential-Business Planned Development #113 originally passed the Chicago City Council on August 21, 1974 and allowed residential uses along with language that permitted hotel and motel uses within the planned development. Alderman Brendan Reilly proposes this amendment to remove hotel and motel uses as permitted uses within Planned Development #113 and retain the residential uses on the property.

This request is being submitted as a mandatory amendment to an existing planned development, pursuant to Section 17-13-0611-A(1), due to the proposed change in the character of the development.

SITE AND AREA DESCRIPTION

The subject property is generally bounded by East Hubbard Street on the north, North Rush Street on the east, North Water Street on the south, and North Wabash Avenue on the west. The site is surrounded by a variety of zoning districts including Planned Development No. 479, Planned Development No. 65, Planned Development No. 835, as well as two sites zoned DX-7 and DX-16.

The site is also not in the Lake Michigan and Chicago Lakefront Protection District, nor in any Tax Increment Financing (TIF) District. There are no Chicago

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Landmarks nor any buildings within the planned development that are rated as historically-significant on the Chicago Historic Resources Survey.

The closest transit stop is the Chicago Transit Authority's Red Line Station at Grand and State Street. The site is also served by several CTA bus routes, including the #29 State Street bus and #65 Grand Avenue bus as well as many bus lines that service Wacker and Michigan Avenues.

The site consists of approximately 85,172 gross square feet (1.95 acres) and is improved with a fifty-four story building, known as River Plaza, with residential dwelling units and a parking garage with a plaza on top. The first few floors of the building contain commercial uses.

PROJECT DESCRIPTION

The original planned development in 1974 set up a sliding scale for the amount of floor area and the number of residential dwelling units permitted on the site, with the number of dwelling units decreasing as the amount of business square feet increased. A maximum of 800 dwelling units is permitted on-site if only 30,000 square feet of business space is provided, which would allow a maximum of 17.6 in floor area. However, if 350,000 square feet of business space is provided then, the maximum floor area is 20.0 and the number of dwelling units is 612. The planned development also allowed hotel and motel uses subject to the approval of the Department of Planning and Development. Under the proposed amendment, the hotel and motel use would be removed from the list of the permitted uses, while the residential uses would continue to remain. There will be no exterior modifications to the building or any part of the property at this time.

RECOMMENDATION

The Department of Housing and Economic Development has reviewed the project materials submitted by the Applicant and compared this proposal to the requirements of the Chicago Zoning Ordinance, the parameters of the existing planned developments and other developments in the community. The area around this project is a mix of commercial, office, hotels, and residential developments, with access to various nearby public transportation amenities.

Based on our analysis, the Department of Housing and Economic Development has concluded that this amendment would not have any adverse impact on the public's health, safety or welfare; and

therefore, has no objection to this amendment to the planned development for the following reasons:

1. Per 17-8-0900, the existing residential and commercial building continues to meet the requirements for planned developments for large- scale residential developments as the building provides several on-site amenities for residents including a plaza on top of the parking garage, recreational facilities within the tower.

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2. Per 17-13-0609, the existing tower is compatible with the character of the surrounding area in terms of use and building scale. The removal of a hotel as a permitted use within the planned development would not adversely affect the surrounding area as there are several other lodging uses nearby including the adjacent Trump Tower as well as several hotel uses along Wacker Drive and Michigan Avenue.
3. Per 17-13-0609-A, the public infrastructure and City services will continue to be adequate to serve the development and any new project will be required to meet the requirements for access in case of fire and other emergencies.

Based on the foregoing, the Department of Housing and Economic Development has no objection to this amendment to Planned Development No. 113.

Bureau of Planning and Zoning
Department of Housing and Economic Development
Department of Housing and Economic Development
CITY OF CHICAGO

**403-405 N. WABASH AVENUE PROPOSED AMENDMENT TO PLANNED
DEVELOPMENT NO. 113**

RESOLUTION

WHEREAS, on September 11,2013, Alderman Brendan Reilly (42nd Ward) introduced an ordinance and application to the Chicago City Council to amend Residential-Business Planned Development Number 113; and,

WHEREAS, the purpose of the technical amendment is to remove hotels and motels as permitted uses within the planned development, prior to re-establishing Residential-Business Planned Development Number 113 and no other changes are contemplated for the

planned development at this time; and,

WHEREAS, this request is being submitted as a mandatory amendment to an existing planned development, pursuant to Section 17-13-0611-A(1), due to the proposed change in the character of the development; and,

WHEREAS, proper legal notice of the hearing for this application before the Plan Commission was published in the Chicago Sun-Times on December 4, 2013 and written notice was mailed to the neighbors within 250' of the exterior boundaries of the planned development; and,

WHEREAS, this proposed application was considered at a public hearing by this Plan Commission on December 19, 2013; and

WHEREAS, the Department of Housing and Economic Development expressed no objection to the application proceeding, with the recommendation and explanation contained in the written report dated December 19, 2013, a copy of which is attached hereto and made a part hereof; and,

WHEREAS, the Plan Commission has fully reviewed the application and all associated informational submissions, the report and recommendation of the Department of Housing and Economic Development and all other testimony presented at the public hearing held on December 19, 2013, giving consideration to the applicable provisions of the Zoning Ordinance.

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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 Department of Housing and Economic Development be adopted as the findings of fact of the Plan Commission regarding this zoning map amendment application; and,
2. THAT this Plan Commission recommends approval, to the City Council Committee on Zoning, Landmarks and Building Standards, of the final zoning map amendment application as amended and dated December 19, 2013, as being in conformance with the provisions, terms and conditions of the Zoning Ordinance.

Residential-Business Planned Development No. 113, as amended Approved:
December 19, 2013

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

APPLICATION FOR AN AMENDMENT TO THE CHICAGO
ZONING ORDINANCE

ADDRESS of the property Applicant is seeking to rezone: 403 N. Wabash Ave.

Ward _____ Number _____ that _____ property _____ is _____ located _____ in: _____ 42 _____ APPLICANT

Alderman Brendan Reilly

ADDRESS 121 N. LaSalle St., 2nd Floor _____ CITY Chicago

STATE >L _____ ZIP CODE 60602 _____ PHONE 312-744-3062

alderman @ _____
ward42chicago.com <<http://ward42chicago.com>>EMAIL _____ CONTACT PERSON
same as applicant

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 application to proceed.

OWNER _____

ADDRESS _____ CITY _____

STATE _____ ZIP CODE _____ PHONE. _____

EMAIL _____ CONTACT PERSON _____

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

the following information:

ATTORNEY City of Chicago - Department of Law

ADDRESS 121 N. LaSalle Street, 6th Floor

CITY Chicago STATE _JL ZIP CODE 60602

PHONE 312-744-0200 FAX 312-744-5185 EMAIL

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, n/a

7. On what date did the owner acquire legal title to the subject property? n/a

8. Has the present owner previously rezoned this property? If yes, when?

8. n/a

9. **Present Zoning District RBPB #113 Proposed Zoning District RBPB #113, as amended**

10. Lot size in square feet (or dimensions) "Q changes to the net or gross site area

11. Current Use of the property residential with retail and parking

12. Reason for rezoning the property to remove hotel as a permitted use

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) Applicant proposes this technical amendment only to

remove hotel as a permitted
use. There are no other changes proposed.

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)

NO -*/

COUNTY OF COOK STATE OF
ILLINOIS

being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.

Signature of Applicant

Subscribed and Sworn to before me this
% "OFFICIAL SEAL" I MABEL V. ORAMA
» Notary Public, State of Illinois
\$ My Commission Expires 08/06/14
11 day of July 2013

ftMpd IA Or
Notary Public

Date of Introduction:

File Number:.

Ward: