



Office of the City Clerk

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

Legislation Text

File #: SO2017-2168, Version: 1

SUBSTITUTE 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 Cl-3 Neighborhood Commercial District symbols and indications as shown on Map 1-G in the area bounded by:

West Lake Street; North Ada Street; a line 271.27 feet south of and parallel to West Lake Street; the public alley west of and parallel to North Ada Street; the public alley south of and parallel to West Lake Street; and a line 161.02 feet west of and parallel to North Ada Street

to those of the DX-5 Downtown Mixed-Use District.

SECTION 2. 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 1-G in the area bounded by:

West Lake Street; North Ada Street; a line 271.27 feet south of and parallel to West Lake Street; the public alley west of and parallel to North Ada Street; the public alley south of and parallel to West Lake Street; and a line 161.02 feet west of and parallel to North Ada Street

to those of a Residential-Business Planned Development 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 herewith attached and made a part thereof and to no others.

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

158-184 North Ada Street / 1353-1367 West Lake Street

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RESIDPINTIAL-BUSINESS PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential-Business Planned Development Number _____, ("Planned Development") consists of approximately 41,596 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). MP 158-174 Ada, LLC is the "Applicant" for this Planned Development pursuant to authorization from the Properly 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 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 1 7-8-0400 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 17 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Brininstool + Lynch and dated August 17, 2017 (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 and 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 above the ground floor, non-accessory parking (up to 45% pursuant to Section 17-10-0503), incidental and accessory uses and accessor)' parking.

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Address: 158-184 North Ada Street / 1353-1367 West Lake Street
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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.
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 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 41,596 square feet and a base FAR of 5.0.

The Applicant acknowledges that the project has received a bonus FAR of 1.2, pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 6.2. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17.4-1003-B & C, prior to the issuance of the first building permit for any building in the Planned Development; provided, however, if the Planned Development is constructed in phases, the bonus payment may be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The bonus payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C.3

The bonus payment will be split between three separate funds, as follows: 80% to the Neighborhoods Opportunity Fund, 10% to the Citywide Adopt-a-Landmark Fund and 10% to the Local Impact Fund. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property owner to finance specific landmark restoration projects; or, (c) approve proposals for in-kind improvements to satisfy the Local Impact portion of the payment.

In this case, the Applicant will contribute the Local Impact portion of the bonus payment for construction of a fieldhouse located at Skinner Park (the "Project") The Project is located within one mile of the Planned Development site, as required by Sec. 17-4-1005-C. The Applicant must make such payment, or the applicable portion thereof in the case of a phased development, prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. The City must enter into an intergovernmental agreement regarding the manner in which the funds will be used.

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.

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- 1). 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 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.
15. The Applicant acknowledges and agrees that the rezoning of the Property from the Cl-3 District to the DX-5 Downtown Mixed-Use District, and then to this Planned Development (PD), triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago (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 (Required Units) as affordable units, or with the Commissioner of the Department of Planning and Development's (DPD) approval, 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 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 the same or a different higher income area or downtown district. The Property is located in a downtown district, within the meaning of the ARO, and the project has a total of 263 units. As a result, the Applicant's affordable housing obligation is 26 affordable units, 7 of which are Required Units. Applicant has agreed to satisfy its affordable housing obligation by providing 26 affordable units in the rental building to be constructed in the PD, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit . The Applicant agrees that the affordable 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 PD , or elects to build a for-sale project instead, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval; DPD may adjust

the requirements and number of required Affordable Units without amending the PD. Prior to the issuance of any building permits for any residential building in the PD, 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

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will be recorded against the PD, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 15, 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.

16. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the city in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the city approval process. First, the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of city residents in the construction work. The city encourages goals of 26% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% city resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the Applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II permit review for the project or any phase thereof, the Applicant must submit to DPD (a) updates (if any) to the Applicant's preliminary outreach plan, (b) a description of the Applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof; (c) responses to the Applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and city resident participation goals. Third, prior to issuance of a Certificate, of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.
17. 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-5 Downtown Mixed-Use District.

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

Gross Site Area (sf):	61,219
Area in Right-of-Way (sf):	19,623
Net Site Area (sf):	41,596
Maximum Floor Area Ratio:	6.2
Maximum Number of Dwelling Units:	263
Minimum Off-Street Parking Spaces:	128
Minimum Bicycle Parking:	134
Minimum Off-Street Loading Spaces:	1 (10' x 25')
Maximum Building Height:	162'5"
Minimum Setbacks:	In conformance with the Plans

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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.

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

Date: 8/7/17

DEVELOPMENT INFORMATION

Development Name: Fulton House Development Address:
158-184 North Ada

Zoning Application Number, if applicable: Ward: 27th

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

Type of City Involvement City Land H Planned Development (PD)
check all that apply Financial Assistance Q Transit Served Location (TSL) project

| Zoning increase REQUIRED ATTACHMENTS: the AMP will not be
reviewed until all required docs are received | [ARO Web Form completed and attached - or submitted
online on

ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (Excef) [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 Marquette Companies
Developer Contact Darren Sloniger
Developer Address 135 Water Street Naperville, IL 6054C
Email darren@marqnet.com <mailto:darren@marqnet.com> Developer Phone 630*263*8007
Attorney Name Rich Klawjter Attorney Phone 312-368-7243

TIMING

Estimated date marketing will begin January 1, 2019 Estimated date of building permit* December 1, 2017 Estimated date ARO units will be complete -| 2019

note that the in-tpu fee and recorded covenant are required prior to the issuance of any building permits, including the foundation perm

PROPOSED UIVnTk MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

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Date
Kara Breems, DPD Date

Developer/Project Manager

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ARO Web Form

Development Information

Address Submitted Date: 08/07/2017

Address Number From : 158 Address Number To: 184 Street Direction: N

Street Ada Postal Code: 60607

Development Name, if applicable
Fulton House

Information

Ward :27 ARO Zone: Higher Income

Details

Type of city involvement :Zoning change Total

Number of units in development: 263 Type of development: Rent Is this a Transit Served

Location Project: N

Requirements

Required affordable units :26 Required "On-site aff. Units: 7 How do

you intend to meet your required obligation On-Site: 26 Off-Site: 0

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

Committed: 26 Remaining In-Lieu Fee Owed: 0

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Property Line

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Address: 158- 184 North Ada Stroot/ 1353- 1367 West Lake Stroot
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Plan Commission- August 17. 2017

ADA

EXISTING ZONING MAP
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- Property Line
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- Commercial
- Parking
- Institutional

LAKE * ADA

Applicant: MP 158-174 Ada, LLC

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Plan Commission. August 17, 2017



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Boundary

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Net Site Area . Area in Right of Way-Gross Site Area.

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Applicant: MP 153-174 Ada, LLC

Address: 153- W NurthAd.i 31:901/ 13a3- 1367 West Lake Snoei

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PLANNED DEVELOPMENT BOUNDARY AND PROPERTY LINE Scale: 1" = 100'-0"

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Inr-odu.cec March 29, 2017

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SITE PLAN - GROUND FLOOR Scale. 1"=50'-0"

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TOTAL ROOF AREA: 37,441 SF 50% GREEN ROOF REQ JIRED: 1)8,740.5 SF GREEN ^OOF PROVIDEph-8^4C).5 SF

LANDSCAPE NOTES:

LANDSCAPE AREAS:

2ND FLOOR AMENITY ROOF-TOTAL:

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1265 SF PRINCE, PRAIRIE SENTINEL.

17,475.5 SF

18 740 5 SF ²- TREE GRATES MUST BE STAMPED WITH THE "CITY OF CHICAGO" WITH AN OPENING OF 24"! 5/8" BLOCK LETTERING AROUND THE PERIMETER OF EACH GRATE PANEL WILL SUFFICE SECURING BOLTS MUST BE USED BENEATH EACH GRATE TO CONNECT EACH GRATE HALF TOGETHER.

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Appicnt. VIP 158-:74 Ada. LLC

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LANDSCAPE AND GREEN ROOF Scale ' "=-■ oO'-O" TOTAL GREEN ROOF 18,7*0 5 5F

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8T-7" LEVEL
72'-11 " LEVEL 6

62'-3" LEVEL 5

51 ■■7" LEVEL 4
40'-11" LEVEL 3
"30'-3" LEVEL 2
19'-7" Mezzanine
10'-5"
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Applicant MP 168-1/4 Ada. LLC
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NORTH ELEVATION
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"72'-ir ' LEVELS

"62'-3" LEVEL b

51 '-7" LEVEL 4

40'-11" LEVEL 3

30'-3" _LEVEL 2

19 - " Mezzanine

10'-5"

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-STOREFRONT SYSTEM -LOUVER SYSTEM

MASONRY PANEL

PRE FINISHED COLUMN COVER-

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Anphcant. MP 158-"74 Ada. LLC

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PRE FINISHED PANEL -ALUv. WINDOW WALL -PRE FINISHED SPANDREL

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'30'-1'" LEVEL 12

126'-3" LEVEL 11

115V7 " LEVEL 10

1G1'-11" LEVEL 3

94 -3" LEVELS

83'-7" LEVEL 7

7Z-V." LEVEL 6

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40'-11 " LEVEL. 3

30'-3" LEVEL 2

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10-5"

GROUND FI..R. ' O'-O"

¹-PRE FINISHED COLUMN COVER

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Applicant MP 158-174 Ada. ..EC

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-PRE. FINISHED COLUMN COVER CONCRETE WALL -MASONRY FINISH

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Applicant MP 158-174 Ada, LLC

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

From:

David L. Reifman Chicago Plan
Commission

Date: August 17, 2017

Re: Proposed Planned Development for the property generally located at 172 N. Ada Street

On August 17, 2017, the Chicago Plan Commission recommended approval of the proposed planned development submitted by MP 158-174 ADA 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.

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 744-9476.

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

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