



Office of the City Clerk

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

Legislation Text

File #: SO2019-9348, Version: 1

FINAL FOR PUBLICATION

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 DS-5 Downtown Service District symbols and indications as shown on Map 1-F in the area bounded by:

THE SOUTHWESTERLY LINE OF THE CHICAGO AND NORTH WESTERN RAILROAD RIGHT-OF-WAY; NORTH CANAL STREET; THE CENTERLINE OF VACATED WEST CARROLL AVENUE, NORTH CLINTON STREET; THE NORTH LINE OF VACATED WEST CARROLL AVENUE; NORTH CLINTON STREET; THE NORTH LINE OF VACATED WEST CARROLL AVENUE; THE WEST LINE OF THE VACATED ALLEY NEXT EAST OF AND PARALLEL TO NORTH CLINTON STREET, A LINE BEGINNING AT A POINT 135.55 FEET NORTH OF THE NORTH LINE OF VACATED WEST CARROLL AVENUE AND 150.00 FEET EAST OF THE EAST LINE OF NORTH CLINTON STREET AND RUNNING NORTHWESTERLY 31.89 FEET TO A POINT 145.21 FEET NORTH OF THE NORTH LINE OF VACATED WEST CARROLL AVENUE AND 120.15 FEET EAST OF THE EAST LINE OF NORTH CLINTON STREET; A LINE BEGINNING AT LAST SAID POINT AND RUNNING NORTHWESTERLY TO A POINT ON THE EAST LINE OF NORTH CLINTON STREET 167.61 FEET NORTH OF THE NORTH LINE OF VACATED WEST CARROLL AVENUE; AND NORTH CLINTON STREET

to those of a 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-F in the area bounded by:

THE SOUTHWESTERLY LINE OF THE CHICAGO AND NORTH WESTERN RAILROAD RIGHT-OF-WAY; NORTH CANAL STREET; THE CENTERLINE OF VACATED WEST CARROLL AVENUE; NORTH CLINTON STREET; THE NORTH LINE OF VACATED WEST CARROLL AVENUE; NORTH CLINTON STREET; THE NORTH LINE OF VACATED WEST CARROLL AVENUE; THE WEST LINE OF THE VACATED ALLEY NEXT EAST OF AND PARALLEL TO NORTH CLINTON STREET; A LINE BEGINNING AT A POINT 135.55 FEET NORTH OF THE NORTH LINE OF VACATED WEST CARROLL AVENUE AND 150.00 FEET EAST OF THE EAST LINE OF NORTH CLINTON STREET AND RUNNING NORTHWESTERLY 31.89 FEET TO A POINT 145.21 FEET NORTH OF THE NORTH LINE OF VACATED WEST CARROLL AVENUE AND 120.15 FEET EAST OF THE EAST LINE OF NORTH CLINTON STREET; A LINE BEGINNING AT LAST SAID POINT AND RUNNING NORTHWESTERLY TO A POINT ON THE EAST LINE OF NORTH CLINTON STREET 167.61 FEET NORTH OF THE NORTH LINE OF VACATED WEST CARROLL AVENUE; AND NORTH CLINTON 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 no others.

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

Address: 344 North Canal, Chicago, Illinois

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT I NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____ (Planned Development) consists of approximately 43,376 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (Property). The Habitat Company, LLC is the "Applicant" for this Planned Development pursuant to authorization from the property owner.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400.
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.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with

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the Department of Transportation's Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation.

As part of this project, the Applicant agrees to contribute \$250,000 to CDOT towards the cost of area railroad crossing upgrades as a condition to the issuance of the certificate of occupancy.

A one-way pilot conversion of N. Canal Street between Lake Street and Kinzie Street and N. Clinton between Kinzie Street and Fulton Street as approved by CDOT. shall be funded and installed by the Applicant in accordance with CDOT standards. The installation of the pilot shall be completed following issuance of a foundation permit and prior to issuance of a full building permit as part of the Part II review process. The Applicant shall be responsible to maintain the traffic improvements constructed for the pilot through Certificate of Occupancy. The Applicant shall collect data, as directed by CDOT, post-implementation of the pilot conversion for evaluation of the one-way conversion.

4. This Plan of Development consists of 17 Statements: a Bulk Regulations Tabic; an Existing Land Use Map; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site Plan/Landscape Plan; Green Roof Plan; Building Elevations (North, South, East and West); Detail at Podium; Detail at Tower Mid-Section; Detail al Tower Mid-Section & Top, prepared by SCB and dated, May 21, 2020,, and the Affordable Housing Profile Form, submitted herein. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the 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 a Planned Development: Dwelling Units Above the Ground Floor; Eating and Drinking Establishments (all); Financial Services (all, excluding Payday/Title Secured Loan Store and Pawn Shop); Food and Beverage Retail Sales; Personal Service; General Retail Sales; and related and accessory uses.
6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the 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 Tabic has been determined using a net site area of 43,376 square feet and a base FAR of 5.0.

Applicant The Habitat Compan\ LLC Address 34-1 Noith Canal. Chicago. IL
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The Applicant acknowledges that the project has received a bonus FAR of 3.1 FAR, pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 8.1. 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 City wide 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.

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, Assets, Information, and Services, and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
12. 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 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

Applicant: the Ilabit,il <<http://Ilabit.il>> Company LLC Address 3-14 Noiih Canal, Chicago, IL Introduced December 15, 2017; Plan Commission May 21, 2020

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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 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 (i) 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 foregoing, 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.

16. The Applicant acknowledges and agrees that the rezoning of the Property from DS-5 Downtown Service District to DX-5 Downtown Mixed-Use District, and then to this Planned Development, triggers the requirements of Section 2-44-080 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 (ARO Units) as affordable units, or with the approval of the commissioner of the Department of Housing ("DOH") (subject to the transition provisions of Section 2-44-040(c)), in consultation with the commissioner of the Department of Planning and Development ("DPD") as appropriate; (ii) pay a fee in lieu of the development of the ARO Units (Cash Payment); 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 (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. If the Property is located in a

Applicant: The Habitat Company LLC Ackliss 3*1-1 North Canal, Chicago, IL
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downtown district within the meaning of the ARO. and the project has a total of 343 units. As a result, the Applicant's affordable housing obligation is 34 ARO units (10% of 343 rounded down), 9 of which are Required Units (25% of 343, rounded up). Applicant has agreed to satisfy its affordable housing obligation by providing 34 ARO Units in an off-site building located at 130 North Dearborn Street, Chicago, Illinois 60610, to be approved by the Department of Housing in consultation with DPD as appropriate, as set forth in the Affordable Housing Profile form attached hereto as an Exhibit. The Applicant agrees that the ARO 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, or elects to build a for-sale project instead, the Applicant shall update and resubmit the Affordable Housing Profile form to the Department of Housing for review and approval, and DOH may adjust the requirements and number of required ARO 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 2-44-0-0(S0(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 DOH may enforce remedies for any breach of this Statement 16, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without

amending the Planned Development.

17. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to the DX-5 Downtown Mixed-Use District.

Applicant: The Manual Company LLC Addie>s 3-14 Ninth Canal, Chicago, IL
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RESIDENTIAL BUSINESS PLANNED DEVELOPMENT NO. BU LK REGULATIONS AND DATA TABLE

Gross Site Area (sf):	50,215
Area of Public Rights-of-Way (sf):	6,839
Net Site Area (sf):	43,376
Maximum Floor Area Ratio:	8.1
Maximum Number of Dwelling Units:	343
Minimum Off-Street Parking Spaces:	123
Minimum Off-Street Loading Spaces:	2 (10'x25')

Address

Submitted Date: 05/20/2020

Number From :344 Number To: N/A Direction: N

Street NumbenCanal

Postal Code: 60606

Development Name

Cassidy Place

Information

Ward :42

ARO Zone: Downtown

Details

ARO trigger Zoning change and planned development

Total units: 343

Development type: Rent

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

Submitted date: 05/20/2020

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Affordable units :34 "On-site aff. Units. 9 PUBLICATION

How do you intend to meet your required obligation On-Site: 0 Off-Site: 34

On-Site to CHA or Authorized agency: 0 Off-Site to CHA or Authorized agency: 0 Total Units: 34 In-Lieu Fee

Owed: 0

Off-Site Unit Information Address

Number:1130 Direction: N

Street Name:Dearborn

Postal Code: 60610

Information

Zone of Off-site Units :Higher Income Ward of Off-site Units: 02
Distance to Primary Development :1.1 Miles Off-site Administrative Fee: 170000

*****PRELIMINARY AFFORDABLE HOUSING PROFILE***** TBD - UNIT
MIX/DETAILS/FEATURES/AMENITIES/ETC. FOR OFF SITE UNITS. MUST BE
APPROVED BY DOH PRIOR TO EXECUTION AND RECORDING OF THE AFFORDABLE HOUSING
AGREEMENT FOR 344 N. CANAL ST.

EXISTING ZONING MAP

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Address: 344 North Canal, Chicago, IL

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The Habitat Company LLC 344 North Canal, Chicago, IL

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Applicant: Address:

PLANNED DEVELOPMENT BOUNDARY-
PROPERTY LINE
The Habitat Company LLC 344 North Canal, Chicago, IL

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SITE PLAN

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VEHICLE USE AREA = 9,052 SF. GREEN SPACE
REQUIRED = 679 SF GREEN SPACE PROVIDED
= 945 SF INTERIOR TREES REQUIRED = 5
INTERIOR TREES PROVIDED = 5

LANDSCAPE PLAN

o 30 go (!)

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CALCULATIONS FOR GREEN ROOF:

Gross Roof Area = 21,280 sf Net Roof Area =
13,481 sf

Total Green Roof Area = 6707 sf (50.42% of Net Area)

GREEN ROOF PLAN

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356'

OVERHANG BALCONIES WITH GUARDRAILS

ALUMINUM & GLASS STOREFRONT SYSTEM

PAINTED METAL PANELS

PAINTED UNIT MASONRY AT SERVICE DRIVE

WEST ELEVATION

The Habitat Company LLC 344 North Canal, Chicago, IL

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METAL PANEL SCREENWALL

HIGH-PERFORMANCE WINDOW WALL SYSTEM WITH LIGHTLY REFLECTIVE VISION GLASS AND PAINTED METAL PANELS

GLASS AND PAINTED METAL GUARDRAIL SYSTEM

PAINTED METAL PANELS

SOUTH ELEVATION

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EAST ELEVATION

Applicant: Address:

The Habitat Company LLC 344 North Canal, Chicago, IL

Introduced:
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NORTH ELEVATION

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SECTION DETAIL @ PROJECTING METAL
PANEL AT PODIUM
PAINTED METAL PANELS AT GARAGE METAL FACADE

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TYP SECTION OF WINDOW WALL AND METAL
PANEL AT TOWER

HIGH-PERFORMANCE WINDOW WALL SYSTEM WITH LIGHTLY REFLECTIVE VISION GLASS AND PAINTED METAL PANEL

GLASS AND PAINTED METAL GUARDRAIL SYSTEM

EXTENDED MULLION DETAIL AT THE PERIMETER OF THE WINDOWS . TO CREATE SHADOW AND DEPTH WITHIN THE WINDOW WALL

PAINTED METAL SLAB EDGE COVERS

DETAIL ATTOWER MID-SECTION

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The Habitat Company LLC 344 North Canal, Chicago, IL

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RESIDENTIAL TERRACES AT TOWER SETBACKS

HIGH-PERFORMANCE WINDOW WALL SYSTEM WITH LIGHTLY REFLECTIVE VISION GLASS AND PAINTED METAL PANEL

GLASS AND PAINTED METAL GUARDRAIL SYSTEM

EXTENDED MULLION DETAIL AT THE PERIMETER OF THE WINDOWS TO CREATE SHADOW AND DEPTH WITHIN THE WINDOW WALL

PAINTED METAL SLAB EDGE COVERS

DETAIL ATTOWER MID-SECTION & TOP

Applicant: ' The Habitat Company LLC
Address: 344 North Canal, Chicago, IL

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To: Clerk Application #20295

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

Alderman Tom Tunney
Chairman, City Council Committee on Zoning

From
Maurice D. Cox Chicago Plan Commission

Dale: May 21, 2020

Re: Proposed Planned Development -- 344 N. Canal

On May 21, 2020, the Chicago Plan Commission recommended approval of the proposed Planned Development, submitted by The Habitat Company. The applicant proposes to rezone the property from DS-5 (Downtown Service District) and the Applicant proposes to rezone the site to DX-5 (Downtown Mixed-Use District) prior to establishing a planned development to construct a 33-story mixed-use building containing 343 residential units, ground floor commercial, and 123 accessory parking spaces. The applicant will be using the Neighborhood Opportunity Bonus to increase the allowable FAR (Floor Area Ratio) from the base 5.0 to 8.1. A copy of the proposed ordinance, planned development statements, bulk table and exhibits are 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 recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Emily Thrun at 312-744-0756.

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

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