



Office of the City Clerk

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

Legislation Text

File #: SO2013-788, 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 the current DC-16 Downtown Core District symbols and indications as shown on Map No. 2-F in the area bounded by:

West Van Buren Street; South Plymouth Court; a line 148.77 feet south of West Van Buren Street; and South Dearborn Street

to those of a Residential Business Planned Development which is hereby established in the area described above.

This Ordinance shall be in force and effect from and after its passage and due

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RESIDENTIAL - BUSINESS PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____, ("Planned Development") consists of approximately 10,174 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, MCJ Development LLC.
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 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 Department of Transportation on behalf of the Applicant or its successors, assign 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 Departments of Housing and Economic 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 Plan of Development consists of seventeen (17) Statements: a Bulk Regulations Table; an Existing Land-Use Map; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site/Landscape Plan; a Green Roof Plan and Building Elevations submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations

APPLICANT: MCJ Development LLC
ADDRESS: 407 - 15 S. Dearborn St./35 - 39 W. Van Buren St.
INTRODUCED: February 13,2013
PLAN COMMISSION: July 18,2013

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are on file with the Department of Housing and Economic Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the 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 in the area delineated herein as a Residential Business Planned Development: Residential Units; Day Care; Permitted uses in the Commercial Use Group; Wireless Communications Facilities; and accessory uses. The following uses are prohibited: Undertaking, Lodging and Free-Standing Communication Towers.

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 Housing and Economic Development. 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. Pursuant to the Chicago Zoning Ordinance (Sec. 17-8-0911), Planned Developments are to give priority to the preservation and adaptive reuse of Chicago Landmark buildings. The Planned Development includes The Old Colony Building, which is designated as a Chicago Landmark. Work to designated Chicago Landmarks is subject to the review and approval of the Commission on Chicago Landmarks pursuant to the Chicago Landmarks Ordinance, Section 2-120-740.
9. 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 Floor Area Ratio identified in the Bulk Regulations Table has been determined using a Net Site Area of 10,174 square feet and a base FAR of 16. For purposes of this development the definition of an Efficiency Unit, as defined in Section 17-17-0249 of the Zoning Ordinance, applies and furthermore an area enclosed by a wall that does not exceed seven feet in height above the floor and that has an opening of at least sixty inches shall not be considered a second room.

APPLICANT: ADDRESS: INTRODUCED: PLAN COMMISSION:

MCJ Development LLC

407- 15 S. Dearborn St./35 - 39 W. Van Buren St. February 13, 2013 July 18,2013

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The improvements on the Property will utilize the following FAR bonuses:

Description

Base FAR:

Affordable Housing:

Total FAR:

The calculation of the additional Floor Area Ratio obtained through the series of proposed Bonuses is as follows:

$$= 24,417.6 \text{ s.f.} \times 0.80 \times \$31 = \$605,556.48$$

10. The Applicant acknowledges and agrees that the rezoning of the Property from DX-16 for this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance" or "AHO"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). The Applicant further acknowledges and agrees that this Planned Development is subject to Section 17-4-1004-D of the Zoning Code, which also requires on-site affordable housing or payment of a fee in lieu of providing affordable housing for rezonings in DC, DX and DR districts that increase the base floor area ratio. If a planned development is subject to the requirements of both sections (2-45-110 and 17-4-1004-D), the developer may elect to satisfy the AHO requirements by complying with the affordable housing floor area bonus provided for in Section 17-4-1004. Applicant has elected to comply with Section 17-4-1004. Pursuant to Section 17-4-1004-B of the Zoning Ordinance, the Applicant has requested an increase in the floor area ratio for the Property, as set forth in the bonus worksheet required under Section 17-4-1003-D and attached hereto as Exhibit A ("Bonus Worksheet"). In accordance with the formulas set forth in Section 17-4-1004-C and the Bonus Worksheet, the Applicant acknowledges and agrees that it must provide a cash payment in lieu of providing affordable housing in the amount of \$605,556.48 ("Cash Payment"), or \$2,968.41 per unit ("Pro Rata Amount"). Prior to the issuance of any building permits for the Eligible Building, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment. The Applicant acknowledges and agrees that, pursuant to Section 17-4-1003-D3, the Bonus Worksheet will serve as an official record of bonuses and amenities. Notwithstanding anything to the contrary contained in Section 17-4-1003-E, the Commissioner of the Department of Housing and Economic Development may enforce remedies for breach of the provisions of this Statement 9, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

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February 13, 2013 July 18, 2013
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11. 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 Housing and Economic 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.

12. 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 the

Department of Housing and Economic Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval. The Applicant may lease to members of the public on an hourly, daily, weekly or monthly basis up to forty-five percent (45%) of the minimum required residential parking spaces, and any accessory parking spaces above the minimum required.

13. 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.
14. 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.
15. 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.
16. 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 has agreed to provide a 50% green roof over the net roof area and achieve Energy Star Certification to comply with the City of Chicago's Sustainable Matrix

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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 the Department of Housing and Economic Development shall initiate a Zoning Map Amendment to rezone the property to a DC-16 Downtown Core District.

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RESIDENTIAL BUSINESS PLANNED DEVELOPMENT PLAN OF

DEVELOPMENT BULK REGULATIONS AND DATA TABLE

GROSS SITE AREA = Net Site Area + Area remaining in the public right-of-way 23,599.13 sq.

ft. (0.54 acres) = 10,174 sq. ft. (.23 acres) + 13,425.13 sq. ft. (0.31 acres)

FAR: 18.40

SETBACKS FROM PROPERTY LINE

Van Buren Street:	None
Plymouth Court:	None
South Property Line:	None
Dearborn Street:	None

MAXIMUM PERCENTAGE OF SITE COVERAGE: Per Site Plan

MAXIMUM NUMBER OF UNITS: 204

MINIMUM NUMBER OF OFF-STREET PARKING: None

MINIMUM NUMBER OF OFF-STREET LOADING: None

MAXIMUM BUILDING HEIGHT: 241 ft.

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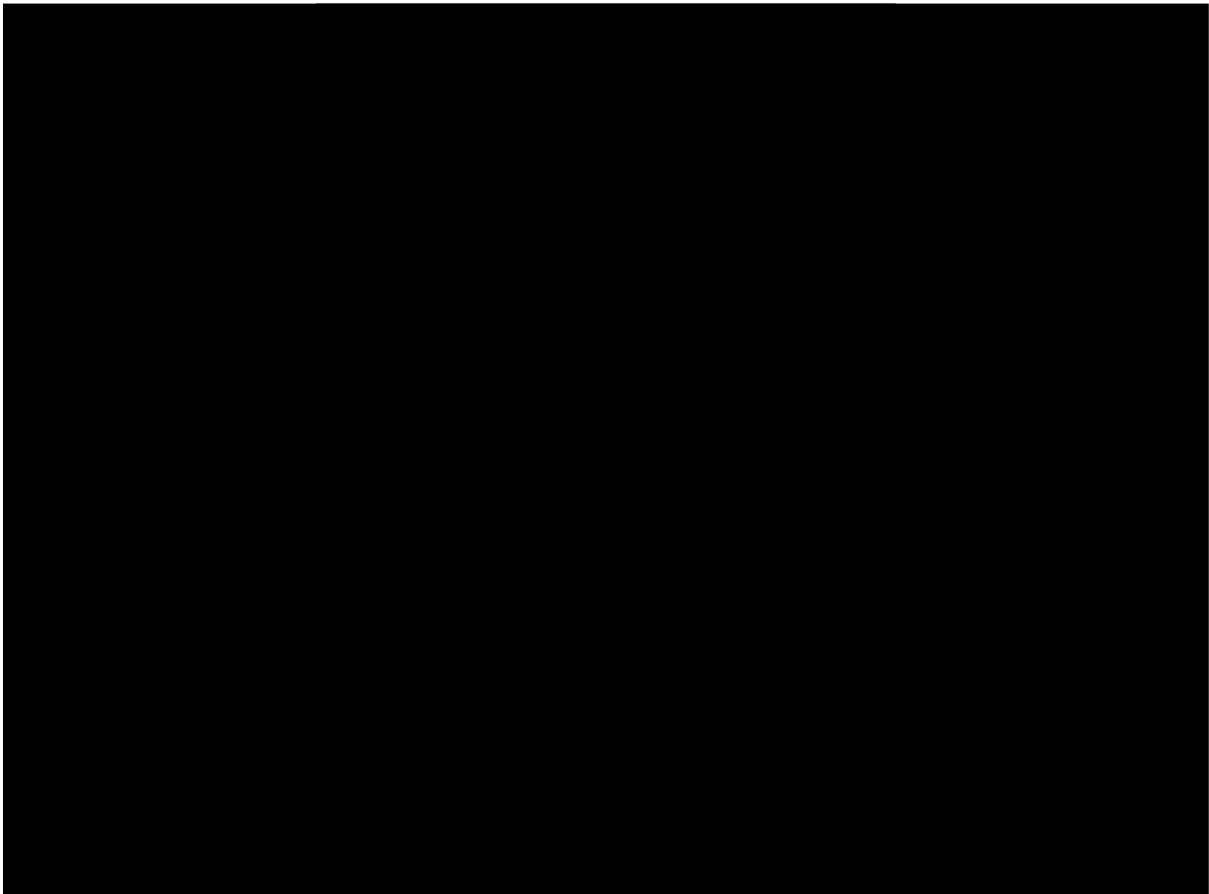
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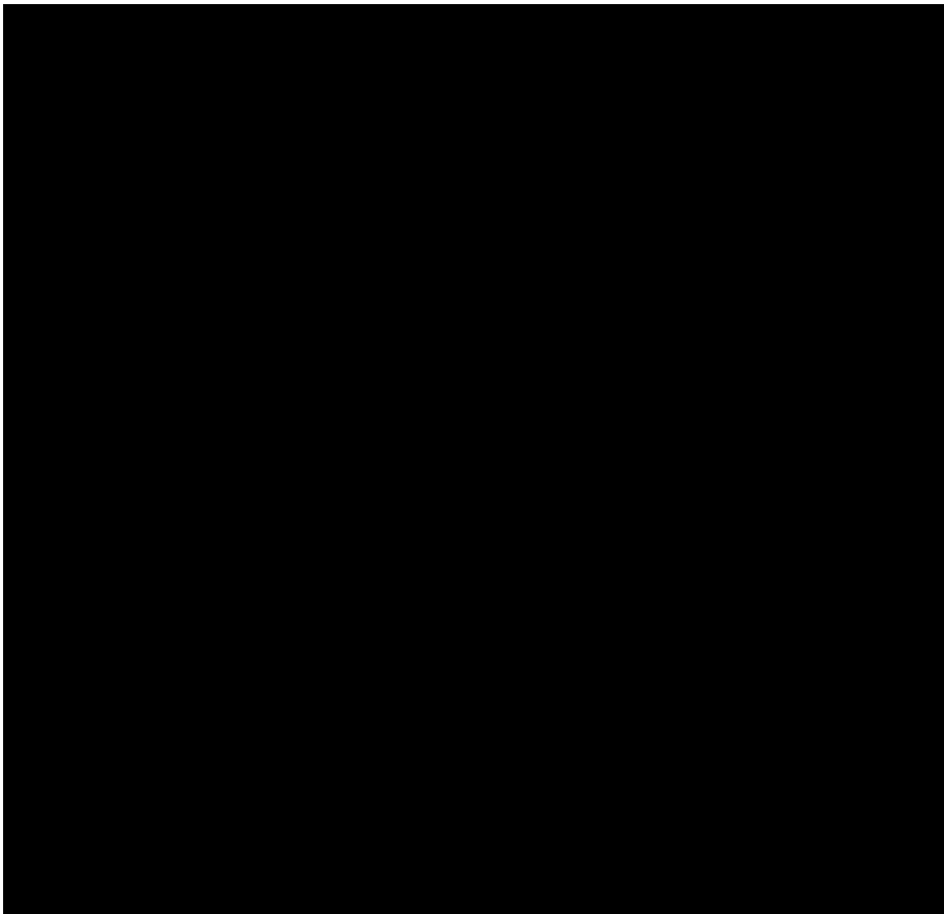
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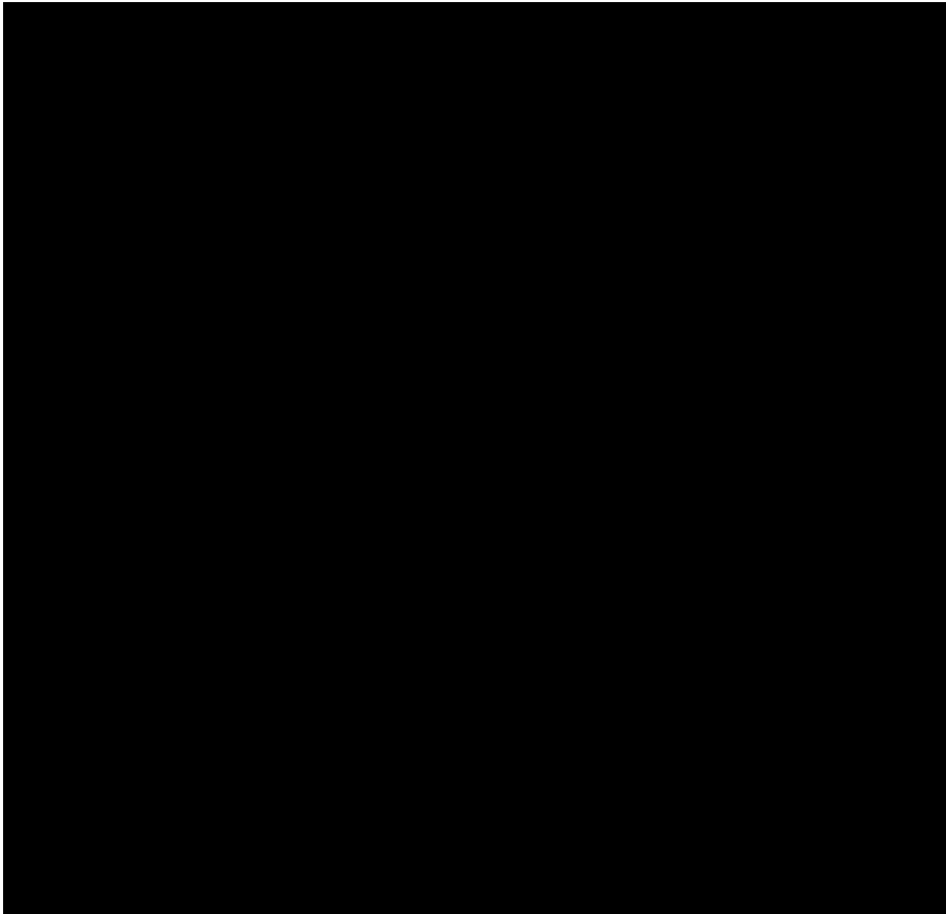
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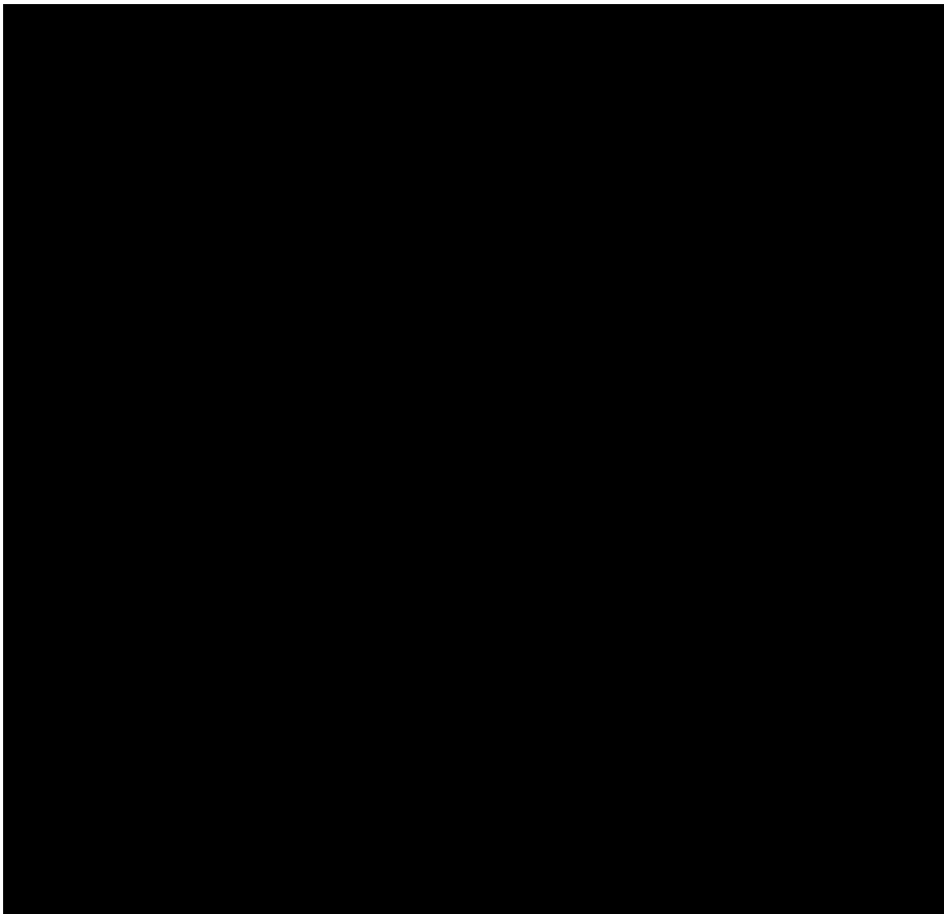
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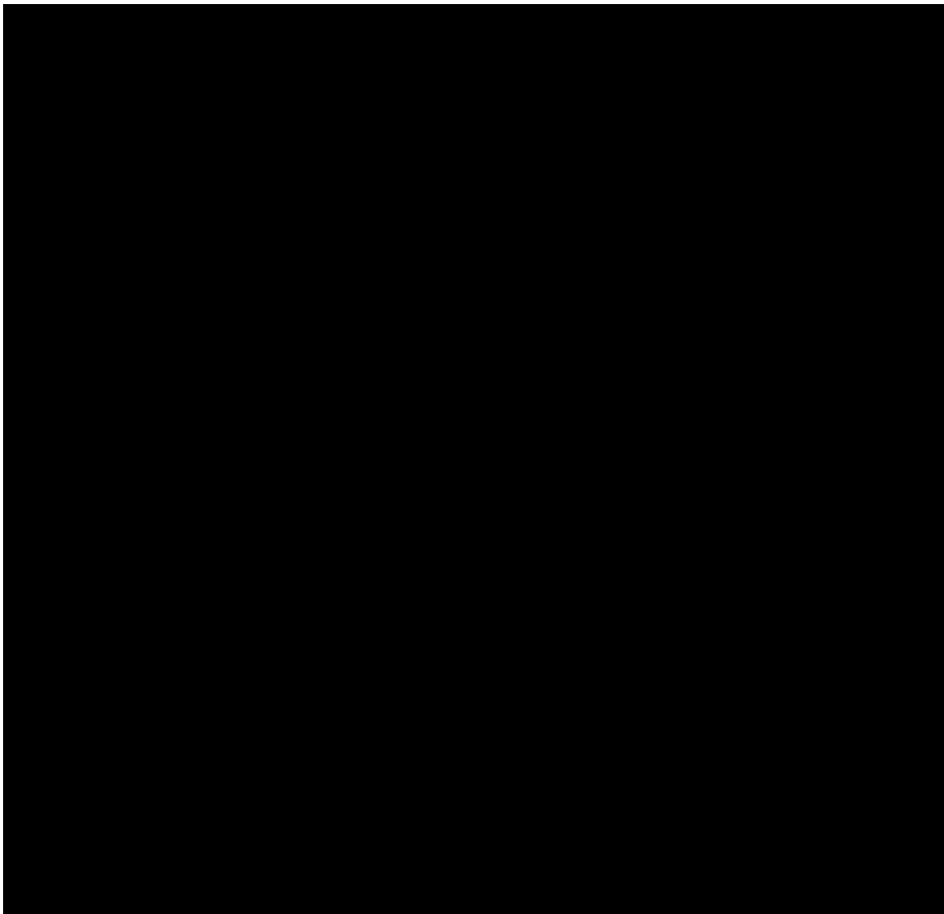




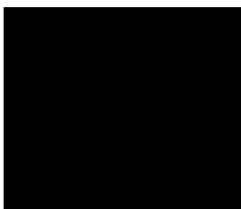
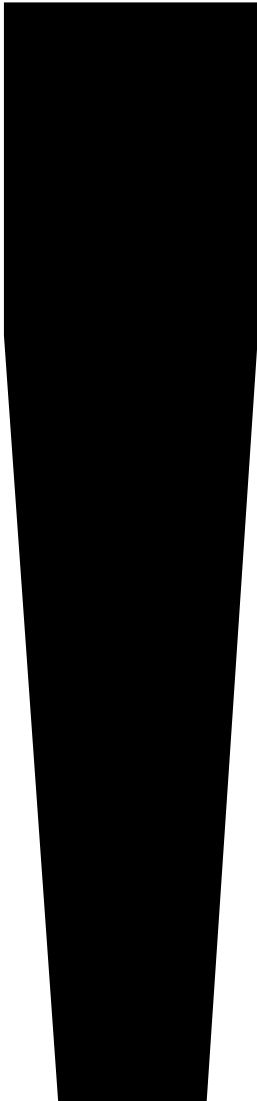














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Department of Housing and Economic Development

city of chicago

MEMORANDUM

TO: Alderman Daniel S. Solis
Chairman, City Council Committee on Zoning
Andrew Mooney Secretary Chicago Plan Commission

DATE: July 19, 2013

RE: Proposed Residential Business Planned Development for the property generally located at 407 South Dearborn Street.

On July 18, 2013, the Chicago Plan Commission recommended approval of the proposed planned development submitted by MCJ Development, 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 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 60602

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

JULY 18, 2013

FOR APPROVAL: PROPOSED RESIDENTIAL BUSINESS PLANNED
DEVELOPMENT

APPLICANT: MCJ DEVELOPMENT, LLC

LOCATION: 407-415 S. DEARBORN ST. AND 35-39 W. VAN BUREN ST.
(OLD COLONY BUILDING)

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 regarding a proposed Planned Development for your review and recommendation to the Chicago City Council. The application for this amendment to the Zoning Ordinance was introduced into the City Council on February 13, 2013. Proper legal notice of the public hearing on this application was published in the Chicago Sun-Times on July 2, 2013; the Applicant, MCJ Development, LLC, was separately notified of this hearing. This request is being submitted as an elective planned development, pursuant to Sections 17-8-0601.

PROJECT BACKGROUND

The Old Colony Building was designed by the Architectural Firm of Holabird and Roche and built between 1893 and 1894 by Francis Bartlett of Boston. The original construction cost of the building was over \$900,000. The Building was designated a Chicago Landmark by the Commission on Chicago Historical and Architectural Landmarks on August 6, 1973.

SITE AND AREA DESCRIPTION

The subject property is located within the Loop Community Area, the 4th Ward and the located within

the South Dearborn Street Printing House Row Historic District. It is surrounded by property zoned DCX-16 and DC-16 (Downtown Core Districts) to the North and West, and PD 312 (Harold Washington Library) to the east; property zoned DX-12 (Downtown Service District) to the south.

The site is not located within the boundaries of the Lake Michigan and Chicago Lakefront Protection District, nor is it located within the boundaries of a Tax Increment Finance District; however, the Old Colony Building is a designated Chicago Landmark, and has been placed on the National Register of Historic Places by the United States Department of the Interior's National Park Service.

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The site is served by the Chicago Transit Authority bus routes #7 (Harrison), #60 (Blue Island/26th), #124 (Navy Pier), #125 (Water Tower Express), #156 (LaSalle) and #157 (Streeterville/Taylor); The CTA Harold Washington Library rail station at Van Buren provides access to all of CTA's rail lines; Amtrak and six Metra train lines (North Central, Milwaukee District North and West, BNSF Railway, Heritage Corridor and Southwest Service) via Union Station; the Rock Island District Metra train line via the LaSalle Street Station; all with stops located within approximately 1/2-mile of the site.

PROJECT DESCRIPTION

The Applicant proposes to redevelop the existing sixteen story building with 204 residential units on the upper floors and approximately 7,200 square feet of ground floor retail space to be subdivided. The breakdown of residential units will include 102 studios, 56 one-bedrooms and 46 two bedrooms. The square footage for the residential units will range from 430 square feet for studios to 1,015 square feet for the two bedrooms, two bath units.

The proposed redevelopment will include an approximately 1,000 square foot penthouse addition to provide additional amenity space for the residents of the building. The residential amenity level includes a green roof and a fitness center. No off-street parking or loading currently exists or is proposed for the project. The total project cost is \$50 million and includes hard and soft cost. The project will generate approximately 100 construction jobs and 4 to 5 permanent jobs.

DESIGN

The building at 407-415 South Dearborn (The Old Colony Building) is seventeen stories tall (215 feet) and fronts onto South Dearborn Street, West Van Buren Street and Plymouth Court, and only these three elevations exhibit finished facades. The first, second, third and 17th stories are faced with smooth, blue Bedford stone. The fourth through 16th floors are surfaced with cream colored Roman Brick. The building is organized into a base-shaft-capital scheme and defined by large Chicago Style Windows found on the second floor and the north elevation from the second through the 14th floor.

The scope of the restoration work will include tuck pointing, repair or replace damaged windows with existing windows to remain. The new windows will replicate the historically relevant details. The existing terra cotta cornice and frieze will be cleaned and repaired. The ground floor retail area will also be renovated and include new glass storefronts but the key historical elements will remain, i.e. the existing metal grilles will be cleaned and reused.

LANDSCAPING AND SUSTAINABILITY

The applicant has agreed to meet the requirements of the Chicago Landscape Ordinance. The frontage along South Plymouth Court is to provide six new trees to match the existing landscaping along South Dearborn Street. The applicant has agreed to provide a 50% green roof (2,448 square feet) over the net roof area and achieve Energy Star Certification to comply with the City of Chicago's Sustainable Matrix.

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ACCESS/CIRCULATION

The residential lobby entrance for residents of the building is to be located on South Plymouth Court. The ground floor will also contain approximately 7,200 square feet of retail space and is anticipated to be subdivided for lease to multiple tenants. The Old Colony Building is a Designated Chicago Landmark and is adjacent to several CTA elevated train lines via the Van Buren Street CTA Train Station. The site is also located approximately 600 feet from the State Street and Van Buren Divvy (Chicago's bike share system) bike station.

No off-street parking or loading currently exists and none are required for this rehab project as per section 17-10-0102-A Off-street Parking Exemptions. No additional off-street parking or loading spaces are required for rehabilitation or reuse of an official Chicago Landmark Building as stated in section 17-10-0102-A Landmarks.

BULK/USE/DENSITY

The maximum Floor Area Ratio allowed in the in the underlying zoning is 16.0. While the project currently under consideration does not propose to change the underlying zoning (DC) or increase the base FAR (16.0); it does contemplate the introduction of 2.4 F.A.R Bonus, as detailed in Statement 9 and 10 of the Planned Development. The F.A.R for the various portions of the project is as follows:

Description FAR

Base FAR: 16.00

Affordable Housing: 2.40

Total FAR: 18.40

This proposed Residential Business Planned Development will achieve an F.A.R of 18.40, which the applicant achieved via one density bonus allowed only in the Downtown Districts. The project is taking an additional floor area bonus of 2.4 over the maximum allowed of 16.0 F.A.R through the Affordable Housing Bonus via a cash payment of \$605,556.48 ("Cash Payment"), or \$2,968.41 per unit to the City of Chicago Affordable Housing Opportunity Fund. The base F.A.R of 16.0 and the one F.A.R bonus will allow the project to achieve a maximum F.A.R. of 18.40.

RECOMMENDATION

The Department of Housing and Economic Development has reviewed the project materials submitted by the Applicant and compared this proposal for redevelopment of these underutilized parcels to the requirements of the Chicago Zoning Ordinance and existing development in the community. The area around this project is a diverse mix of commercial, institutional, office and residential developments and is adjacent to the downtown Chicago Central Business District and numerous public transportation facilities. Based on the entirety of the department's analysis, DHED has concluded that this proposal is appropriate for this site and supports this development for the following reasons:

- 1) Encourages the protection and conservation of historic resources (per 17-8-0106), as evidenced by the restoration efforts being proposed for the Old Colony Building;
- 2) Promotes transit, pedestrian and bicycle use (per 17-8-0904-A-2), as evidenced through its proximity to public transit and the site's level of pedestrian accessibility;
- 3) Promotes the adaptive reuse (per 17-8-0911 Historic and Cultural Resources) of historic buildings which have been designated as a "Chicago Landmarks"

The project meets the purpose and criteria set forth in the Chicago Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare. Specifically, per 17-13-0308:

- 1) Per 17-13-0308-A, the site lies within the boundaries of the 2009, Chicago Plan Commission -approved, Central Area Action Plan.
- 2) Per 17-13-0308-B, the introduction of these residential and commercial uses, as described in this proposal, is consistent with adjacent development and aligns with the trend toward dense, high-rise, mixed-use structures being established in and around the Central District and furthers the City's long-term goal of improving the sustainability of neighborhoods already well served by transit.
- 3) Per 17-13-0308-C, the proposed development is compatible with surrounding residential and commercial development in terms of land use, as well as, the density and scale of the physical structure.
- 4) Per 17-13-0308-D, the proposed underlying zoning for this planned development (DC-16) is

consistent with other zoning districts, both adjacent to this site and in the immediate area.

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- 5) Per 17-13-0308-E, the public infrastructure facilities and City services will be adequate to serve the proposed development at the time of occupancy and the project will comply with the requirements for access in case of fire and other emergencies.
- 6) The proposed project has been reviewed by the Mayor's Office for People with Disabilities and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and no comments have been received which have not been addressed in the application.

Based on the foregoing, it is the recommendation of the Department of Housing and Economic Development that this application for a Residential Business Planned Development be approved and that the recommendation to the City Council Committee on Zoning, Landmarks and Building Standards be "As Amended, Passage Recommended".

Bureau of Planning and Zoning
Department of Housing and Economic Development

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Department of Housing and Economic Development CITY OF
CHICAGO

**407-415 S. DEARBORN ST. AND 35-39 W.
VAN BUREN ST. (OLD COLONY BUILDING)
RESOLUTION**

WHEREAS, the applicant, MCJ Development, LLC, proposes to zone the site from DC-16, Downtown Core District to a Residential Business Planned Development. The site is improved with The Old Colony Building a designated Chicago Landmark. The applicant proposes to renovate the existing building with 204 dwelling units and a small addition to the roof. The site lies in the South Dearborn Street Printer House Row Historic District and is identified on the National Register of Historic Places; and

WHEREAS, this development is being submitted by the applicant as an elective planned development application and an application for a planned development was introduced to the City Council on February 13, 2013; and

WHEREAS, proper legal notice of the hearing before the Chicago Plan Commission was published in the Chicago Sun-Times on July 3, 2013. The Applicant was separately notified of this hearing and the proposed zoning application was considered at a public hearing by this Plan Commission on July 18, 2013; and

WHEREAS, the Plan Commission has reviewed the application with respect to the provisions of the Chicago Zoning Ordinance and finds that the proposal will be consistent with said provisions; and

WHEREAS, the Department of Housing and Economic Development recommended approval of the application, with the recommendation and explanation contained in the written report dated July 18, 2013, a copy of which is attached hereto and made a part hereof ; and

WHEREAS, the Chicago Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment, the report and recommendation of the Commissioner of the Department of Housing and Economic Development, and all other testimony presented at the public hearing held on July 18, 2013 giving due and proper consideration to the Chicago Zoning Ordinance; and

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO ILLINOIS 60602

NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

1. THAT the final application dated July 18, 2013 be approved as being in conformance with the provisions, terms and conditions of the corresponding zoning application; and
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final zoning application dated July 18, 2013; and
3. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Housing and Economic Development be adopted as the findings of fact of the Chicago Plan Commission regarding the zoning map amendment and planned development application.

Martin Cabrera, Jr. Chairman
Chicago Plan Commission

Approved: July 18, 2013 RBPB No.

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING
ORDINANCE

ADDRESS of the property Applicant is seeking to rezone:

407 - 415 S. Dearborn St. /35 - 39 W. Van Buren St.

Ward Number that property is located in: 4

APPLICANT MCJ Development LLC

ADDRESS 134 S. LaSalle Street #1220

CITY Chicago STATE IL ZIP CODE 60602

PHONE 312-636-6937 CONTACT PERSON Rolando R. Acosta

Is the Applicant the owner of the property? YES NO X

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 applicant to proceed.

OWNER 407 Dearborn, LLC

ADDRESS P.O. Box 3067

CITY Omaha STATE Nebraska ZIP CODE 68103

PHONE 402-393-1984 CONTACT PERSON Jeffrey Silver

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

ATTORNEY Rolando R. Acosta

ADDRESS 2949 W. Gregory St. CITY Chicago

CITY Chicago STATE IL ZIP CODE 60625

PHONE 312-636-6937 FAX 312-253-4440

6. 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.

Keith Giles, Michael Mover, Shawn Hopkins

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

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

No

9. Present Zoning District DC-16 Proposed Zoning District RBPD

10. Lot Size in square feet (or dimensions) 10,174 sf

11. Current Use of the property retail and office

12. Reason for rezoning the property: redevelopment

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)

The ground floor of the existing 17 story building will continue to be used for retail space with a total of approximately 7,200 sq. ft. The upper floors will be converted to 204 residential units. No parking or loading exists or will be provided and no exterior additions to the building are proposed, other than a 1,000 sq. ft. addition to the existing penthouse.

14. On May 14, 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)

X NO