



Office of the City Clerk

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

Legislation Text

File #: SO2014-831, Version: 1

**FINAL FOR
PUBLICATION**

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 current C1-2 Neighborhood Commercial District and RT4 Residential Two-Flat, Townhouse and Multi-Unit District symbols and indications as shown on Map Number 3-F in the area bounded by:

a line 92.46 feet north of and parallel to West Chestnut Street; a line 130.19 feet east of and parallel to North Sedgwick Street; a line 109.04 feet north of and parallel to West Chestnut Street; the public alley next west of and parallel to North Orleans Street; West Chestnut Street; North Orleans Street; the public alley next south of and parallel to West Chestnut Street; the public alley next west of and parallel to North Orleans Street; the public alley next south of and parallel to West Chestnut Street; a line 213.42 feet west of and parallel to North Orleans Street; a line 142.41 feet south of and parallel to West Chestnut Street, as extended; North Sedgwick Street,

to those of C2-5 Motor Vehicle-Related Commercial District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the current C2-5 Motor Vehicle-Related Commercial District symbols and indications as shown on Map Number 3-F in the area bounded by:

a line 92.46 feet north of and parallel to West Chestnut Street; a line 130.19 feet east of and parallel to North Sedgwick Street; a line 109.04 feet north of and parallel to West Chestnut Street; the public alley next west of and parallel to North Orleans Street; West Chestnut Street; North Orleans Street; the public alley next south of and parallel to West Chestnut Street; the public alley next west of and parallel to North Orleans Street; the public alley next south of and parallel to West Chestnut Street; a line 213.42 feet west of and parallel to North Orleans Street; a line 142.41 feet south of and parallel to West Chestnut Street, as extended; North Sedgwick Street,

to those of Residential Business Planned Development No. .

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

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

Gross Site Area (sf):

Area of Public Rights-of-Way (sf):

Net Site Area (sf):

Sub-Area A:

Sub-Area B: Maximum Floor Area Ratio:

Sub-Area A:

Sub-Area B:

Overall:

Maximum Number of Dwelling Units:

Sub-Area A:

Sub-Area B:

Overall: Minimum Off-Street Parking:

Sub-Area A:

Sub-Area B: Minimum Bicycle Parking: Sub-Area A: Sub-Area B:

102,200 square feet 28,056 Square Feet 74,144 Square Feet 23,714 Square Feet

50,430 Square Feet 5.00

13.14 FAR (311,720 square feet floor area) 1.17 FAR (59,000 square feet floor area)* 5.00 (370,720 square feet floor area)

310 0

310

186 (or 0.6 space per residential unit if fewer than 310 units)

54 (existing)

92 0

Applicant: FRC Realty, Inc.
Address: 350-360 W. Chestnut Street, 341-361 W. Chestnut Street, 836-848 N. Orleans Street
Introduced: February 5, 2014
Plan Commission: May 15, 2014
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Minimum Off-Street Loading:

Sub-Area A:

Sub-Area B: Maximum Building Height:

Sub-Area A:

Sub-Area B: Minimum Setbacks:

Sub-Area A:

Sub-Area B:

One 10' x 25' berth Existing

299'

50' (existing)

Per Site Plan. Per Site Plan.

* Existing building of approximately 43,940 square feet floor area in Sub-Area B to remain.

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RESIDENTIAL BUSINESS PLANNED DEVELOPMENT NO.

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential Business Planned Development Number ("Planned Development") consists of approximately 74,144 net square feet which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). The "Applicant" for purposes of this Planned Development, FRC Realty, Inc., has filed an application for planned development approvals with the written authorization of BPRS/Chesnut Venture Limited Partnership, the beneficial owner of the Property.
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 lessees. All rights granted hereunder to the Applicant for each of the two Sub-Areas delineated herein 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 lessees with respect to such Sub-Areas.

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 ("CDOT") on behalf of the Applicant or its successors, assigns or grantees and approval by the City Council.

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 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 11 approval, the submitted plans must be approved by CDOT.

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4. This Plan of Development consists of 15 Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary, Property Line, and Sub-Area Map; a Site Plan; a Sub-area A Site/Landscape Plan; a Sub-Area B Site Plan; a Sub-Area A Plaza Landscape Plan; a Sub-Area A Green Roof Plan; and Sub-Area A Building Elevations (North, South, East and West); all prepared by Pappageorge Haymes Partners and dated May 15, 2014; and signed Affordable Housing Profile (Rental) Form, dated April 16, 2014, submitted herein (collectively, the "Plans"). Full-sized copies of the Plans are on file with DPD. 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.
5. In each of the following Sub-Areas, the following uses as permitted in the C2-5 Motor Vehicle-Related Commercial District shall be permitted in this Planned Development:

In Sub-Area A: Multi-Family Dwelling Units above the Ground Floor; Co-Located Wireless Communication Facilities;

Also, the following Use Categories on the ground floor only: Colleges and Universities; Cultural Exhibits and Libraries; Day Care; Postal Service; Public Safety Services; Animal Services (except Shelter/Boarding Kennel); Artist Work or Sales Space; Body Art Services; Building Maintenance Services; Business Equipment Sales and Service; Business Support Services; Communication Service Establishments; Eating and Drinking Establishments; Entertainment and Spectator Sports (except Medium and Large Venues and Banquet or Meeting Halls); Financial Services; Food and Beverage Retail Sales; Medical Service; Office (except Electronic Data Storage Center); Personal Service; Repair or Laundry Service, Consumer; Retail Sales, General; and Vehicle Sales and Service (Auto Supply/Accessory Sales, only); Related and Accessory Uses; and Accessory Parking. Non-Accessory parking is prohibited.

In Sub-Area B: the following Use Categories: Colleges and Universities; Cultural Exhibits and Libraries; Day Care; Postal Service; Public Safety Services; Animal Services (except

Shelter/Boarding Kennel); Artist Work or Sales Space; Body Art Services; Building Maintenance Services; Business Equipment Sales and Service; Business Support Services including Vocational Training, Culinary Institutes, and school-related Eating and Drinking Establishment; Communication Service Establishments; Eating and Drinking Establishments; Entertainment and Spectator Sports (except Medium and Large Venues and Banquet or Meeting Halls); Financial Services; Food and Beverage Retail Sales; Medical Service; Office (except Electronic Data Storage Center); Personal Service; Repair or Laundry Service, Consumer; Retail Sales, General; Vehicle Sales and Service (Auto Supply/Accessory Sales, only); Co-Located Wireless Communication Facilities; Schools (otherwise, a Special Use); Related and Accessory Uses; and Accessory Parking. Non-Accessory Parking is Prohibited.

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6. 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.
7. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted overall FAR identified in the Bulk Regulations Table has been determined using an overall Net Site Area of 74,144 square feet; a Sub-Area A Net Site Area of 23,714 square feet; and a Sub-Area B Net Site Area of 50,430 square feet. This Planned Development transfers 193,150 square feet of floor area development rights from Sub-Area B to Sub-Area A, resulting in a sub-area maximum FAR of 13.14 in Sub-Area A and 1.17 FAR in Sub-Area B.
8. 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.
9. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. The improvements on Sub-Area A of the property, including the on-site exterior landscaping, as well as the landscaping along the adjacent rights-of-way and all entrances and exits to and from the parking and loading areas, shall be designed, constructed, and maintained in substantial conformance with the Sub-Area A Site Plan, the Sub-Area A Landscape Plan, the Sub-Area A Plaza Landscape Plan, and the Sub-Area A Building

Elevations. In addition, parkway trees shall be planted and maintained in accordance with the Parkway Tree Planting provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. Final landscape plan review and approval will be by the DPD. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

10. 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.
11. 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 lessees.

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12. 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.
13. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in Sub-Area A in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. A green roof of not less than 50% of the net roof area (approximately 6,526 square feet) shall be provided in Sub-Area A. The improvements in Sub-Area A shall be LEED certified. Any future development in Sub-Area B shall be subject to the Chicago Sustainable Development Policy in effect at the time of such development.
14. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to C1-2 Neighborhood Commercial District and RT4 Residential Two-Flat, Townhouse and Multi-Unit District.

15. The Applicant acknowledges and agrees that the rezoning of the Property from C1-2 Neighborhood Commercial District and RT-4 Residential Two-Flat, Townhouse and Multi-Unit District to C2-5 Motor Vehicle-Related Commercial District for construction of this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance"). 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). In accordance with these requirements and the Affordable Housing Profile Form attached hereto as an exhibit, the Applicant has agreed to provide 31 affordable housing units in the Residential Project for households earning up to 60% of the Chicago Primary Metropolitan Statistical Area median income (the "Affordable Units"), or make a cash payment to the Affordable Housing Opportunity Fund in the amount of \$100,000 per required affordable unit ("Cash Payment"). At the time of each Part II review for the Residential Project, Applicant may update and resubmit the Affordable Housing Profile Form to DPD for review and approval. If the Applicant subsequently reduces the number of dwelling units in the Residential Project, DPD may adjust the requirements of this Statement 15 (i.e., number of Affordable Units and/or amount of Cash Payment) accordingly without amending the Planned Development. Prior to the issuance of any building permits for the Residential Project, including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment, or execute an Affordable Housing Agreement in accordance with Section 2-45-110(i)(2). The terms of the Affordable Housing Agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the

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Affordable Housing Agreement will be recorded against the Residential Project and will constitute a lien against each Affordable Unit. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit. The Commissioner of DPD may enforce remedies for breach of the 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.

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Existing 2-Story Commercial Building SUB-AREA 'B'

Existing Parking Lot

Existing Parking/ Loading Area SUB-AREA'B'

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Date: April 23, 2014

SECTION 1: DEVELOPMENT INFORMATION

Development Name: Chestnut & Orleans

Development Address: 350-360 W. Chestnut Street, 341-361 W. Chestnut Street, 836-848 N. Orleans Street

Ward: 27th-Ward

Type of City involvement: (check all that apply)

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

Land write-down

Financial Assistance (If receiving TIF assistance, will TIF funds be used for housing construction? *) *if yes, please provide copy of the TIF Eligible Expenses

X Zoning increase, PD, or City Land purchase

SECTION 2: DEVELOPER INFORMATION

Developer Name: FRC Realty, Inc.

Developer Contact (Project Coordinator): Alan Schachtman

Developer Address: 222 S. Riverside Plaza, Suite 600, Chicago, IL 60606

Email address: aschachtman@fifieldco.com <mailto:aschachtman@fifieldco.com> May we use email to contact you? Yes No

Telephone Number: 312-424-6228

SECTION 3: DEVELOPMENT INFORMATION

a) Affordable units required

x 10%* Total units

For ARO projects: 310

*20% if TIF assistance is provided

For Density Bonus projects:

Bonus Square Footage* Affordable sq. footage required

"Note that the maximum allowed bonus is 20% of base FAR in dash-5; 25% in dash-7 or -10; and 30% of base FAR in dash-12 or -16 (www.cityofchicago.org/zoning <http://www.cityofchicago.org/zoning> for zoning info).

b) building details

In addition to water, which of the following utilities will be included in the rent (circle applicable): Cooking gas electric gas heat electric heat other (describe on back)

Is parking included in the rent for the: affordable units? yes no market-rate units? yesno

If parking is not included, what is the monthly cost per space? T.B.D. ^-

Estimated date for the commencement of marketing: February 2016

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Estimated date for completion of construction of the affordable units: N/A

	Unit Type*	Number of Units	Number of Bedrooms/Unit	Total Square Footage/Unit	Expected Market Rent	Proposed Affordable Rent*	Proposed Level of Affordability (60% or less of AMI)	Unit Mix OK to proceed?
<i>Example</i>	1 bed/1 bath	'-A'		800 - ;	\$1000 .;	759	60% . ;	



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Affordable Un

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Market Rate Studio	64 63	1	473 651	T.B.D.	N/A	N/A
Jnr/BR				T.B.D.		
1 BR 2 BR	129 43	1 2	732 1204	T.B.D.	N/A	N/A
				T.B.D.		
3 BR	6	3	1546	T.B.D.	N/A	N/A

(typically corresponds with issuance of building permits) Month/Year For ARQ projects, use the

following formula to calculate payment owed:

Number of total units in development
{round up to nearest whole number}

Amount owed $\frac{310}{X 10\% = 31} \times \$100,000 = \$ 3,100,000$

For Density Bonus projects, use the following formula to calculate payment owed:

$\text{Bonus Floor Area (sq ft)} \times 80\% \times \$$	median price per base FAR foot	Amount owed
Submarket (Table for use with the Density Bonus fees-in-lieu calculations)		Median Land Price per Base FAR Foot
Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east		\$31
North: Division on north; Chicago River on south/west; Lake Shore Dr. on east		\$43
South: Congress on north; Stevenson on south, Chicago River on west; Lake Shore Dr. on east		\$22
West: Lake on north; Congress on south; Chicago River on east; Racine on west		\$29

Authorization to Proceed (to be completed by Department of HEP)

Date

Ktercia Baxter, Department of Planning
Development
Developer/Project Manager

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Date