



Office of the City Clerk

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

Legislation Text

File #: SO2014-4169, Version: 1

FINAL FOR PUBLICATION

ORDINANCE

BE IT ORDAINED-BI' THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1: That the Chicago Zoning Ordinance be amended by changing all of the CI-2, Neighborhood Commercial District and symbols and indications as shown on Map Number 3-F in the area bounded by:

North Orleans Street; West Walton Street; the public alley next east of and parallel to North Orleans Street; and West Locust Street,

to those of CI -5, Neighborhood Commercial District.

SECTION 2: That the Chicago Zoning Ordinance be amended by changing all of the RT-4, Residential Two-Flat, Townhouse and Multi-Unit District symbols and indications as shown on Map Number 3-F in the area bounded by:

North Orleans Street; West Walton Street; a line approximately 155.20 feet west of and parallel to North Orleans Street; and West Locust Street,

to those of CI-5, Neighborhood Commercial District.

SECTION 3: That the Chicago Zoning Ordinance be amended by changing all of the CI-5, Neighborhood Commercial District symbols and indications as shown on Map Number 3-F in the area bounded by:

West Walton Street; the public alley next east of and parallel to North Orleans Street; West Locust Street; and a line approximately 155.20 feet west of and parallel to North Orleans Street,

to those of Planned Development [], which is hereby established in the area above described, subject to such use and bulk regulation as set forth in the Plan of Development herewith attached and made a part hereof and to no others.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and due publication.

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PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development No. [] ("Planned Development") consists of approximately 55,681 square feet of net site area which is depicted on the attached Planned Development Boundary Map and Property Line Boundary Maps (the "Property" and is owned or controlled by Ascend Real Estate Group, LLC (herein referred to as the "Applicant"). All required disclosures are contained within the economic disclosure statements filed with the City of Chicago in accordance with the applicable requirements. This Planned Development is divided into two Subareas (Subarea A and Subarea B).
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 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, and subject to review and approval by the Department of Business Affairs and Consumer Protection.

Ingress or egress shall be pursuant to the Plans 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.

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

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issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of eighteen (18) Statements: a Bulk Regulations Table; the following plans pertaining to the Applicant's proposed project (the "Project") prepared by Fitzgerald Associates Architects dated May 21, 2015 for Subarea A: Existing Land Use Area Map, Subarea Map, Property Line/ Planned Development Boundary Map, Existing Zoning and Street System Map, Landscape Plan, Site Plan, and Building Elevations (North, South, East, and West) Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and 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 shall be permitted on the Property:

Subarea A: Dwelling Units located above the ground floor, Commercial, Retail, Accessory Parking, and other related uses. Additionally 25% (38 spaces) of the number of accessory parking spaces required for residential uses may be leased out on a daily, weekly or monthly basis to persons who are not residents, tenants, patrons, employees or guests of the principal use.

Subarea B: Religious Assembly, Accessory Parking, Classrooms, as an accessory use to the religious assembly, and related 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 Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations established by the Federal Aviation Administration.
8. 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 FAR identified in the Bulk

Regulations Table has been determined using a Total Combined

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Net Site Area of 55,681 square feet (Subarea A, Net Site Area: 21,890 square feet and Subarea B, Net Site Area: 33,791 square feet).

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 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. 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. Prior to the Part II Approval (per Section 17-13-0610 of the Zoning Ordinance) of any additional improvements in Subarea B, the Applicant shall submit a site plan, landscape plan and building elevations for review and approval by the Department of Planning and Development. Review and approval by the Department of Planning and Development is intended to assure that specific development components conform with the Planned Development and to assist the City in monitoring ongoing development. Site Plan Approval Submittals need only include that portion of the Property for which approval is being sought by the Applicant. If the Applicant is seeking approval for a portion of the Property that represents less than an entire subarea, the Applicant shall also include a site plan for that area of the Property which is bounded on all sides by either public Rights-of-Way or the boundary of the nearest subarea. The site plan provided shall include all dimensioned and planned street Rights-of-Way.

No Part II Approval for any such improvement on Subarea B shall be granted until Site Plan Approval has been granted. If the Site Plan Approval Submittals substantially conform to the provisions of the Planned Development, the Department of Planning and Development shall approve the submittal in a prompt and timely manner. Following approval by the Department of Planning and Development, the approved Site Plan Approval Submittals, supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of the Planned Development.

After approval of the Site Plan, changes or modifications may be made pursuant to the provisions of Statement 13. In the event of any inconsistency between approved plans and the terms of the Planned

Development, the terms of the Planned Development shall govern. Any Site Plan Approval Submittals shall, at a minimum, provide the following information:

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DATE INTRODUCED: REVISED:

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- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned building elevations;
- fully-dimensioned landscape plan(s) and Roof Plan (if applicable); and,
- statistical information applicable to the subject Sub-Area, including floor area, the applicable FAR, uses to be established, building heights and setbacks.

Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the Planned Development

12. 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.
13. The terms and conditions of development under this the 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.
14. 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.
15. 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. At the time of a hearing before the Chicago Plan Commission,

all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development. The Applicant agrees to a minimum of "LEED" (Leadership in Energy and Environmental Design) basic certification. The Applicant also agrees to provide a vegetative ("green") roof system on a minimum of 50 percent of the net roof area for new buildings in Subarea A and 25 percent for all new buildings in Subarea B. "Net roof area" shall be defined as the total area of the flat roof minus any required perimeter setbacks, rooftop structures and roof-mounted equipment and mechanical penthouses required by the City Codes. A vegetative ("green") roof system of a minimum of 50 percent (6,978 square feet) of the net flat roof on Subarea A shall be installed and maintained. A vegetative ("green") roof system of a minimum of

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25 percent of the net flat roof on Subarea B shall be installed and maintained. Copies of these standards may be obtained from DPD.

16. The Applicant acknowledges and agrees that this Project including 202 residential units is subject to 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 must: (i) develop affordable housing units as part of the residential housing 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 Exhibit A, the Applicant has agreed to make a cash payment to the Affordable Housing Opportunity Fund in the amount of Two Million Three Hundred Thousand Dollars (\$2,100,000) ("Cash Payment"), or \$100,000 per unit in lieu of providing 21 affordable housing units. At the time of each Part II review for the Project, Applicant shall 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 Project, DPD shall reduce the amount of the Cash Payment accordingly without amending this Planned Development. Prior to the issuance of any building permits for the Residential Project, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment.
17. In order to develop the proposed improvements in Subarea A, the Applicant has contracted to acquire unused FAR and square footage (for minimum lot area purposes) from Subarea B (the "Development Rights"). The Property will have an initial FAR of 5.0 and a Net Site Area of 55,681 square feet. At the time the Applicant submits for Part II review to construct the improvements on Subarea A, the maximum permitted Buildable Area for Subarea A shall, without amendment to this Planned Development, increase by 124,301 square feet, the maximum number of permitted dwelling units for

Subarea A shall increase by 73 dwelling units to a total maximum of 202 dwelling units, the maximum permitted Buildable Area for Subarea B shall decrease by 124,301 square feet and the maximum number of dwelling units for Subarea B shall decrease to zero (0) dwelling units, all as set forth in the Bulk Regulations and Data Table. Prior to Part II approval, Applicant shall deliver to the Department an executed and recorded Agreement of Covenants and Restrictions ("Covenant A") which shall set forth the amount of Development Rights acquired for the benefit of Subarea A. Delivery of Covenant A shall cause corresponding increases and decreases in FAR, Buildable Area and permitted dwelling units in Subarea A and Subarea B. The City of Chicago is not party to Covenant A and is not responsible for enforcing anything in said covenant other than the above provisions governing the transfer of floor area and dwelling units.

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18. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Unless substantial construction of the proposed improvements as contemplated in this Planned Development has commenced within six (6) years following the adoption of this Planned Development, and is diligently pursued, then this Planned Development shall expire. If this Planned Development expires under the provision of this section, then the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to CI-5, Neighborhood Commercial District.

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**PLANNED DEVELOPMENT FINAL FOR PUBLICATION
BULK REGULATIONS AND DATA TABLE**

Site Area

Gross Site Area:	94,440 sq. fl.
Public Right-of-Way:	38,759 sq. ft.
Net Site Area: *	*" 55,681 sq. ft.

Sub-area A:	21,890 sq.ft.
<u>Sub-area B:</u>	<u>33,791 sq. ft.</u>
Total Net Site Area:	55,681 sq. ft.

Maximum Height

Sub-area A:	196'-0"feet
Sub-area B:	69'-0" feet

Floor Area Ratio & Buildable Area

Overall Maximum FAR: 5.0
Overall Maximum Buildable Area: 278,405 sq. ft.

Sub-area A:

Net Site Area: 21,890 sq.ft.
Buildable Area: 109,450 sq. ft.
Buildable Area
Transferred from Sub-Area B: 124,301 sq. ft.
Proposed Building Sq. Ft: 232,790 sq. ft.

Sub-area B:

Net Site Area: 33,791 sq. ft.
Buildable Area: 168,955 sq. ft.
Proposed Building Sq. Ft.: 44,654 sq. ft.
Transferred to Sub-area A: 124,301 sq. ft.

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Maximum Number of Dwelling Units:

Subarea A:

Subarea B:

Setbacks

Rear yard: 13 feet at residential floors (balconies at 7' setback from property line)

In accordance with Site Plan Approval

Minimum Bicycle Spaces:
108

Sub-area A: Sub-area B:

1 bike space per 10 car spaces

Minimum Parking Spaces:

Sub-area A: 149 Sub-area B: 150

Loading Spaces:

Sub-area A: 1 (10'x25')

Sub-area B: 1 (10'x25')

APPLICANT: ADDRESS:

DATE INTRODUCED: PLAN COMMISSION:

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Pant

•Planned Development No. Sub-Area Map

60'
0' 15' 30'

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**> Planned Development
No. Property Line / PD
Boundary Map**

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**-Planned Development No.
Existing Zoning and Street System**

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Planned Development No. Ground Floor and Landscape Plan

N. WALTON ST.
100' -r

W. LOCUST ST.

Applicant: Ascend Real Estate Group LLC

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Planned Development No. Terrace Roof Deck

N.WALTON ST.

W. LOCUST ST.

100' ■ 2'

15,985 SF 4,745 SF 20,730 SF

6,370 SF 3,105 SF

9,615 SF 961 SF

1,640 SF 164 SF

10,600 SF 51%

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ROOF AREA AT PENTHOUSE: ROOF AREA AT TERRACE DECK: TOTAL ROOF AREA:

GREEN ROOF AT PENTHOUSE: GREEN ROOF AT TERRACE DECK:

HARDSCAPE AT PENTHOUSE: -10% TOWARDS GREEN ROOF:

HARDSCAPE TERRACE DECK: -10% TOWARDS GREEN ROOF:

TOTAL GREEN ROOF AREA: GREEN ROOF TO ROOF AREA RATIO.

0' 8' 16' 32'

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Planned Development No. Roof Plan

N. WALTON ST.
PROPERTYLW
100' - 2"

15,985 SF 4,745 SF 20,730 SF

6,370 SF 3,105 SF

9,615 SF 961 SF

1,640 SF 164 SF

10,600 SF 51%

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ROOF AREA AT PENTHOUSE: ROOF AREA AT TERRACE DECK: TOTAL ROOF AREA:

GREEN ROOF AT PENTHOUSE: GREEN ROOF AT TERRACE DECK:

HARDSCAPE AT PENTHOUSE: • 10% TOWARDS GREEN ROOF:
HARDSCAPE TERRACE DECK' -10% TOWARDS GREEN ROOF:

TOTAL GREEN ROOF AREA: GREEN ROOF TO ROOF AREA RATIO

0' 8' 16' 32'

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FINAL FOR PIJBI fCATION Planned Development

North Elevation

MECHANICAL SCREEN
206' - 0" TOP OF SCREEN
196' - 0"
18 PENTHOUSE CEILING /
B/STRUCTURE

ROOF TOP EQUIPMENT SCREEN

EXPOSED CONCRETE

BALCONY WITH METAL
RAILING
GLASS AND ALUMINUM
WINDOWS

GLASS AND ALUMINUM
■ EXPOSED CONCRETE WALL

WINDOWS

GARAGE DOOR

METAL LOUVERS

'ki- : -i.-
' 'i ■ ■ §PI

" Z Z I :ffIT GLASS AND ALUMINUM-
Tj»-^ STOREFRONT

0' 15' 30' 60'

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PD-09

Planned Development No. FINAL FOR
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8/STRUCTURE

ROOF TOP EQUIPMENT SCREEN
GLASS AND ALUMINUM WINDOWS
BALCONY WITH METAL RAILING
EXPOSED CONCRETE
OPEN TO GARAGE
METAL LOUVERS
GLASS RAILING

Lrun

0' 15' 30' 60'

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■Planned Development
No. South
Elevation

MECHANICAL SCREEN 206' - 0"
196' - 0" B/STRUCTURE

TOP OF SCREEN 18 PENTHOUSE CEILING/

ROOF TOP EQUIPMENT SCREEN

EXPOSED CONCRETE

BALCONY WITH METAL RAILING

GLASS AND
ALUMINUM WINDOWS

05 FIFTH FLOOR
52' - 0"

01 - GROUND 0"

If you are working with a Planner at the City, what is his/her name? _____
 Type of City involvement: Land write-down
 (check all that apply) Financial Assistance (If receiving TIF assistance, will TIF funds be used for housing construction? *)
 Zoning increase, PD, or City Land purchase *if yes,
 please provide copy of the TIF Eligible Expenses

SECTION 2: DEVELOPER INFORMATION .

Developer Name: A.6c«.v\c\ Qsl\ "^^W*. C\roo^> L.LC.
 Developer Contact (Project Coordinator): IO>i\zvzw\ U)ol~K.
 Developer Address: <n 12. vO.. Uc\ldi. 6Tv-<<.r eW^- 1.1. boh o<\
 Email address: \3(Otv\^@NRE^LV-6.^ow May we use email to contact you? (Yesj No
 Telephone Number: 3^ 2.5 X - ^\ ^-I^b

SECTION 3: DEVELOPMENT INFORMATION

a) Affordable units required

For ARO projects: 101. x 10%* = X\ (always round up)
 Total units total affordable units required
 *20% if TIF assistance is provided

For Density Bonus projects: X 25% = ,
 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 (nb) market-rate units? yes (no)

If parking is not included, what is the monthly cost per spaceT""^ WI.'X*)

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Estimated date for the commencement of marketing:
 Estimated date for completion of construction of the affordable units:

For each unit configuration, fill out a separate row, as applicable (see example)

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?
Example Affordable Units	1 bed/1 bath 4	1	800	\$1000	759	60%	

Market Rate	N/A	N/A
Units	N/A	N/A
	N/A	N/A

When do you expect to make the payment

(typically corresponds with issuance of building permits)

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

$$\frac{\text{noi. in development} \times 10\%}{\text{Number of total units in development}} = \frac{\text{Amount owed}}{\text{whole number}} \times \$100,000 = \$ \text{ jL, \nd 000.}$$

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

$$\text{Bonus Floor Area (sq ft)} \times 80\% \times \$ \text{ _ median price per base FAR foot} = \text{Amount owed}$$

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

5- 1S-15

Date Dale I

Authortzaftrrtp Proceed (to be completed by Department of DPD)

Kara Breems

/Project Coordinator

Dew

Depart/nent of Planning & Development