



# Office of the City Clerk

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

## Legislation Text

File #: SO2015-57, Version: 1

FINAL FOR  
PUBLICATION

### ORDINANCE

#### ***BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:***

SECTION I. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Residential Business Planned Development No. 3 13, as amended, symbols and indications as shown on Map No. 3-F in the area bounded by

West Chestnut Street; North Clark Street; a line 101.12 feet south of and parallel to West Chestnut Street; the ally next west of and parallel to North Clark Street; a line 201.32 feet south of and parallel to West Chestnut Street (as measured along the eastern boundary of North LaSalle Street); and North LaSalle Street,

to those of Residential Business Planned Development No. 313, as amended, and a corresponding use district is hereby established in the area above described.

SECTION 2. This ordinance shall be in force and effect from and after its passage and approval.

Common address of properly: 111 West Chestnut Street, 119 West Chestnut Street  
and 121 West Chestnut Street

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 313, AS AMENDED

### PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential-Business Planned Development No. 313, as amended (the "Planned Development") consists of a net site area of approximately 42,745 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"). The portion of the Property commonly known ..as ill West Chestnut Street is owned by the Applicant. The portion of the Property commonly known as 121 West Chestnut Street is owned by 121 W. Chestnut Associates, Inc. The portion of the Property commonly known as 119 West Chestnut Street is owned by individual condominium unit owners and is administered by and through 119 W. Chestnut Condominium Association on

behalf of the condominium unit owners (the "Association"). Applicant makes this application with the consent of 121 W. Chestnut Associates, Inc. and the Association.

2. The requirements, obligations and conditions contained within this Planned Development pertaining to an individual Subarea shall be binding upon the titleholders of such Subarea, their successors and assigns. All rights granted hereunder pertaining to an individual Subarea shall inure to the benefit of the titleholders of such subarea, their successors and assigns. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, the Property shall be under single ownership or under single designated control. Single designated control for purposes of this Statement shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessees of the Property, subject however to the following exceptions and conditions: (a) any changes or modifications to this Planned Development applicable to or in a given Subarea need only be made or authorized by the owners and/or any ground lessees of such Subarea provided there is no adverse effect (i.e., a diminution of development rights) on other Subareas; and (b) where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" shall be deemed to refer solely to the condominium association of the owners of such portions of the improvements and not to the individual unit owners therein. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term "Applicant", "ground lessee" or "titleholder" shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder with respect to the portion of the Property so transferred.

Applicant:	Chestnut Row Homes LLC
Address:	111, 119 and 121 West Chestnut Street
Introduced:	January 21, 2015
Plan Commission	February 19, 2015

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3. All applicable official reviews, approvals or permits are required to be obtained by any owner of the Property, as applicable, or its successors, assigns or grantees, which require such reviews, approvals or permits. 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 applicable Properly owner, its successors, assigns or grantees, seeking such action.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans, as defined below.

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

- , 4. This Plan of Development consists of 16 Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Generalized Land Use Plan; a Planned Development Boundary and Property Line Map; a Subarea Map; Site Plan (Subarea A); a Site Plan (Subarea B); a Site Plan (Subarea C); Building Elevations (North, South, East and West)(Subarea A); a Landscape Plan; and a Green Roof Plan (collectively, the "Plans"). 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. No changes to the improvements or the zoning on Subarea B or Subarea C are contemplated as part of this amendment.
5. The following uses are permitted in the areas delineated as Subarea A, Subarea B and Subarea C of Residential-Business Planned Development No. 313, as amended: Multi-unit residential, detached single family homes, townhouses, accessory parking, accessory uses, ground floor retail (Subarea C only), and co-located wireless communication facilities. A maximum of six non-accessory parking spaces shall be permitted in Subarea A.

Applicant: Chestnut Row Homes I.L.C  
Address: 111, 119 and 121 West Chestnut Street  
Introduced: January 21, 2015  
Plan Commission: February 19, 2015

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6. The Applicant acknowledges that it is in the public interest to ensure that adequate open space and recreational facilities are provided to serve new residential developments. As stated in the Open Space Impact Fee Ordinance, Section 16-18-080 of the Municipal Code of Chicago, in the case of larger developments which are processed as Planned Developments, developers are encouraged to provide open space and recreational facilities on-site to serve new residents instead of paying open space impact fees. The Department of Planning and Development may approve a credit for such on-site facilities and open space at any time prior to Part II approval for a particular subarea provide that such facilities and/or open space meet the criteria for such credit.

All open spaces developed for use by the public must be in compliance with the Open Space Impact Fee Administrative Regulations and Procedures promulgated by the Commissioner of the Department of Planning and Development, pursuant to Section 16-18-110.

Any open space to be dedicated to the Chicago Park District must meet Chicago Park District standards and, where applicable, the park must be designed and constructed to Chicago Park District standards. Any conveyance of open space to the Chicago Park District, measuring two or more acres, shall be approved by the Chicago Park District. A Board issued resolution must be provided to the Department of Planning and Development prior to the issuance of any Part II approval. Any conveyance of open space to the Chicago Park District, measuring less than two acres, shall be formalized in a contract that shall be provided to the Department of Planning and Development prior to the issuance of any Part II approval.

7. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse due to the passage of time for development of Subarea A, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone this Planned Development #313 (2015 version) to Planned Development #313 As Amended, (version published at 30658 CJP 9/1/2004).
8. 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.
9. 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.
10. 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 Net Site Area of 42,745 square feet.

Applicant: Chestnut Row Homes LLC  
Address: 111, 119 and 121 West Chestnut Street  
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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 Planning and Development. The fee, as determined by staff at the time, is final and binding and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
12. The Site and Landscape Plans for Subarea A shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines it being acknowledged that Subareas B and C are already fully improved as of the date hereof. 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.
13. The Applicant other titleholders 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. Subject to the provisions of Statement No. 2 of this Planned Development, 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 titleholders 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 new buildings and improvements on the Property constructed after the date hereof 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.
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. In furtherance of this policy, improvements within Subarea A shall include the following sustainable features: (A) 50% Green Roof or no less than 2,585 square feet of vegetative roof and (B) Building Certification in accordance with City of Chicago's Sustainable Development Policy.

Applicant: Chestnut Row Homes LLC  
Address: 111, 119 and 121 West Chestnut Street  
Introduced: January 21, 2015  
Plan Commission: February 19, 2015

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### **RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 313, AS AMENDED BULK**

#### **REGULATIONS AND DATA TABLE**

##### **GROSS SITE AREA:**

**Subarea A Subarea B Subarea C**

**28,284 sf 12,012 sf 34,906 sf**

**Total:**

**75,202 sf**

##### **AREA IN THE PUBLIC R-O-W Subarea A Subarea B Subarea C Total:**

**13,130 sf 5,430 sf 13,897 sf 32,457 sf**

##### **NET SITE AREA**

**Subarea A Subarea B Subarea C**

**15,154 sf 6,582 sf 21,009 sf**

**Total:**

**42,745 sf**

##### **MAXIMUM PERMITTED FAR:**

**Subarea A Subarea B Subarea C**

**7.0 based on net site area of entire planned development.**

**2.183 based on the net area of Subarea A only 3.0 based on the net site area of Subarea B only 11.715 based on the net site area of Subarea C only**

Applicant: Chestnut Row Homes LLC  
Address: 111, 119 and 121 West Chestnut Street  
Introduced: January 21, 2014  
Plan Commission: February 19, 2015

MAXIMUM NUMBER OF DWELLING  
UNITS:

Subarea A Subarea B Subarea C

10 units 9 units 230 units

MINIMUM NUMBER OF OFF STREET PARKING SPACES:

Subarea A	12
Subarea B	1
Subarea C	93
Maximum Number of Off Street Parking Spaces for Subarea A	16

MINIMUM NUMBER OF OFF STREET LOADING BERTHS:

Subarea A	0
Subarea B	0
Subarea C	2

SETBACKS FROM THE PROPERTY LINE:

Subarea A	In accordance with the site plan.
Subarea B	In accordance with the site plan.
Subarea C	In accordance with the site plan.

MAXIMUM SITE COVERAGE:

Subarea A Subarea B Subarea C  
In accordance with the site plan.

100%  
100%.

MAXIMUM BUILDING HEIGHT:

Subarea A	44 feet
Subarea B	4 stories (existing building)
Subarea C	37 stories (existing building)

Applicant:	Chestnut Row Homes LLC
Address:	111, 119 and 121 West Chestnut Street
Introduced:	January 21, 2014
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Proposed PD #313 Amendment 111 W. Chestnut  
February 19, 2015

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**REPORT to the  
CHICAGO PLAN COMMISSION from the  
DEPARTMENT OF PLANNING AND DEVELOPMENT**

**FEBRAURY 19, 2015**

**FOR APPROVAL: PROPOSED AMENDMENT TO RESIDENTIAL BUSINESS**

**PLANNED DEVELOPMENT #313**

**APPLICANT: CHESTNUT ROW HOMES, LLC**

**LOCATION: 111-121 WEST CHESTNUT STREET**

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development hereby submits this report and recommendation regarding a proposed Amendment to Residential Business Planned Development #313 for your review and recommendation to the Chicago City Council. The application for the amendment to the Zoning Ordinance was introduced into the City Council on January 21, 2015. Proper legal notice of the public hearing on the application was published in the Chicago Sun-Times on February 4, 2015. The Applicant was separately notified of this bearing.

The Applicant, Chestnut Row Homes, LLC is seeking approval to amend the existing PD #313 to allow for the creation of three subareas within the planned development; Subareas A (111 West Chestnut Street), B (119 West Chestnut Street) and C (121 West Chestnut Street). The proposed Subareas B and C consist of existing residential/mixed use buildings and are planned to remain as such. The Applicant intends to further amend the planned development to allow for residential uses within Subarea A and intends to construct an eight (8) unit townhome project with accessory and non-accessory parking within Subarea A. This development is being submitted by the Applicant as a mandatory Planned Development, pursuant to Section 17-13-0611-A of the Chicago Zoning Ordinance, because the proposed Amendment would constitute a change in character in the existing planned development.

**PROJECT BACKGROUND**

The Applicant, Chestnut Row Homes, LLC, proposes to construct the project within Subarea A on property that it acquired in 2014. The Applicant has secured the consent to file the proposed Amendment to PD #313 from the owners of Subareas B and C.

**SITE AND AREA DESCRIPTION**

As stated, the proposed Amendment to PD #313 would create three subareas within the planned development. No changes to the boundary or the overall size of PD #313 (42,745 square feet) are contemplated. Overall, the planned development is bounded by North Clark Street on the east, West Chestnut Street on the north, North LaSalle Street on the

west and private property to the south. The proposed Subarea B (6,582 square feet), located at 119

W. Chestnut Street, is improved with a nine-unit residential building constructed in approximately 1905 and is proposed to remain. The proposed Subarea C, (21,009 square feet), is improved with a 230 unit building and parking garage constructed in approximately 2005 and is also proposed to remain. The proposed Subarea A, (15,154 square feet), located at 111 W. Chestnut Street currently consists of vacant land and as stated earlier is proposed to be redeveloped with an eight (8) unit townhome project with parking.

Surrounding PD #313 are various zoning districts, including DX-5 (Downtown Mixed-Use District) to the south, RM-5 (Residential Multi-Unit District) to the north, a small parcel zoned B1-3 (Neighborhood Shopping District) immediately to the north as well as several generally residential planned developments. Land uses in the area include multi-unit residential/mixed uses, various commercial uses including some parking. The site is not located within either the Lake Michigan and Chicago Lakefront Protection District or a Chicago Landmark District, nor does it contain a designated local or national landmark structure or site. It lies within the Near North Side Community Area.

The site is very well served by the Chicago Transit Authority's Brown Line station at Chicago Avenue, about ½ mile from the proposed Subarea A at 111 W. Chestnut, and the Chicago Transit Authority's Red Line station at Chicago Avenue. In addition, the site is directly served by the CTA's Clark bus (#22), LaSalle bus (#156) and the nearby Chicago Avenue bus (#66). Finally, bike lanes are located nearby on North Wells Street and North Dearborn Street.

### **PROJECT DESCRIPTION**

As stated, the Applicant is not proposing any changes to the existing buildings located within Subareas B and C. When PD #313 was first amended in 2004, the parcel of land which is proposed as Subarea A under this amendment was to include a synagogue. As stated, the proposed Amendment to PD #313 would allow residential uses in Subarea A.

Within Subarea A, the Applicant is proposing to construct an eight unit townhome project. The project will consist of eight townhomes to be located at West Chestnut Street and North Clark Street with covered parking, totaling no more than 16 spaces, including a maximum of six non-accessory spaces, accessed via the public alley located between North Clark Street and North LaSalle Street. Additionally, the building will contain a common amenity deck above the covered parking and individual private open spaces. The project will include various amenities for residents and provisions for bike storage.

The project is expected to generate an estimated 50 construction jobs. The project is positioned to break ground in Spring/Summer 2015 and be completed by Summer/Fall 2016.

### **DESIGN/LANDSCAPING**

The project consists of a three story townhome structure along North Clark Street and West Chestnut Street. The building is proposed to be set back 10 feet from West Chestnut Street (exclusive of bay windows) and four feet from North Clark Street (exclusive of bay windows). In addition, the building will not exceed 41' in height which is consistent with the height of the existing residential building immediately to the west. Individual entrances to the units will be located on North Clark Street and West Chestnut Street. Materials will include stone or precast concrete and glass aluminum windows as can be seen on the material callouts on the exhibits.

In addition to installing required street trees, the parkway along West Chestnut Street within Subarea A will be improved with new grade-level landscaped beds, designed in a manner to match the existing beds on the north side of West Chestnut Street. Applicant also will improve its Clark Street frontage with similar landscaped beds. Finally, each unit will have small, landscaped yards adjacent the sidewalks. The project will incorporate a green roof above the individual units, as will be fully explained below in the Sustainability section.

### **ACCESS/CIRCULATION**

Vehicular access to the building will be achieved via the public alley located between North Clark Street and North LaSalle Street. As described earlier, the project will incorporate space for up to 16 automobiles in an enclosed structure, accessed from this alley. The project will contain 8 bike parking spaces, at a minimum.

### **SUSTAINABILITY**

The Applicant will achieve certification for the project in accordance with the City of Chicago's Sustainability Policy. Also in accordance with the policy, the Applicant will provide a green roof totaling approximately 2,500 square feet. The project will also comply with the Storm Water Management Ordinance, implementing best practices in all storm water management.

### **BULK/USE/DENSITY**

The overall Floor Area Ratio (FAR) for the townhome project proposed for Subarea A will be 2.183 based on the net site area of Subarea A. The entire PD #313 will have an FAR of not to exceed 7.0, which was the FAR limit imposed for the project in the 2004 Amendment to the planned development. Each Subarea will have FAR and other controls as listed in the Bulk Table under this proposed Amendment. This Residential Business Planned Development proposes allowance of the following uses: residential, accessory and non-accessory parking, and ground floor retail uses within Subarea C only.

### **RECOMMENDATION**

The Department of Planning and Development has reviewed the project materials

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submitted by the Applicant and compared this proposal to existing development in the community. The area around this project consists of a mix of generally residential zoning districts and the project represents an opportunity to construct an appropriate residential development along North Clark Street and West Chestnut Street in Chicago's Near North Side Community Area.

Based on that analysis, the Department of Planning and Development has concluded that this proposal is appropriate for this site and supports this development for the following reasons:

1. The project meets the purpose and criteria set forth in Chapter 17-8 of the Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare. Specifically, this project meets the following provisions of Chapter 17-8:
  - a. Promotes economically beneficial development patterns that are compatible with the character of existing neighborhoods (per 17-8-0103), as evidenced through the project's design and massing remaining within the context of adjacent structures;
  - b. Provides that parking is located behind the buildings or to the side of buildings (per 17-8-0904-C-2), as evidenced by the enclosed parking areas on the site to be located to the rear of the lot, accessed from a public alley;
  - c. Promotes green design by conserving non-renewable energy and scarce materials (per 17-8-0908-A) as evidenced by the proposed green roof and deployment of solar panels on the project; and,
  - d. All sides and areas of the buildings that are visible to the public are treated with materials, finishes and architectural details that are of high-quality and appropriate for use on primary street-facing facade (17-8-0907-A-4), as evidenced through the material callouts in this report and on the elevations.
2. The project is consistent with the Central Area Action Plan, which was adopted by the Chicago Plan Commission in 2009. Specifically, the project will help to maintain a high quality of life for area residents within the Near North Sub-District.
3. The public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy. The proposed project has been reviewed by the Mayor's Office for People with Disabilities and the Department of Transportation 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.
4. The project will comply with the requirements for access in case of fire and other emergencies.

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Based on the foregoing, it is the recommendation of the Department of Planning and 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 "Passage Recommended".

Bureau of Zoning and Land Use Department of Planning  
and Development

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF  
CHICAGO

**RESIDENTIAL BUSINESS PLANNED DEVELOPMENT #313, AS AMENDED  
111-121 WEST CHESTNUT STREET**

**RESOLUTION**

WHEREAS, the Applicant, Chestnut Row Homes, LLC, has submitted an application seeking approval for an Amendment to existing Residential Business Planned Development #313; and,

WHEREAS, the Applicant intends to amend the planned development to create subareas within the planned development and allow for residential uses on the parcel located at 111 W. Chestnut Street, to be known as Subarea A; and,

WHEREAS, the Applicant intends to construct an eight unit townhome project with accessory and non-accessory parking on Subarea A; and,

WHEREAS, the Applicant's request to rezone the property was introduced to the City Council on January 21, 2015; and,

WHEREAS, proper legal notice of the hearing before the Plan Commission was published in the Chicago Sun-Times on February 4, 2015. The Applicant was separately notified of this hearing and the proposed zoning application was considered at a public hearing by this Plan Commission on February 19, 2015; and,

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

WHEREAS, the Department of Planning and Development recommended approval of the application, with the recommendation and explanation contained in the written report dated February 19, 2015, a copy of which is attached hereto and made a part hereof;



and,

WHEREAS, the Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment, the report and

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

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recommendation of the Commissioner of the Department of Planning and Development and all other testimony presented at the public hearing held on February 19, 2015, giving consideration to the Zoning Ordinance;

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

1. THAT the final application dated January 21, 2015, 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 January 21, 2015, and,
3. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Plan Commission regarding this zoning map amendment application.

Martin Cabrera, Jr. Chairman  
Chicago Plan Commission

RBPD	No.	313,	As	Amended	Approved:
February 19, 2015					

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