



Office of the City Clerk

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

Legislation Text

File #: SO2016-4779, **Version:** 1

**FINAL FOR
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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 DX-3 Downtown Mixed-Use District symbols and indications as shown on Map 1-G in the area bounded by:

North Carpenter Street; West Randolph Street; North Aberdeen Street and West Washington Boulevard

to those of a DX-5 Downtown Mixed-Use District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the DX-5 Downtown Mixed-Use District symbols and indications as shown on Map 1-G in the area bounded by:

North Carpenter Street; West Randolph Street; North Aberdeen Street and West Washington Boulevard

to those of a Business Planned Development.

SECTION 3. This Ordinance shall be in force and effect from and after its passage and signature by the mayor.

Address: 100-136 North Carpenter Street; 1033-1057 West Randolph Street; 101-137 North Aberdeen Street; 1032-1056 West Washington Boulevard Chicago, Illinois
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FINAL FOR PUBLICATION

BUSINESS PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____, ("Planned Development") consists of approximately 86,804 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"). HON. Carpenter, LLC is the owner of the Property and the "Applicant" for this Planned Development.
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 "Zoning Ordinance"), the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development, 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 Chicago Department of Transportation ("CDOT") on behalf of the Applicant or its successors, assigns or grantees.

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

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 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 CDOT.

4. This Planned Development consists of these 16 Statements; a Bulk Regulations and Data Table and the

following exhibits and plans attached hereto prepared by Gensler and dated July 21, 2016 (the "Plans"): an Existing Zoning Map; an Existing Land Use Map; a PD Boundary and Property Line Map; a Site Plan; a Landscape Plan; a Landscape Plant List and Details; a Green Roof Diagram; Building Elevations (North, South, East and West) and Wall Sections (Randolph Street Detail and Carpenter Street Detail 01 and 02). 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 thereof, 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.

Applicant: 110 N. Carpenter, LLC
Address: 100-136 North Carpenter Street; 1033-1057 West Randolph Street; 101-137 North
Aberdeen Street; 1032-1056 West Washington Boulevard Chicago, Illinois
Introduced: June 22, 2016
Plan Commission: July 21, 2016

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5. The following uses are permitted in the area delineated herein as a Business Planned Development: all uses allowed in the DX-5 Downtown Mixed-Use District, including, without limitation, Office; High Technology Office; Daycare; Animal Services; Business Equipment Sales and Service; Business Support Services; Urban Farm (rooftop operation); Communication Service Establishments; Eating and Drinking Establishments (all, including Taverns and Outdoor Patios); Indoor Special Event including incidental liquor sales; Financial Services; Small and Medium Venues, Banquet or Meeting Halls; Food and Beverage Retail Sales; Liquor Sales; Medical Service; Personal Service; General Retail Sales; Participant Sports and Recreation; Car Wash; Limited and Artisan Manufacturing, Production and Industrial Services; Co-located Wireless Communication Facilities and incidental and accessory uses and non-accessory and accessory parking.
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 DPD. 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. The maximum permitted Floor Area Ratio ("FAR") for the Property 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 FAR identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of 86,804 square feet and a base FAR of 5.0. The improvements to be constructed on the Property will be subject to the following Neighborhood Opportunity Fund floor area bonus criteria; otherwise more specifically described in Sections 16-14-010, 17-4-1000 and other referenced portions of the Chicago Municipal Code as follows:

Description

FAR

Base FAR:	5.00
Neighborhoods Opportunity:	2.00
Total FAR:	7.00

Neighborhoods Opportunity Bonus Calculation 2.0 x

$$86,804 = 173,608 \text{ square feet}$$

$$173,608 \text{ square feet} \times \$29.00 \text{ per square foot} \times 0.80 = \$4,027,705.60 \text{ contribution}$$

Pursuant to Section 17-4-1003-C, prior to the issuance of the first building permit for any building or buildings within the Planned Development, the Neighborhoods Opportunity Fund floor area bonus payment, as further described in this Statement 8 and Section 16-14-010, shall be paid in full; provided, however, if the Planned Development is constructed in phases, the bonus payment shall be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued.

The Applicant, its successors or assigns, shall contribute the amount of Four Million Twenty-Seven Thousand Seven Hundred Five and 60/100 Dollars (\$4,027,705.60) to the City of Chicago prior to the

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issuance of the "Part II Approval" as follows: Three Million Two Hundred Twenty-Two Thousand One Hundred Sixty-Four and 48/100 Dollars (\$3,222,164.48) into the Neighborhoods Opportunity Fund and Four Hundred Two Thousand Seven Hundred Seventy and 56/100 Dollars (\$402,770.56) into each of the Citywide Adopt-a-Landmark Fund and Local Impact Fund. The amount of bonus floor area and corresponding payment may be modified prior to issuance of a building permit in accordance with Section 17-4-1003-C of the Zoning Ordinance, provided that the total FAR does not exceed the maximum FAR set forth in this Planned Development. The funds contributed pursuant to this Statement 8 shall be utilized as set forth in Section 17-4-1004 (Neighborhoods Opportunity Fund), 17-4-1005 (Local Impact Bonus) and 17-4-1006 (Citywide Adopt-a-Landmark) of the Zoning Ordinance. The Applicant's obligations pursuant to this Statement 8 shall be fully satisfied upon payment of the amounts set forth herein (as modified pursuant to Section 17-4-1003-C).

It is currently anticipated that the Four Hundred Two Thousand Seven Hundred Seventy and 56/100 Dollars (\$402,770.56) contribution to the Local Impact Fund (as such amount shall be adjusted in accordance with Section 17-4-1003-C at the time of building permit) will be utilized for a public library within one (1) mile of the planned development site. Any modification of the allocation of the Local Impact Fund contribution shall be subject to Section 17-4-1005-G but in no event shall such modification cause a delay in the issuance of a Part II approval, building permit or certificate of occupancy for the planned development.

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 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.

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 DPD. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
12. 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.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

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14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall seek LEED certification (or equivalent alternative certification, such as Energy Star) and provide a 50% green roof equivalent to an actual total of 23,455 square feet.
15. The Plans are hereby approved in their entirety and no further approvals shall be required under this Planned Development or the Zoning Ordinance for the improvements undertaken in accordance with the Plans, other than Part II Approval (per Section 17-13-0610 of the Zoning Ordinance). Applicant and DPD, at either party's request, may continue to evolve the design of the building elevations or materials and changes to such elevations or materials, if any, shall, if mutually agreed upon, be reviewed by DPD pursuant to Section 17-13-0800.
16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of DPD shall initiate a Zoning Map Amendment to rezone the property to

the DX-5 Downtown Mixed-Use District.

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

Gross Site Area (sf):

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

Net Site Area (si):

Maximum Floor Area Ratio:

Minimum Off-Street Parking Spaces:

Minimum Off-Street Loading Spaces:

Maximum Building Height: Minimum Setbacks:

143,424

56,620

86,804

7.0

300

1 (10'x50') 2(10'x25')

In conformance with the Plans In conformance with the Plans

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Department of Planning and Development
CITY OF CHICAGO

MEMORANDUM

TO: Alderman Daniel S. Solis
Chairman, City Council Committee on Zoning

FROM: David L. Reifman Secretary
Chicago Plan Commission

DATE: July 22, 2016

RE: Proposed Planned Development for property generally located at 100 North Carpenter Street.

On July 21, 2016, the Chicago Plan Commission recommended approval of the proposed planned development submitted by 100 N. Carpenter, 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 Planning and Development, bureau of Planning and Zoning 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 1 000, CHICAGO. ILLINOIS 60602