



Office of the City Clerk

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

Legislation Text

File #: SO2017-7051, Version: 1

FINAL FOR PUBLICATION

ORDINANCE

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the MI-3 Light Industry District symbols and indications as shown on Map Number 1-G in the area bounded by;

North Milwaukee Avenue; North Carpenter Street; West Huron Street; North Aberdeen Street; a northeasterly line 120 feet long starting at a point 46 feet northwest of the east line of North Aberdeen Street (as measured along the northeast line of North Aberdeen Street) and ending at a point 100 feet northwest of the west line of North Carpenter Street (as measured along the southwest line of North Milwaukee Avenue)

To those of a DX-5 Downtown Mixed-Use District;

SECTION 2. Changing all of the DX-5 Downtown Mixed-Use District symbols and indications as shown on Map Number I-G in the area bounded by:

North Milwaukee Avenue; North Carpenter Street; West Huron Street; North Aberdeen Street; a northeasterly line 120 feet long starting at a point 46 feet northwest of the east line of North Aberdeen Street (as measured along the northeast line of North Aberdeen Street) and ending at a point 100 feet northwest of the west line of North Carpenter Street (as measured along the southwest line of North Milwaukee Avenue)

To those of a Residential Business Planned Development which is hereby established in the area above described subject to such use and bulk regulations as set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. This ordinance takes effect after its passage and due publication.

Common Address of the Property: 1030-1042 West Huron Street, 700-716 North Carpenter Street, 701-717 North Aberdeen Street, 728-738 North Milwaukee Avenue

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1 1
PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential-Business Planned Development Number f], ("Planned Development") consists of approximately 28,327 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, Tandem Partners, 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, assigns 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 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 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/Ground Floor Plan; a Landscape/Green Roof Plan; and Building Elevations prepared by Antunovich and Associates and dated December 21, 2017, submitted herein. 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

Applicant	Tandem Partners, LLC
Address:	734 N. Milwaukee, 736 N. Milwaukee, 700 N. Carpenter, 1040 W. Huron
Introduced	October 11, 2017
Plan Commission:	December 21, 2017

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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: multi-unit residential dwelling units, office, eating and drinking establishments (excluding drive through facilities), liquor store (packaged goods), liquor sales (as accessory use), artist work or sales space, dry cleaning drop-off or pickup (no on-premises plant), medical service, children's play center, financial services (excluding pawn shops, pay day loan stores, and drive through facilities), vacation rental, food and beverage retail sales, personal service, general retail sales, accessory uses, and accessory parking. A day care use may be permitted subject to site plan approval by the Department of Planning and Development and the Department of Transportation.

The applicant may lease to members of the public on an hourly, daily, weekly or monthly basis up to twenty-five percent (25%) of the minimum required residential parking spaces.

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, if any, 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 Net Site Area of 28,327 square feet and a base FAR of 5.0. The Applicant acknowledges that the project has received a bonus FAR of 2.5, pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 7.5. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17.4-1003-B & C, prior to the issuance of the first building permit for any building in the Planned Development; provided, however, if the Planned Development is constructed in phases, the bonus payment may be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The bonus payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C.3.

Applicant.
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Plan Commission:
Tandem Partners, LLC
734 N. Milwaukee, 736 N. Milwaukee, 700 N. Carpenter. 1040 W Huron October 11, 2017 December 21, 2017

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The bonus payment will be split between three separate funds, as follows: 80% to the Neighborhoods Opportunity Fund, 10% to the Citywide Adopt-a-Landmark Fund and 10% to the Local Impact Fund. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property

owner to finance specific landmark restoration projects; or, (c) approve proposals for in-kind improvements to satisfy the Local Impact portion of the payment.

It is currently anticipated that the 10% to the Local Impact Fund shall be utilized for the future development of a Chicago Park District open space located at the southwest corner of North Milwaukee Avenue and West Erie Street. Any modification of the allocation of the Local Impact Fund shall be subject to Section 17-4-1005-G but in no event shall such modification cause a delay in the issuance of 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 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. 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.

Applicant: Tandem Panbers, LLC
Address: 734 N. Milwaukee, 736 N. Milwaukee, 700 N. Carpenter, 1040 W. Huron
Introduced: October 11, 2017
Plan Commission: December 21, 2017

3

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 comply with the current City of Chicago Sustainable Development Policy (Green Matrix) set forth by the Department of Planning and Development.
15. The Applicant acknowledges and agrees that the rezoning of the Property from M1-3 to DX-5 for construction of this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance" or ARO) as well as the obligations mandated by the Near North/Near West Pilot Area Ordinance (the "Pilot"). Any developer of a residential housing project within the meaning of the ARO, and within the Near North/Near West Pilot Area ("Pilot Area") must: (A) (i) set aside 10% of the housing units in the residential housing project ("First Units") as affordable units, or (ii) with the Commissioner of the Department of Planning and Development's (DPD) approval, provide the First Units in an approved off-site location within two miles of the

Property; or, (iii) any combination of (i) and (ii); and (B) (i) set aside an additional 10% of the housing units in the residential housing project ("Additional Units") as affordable units; or (ii) with the Commissioner of the Department of Planning and Development's (DPD) approval, provide the Additional Units in an approved off-site location anywhere within the Pilot Area; or, (iii) any combination of (i) and (ii). The Property is located in the Near North Pilot Area and has a total of 226 units. As a result, the Applicant's affordable housing obligation is 45 Affordable Units (20% of 226 rounded down). In accordance with the requirements of the ARO, the Pilot, and the requirements set forth in the Affordable Housing Profile Form attached hereto as Exhibit A, the Applicant has agreed to provide 10% or 23 affordable housing units in the Residential Project for households earning up to 60% of the Chicago Primary Metropolitan Statistical Area median income ("AMI") and 10% or 23 affordable housing units in the Residential Project for households earning up to 100% of AMI, provided, however, the foregoing income eligibility and affordability may be decreased to 80% of AMI if the Commissioner, in consultation with the alderman of the ward in which the affordable units will be located, determines that there is a greater need for affordable housing at this income level in the subject location based on factors established by rule (collectively, the "Affordable Units"). If the Applicant subsequently reduces (or increases) the number of housing units in the PD, or elects to build a for-sale project instead, or elects to construct off-site units consistent with the provisions of the ARO and the Pilot, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval. DPD may adjust the requirements (including location, on-site or off-site) and number of required Affordable Units without amending the PD. Prior to the issuance of any building permits for any residential building in the PD, including, without limitation, excavation or foundation permits, the Applicant must execute and record an affordable housing agreement in accordance with Section 2-45-115(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the PD, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 15, including any breach of any affordable housing agreement, and enter into settlement agreements with

Applicant: Tandem Partbers, LLC
Address: 734 N. Milwaukee, 736 N. Milwaukee, 700 N. Carpenter, 1040 W. Huron
Introduced: October 11, 2017
Plan Commission: December 21, 2017

4

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respect to any such breach, subject to the approval of the Corporation Counsel, without amending the PD.

16. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the city in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the city approval process. First, (i) the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of city residents in the construction work. The city encourages goals of 26% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% city resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the Applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II permit review for the project or any phase thereof, the Applicant must submit to DPD (a) updates (if any) to the Applicant's preliminary outreach plan, (b) a description of the Applicant's outreach efforts and evidence of such outreach,

including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof; (c) responses to the Applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and city resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

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 Planning and Development shall initiate a Zoning Map Amendment to rezone the property to DX-5 Downtown Mixed Use District.

Applicant	Tandem Partners. LLC
Address:	734 N. Milwaukee, 736 N. Milwaukee, 700 N. Carpenter, 1040 W Huron
Introduced'	October 11, 2017
Plan Commission.	December 21, 2017

5

FINAL FOR PUBLICATION

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO.

BULK REGULATIONS AND DATA TABLE

GROSS SITE AREA:

AREA IN PUBLIC RIGHT-OF-WAY:

NET SITE AREA:

Maximum FAR:

Maximum Dwelling Units:

Total Minimum Accessory Parking Spaces:

Minimum Bicycle Parking: Off Street Loading Berths: Building Height:

48,375 sq. ft.

20,048 sq. ft.

28,327 sq. ft.

7.5

226

93

Minimum Accessory Office Parking Spaces: 10 Minimum Accessory Residential Parking Spaces: 83

166 bike spaces

1

250.0 feet

266.0 feet (to top of mechanical equipment)

Applicant: Tandem Partners, LLC

Property: 734 N. Milwaukee, 736 N. Milwaukee; 700 N. Carpenter; 1040 West Huron Introduced: October 11, 2017

Plan Commission: December 21, 2017

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2015 Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 ARO (all projects submitted to City Council after October 13, 2015). More information is online at www.ciWofcri'caqo.org AP.6.

This completed form should be returned to: Kara Breems, Department of Planning & Development (DPD), 121 N. LaSalle Street, Chicago, IL 60602. E-mail: kara.breems@cityofchicago.org <<mailto:kara.breems@cityofchicago.org>>

Date: 12/14/17

DEVELOPMENT INFORMATION

Development Name: 1040 W. Huron Development Address: 1030-1042

W. Huron

Zoning Application Number, if applicable: 193g8 Ward:27

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

Type of City Involvement

City Land

3 Planned Development (PD)

check all that apply

Financial Assistance

Transit Served Location (TSL) project

Zoning increase

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received

larq Web Form completed and attached - or submitted online on N/A

ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (Excel)

If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (poY)

If ARO units proposed are off-site, required attachments are included (see next page)

If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached (pdf)

DEVELOPER INFORMATION

Developer Name Tandem Partners, LLC

Developer Contact Jeffrey Hreben

Developer Address 700 N. Carpenter, Chicago 60614

Email jeffrey@tandeminc.net <<mailto:jeffrey@tandeminc.net>>

Developer Phone 312*600*9328

Attorney Name Katrina S. McGuire

Attorney Phone 312-580-2326

TIMING

Estimated date marketing will begin Q2 2019 Estimated date of building

permit* Q3 2018 Estimated date ARO units will be complete 2019

note that the irvleu fee and recorded covenant are required prior to the issuance of any building permits including the foundation petrut 3

PROPOSED UNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

Kara Breems, DPD // Date

Date

Planned Development Exhibits

A - PLANNED DEVELOPMENT BOUNDARY AND PROPERTY LINE MAP

15'

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Introduced: October 11,2017
Plan Commission: December 21,2017

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PROPERTY LINE (PL) BOUNDARY PLANNED, DEVELOPMENT (PD) BOUNDARY

Planned Development Exhibits

Applicant: Tandem Partners LLC
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.
Introduced: October 11,2017
Plan Commission: December 21,2017

EXTENT OF PLANNED DEVELOPMENT

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- PROPERTY LINE (PL) BOUNDARY
- PLANNED DEVELOPMENT (PD) BOUNDARY

Planned Development Exhibits

Applicant: Tandem Partners LLC
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.
Introduced: October 11, 2017
Plan Commission: December 21,2017
PROPERTY LINE (PL) BOUNDARY - PLANNED-DEVELOPMENT (PD) BOUNDARY

Planned Development Exhibits

Applicant: Tandem Partners LLC
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St.

Introduced: October 11,2017
Plan Commission: December 21,2017

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Planned Development Exhibits

Applicant: Tandem Partners LLC
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St. 1040 W. Huron St.
Introduced: October 11,2017
Plan Commission: December 21,2017
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BREAK LINE AT
MILWAUKEE & CARPENTER

Planned Development Exhibits F.1 - EAST

ELEVATION

Applicant: Tandem Partners LLC 20' 4tr
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W Huron St. |~" 1 " ^ =1
Introduced: October 11,2017
Plan Commission: December 21,2017
GLASS SCREEN WALL

THERMALLY BROKEN GLAZING SYSTEM
GLASS AND METAL BALCONY GUARD RAIL
INSULATED SLAB EDGES

METAL CLADDING ACCENTS
MASONRY CLADDING

OVERHEAD GARAGE DOORS

EXISTING BRICK MASONRY BUILDING
EXISTING WINDOWS TO REMAIN

TI GRADE
ELEV: 0'-0"

Planned Development Exhibits F.2-SOUTH

ELEVATION

Applicant: Tandem Partners LLC 2a <cr
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St. Introduced: October 11,
2017 Plan Commission: December 21,2017
BREAK LINE AT INTERIOR CORNER

GLASS SCREEN WALL

THERMALLY BROKEN GLAZING SYSTEM
GLASS AND METAL BALCONY GUARD RAIL
INSULATED SLAB EDGES

METAL CLADDING ACCENTS
MASONRY CLADDING

BREAK LINE AT ABERDEEN
INTERIOR CORNER

Planned Development Exhibits F.3 - WEST

ELEVATION

Applicant: Tandem Partners LLC £ w
Address: 734 N. Milwaukee Ave, 736 N. Milwaukee Ave, 700 N. Carpenter St, 1040 W. Huron St. II
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Plan Commission: December 21,2017

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GLASS SCREEN WALL

THERMALLY BROKEN GLAZING SYSTEM
GLASS AND METAL BALCONY GUARD RAIL
INSULATED SLAB EDGES

METAL CLADDING ACCENTS
MASONRY CLADDING

PAINTED MASONRY CLADDING WHERE BUILDING CONCEALED FROM PUBLIC VIEW
LINE OF NEIGHBORING BUILDING MASS AT NORTHWEST PROPERTY LINE
EXISTING BRICK MASONRY BUILDING

r~ EXISTING WINDOWS TO REMAIN

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MASONRY CLADDING IN PUBLIC VIEW

II GRADE
ELEV: 0'-0"

Planned _____ Development _____ Exhibits _____ F.4 _____ - _____ NORTHWEST

ELEVATION

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