



# Office of the City Clerk

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

## Legislation Text

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File #: SO2019-5584, Version: 1

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# Final for Publication

## 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 Residential-Business Planned Development No. 1347 symbols and indications as shown on Map 13-G in the area bounded by:

West Winona Street; the public alley next east of and parallel to North Broadway; a line 400 feet next south of and parallel to West Winona Street; North Broadway; West Winnemac Avenue; a line 156.10 feet next west of and parallel to North Broadway; the public alley next north of and parallel to West Winnemac Avenue; the public alley next west of and parallel to North Broadway; West Carmen Avenue; North Broadway; a line 250 feet next south of and parallel to West Winona Street; a line 135 feet next east of and parallel to North Broadway; a line 100 feet next south of and parallel to West Winona Street; North Broadway;

to those of Residential-Business Planned Development No. 1347, as amended.

SECTION 2. This Ordinance shall be in force and effect from and after its passage and publication.

5046-5056 North Broadway; 1200 West Winnemac Avenue; 5077 North Broadway; 5051-5063 North Broadway; 1125 West Winona Street-

EASTM 67724114.4

**RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1347, AS AMENDED PLANNED DEVELOPMENT STATEMENTS**

1. The area delineated herein as Planned Development Number TBD, ("Planned Development") consists of approximately 1 17,031 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). 5050 North Broadway Property, LLC is the "Applicant" for this planned development pursuant to authorization from the other owners.
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.

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 Plan of Development consists of these 17 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Booth Hansen and dated \_\_\_\_\_ (the "Plans"): an Existing Zoning Map; an Existing Land Use Map; a Planned Development Boundary and Property Line Map; a Subarea Map; a Subarea A Site Plan; a Subarea B Site Plan; a Subarea A Landscape Plan; a Subarea B Landscape Plan; a Subarea A Green Roof Plan; a Subarea B Green Roof Plan; Subarea A Elevations (North, South, East and West); Subarea B Elevations (North, South, East and West) and that certain Advisory Opinion issued on November 16, 2018. 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: 5050 North Broadway Property, LLC  
Address: 5046-5056 North Broadway; 1200 West Winnemac Avenue; 5077 North Broadway; 5051 -  
5063 North Broadway; 1125 West Winona Street Introduced: July  
24, 2019 Plan Commission: August 15, 2019

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5. The following uses are permitted in the area delineated herein as a Business Planned Development: Dwelling Units located above the ground floor; Multi-Unit Residential; Cultural Exhibits and Libraries; Animal Services (excluding shelter/boarding kennels and stables); Artist Work or Sales Space; Business Support Services; Eating and Drinking Establishments (all, including outdoor patio on a rooftop and at grade); Small Venues; financial Services (excluding payday loan, pawn shops and drive-through facilities); Food and Beverage Retail Sales; Vacation Rental; Medical Service; Office; Personal Service; Repair or Laundry Service, Consumer; General Retail Sales; Indoor Participant Sports and Recreation; Children's Play Center; School; Daycare; Artisan Manufacturing; Co-located Wireless Communication Facilities; accessory and non-accessory parking (up to 45% pursuant to Section 17-10-0503) and related, incidental and accessory 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 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 117,031 square feet and an FAR of 5.0.
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

Applicant: 5050 North Broadway Property, LLC

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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.

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 achieve building certification and provide a 50% net green roof, equivalent to an actual total of approximately 18,205 square feet in Subarea A and 11,601 square feet in Subarea B.
15. The Applicant acknowledges and agrees that the rezoning of the Property from the B1-2 Neighborhood Shopping District to C2-5 Motor Vehicle-Related District, and then to this Planned Development, triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (the "Required Units") as affordable units, or provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of the Required Units; or (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the Required Units on-site or, with the Commissioner's approval, off-site. If the developer elects to provide affordable units off-site, the off-site affordable units must be located within a two-mile radius from the residential housing project and in a higher income area. The Property is located in a "higher income area" within the meaning of the ARO, and the Applicant has agreed to satisfy its affordable housing obligation by providing 71 affordable units in the rental buildings to be constructed in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit [ ].  
The Applicant agrees that the affordable rental units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required Affordable Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, 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) for a minimum of 10% of the housing units in the residential building or buildings for which the building permit is requested. 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(s) will be recorded against the Planned Development, 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 respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.
16. Prior to the Part II Approval (per Section 17-13-0610 of the Zoning Ordinance) for construction of Subarea B, site plan approval by the Department and site plan review by the Chicago Plan Commission shall be required in accordance with this Statement 16.

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5063 North Broadway; 1125 West Winona Street Introduced:  
July 24, 2019 Plan Commission: August 15, 2019

EASTM 67724114.4

The Applicant shall submit a site plan, landscape plan, building elevations and a site data table for the building(s) in question for review by the Department (collectively, "Site Plans"). The site data table shall contain the following data for the proposed building(s) as compared to the parameters for Subarea B as set forth in the Bulk Regulations and Data Table:

- a. Gross Site Area;
- b. Net Site Area;
- c. FAR floor area of each proposed building;
- d. Maximum building height;
- e. Number of dwelling units;
- f. Number of parking spaces; and
- g. Other data as may be required by the Department to demonstrate compliance with this Planned Development.

If, after review, the Commissioner determines that the Site Plans are not in substantial compliance with the Planned Development, then the Commissioner shall advise the Applicant in writing of the ways in which the Site Plans do not so comply. If, after review, the Commissioner determines that the Site Plans are in substantial compliance with the Planned Development, such Site Plans must then be reviewed by the Chicago Plan Commission at a public meeting but shall not require review or approval by the City Council. Following the Chicago Plan Commission review the Zoning Administrator shall issue written approval of the applicable Site Plans. Following such approval, the approved Site Plans shall be made part of the main file and shall be deemed to be an integral part of this Planned Development.

Review and approval of Site Plans is intended to assure that specific development components substantially 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. After approval of a site plan, changes or modifications may be made pursuant to the provisions of Statement 12. In the event of any inconsistency between approved plans and the terms of the Planned Development, the terms of the Planned Development shall govern.

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 DPD shall initiate a Zoning Map Amendment to rezone the property to Residential-Business Planned Development No. 1347, as it existed prior to this amendment.

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5063 North Broadway; 1125 West Winona Street Introduced:  
July 24, 2019 Plan Commission: August 15, 2019

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**RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1347, AS AMENDED BULK REGULATIONS  
AND DATA TABLE**

Gross Site Area (sf):

Area of Public Rights-of-way (si):

Net Site Area (si):

Maximum Floor Area Ratio:

Maximum Number of Dwelling Units:

Subarea A:

Subarea B: Minimum Off-Street Parking Spaces:

Subarea A:

Subarea B: Minimum Off-Street Loading Spaces:

Subarea A:

Subarea B: Maximum Building Height: .

Subarea A:

Subarea B: Minimum Setbacks:

187,902

70,871

117,031

5.0

710

345

365

600 (existing to remain)

3 (10'x25') 2(10'x25')

149'8"

90'6" (top of mechanical) Per plans

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Address: 5046-5056 North Broadway; 1200 West Winnemac Avenue; 5077 North Broadway;  
5051 -5063 North Broadway; 1125 West Winona Street Introduced: July 24,  
2019 Plan Commission: August 15, 2019

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## Existing Zoning Map

5050 BROADWAY DEVELOPMENT \*£™JDDRESS

"roadway; 5c3 Broadway; 5063 roadway.  
5051 BROADWAY. 1101-1121 WWINONA  
INTRODUCTION DATE- JULY 24. 2019 PLAN COMMISSION DATE. TBD

BOOTH HANSEN 1

# Final for Publication

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3 ST. RS/RT  
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# Legend

#ST. RT RS C	PL	Parking Lot
Number of Stories	VL	Vacant Lot
Retail	S	Site
Residential	SC	School
Commercial		

## Existing Land Use Map

5050 BROADWAY DEVELOPMENT

PROJECT ADDRESS, INTRODUCTION DATE:

CCDAR STREET .  
 arKO-5060 BROADWAY; 5003 BROADWAY. 50i3 BROADWAY  
 5051 BROADWAY; 11C1-1121 W WINONA  
 JULY 2E, 2019 PLAN COMMISSION DATE; TED

**Net Site Area: 117,030 sf Area**  
**in Right of Way: 70,871 sf**  
**Gross Site Area: 187,901 sf**

## Plan Development Boundary and Property Line Map

5050 BROADWAY DEVELOPMENT ^g\*^^ ^oStoac^ay. sow sroadway. sow wowm\* BOOTH HANSEN  
 5061 BROACWAY; 1101-1121 W WINONA  
 INTRODUCTION DATE: ^UI-Y 24. 2019 PLAN COMMISSION DATE.  
 TBD

# RI'SITE

## Sub Area Map

5050 BROADWAY DEVELOPMENT applicant: cedar street  
 PROJECT ADDRESS. 5040-5080 BROj-OVVAY 0083 BROADWAY. 5053 BROADWAY, ; BOOTH HANSEN  
 5051 BROACWAY; 1101-1121 W WINONA  
 INTRODUCTION DATE: JULY 24, 2019 PLAN COMMISSION DATE! TBD

### WINNEMAC AVENUE

0 13 25 50 100'



5050 BROADWAY DEVELOPMENT applicant: cedar street  
PROJECT ADDRESS: 5040-5060 BROADWAY; 5063 BROADWAY, 5063 BROADWAY, ;>■>. BOOTH HANSEN  
INTRODUCTION DATE: JULY 24, 2019 PLAN COMMISSION DATE: TBD  
INTRODUCTION DATE: JULY 24, 2019

**NOT IN PROJECT SCOPE**

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5050 BROADWAY DEVELOPMENT applicant:

PROJECT ADDRESS: INTRODUCTION DATE:

**Sub Area B - Site Plan**

CEDAR STREET  
1040-5060 BROADWAY, 503.1 BROADWAY, 5053 BROADWAY,  
5051 BROADWAY, 1101-1121 W WINONA  
JULY 24, 2019 PLAN COMMISSION DATE- T3D

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### Sub Area A - Landscape Plan

SIRII RRDArWAY DEVELOPMENT APPLICANT. CEDAR STREET BOOTH HANSEN  
BUSUBHUBUWAIUEVLLUnILIII PROJECT ADDRESS: 50\*0-5060 BROADWAY. 5M3 BROADWAY. 5Q63 BROADWAY.  
INTRODUCTION OATE: JULY 24. 2019 PLAN COMMISSION DATE! TBD  
INTRODUCTION DATE: JULY 24. 2019

■ \*) NIGW QNKO BILCRIA (MALT UCHIGHr CUH.7IVAP, ONI r(- (aa) Nr-V; QutPCUS BICOLOP. TT.EES IN  
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### 5083 N BROADWAY

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### 5051 N BROADWAY EXISTING PARKING STRUCTURE TO REMAIN

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## Sub Area B - Landscape Plan

5050 BROADWAY DEVELOPMENT applicant

PROJECT ADDRESS: INTRODUCTION DATE

CEDAR STREET  
S040-50SC BROADWAY, 508J BROADWAY, 500T BROAOVWV.  
5051 BROADWAY, 1101-112 1 W WINONA  
JULY 24,20<9 PLAN COMMISSION DATE TJJO  
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NO YES-

1. 10% of paving area can be green roof
- 2 Green roof calculation may be adjusted due to mechanical areas, TBD

LOWER BUILDING ROOF

Roof Area = 23,150 SF Mech = 1,350 SF Net Roof Area = 21,800 SF 50% Green Roof = 10,900 SF

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/^PEMTHOOSelROOFAl: i)lv :•

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UPPER BUILDING ROOF

Roof Area = 14,934 SF Mech = 325 SF Net Roo' Area = 14,603 SF 50% Greer. Rao! = 7.305 SF

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LEGEND

EGETATION/ GREEN ROOF

MECt iANIG

Sub Area A - Green Roof Plan

5050 BROADWAY DEVELOPMENT applicant;

PROJECT ADDRESS

CEDAR STREET  
5040-5060 BROADWAY, 5083 BROADWAY, 50E3 BROADWAY;  
5051 BROADWAY, 1101-1121 W WINONA  
INTRODUCTION DATE- JULY 24 20 19

PLAN COMMISSION DATE: H30

Green roof area caian"-i may Li?..-(i)l';  
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as TRD

Rt.:ol Arm, -= I.]37P. SF Mech = 2,132 SF Net  
Rod Aioa - 12,945 SF 50% Green Ruu' -■  
6.473 SF

Roof Area = 12,247 SF Mech = 1,930 SF Net Roof Area = 10,267 SF 50% Gruen Roof = 5,128 SF

EXISTING PARKING GARAGE

LEGEND

~] VEGETATION/ J GREEN ROOF

MECHANICAL

0 13.25  
5050 BROADWAY DEVELOPMENT applicant-project ADDRESS

Sub Area B - Green Roof Plan

CEDAR STREET  
5040-5060 BROADWAY, 5083 BROADWAY, 5063 BROADWAY,  
5051 BROADWAY, 1101-1121 W WINONA  
INTRODUCTION DATE: JULY 24, 2019 PLAN COMMISSION DATE- TBD

Sub Area A - Elevations

5050 BROADWAY DEVELOPMENT applicant	Broadway 5050 llc
PROJECT ADDRESS.	5040-5060 BROADWAY, 5083 BROADWAY, 5060 BROADWAY; 5051 BROADWAY, 1101-1121 W WINONA
INTRODUCTION DATE.	JULY 24, 2019 PLAN COMMISSION DATE TBD

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## Sub Area A - Elevations

### 5050 BROADWAY DEVELOPMENT

APPLICANT BROADWAY 5050 LLC  
PROJECT ADDRESS. 5040-5060 BROADWAY, 5083 BROADWAY, 50G3 BROADWAY,  
5051 BROADWAY, 1101-1121 W WINONA  
INTRODUCTION DATE: JULY 24, 2019 PLAN COMMISSION DATE: TBD



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### Sub Area B - Elevations

5050 BROADWAY DEVELOPMENT applicant:

PROJECT ADDRESS:

CEDAR STREET  
5040-SC6G BROADWAY; 5093 BROADWAY, 5063 BROADWAY  
5051 BROADWAY; 1101-1121 W WINONA  
INTRODUCTION DATE: JULY 24, 201a                      PLAN COMMISSION DATE: TBD

### Sub Area B - Elevations

APPLICANT, PROJECT ADDRESS:

5050 BROADWAY DEVELOPMENT  
CEDAR STREET

5040-5050 BROADWAY, 5083 BROADWAY, 5003 BROADWAY,  
5051 BROADWAY, 1101-1121 W WINONA  
INTRODUCTION DATE: JULY 24, 2019                      PLAN COMMISSION DATE TBD