



Office of the City Clerk

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

Legislation Text

File #: SO2020-2402, Version: 1

FINAL FOR PUBLICATION

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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 B3-2 Community Shopping District symbols and indications as shown on Map 5-F in the area bounded by:

North Halsted Street; a line 322.16 feet north of and parallel to North Avenue; a line 140 feet east of and parallel to North Halsted Street; and a line 220 feet north of and parallel to North Avenue

to those of a B3-5 Community Shopping District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the B3-5 Community Shopping District symbols and indications as shown on Map 5-F in the area bounded by:

North Halsted Street; a line 322.16 feet north of and parallel to North Avenue; a line 140 feet east of and parallel to North Halsted Street; and a line 220 feet north of and parallel to North 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 are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. This Ordinance shall be in force and effect from and after its passage and due publication.

1623-31 North Halsted, Chicago, Illinois

FINAL FOR PUBLICATION

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO.
PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____, (Planned Development) consists of approximately 14,302 square feet of property which is depicted on the attached Planned Development Property Line and Boundary Map (the "Property") and is owned or controlled by the "Applicant," LV Halsted, 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.
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 ("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 Planned Development.

Ingress or egress shall be pursuant to the Planned Development 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.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between CDOT's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by CDOT's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

The Agreement must be executed prior to any CDOT and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and

Applicant

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Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow CDOT's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by CDOT.

4. This Plan of Development consists of 17 Statements: a Bulk Regulations Table and the following

"Plans": a Planned Development Existing Zoning Map; a Planned Development Existing Use Map; a

Planned Development Property Line and Boundary Map; a Planned Development Site Plan; a

Planned Development Landscape Plan; and Planned Development Elevations (North, South, East and

West) prepared by Hartshorne Plunkard Architects and dated _____, submitted herein. 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 Chicago 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 Chicago Zoning Ordinance, this Planned Development shall control.

5. The following uses are permitted in the area delineated herein as a Planned Development _____ : Dwelling Units located above the ground floor; Animal Services (Sales and Grooming, Veterinary); Artist Work or Sales Space; Business Support Services; Eating and Drinking Establishments (all) ; Financial Services (all, excluding Payday/Title Secured Loan Store and Pawn Shop); Food and Beverage Retail Sales; Liquor Sales (as accessory use); Medical Service; Office; Personal Service (all); Retail Sales; Co-Located Wireless Communication Facilities; Lodging and Valuable Objects Dealer; and accessory and incidental uses.

6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the DPD. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Chicago 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 purpose 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 14,302 square feet and a FAR of 5.0.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, 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, including Section 17-13-0800. Final landscape

Applicant-	I.V Halsted. LLC
Address	K.23-.H North 1 lalsicd Street. Chicago. Illinois
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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 13-32-085, or any other provision of the Municipal Code of Chicago.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, 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.
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 obtain the number of points necessary to meet the requirements of the Chicago

Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.

15. 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, 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 (i) 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

Applicant	1 V I-lalsled. L.L.C
Address	1623-1 North Halsted Street. Chicago. Illinois
Introduced	May 20, 2021
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FINAL FOR PUBLICATION

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.

16. The Applicant acknowledges, and agrees that the rezoning of the Property from B3-2 to B3-5, and then to this Residential-Business Planned Development, triggers the requirements of Section 2-44-080 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 ("ARO Units") as affordable units, or with the approval of the commissioner of the Department of Housing ("DOH") (subject to the transition provisions of Section 2-44-040(c)), in consultation with the commissioner of the Department of Planning and Development ("DPD") as appropriate; (ii) pay a fee in lieu of the development of the ARO Units (Cash Payment); 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 ARO Units on-site or off-site (Required Units). If the developer elects to provide ARO Units off-site, the off-site ARO Units must be located within a two-mile radius from the residential

housing project and in the same or a different higher income area or downtown district. The Property is located in a higher income area within the meaning of the ARO, and the project has a total of 79 units. As a result, the Applicant's affordable housing obligation is 8 ARO Units (10% of 79 rounded up), 2 of which are Required Units (25% of 8). Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$132,411 per ARO Unit ("Cash Payment") for six (6) ARO units and providing two (2) ARO Units in an off-site building, to be approved by the Department of Housing in consultation with DPD as appropriate, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit []. The Applicant agrees that the ARO 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 units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Housing for review and approval, and DOH may adjust the number of required ARO 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 make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-44-080(L). The cash payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in the consumer price index in accordance with Section 2-44-080. 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 Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DOH may enforce remedies for any breach of this Statement [], including any breach of any affordable housing agreement, and enter into settlement

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Address	I C12.3- > I North Halsted Street. Chicayo. Illinois
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agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

- 17. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to the B3-5 Community Shopping District.**

Applicant: I..V Halsled. U.C
Address: 1 523-31 Nordi Halsied Street. Chicago. Illinois
Introduced: May 20. 2020
Plan Commission: 11.tl.)

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. BULK REGULATIONS AND DATA TABLE

Gross Site Area (sf):	18,614
Area of" Public Rights-of-Way (sf):	4,312
Net Site Area (sf):	14,302

Maximum Floor Area Ratio: 5.0

Maximum Permitted Dwelling Units and/or 79

Hotel Rooms:

Minimum Off-Street Parking Spaces: 0

Minimum Bicycle Parking Spaces: 79

Maximum Building Height: 83'8"

Minimum Setbacks: In accordance with plans

Loading Berths: 1 (10'x25')

Applicant LV Halsted, L.L.C.
Address 1623-31 North Halsted Street, Chicago, Illinois
Introduced May 20, 2021
Plan Commission. (TBI)

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ARO Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 AR.O, Near North/Near West Pilot, Milwaukee Pilot or Pilsen/Little Village Pilot Ordinances (all projects submitted to City Council after October 13.2015). More information is online at www.chicagohousing.org. Submitter completed to: petermolenski@ioganventuresfund.com (Houang BiOH), 121 N. Dearborn Street, 10th Floor, Chicago, IL 60602. E-mail: Denise.Roman@cityofchicago.org or Justin.Root@cityofchicago.org off-site units should submit documentation.

Date: September 14, 2020 DEVELOPMENT INFORMATION

Development Name; 1623 N Halsted
Development Address; 1623 n Halsted
Zoning Application Number, if applicable: 20404 Ward: 2nd
If you are working with a Planner at the City, what is his/her name? Joshua Son

Type of City Involvement City Land' 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

- ARO Web Form completed and attached - or submitted online on 9/14/20
- 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 (pdf)
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 IV Haisted LLC Developer
Contact Peter Smolensk
Developer Address 444 W Lake. Suite 1700. Chicago, IL 60606
Email petersmolenski@ioganventuresfund.com <<mailto:petersmolenski@ioganventuresfund.com>> Developer Phone (312) 819-5912
AttorneyName DLA Piper LLP (US) - Paul Shadle/Katie Jahnke Dale Attorney Phone (312)368-3493/-2153

TIMING

Estimated date marketing will begin . Estimated date of building permit* Estimated date ARO units will be complete

*the in-lieu fee, recorded covenant and \$5,000 per unit administration fee (for off-site units) are required prior to the issuance of any building permits, including the foundation permit.

PREPARED BY ITS MEET REQUIREMENTS (to be executed by Developers ARO Project Manager) Developer or

their agent Date

Justin Root or Denise Roman, DOH

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Required Attachments: For Off-Site Units Only

Your application will be reviewed when required documentation has been received. Off-Site Units fall into one of three categories: New Construction (NC); Significant Rehab (SR) and Prior Rehab (PR). Documentation is also required for the Subject Property (SP), the property that triggered the ARO Requirement. The documents required for each are listed below:

SP NC SR PR

- D D D Evidence of Site Control
- D D D Project Budget, with per-unit cost breakdown & documentation
- D D D CMA or appraised value of proposed, for sale, off-site units
- rj rj Description + Schedule of anticipated building permits
- rj Certificate of Occupancy + Approved Plans & Permits (CofO must be *3 >«ars d<l. or < 1 year, if log^mod jone)
- Q D D Management Plan for off-site building that includes ARO units and a Marketing Brochure D D
Signed Statement attesting that units are currently vacant - OR -
- Q [] Income Qualification packets, if current tenants are incorhe-qualified'& intend to lease ARO units D Q
- 0 Completed ARO Unit Evaluation Table
- D D D Recent permits; most recent permits for all major systems; plumbing, electrical, HVAC, Mechanicals and building envelope.

Does the proposed off-site project require a zoning change or financial assistance from the City?

Yp= No

Construction Drawings/Submissions The Development team and the Architect of Record should prepare and submit the following information for review. One hard copy and one electronic pdf of all materials, plans, sketches, and photos should be submitted for review. Label each attachment to correspond to the requirement below (ie "Master Plan" etc)

- All Projects: Q Project narrative: should briefly summarize (one page, double-spaced) the project work scope, development objectives, site, building construction systems (identify wall, floor and roof construction), building design concepts and environmental
- [] Master plan: should locate the project site(s), depict the adjacencies to existing properties and, in the case of largerdevelopments, illustrate proximity of proposed multiple sites.
 - Q Context photographs and drawings: photos of al sites and existing buildings, photos should include nearest adjacent buildings
 - Floor plans: should clearly depict room designations, dimensions and typical furniture layout
 - Building section (optional): should identify building materials, structural framing, depth of footings/foundations, ceiling heights of interior spaces and general floor and roof framing.
 - Q Site / Landscape plan: conceptual site plan should identify setbacks, easements, number of parking spaces provided/required; refuse pick-up areas, utilities and pedestrian environment issues. Illustrate the type of plant materials, location of shrubs and trees, ground treatment, security fencing and other site features.

- Q Front, side and rear elevations: Illustrate selection and location of materials, doors, fenestration and roof configuration. Drawings should also indicate vertical heights and depth of foundations when a section drawing is not provided. For existing buildings, provide photographs of all exterior elevations

Additional documents may be requested during the review by Construction & Compliance staff. A \$5,000/unit fee is required for prior to the issuance of the building permit for the ARO-triggering property.

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

To: Alderman Tom Tunney
Chairman, City Council Committee on Zoning

From: ^rA^
Maurice D. C£>x Chicago Plan Commission

Date: October 15, 2020

Re: Proposed Residential-Business Planned Development - 1623 N. Halsted St.

On October 15, 2020, the Chicago Plan Commission recommended approval of the proposed Residential-Business Planned Development, submitted by LV Halsted, LLC. The Applicant proposes to rezone the property from B3-2 (Community Shopping District) to B3-5 (Community Shopping District) prior to establishing a planned development to construct a 83'-8"-tall building containing 79 residential units, ground floor retail and commercial uses, and 79 bicycle parking spaces. A copy of the proposed ordinance, planned development statements, bulk table and exhibits are attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, Bureau of Zoning recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Joshua Son at 312-744-2780.

Cc: PD Master File (Original PD, copy of memo)

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