

PD 1308

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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

October 23, 2017

Katherine C. Jahnke Dale
DLA Piper LLP
203 N. LaSalle Street
Suite 1900
Chicago, IL 60601-1293

**Re: Administrative Relief request for Planned Development No. 1308
Sub area B, 810-814 N. Clark Street**

Dear Ms. Dale:

Please be advised that your request for a minor change to Residential-Business Planned Development No. 1308 ("PD 1308"), has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 12 of PD 1308.

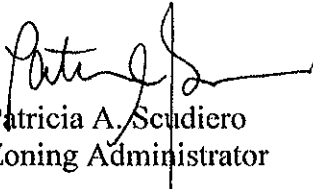
Your client and the owner of all of the property within Sub area B of PD 1308, Clark 800 LLC, is seeking administrative relief to allow for the following modifications to the proposed building at 810-814 N. Clark St.:

- Reduce and relocate the off-street parking from 15 spaces in the basement to 12 spaces on the first floor. After approval of the PD, it was determined that due to the foundation of the Sub area A building and the narrowness of the proposed Sub area B building, the basement would not accommodate parking and so the parking was relocated to the first floor as shown on the attached First Floor Plan.
- Reduce the 84 bicycle parking spaces from 2' x 6' stalls to vertical storage using vertical bike rack system attached to the wall.
- Reduce the green roof from 2,095 SF to 2,007 SF (or 50% of the net roof area to approx. 48%) as shown on the attached revised exhibit.
- Reduce the open space from 4,644 SF to 3,716 SF (or 100% to 80%) as shown on the attached exhibit and as a result of reducing the 3rd floor (formerly 2nd floor) deck on the north side to accommodate mechanical space. Due to site constraints and relocated required mechanical space, the required green space and open space has been slightly reduced.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed modifications will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential-Business Planned Development No. 1308, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,



Patricia A. Scudiero
Zoning Administrator

PAS:PM:tm

C: Mike Marmo, Erik Glass, Dan Klaiber, Main file

Reclassification Of Area Shown On Map No. 3-F.
(As Amended)
(Application No. 18540)
(Common Address: 800 -- 814 N. Clark St.
And 100 -- 114 W. Chicago Ave.)

RBPD 1308

[SO2015-6439]

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-5 Downtown Mixed-Use District symbols and indications as shown on Map Number 3-F in the area bounded by:

North Clark Street; a line 100 feet north of and parallel to West Chicago Avenue; the public alley next west of and parallel to North Clark Street; and a line 152 feet next north of and parallel to West Chicago Avenue,

to those of a DX-7 Downtown Mixed-Use District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the DX-7 Downtown Mixed-Use District symbols and indications as shown on Map Number 3-F in the area bounded by:

North Clark Street; West Chicago Avenue; the public alley next west of and parallel to North Clark Street; and a line 152 feet next north of and parallel to West Chicago Avenue,

to those of a Residential-Business Planned Development.

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

Plan of Development Statements attached to this ordinance read as follows:

Residential-Business Planned Development No. 1308.

Planned Development Statements.

1. The area delineated herein as Planned Development Number TBD ("Planned Development") consists of approximately 23,002 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). Clark 800 LLC is 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 titleholders 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 titleholder 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 16 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Hartshorne Plunkard Architecture and dated January 21, 2016 (the "Plans"): an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Property and Boundary Line Map; a Site Plan; a Landscape/Green Roof Plan; Subarea A Building Elevations (North, South, East and West) and Subarea B Building Elevations (North, South, East and West). 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.
5. The following uses are permitted in the area delineated herein as a Business Planned Development: dwelling units located above the ground floor; animal services; artist work or sales space; business support services; eating and drinking establishments; financial services; food and beverage retail sales; vacation rental; office; personal service; general retail sales; indoor participant sports and recreation; valuable objects dealer; co-located wireless communication facilities and related, incidental and accessory uses and accessory parking.

6. On-premises 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-premises 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 23,001 square feet and a FAR of 7.0.
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 titleholders 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 seek LEED certification (or equivalent alternative certification, such as Energy Star) and provide a 50 percent net green roof equivalent to an actual total of approximately 2,382 square feet for the building in Subarea B.

15. The Applicant acknowledges and agrees that the rezoning of Subarea B from DX-5 Downtown Mixed-Use District to DX-7 Downtown Mixed-Use District for construction of this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). In accordance with these requirements and the Affordable Housing Profile Form attached hereto as Exhibit [____], the Applicant has agreed to provide 23 affordable housing units in the Residential Project for households earning up to 60 percent of the Chicago Primary Metropolitan Statistical Area median income (the "Affordable Units"), or make a cash payment to the Affordable Housing Opportunity Fund in the amount of \$100,000 per unit ("Cash Payment"). At the time of each Part II Review for the Residential Project, Applicant may update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval. If the Applicant subsequently reduces the number of dwelling units in the Residential Project, DPD may adjust the requirements of this Statement 15 (i.e., number of Affordable Units and/or amount of Cash Payment) accordingly without amending the Planned Development. Prior to the issuance of any building permits including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment, or execute an Affordable Housing Agreement in accordance with Section 2-45-110(i)(2). 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 Residential Project and will constitute a lien against each Affordable Unit. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit. The Commissioner of DPD may enforce remedies for breach of the 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. 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-7 Downtown Mixed-Use District.

[Existing Zoning Map; Existing Land-Use Map; Boundary and Subarea Map; Site/Landscape/Green Roof Plan; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 18916 through 18925 of this *Journal*.]

Bulk Regulations and Data Table and Affordable Housing Profile Form (Rental) referred to in these Plan of Development Statements read as follows:

Residential-Business Planned Development No. 1308.

Bulk Regulations and Data Table.

Gross Site Area (square feet):	50,532
Area of Public Rights-of-Way (square feet):	27,531
Net Site Area (square feet):	23,001
Maximum Floor Area Ratio:	7.0
Maximum Number of Dwelling Units:	
Subarea A:	101
Subarea B:	129
Minimum Off-Street Parking Spaces:	
Subarea A:	0
Subarea B:	15
Minimum Bicycle Parking Spaces:	
Subarea A:	60
Subarea B:	84
Minimum Off-Street Loading Spaces:	
Subarea A:	0
Subarea B:	1
Maximum Building Height:	
Subarea A:	Existing
Subarea B:	179 feet
Minimum Setbacks:	In substantial conformance with the Plans.

Affordable Housing Profile Form (Rental)

Submit this form to the Department of Planning & Development for each project that triggers an affordability requirement (including CPAN, ARO, and the Density Bonus).

This completed form should be returned (via e-mail, fax, postal service or interoffice mail), to: Marcia Baxter, Department of Planning & Development, 121 N. LaSalle Street, Chicago, IL 60602. E-mail: Marcia.Baxter@cityofchicago.org; Telephone: (312) 744-0696.

For information on these programs/requirements, visit www.cityofchicago.org/dpd

Date: January 15, 2016

SECTION 1: DEVELOPMENT INFORMATION

Development Name: 800-814 North Clark
 Development Address: 800-814 North Clark
 Ward: 2nd

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

Type of City involvement: Land write-down
 (check all that apply) Financial Assistance (If receiving TIF assistance, will TIF funds be used for housing construction?) *if yes, please provide copy of the TIF Eligible Expenses
 Zoning increase, PD, or City Land purchase

SECTION 2: DEVELOPER INFORMATION

Developer Name: Clark 800 LLC
 Developer Contact (Project Coordinator): Mark Heffron
 Developer Address: 1025 W Sunnyside Avenue, Chicago, IL 60640
 Email address: mheffron@cedarst.com May we use email to contact you? Yes No
 Telephone Number: 312-506-3200

SECTION 3: DEVELOPMENT INFORMATION

a) Affordable units required

For ARO projects: $\frac{230}{\text{Total units}} \times 10\%^* = \frac{23}{\text{total affordable units required}}$ (always round up)
 *20% if TIF assistance is provided

For Density Bonus projects: $\frac{\text{Bonus Square Footage}^*}{\text{Affordable sq. footage required}} \times 25\% =$
 *Note that the maximum allowed bonus is 20% of base FAR in dash-5; 25% in dash-7 or -10; and 30% of base FAR in dash-12 or -16 (www.cityofchicago.org/zoning for zoning info).

b) building details N/A

In addition to water, which of the following utilities will be included in the rent (circle applicable):
 Cooking gas electric gas heat electric heat other (describe on back)

Is parking included in the rent for the: affordable units? yes no market-rate units? yes no
 If parking is not included, what is the monthly cost per space? _____

Estimated date for the commencement of marketing:

Estimated date for completion of construction of the affordable units: N/A

For each unit configuration, fill out a separate row, as applicable (see example).

	Unit Type*	Number of Units	Number of Bedrooms/Unit	Total Square Footage/Unit	Expected Market Rent	Proposed Affordable Rent*	Proposed Level of Affordability (60% or less of AMI)	Unit Mix OK to proceed?
<i>Example</i>	1 bed/1 bath	4	1	800	\$1000	759	60%	
Affordable Units								
Market Rate Units						N/A	N/A	
						N/A	N/A	
						N/A	N/A	

*Rent amounts updated annually in the "City of Chicago's Maximum Affordable Monthly Rent Chart"

SECTION 4: PAYMENT IN LIEU OF UNITS

When do you expect to make the payment -in-lieu? March 2016
 (typically corresponds with issuance of building permits) Month/Year

For ARO projects, use the following formula to calculate payment owed:

$$\frac{230}{\text{Number of total units in development}} \times 10\% = \frac{23}{\text{(round up to nearest whole number)}} \times \$100,000 = \$2,300,000 \text{ Amount owed}$$

For Density Bonus projects, use the following formula to calculate payment owed:

$$\text{Bonus Floor Area (sq ft)} \times 80\% \times \$ \text{median price per base FAR foot (from table below)} = \$ \text{Amount owed}$$

Submarket (Table for use with the Density Bonus fees-in-lieu calculations)	Median Land Price per Base FAR Foot
Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east	\$31
North: Division on north; Chicago River on south/west; Lake Shore Dr. on east	\$43
South: Congress on north; Stevenson on south; Chicago River on west; Lake Shore Dr. on east	\$22
West: Lake on north; Congress on south; Chicago River on east; Racine on west	\$29

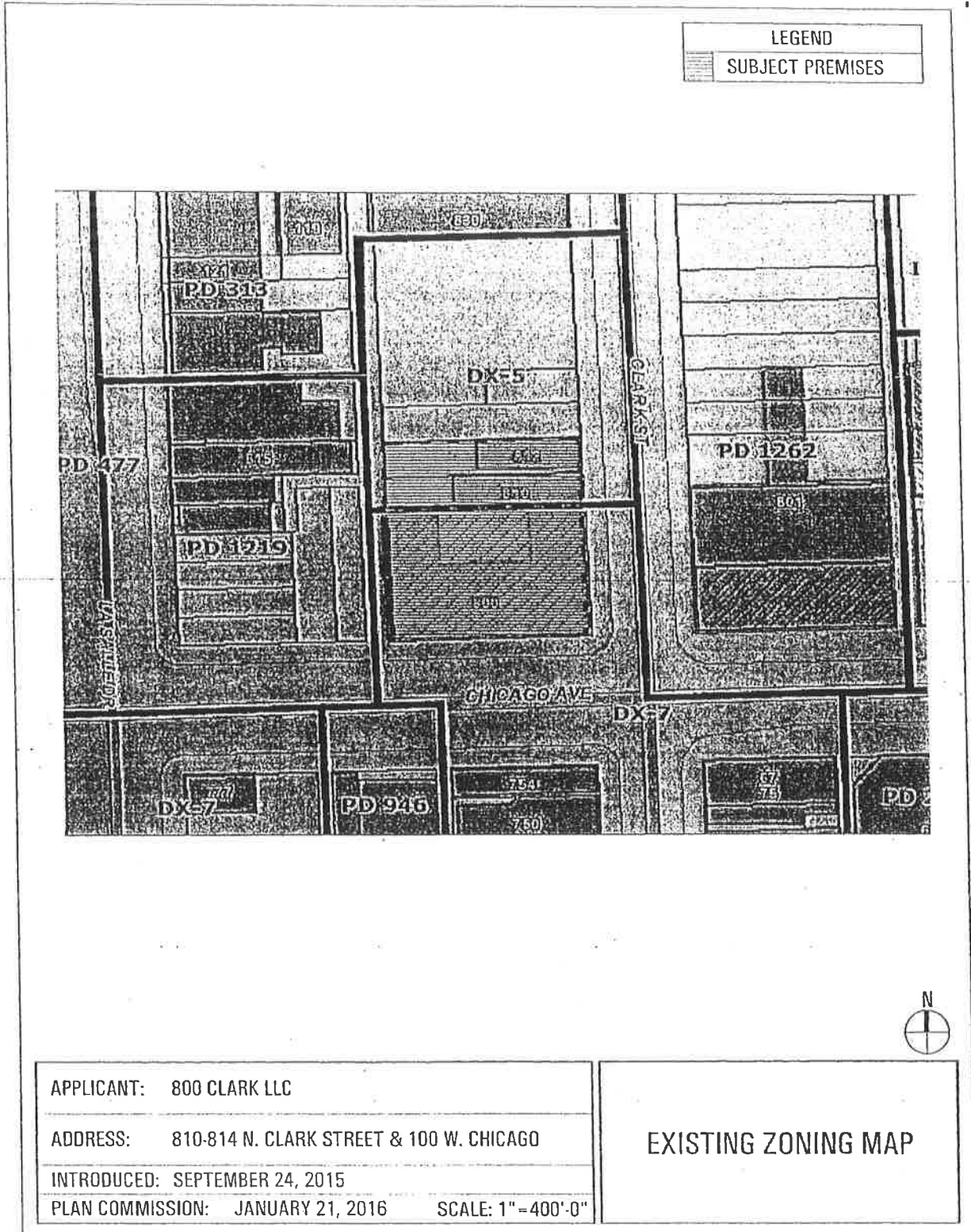
Authorization to Proceed (to be completed by Department of HED)


 Marcia Baxter,
 Department of Planning & Development

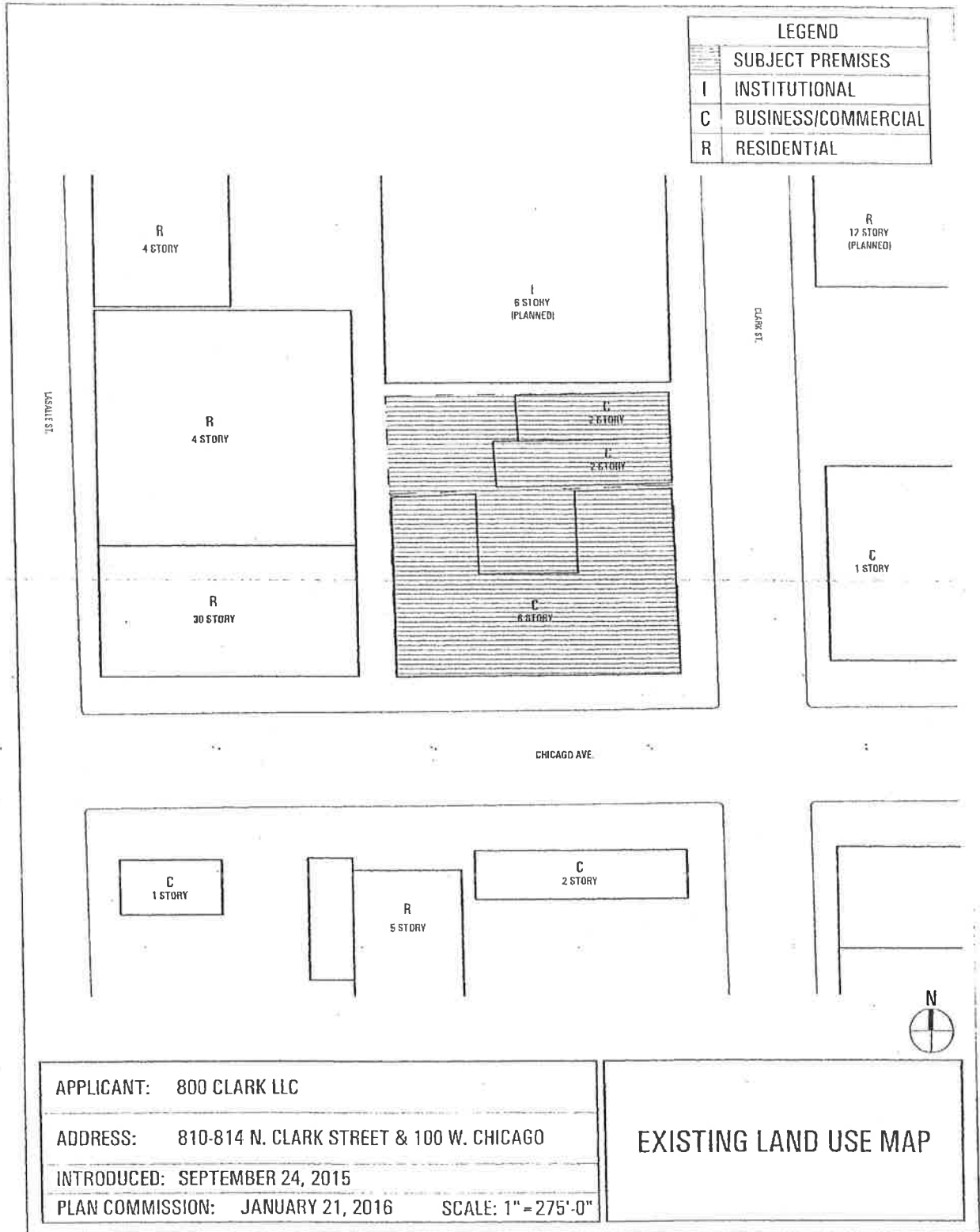
1-15-16
 Date


 Developer/Project Manager

1-18-16
 Date



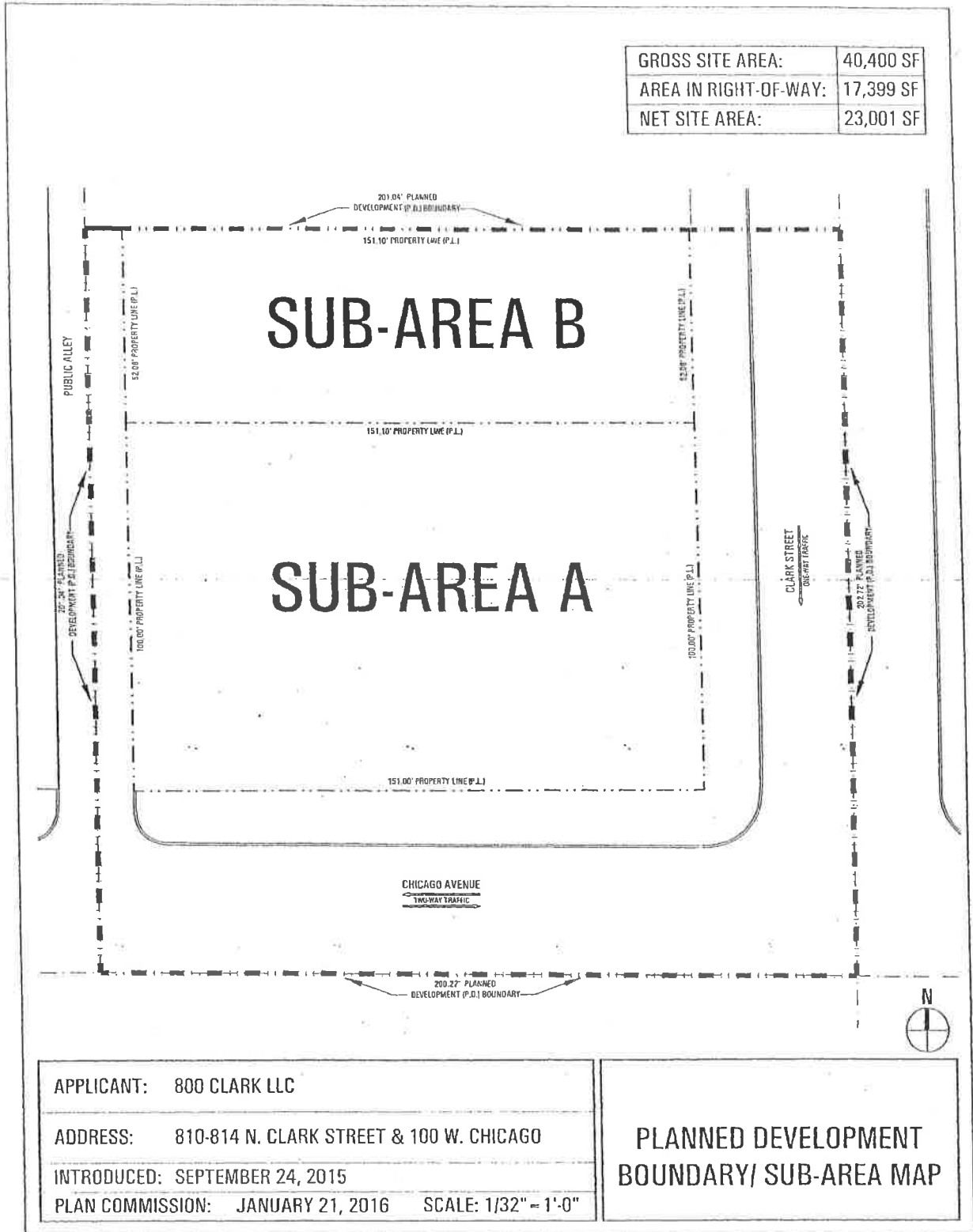
DRAWING FOR PUBLICATION



APPLICANT: 800 CLARK LLC
 ADDRESS: 810-814 N. CLARK STREET & 100 W. CHICAGO
 INTRODUCED: SEPTEMBER 24, 2015
 PLAN COMMISSION: JANUARY 21, 2016

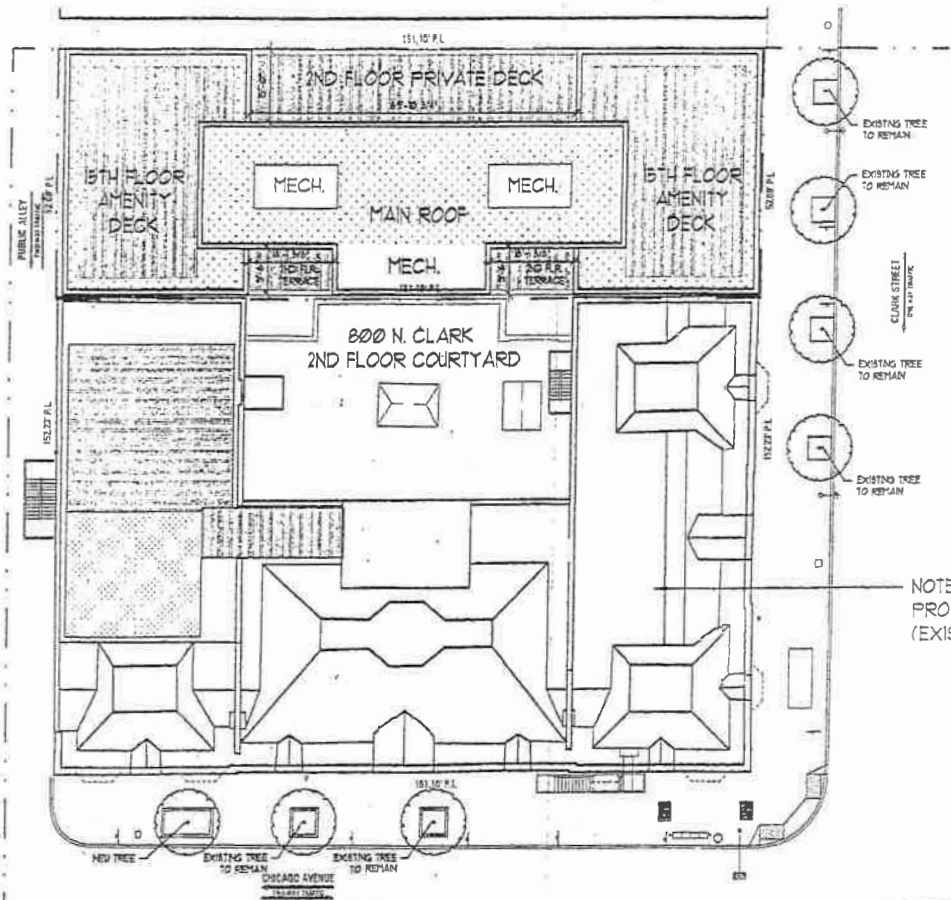
EXISTING LAND USE MAP

GROSS SITE AREA:	40,400 SF
AREA IN RIGHT-OF-WAY:	17,399 SF
NET SITE AREA:	23,001 SF



APPLICANT:	800 CLARK LLC
ADDRESS:	810-814 N. CLARK STREET & 100 W. CHICAGO
INTRODUCED:	SEPTEMBER 24, 2015
PLAN COMMISSION:	JANUARY 21, 2016
SCALE:	1/32" = 1'-0"

**PLANNED DEVELOPMENT
BOUNDARY/ SUB-AREA MAP**



**SUB-AREA B
GREEN ROOF CALCULATION**

GROSS ROOFTOP AREA =	6,951 SF
LESS ESTIMATED MECHANICAL AREA =	2,187 SF
ESTIMATED NET ROOFTOP AREA =	4,764 SF
ESTIMATED HARDSCAPED	
OUTDOOR AMENITY AREA =	2,487 SF
OUTDOOR PRIVATE DECKS =	1,287 SF
ESTIMATED GREEN ROOF AREA =	2,382 SF
ESTIMATED NET GREEN ROOF % =	50%

LEGEND

	= SEDUM GREEN ROOF
	= PAVERS / DECKING

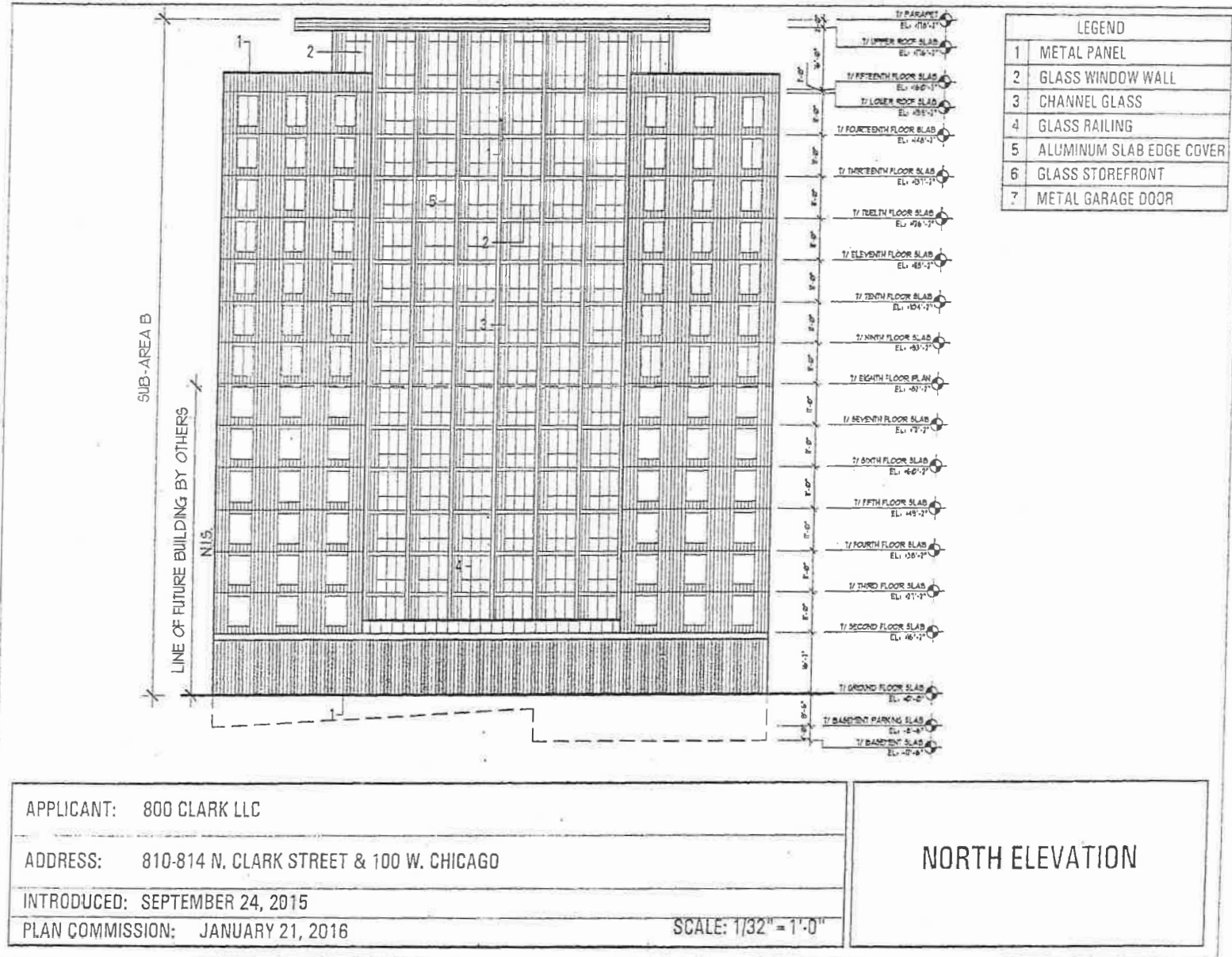
NOTE: GREEN ROOF NOT PROVIDED FOR SUB-AREA A (EXISTING BUILDING)



APPLICANT: 800 CLARK LLC
ADDRESS: 810-814 N. CLARK STREET & 100 W. CHICAGO
INTRODUCED: SEPTEMBER 24, 2015
PLAN COMMISSION: JANUARY 21, 2016

**SITE / LANDSCAPE /
GREEN ROOF PLAN**

SCALE: 1/32" = 1'-0"



APPLICANT: 800 CLARK LLC

ADDRESS: 810-814 N. CLARK STREET & 100 W. CHICAGO

INTRODUCED: SEPTEMBER 24, 2015

PLAN COMMISSION: JANUARY 21, 2016

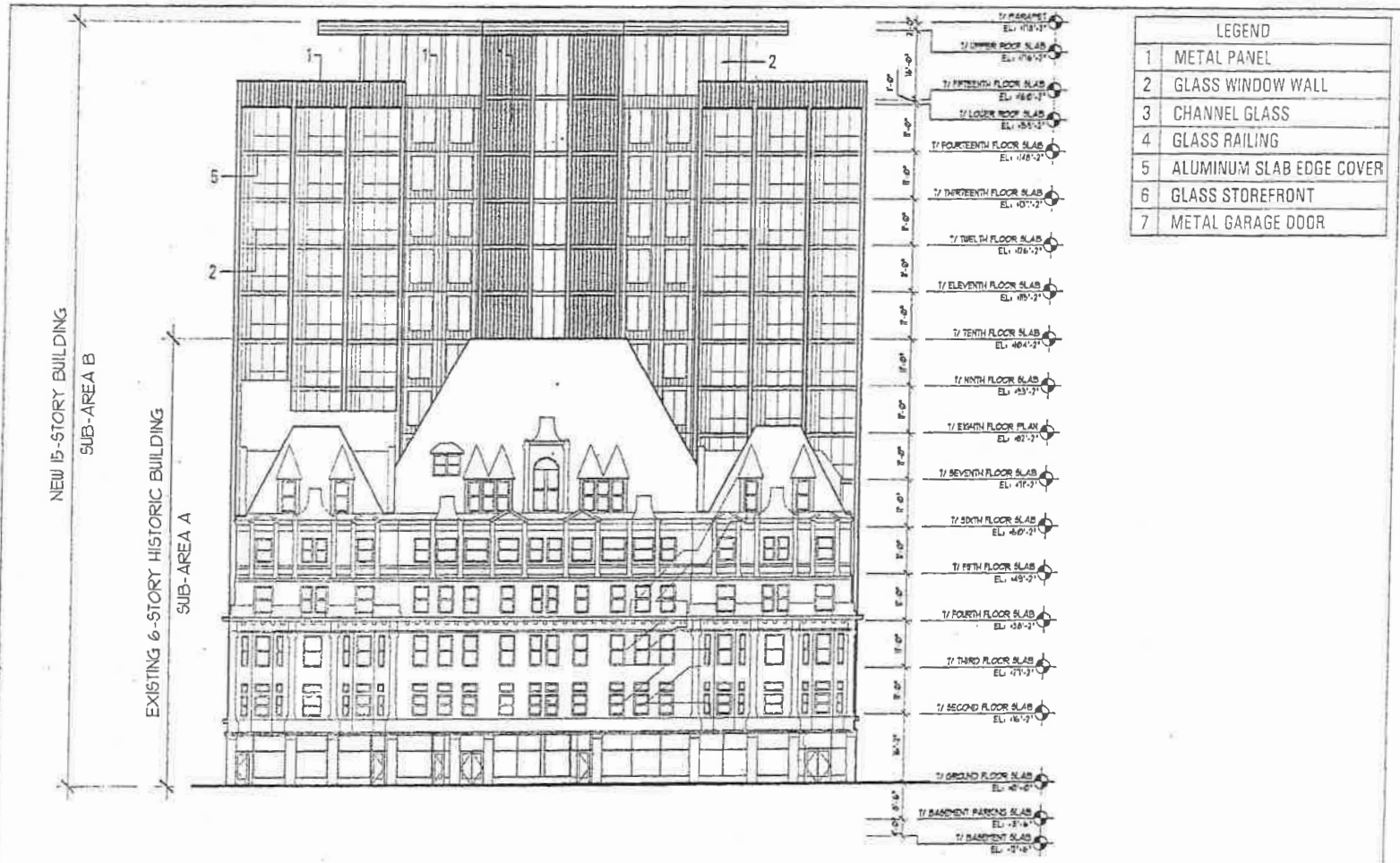
SCALE: 1/32" = 1'-0"

NORTH ELEVATION

2/10/2016

REPORTS OF COMMITTEES

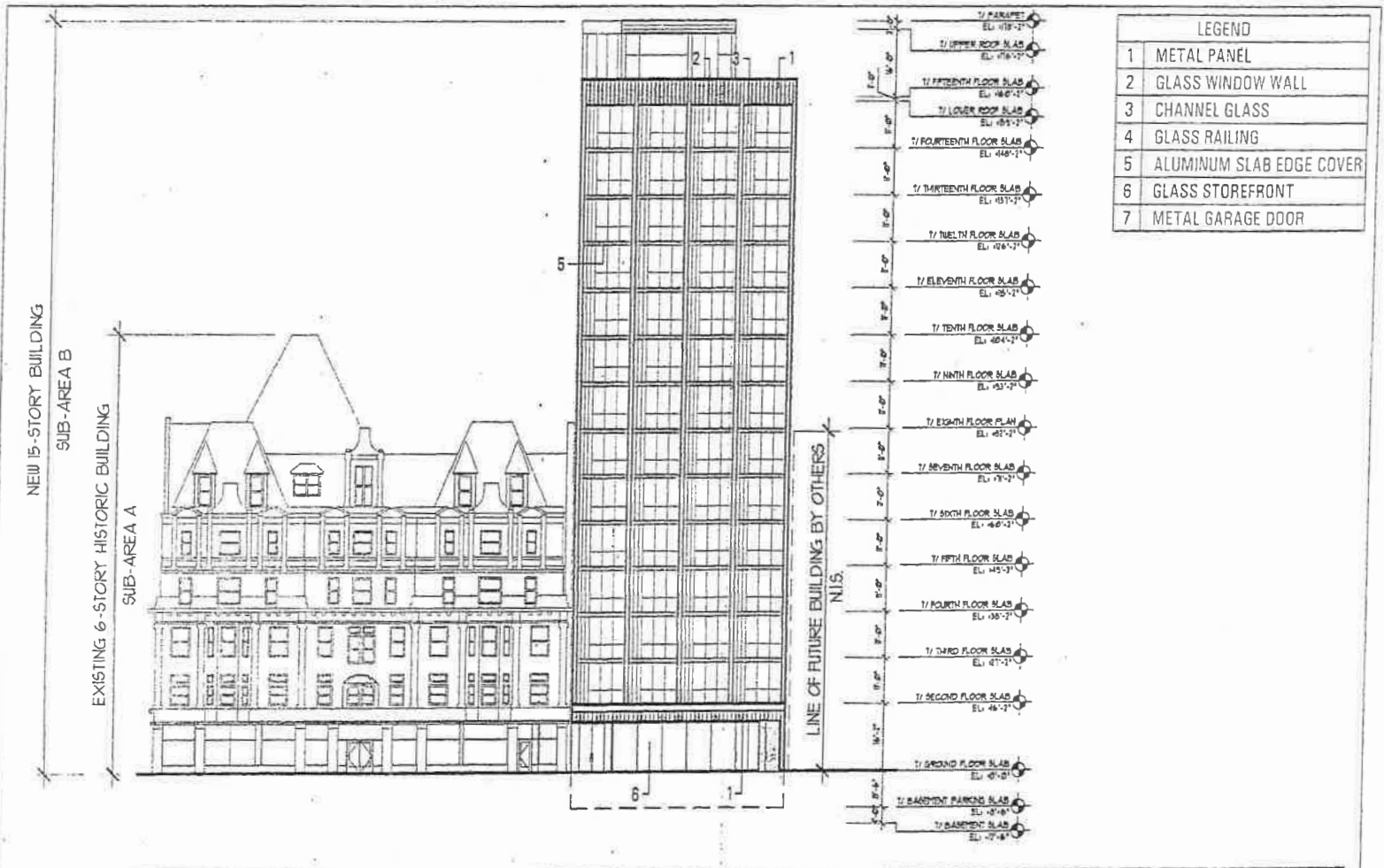
18923



APPLICANT: 800 CLARK LLC
 ADDRESS: 810-814 N. CLARK STREET & 100 W. CHICAGO
 INTRODUCED: SEPTEMBER 24, 2015
 PLAN COMMISSION: JANUARY 21, 2016

SOUTH ELEVATION

SCALE: 1/32" = 1'-0"



APPLICANT: 800 CLARK LLC
 ADDRESS: 810-814 N. CLARK STREET & 100 W. CHICAGO
 INTRODUCED: SEPTEMBER 24, 2015
 PLAN COMMISSION: JANUARY 21, 2016

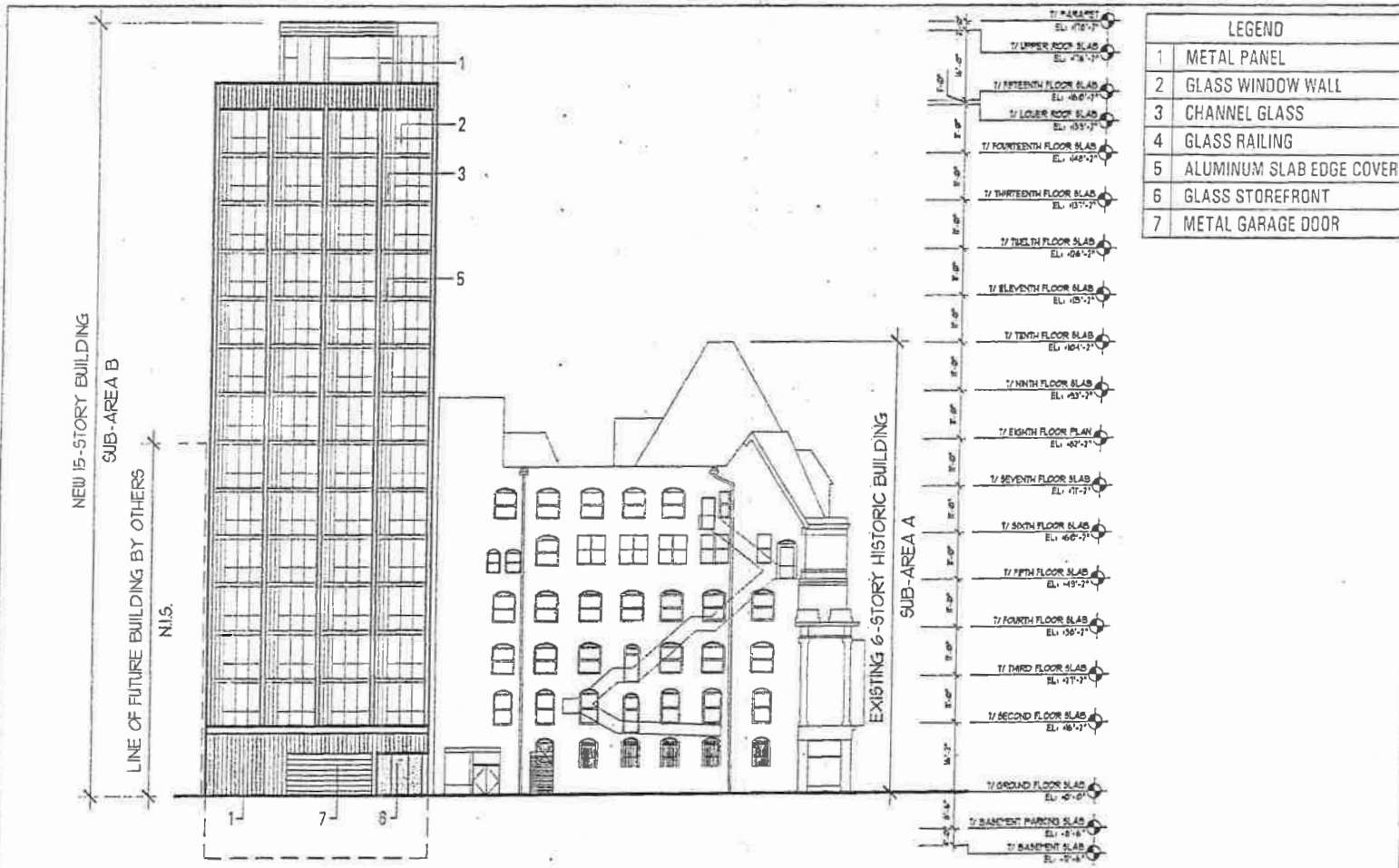
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EAST ELEVATION

2/10/2016

REPORTS OF COMMITTEES

18925



APPLICANT: 800 CLARK LLC

ADDRESS: 810-814 N. CLARK STREET & 100 W. CHICAGO

INTRODUCED: SEPTEMBER 24, 2015

PLAN COMMISSION: JANUARY 21, 2016

SCALE: 1/32" = 1'-0"

WEST ELEVATION