

PD 1317

Table of Contents

04/13/2016 PD Adoption	2
Ordinance	2
Statements	2
Bulk Table	7
Exhibits	12

4/13/2016

REPORTS OF COMMITTEES

23221

Reclassification Of Area Shown On Map No. 4-E.
 (As Amended)
 (Application No. 18502)
 (Common Address: 1320 -- 1354 S. Michigan Ave.
 And 64 -- 80 E. 14th St.)

RBPD 1317

[SO2015-6393]

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, be amended by changing all the DX-7 Downtown Mixed-Use District symbols and indications as shown on Map Number 4-E in the area bounded by:

a line 350.75 feet north of and parallel to East 14th Street; South Michigan Avenue; East 14th Street; and the alley next west of and parallel to South Michigan 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 attached herewith and made a part thereof and to no others.

SECTION 2. This ordinance shall take effect upon its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

Planned Development Statements.

1. The area delineated herein as Residential Business Planned Development Number 1317 ("Planned Development") consists of approximately 63,566.4 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned, controlled or zoning consent has been received by the applicant, SMAT, 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 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 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, assign 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 18 Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Subarea Map; Site Plan -- Subareas A and B; Site Plan -- Subareas B and C; Green Roof/Landscape Plan; L1 Ground Floor Landscape Plan; L2 Upper Floor Landscape Plan; L3 Landscape Details; Building Section Plan; and Building Elevations (North, South, East and West) prepared by Solomon Cordwell Buenz and dated March 17, 2016, 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 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. In each of the following subareas, the following uses shall be permitted in this Planned Development:

Subarea A:

Residential uses, including up to 500 dwelling units, commercial uses, general retail sales, accessory parking, of which 45 percent of the required residential parking (maximum 81 spaces) may be leased out on a daily, weekly or monthly basis to persons who are not residents, tenants, patrons, employees or guests of the principal uses, co-location of wireless telecommunication and satellite facilities, related facilities and accessory uses.

Subarea B:

Residential uses, including up to 49 dwelling units, commercial uses, general retail sales, eating and drinking establishments, liquor sales as an incidental use, accessory parking, co-location of wireless telecommunication and satellite facilities, related facilities and accessory uses.

Subarea C:

Business support services (excluding day labor employment agency), financial services (excluding payday/title secured loan stores and pawn shops), drive-through facilities, ATMs, general retail sales, eating and drinking establishments, food and beverage retail sales (excluding package liquor stores), office, medical service and personal service, related facilities and accessory uses.

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 the Department of Planning and Development. 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 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 Floor Area Ratio identified in the Bulk Regulations Table has been determined using a net site area of 63,566.40 square feet and a base FAR of 7.00. The improvements to be constructed on the Property will utilize the following series of FAR bonuses:

Description (list of all bonuses applied for and calculations)	FAR
Base FAR:	7.00
Affordable Housing:	1.75
Transit Station Improvements:	<u>.90</u>
Total FAR:	9.65

9. The applicant acknowledges and agrees that the rezoning of the Property from DX-7 Mixed-Use District to this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance" or "AHO"). 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). The applicant further acknowledges and agrees that the project has received an affordable housing floor area bonus pursuant to Section 17-4-1004-B of the Zoning Ordinance, as set forth in the bonus worksheet attached hereto as Exhibit A ("Bonus Worksheet"), and as a result is also subject to the requirements of the former Section 17-4-1004-D of the Zoning Code (the

"Density Bonus Provisions"). Like the ARO, the Density Bonus Provisions require on-site affordable housing or payment of a fee in lieu of providing affordable housing, but the formulas for calculating the number of required affordable units and the amount of the in-lieu payment are different from the formulas in the ARO. If a planned development is subject to both the ARO and the former Density Bonus Provisions, the applicant may elect to comply with either. In this case, the applicant has elected to comply with the Density Bonus Provisions. In accordance with the formulas set forth in the former Section 17-4-1004-C and the Bonus Worksheet, the Applicant acknowledges and agrees that it must provide a minimum of 27,810.25 square feet of affordable housing floor area (the "Affordable Units") in the building receiving the affordable housing floor area bonus ("Eligible Building"), with an affordable unit mix comparable to the overall mix and approved by DPD's density bonus project manager, or make a cash payment in lieu of providing Affordable Units in the amount of \$1,957,841.60 ("Cash Payment"). Prior to the issuance of any building permits for the Eligible Building, including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment or, if providing Affordable Units, enter into an affordable housing agreement with the City pursuant to the former Section 17-4-1004-E9 ("Affordable Housing Agreement"). 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 Eligible Building. 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. In addition to the Affordable Housing Agreement, the applicant acknowledges and agrees that, pursuant to Section 17-4-1003-D3, the Bonus Worksheet will serve as an official record of bonuses and amenities. The applicant must comply with the applicable affordable housing standards and requirements set forth in the former Section 17-4-1004, the terms of which are incorporated herein by this reference. Notwithstanding anything to the contrary contained in the former Section 17-4-1003-E, 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. If this Planned Development does not receive City Council approval by July 13, 2016, the project will be subject to Section 2-45-115 of the Municipal Code (the "2015 ARO"). In such event, the applicant shall meet with the Department of Planning and Development to determine the application of the 2015 ARO to the project, and the 2015 ARO requirements will replace and supersede the affordability requirements set forth in this section.

10. In order to develop the proposed improvements in Subarea A, the applicant has contracted to acquire a portion of the unused floor area (for FAR purposes) and site area square footage (for MLA and FAR Bonus calculation purposes) from Subarea C (the "Development Rights"). The applicant shall establish those Development Rights (i) prior to Part II Approval for Subarea A and (ii) by delivery to DPD of an executed and recorded Development Rights Agreement ("Agreement"). Said Agreement shall confirm the amount of Development Rights acquired for the benefit of Subarea A. Said Development Rights shall be applicable solely to Subarea A in accordance with the

amounts shown on the Bulk Regulations and Data Table of this Planned Development. In no event shall such transfer of Development Rights cause the FAR or density limitations shown on the Bulk Regulations and Data Table to be exceeded. Delivery of the Agreement shall authorize DPD to initiate Part II Review for Subarea A pursuant to the parameters set forth in the Bulk Regulations and Data Table of this Planned Development. The items marked with an asterisk on the Bulk Regulations and Data Table (specifically, the reduction of FAR floor area allowable in Subarea C from 7.0 to 1.64, the increase of FAR floor area allowable in Subarea A from 14.94 to 19.56, and the transfer of site area square footage from Subarea C to Subarea A for MLA purposes to allow up to 500 dwelling units in Subarea A) do not become effective until the Applicant delivers to DPD an executed and recorded copy of Development Rights Agreement as stated hereinabove.

11. Pursuant to Section 17-4-1020 of the Zoning Ordinance, the applicant has requested an increase in the floor area ratio for the Property by contributing funds to the Chicago Transit Authority ("CTA") for improvements and repairs to public transit infrastructure located in proximity to its development project. In accordance with the formula set forth in Section 17-4-1020-C, the applicant acknowledges and agrees that it must make a cash payment to the CTA in the amount of \$1,001,704.00. The applicant must provide evidence that such cash contribution has been paid by the applicant as a condition to issuance of any Part II Approvals. It is further acknowledged by the applicant that the CTA Board must approve of the final agreement between the applicant and the CTA, and if for any reason the CTA Board does not approve the final agreement, the applicant must revise the Planned Development's bonus structure.
12. 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.
13. 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.
14. The applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
15. 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.

16. 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.
17. 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 proposed Planned Development shall be in compliance with the Sustainable Development Policy by obtaining LEED certification and by providing a green roof of at least 50 percent of net roof area of the new buildings constructed in Subarea A containing a green roof of 10,606 square feet and shall meet the applicable storm water requirements of the Department of Planning and Development.
18. 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 the DX-7 Downtown Mixed Use District.

[Existing Zoning Map; Existing Land-Use Map; Boundary and Property Line Map; Subarea Map; Subarea Site Plans; Green Roof and Landscape Plan; L-1 Ground Floor Landscape Plan; L-2 Upper Floor Landscape Plan; L-3 Landscape Details; Overall Building; Section; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 23229 through 23245 of this *Journal*.]

Bulk Regulations and Data Table and FAR Bonus Worksheet referred to in these Plan of Development Statements read as follows:

Residential-Business Planned Development No. 1317.

Bulk Regulations And Data Table.

Gross Site Area:	86,498.8 square feet (1.985 acres)
Area to Remain in the Public Right-of-Way:	22,932.4 square feet (0.526 acre)

Net Site Area:	63,566.4 square feet (1.459 acres)
Subarea A:	25,856.0 square feet
Subarea B:	15,431.4 square feet
Subarea C:	22,279.0 square feet

Maximum Floor Area Ratio (FAR):

Subarea A:	19.56* (See Note 1)
Subarea B:	4.58
Subarea C:	1.64* (See Note 1)
Overall:	9.65

Maximum FAR Area (square feet):

Subarea A:	505,865 square feet* (See Note 1)
Subarea B:	70,638 square feet
Subarea C:	36,618* (See Note 1)
Overall:	613,121 square feet

Maximum Number of Dwelling Units:

Subarea A:	500* (See Note 1)
Subarea B:	49
Subarea C:	0
Overall:	549

Note 1: Items marked with an asterisk (*) herein do not become effective until the requirements contained in Planned Development Statement Number 10 hereof are satisfied. Please refer to Planned Development Statement Number 10 for the requirements thereof.

Minimum Off-Street Parking Spaces:

Subarea A:	180 spaces
Subarea B:	32 spaces
Subarea C:	27 spaces

Minimum Bicycle Parking:

Subarea A:	80 minimum
Subarea B:	none
Subarea C:	none

Minimum Off-Street Loading:

Subarea A:	3 (10 feet x 25 feet) berths
Subarea B:	none
Subarea C:	none

Zoning Building Height:

Subarea A:	513 feet
Subarea B:	115 feet
Subarea C:	36 feet

Minimum Setbacks:

Subarea A:	none
Subarea B:	none
Subarea C:	none

FINAL FOR PUBLICATION



CITY OF CHICAGO
 DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
 BUREAU OF PLANNING AND ZONING
 APPLICATION FOR ZONING BONUS REVIEW

WORKSHEET: FAR BONUS CALCULATION

Property Address: 1326 S. Michigan Avenue _____ Zoning District: DX-7 _____

ON-SITE BONUSES

Amenity	Amenity area (in sq.ft.) A	Lot area (in sq.ft.) B	Premium Factor C	Base FAR D	FAR Bonus calculated (A/B) • C • D	FAR Bonus Cap compare with
Affordable Housing – On-Site			4	(1)		1.00 (-5) 1.75 (-7) 2.50 (-10) 3.60 (-12) 4.80 (-16)
Public Plaza and Pocket Park			1			6
Chicago Riverwalk			1			-
Winter Garden			1			3
Through-Block Connection (Indoor)			0.66			-
Through-Block Connection (Outdoor)			1			-
Sidewalk Widening			2			-
Arcade			1.25			2
Water Feature			0.3			1
Upper-Level Setbacks (-7 & -10 Districts)			0.3			1
Upper-Level Setbacks (-12 & -16 Districts)			0.4			25% of D
Lower-Level Planting Terrace			1			-
Green Roofs			0.3			2
Underground Parking (Levels -1 & -2)			0.15			30% of D
Underground Parking (Level -3 or lower)			0.2			30% of D
Underground Loading			0.15			30% of D
Parking Concealed by Occupiable Space			0.4			25% of D
Total FAR Bonus On-Site Improvements						

Final FAR 7.00

OFF-SITE BONUSES

Calculation of Financial Contribution

Formula: Cash contribution for 1 sq.ft. of FAR bonus = 0.8 x median cost of 1 sq. ft. of buildable floor area

Amenity	Bonused Square Feet Desired	Discount Factor	median cost of 1 sqft. of buildable floor area (in \$): See City Survey of Land Cost	Base FAR	Financial Contribution
	A	B	C	D	E=A*B*C
Off-Site Park or Riverwalk		0.8			
Street Lighting and Landscaping		0.8			
Transit Station Improvements	56,915	0.8	\$22.00	7	\$1,001,704.00
Pedway Improvements		0.8			
Adopt-A-Landmark		0.8			
Affordable Housing	111,241	0.8	\$22.00	7	\$1,957,841.60
Education		0.8			
Totals	168,156				\$2,959,545.60

Comparison to FAR Bonus Cap

Amenity	Total Bonused Square Feet Desired	Lot Area (in sq. ft.)	Base FAR	FAR Bonus calculated	FAR Bonus Cap:
	F	G	H	I = (F/G) * H	Compare with
Off-Site Park or Riverwalk					20% of H
Street Lighting and Landscaping					20% of H
Transit Station Improvements	56,915	63,566.4	7	.90	20% of H
Pedway Improvements					20% of H
Adopt-A-Landmark					20% of H
Affordable Housing	111,241	63,566.4	7	1.75	20% of H (-5) 25% of H (-7, -10) 30% of H (-12, -16)
Education					25% of H (-10) 30% of H (-12, -16)

If FAR Bonus calculated exceeds FAR Bonus Cap, the effective FAR Bonus for Off-Site Improvements is equal to the FAR Bonus Cap

Summary

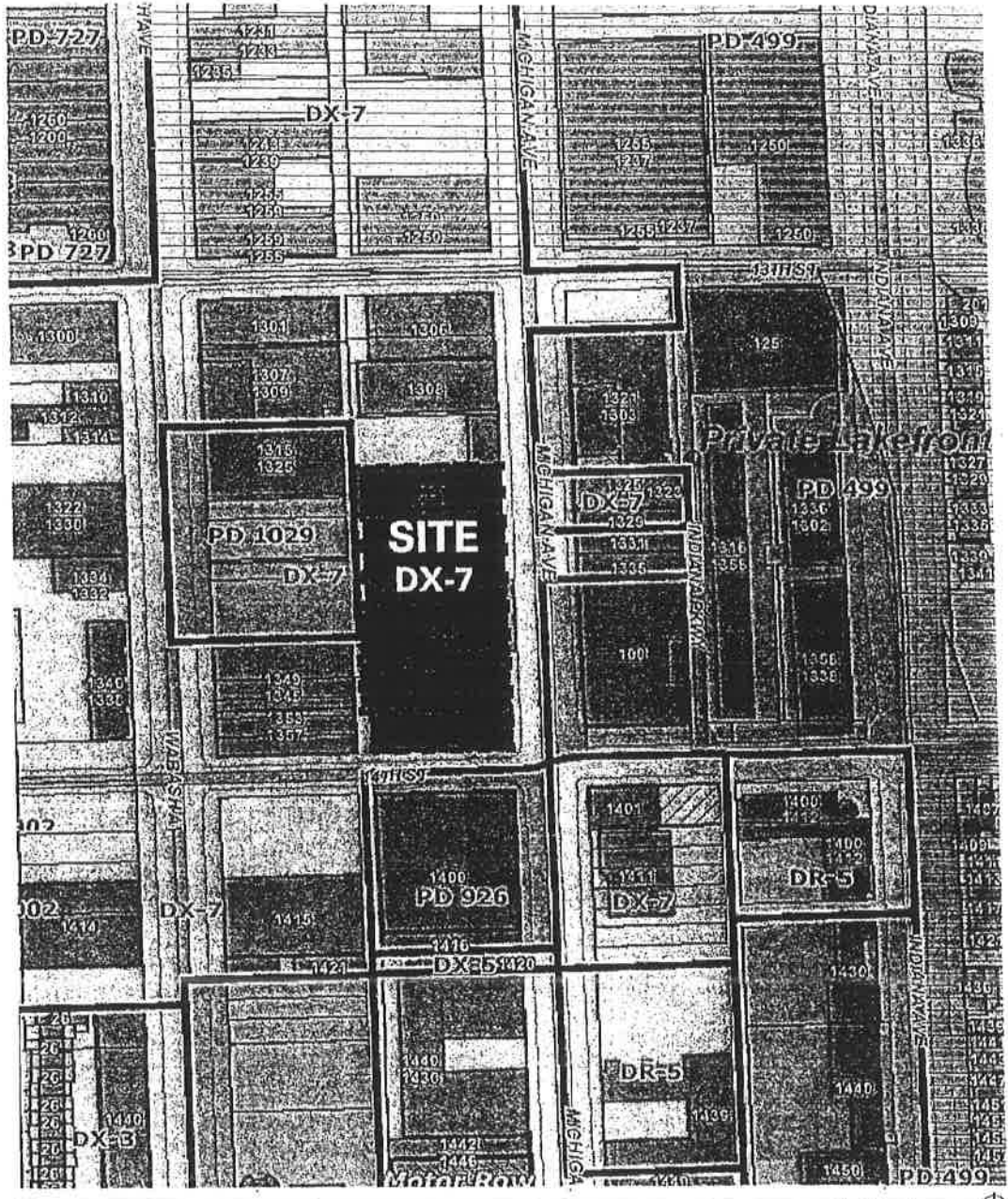
Base FAR	7.00
FAR Bonus for On-Site Improvements	1.75
FAR Bonus for Off-Site Improvements	.90
Total FAR	9.65
Total Financial Contribution	\$2,959,545.60

Maximum Floor Area with Base FAR	7.00 x 63,566.4 sf = 444,965 sf
Floor Area with FAR Bonus On-Site Improvements	1.75 x 63,566.4 sf = 111,241 sf
Floor Area with FAR Bonus Off-Site Improvements (.90 FAR rounded)	.90 x 63,566.4 sf = 56,915 sf
Total Maximum Floor Area	9.65 x 63,566.4 sf = 613,121 sf

SMAT, LLC


Date 3/10/16 Received by (Dept. of Housing & Econ. Dev.) _____ Date _____
 Page 2 of 2

FINAL FOR PUBLICATION



EXISTING ZONING MAP

NTS

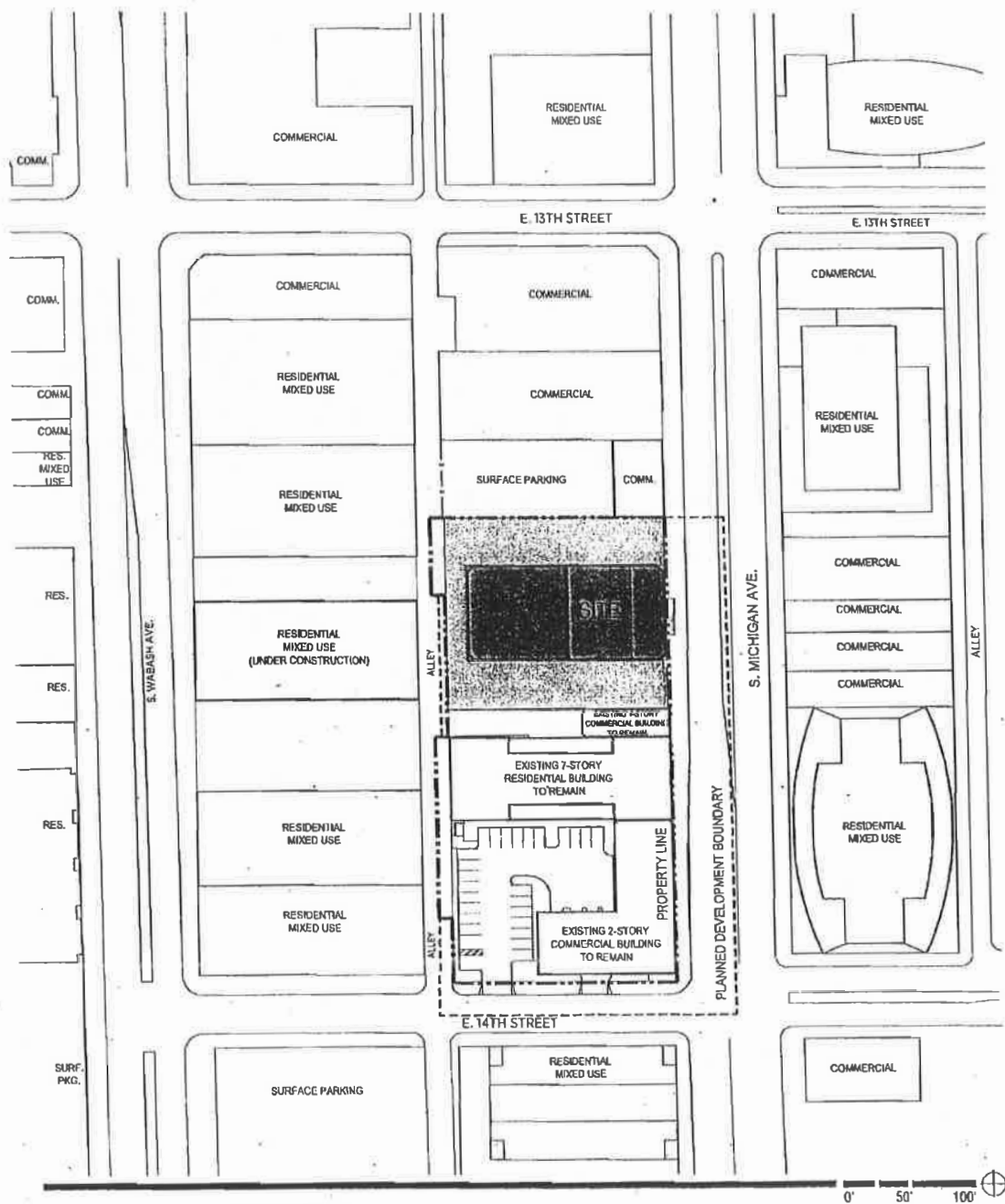


© 2016 Solomon Cardwell Buenz

Applicant:
 Address:
 Date:
 CPC Date:

SMAT, LLC
 1320-54 S. Michigan Ave., and 64-80 E. 14th St.
 September 24, 2015
 March 17, 2016

FINAL FOR PUBLICATION



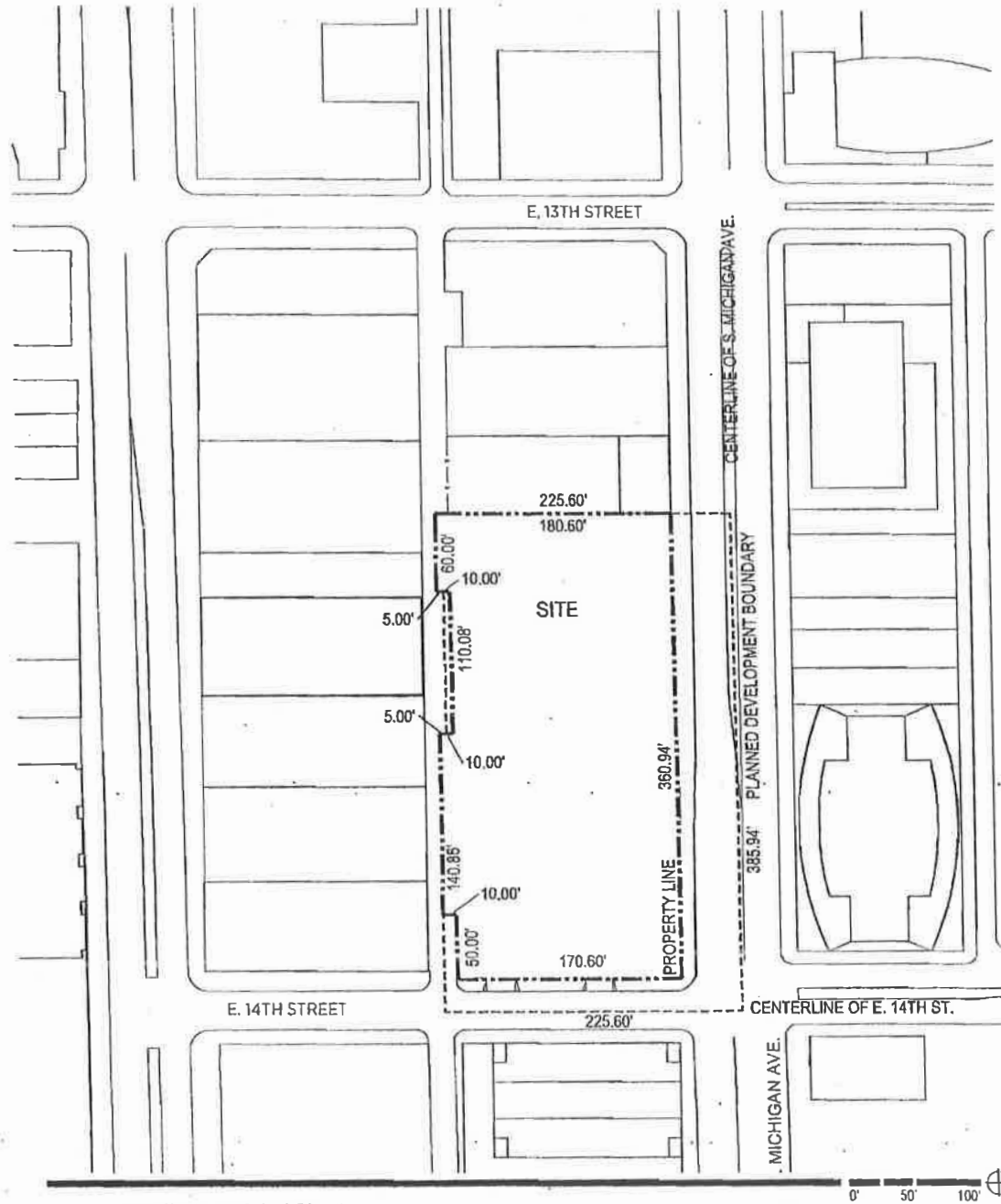
EXISTING LAND USE MAP

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016



FINAL FOR PUBLICATION



**PLANNED DEVELOPMENT
BOUNDARY AND PROPERTY
LINE**



© 2016 Solomon Cordwell Buenz

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016

FINAL FOR PUBLICATION

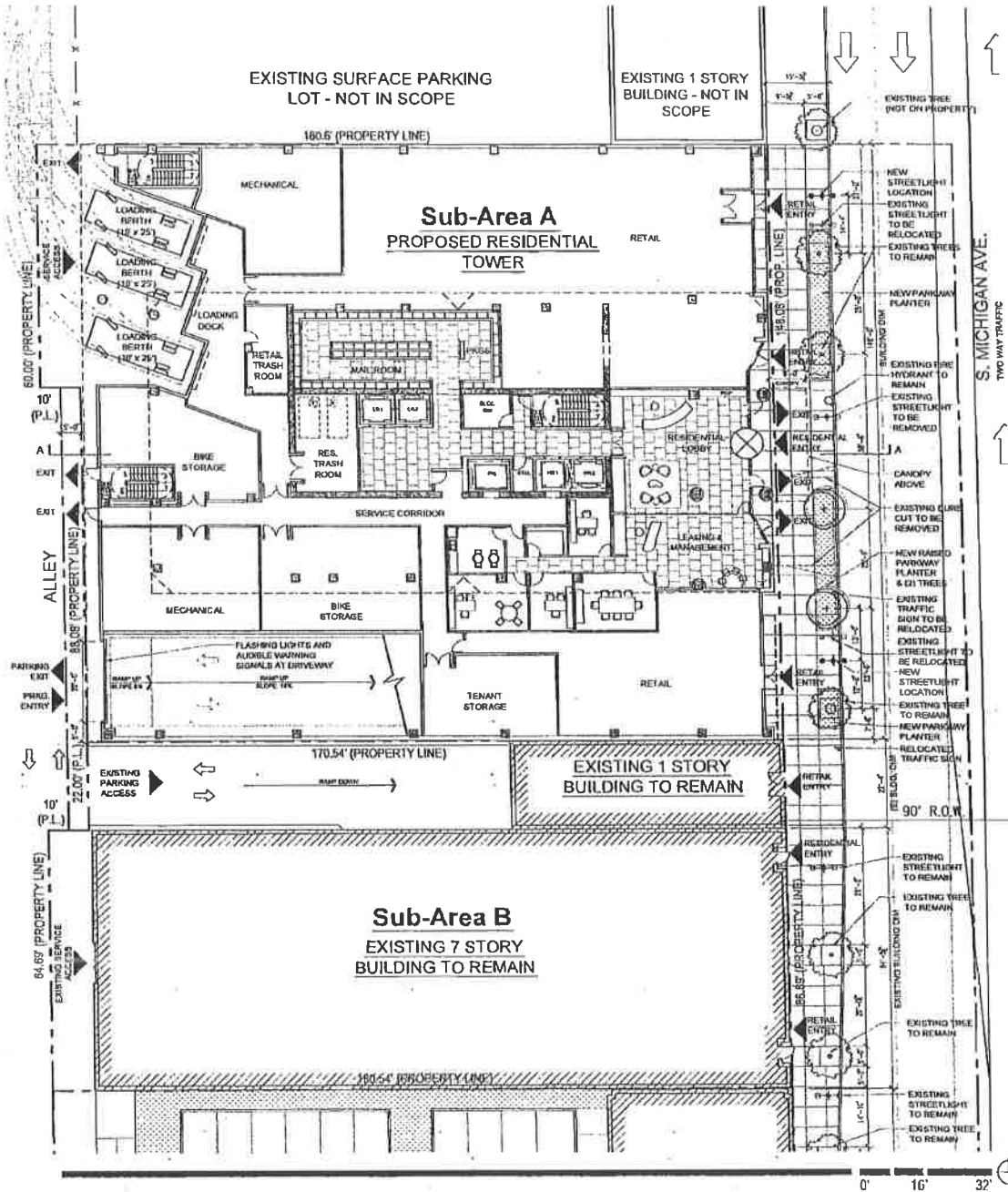


SUB-AREA MAP

Applicant: SMAT, LLC
Address: 1320-54 S. Michigan Ave., and 64-80 E. 14th St.
Date: September 24, 2015
CPC Date: March 17, 2016



FINAL FOR PUBLICATION



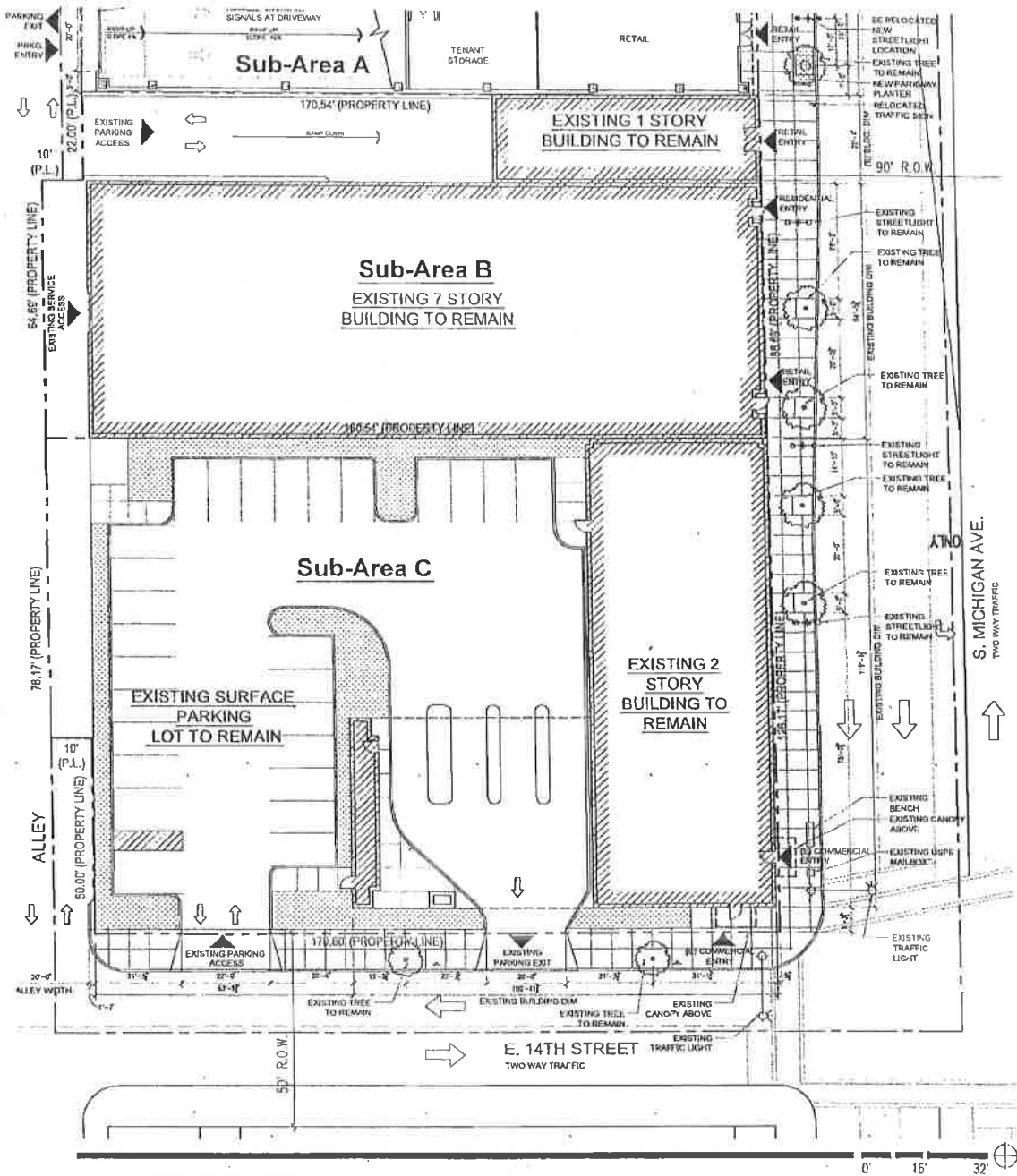
SITE PLAN - SUB AREA A & B

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016



FINAL FOR PUBLICATION



SITE PLAN - SUB AREA B & C

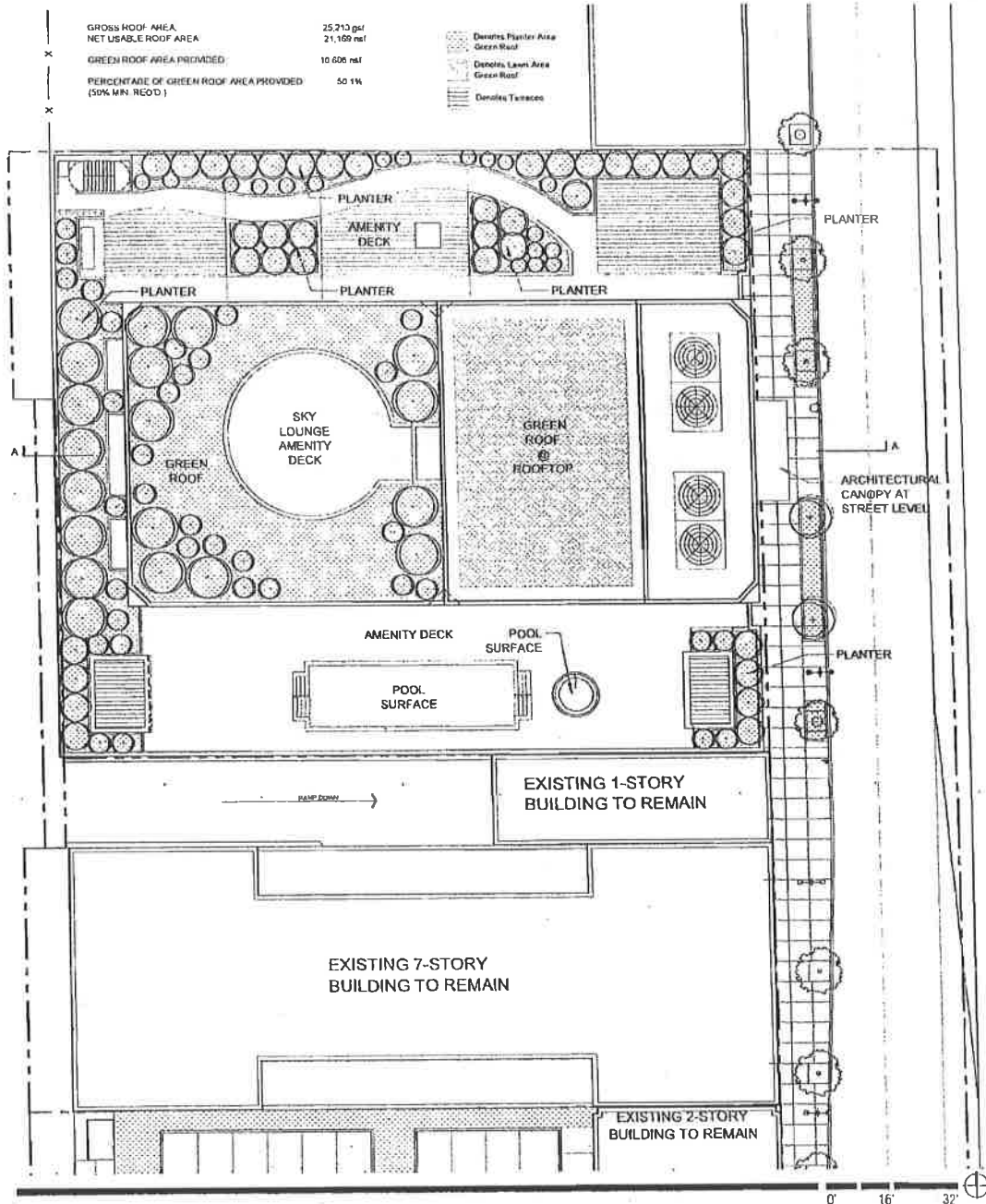


© 2016 Solomon Cordwell Buenz

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016

FINAL FOR PUBLICATION



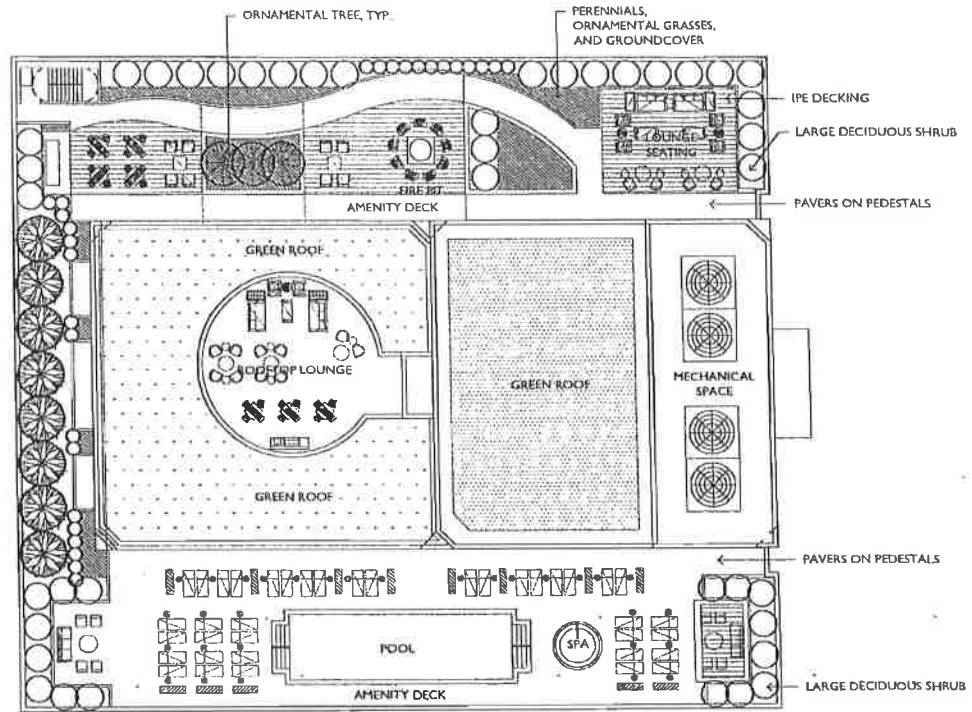
GREEN ROOF LANDSCAPE PLAN

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016



FINAL FOR PUNJABI



**L-2 UPPER FLOOR
LANDSCAPE PLAN**

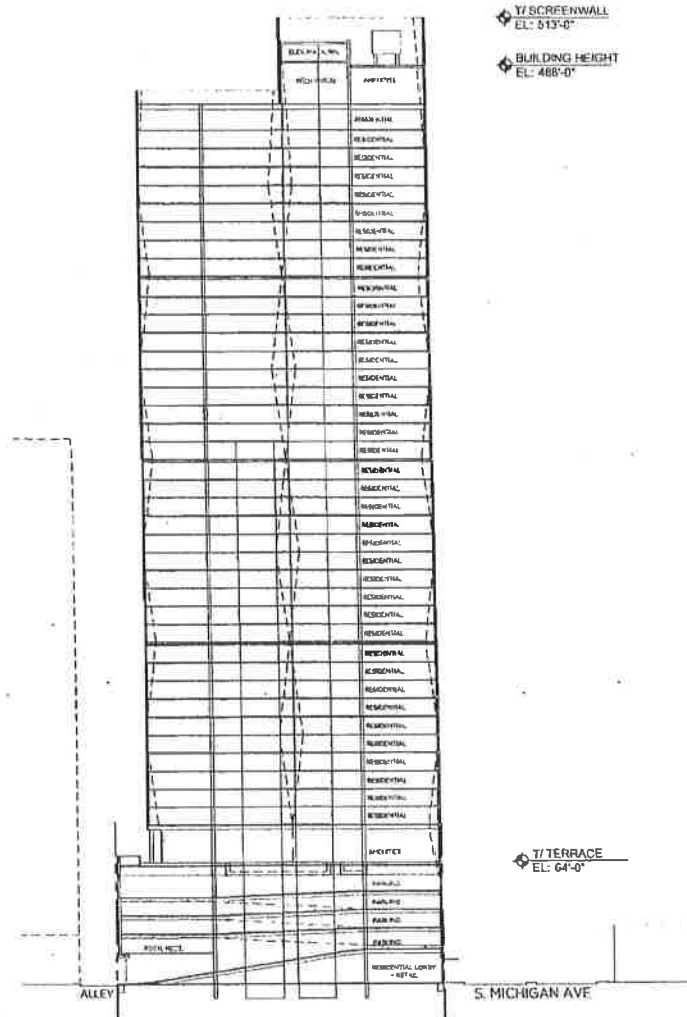


© 2015 Solomon Cordwell Buenz

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1326-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015

FINAL FOR PUBLICATION



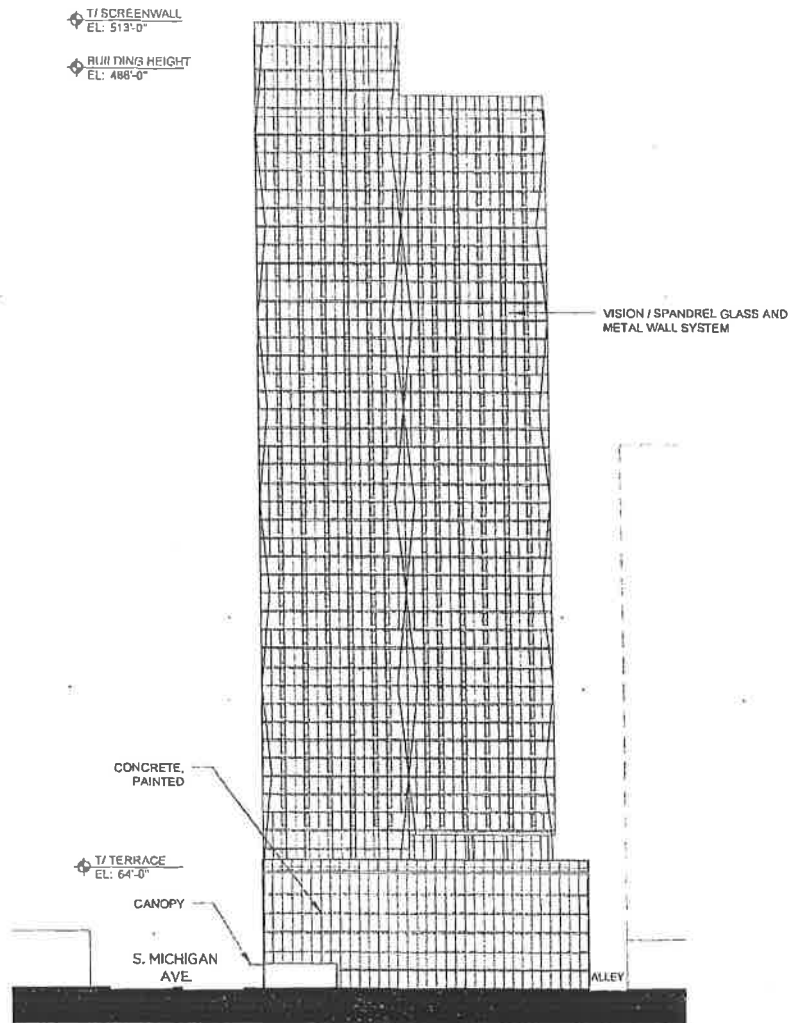
OVERALL BUILDING SECTION

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016



FINAL FOR PUBLICATION



NORTH ELEVATION

0' 37.5' 75'

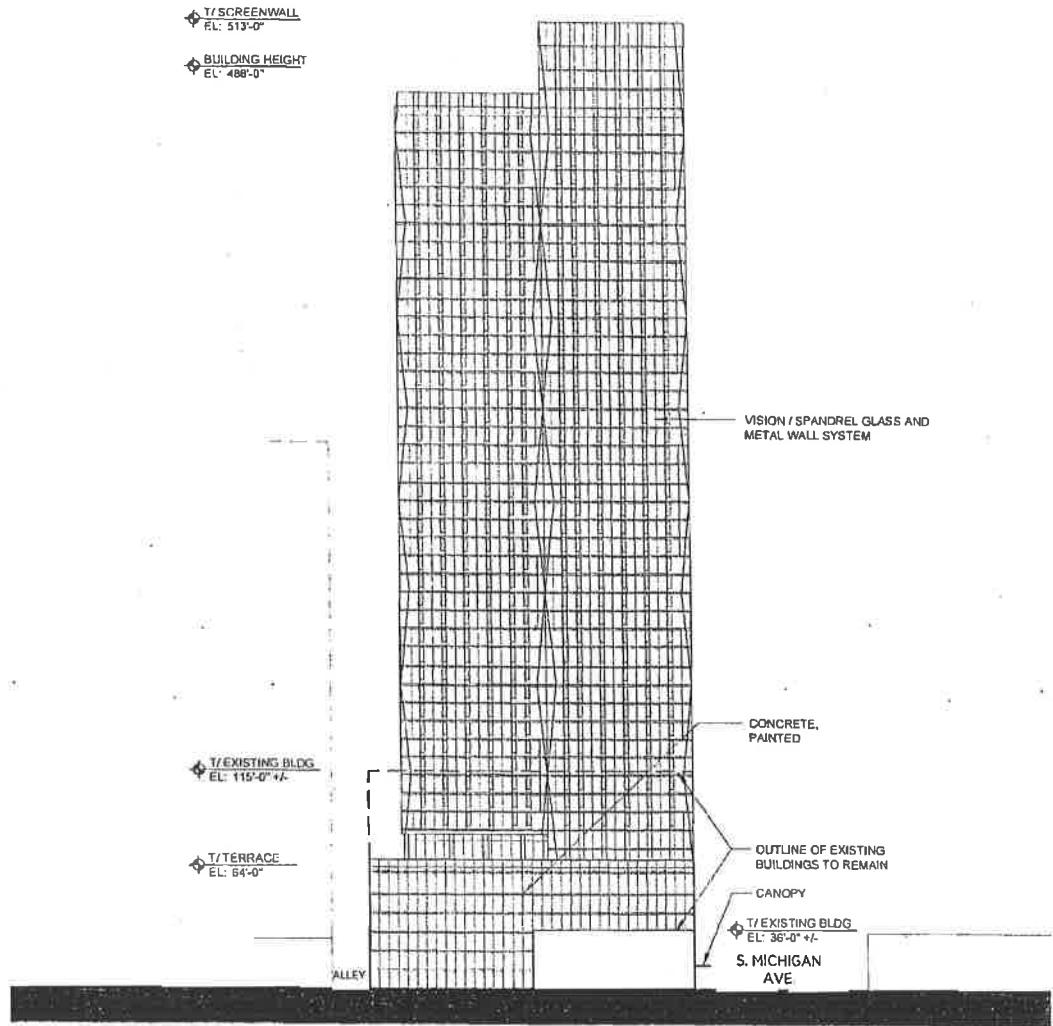


© 2016 Solomon Cordwell Buenz

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016

FIGURE FOR PUBLIC USE



SOUTH ELEVATION

0' 37.5' 75'

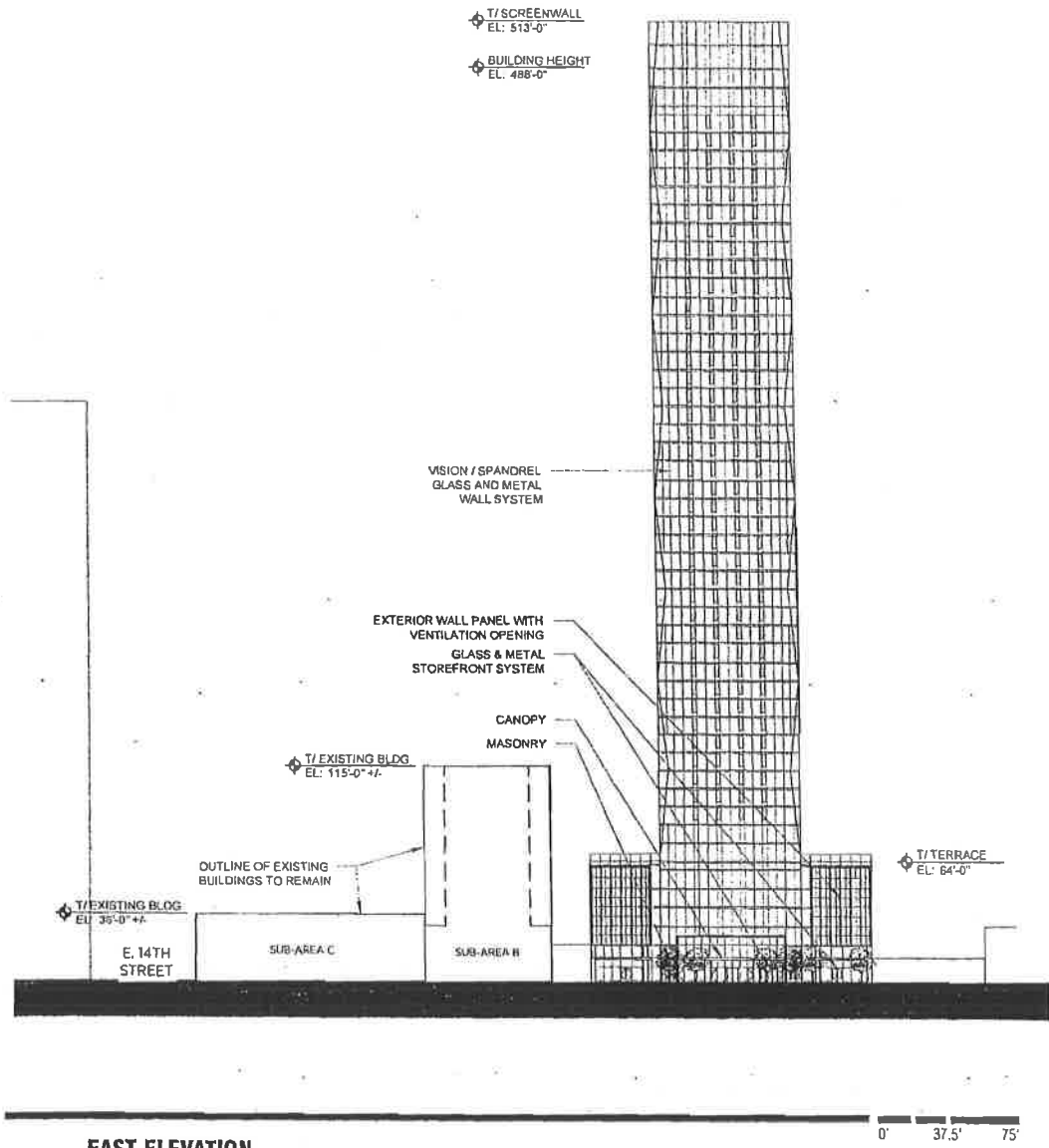


© 2016 Solomon Cordwell Buenz

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016

FINAL FOR PUBLIC REVIEW



EAST ELEVATION

0' 37.5' 75'

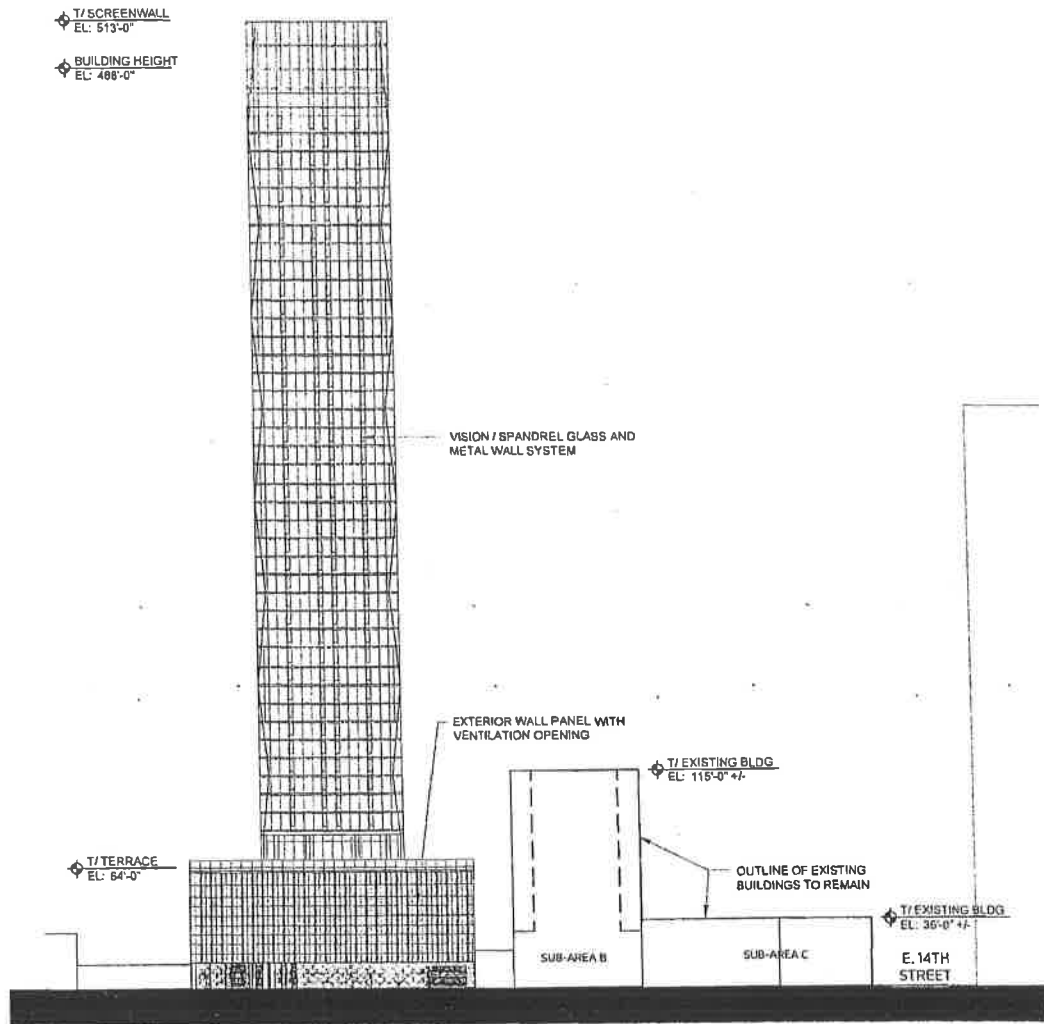


© 2016 Solomon Cordwell Buenz

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016

FINAL FOR PUBLICATION



WEST ELEVATION



© 2016 Solomon Cordwell Buenz

Applicant:
Address:
Date:
CPC Date:

SMAT, LLC
1320-54 S. Michigan Ave., and 64-80 E. 14th St.
September 24, 2015
March 17, 2016

0' 37.5' 75'