

PD 1324

Table of Contents

05/18/2016 PD Adoption **2**
 Ordinance 2
 Statements 3
 Bulk Table 7
 ARO 8
 Exhibits 10

5/18/2016

REPORTS OF COMMITTEES

25051

Reclassification Of Area Shown On Map No.9-F
 (As Amended)
 (Application No. 18505)
 (Common Address: 3817 -- 3845 N. Broadway And
 731 -- 735 W. Sheridan Rd.)

RBPD 1324

[SO2015-6395]

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 B3-5 Community Shopping District, B1-2 Neighborhood Shopping District, B3-2 Community Shopping District and B1-5 Neighborhood Shopping District symbols and indications as shown on Map Number 9-F in the area bounded by:

West Sheridan Road; a line 99.82 feet east of and parallel to North Broadway (as measured perpendicularly from North Broadway); a line 325 feet south of the intersection of West Sheridan Road and North Broadway (as measured along the east right-of-way line of North Broadway and perpendicular thereto); and North Broadway,

to those of a B3-5 Community Shopping District and a corresponding use district is hereby established in the area above described.

SECTION 2. Further, Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, be amended by changing all the B3-5 Community Shopping District symbols and indications as shown on Map Number 9-F in the area bounded by:

West Sheridan Road; a line 99.82 feet east of and parallel to North Broadway (as measured perpendicularly from North Broadway); a line 325 feet south of the intersection of West Sheridan Road and North Broadway (as measured along the east right-of-way line of North Broadway and perpendicular thereto); and North Broadway,

to those of the designation of Residential-Business Planned Development Number ~~1324~~ which is hereby established in the area described above 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.

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

Residential/Business Planned Developer No. 1324.

Planned Development Statements.

1. The area delineated herein as Planned Development Number 1324 ("Planned Development") consists of approximately 32,742 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the applicant, 3817 -- 3845 North Broadway, Inc.
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, assigns or grantees, and approval by the City Council.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the plans.

Countdown pedestrian signals must be installed at the Broadway and Sheridan intersection.

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 these seventeen (17) Statement; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape and

Green Roof Plan; and Building Elevations (North, South, East and West) prepared by Jonathan Splitt Architects Ltd. dated April 21, 2016, submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development ordinance and the Zoning Ordinance, this Planned Development ordinance shall control.

5. The following uses are permitted in the area delineated herein as a Residential Business Planned Development: multi-unit residential, retail; office; restaurant, limited or general (excluding drive through facilities); financial services (except payday loan, pawn shop or drive through services), package goods liquor store; personal services (including but not limited to hair salons, barber shops and nail salons); laundry service, or dry cleaning drop-off (no on-premises plant); animal services (including sales, grooming and veterinary service but no shelter or boarding); accessory parking; accessory and related 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-premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations 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 Table has been determined using a net site area of 32,742 square feet.
9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the applicant and must be paid to the Department of Revenue prior to the issuance of any Part II Approval.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. The improvements on the Property, including the on-site exterior landscaping, as well as the landscaping along the adjacent rights-of-way and all entrances and exits to and from the parking and loading areas, shall be designed, constructed, and maintained in substantial conformance with the Site Plan and the Landscape Plan. In addition, parkway trees shall be planted and maintained in accordance, with the Parkway Tree Planting provisions of the Chicago Zoning Ordinance and corresponding regulations and

guidelines. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim Reviews associated with site plan review or Part II Reviews, are conditional until final Part II Approval.

11. The applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The applicant acknowledges and agrees that the rezoning of the Property from B1-2, B3-2, B1-5, B3-5, to B3-5 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 [13] 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 Number 3 (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 for the Residential Project, 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 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.
13. 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.

14. 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.
15. 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. All development shall be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development. The proposed building shall provide a vegetated ("green") roof, totaling a minimum of 50 percent of the net roof area (approximately 10,033 square feet) and obtain a LEED certification.
16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a zoning map amendment to rezone the Property to B3-5 Community Shopping District.
17. The applicant acknowledges that the Planned Development includes a building commonly known as 3835 -- 3845 North Broadway, which is color-coded orange in the Chicago Historic Resources Survey published in 1996. Section 17-8-0911 of the Zoning Ordinance provides that planned developments should give priority to the adaptive reuse of red- and orange-rated historic buildings, and Section 13-32-230 of the Municipal Code imposes a demolition delay period on such historic buildings in order to enable DPD to explore preservation options. In accordance with the priorities established in Section 17-8-0911 and Section 13-32-230, the applicant agrees to: (a) retain and preserve the character-defining features of the building, including the terra cotta eagles, cornice and piers, and the cast iron window heads, (b) design the facades to feature and complement the terra cotta (or any other historic elements) that may be uncovered after removal of the non-historic cladding above the storefronts and below the 2nd floor windows, (c) salvage and re-install any uncovered historic features if possible, or replicate such historic features if deteriorated, (d) restore the terra cotta return on the south elevation, and (e) remove, store, repair and re-install the terra cotta facade elements, including the eagles, in accordance with procedures specified in an agreement between the applicant and DPD. Such agreement must be in a form approved by the corporation counsel, and must be executed prior to the issuance of any permits for the project. All reconstruction work shall be subject to the review and approval of DPD. At the completion of such reconstruction work, the applicant shall submit to DPD's Planning, Design and Historic Preservation Division the final, as-built, drawings and a report by a restoration specialist. The as-built drawings shall indicate the amount and location of salvaged facade materials reused in the completed project and the report by the restoration specialist shall certify that the reconstructed facades have been completed in accordance with the approved plans and permits. The applicant must complete the restoration work and the Commissioner of DPD must issue a certificate of completion for the historic facade reconstruction prior to the issuance of a certificate of occupancy for the Planned Development.

[Existing Zoning Map; Existing Land-Use Map; Boundary and property line Map; Site/Landscape Plan; Green Roof Plan; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 25057 through 25067 of this *Journal*.]

Bulk Regulations and Data Table and 2007 Affordable Housing Profile Form (Rental) referred to in these Plan of Development Statements read as follows:

Residential Business Planned Development No. 1324

Plan Of Development

Bulk Regulations And Data Table.

Gross Site Area:	49,401 square feet
Area Remaining in Public Right-of-Way:	16,659 square feet
Net Site Area:	32,742 square feet
Maximum Floor Area Ratio:	5.0
Maximum Number of Dwelling Units:	134
Minimum Number of Off-Street Accessory Parking Spaces:	134
Minimum Loading Spaces:	2
Minimum Number of Bicycle Spaces:	72
Maximum Building Height:	111 feet, 1 inch
Setbacks:	As per site plan

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2007 Affordable Housing Profile Form (Rental)

Submit this form to the Department of Planning & Development (DPD) for projects that are subject to the 2007 ARO. Projects submitted after October 13, 2015 - or that do not receive City Council approval by July 13, 2016 - will be subject to the 2015 ARO. More information is online at www.cityofchicago.org/ARO.

This completed form should be returned to: Kara Breems, DPD, 121 N. LaSalle Street, Chicago, IL 60602. E-mail: kara.breems@cityofchicago.org Telephone: (312) 744-6476

Date: 12-28-15

SECTION 1: DEVELOPMENT INFORMATION

Development Name: 3833 N Broadway
Development Address: 3817-45 N Broadway
Ward: 46

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

Type of City involvement:
(check all that apply)

- City Land
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 and/or PD

SECTION 2: DEVELOPER INFORMATION

Developer Name: DLG Development
Developer Contact (Project Coordinator): Dave Gassman
Developer Address: 3210 N Halsted
Email address: dfg@dls.net
Telephone Number: 312-665-0103

SECTION 3: DEVELOPMENT INFORMATION

a) Affordable units required

For ARO projects: 125 x 10%* = 13 (always round up)
Total units total affordable units required
*20% if TIF assistance is provided

For Density Bonus projects: X 25% =
Bonus Square Footage* Affordable sq. footage required
*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

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? \$150-200

Estimated date for the commencement of marketing: 06-01-16

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Estimated date for completion of construction of the affordable units:

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								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
Market Rate Units						N/A	N/A	<input type="checkbox"/>
						N/A	N/A	<input type="checkbox"/>
						N/A	N/A	<input type="checkbox"/>

*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? 03/2016
 (typically corresponds with issuance of building permits) Month/Year

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

$$\frac{125}{\text{Number of total units in development}} \times 10\% = \frac{13}{\text{(round up to nearest whole number)}} \times \$100,000 = \$1,300,000$$

Amount owed

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

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

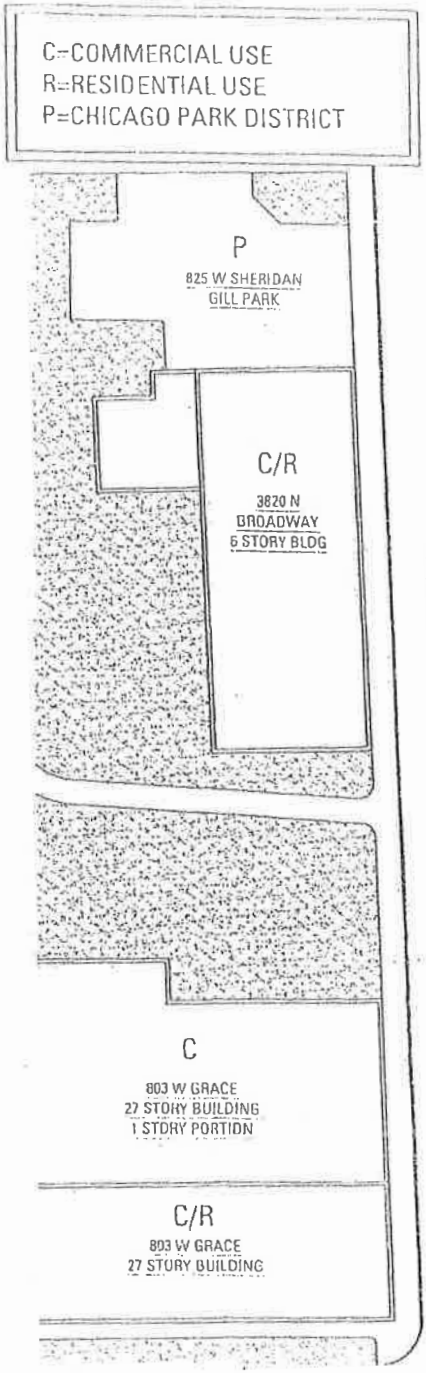
Submarket (Table for use with the Density Bonus fees-in-lieu calculations)	Median Land Price per Base FAR Foot
Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east	\$31
North: Division on north; Chicago River on south/west; Lake Shore Dr. on east	\$43
South: Congress on north;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

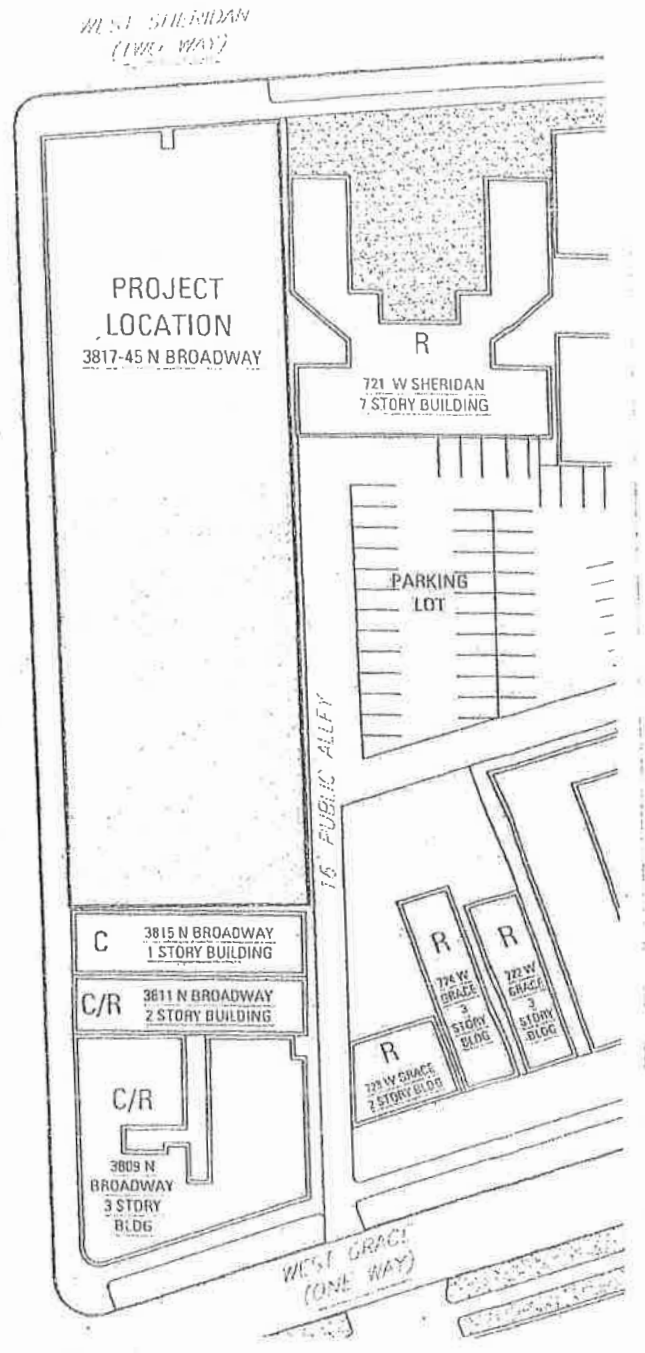
[Signature] 1-5-16
 Kara Breems, DPD Date

[Signature] 12-28-15
 Developer/Project Manager Date

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NORTH BROADWAY (TWO WAY)

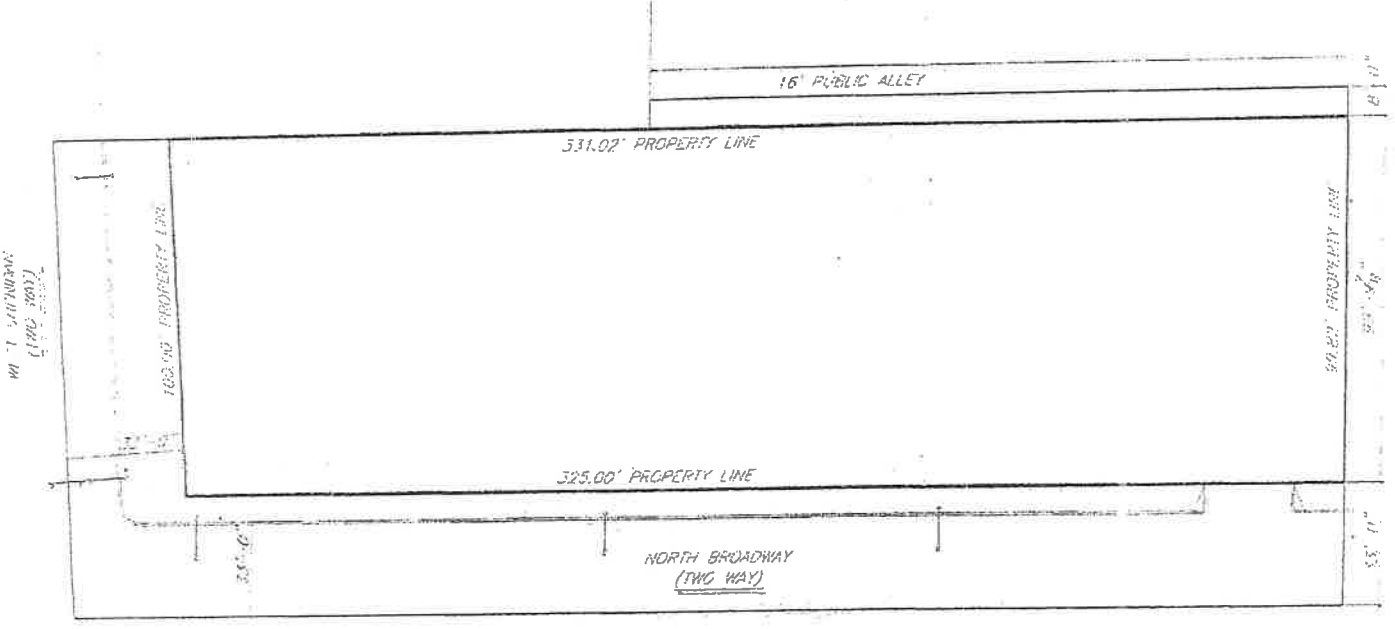


EXISTING LAND USE MAP

j S a
Jonathan SPITT architects ltd.
4001 north ravenwood ave. suite 601
chicago illinois 60613
773 883 1017 phone 773 883 3051 fax

Applicant: 3817-45 N Broadway, Inc.
Address: 3817-45 N Broadway
Chicago, IL 60613
Intro Date: September 24, 2015

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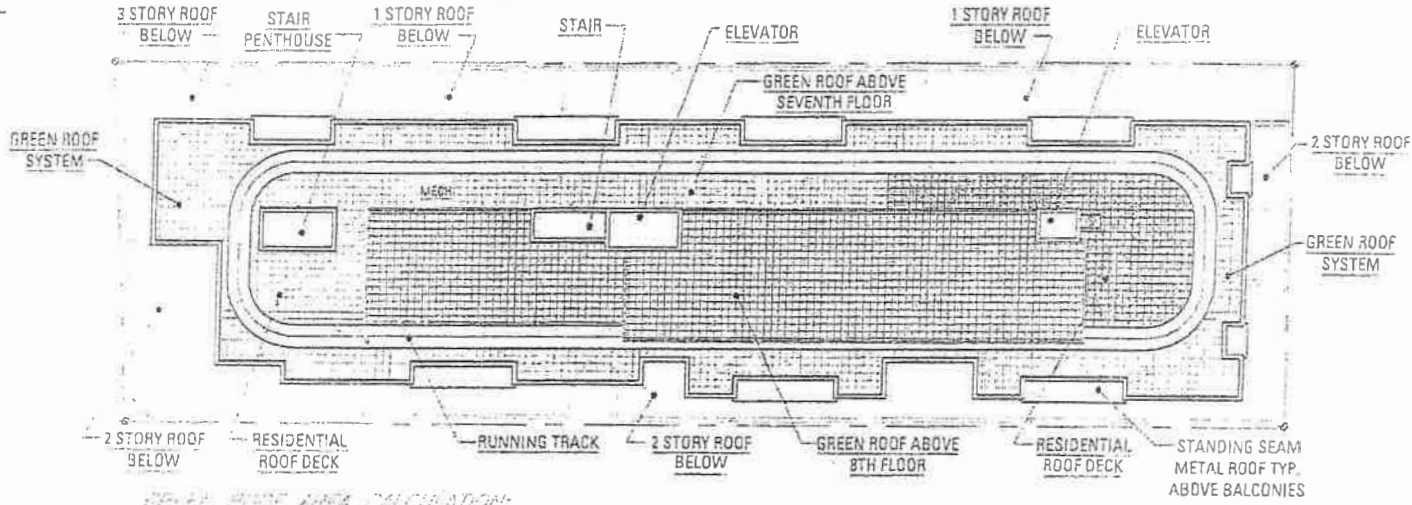


PLANNED DEVELOPMENT BOUNDARY & PROPERTY LINE MAP

isa
 jonathan splitt architects ltd
 400 north ravenwood ave. suite 601
 chicago illinois 60613
 773 883 1017 phone 773 883 3081 fax

Applicant: 3817-45 N Broadway, Inc.
 Address: 3817-45 N Broadway
 Chicago, IL 60613
 Intro Date: September 24, 2015
 Plan Commission Date: April 21, 2016

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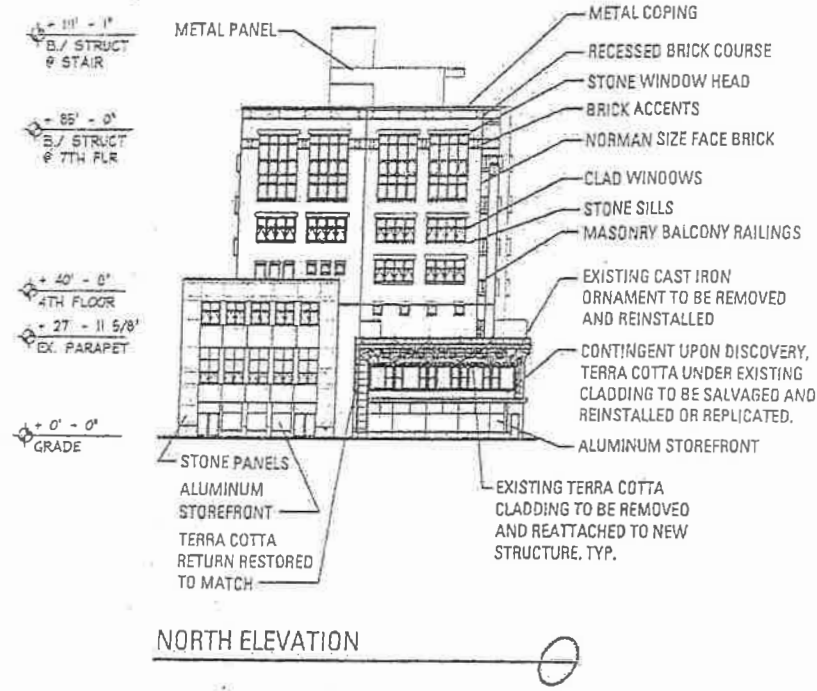
GREEN ROOF AREA CALCULATION:
 GREEN ROOF AREA: 13,174 SF
 200% NEW CONSTRUCTION NET ROOF AREA: 19,742 SF
 GREEN ROOF AREA PERCENTAGE: 67%
LEED CERTIFICATION: SILVER

GREEN ROOF PLAN

j s a
 jonathan splitt architects ltd
 4001 north ravenswood ave suite 601
 chicago illinois 60613
 773 883 1017 phone 773 683 3061 fax

Applicant: 3817-45 N Broadway, Inc.
 Address: 3817-45 N Broadway
 Chicago, IL 60613
 Intro Date: September 24, 2015
 Plan Commission Date: April 21, 2016

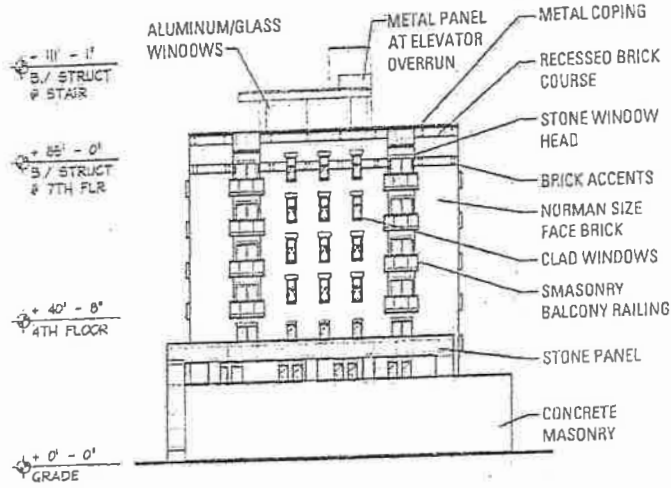
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j s a
 jonathan spitt architects llc
 4001 north reynoldswood ave. suite 601
 chicago illinois 60613
 773 883 1017 phone 773 883 3083 fax

Applicant: 3817-45 N Broadway, Inc.
 Address: 3817-45 N Broadway
 Chicago, IL 60613
 Intro Date: September 24, 2015
 Plan Commission Date: April 21, 2016

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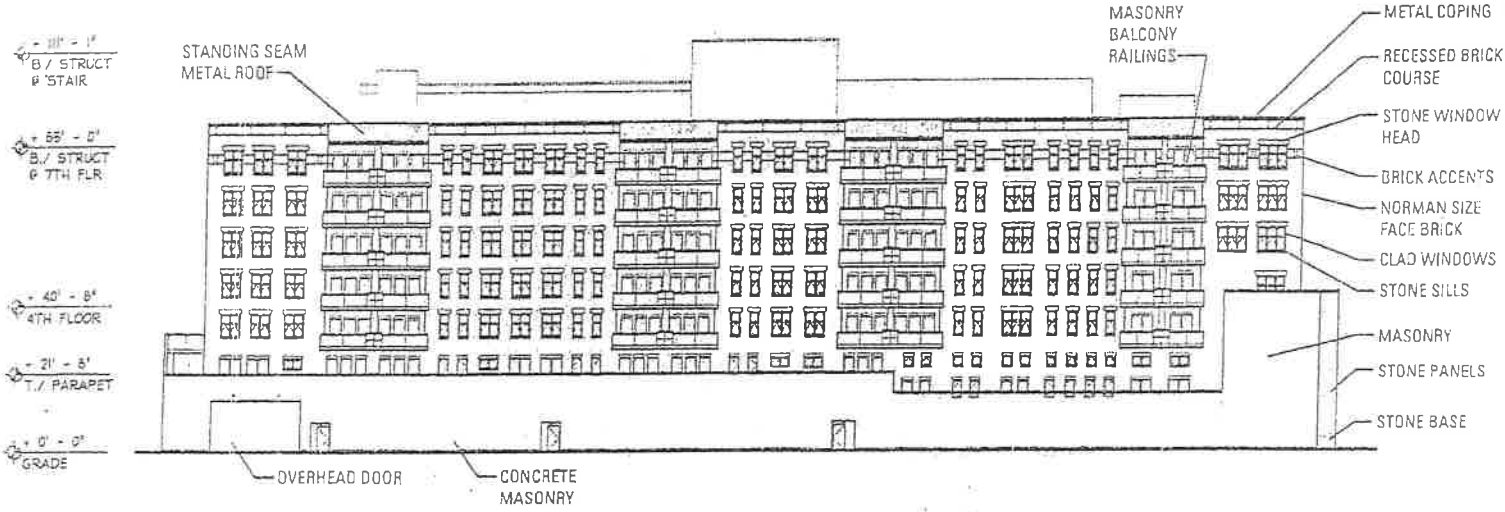


SOUTH ELEVATION

j S a
 j o n n i h o n s a r t i t o r c h i t e c t s l l c
 4801 north rockwood ave., suite 601
 chicago illinois 60613
 773 883 1017 phone 773 883 3081 fax

Applicant: 3817-45 N Broadway, Inc.
 Address: 3817-45 N Broadway
 Chicago, IL 60613
 Intro Date: September 24, 2015
 Plan Commission Date: April 21, 2016

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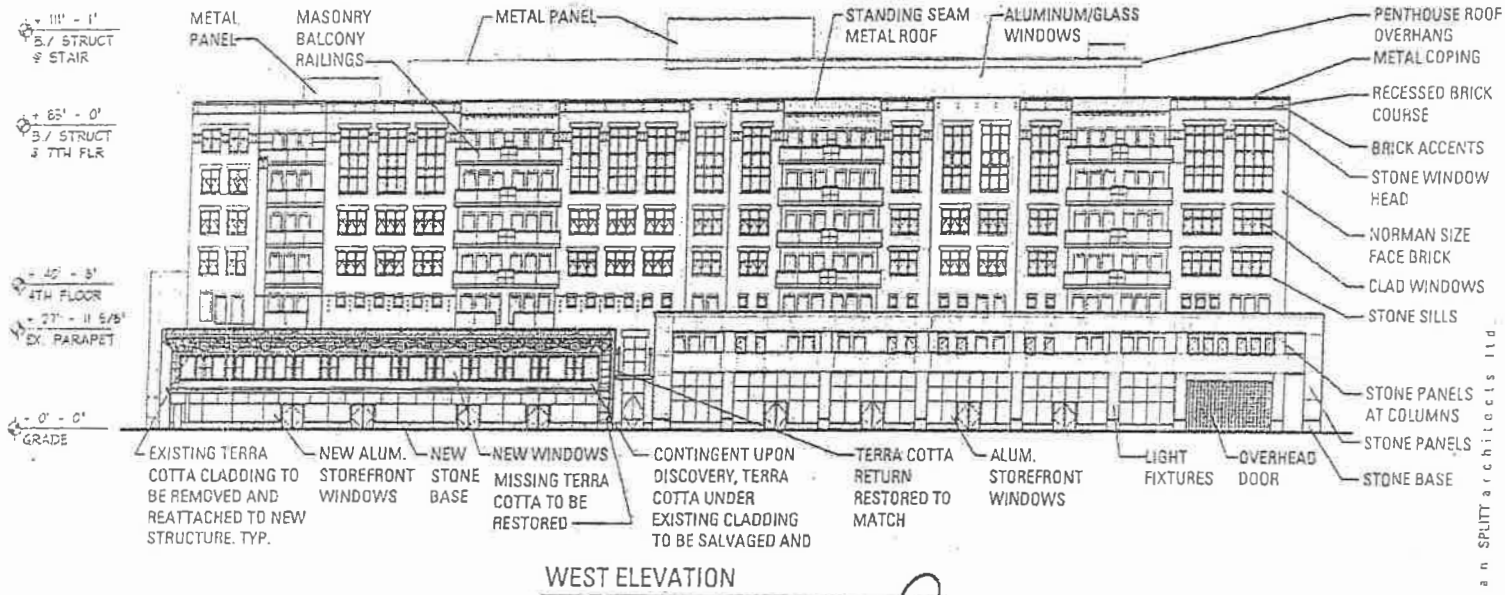


EAST ELEVATION

j s a
 jonathan spuller architects llc
 4031 north reynoldswood ave, suite 601
 chicago illinois 60613
 773 866 1011

Applicant: 3817-45 N Broadway, Inc.
 Address: 3817-45 N Broadway
 Chicago, IL 60613
 Intro Date: September 24, 2015

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WEST ELEVATION

isa
 jonathan splitt architects llc
 4001 north reynoldswood ave. suite 601
 chicago illinois 60613
 773 883 1017 phone 773 883 3081 fax

Applicant: 3817-45 N Broadway, Inc.
 Address: 3817-45 N Broadway
 Chicago, IL 60613
 Intro Date: September 24, 2015
 Plan Commission Date: April 21, 2016