

PD 1326

Table of Contents

06/22/2016 PD Adoption	2
Ordinance	2
Statements	2
Bulk Table	7
Exhibits	9

The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):

Reclassification Of Area Shown On Map No. 2-E. **RBPD 1326**
 (As Amended)
 (Application No. 18475)
 (Common Address: 1136 --1140 S. Wabash Ave./26 E. Roosevelt Rd.)
 [SO2015-6353]

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the current DX-12 Downtown Mixed-Use District symbols and indications as shown on Map Number 2-E in the area bounded by:

a line 216.98 feet north of East Roosevelt Road; South Wabash Avenue; a line 96.85 feet north of East Roosevelt Road; a line 105.00 feet west of South Wabash Avenue; East Roosevelt Road; a line 120.29 feet west of South Wabash Avenue; a line 96.12 feet north of East Roosevelt Road; and the Chicago Transit Authority right-of-way,

to those of a Residential-Business Planned Development which is hereby established in the area described above.

SECTION 2. 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 Development Statements.

1. The area delineated herein as Planned Development Number 1326 ("Planned Development") consists of approximately 21,557 square feet of property which is depicted on the attached Planned Development Boundary Map ("Property") and is owned or controlled by the applicant, 1136 South Wabash 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 16 Statements; a Bulk Regulations Table; an Existing Land-Use Map; an Existing Zoning Map; a Planned Development Boundary Map; a Site/Landscape Plan; a Green Roof Plan and Building Elevations 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:

Subarea A:

Residential Units, day care, artist work or sales space, eating and drinking establishments, financial services (excluding payday loan stores and pawn shops), grocery and convenience stores, office, medical service, retail sales, wireless communication facility, consumer repair and laundry services, children's play center, personal service and accessory uses, including accessory parking.

Subarea B:

Retail, day care; artist work or sales space, eating and drinking establishments, financial services (excluding payday loan stores and pawn shops), grocery and convenience stores, office, medical service, retail sales, wireless communication facility, consumer repair and laundry services, children's play center, personal service and accessory uses.

In accord with Section 17-10-0503 of the Municipal Code, the applicant may lease to members of the public on an hourly, daily, weekly or monthly basis up to forty-five percent (45%) of the minimum required parking spaces in Subarea A.

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 21,557 square feet and a base FAR of 12. The improvements to be constructed in Subarea A of the Property will utilize the following series of FAR bonuses:

Description (list of all bonuses applied for and calculations)	FAR
Base FAR:	12.000
Affordable Housing Bonus:	1.484
Total FAR:	13.484

Of this total FAR the building in Subarea A is designed to an FAR of 12.84.

9. The applicant acknowledges and agrees that the rezoning of the Property to this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "2007 Affordable Requirements Ordinance" or the "2007 ARO"). The 2007 ARO provides that any developer of a "residential housing project" within the meaning of the 2007 ARO must: (i) develop affordable housing units as part of the project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). The developer further acknowledges and agrees that the project has received an affordable housing floor area bonus, as set forth in the bonus worksheet attached hereto as Exhibit D ("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 2007 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 2007 ARO. If a project is subject to both the 2007 ARO and the Density Bonus Provisions, the developer may

elect to comply with either. In this case, the developer 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 developer must provide a minimum of 10,465 square feet of affordable housing floor area (the "Affordable Units") in the Planned Development, with an affordable unit mix comparable to the overall mix and approved by the Department's density bonus project manager, or make a cash payment in lieu of providing Affordable Units in the amount of \$736,768.72 ("Cash Payment"). Prior to the issuance of any building permits for the Planned Development, including, without limitation, excavation or foundation permits, the developer must either make the required Cash Payment or, if providing Affordable Units, provide a performance bond or other security in the amount of the Cash Payment ensuring construction of the Affordable Units. If the developer elects to construct the Affordable Units, it must also enter into an affordable housing agreement with the City pursuant to the former Section 17-4-1004-E9 ("Affordable Housing Agreement") prior to the issuance of any building permits for the Planned Development, including, without limitation, excavation or foundation permits. The terms of the Affordable Housing Agreement and any amendments thereto are incorporated herein by this reference. The Developer acknowledges and agrees that the Affordable Housing Agreement will be recorded against the Property. 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 former Section 17-4-1004, the terms of which are incorporated herein by this reference.

The applicant acknowledges and agrees that the sale of City-owned property at 1136 -- 1140 South Wabash Avenue also triggered the requirements of the 2007 ARO. Pursuant to an ordinance adopted on April 15, 2015, the City and the applicant entered into that certain Agreement for the Sale and Redevelopment of Land dated May 20, 2015, and recorded on June 19, 2015, as Document Number 1517044002 (the "RDA"). The RDA approves a 20-story building with 280 residential units, and requires the applicant to provide 9,513 square feet of affordable floor area, or make a cash payment in the amount of \$669,715.20. The applicant is now proposing to construct a building with 320 units, which has increased the amount of affordable floor area to 10,465 square feet and the cash payment to \$736,768.72, as set forth above. The applicant acknowledges and agrees that (a) the affordable floor, area and cash payment required in this Planned Development shall replace and supersede the affordability requirements in the RDA, and (b) if this Planned Development does not receive City Council approval on or before July 13, 2016, any floor area that was not approved under the RDA 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 under the 2007 ARO with respect to the added floor area.

10. 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.
11. 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.
12. 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.
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. The applicant has agreed to provide a 50 percent green roof over the net roof area and achieve LEED Certification to comply with the City of Chicago's Sustainable Matrix.
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 the Department of Planning and Development shall initiate a zoning map amendment to rezone the Property to a DX-12 Downtown Mixed-Use District.

[Bonus Worksheet (Exhibit "D") referred to in these Plan of Development Statements unavailable at time of printing.]

[Existing Zoning Map; Existing Land-Use Map; Boundary Map; Site Plan/Landscape Plan; Green Roof Plan; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 27571 through 27579 of this *Journal*.]

Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

Residential-Business Planned Development.

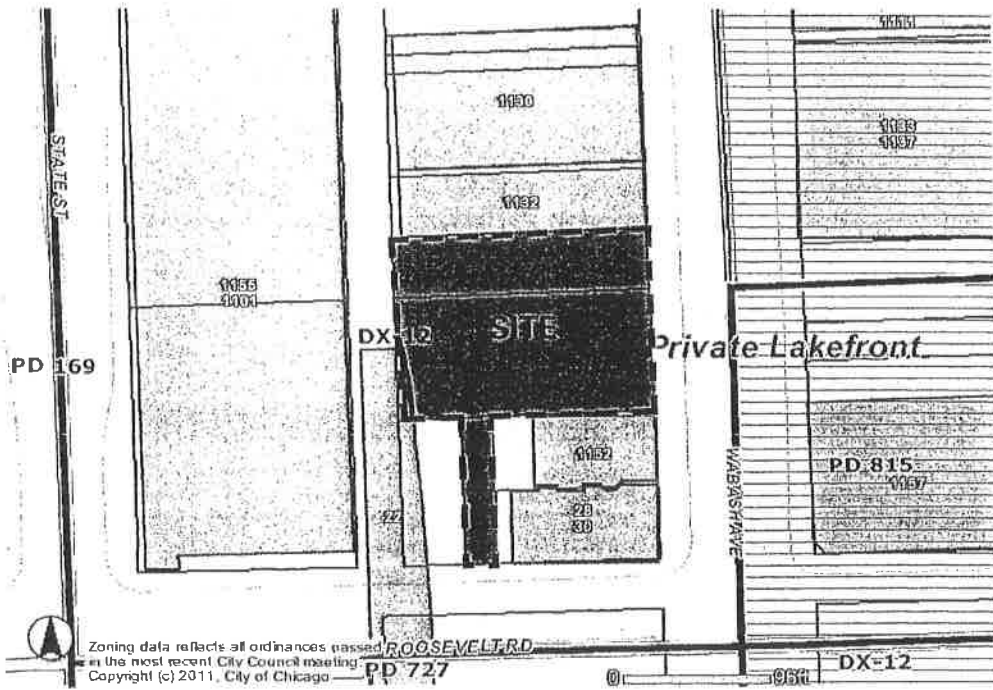
Plan Of Development.

Bulk Regulations And Data Table.

Gross Site Area:	28,759.11 square feet (0.59 acre)
Area Remaining in the Public Right-of-Way:	7,202.11 square feet (0.16 acre)
Net Site Area:	21,557 (0.49 acre)
Subarea A:	19,600 square feet
Subarea B:	1,957 square feet
FAR:	
Subarea A:	12.84
Subarea B:	12.00
Overall FAR:	13.48
Setbacks from Property Line:	
Subarea A:	None
Wabash Street:	None
North Property Line:	None

Holden Court:	None
South Property Line:	None
Subarea B:	
East Property Line:	None
North Property Line:	10 feet
West Property Line:	None
Roosevelt Road:	None
Maximum Number of Units:	
Subarea A:	320
Subarea B:	0
Minimum Number of Accessory Off-Street Parking:	
Subarea A:	142
Subarea B:	0
Minimum Bicycle Parking:	51
Minimum Number of Off-Street Loading:	
Subarea A:	One berth (10 feet by 25 feet)
Subarea B:	0
Maximum Building Height:	
Subarea A:	303 feet, 6 inches
Subarea B:	20 feet (existing)

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Zoning data reflects all ordinances passed in the most recent City Council meeting. Copyright (c) 2011, City of Chicago

EXISTING ZONING MAP

NTS

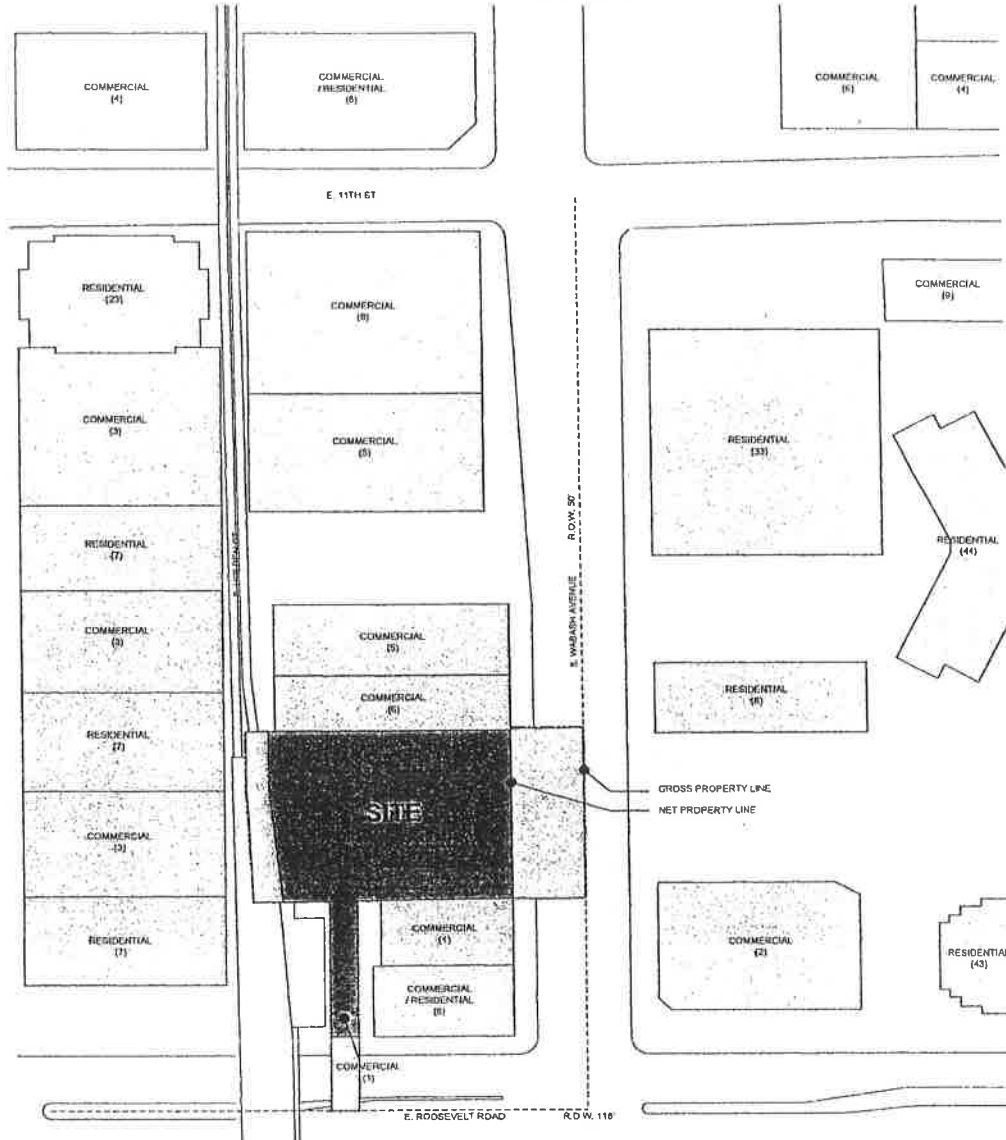


APPLICANT: 1136 South Wabash, LLC
 ADDRESS: 1136 - 40 S. Wabash Ave./26 E. Roosevelt Rd.
 INTRO DATE: September 24, 2015.
 PLAN COMMISSION DATE: May 19, 2016

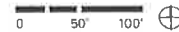


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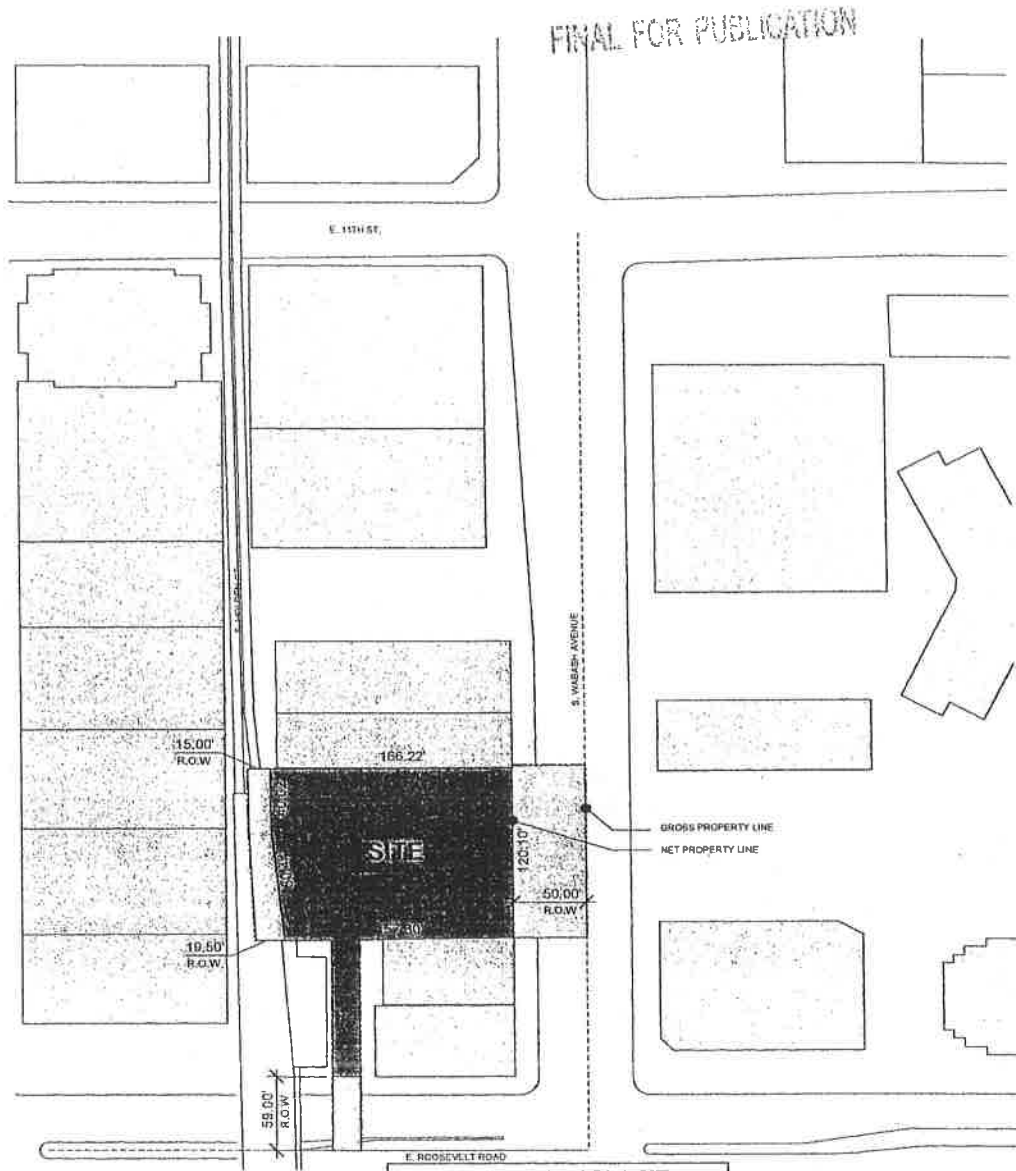


EXISTING LAND USE MAP



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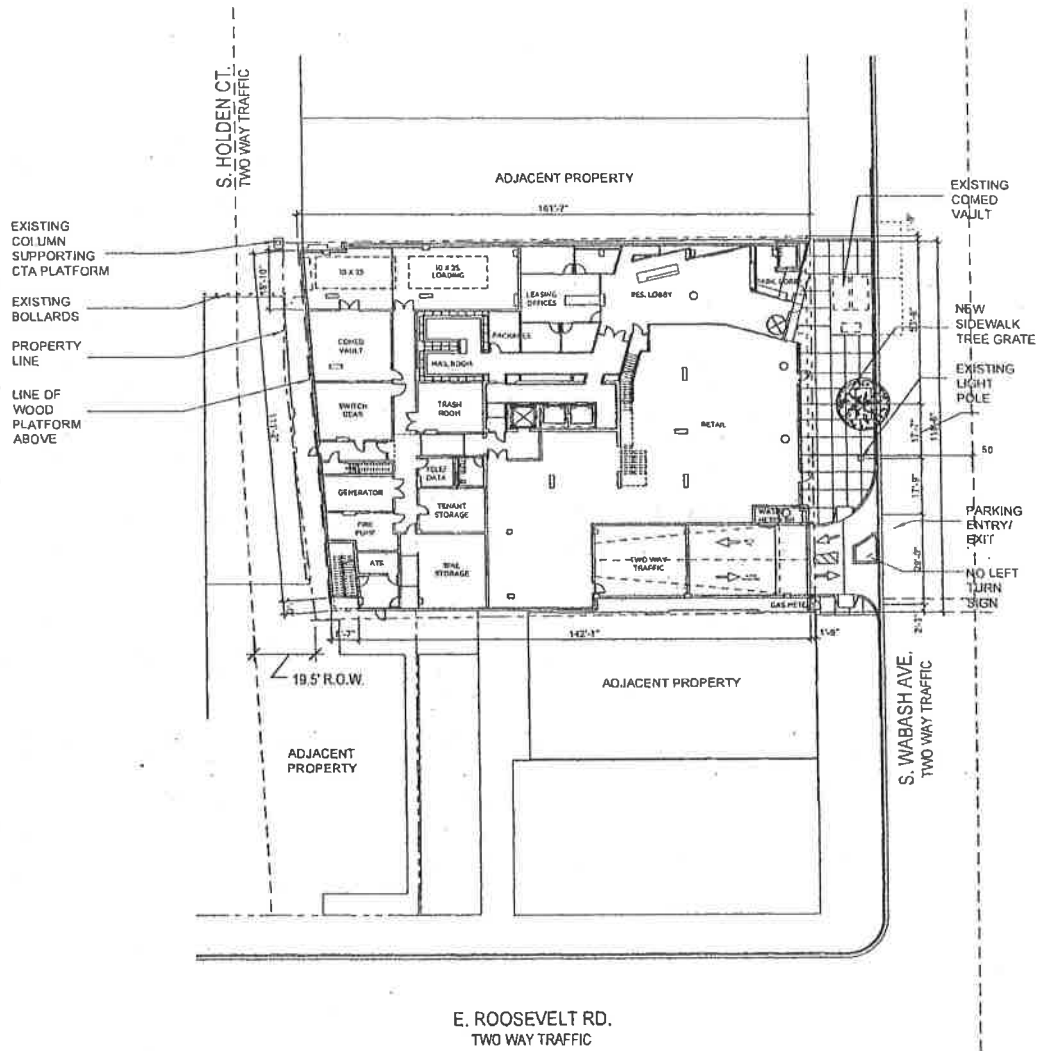
**PLANNED DEVELOPMENT
BOUNDARY MAP**



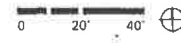
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SITE PLAN / LANDSCAPE PLAN




Applicant: 1136 South Wabash, LLC
 Address: 1136 South Wabash Ave.

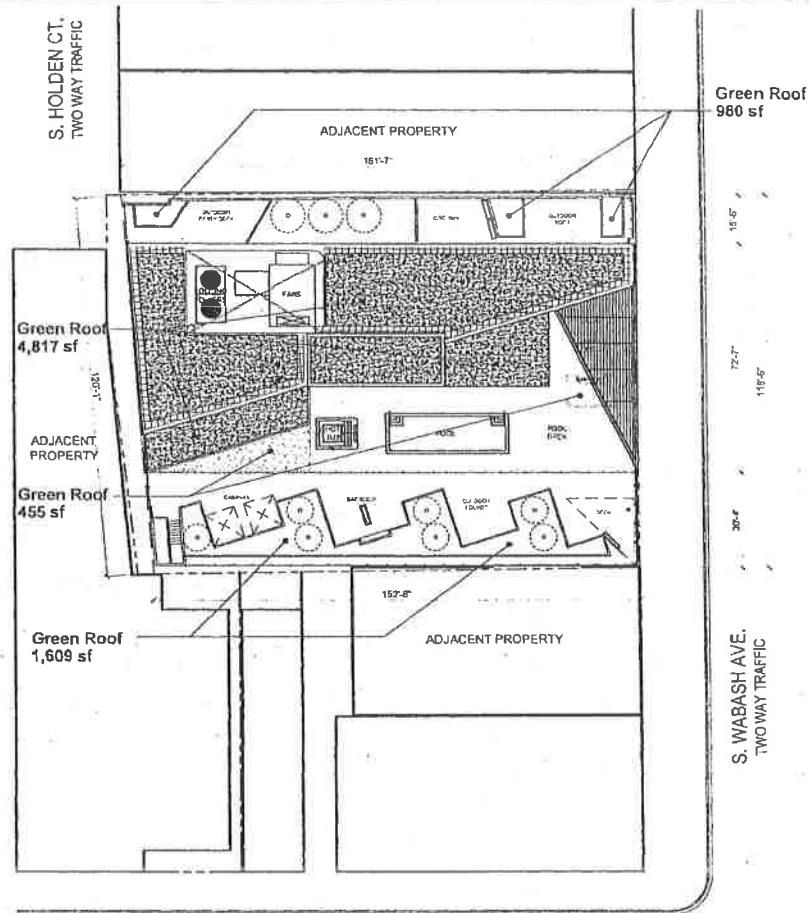
Introduced: TBD
 Plan Commission: May 19, 2016



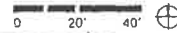
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Gross Roof Area:	18,948 sf
Net Roof Area:	15,677 sf
Total Green Roof Area:	7,861 sf (50.1% of Net Roof Area)

 Green Roof Area



GREEN ROOF PLAN

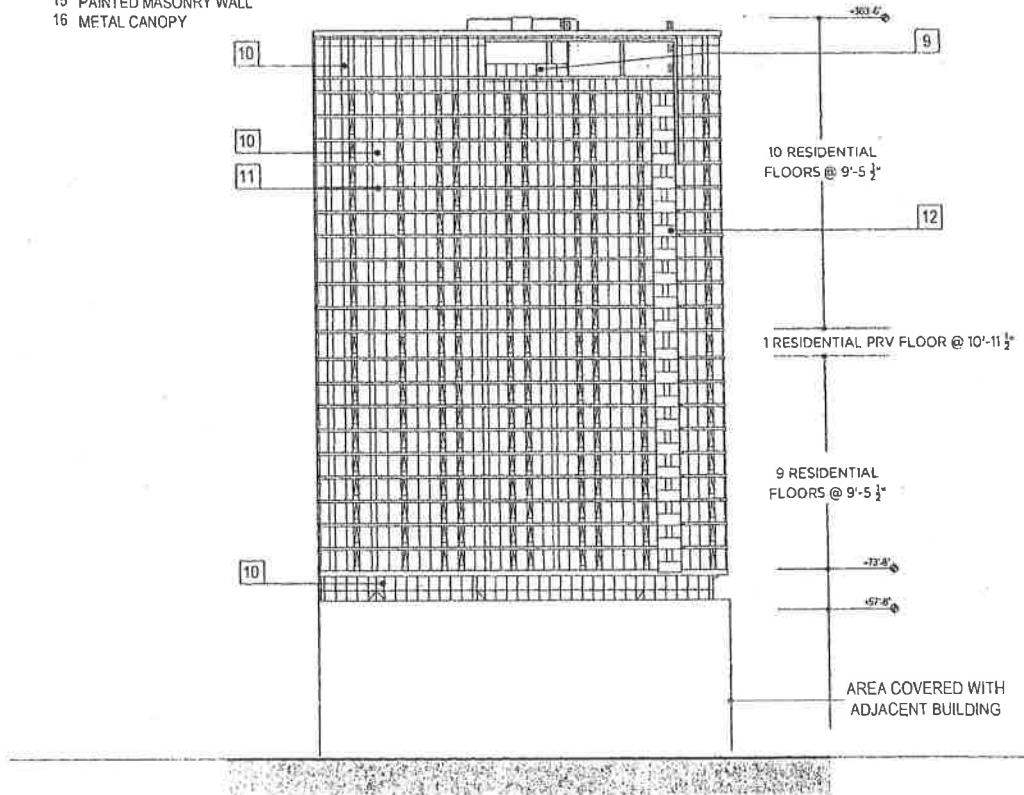


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 INTRO DATE: September 24, 2015
 PLAN COMMISSION DATE: May 19, 2016



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- 2 PERFORATED METAL GARAGE CLADDING WITH METAL SUBFRAME
- 3 ELASTOMERIC COATED CONCRETE WALL WITH ARCHITECTURAL REVEALS
- 4 ALUMINUM AND GLASS CURTAIN WALL SYSTEM WITH SHADOW BOX AND INTERNAL LIGHTING
- 5 BACKLIT SIGNAGE
- 6 PREFABRICATED METAL SUNSHADE
- 7 ALUMINUM CURTAIN WALL STOREFRONT SYSTEM WITH INSULATING GLASS
- 8 OVERHEAD METAL AND GLASS SECTIONAL GARAGE DOOR
- 9 GLASS RAILING
- 10 ALUMINUM FRAME WINDOW WALL SYSTEM WITH INSULATING GLASS
- 11 INSULATED EXTRUDED SLAB EDGE COVER
- 12 METAL BALCONY RAILING SYSTEM WITH GLASS INFILL
- 13 SOLID ARCHITECTURAL CLADDING
- 14 SYNTHETIC PLASTER
- 15 PAINTED MASONRY WALL
- 16 METAL CANOPY



NORTH ELEVATION



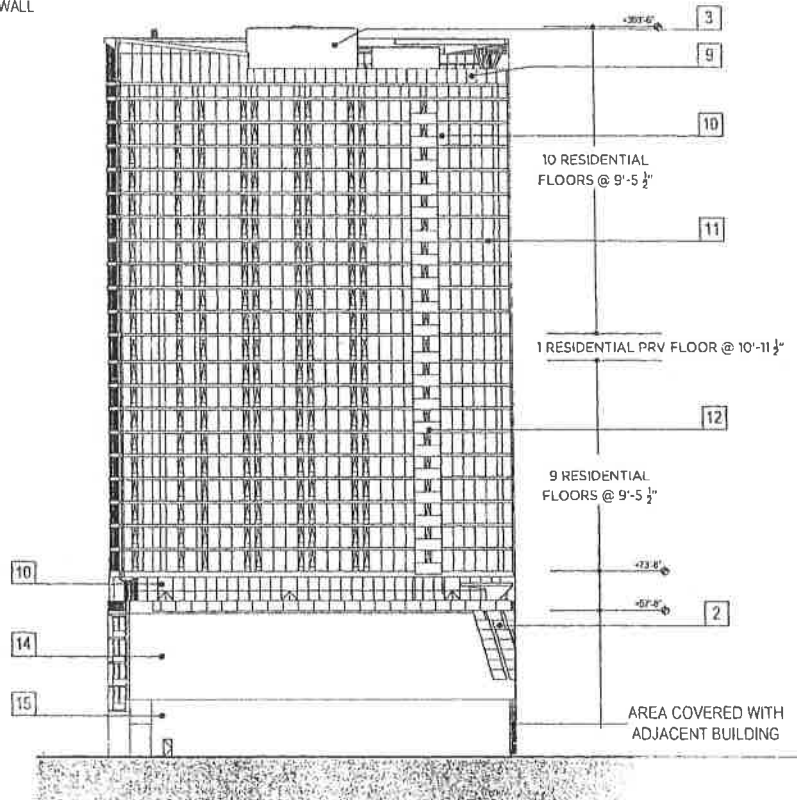
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 Address: 1136 - 40 South Wabash Ave./26 E. Roosevelt Rd.

Introduced: September 24, 2015
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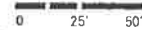


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SOUTH ELEVATION



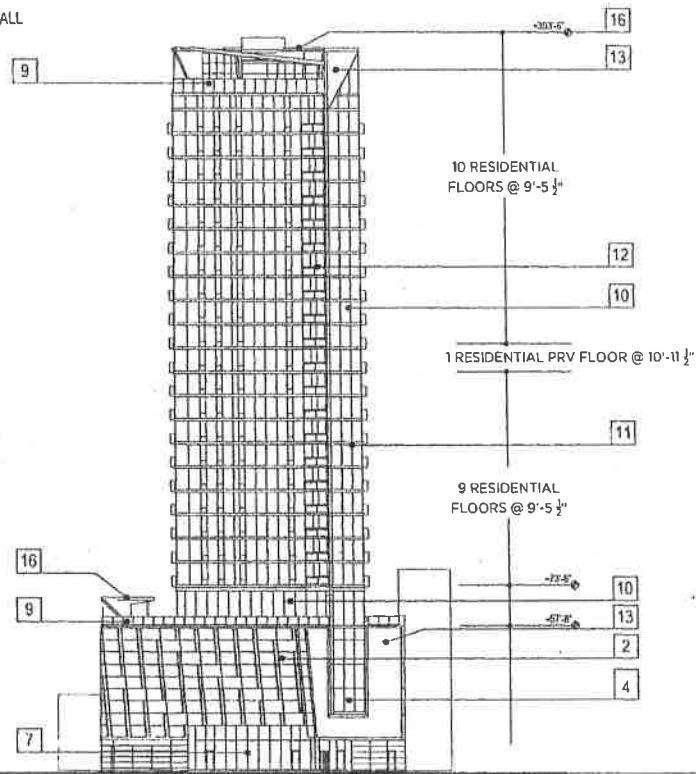
Applicant: 1136 South Wabash, LLC
 Address: 1136 - 40 South Wabash Ave./26 E. Roosevelt Rd.

Introduced: September 24, 2015
 Plan Commission: May 19, 2016



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EAST ELEVATION



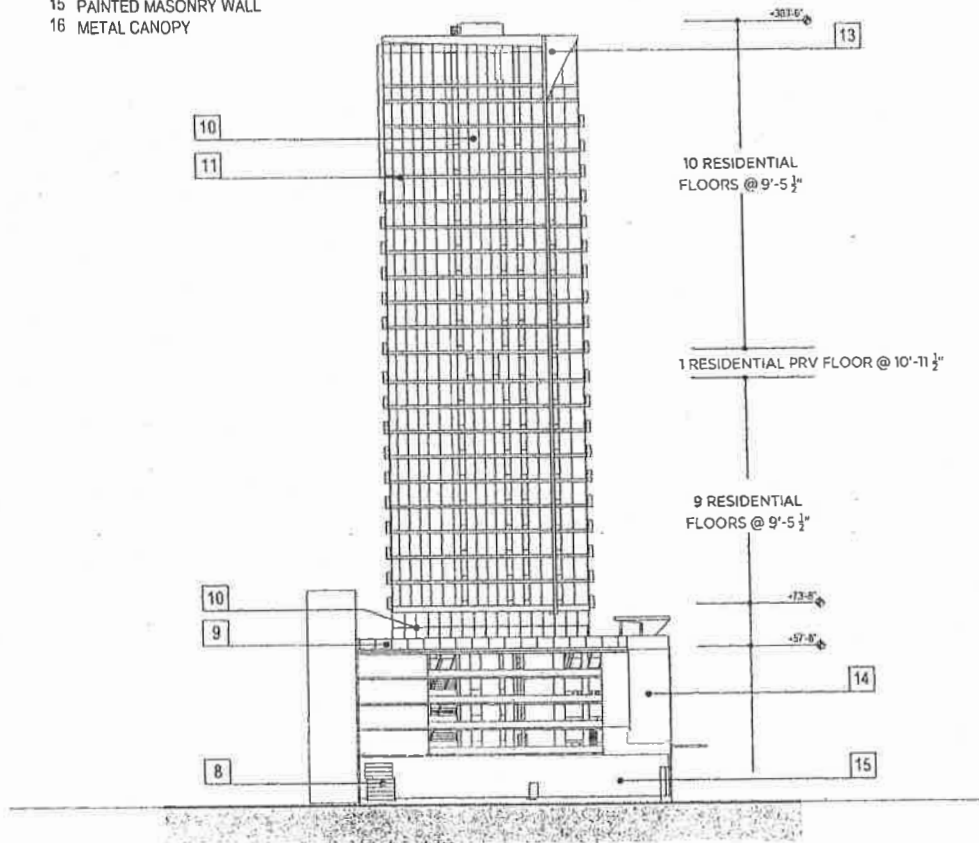
Applicant: 1136 South Wabash, LLC
Address: 1136 South Wabash Ave.

Introduced: TBD
Plan Commission: May 19, 2016



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WEST ELEVATION

Applicant: 1136 South Wabash, LLC
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Introduced: September 24, 2015
 Plan Commission: May 19, 2016



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