

PD 1334

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18706

27424

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6/22/2016

Reclassification Of Area Shown On Map No. 9-F.
(As Amended)
(Application No. 18706)
(Common Address: 3901 N. Broadway)

RBPD 1334

[SO2016-1631]

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-2 Community Shopping District symbols shown on Map Number 9-F in the area generally bounded by:

a line beginning at a point 206.10 feet north of West Sheridan Road extended east 100 feet to a point 200.56 feet north of West Sheridan Road; a line 100 feet east of North Broadway; West Sheridan Road; and North Broadway,

to the designation of a B3-5 Community Shopping District.

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

a line beginning at a point 206.10 feet north of West Sheridan Road extended east 100 feet to a point 200.56 feet north of West Sheridan Road; a line 100 feet east of North Broadway; West Sheridan Road; and North Broadway,

to those of a Residential-Business Planned Development, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

SECTION 3. This ordinance takes effect after its passage and approval.

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

Residential-Business Planned Development No. 1334

Plan Of Development Statements.

1. The area delineated herein as Residential-Business Planned Development Number 1334 ("Planned Development"), consists of approximately 20,307 square feet (0.466 acre) of property located at 3901 North Broadway (the "Property"), as more fully depicted on the attached Planned Development Boundary and Property Line Map. The Property is under the single designated control of the applicant, Vermilion Acquisitions 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 an amendment, modification or change (administrative, legislative or otherwise) to this Planned Development is made, shall be under single ownership or single 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.

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 ("DPD") 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 and Data Table; an Existing Zoning Map; an Existing Use Map; a Planned Development Property Line and Boundary Map; Site Plan; Level 2 Plan; Ground Floor/Landscape Plan; Landscape/Green Roof Plan; Level 3 Landscape Plan; and Building Elevations prepared by Hirsch Associates LLC dated June 16, 2016.
5. The following uses are permitted in the area delineated herein as a Residential-Business Planned Development: residential dwelling units (located above the ground floor); financial services; office; retail sales; food and beverage retail sales; eating and drinking establishments (excluding drive-thru facilities); personal service establishments; accessory parking; 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 Property shall be 5.0 in accordance with the attached Bulk Regulations Table. For 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 20,307 square feet.
9. Upon review and determination ("Part II Review"), and 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. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim review associated with the site plan review or Part II Reviews are conditional until final Part II Approval.
11. The applicant shall comply with the 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, pursuant to 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 by the Zoning Administrator, pursuant to Section 17-13-0611-A of the Zoning Ordinance, upon written application 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. Applicant shall achieve basic LEED Certification under the Leadership in Energy and Environmental Design ("LEED") Green Building Rating System and provide a minimum 50 percent green roof over the net roof area of approximately 6,259 square feet.

15. The applicant acknowledges and agrees that the rezoning of the Property from B3-2 to B3-5, and then to this Planned Development triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10 percent of the housing units in the residential housing project (the "Required Units") as affordable units, or provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of Required Units; or (iii) any combination of (i) and (ii), provided, however, that residential housing projects with 20 or more units must provide at least 25 percent of the Required Units on-site. The Property is located in a higher income area within the meaning of the ARO, and the applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$125,000 per unit ("Cash Payment") and providing three affordable units in the rental building to be constructed in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit A. The applicant agrees that the affordable rental units must be affordable to households earning no more than 60 percent of the Chicago Primary Metropolitan Statistical Area Median Income ("AMI"), as updated annually by the City of Chicago. If the applicant subsequently reduces (or increases) the number of housing units in the Planned Development, the applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required Affordable Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including without limitation, excavation or foundation permits, the applicant must make the required Cash Payment and execute and record an affordable housing agreement in accordance with Section 2-45-115(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for breach of this Statement 15, including any breach of any 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 Zoning Administrator shall initiate a zoning map amendment to rezone the Property to B3-5 Community Shopping District.

[Existing Zoning Map; Existing Use Map; Property Line and Boundary Map; Site Plan; Level 2 Plan; Landscaping/Green Roof Plan; Ground Floor and Level 3 Landscape Plans; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 27429 through 27442 of this *Journal*.]

Bulk Regulations and Data Table and Exhibit "A" (2015 Affordable Housing Profile Form (Rental)) referred to in these Plan of Development Statements read as follows:

Planned Development No. 1334:

Bulk Regulations Table.

Gross Site Area:	32,454 square feet
Area in Public Right-of-Way:	12,147 square feet
Net Site Area:	20,307 square feet
Maximum Floor Area Ratio:	5.0
Maximum Building Height:	105 feet
Minimum Number of Parking Spaces:	57
Minimum Number of Bicycle Parking Spaces:	93
Minimum Number of Loading Berths:	0*
Maximum Number of Dwelling Units:	100
Minimum Setbacks:	In accordance with the Site Plan

* One 25 foot loading zone will be provided on North Broadway.

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2015

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: May 19, 2016

SECTION 1: DEVELOPMENT INFORMATION

Development Name: TBD

Development Address: TBD (closed gas station at 3901 North Broadway)

Ward: 46th

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

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: Vermillion Development

Developer Contact (Project Coordinator): Kerry Dickson

Developer Address: 401 North Franklin, Suite 4 South, CH

Email address: kerry.dickson@vermilliondevelopment.com

Telephone Number: (312) 525-8808

SECTION 3: DEVELOPMENT INFORMATION

a) Affordable units required

For ARO projects: 100 x 10%* = 10 (always round up)
Total units total affordable units required

*20% if TIF assistance is provided

For Density Bonus projects: N/A 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

Each apartment has individual electric meter for lights, power and heat.

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? \$200

Estimated date for the commencement of marketing: Fall 2017

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Estimated date for completion of construction of the affordable units: Spring 2018

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?
Example	1 bed/1 bath	4	1	800	\$1000	759	60%	
Affordable Units	1 bed/1 bath	2	2	570 and 729	\$1,650 and \$2,000	\$787	60%	<input checked="" type="checkbox"/>
	2 bed/2 bath	1	1	1,015	\$2,700	\$944	60%	<input checked="" type="checkbox"/>
Market Rate Units	1 bed/1 bath	66	1	570 to 744	\$1,650 to \$2,100	N/A	N/A	<input type="checkbox"/>
	2 bed/2 bath	23	2	1,015 to 1,140	\$2,700 to \$2,900	N/A	N/A	<input type="checkbox"/>
	3 bed/2 bath	0	3	1,284	\$3,400	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? December 2016
 (typically corresponds with issuance of building permits) Month/Year

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

$$\frac{100}{\text{Amount of equipment}} \times 10\% = \frac{10 \text{ less } 3 \text{ on alle units} = 7}{\text{Number of total units (whole number)}} \times \$125,000 = \$875,000$$

(round up to nearest)

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

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

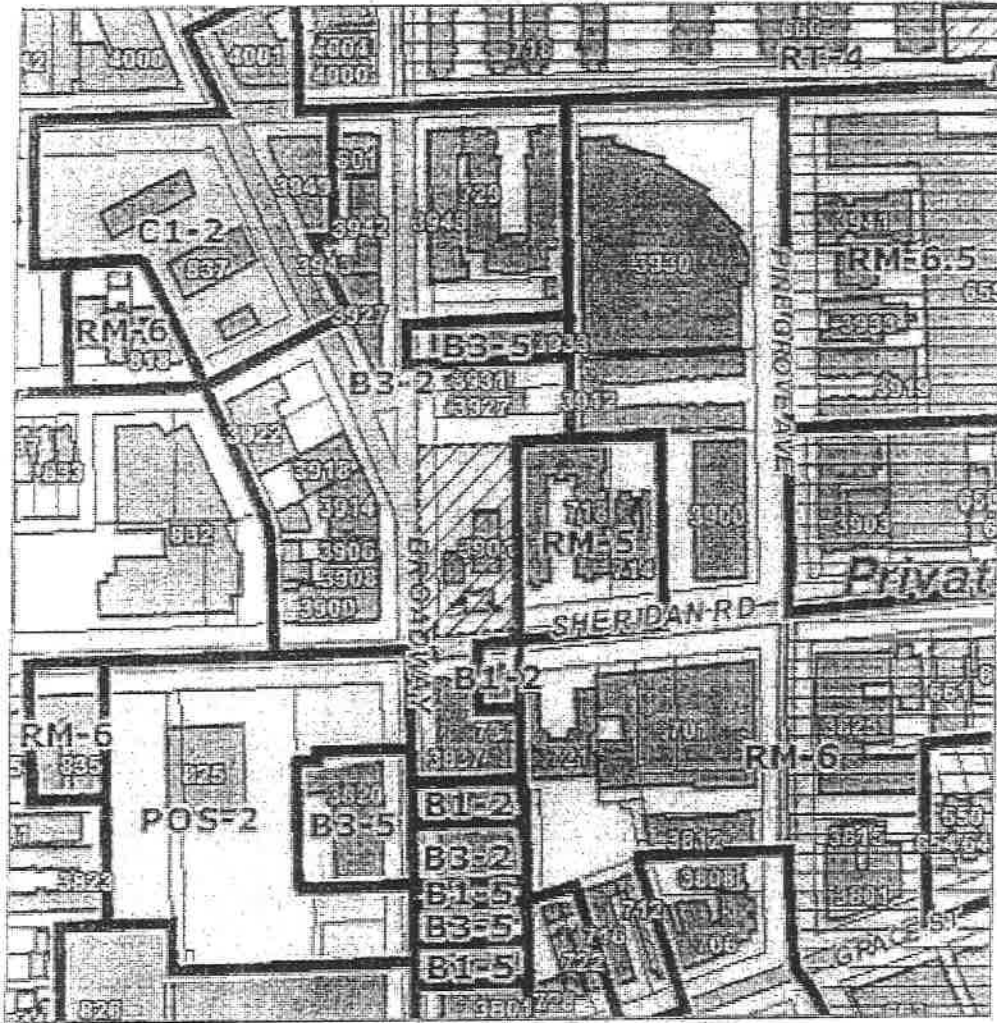
Submarket (Table for use with the Density Bonus fees-in-lieu calculations)	Median Land Price per Base FAR Foot
Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east	\$31
North: Division on north; Chicago River on south/west; Lake Shore Dr. on east	\$43
South: Congress on north;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

Kara Bréms 5-20-16
 Kara Bréms, DPD Date

[Signature] 5-31-16
 Developer/Project Manager Date

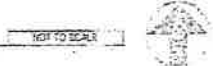
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AREA OF PLANNED DEVELOPMENT (GROSS)

PLANNED DEVELOPMENT EXISTING ZONING MAP (500' in each direction)

APPLICANT: VERMILION ACQUISITIONS, LLC
 ADDRESS: 3901 N. BROADWAY STREET, CHICAGO IL 60613
 Date Introduced: March 15, 2016
 Plan Commission: June 16, 2016

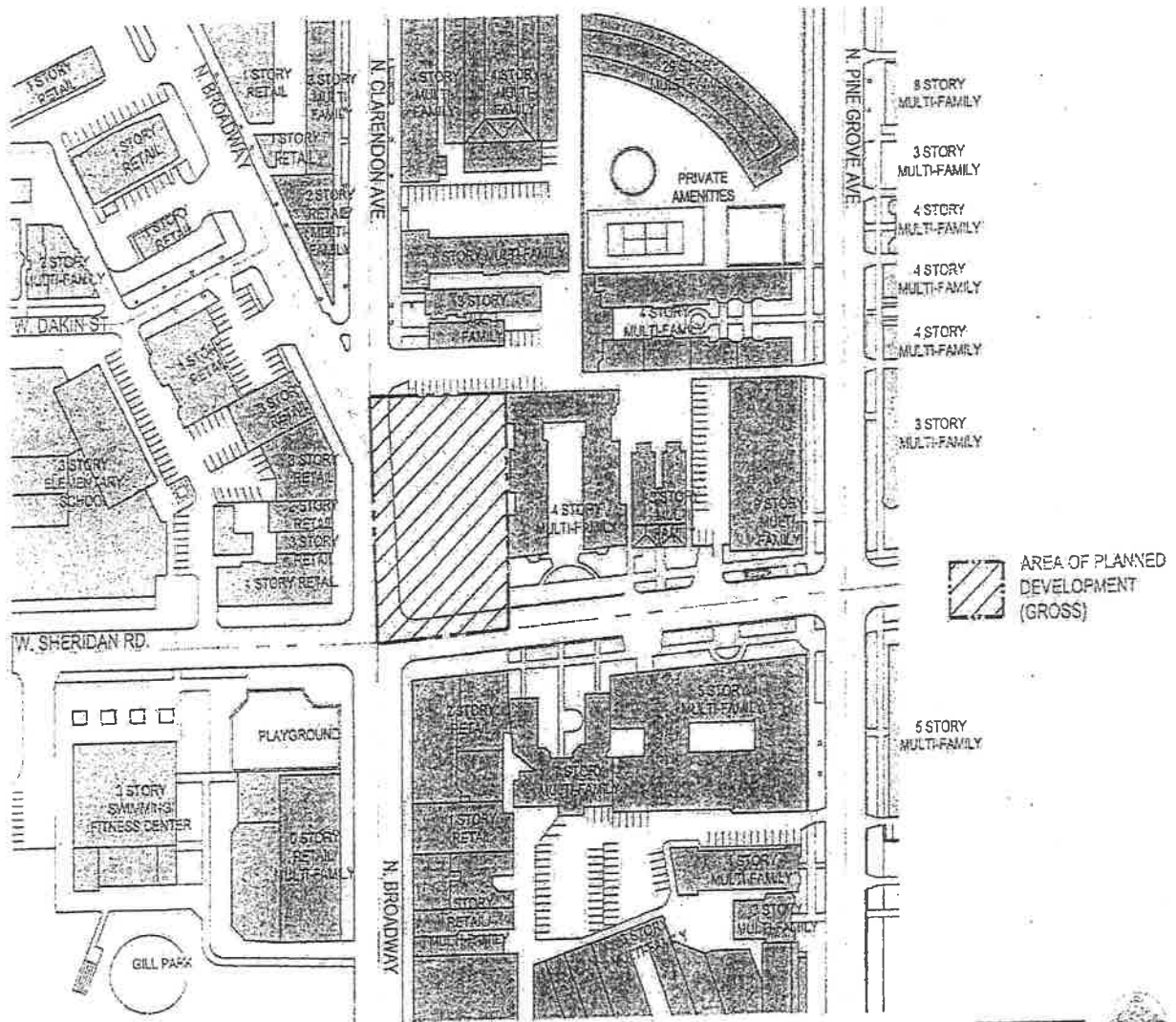


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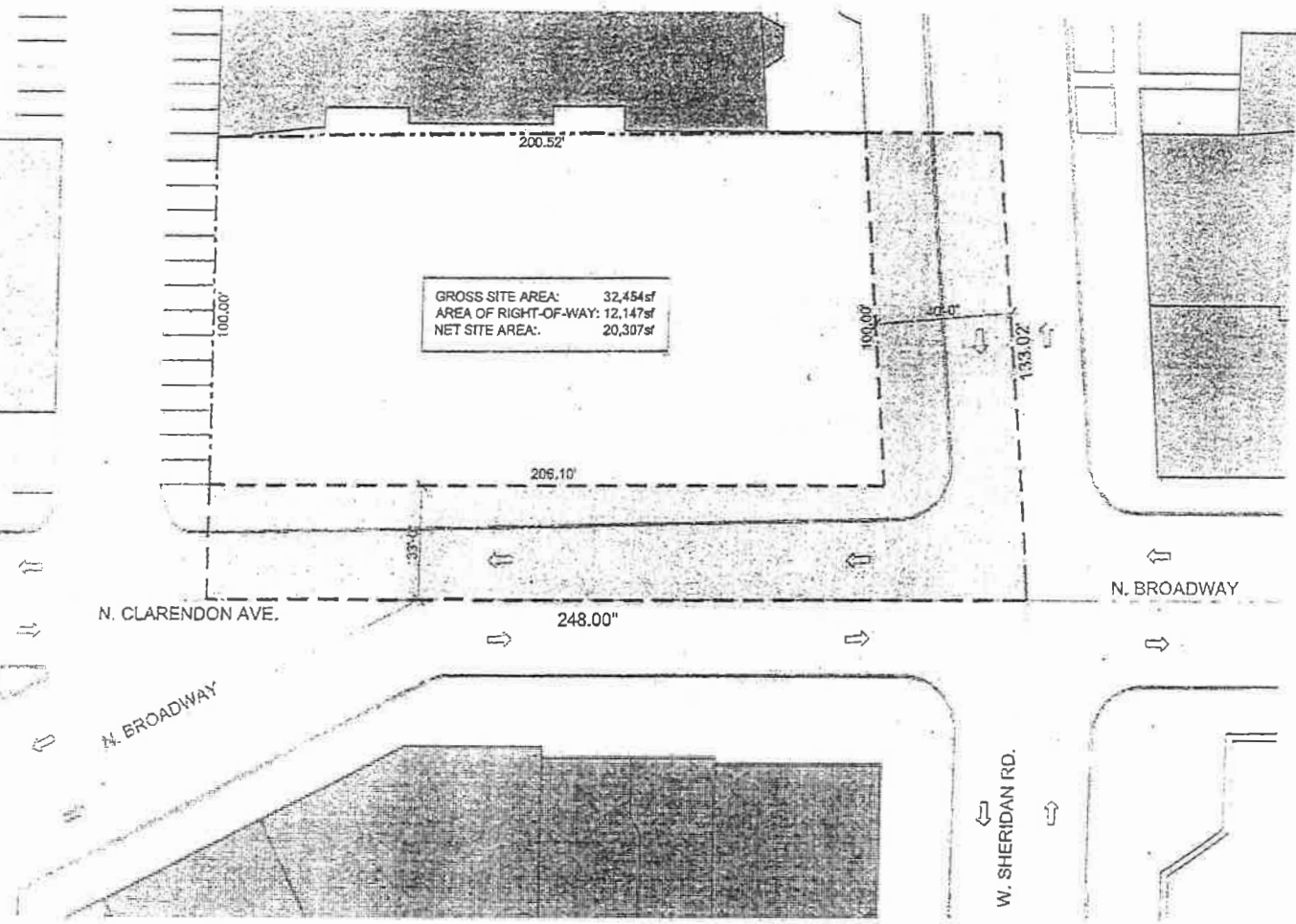
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PLANNED DEVELOPMENT EXISTING USE MAP (400' in each direction)

APPLICANT: VERMILION ACQUISITIONS, LLC
 ADDRESS: 3801 N. BROADWAY STREET, CHICAGO IL 60613
 Date Introduced: March 16, 2016
 Date Commissioner: June 16, 2016

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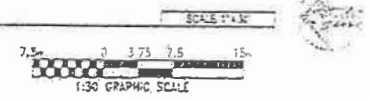
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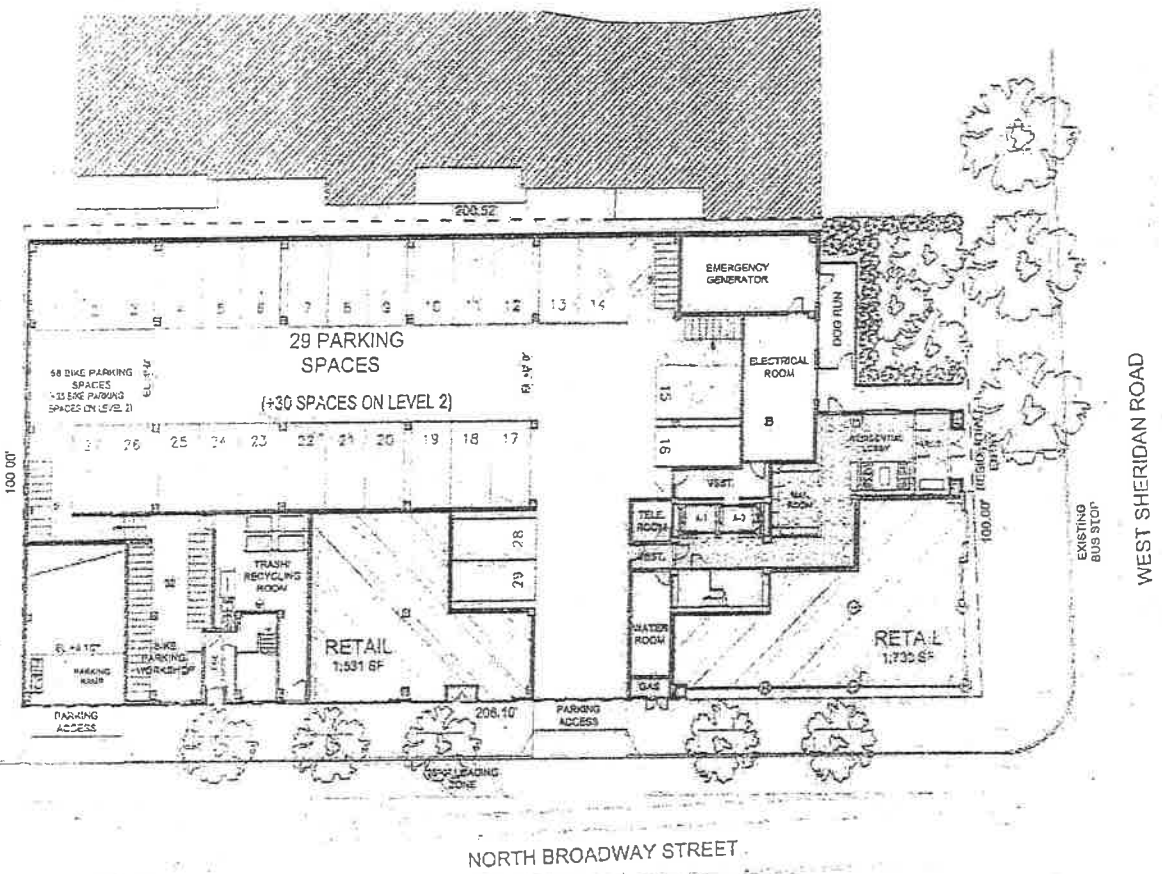
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PLANNED DEVELOPMENT PROPERTY LINE & BOUNDARY MAP

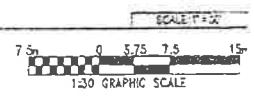
APPLICANT: VERMILION ACQUISITIONS, LLC
 ADDRESS: 3901 N. BROADWAY STREET, CHICAGO IL 60613
 Date Introduced: March 16, 2016
 Plan Commission: June 16, 2016



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PLANNED DEVELOPMENT SITE PLAN
 APPLICANT: VERMILION ACQUISITIONS, LLC
 ADDRESS: 3501 N. BROADWAY STREET, CHICAGO IL 60613
 Date Introduced: March 16, 2016
 Plan Commission: June 16, 2016



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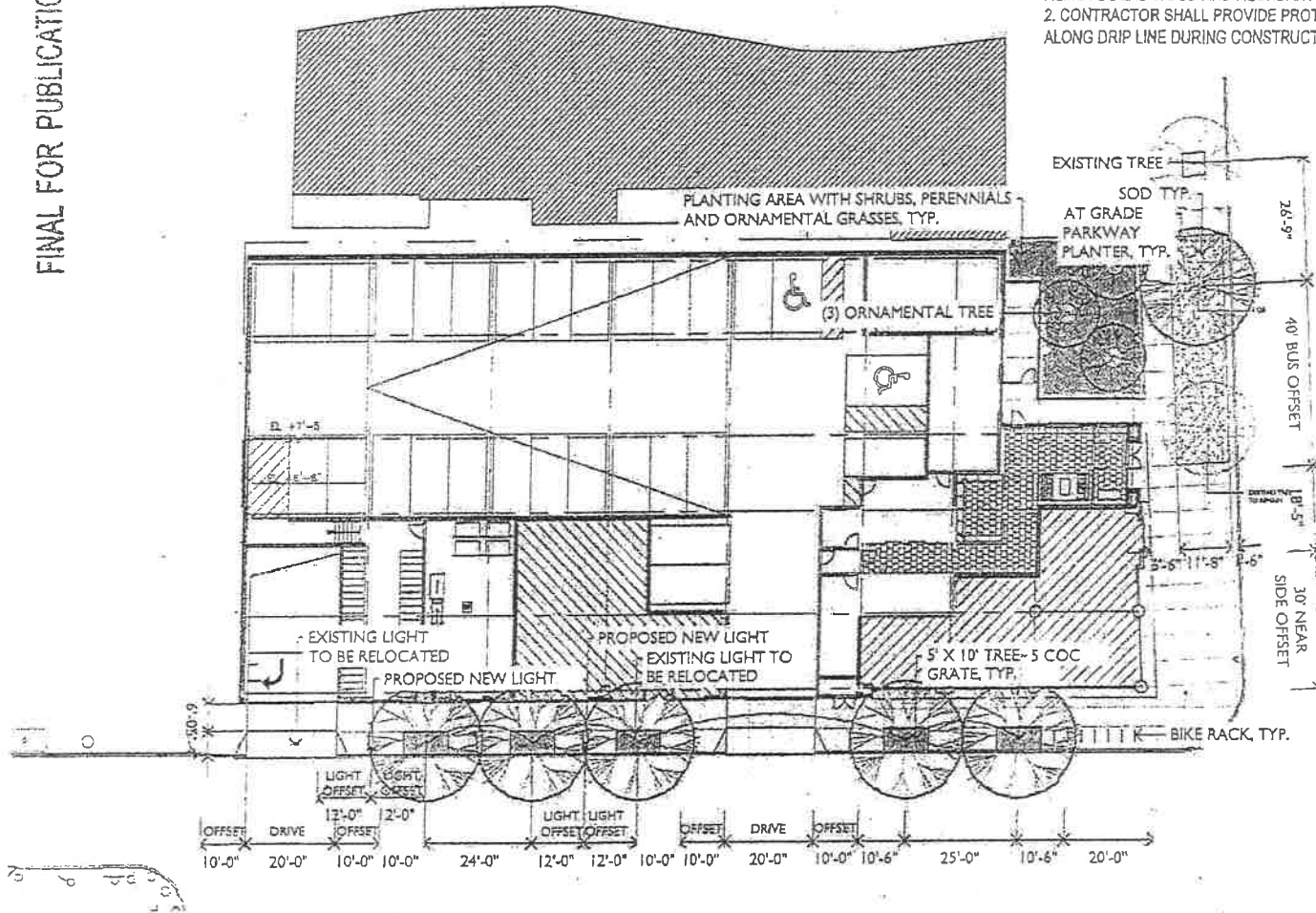
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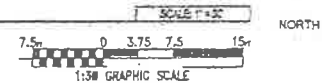
NOTE:

- 1. LOWER LIMBS OF EXISTING TREES TO BE PRUNED. REMOVE DEAD WOOD AND REDNDANT BRANCHES.
- 2. CONTRACTOR SHALL PROVIDE PROTECTION FENCE ALONG DRIP LINE DURING CONSTRUCTION.

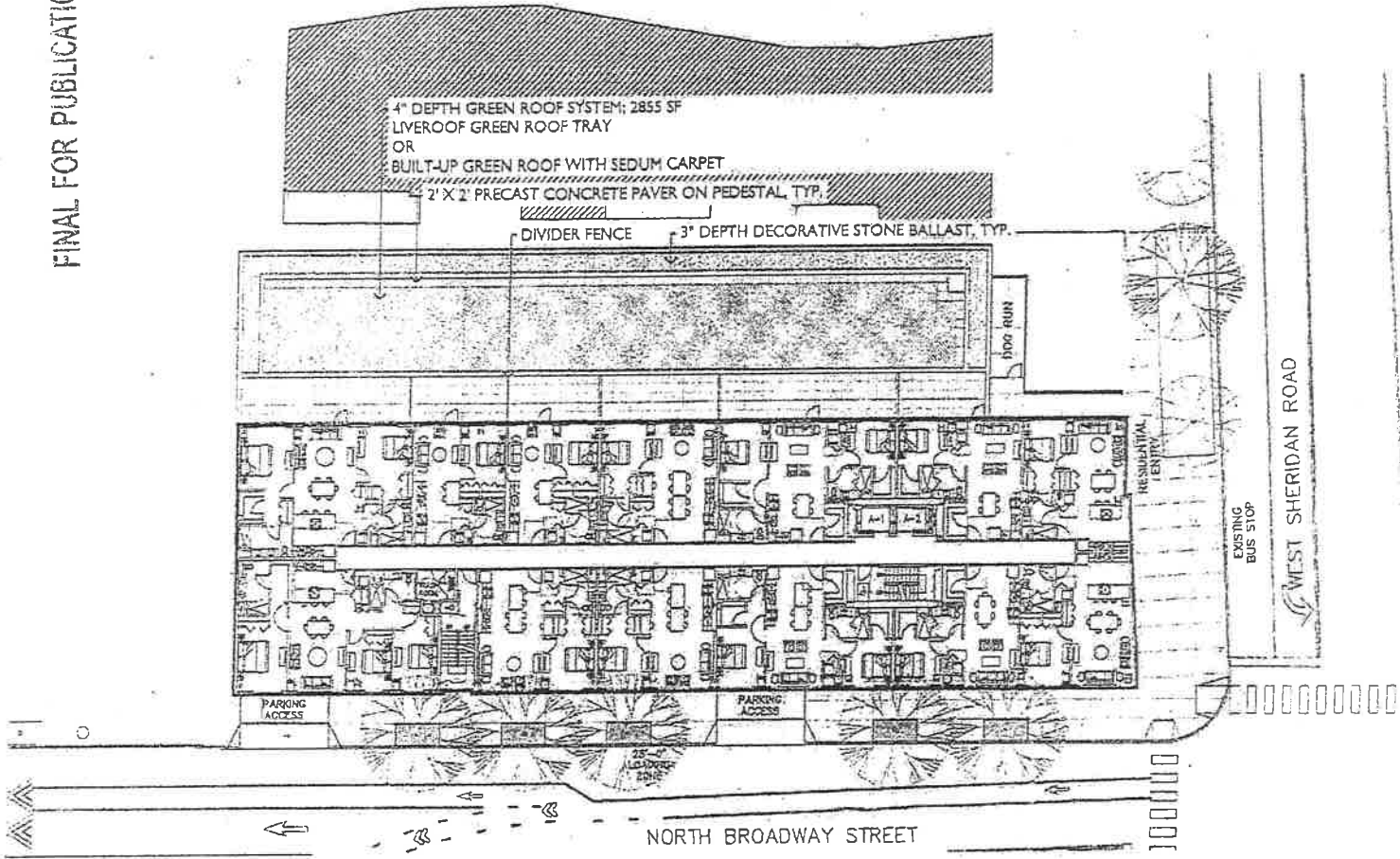


GROUND FLOOR LANDSCAPE PLAN

APPLICANT: VERMILION ACQUISITIONS, LLC
 ADDRESS: 3901 N. BROADWAY STREET, CHICAGO IL 60618
 Date Introduced: March 16, 2016
 Plan Commission: June 16, 2016

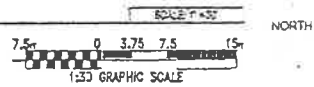


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LEVEL 03 LANDSCAPE PLAN

APPLICANT: VERMILION ACQUISITIONS, LLC
 ADDRESS: 3901 N. BROADWAY STREET, CHICAGO IL 60613
 Date Introduced: March 15, 2016
 Plan Commission: June 15, 2016

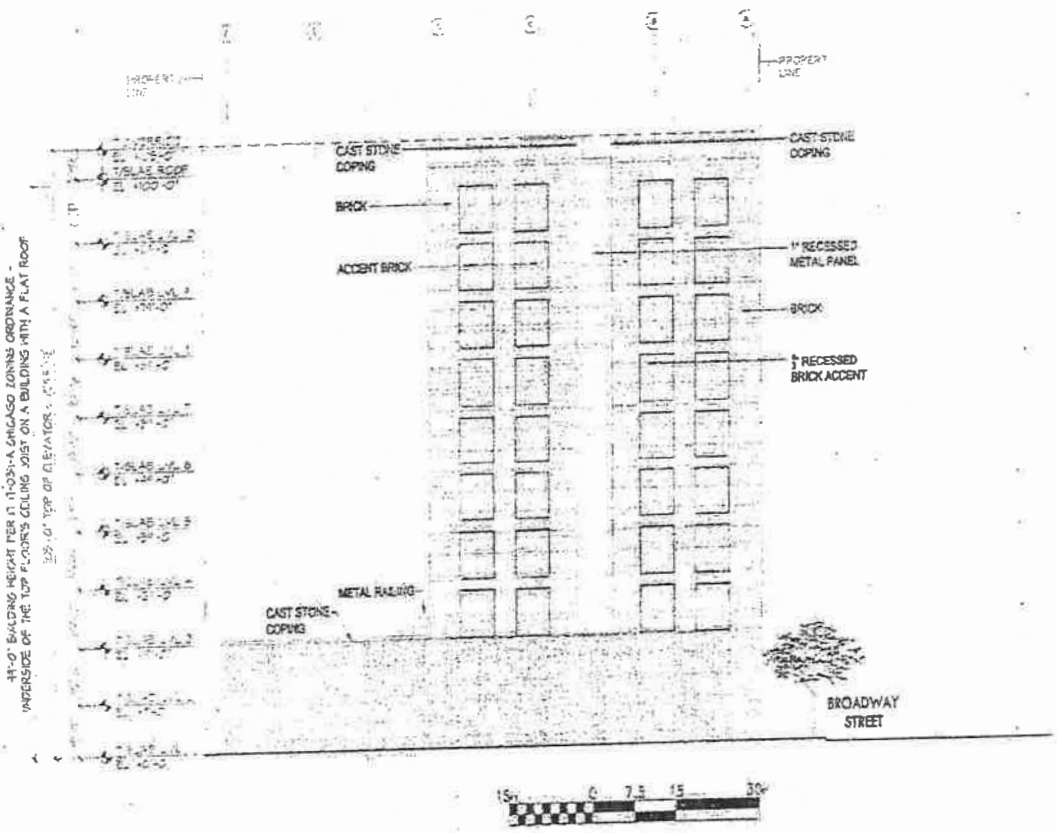


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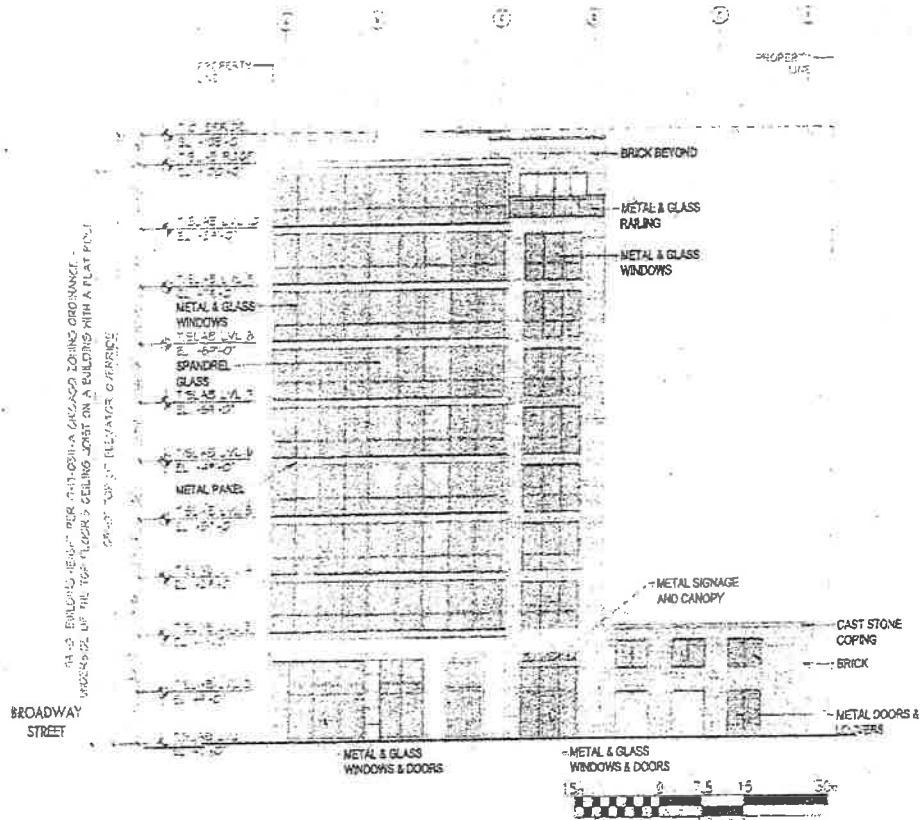
PLANNED DEVELOPMENT ELEVATIONS
 APPLICANT: VERMILION ACQUISITIONS, LLC
 ADDRESS: 3901 N. BROADWAY STREET, CHICAGO IL 60613
 Date Introduced: March 16, 2016
 Plan Commission: June 16, 2016

NORTH ELEVATION

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SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

PLANNED DEVELOPMENT ELEVATIONS

APPLICANT: VERMILION ACQUISITIONS, LLC
 ADDRESS: 3901 N. BROADWAY STREET, CHICAGO IL 60613
 Date Introduced: March 16, 2016
 Plan Commission: June 16, 2016

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9'-0" BUILDING HEIGHT PER ITC-2015-A CHICAGO ZONING ORDINANCE -
0'-0" MAX. OF THE TOP FLOOR'S CEILING. SHOWN ON A 1/4" = 1'-0" PLAN WITH A 1/4" = 1'-0" SCALE.
105'-0" TOP OF ELEVATOR OVERRIDE



PLANNED DEVELOPMENT ELEVATIONS

APPLICANT: VERMILION ACQUISITIONS, LLC
ADDRESS: 3901 N. BROADWAY STREET, CHICAGO IL 60613
Date Introduced: March 16, 2016
Plan Commission: June 16, 2016

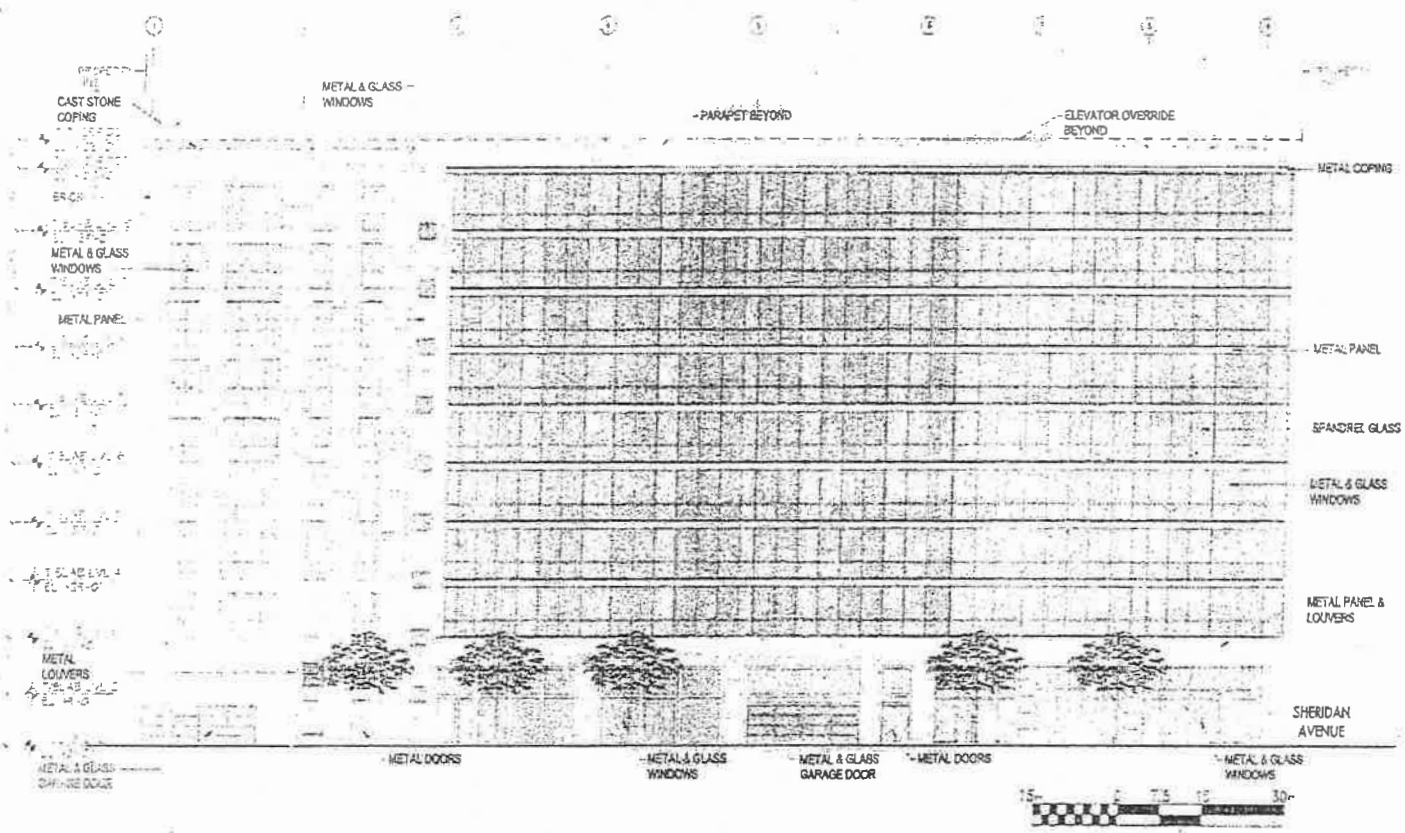
EAST ELEVATION

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PLANNED DEVELOPMENT ELEVATIONS

APPLICANT: VERMILION ACQUISITIONS, LLC
ADDRESS: 3901 N. BROADWAY STREET, CHICAGO IL 60613
Date: Introduced: March 16, 2016
Plan Commission: June 16, 2016

WEST ELEVATION

SCALE 1/8" = 1'-0"

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