

PD 1452

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20024

7/24/2019

REPORTS OF COMMITTEES

4065

*Reclassification Of Area Shown On Map No. 7-F.
(As Amended)
(Application No. 20024)
(Common Address: 3111 -- 3119 N. Broadway)*

RBPD 1452

[SO2019-3406]

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 B3-5 Community Shopping District symbols and designations as shown on Map Number 7-F in the area bounded by:

a line 100 feet south of and parallel to West Briar Place; a line 117.50 feet east of and parallel to North Broadway; a line 135.00 feet south of and parallel to West Briar Place; a line 150.00 to feet east of and parallel to North Broadway; a line 212.92 feet south of and parallel to West Briar Place; and North Broadway,

to the designation 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 herewith attached and made a part thereof and to no others.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

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

Residential-Business Planned Development No. 1452.

Planned Development Statements.

1. The area delineated herein as Planned Development Number 1452 ("Planned Development") consists of approximately 15,786 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). 3115 Properties LLC is the "Applicant" and owner of the Property for this Planned Development.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the 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.

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.

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

Ingress or egress shall be pursuant to the Planned Development 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 Chicago. Prior to the issuance of any Part II Approval, the submitted plans must be approved by the Department of Transportation. The Applicant shall enter into an agreement with the Department of Transportation to implement the provisions of this Statement 3. Such agreement shall be recorded against the Property prior to the issuance of any Part II Approval.

4. This plan of development consists of 17 Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; and Building Elevations (North, East, South and West) prepared by Hirsch MPG Architecture and Planning dated May 29, 2019 and 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 Chicago Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In ease of a conflict between the terms of this Planned Development ordinance and the Chicago Zoning Ordinance, this Planned Development shall control.
5. The following uses are permitted in the area delineated herein as a Planned Development: dwelling units located above the ground floor; artist live/work space located above the ground floor; artist work or sales space; retail; day care; cultural exhibits and libraries; office/commercial; assisted living (elderly custodial care); community home; community gardens; entertainment and spectator sports; postal services; public safety services; domestic violence residence (family) located above the ground floor; minor utilities and services; building maintenance services; business equipment sales and services; employment agencies; veterinary care; animal sales and grooming; eating and drinking establishments; liquor sales; financial services; bed and breakfasts; vacations rentals; shared housing units; medical services; personal services; repair/laundry services; residential storage warehouse; indoor urban farms; auto supply/accessory sales; motor vehicle repair shop, not including body work, painting or commercial vehicle repairs; light

equipment sales/rental; indoor communication service establishments; building materials sales; co-located wireless communication facilities; class I recycling facilities; accessory and non-accessory parking and related; incidental 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 Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a net site area of 15,786 square feet and a base FAR of 5.0.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, 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, including Section 17-13-0800. 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 13-32-085, or any other provision of the Municipal Code of Chicago.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors.
13. The Applicant acknowledges that it is in the public interest to design, construct, renovate, and maintain all buildings in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and

regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II Review process is initiated for each improvement that is subject to the aforementioned policy and must provide documentation verifying compliance.
15. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority- and Women-owned Business Enterprises ("M/WBEs") and City residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the City in promoting and tracking such M/WBE and City resident participation, an applicant for planned development approval shall provide information at three points in the City approval process. First, the applicant must submit to Department of Planning and Development ("DPD"), as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of City residents in the construction work. The City encourages goals of 26 percent MBE and 6 percent WBE participation (measured against the total construction budget for the project or any phase thereof), and *(ii) 50 percent City resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the applicant's proposed outreach plan designed to inform M/WBEs and City residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II Permit Review for the project or any phase thereof, the applicant must submit to DPD (a) updates (if any) to the applicant's preliminary outreach plan, (b) a description of the applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof, (c) responses to the applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and City resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the applicant must provide DPD with the actual level of M/WBE and City resident participation in the project or any phase thereof, and evidence of such participation. In addition to the foregoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and City residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator.

* Editor's Note: Numbering sequence error; (i) missing in original document.

DPD will report the data it collects regarding projected and actual employment of M/WBEs and City residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

16. The Applicant acknowledges and agrees that the transition of the Property to this Planned Development triggers the requirements of Section 2-44-080 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 ("ARO Units") as affordable units or with the approval of the Commissioner of the Department of Housing (subject to the transition provisions of Section 2-44-040(c)), in consultation with the Commissioner of the Department of Planning and Development ("DPD") as appropriate; (ii) pay a fee in lieu of the development of the ARO Units (Cash Payment); 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 ARO Units on-site or off-site (Required Units). If the developer elects to provide ARO Units off-site, the off-site ARO Units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a higher income area within the meaning of the ARO, and the project has a total of 72 units. As a result, the Applicant's affordable housing obligation is 7 ARO Units (10 percent of 72 rounded down), 7 of which are Required Units (100 percent ARO on-site requirement due to TSL project receiving 4.0 FAR). Applicant has agreed to satisfy its affordable housing obligation by providing 7 ARO Units in the rental building to be constructed in the Planned Development to be approved by the Department of Housing in consultation with DPD as appropriate, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit A. The Applicant agrees that the ARO 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 ARO Units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Housing for review and approval, and DOH may adjust the number of required ARO 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 execute and record an affordable housing agreement in accordance with Section 2-44-080(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 Housing may enforce remedies for any breach of this Statement 16, 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.

17. This Planned Development shall be governed by Section 17-13-0612. 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 B3-5 Community Shopping District.

[ARO Affordable Housing Profile Form; ARO Web Form; Typical Wall Section through West Exterior Wall; Level Two, Three and Four Floor Plans; Existing Zoning Map; Existing Use Map (400 feet in each direction); Property Line and Boundary Map; Site Plan; Landscape Plan; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 4071 through 4087 of this *Journal*.]

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

Residential-Business Planned Development No. 1452.

Bulk Regulations And Data Table.

Grass Site Area (square feet):	19,512
Area of Public Rights-of-Way (square feet):	3,726
Net Site Area (square feet):	15,786
Maximum Floor Area Ratio:	5.00
Maximum Number of Dwelling Units:	72
Minimum Accessory Off-Street Parking Spaces:	36
Maximum Non-Accessory Off-Street Parking Spaces:	24
Minimum Bicycle Parking Spaces:	72
Minimum Off-Street Loading Spaces:	0
Maximum Building Height:	82 feet, 9 inches
Minimum Setbacks:	Per plans

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ARO Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 ARO (all projects submitted to City Council after October 13, 2015). More information is online at www.cityofchicago.org/ARO.

This completed form should be returned to the Department of Housing (DOH), 121 N LaSalle Street, 10th Floor, Chicago, IL 60602. E-mail: ARO@cityofchicago.org

Date: May 31, 2019

DEVELOPMENT INFORMATION

Development Name: 3115 N. Broadway

Development Address: 3111-3119

Zoning Application Number, if applicable: 20024

Ward: 44th Ward

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

Heidi Sperry

Type of City Involvement

check all that apply

City Land

Planned Development (PD)

Financial Assistance

Transit Served Location (TSL) project

Zoning increase

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received

- ARO Web Form completed and attached - or submitted online on
- ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (*Excel*)
- If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (*pdf*)
- If ARO units proposed are off-site, required attachments are included (see next page)
- If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached (*pdf*)

DEVELOPER INFORMATION

Developer Name 3115 Properties LLC

Developer Contact John Mengel

Developer Address 778 W FRONTAGE RD STE 124 NORTHFIELD, IL 60093

Email john@jsmventure.com

Developer Phone 847-441-9797

Attorney Name Meg George, Akerman LLP

Attorney Phone 312-634-5700

TIMING

Estimated date marketing will begin June 2020

Estimated date of building permit* October 2019

Estimated date ARO units will be complete 3rd Qtr 2020

*the in-lieu fee, recorded covenant and \$5,000 per unit administration fee (for off-site units) are required prior to the issuance of any building permits, including the foundation permit.

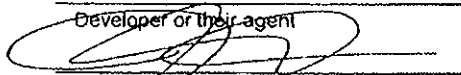
PROPOSED UNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

/s/ John Mengel

5/31/2019

Developer or their agent

Date



5/31/19

Justin Root or Denise Roman, DOH

Date



AR O A F F O R D A B L E H O U S I N G P R O F I L E F O R M

Last updated January 11, 2019



ARO Web Form

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Applicant Contact Information
 Name: 3115 Properties LLC
 Email: john@jsmventure.com

Development Information

Address **Printed Date: 05/30/2019**

Number From: 3111 Number To: 3119 Direction: N
 Street Name: Broadway Postal Code: 60657

Development Name
 3115 Properties LLC

Are you rezoning to downtown?: No
 Is your project subject to the ARO Pilots?: 2015 ARO REQUIREMENTS APPLY

Information

Ward: 44 ARO Zone: Higher Income

Details
 ARO trigger: DP
 Total units 72
 Development type: Rent
 TSL project: 4.0 FAR (100% ARO on-site requirement)
 Date submitted: 05/31/2019

Requirements

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Affordable units: 7 *On-site aff. Units: 7

How do you intend to meet your required obligation

On-Site: 7 Off-Site: 0

On-Site to CHA or Authorized agency: 0 Off-Site to CHA or Authorized agency: 0

Total Units: 7 In-Lieu Fee Owed: 0

All projects with proposed ARO units must complete this tab

	Market Rate Units	Affordable Units	unit type	market rate			ARO			affordabi e v. market square footage*
				how many?	% of total	avg. square footage	how many?*	% of total	avg. square footage	
Parking	not included but available	not included but available	studio	22	34%	589	2	29%	571	97%
Laundry	in-unit washer-dryer	in-unit washer-dryer	one-bed	46	71%	585	5	71%	583	100%
Appliances			two-bed	4	6%	935	0	0%	#DIV/0!	#DIV/0!
Refrigerator <i>age/EnergyStar/make/model/color</i>	Whirlpool WRB329DMSS or similar/new/stainless steel	Whirlpool WRB329DMSS or similar/new/stainless steel	three-bed	0	0%	#DIV/0!	0	0%	#DIV/0!	#DIV/0!
Dishwasher <i>age/EnergyStar/make/model/color</i>	Whirlpool WDF520PADSS or similar /new/stainless steel	Whirlpool WDF520PADSS or similar /new/stainless steel	four-bed	0	0%	#DIV/0!	0	0%	#DIV/0!	#DIV/0!
Stove/Oven <i>age/EnergyStar/make/model/color</i>	Whirlpool WEE510S0F5 or similar /new/stainless steel	Whirlpool WEE510S0F5 or similar /new/stainless steel								
Microwave <i>age/EnergyStar/make/model/color</i>	Whirlpool WMH31017SS or similar /new/stainless steel	Whirlpool WMH31017SS or similar /new/stainless steel								
Bathroom(s) <i>how many?</i> <i>Half bath? Full bath?</i>	1 full bath per unit	1 full bath per unit								
Kitchen countertops <i>material</i>	quartz or equal	quartz or equal								
Flooring <i>material</i>	Vinyl plank or equal	Vinyl plank or equal								
HVAC	included	included								
Other										

Project Name	3115 N. Broadway
Zoning Application number, if applicable	
Address	
Is this a For Sale or Rental Project?	Rental
Anticipated average psf rent/price?*	TBD

Total Units in Project	72
Total Affordable units	7

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NORTH BROADWAY



Level 2 Floor Plan

3115 Properties, LLC 3115-3123 North Broadway Chicago, Illinois

31 May, 2019
18057
AJM

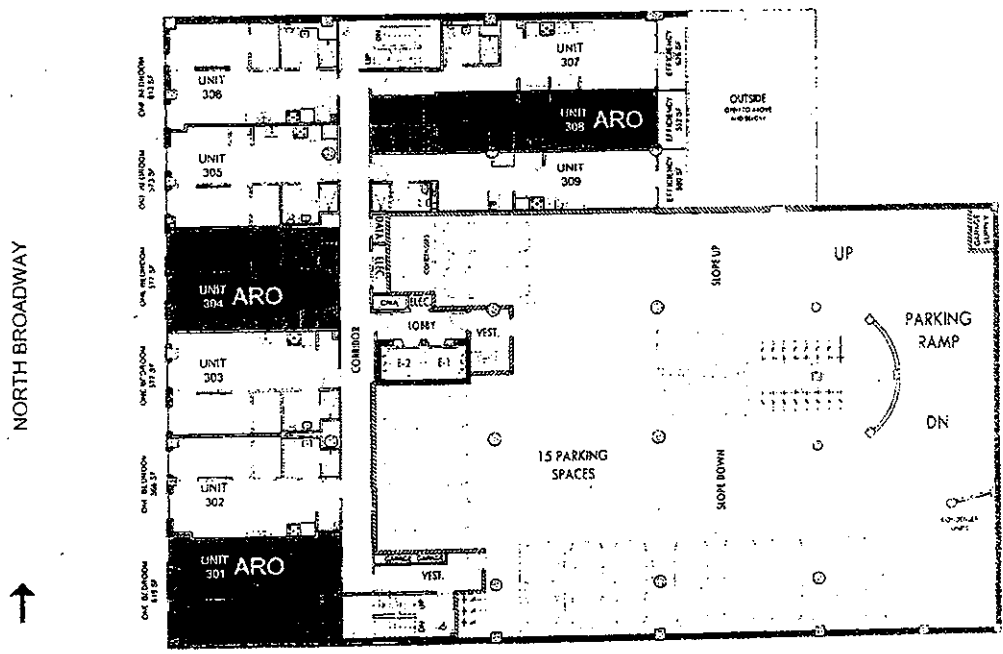
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Hirsch|MPG
ARCHITECTURE • PLANNING

2

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NORTH BROADWAY
↑
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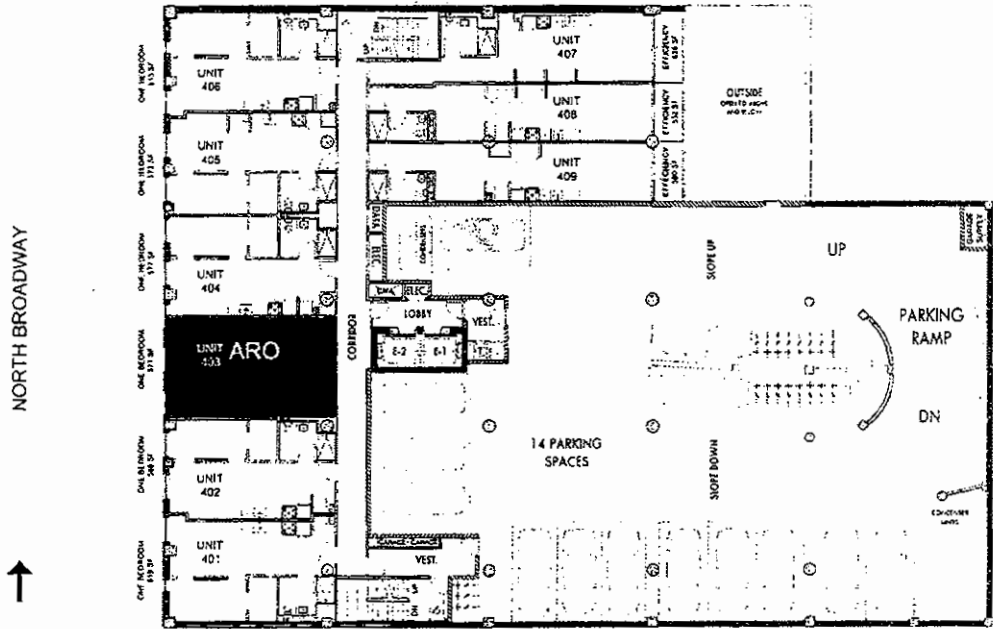
Level 3 Floor Plan

3115 Properties, LLC 3115-3123 North Broadway Chicago, Illinois

31 May, 2019
18057
AJM

Hirsch|MPG
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Level 4 Floor Plan

Scale: 1/16" = 1'-0"

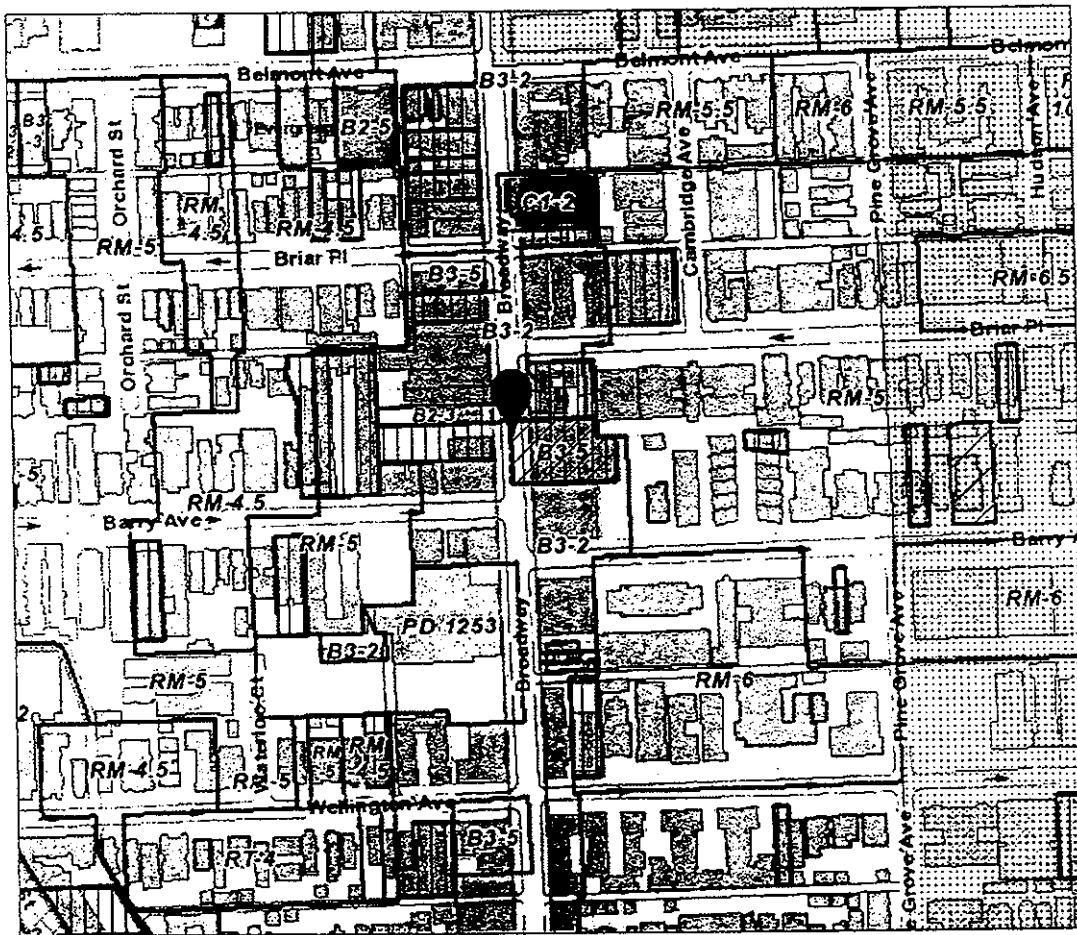
3115 Properties, LLC 3115-3123 North Broadway Chicago, Illinois

31 May, 2019
18057
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ARCHITECTURE + PLANNING

4






 AREA OF PLANNED DEVELOPMENT (GROSS)

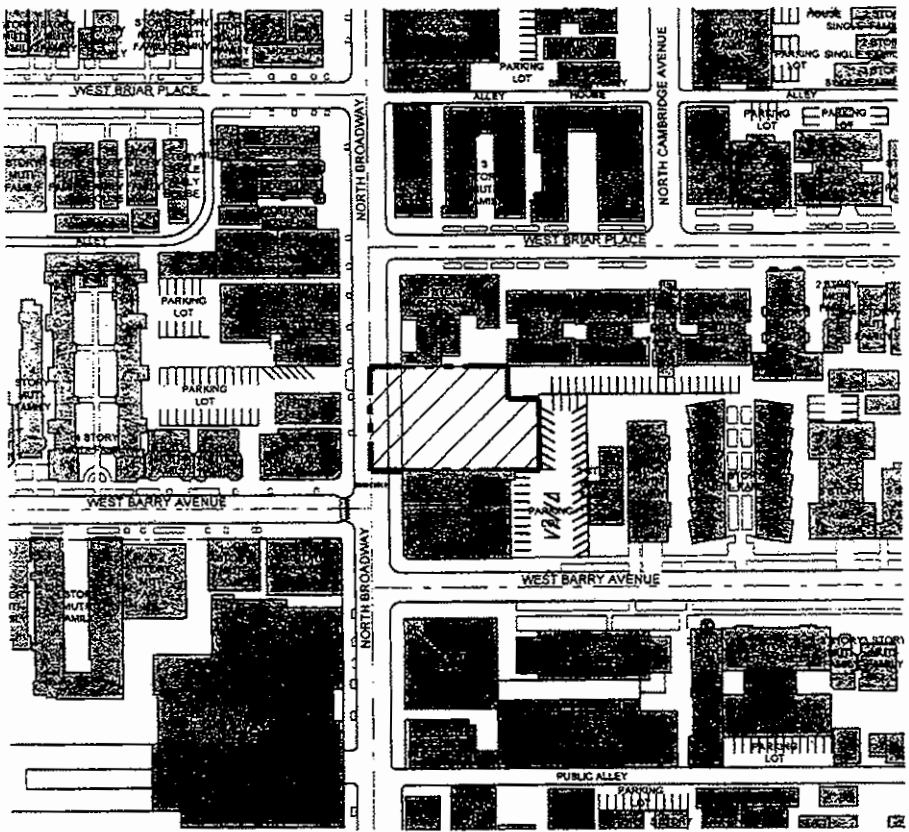
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NOT TO SCALE



PLANNED DEVELOPMENT EXISTING ZONING MAP (600' in each direction)

APPLICANT: 3115 Properties LLC
 ADDRESS: 3115-3123 North Broadway
 Date introduced: 3 April, 2019
 Plan Commission:




 AREA OF PLANNED DEVELOPMENT (GROSS)

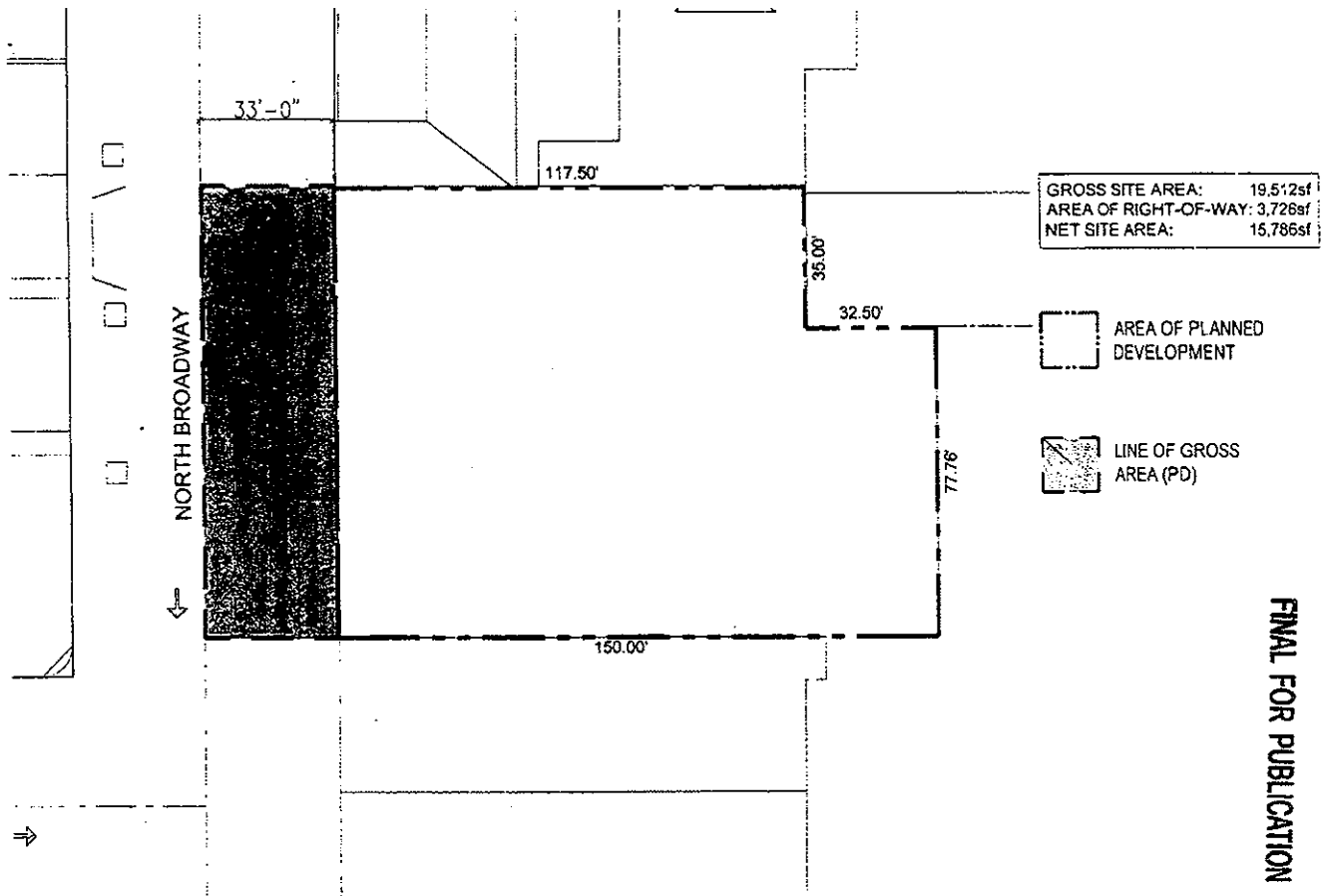
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PLANNED DEVELOPMENT EXISTING USE MAP (400' in each direction)

APPLICANT: 3115 Properties LLC
 ADDRESS: 3115-3123 North Broadway
 Date Introduced: 3 April, 2019
 Plan Commission:

NOT TO SCALE

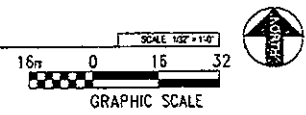




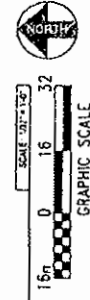
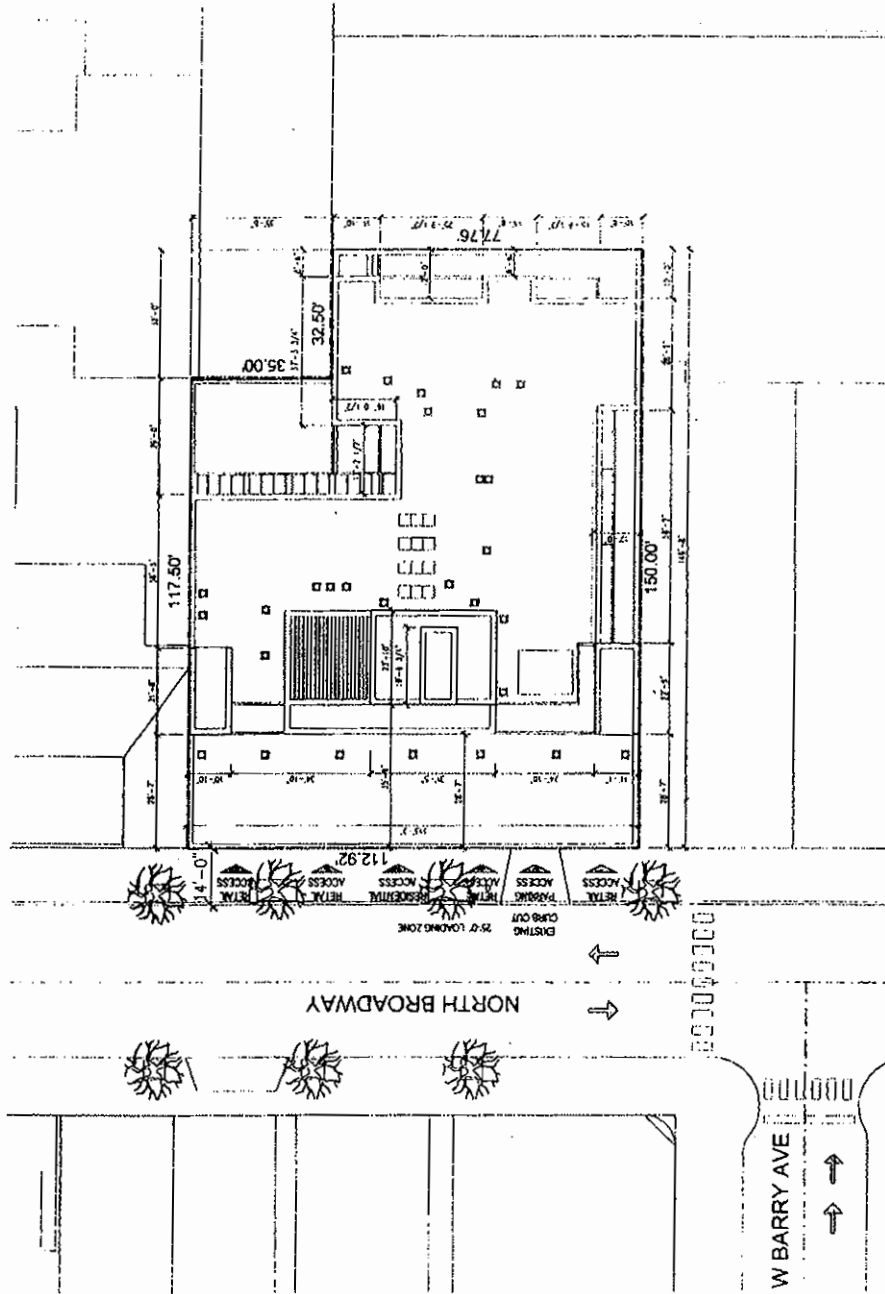
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PLANNED DEVELOPMENT PROPERTY LINE & BOUNDARY MAP

APPLICANT: 3115 Properties LLC
ADDRESS: 3115-3123 Broadway
Date Introduced: 3 April, 2019
Plan Commission:

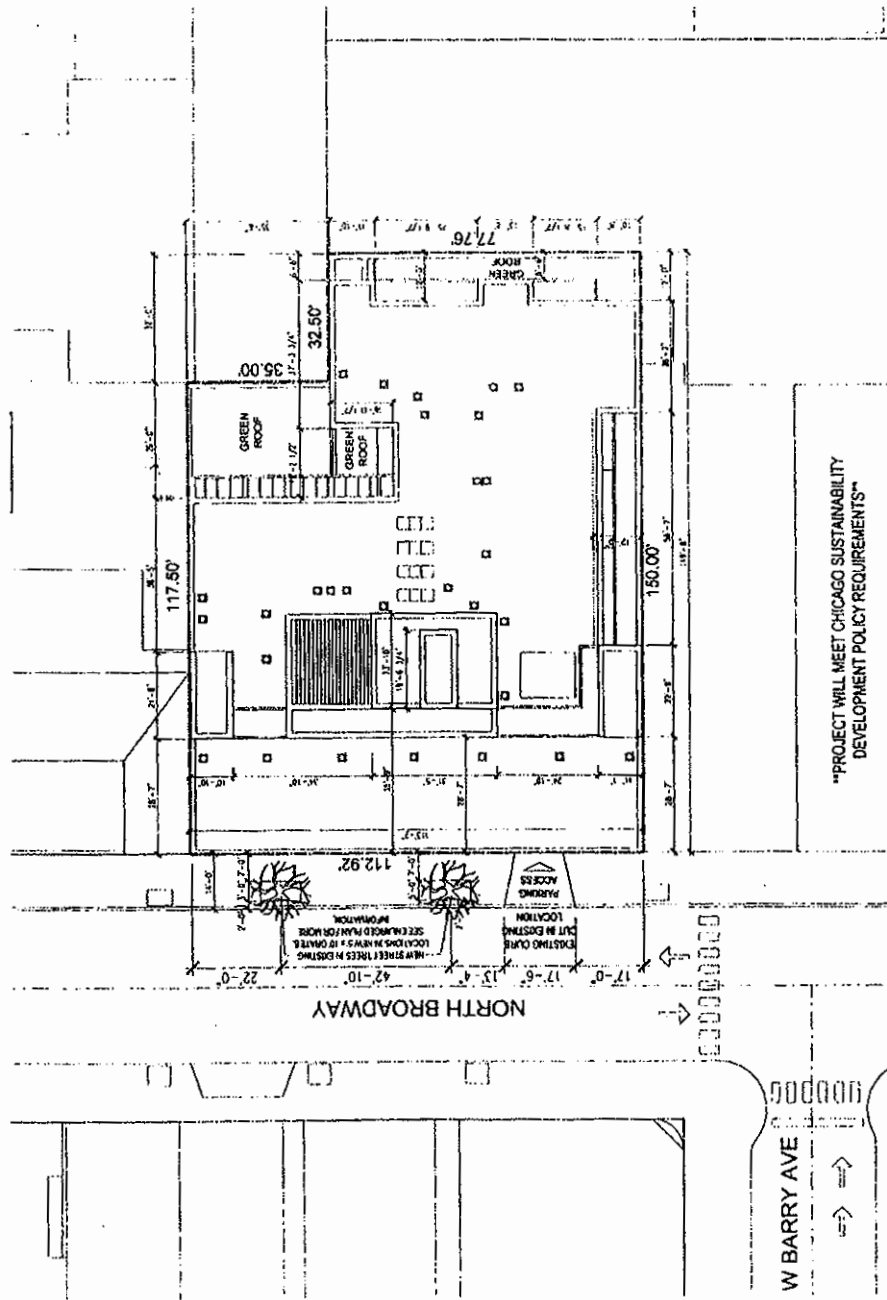


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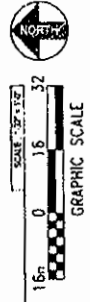


PLANNED DEVELOPMENT SITE PLAN
 APPLICANT: 3115 Properties LLC
 ADDRESS: 3115-3123 North Broadway
 Date Introduced: 3 April, 2019
 Plan Commission:

FINAL FOR PUBLICATION



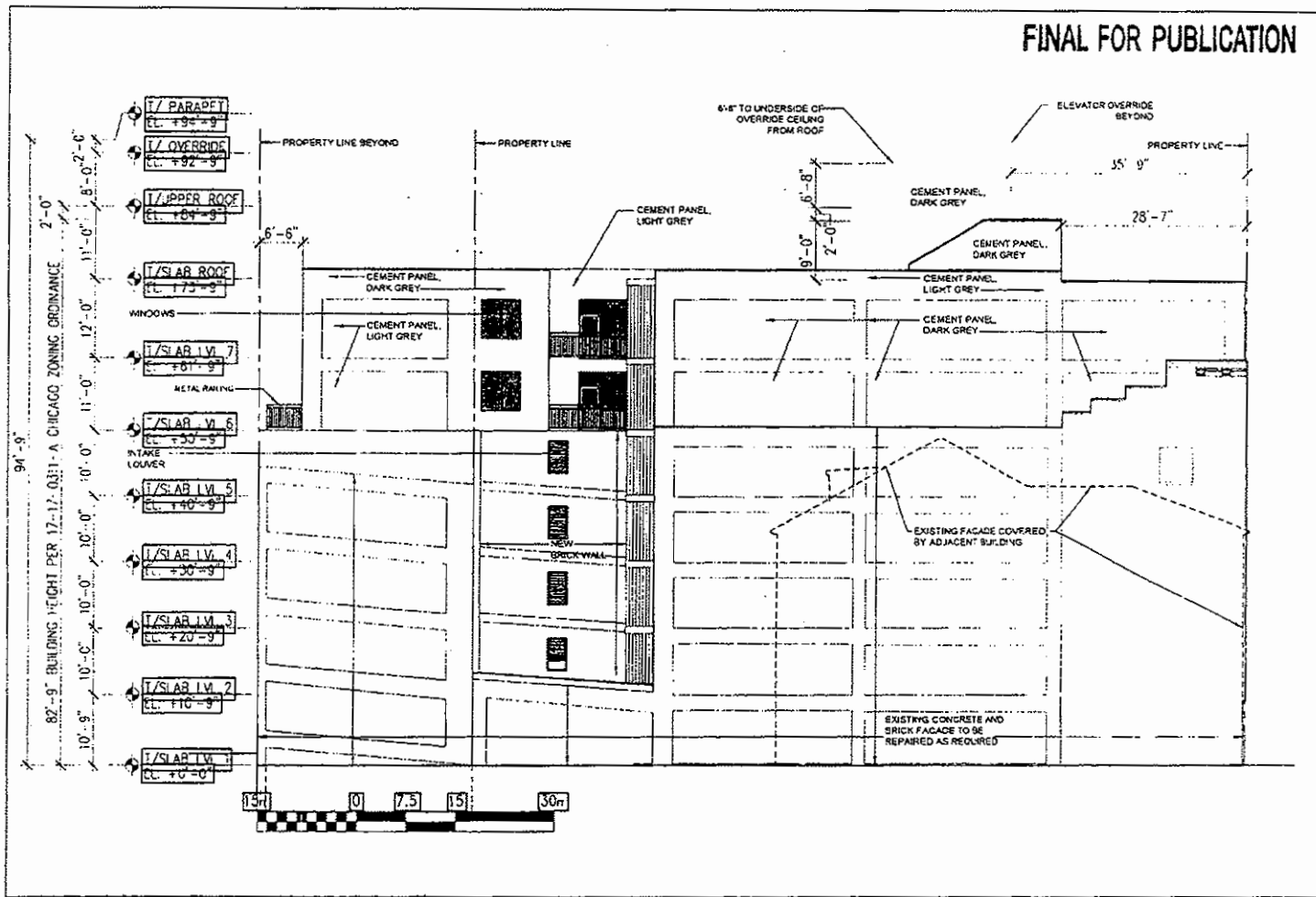
PROJECT WILL MEET CHICAGO SUSTAINABILITY DEVELOPMENT POLICY REQUIREMENTS



PLANNED DEVELOPMENT LANDSCAPE PLAN

APPLICANT: 3118 Properties LLC
 ADDRESS: 3115-3123 North Broadway
 Date Introduced: 3 April, 2019
 Plan Commission:

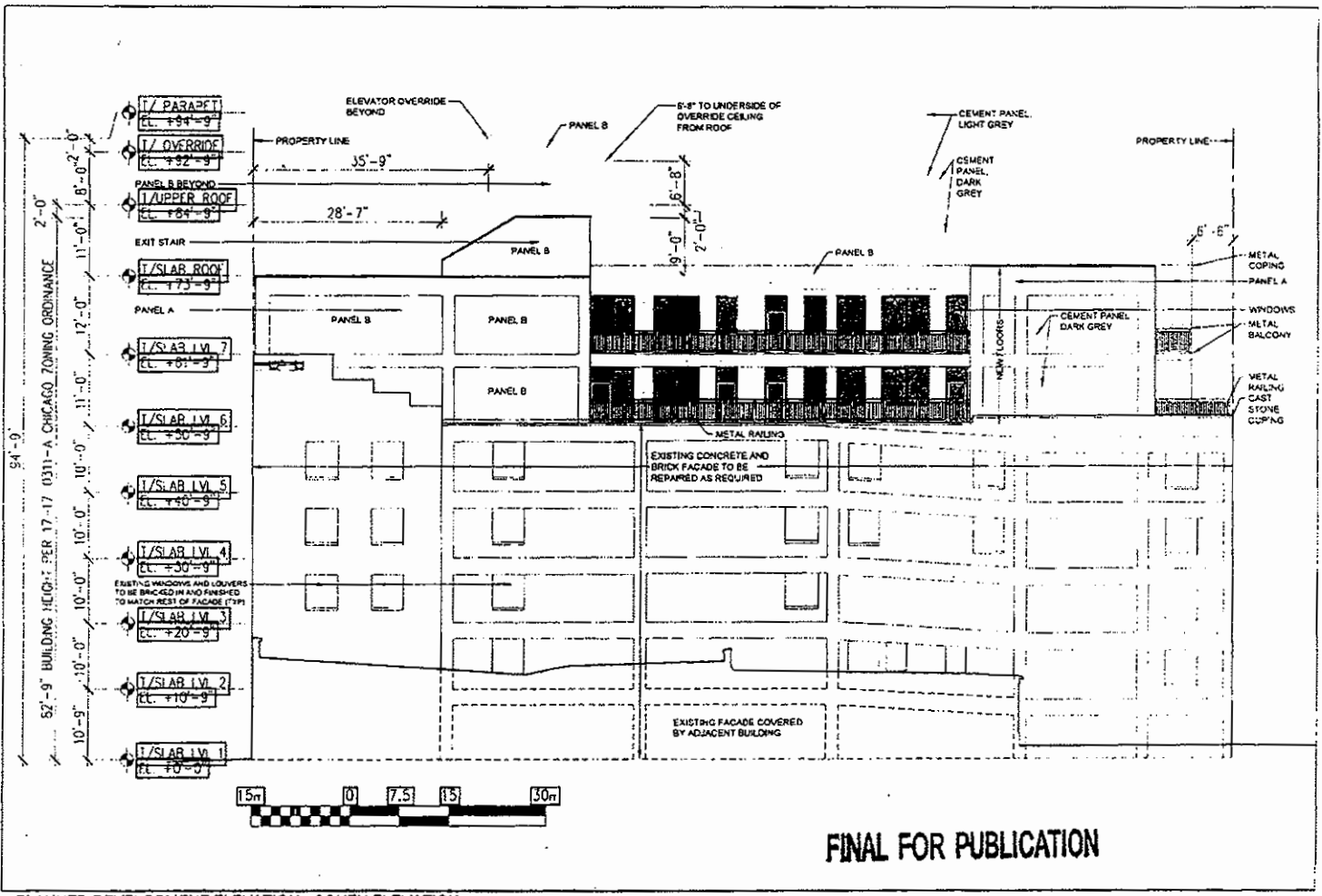
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PLANNED DEVELOPMENT ELEVATION - NORTH ELEVATION

APPLICANT: 3115 Properties LLC
 ADDRESS: 3111-3119 North Broadway
 Date Introduced: 20 April, 2019
 Plan Commission:

NOT TO SCALE



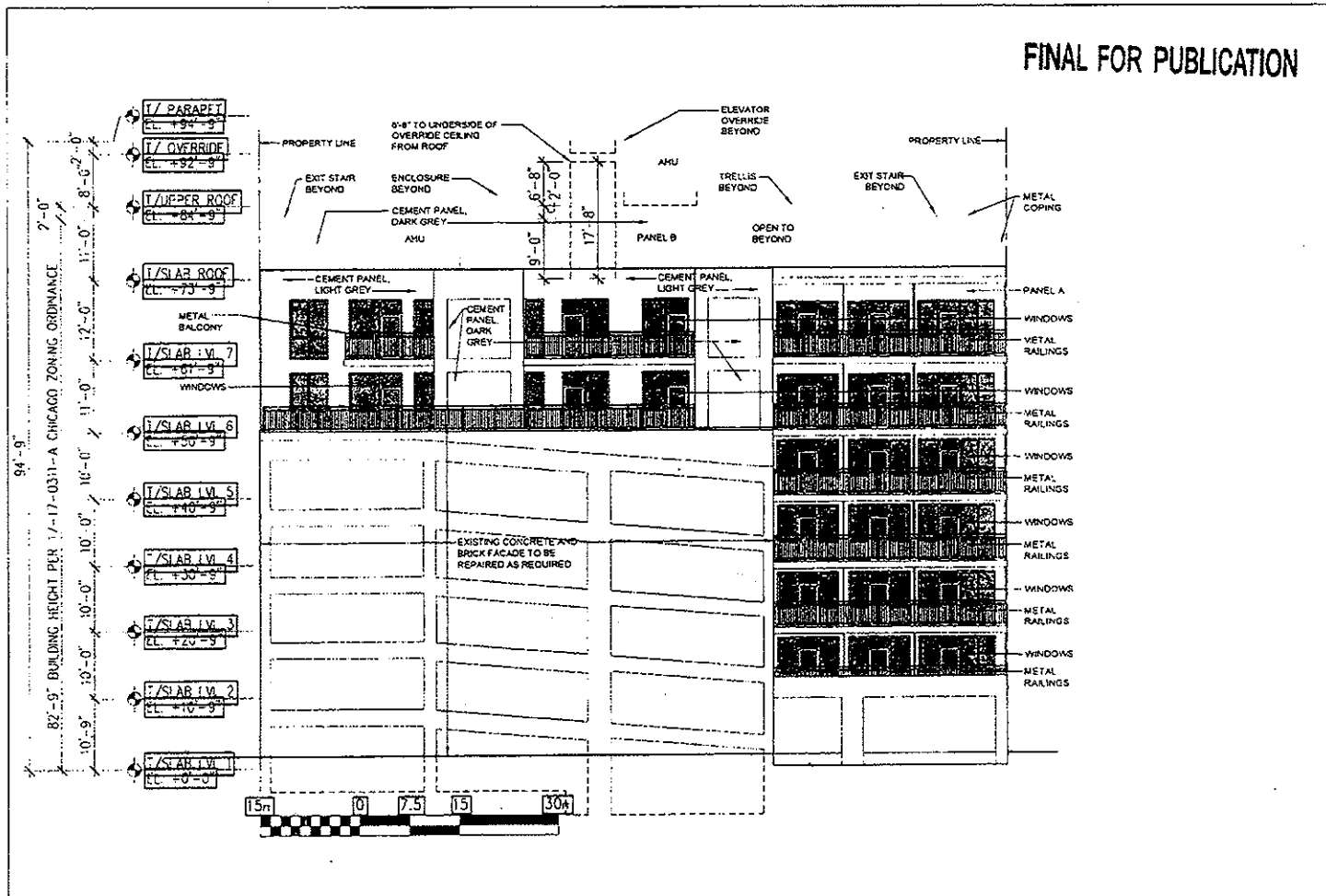
PLANNED DEVELOPMENT ELEVATION - SOUTH ELEVATION

NOT TO SCALE

APPLICANT: 3115 Properties LLC
 ADDRESS: 3111-3119 North Broadway
 Date Introduced: 20 April, 2019
 Plan Commission:

FINAL FOR PUBLICATION

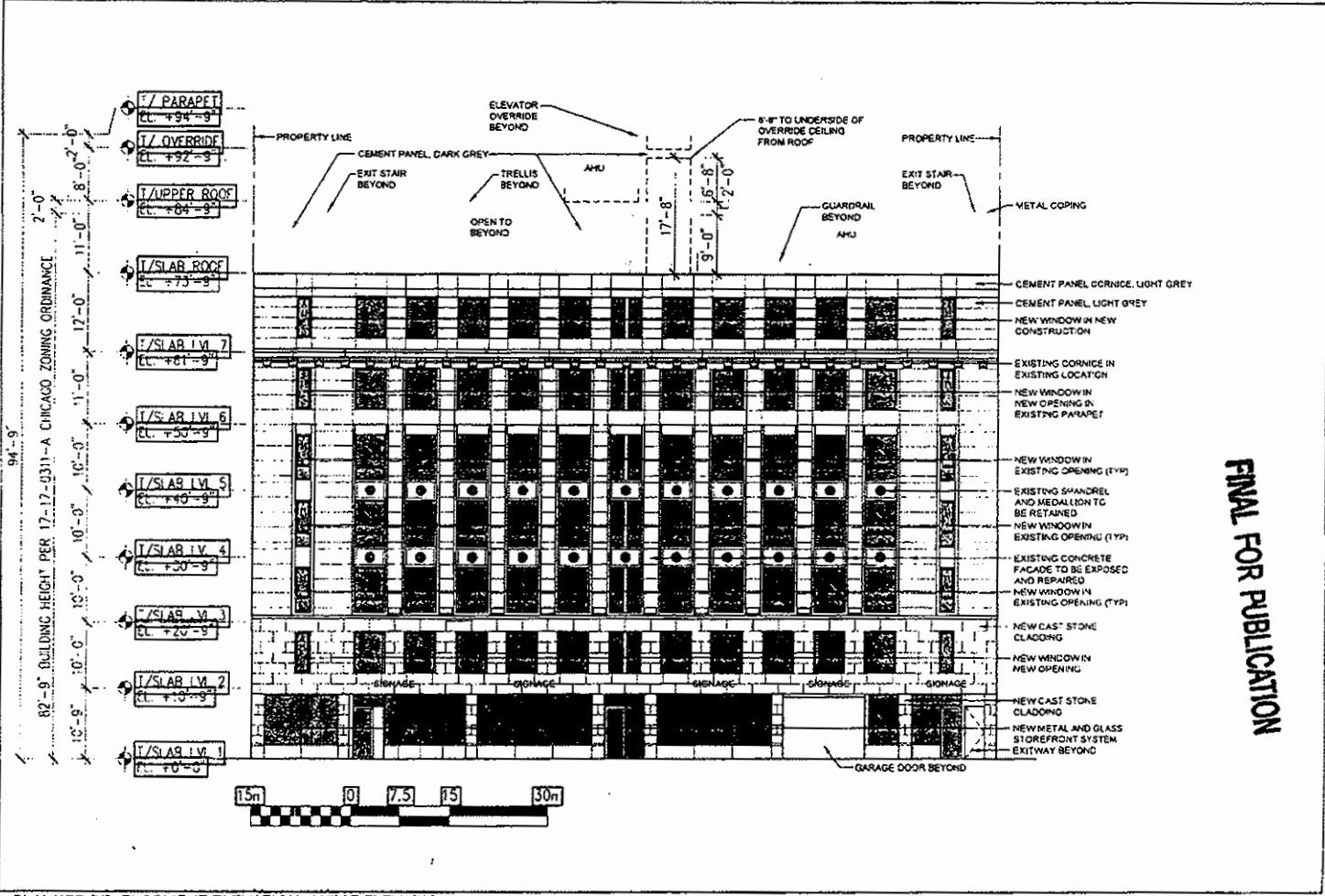
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PLANNED DEVELOPMENT ELEVATION - EAST ELEVATION

APPLICANT: 3115 Properties LLC
 ADDRESS: 3111-3119 North Broadway
 Date Introduced: 29 April, 2019
 Plan Commission:

NOT TO SCALE



FINAL FOR PUBLICATION

PLANNED DEVELOPMENT ELEVATION - WEST ELEVATION

APPLICANT: 3115 Properties LLC
 ADDRESS: 3111-3119 North Broadway
 Date Introduced: 20 April, 2019
 Plan Commission:

NOT TO SCALE