

CITY OF CHICAGO
APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

#20113
INTRO DATE
July 24, 2011

1. ADDRESS of the property Applicant is seeking to rezone:
158-184 North Ada Street and 1353-1367 West Lake Street, Chicago, Illinois

2. Ward Number that property is located in: 27

3. APPLICANT: Marquette Management LLC

ADDRESS: 135 Water Street, 4th Floor CITY: Naperville

STATE: Illinois ZIP CODE: 60540 PHONE: 312-782-1983

EMAIL: sara@sambankslaw.com CONTACT PERSON: Sara Barnes – Attorney

4. Is the Applicant the owner of the property? YES NO

If the Applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the application to proceed.

OWNER: Same As Above

ADDRESS: _____ CITY: _____

STATE: _____ ZIP CODE: _____ PHONE: _____

EMAIL: _____ CONTACT PERSON: _____

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:

ATTORNEY: Law Offices of Samuel V.P. Banks

ADDRESS: 221 North LaSalle Street, 38th Floor

CITY: Chicago STATE: Illinois ZIP CODE: 60601

PHONE: (312) 782-1983 FAX: 312-782-2433 EMAIL: sara@sambankslaw.com

6. If the Applicant is a legal entity (Corporation, LLC, Partnership, etc.), please provide the names of all owners as disclosed on the Economic Disclosure Statements.
Darren Sloniger – Manager
7. On what date did the owner acquire legal title to the subject property?
January 2017
8. Has the present owner previously rezoned this property? If Yes, when?
Yes – September 6, 2017
9. Present Zoning District: Residential-Business Planned Development No. 1384
Proposed Zoning District: Residential-Business Planned Development No. 1384, As Amended
10. Lot size in square feet (or dimensions): 41,596 square feet
11. Current Use of the Property: The subject property is currently improved with a new thirteen-story residential building, constructed pursuant to Planned Development 1384 (original 2017).
12. Reason for rezoning the property: The Applicant is seeking to amend the existing Planned Development No. 1384, and the uses permitted and prescribed therein, in order to establish a restaurant-bar within one of the grade-level spaces, within the existing building.
13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling unit number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC) The Applicant is seeking an amendment to the existing Residential-Business Planned Development No. 1384, and the uses permitted and prescribed therein, in order to establish a restaurant-bar (1,482.25 square feet) within one of the grade-level spaces, within the existing thirteen-story building, at the subject site. The existing thirteen-story building, which contains residential amenity and lobby areas – at grade level and 263 dwelling units – above, will remain unchanged, but/for the interior buildout of the proposed restaurant-bar. There is and will continue to be parking for 128 vehicles and 134 bicycles, within the interior of the 1st Floor, pursuant to the Transit Oriented Development (TOD) Ordinance. The existing building is masonry, steel and glass in construction and measures 162 feet-5 inches in height.
14. The Affordable Requirements Ordinance (ARO) requires on-site affordable housing units and/or a financial contribution for residential housing projects with ten or more units that receive a zoning change which, among other triggers, increases the allowable floor area, or, for existing Planned Developments, increases the number of units (see attached fact sheet or visit www.cityofchicago.org/ARO for more information). Is this project subject to the ARO?
YES _____ NO X

COUNTY OF COOK
STATE OF ILLINOIS

I, DARREN SLONIGER, being first duly sworn on oath, state that all of the above statements and the statements contained in the documents submitted herewith are true and correct.

Darren Sloniger

Signature of Applicant

Subscribed and sworn to before me this

11th day of July, 2019.

Karen M. Rediger
Notary Public



For Office Use Only

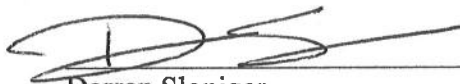
Date of Introduction: _____

File Number: _____

Ward: _____

To whom it may concern:

I, DARREN SLONIGER, on behalf of Marquette Management Inc. – the Applicant, with regard to the property located at 158-184 North Ada Street and 1353-1367 West Lake Street, Chicago, Illinois, authorize the Law Offices of Samuel V.P. Banks to file an application for a *Zoning Map Amendment – Amendment to Planned Development No. 1384*, before the City of Chicago – City Council, for that property.

A handwritten signature in black ink, appearing to read 'DS', is written over a horizontal line.

Darren Sloniger
Marquette Management Inc.

-FORM OF AFFIDAVIT-

Chairman, Committee on Zoning
Room 304 - City Hall
Chicago, IL 60602

To Whom It May Concern:

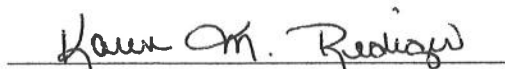
I, DARREN SLONIGER, on behalf of Marquette Management Inc., understand that the Law Offices of Samuel V.P. Banks has filed a sworn affidavit identifying Marquette Management Inc. as holding interest in land subject to the proposed *Zoning Map Amendment – Amendment to Planned Development 1384*, for the property generally identified as 158-184 North Ada Street and 1353-1367 West Lake Street, Chicago, Illinois.

I, DARREN SLONIGER, being first duly sworn under oath, depose and say that Marquette Management Inc. holds that interest for itself, and for no other person, association, or shareholder.


Darren Stoniger

7/11/19
Date

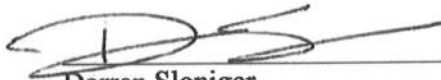
Subscribed and sworn to before me
this 11th day of July, 2019.


Notary Public



To whom it may concern:

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Darren Sloniger
Marquette Management Inc.

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Chairman, Committee on Zoning
Room 304 - City Hall
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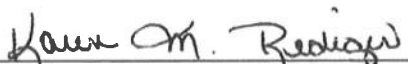
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I, DARREN SLONIGER, being first duly sworn under oath, depose and say that Marquette Management Inc. holds that interest for itself, and for no other person, association, or shareholder.


Darren Sloniger

7/11/19
Date

Subscribed and sworn to before me
this 11th day of July, 2019.


Notary Public



ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the Residential-Business Planned Development No. 1384 District symbols and indications as shown on Map No. 1-G in the area bounded by

West Lake Street; North Ada Street; a line 271.27 feet south of and parallel to West Lake Street; the alley next west of and parallel to North Ada Street; the alley south of and parallel to West Lake Street; and a line 161.02 feet west of and parallel to north Ada Street,

to those of a Residential-Business Planned Development No. 1384, as Amended 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 thereto and to no others.

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

Common address of property: 158-184 North Ada Street and
1353-1367 West Lake Street

**RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1384, AS AMENDED
PLAN OF DEVELOPMENT STATEMENTS**

1. The area delineated herein as Residential-Business Planned Development No. 1384, *as amended* ("Planned Development"), consists of approximately *forty-one thousand five hundred ninety-six square feet* (41,596 SF) of real property (the "Subject Property"), as shown, which is depicted on the attached Planned Development Boundary and Property Line Map. The Applicant – Marquette Management Inc., an Illinois Corporation, has filed this application on its own behalf and upon its own volition.

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, shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Subject 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 Chicago 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.

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.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks

- ADA crosswalk ramps
- Parkway & landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation.

4. This Plan of Development consists of seventeen (17) Statements: a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Site Plan; Floor Plans; a Landscape and Green Roof Plan; and Building Elevations, all of which were prepared by Brininstool + Lynch Ltd. and dated **March 29, 2017** and which are submitted and referenced herein - accordingly.

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 tenets of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are allowed in the area delineated herein as Residential-Business Planned Development No. 1384, *as amended*, and shall include the following: dwelling units above the ground floor; office; retail sales; general food and beverage retail sales; eating and drinking establishments (including tavern); vacation rental; personal services, non-accessory parking (up to *forty-five* percent, pursuant to Section 17-10-0503), incidental and accessory uses, and accessory off-street parking and loading.
6. On-premise 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 (DPD). Off-premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height calculations and measurements, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations established by the Federal Aviation Administration (FAA).
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 purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply.

The maximum permitted floor area ratio (FAR) identified in the Bulk Regulations Table has been determined using a Net Site Area of 41,596 square feet and a base FAR of 5.0.

The Applicant acknowledges that the project has received a bonus FAR of 1.2, pursuant to Section 17-4-1000, *et seq.*, of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 6.2. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Section 17-4-1003-B and Section 17-4-1003-C, prior to the issuance of the first building permit for any building in the Planned Development; provided, however, if the Planned Development is constructed in phases, the bonus payment may be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The bonus payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C.3

The bonus payment will be split between three separate funds, as follows: 80% to the *Neighborhoods Opportunity Fund*, 10% to the *Citywide Adopt-a-Landmark Fund* and 10% to the *Local Impact Fund*. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property owner to finance specific landmark restoration projects; or, (c) approve proposals for in-kind improvements to satisfy the *Local Impact* portion of the payment.

In this case, the Applicant has contributed the *Local Impact* portion of the bonus payment for construction of fieldhouse, located at *Skinner Park* ("the Project"). The Project is located within a one-mile radius of the Planned Development site, as required by Section 17-4-1005-C. The Applicant made such payment prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. In consideration of the same, the City must enter into an intergovernmental agreement regarding the manner in which the funds will be used.

9. Upon review and determination, and pursuant to section 17-13-0610 of the Zoning Ordinance, Part II Review shall be assessed a fee, by the Department of Planning and Development (DPD). The fee, as determined by Staff at the time of submission, is final and binding on the Applicant and must be paid to the Chicago 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 corresponding regulations and guidelines, including Section 17-13-0880 of the Zoning Ordinance. Final landscape plan review and approval will be by the Department of Planning and Development (DPD). 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 of the Zoning Ordinance, by the Zoning Administrator, upon written application for such 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 and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Subject Property. Plans for all buildings and improvements, within the Planned Development Boundary, shall be reviewed and approved by the Mayor's Office for People with Disabilities (MOPD), 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 and agrees that the rezoning of the Property from a C1-3 Neighborhood Commercial District to a DX-5 Downtown Mixed-Use District and then to this Residential-Business Planned Development, *as amended*, for construction of the Planned Development, triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or the "ARO"). At the time of the submission and introduction of the underlying Planned Development application, any developer of a residential housing project, within the meaning of the ARO, must: (i) set aside *ten percent* (10%) of the housing units in the residential housing project (*Required Units*) as *affordable units*, or with the approval of the Commissioner of the Department of Planning and Development (DPD), provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of the 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 *twenty-five percent* (25%) of the Required Units on-site or off-site. If the developer elects to provide affordable units off-site, the off-site affordable units must be located within a two-mile radius of the residential housing project and in the same or a different higher income area or downtown district. The Subject Property is located in a downtown district, within the meaning of the ARO, and the project has a total of 263 units. As a result, the Applicant's affordable housing obligation is twenty-six (26) *affordable units*, seven (7) of which are Required Units.

Applicant agreed to satisfy its affordable housing obligation by providing twenty-six (26) *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 ___. The Applicant agrees that the *affordable units* must be affordable to households earning no more than *sixty percent* (60%) of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development or elects to build a for-sale project instead, the Applicant shall update and resubmit the *Affordable Housing Profile Form* to DPD for review and approval. DPD may adjust the requirements and number of required *affordable units* without amending the Planned Development. Prior to issuance of any building permits for any residential building, within the Planned Development, including without limitation excavation and/or foundation permits, the Applicant must 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 applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 15, including any breach of any affordable housing agreement, or enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

16. 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 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% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% 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

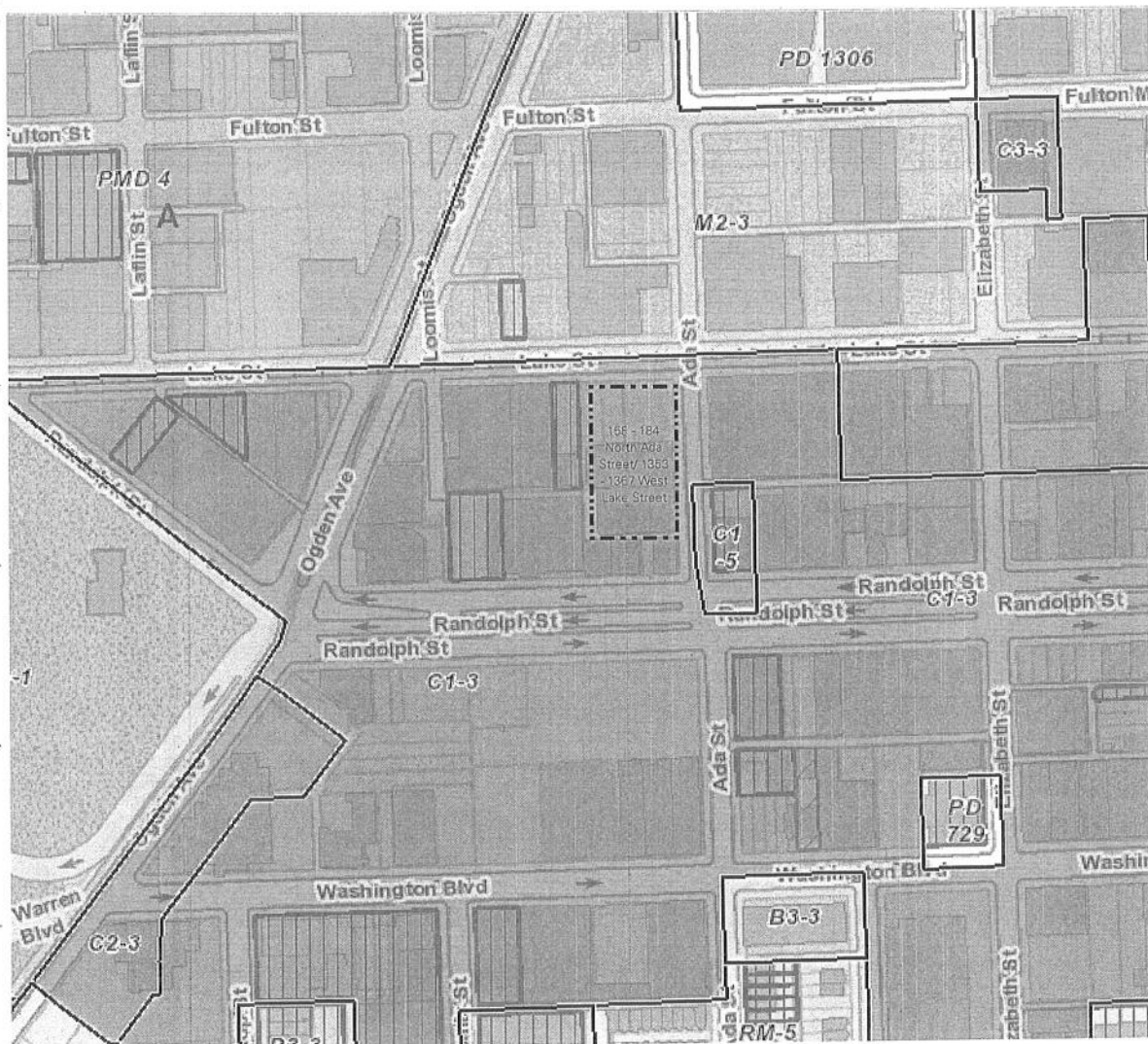
project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. 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.

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 a DX-5 Downtown Mixed-Use District.

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1384, AS AMENDED

BULK REGULATIONS AND DATA TABLE

Common Address:	1400-1410 West Randolph Street
Gross Site Area:	61,219 square feet
Area in Public Right-Of-Way:	19,623 square feet
Net Site Area:	41,596 square feet (0.56 acres)
Maximum Floor Area Ratio:	6.2 FAR
Maximum Number of Dwelling Units:	263 dwelling units
Minimum Vehicular Off-Street Parking:	128 spaces
Minimum Bicycle Parking:	134 spaces
Minimum Off-Street Loading:	1 space (10 feet by 25 feet)
Setbacks from Property Line:	In substantial compliance with the attached Site Plan/Survey.
Maximum Building Height:	162 feet-5 inches



Legend

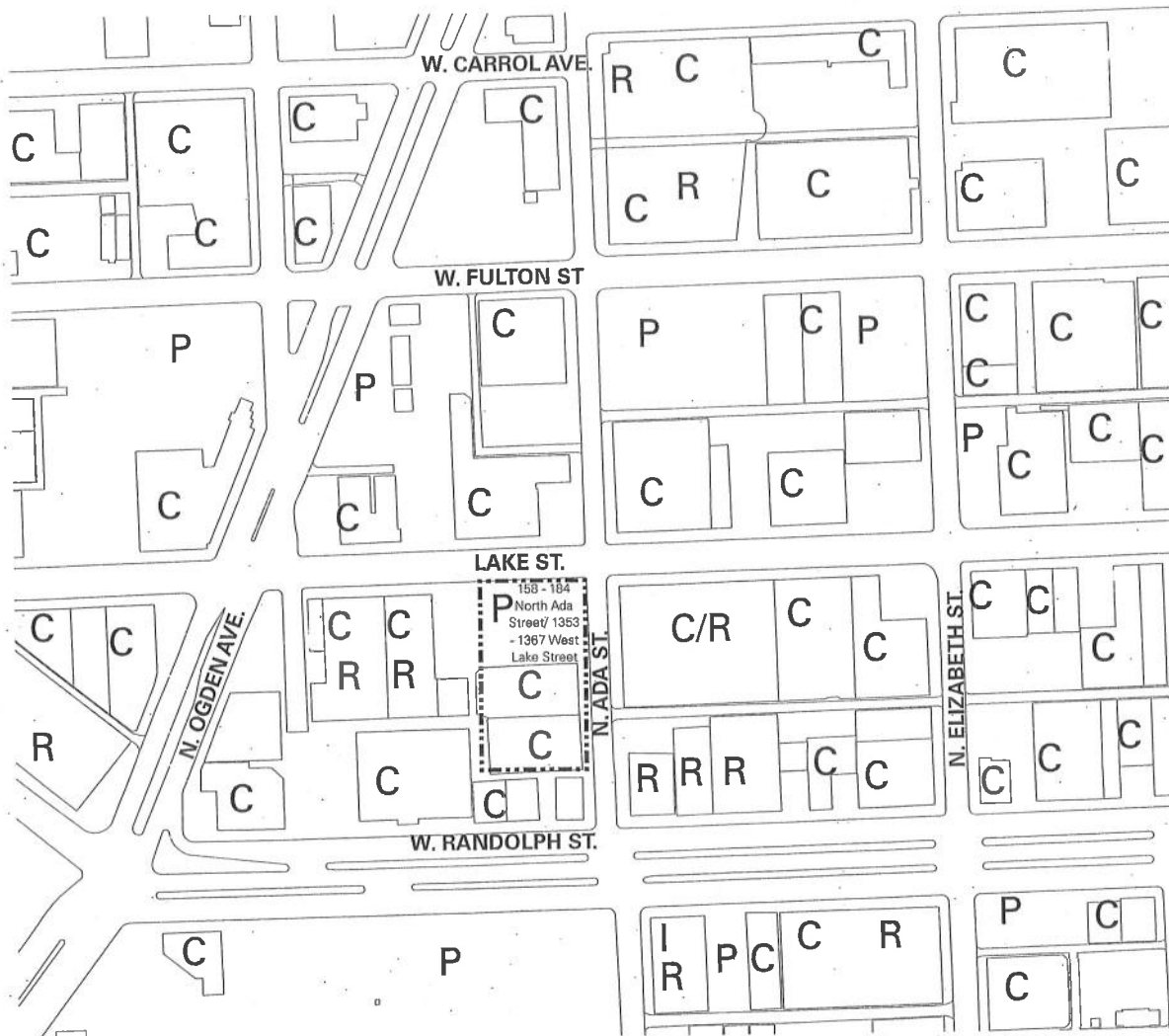
----- Property Line

LAKE + ADA
 Applicant: MP 158-174 Ada, LLC
 Address: 158 - 184 North Ada Street/ 1353 - 1367 West Lake Street
 Introduced: March 29, 2017
 Plan Commission: August 17, 2017



EXISTING ZONING MAP
 Scale: NTS

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 + LYNCH**
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Legend

- Property Line
- R Residential
- C Commercial
- P Parking
- I Institutional

LAKE + ADA

Applicant: MP 158-174 Ada, LLC

Address: 158 - 184 North Ada Street / 1353 - 1367 West Lake Street

Introduced: March 29, 2017

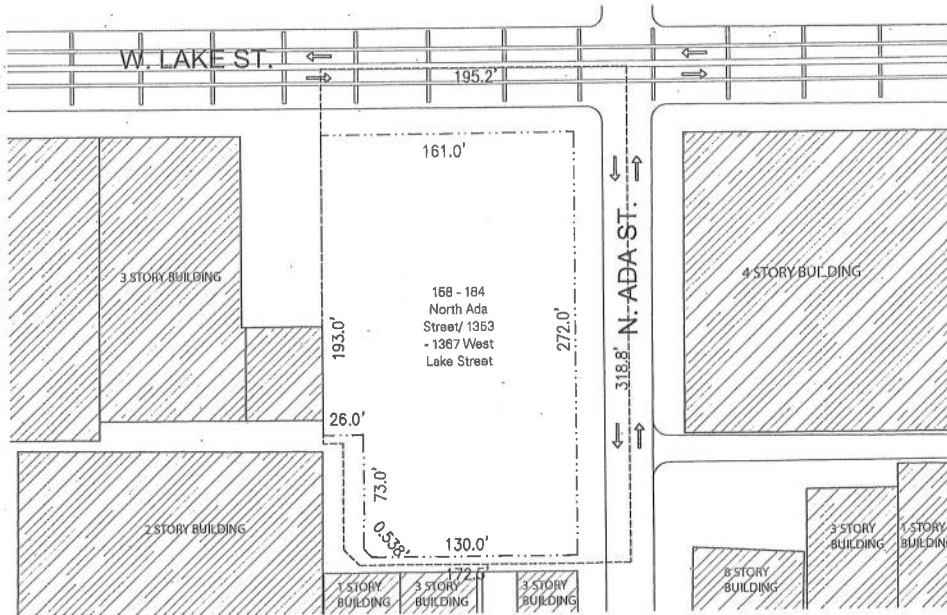
Plan Commission: August 17, 2017



EXISTING LAND USE MAP
Scale: NTS

**BRININSTOOL
+ LYNCH**

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Legend

----- PD Boundary Line

----- Property Line

Net Site Area : 41,596 SF
 Area in Right of Way: 19,623 SF
 Gross Site Area: 61,219 SF

LAKE + ADA

Applicant: MP 158-174 Ada, LLC

Address: 158 - 184 North Ada Street / 1353 - 1367 West Lake Street

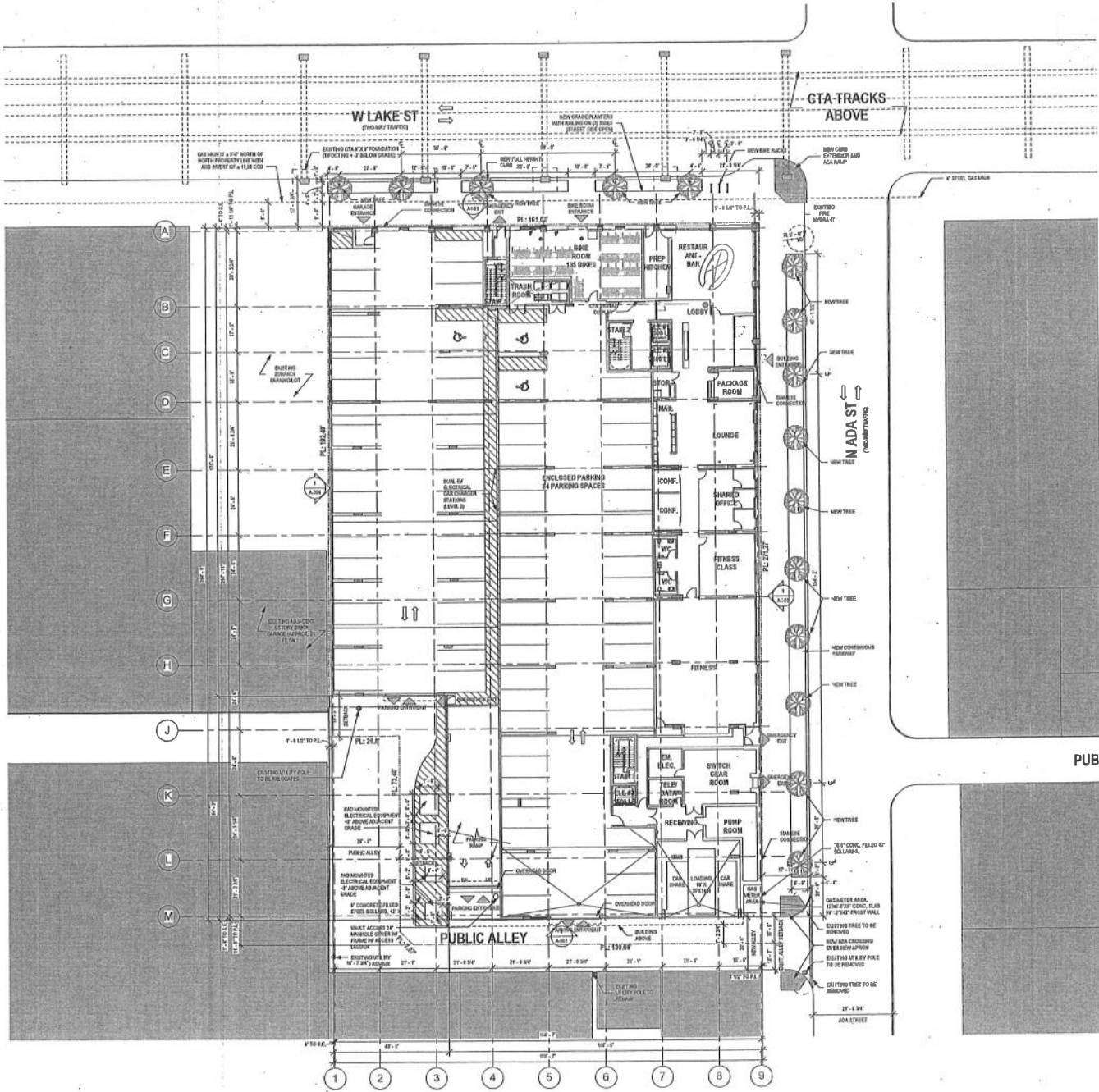
Introduced: March 29, 2017

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PLANNED DEVELOPMENT BOUNDARY
 AND PROPERTY LINE
 Scale: 1" = 100'-0"

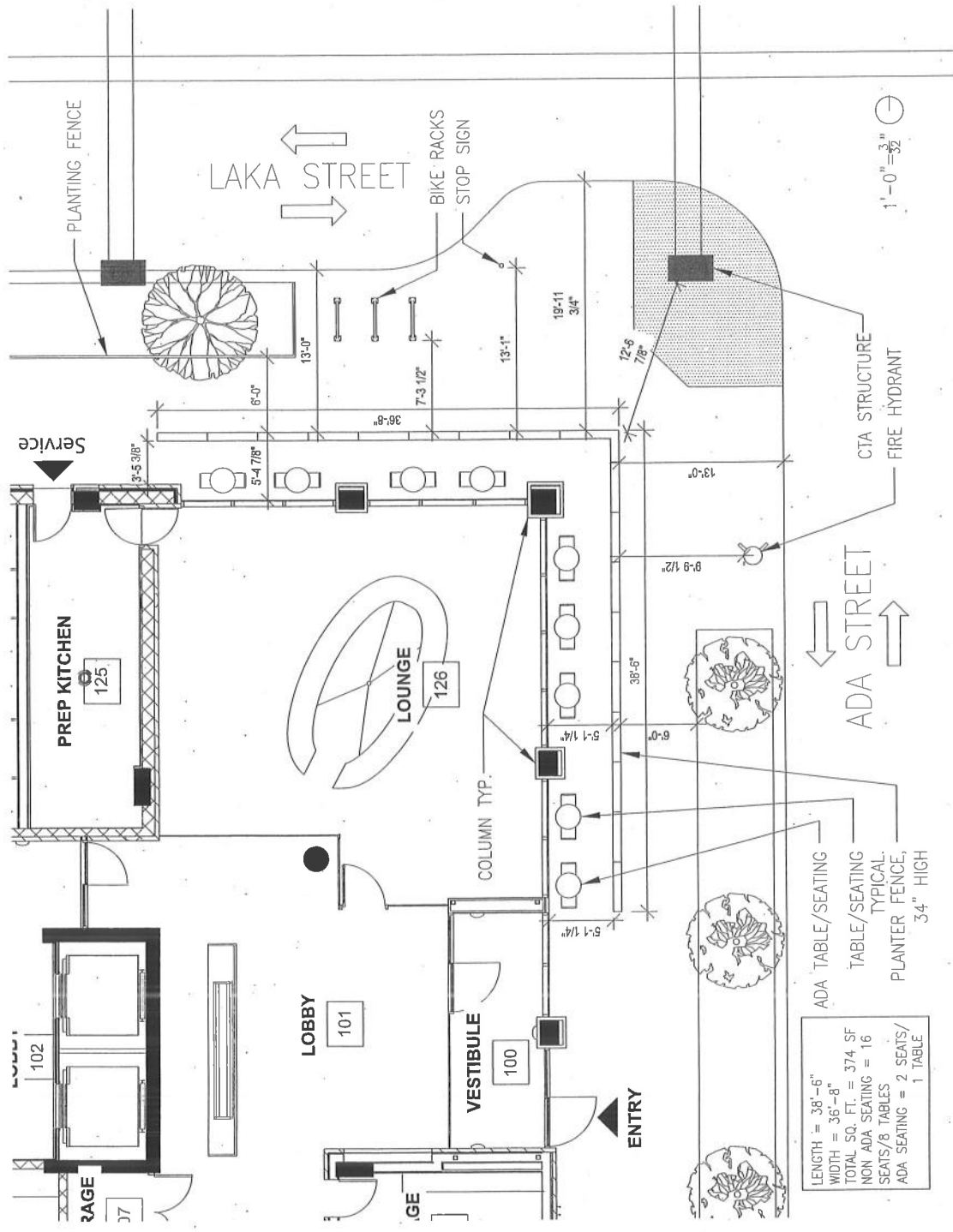
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 + LYNCH**
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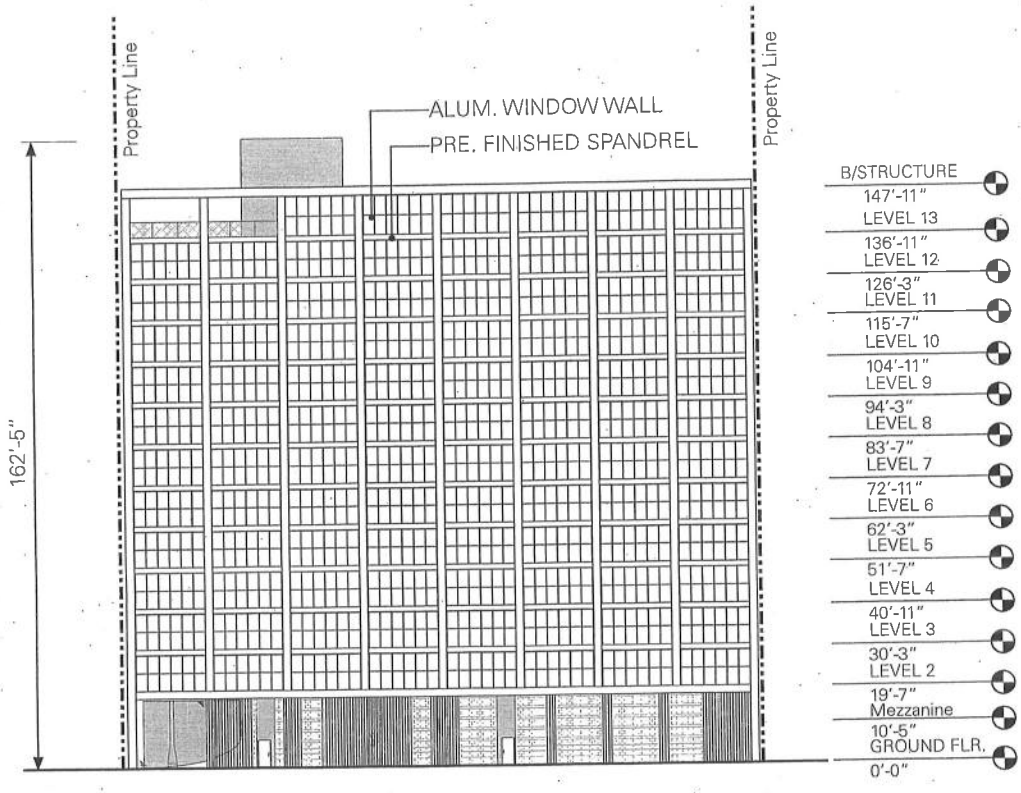
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 SITE PLAN - GROUND FLOOR
 Scale: 1" = 50'-0"

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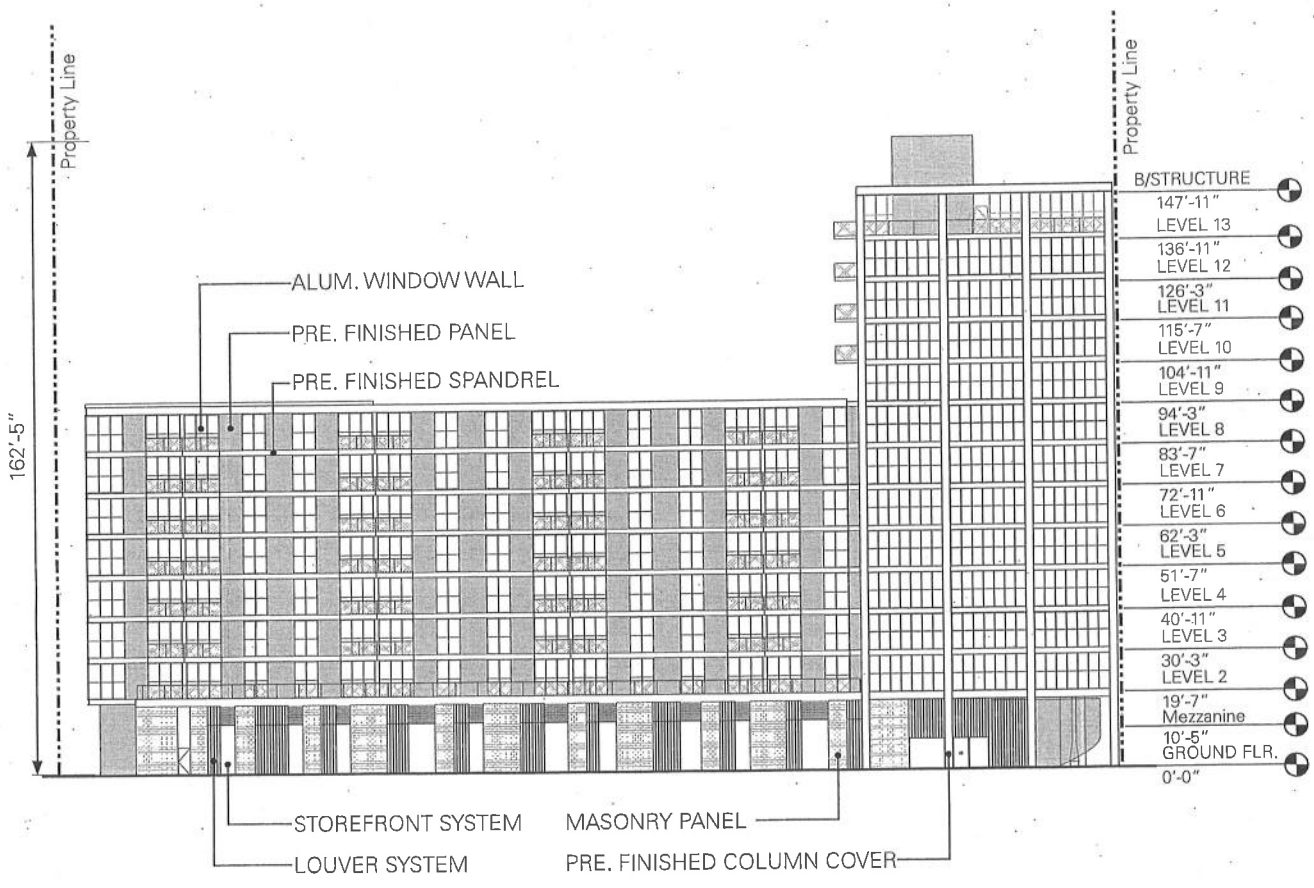
LENGTH = 38'-6"
WIDTH = 36'-8"
TOTAL SQ. FT. = 374 SF
NON ADA SEATING = 16
SEATS/8 TABLES = 2
ADA SEATING = 2 SEATS/TABLE
1 TABLE



LAKE + ADA
 Applicant: MP 158-174 Ada, LLC
 Address: 158 - 184 North Ada Street/ 1353 - 1367 West Lake Street
 Introduced: March 29, 2017
 Plan Commission: August 17, 2017

NORTH ELEVATION
 Scale: 1" = 40'-0"

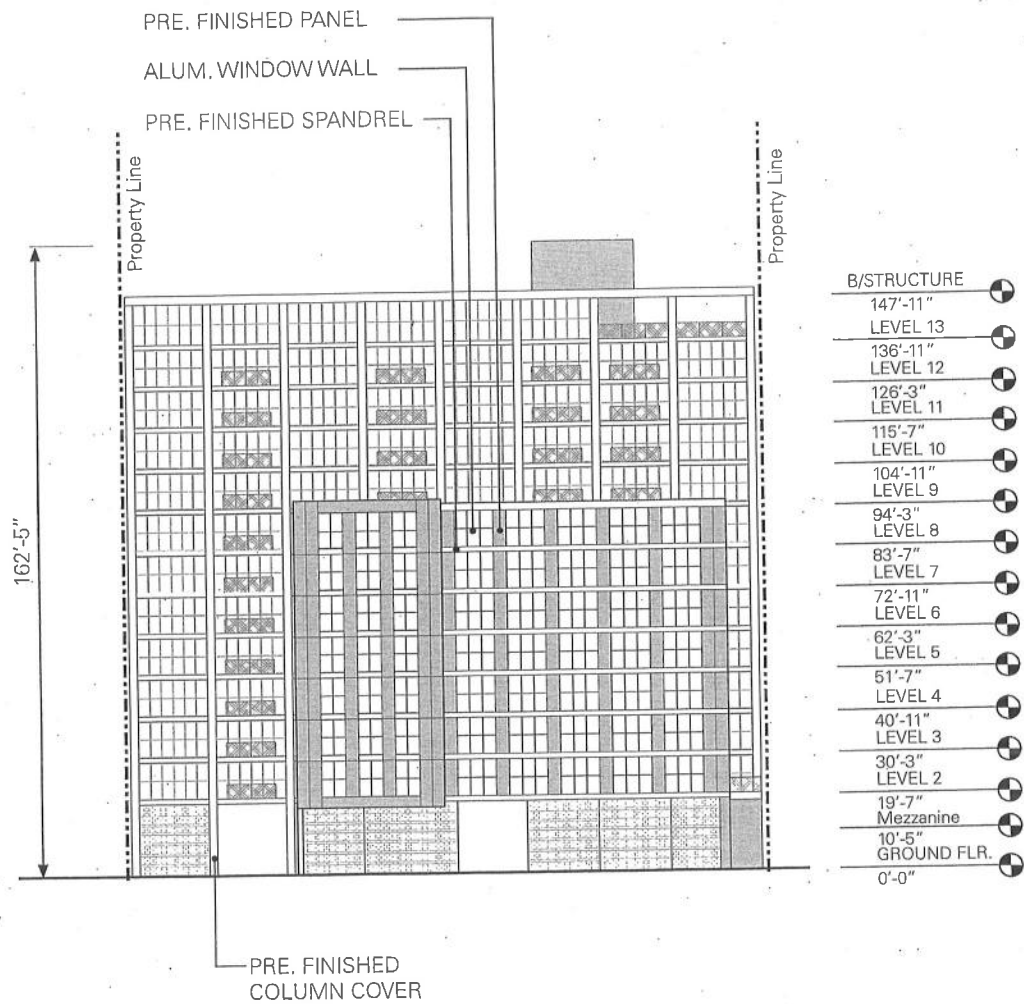
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LAKE + ADA
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 Address: 158 - 184 North Ada Street/ 1353 - 1367 West Lake Street
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 Plan Commission: August 17, 2017

EAST ELEVATION
 Scale: 1" = 40'-0"

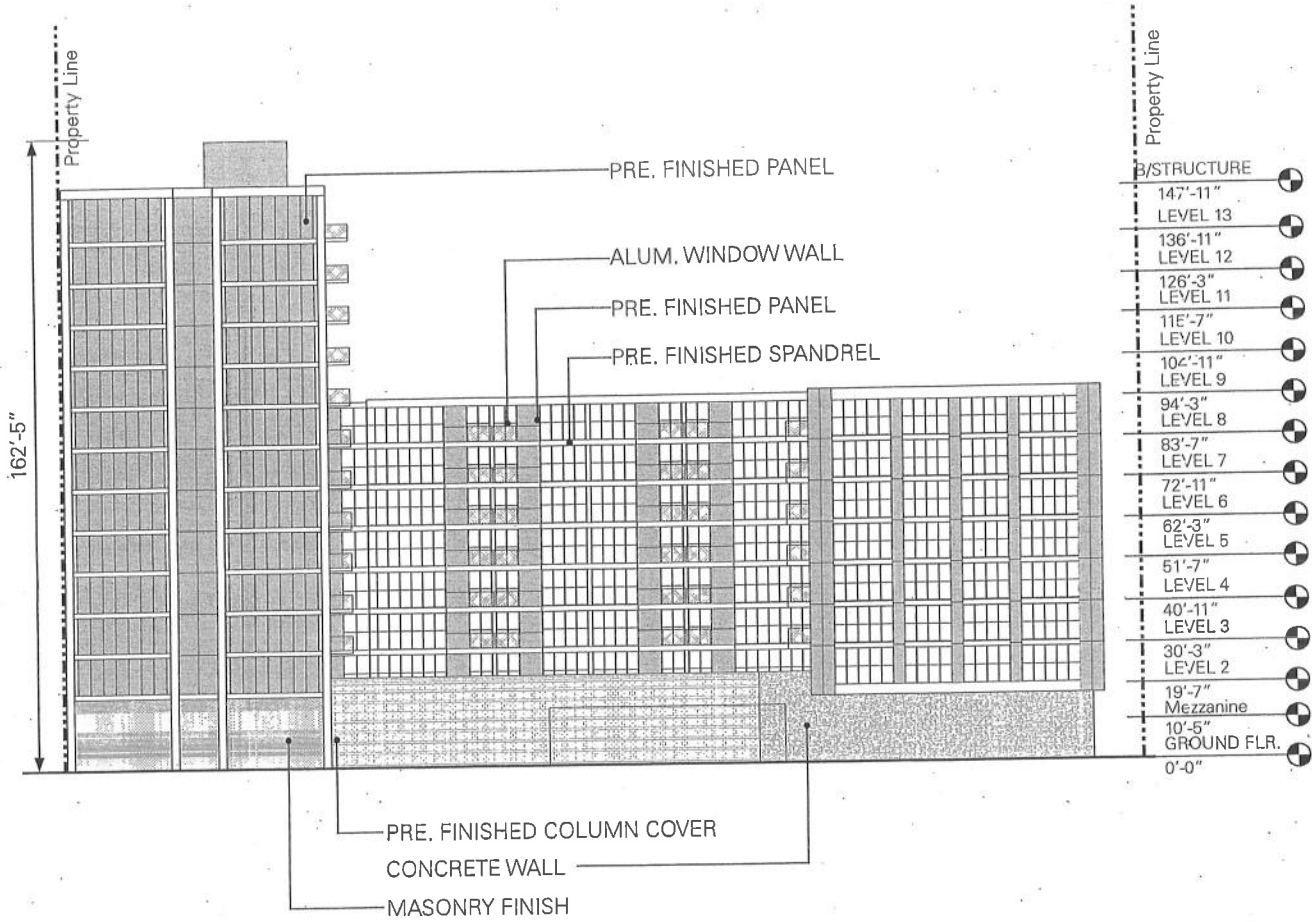
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LAKE + ADA
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 Address: 158 - 184 North Ada Street/ 1353 - 1367 West Lake Street
 Introduced: March 29, 2017
 Plan Commission: August 17, 2017

SOUTH ELEVATION
 Scale: 1" = 40'-0"

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LAKE + ADA
 Applicant: MP 158-174 Ada, LLC
 Address: 168 - 184 North Ada Street / 1353 - 1367 West Lake Street
 Introduced: March 29, 2017
 Plan Commission: August 17, 2017

WEST ELEVATION
 Scale: 1" = 40'-0"

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