

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

1. ADDRESS of the property Applicant is seeking to rezone:
3355 North Southport Avenue, Chicago, Illinois

2. Ward Number that property is located: 44

3. APPLICANT: HPL 3355 Southport LLC

ADDRESS: 2849 North Lincoln Avenue, Unit 2 (Rear) CITY: Chicago

STATE: Illinois ZIP CODE: 60657 PHONE: 312-782-1983

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

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 Applicant – 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: Sara K. Barnes - 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.
Leon J. Harris – *Managing Member*; Therese L. Harris – *Member*
7. On what date did the owner acquire legal title to the subject property?
September 2021
8. Has the present owner previously rezoned this property? If Yes, when?
No
9. Present Zoning District: B3-2 Proposed Zoning District: B3-3
10. Lot size in square feet (or dimensions): 24.67 feet x 125.00 feet = 3,083.75 square feet (*recorded*)
11. Current Use of the Property: The subject property is improved with a two-plus-story brick and frame *mixed-use* building, which such building is presently vacant.
12. Reason for rezoning the property: The Applicant is seeking a *Zoning Map Amendment* in order to permit the redevelopment and reactivation of the site with a new four-story *mixed-use* building, which such building will feature *commercial* space on and between the Basement thru 1st Floors and a total of six (6) *dwelling units* on and between the 2nd thru 4th Floors, with accessible (*ADA*) off-street parking for one (1) vehicle.
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 subject property is improved with a two-plus-story brick and frame *mixed-use* building, which such building is presently vacant. The Applicant is seeking a *Zoning Map Amendment* in order to permit the redevelopment and reactivation of the site with a new four-story (with basement) *mixed-use* building. To allow for the new improvements, the Applicant intends to raze the existing structures. The programming for the proposed new development calls for the establishment of *commercial* space on and between the Basement (*1,983 square feet*) thru 1st Floors (*1,738 square feet*) and a total of six (6) *dwelling units* on and between the 2nd thru 4th Floors. Due to its nearly immediate *proximity to the *Southport CTA Train Station*, and in an effort to reduce vehicular congestion in the area, the proposal calls for the provision of *accessible (ADA)* off-street parking for one (1) vehicle, at the rear of the site, which represents an 83% reduction in the amount of required parking for the new improvements. *[*The subject property is located on a Retail Pedestrian Street, less than 300 feet from the entrance to the CTA Train Station, and therefore constitutes a Transit Served Location. (Section 17-10-0102-B)*] In lieu of vehicular parking, the proposal includes off-street parking and storage for at least six (6) bicycles. The new proposed building will measure 44 feet-3 inches in height (*to the underside ceiling of the 4th Floor*) and will be masonry in construction.
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

Written Notice, Form of Affidavit: Section 17-13-0107

June 22, 2022

Honorable Thomas Tunney
Chairman, Committee on Zoning
121 North LaSalle Street
Room 304 - City Hall
Chicago, Illinois 60602

To Whom It May Concern:

The undersigned, **Sara Barnes**, being first duly sworn on oath, deposes and says the following:

That the undersigned certifies that she has complied with the requirements of Section 17-13-0107 of the Zoning Code of the City of Chicago, by sending written notice to such property owners who appear to be the owners of the property within the subject area not solely owned by the Applicant, and on the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of the public roads, streets, alleys and other public ways, or a total distance limited to 400 feet. That said written notice was sent by USPS First Class Mail no more than 30 days before filing the application.

That the undersigned certifies that the notice contained the address of the property sought to be rezoned as **3355 North Southport Avenue, Chicago, Illinois**; a statement of intended use of said property; the name and address of the Applicant-Property Owner; and a statement that the Applicant intends to file an application for a change in zoning on approximately **June 22, 2022**.

That the Applicant has made a bonafide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Zoning Code of the City of Chicago and that the Applicant certifies that the accompanying list of names and addresses of surrounding property owners within 250 feet is a complete list containing the names and last known addresses of the owners of the property required to be served.

Law Offices of Samuel V.P. Banks

Sara K. Barnes – *Attorney for Applicant*

Subscribed and sworn to before me

this _____ day of _____, 2022.

Notary Public

PUBLIC NOTICE

Via USPS First Class Mail

June 22, 2022

Dear Sir or Madam:

In accordance with Amendment to the Zoning Code enacted by the City Council, Section 17-13-0107-A, please be informed that on or about **June 22, 2022**, I, the undersigned, intend to file an application for an amendment to the zoning map from a *B3-2 Community Shopping District* to a *B3-3 Community Shopping District*, on behalf of the Applicant-Owner – *HPL 3355 Southport LLC*, for the property generally located at **3355 North Southport Avenue, Chicago, Illinois**.

The subject property is improved with a two-plus-story brick and frame *mixed-use* building, which such building is presently vacant. The Applicant is seeking a *Zoning Map Amendment* in order to permit the redevelopment and reactivation of the site with a new four-story (with basement) *mixed-use* building. To allow for the new improvements, the Applicant intends to raze the existing structures. The programming for the proposed new development calls for the establishment of *commercial* space on and between the Basement thru 1st Floors and a total of six (6) *dwelling units* on and between the 2nd thru 4th Floors. Due to its nearly immediate *proximity to the *Southport CTA Train Station*, and in an effort to reduce vehicular congestion in the area, the proposal calls for the provision of *accessible* (ADA) off-street parking for one (1) vehicle, at the rear of the site, which represents an 83% reduction in the amount of required parking for the new improvements. *[*The subject property is located on a Retail Pedestrian Street, less than 300 feet from the entrance to the CTA Train Station, and therefore constitutes a Transit Served Location, under the applicable provisions of the Zoning Ordinance.*] In lieu of vehicular parking, the proposal includes off-street parking and storage for at least six (6) bicycles. The new proposed building will measure 44 feet-3 inches in height (*to the underside ceiling of the 4th Floor*) and will be masonry in construction.

The Applicant and Property Owner – ***HPL 3355 Southport LLC***, is located at 2849 North Lincoln Avenue, Unit 2 (Rear), Chicago, Illinois 60657.

The contact person for this application is **Sara K. Barnes**. My address is 221 North LaSalle Street, 38th Floor, Chicago, Illinois. My telephone number is 312-782-1983.

Very truly yours,
LAW OFFICES OF SAMUEL V.P. BANKS

Sara K. Barnes
Attorney for Applicant

*****Please note that the Applicant is NOT seeking to purchase or rezone your property.**

*****The Applicant is required by law to send this notice because you own property located within 250 feet of the property subject to the proposed Zoning Amendment.**

17-13-0303-C (1) Narrative Zoning Analysis
3355 North Southport Avenue, Chicago, Illinois

Proposed Zoning: *B3-3 Community Shopping District*

Lot Area: 3,083.75 square feet (*recorded*)

Proposed Land Use: The subject property is improved with a two-plus-story brick and frame *mixed-use* building, which such building is presently vacant. The Applicant is seeking a *Zoning Map Amendment* in order to permit the redevelopment and reactivation of the site with a new four-story (with basement) *mixed-use* building. To allow for the new improvements, the Applicant intends to raze the existing structures. The programming for the proposed new development calls for the establishment of *commercial* space on and between the Basement thru 1st Floors and a total of six (6) *dwelling units* on and between the 2nd thru 4th Floors. Due to its nearly immediate *proximity to the *Southport CTA Train Station*, and in an effort to reduce vehicular congestion in the area, the proposal calls for the provision of *accessible* (ADA) off-street parking for one (1) vehicle, at the rear of the site, which represents an 83% reduction in the amount of required parking for the new improvements. *[*The subject property is located on a Retail Pedestrian Street, less than 300 feet from the entrance to the CTA Train Station, and therefore constitutes a Transit Served Location, under the applicable provisions of the Zoning Ordinance.*] In lieu of vehicular parking, the proposal includes off-street parking and storage for at least six (6) bicycles. The new proposed building will measure 44 feet-3 inches in height (*to the underside ceiling of the 4th Floor*) and will be masonry in construction.

(A) The Project's Floor Area Ratio: 10,679 square feet (3.5 FAR)

**The subject property is located within 1,320 linear feet of the entrance to the Southport CTA Train Station, thereby qualifying as a Transit Served Location. [17-10-0102-B] The programming calls for the provision of no more than one parking space per dwelling unit. Therefore, the Applicant is eligible for an increase in maximum floor area ratio (FAR) up to 3.5, pursuant to this Type 1 Zoning Map Amendment. [17-3-0403-B] *Please See: corresponding TSL Narrative.*

(B) The Project's Density (Lot Area Per Dwelling Unit): Six (6) *dwelling units*; 513.96 square feet per *dwelling unit*

(C) The amount of off-street parking: 1 ADA *accessible* vehicular parking space + at least six (6) bicycle parking-storage spaces

**The subject property is located within 1,320 linear feet of the entrance to the Southport CTA Train Station, thereby qualifying as a Transit Served Location. [17-10-0102-B]. Therefore, the Applicant is eligible for a reduction in the amount of required off-street vehicular parking – from six (6) to one (1), which represents about an 83% reduction, pursuant to this Type 1 Zoning Map Amendment. *Please See: corresponding TSL Narrative.*

- (D) Setbacks: a. Front Setback: 0 foot-0 inches
- b. Rear Setback: 0 feet-0 inches (*non-residential* floors)
7 feet-0 inches (*residential* floors)

**The Applicant will seek a Variation for a reduction to the required rear setback, for the residential floors, in order to fully comply with the current Zoning Ordinance.*

- c. Side Setbacks:
North: 0 feet-0 inches
South: 0 feet-0 inches

- (E) Building Height: 44 feet-3 inches (*underside-ceiling of 4th Floor*)

17-3-0403-B Transit Served Location (TSL) – Narrative Zoning Analysis

3355 North Southport Avenue, Chicago, Illinois

THE SITE

The subject property consists of a single lot of record, with just under 25 feet of frontage on Southport Avenue. [*Site: 24.67 feet in width by 125 feet in depth = 3,083.75 square feet of total lot area.*] The site is bounded by a public alley on the east. The site is improved with an old two-plus-story brick and frame *mixed-use* building, which such building is presently vacant. old two-story masonry building.

The subject property is located mid-block (east side), on a segment of Southport Avenue that is a designated *Pedestrian Retail Street*. The site is located less than one-block (300 feet) from the entrance to the *Southport CTA Train Station* – to the north. Although all of the properties that comprise this 3500 block of Southport Avenue – on both sides, carry a *B3 Community Shopping District* zoning classification, there are at least two buildings on the east side of the block that are wholly *residential* in function, while all but-for one of the buildings on the west side of the block are wholly *residential* in function. The footprint of most of the buildings and improvements comprising the east side of the subject block span the entirety of their respective site, so that most such buildings do NOT provide accessory off-street parking accommodations, which such conditions are mitigated due to the proximity to meaningful public transit (*CTA Station*), as well as the corresponding designation as a *Pedestrian Street*. The existing improvements in the immediate area vary in scale and use – from one-story to four-stories in height, with most of the ground floors of the *mixed-use* buildings occupied by *retail, hospitality* and *personal service* businesses, featuring low to moderate density *residential* units above. Many of the improvements along this block of Southport Avenue are *non-conforming* under the current Zoning Ordinance and/or were permitted pursuant to relief granted by the *Zoning Board of Appeals* and/or *City Council*.

THE PROJECT

The Applicant is seeking a *Type 1 Zoning Map Amendment* – from a *B3-2 Community Shopping District* to a *B3-3 Community Shopping District*, in order to permit the redevelopment and reactivation of the subject property with a new four-story (with basement) *mixed-use* building. To allow for the new improvements, the Applicant intends to raze the existing structures. The programming for the proposed new development calls for the establishment of *commercial* space on and between the Basement thru 1st Floors and a total of six (6) *dwelling units* on and between the 2nd thru 4th Floors. Due to its nearly immediate proximity to the *Southport CTA Train Station*, and in an effort to reduce vehicular congestion in the area, the proposal calls for the provision of *accessible* (ADA) off-street parking for one (1) vehicle, at the rear of the site, which represents an 83% reduction in the amount of required parking for the new improvements. *[*The subject property is located on a Retail Pedestrian Street, less than 300 feet from the entrance to the CTA Train Station, and therefore constitutes a Transit Served Location, under the applicable provisions of the Zoning Ordinance.*] In lieu of vehicular parking, the proposal includes off-street parking and

storage for at least six (6) bicycles. The new proposed building will measure 44 feet-3 inches in height (*to the underside ceiling of the 4th Floor*) and will be masonry in construction.

FLOOR AREA RATIO INCREASE FOR TRANSIT SERVED LOCATION: 17-3-0403-B

*This proposed *Zoning Map Amendment* is being sought by and through the ‘*Type 1*’ process [Section 17-13-0302-A], in order to qualify for an increase in the maximum allowable *floor area ratio* [Section 17-3-0403-B] for the new building, under the current Zoning Ordinance, since the design calls for *no more than one parking space per dwelling unit*.

**By and through this proposed *Type 1 Zoning Map Amendment*, and in consideration of the site’s immediate proximity to the *CTA Train Station*, the Applicant is also seeking to reduce the minimum off-street automobile parking for the proposed new *residential* units by MORE than 50%, pursuant to Section 17-10-0102-B of the *Zoning Ordinance*.

Pursuant to Section 17-13-0905-F and Section 17-10-0102-B of the Zoning Ordinance, in order to qualify for the proposed *floor area ratio* (FAR) increase and the proposed reduction of *automobile parking* by more than 50%, the Project:

- (a) **Must be located in a transit-served location.** The subject property is located within 1,320 linear feet of the entrance to the *Southport (Brown Line) CTA Train Station*.
- (b) **Must comply with the standards of Section 17-3-0500 pertaining to pedestrian streets and pedestrian retail streets.** The proposed new development complies with all of the standards and design guidelines for *pedestrian streets* as shown on the accompanying *architectural plans* (prepared by *Jonathan Splitt Architects, Ltd.*), submitted with the subject *Type 1 Zoning Map Amendment*. By way of relevant example, the façade of the proposed new building abuts the sidewalk, with the primary entrance facing and directly accessible off of Southport Avenue. [17-3-0504-B and 17-3-0504-D] As well, over 60% of the ground floor façade – facing Southport Avenue, is comprised of transparent windows. [17-3-0504-C] Lastly, all of the off-street parking for the development is located at the rear and/or behind the building, directly accessible via the public alley, without any vehicular interference with the pedestrian walkway (sidewalk). [17-3-0504-E-F-G]
- (c) **Must comply with the general goals set forth in the *Transit Friendly Development Guide: Station Area Typology*, and any other station-specific plans, designs or guidelines adopted by the Chicago Plan Commission.** The *Transit Friendly Development Guide* defines ‘transit friendly development’ as *[d]evelopment which is oriented towards and integrated with adjacent transit*. By way of relevant example, the proposed new development incorporates accessibility and connectivity less than 300 linear feet from the entrance to the *CTA Train Station* and just steps away from the highest intensity *retail* stretch of Southport Avenue, which extends for at least five more blocks, moving north toward Addison Avenue. Moreover, the proposed new development will feature a transit-oriented *commercial-retail* business on the 1st Floor, activating the pedestrian way for commuters going to and coming from the train, and – too, will add *residential*

density without personal vehicles, which should help to generate and promote additional transit riders.

- (d) **Must actively promote public transit and alternatives to automobile ownership.** In a direct and deliberate effort to promote public forms of transportation, and – too, to mitigate vehicular congestion and traffic in this pedestrian-oriented neighborhood, the proposed new development will only provide off-street parking for a single (1) vehicle, that will be offered on a first-come-first-served basis between the *commercial* tenant and the at least six (6) *residential* tenants. As well, the proposed development includes a sizeable storage room, within the ground floor of the building - situated directly off of the pedestrian way, which can accommodate interior parking for at least six (6) bicycles and scooters, with superfluous surface space at the rear of the building, for additional outdoor bicycle parking. provided. Beyond these onsite accommodations, there are additional bicycle racks located on the sidewalk in front of the subject site and the Applicant (who will maintain long-term ownership and management of the property) is committed to working with the Alderman and representatives from the CTA and CDOT, toward providing additional public bicycle racks, should such be desired.

- (e) **Must include enhancements to the pedestrian environment that are not otherwise required.** The existing building at the subject site, which is well-over 60 years in age, has a blank masonry façade, which creates a lull in street level activation for pedestrians utilizing the public way, in stark contrast to the other newer-construction fully activated improvements that comprise this side of the block. The design for the new proposed building – in particular the grade level storefront for the same, complies with the strict guidelines for improvements on a *Pedestrian Street*, which such design includes ground to ceiling transparent windows (directly abutting the sidewalk), displaying the new business activity that will occupy and activate the 1st Floor of the building. The proposal also calls for the planting of a new parkway tree, in front of the subject site, where there is currently no such improvements. These design elements will help to further enhance the pedestrian experience at and around the currently dormant site.