

PD 1002

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City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Lori T. Healey
Commissioner

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January 19, 2006

Mr. Edward J. Kus
Shefsky & Froelich
111 E. Wacker Drive, Suite 2800
Chicago, IL 60601

Re: **Administrative Relief request for Residential-Business Planned
Development No. 1002**

Dear Mr. Kus:

Please be advised that your request for minor changes to Residential-Business Planned Development No. 1002 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No.11 of the Planned Development.

Specifically, you requested the following:

1. A slight modification in the massing profile of the building. The original design included a "wing" on the northeast side; this area will be reduced in size and the building has been lengthened horizontally. The result will be a narrower building profile although the square footage remains the same.
This change also caused the need for modifications to the setbacks from the property line. Those figures are listed in #4 of this letter.
2. Landscape modifications including:
 - Elimination of the terrace located on the 18th floor of the north wing. This terrace will be relocated on the 4th floor roof, increasing the square footage of the 4th floor terrace.
 - Elimination of two trees on State Street. This is necessary due to the relocation of a bus shelter, which will be moved 28' south. (The Landscape Ordinance as it pertains to sight triangles, prohibits trees within 30' of intersecting streets).
 - Elimination of two trees on 14th Street. This is necessary by the location of parking garage driveways. (The Landscape Ordinances as it pertains to sight triangles, prohibits trees within 12 feet of the intersecting street and driveway.)
 - Increase the number of trees in the private park from 14 to 30. (A revised landscape plan with planting schedule is attached.)
3. A new garage entry on the south side of the building (off of the alley) which will provide ingress and egress for approximately 15 vehicles. This is necessary due to a shift in garage mechanicals. The main





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January 8, 2006

Edward J. Kus
Shefsky & Froelich
111 E. Wacker Drive
Suite 2800
Chicago, Illinois 60601-1293

**Re: Administrative Relief request for Residential Business Planned
Development No. 1002, 1401 S. State Street**

Dear Mr. Kus:

Please be advised that your request for a minor change to Residential Business Planned Development No. 1001 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 11 of the Planned Development.

Specifically, you requested minor design changes to the west facade. The primary change to the west elevation is a reconfiguration of the balconies which will allow more dwelling units to have balconies. Previously, 14 dwelling units had balconies. As a result of this design change, 26 dwelling units would now be provided with balconies. The north, south, and east elevations remain unchanged, except for minor corner cut-outs at mid-building which provide visual architectural relief to the facade. The massing and height of the building have not changed.

With regard to your request, the Department of Planning and Development has determined that these design revisions do not create an adverse impact on the Planned Development or surrounding neighborhood, do not change the character of the development and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 1002, I hereby approve the foregoing minor change, but no other changes to Residential Business Planned Development No. 1002.

Sincerely,

Lori T. Healey
Commissioner

LTH:MRD:tm

cc: Kathleen Nelson, Terri Haymaker, Mike Marmo, DPD files





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**Department of Planning
and Development**

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garage access point remains on 14th Street as approved. The issue was reviewed by CDOT and an e-mail dated January 17, 2006 granting their approval is attached.

4. A change in setback for two reasons: (1) the aforementioned change in massing and (2) the parcel of land immediately to the south was recently "opened" by city ordinance as an alley. When the project was designed and approved, the alley was not designated as such and the building was required to have a 12' setback per the Chicago Building Code. Now that the area is classified as an alley and no setback is required, the tower portion can be shifted south, as now proposed. Also, there are no buildings located across the alley to south, only a ComEd substation. The revised setbacks are listed below:

Property line	Garage Setback		Tower Setback	
	Old	Revised	Old	Revised
North	0'-0"	6'-3"	0'-0"	5'-0"
East	16'-5"	14'-2"	66'-2"	75'-1"
Northeast Wing	n/a	n/a	22'-6"	67'-7"
South	0'-0"	1'-9"	12'-0"	1'-4"
West	3'-0"	1'-0"	3'-0"	0'-0"

5. Relocation of balconies along the west elevation. As initially approved, nine balconies were located randomly along the east and west elevations. Due to the aforementioned proposed massing modifications, all nine balconies will now be located on the west elevation. (A revised west elevation drawing is attached).

With regard to your request, the Department of Planning and Development has determined that these revisions do not create an adverse impact on the Planned Development or surrounding neighborhood and would constitute minor changes.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential-Business Planned Development No. 1002, I hereby approve the foregoing minor change, but no other changes to Residential-Business Planned Development No. 1002.

Sincerely,

Lori T. Healey
Commissioner

LTH:PAS:mrd
cc: Mike Marmo, DPD Files



Yeas -- Aldermen Flores, Haithcock, Tillman, Preckwinkle, Hairston, Lyle, Beavers, Stroger, Beale, Pope, Balcer, Cárdenas, Olivo, Burke, T. Thomas, Coleman, L. Thomas, Murphy, Rugai, Troutman, Brookins, Muñoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Reboyras, Suarez, Matlak, Mell, Austin, Colón, Banks, Mitts, Allen, O'Connor, Doherty, Natarus, Daley, Tunney, Levar, Shiller, M. Smith, Stone -- 47.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

COMMITTEE ON ZONING.

AMENDMENT OF TITLE 17 OF MUNICIPAL CODE OF CHICAGO (CHICAGO ZONING ORDINANCE) BY RECLASSIFICATION OF AREA SHOWN ON MAP NUMBER 4-E.
(Application Number 15029) *RBPD 1002*

The Committee on Zoning submitted the following report:

CHICAGO, December 7, 2005.

To the President and Members of the City Council:

Reporting for your Committee on Zoning, for which a meeting was held on August 30, 2005, I beg leave to recommend that Your Honorable Body *Pass* one ordinance transmitted herewith for the purpose of reclassifying a particular area. It is referred to as Application Number 15029 and was passed and amended in its amended form.

At this time, I move for passage of the substitute ordinance transmitted herewith.

Respectfully submitted,

(Signed) WILLIAM J. P. BANKS,
Chairman.

On motion of Alderman Banks, the said proposed substitute ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Flores, Haithcock, Tillman, Preckwinkle, Hairston, Lyle, Beavers, Stroger, Beale, Pope, Balcer, Cárdenas, Olivo, Burke, T. Thomas, L. Thomas, Murphy, Rugai, Troutman, Brookins, Muñoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Reboyras, Suarez, Matlak, Mell, Austin, Colón, Banks, Mitts, Allen, O'Connor, Doherty, Natarus, Daley, Tunney, Levar, Shiller, M. Smith, Stone -- 46.

Nays -- None.

Alderman Beavers moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

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 DX7 Downtown Mixed-Use District symbols as shown on Map Number 4-E in the area bounded by:

a line 70.01 feet north of and parallel to East 14th Street; a line 126.86 feet east of and parallel to South State Street; the centerline of East 14th Street extended 16.5 feet east to the west right-of-way line of the C.T.A. elevated tracks; a line 103.62 feet extended south along the west right-of-way of the C.T.A. elevated tracks; a line 6 feet west; a line 10.50 feet south; a line 6 feet east; a line 34.06 feet south along the west right-of-way line of the C.T.A. elevated tracks; a line 6 feet west; a line 12 feet south; a line 6 feet east to the west right-of-way of the C.T.A. elevated tracks; a line 83.65 feet south along the west right-of-way of the C.T.A. elevated tracks; the alley next south of and parallel to East 14th Street; and South State Street,

to those of a Residential Planned Development.

SECTION 2. This ordinance takes effect after its passage and approval.

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

Residential Planned Development Number 1002

Plan Of Development Statements.

1. The area delineated herein as a Residential-Business Planned

Development ("Planned Development") consists of forty thousand three hundred twenty-three (40,323) square feet (approximately zero and ninety-two hundredths (0.92) acres) of property located in the area generally bounded by a line 70 feet north of and parallel to East 14th Street; the west right-of-way of the C.T.A. elevated tracks; a line 220 feet south of and parallel to East 14th Street; and South State Street as more fully depicted on the attached Planned Development Boundary and Property Line Map ("Property"). The Property is under the unified control of the applicant, 1401 State L.L.C.

2. All applicable official reviews, approvals or permits that are required in connection with the Planned Development shall be obtained or authorized to be obtained by the applicant. Any dedication or vacation of streets, alleys or easements, or adjustments of right-of-way, or consolidation or resubdivision of parcels, shall require a separate submittal and approval by the City Council.
3. The requirements, obligations and conditions contained within the 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 of the Property. Any applications for amendments, modifications or changes (administrative, legislative or otherwise) to the Planned Development shall be made or authorized by all the owners of the Property and any ground lessors of the Property.

Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term "Applicant" shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder.

4. The plan of development consists of these fourteen (14) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary, Property Line and Right-of-Way Adjustment Map; a Site Plan; a Landscape Plan; and Building Elevations prepared by Valerio Dewalt Train Associates dated August 18, 2005. Full-sized copies of the Site Plan and the Building Elevations are on

file with the Department of Planning and Development. These and no other zoning controls shall apply to the Property. The Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a planned development.

5. The following uses shall be permitted in the area delineated herein as Residential-Business Planned Development Number 1002: residential-dwelling units; any Allowed Use (as defined in § 17-17-0211 of the Chicago Zoning Ordinance) in the DX Downtown Zoning District; parking; valet parking; open space; and accessory and related uses.

Portions of the Property may be used on an interim basis for construction staging and the storage of construction materials for the various phases of development of the Property.

6. Identification 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.
7. Any service drive or other ingress and egress shall be adequately designed and paved in accordance with the regulations of the Chicago Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of Chicago. Closure of all or part of any public street or alley during demolition or construction shall be subject to review and approval of the Chicago Department of Transportation.
8. In addition to the maximum height of each of the buildings and any appurtenances thereto set forth in the Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
9. For purposes of floor area and floor area ratio ("F.A.R.") calculations, the definitions of the Chicago Zoning Ordinance shall apply, except that in addition to the other exclusions from floor area for purposes of determining F.A.R. permitted by the Chicago Zoning Ordinance, floor area devoted to mechanical equipment located on the roof and mechanical equipment within the building that occupies a contiguous area of one thousand (1,000) square feet or more shall be excluded.
10. The improvements on the Property shall be designed, installed and maintained in substantial conformance with the Site Plan and Building Elevations attached hereto and made a part of the Planned Development.

11. The terms, conditions and exhibits of the Planned Development may be modified administratively by the Commissioner of the Department of Planning and Development upon written application and a determination by the Commissioner of the Department of Planning and Development that such modification is minor, appropriate and consistent with the nature of the improvements contemplated by the Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of the Planned Development by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13-0611-A of the Chicago Zoning Ordinance.
12. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which promotes and maximizes the conservation of natural resources. The Applicant shall use its best and reasonable efforts to design, construct and maintain all new buildings located within the Planned Development in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System. The Applicant agrees to install a minimum of twenty-five percent (25%) of the net roof area as a green roof as indicated on the attached exhibit.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner that promotes, enables and maximizes universal access throughout the Property. Plans for all new buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("M.O.P.D.") 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. Unless substantial construction of the residential development contemplated by this Planned Development has commenced within six (6) years following adoption of the Planned Development, and unless completion of such building is diligently pursued thereafter, the Planned Development shall expire and the zoning of the Property shall revert to the pre-existing classification of DX7 Downtown Mixed-Use District.

[Existing Zoning and Street System Map; Existing Land-Use Map; Planned Development Boundary, Property Line and Right-of-Way Adjustment Map; Generalized Site Plan; Landscape Plan; Typical Garage Floor Plan; Building Section and Stacking Diagram; and Elevation Drawings referred to in these Plan of Development Statements printed on pages 65824 through 65834 of this *Journal*.]

15029

12/7/2005

REPORTS OF COMMITTEES

65823

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

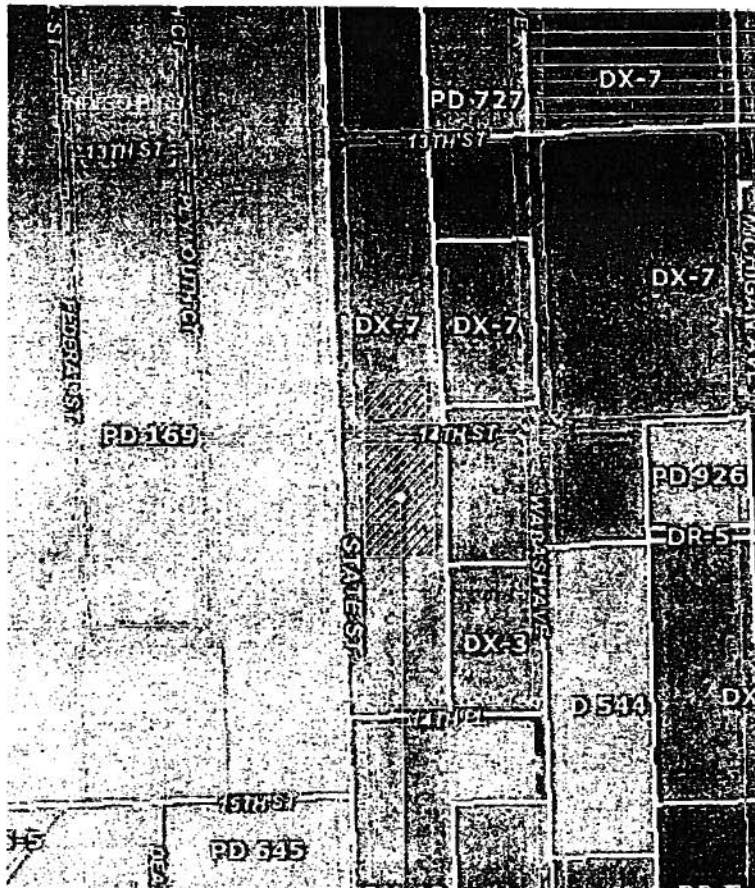
Bulk Regulations And Data Table.

Maximum Floor Area Ratio:	7.0
Net Site Area:	40,323 square feet
Area in Public Right-of Way:	23,504 square feet
Gross Site Area:	63,827 square feet
Maximum Number of Dwelling Units:	278
Minimum Number of Parking Spaces:	195
Minimum Number of Off-Street Loading Berths:	2 at 10 feet by 25 feet
Building Setbacks from Property Line:	

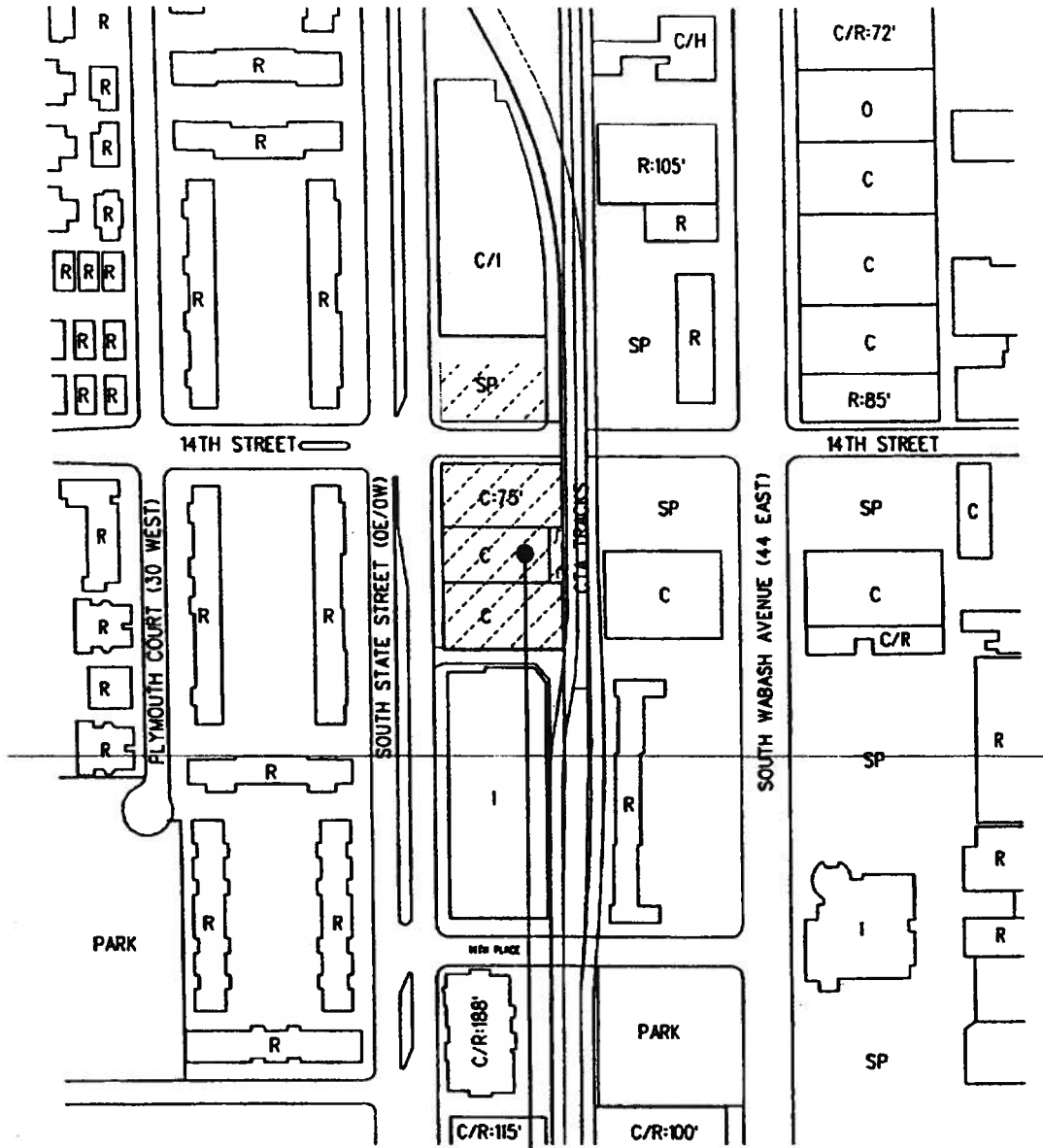
	Garage	Tower
North:	0 feet, 0 inches	0 feet, 0 inches
East:	16 feet, 5 inches	66 feet, 2 inches
Northeast Wing:	N/A	22 feet, 6 inches
South:	0 feet, 0 inches	12 feet, 0 inches
West:	3 feet, 0 inches	3 feet, 0 inches

Maximum Building Height:	In substantial conformance with the Building Elevations
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Existing Zoning And Street System Map.



Existing Land-Use Area Map.



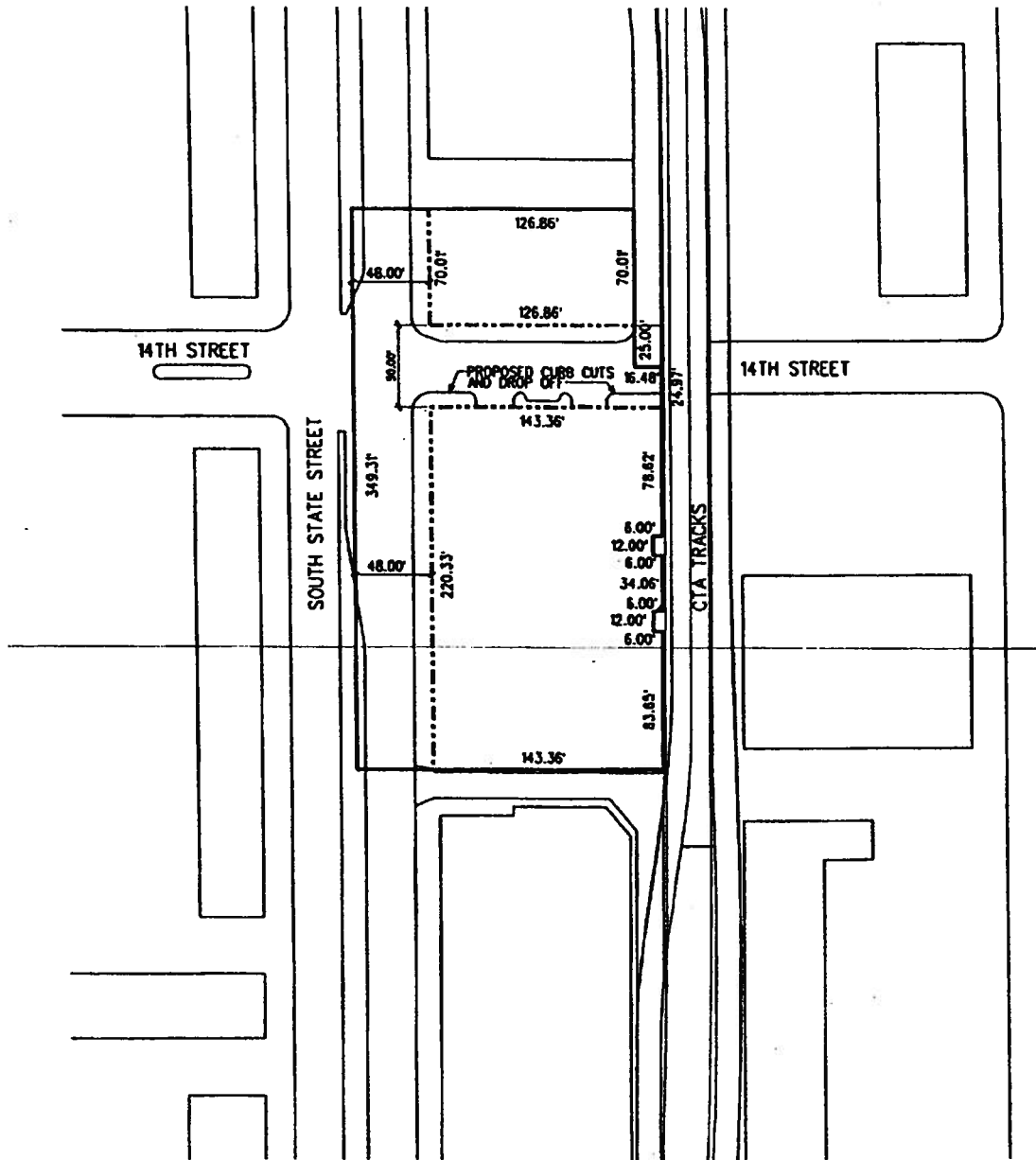
SITE

KEY - USE+HEIGHT
 C - COMMERCIAL, I - INSTITUTIONAL, H - HOTEL, O - OFFICE, P - PARKING, SP - SURFACE PARKING, R - RESIDENTIAL
 X' - APPROXIMATE HEIGHT OF BUILDING

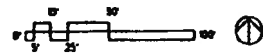
NOTE:
 1. ALL BUILDINGS WITHOUT HEIGHT DESIGNATION ARE LESS THAN 55' IN HEIGHT.
 2. HEIGHTS DO NOT INCLUDE MECHANICAL/ELEVATOR PENTHOUSES.



Planned Development Boundary, Property Line And
Right-Of-Way Adjustment Map.



PROPERTY LINE - - - - -
PD BOUNDARY - - - - -

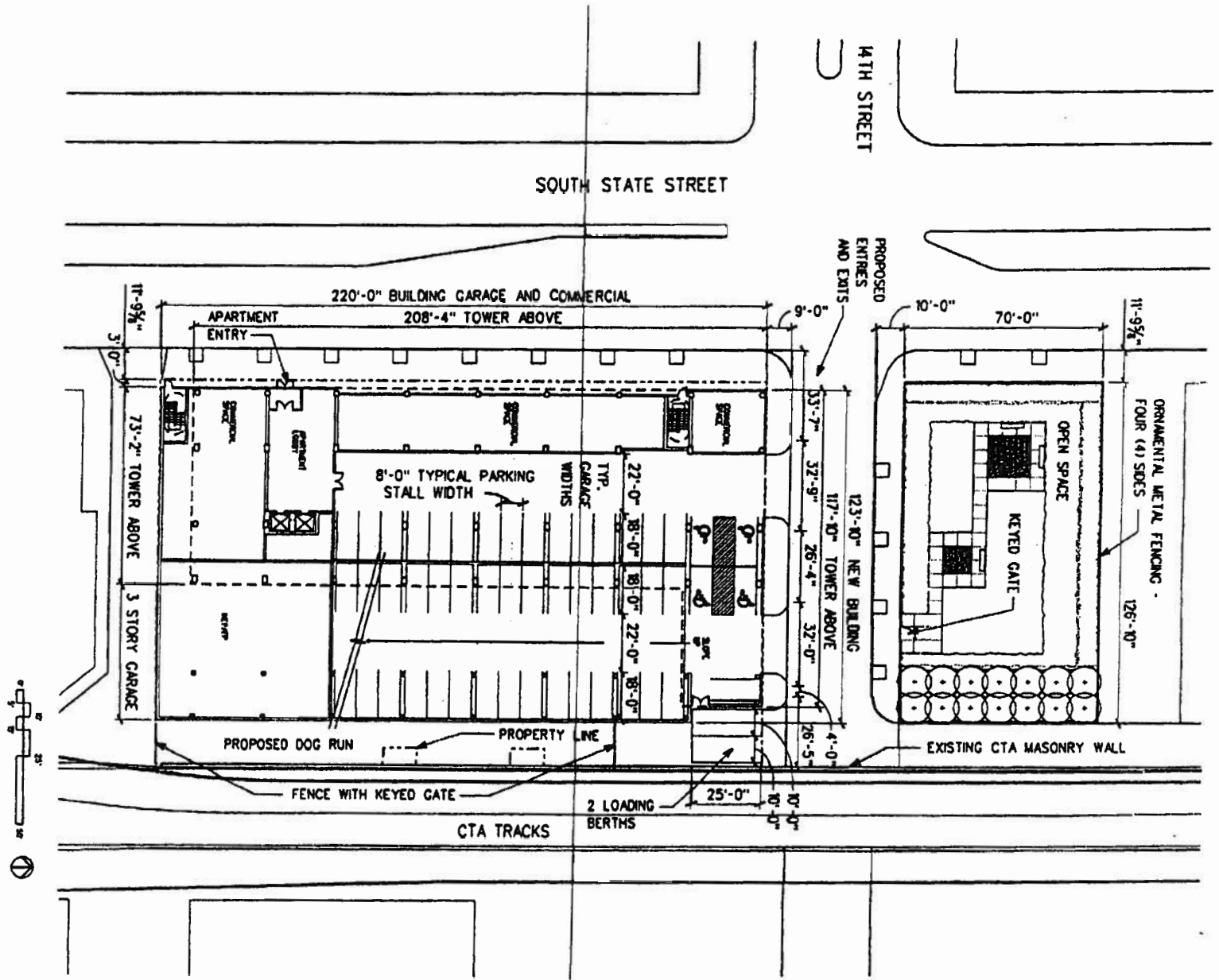


12/7/2005

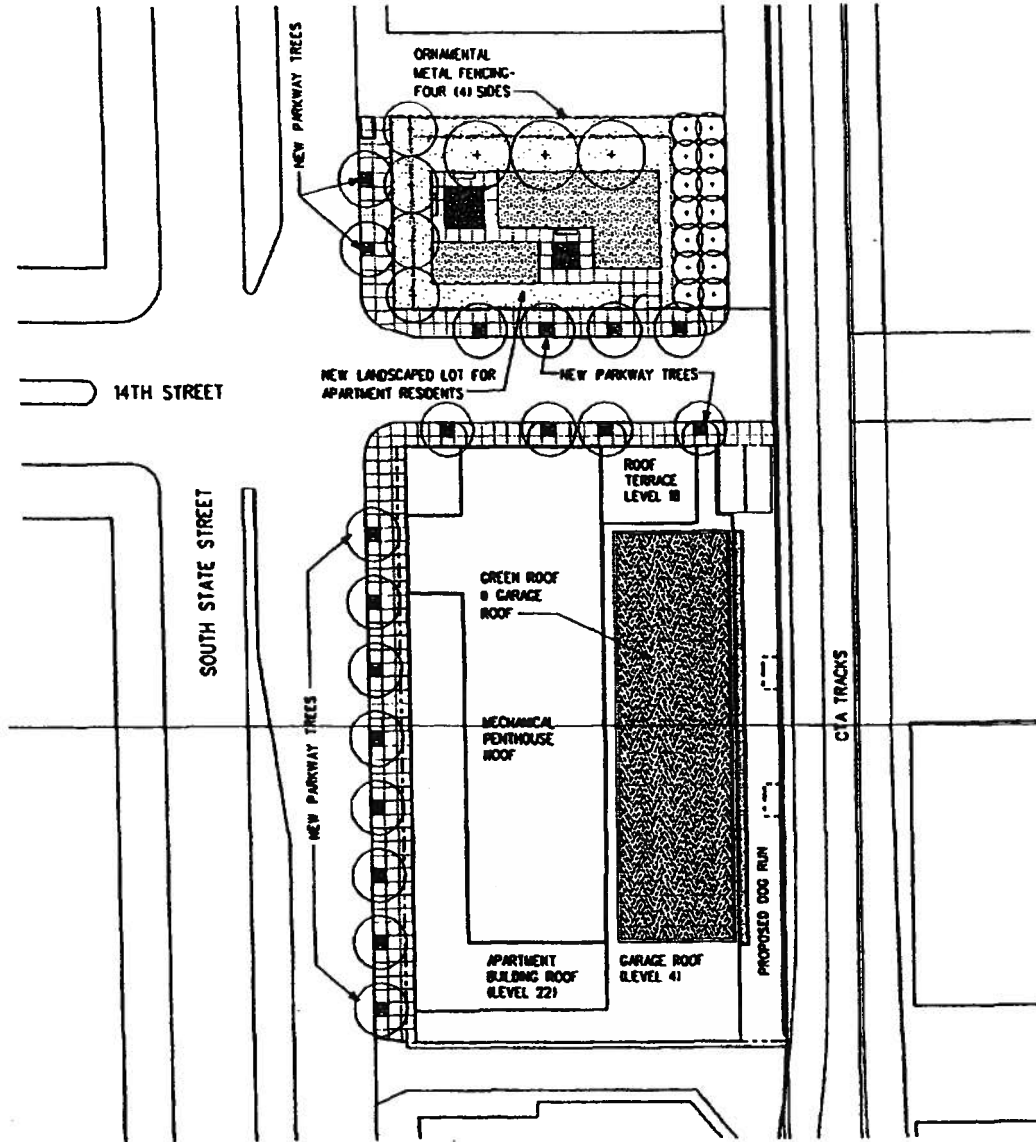
REPORTS OF COMMITTEES

65827

Generalized Site Plan.



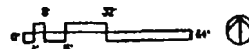
Landscape Plan.



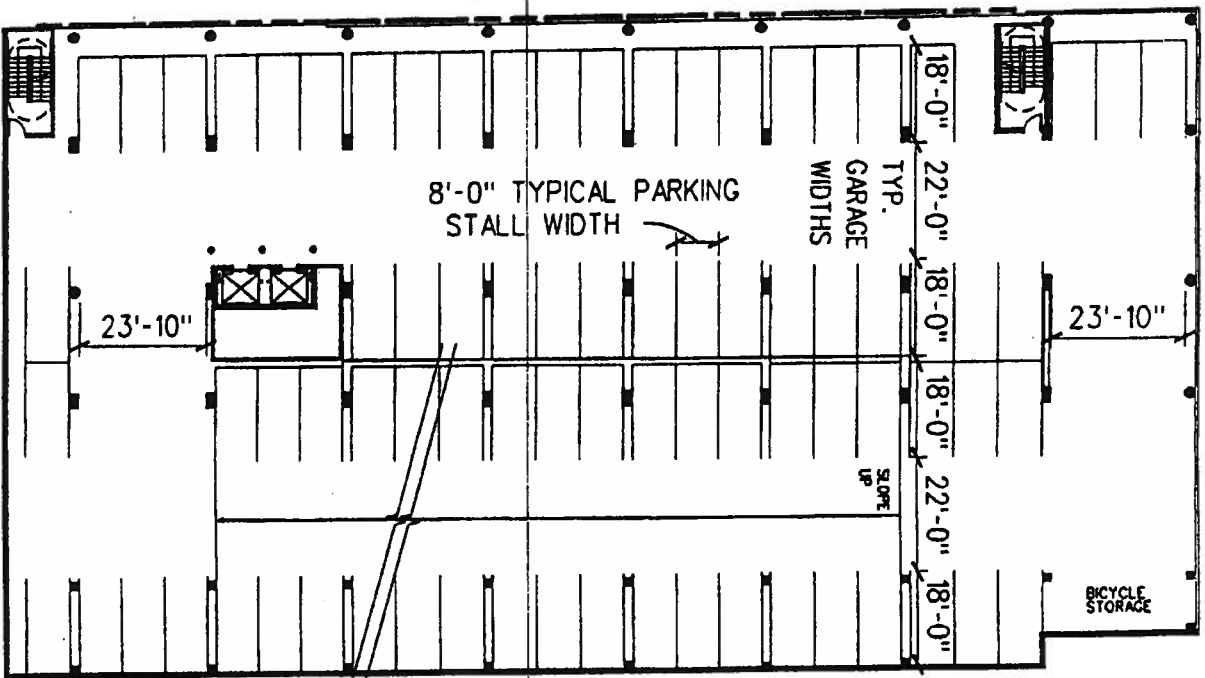
○ PARKWAY AND LANDSCAPE TREES

■ PARKWAY TREE GRATES

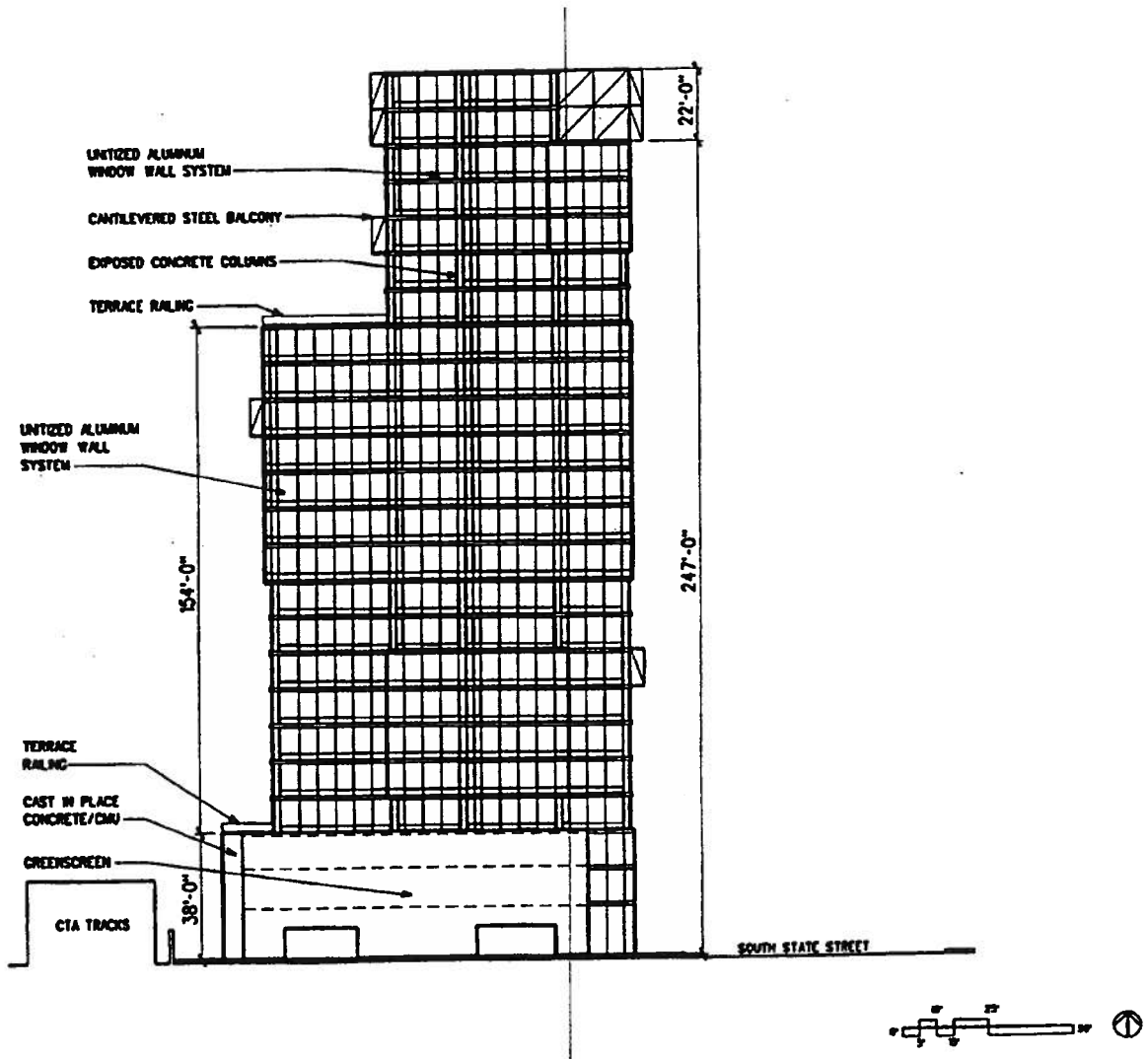
■ GREEN ROOF. TOTAL AVAILABLE ROOF = 26,980 SF
 25% OF 26,980 SF = 6,745 SF OF GREEN ROOF REQUIRED
 6,756 SF OF GREEN ROOF PROVIDED > 6,745 SF GREEN ROOF REQUIRED



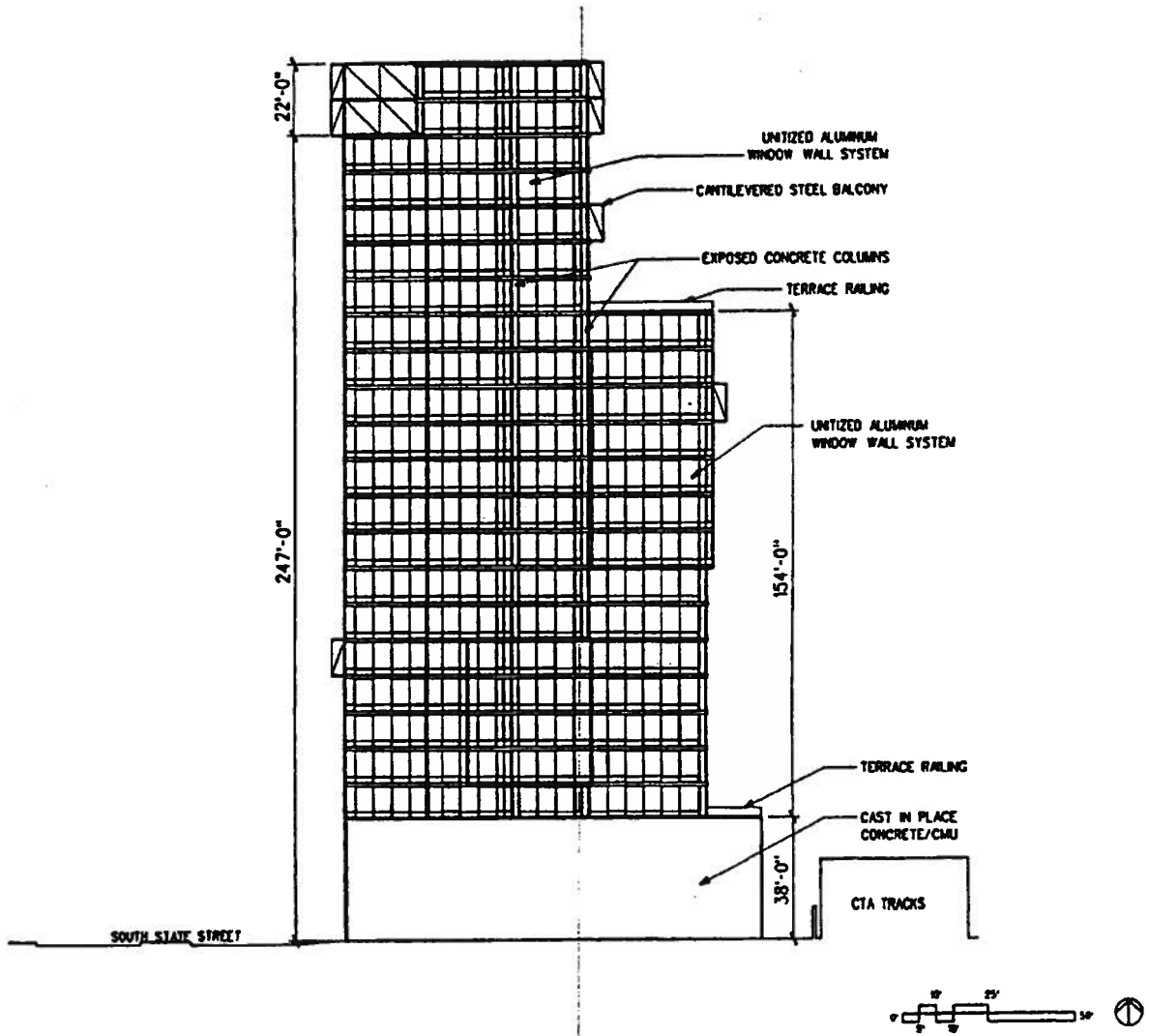
Typical Garage Floor Plan.



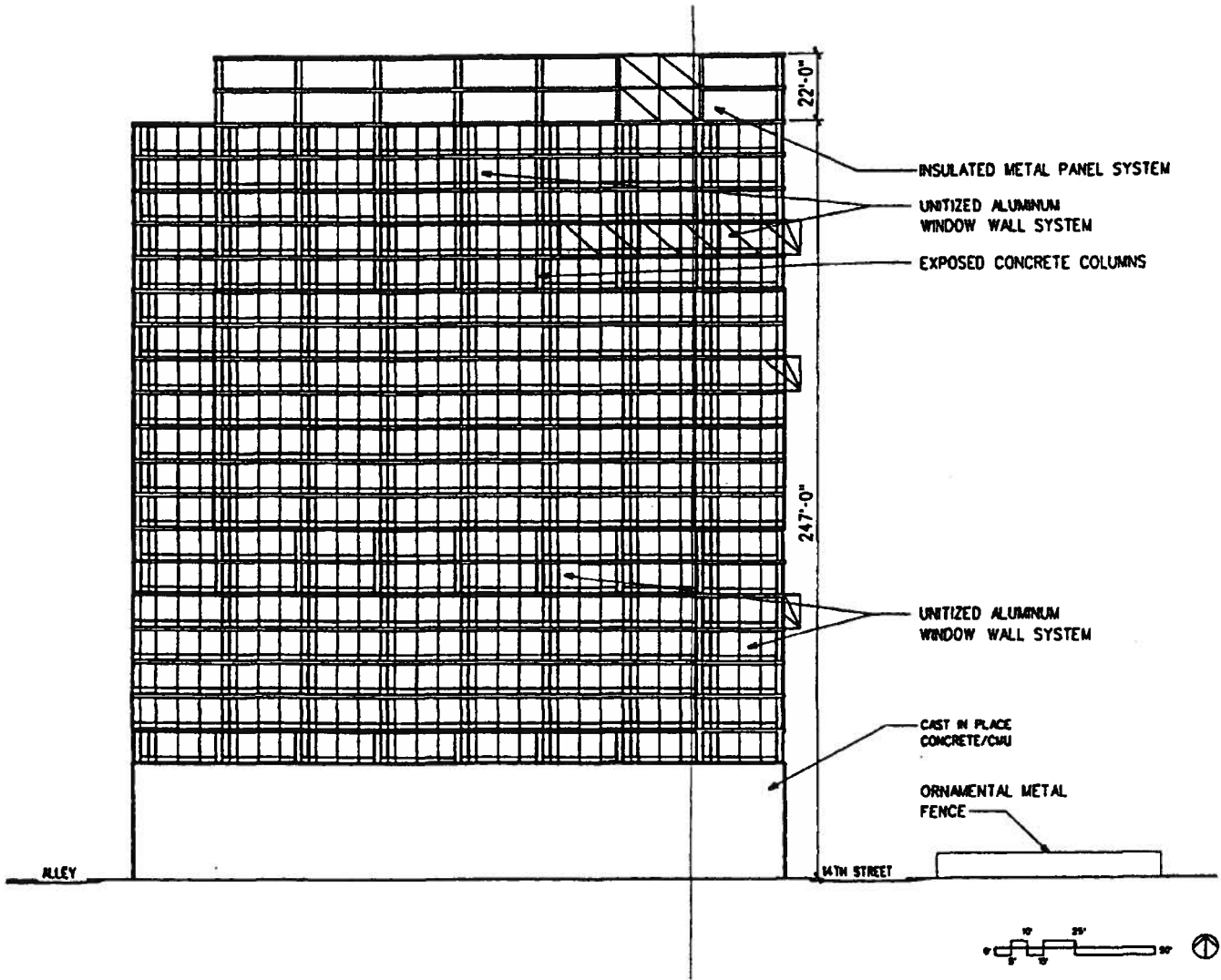
North Elevation.



South Elevation.



East Elevation.



West Elevation.

