

# PD 1007

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City of Chicago  
Richard M. Daley, Mayor

Department of Planning  
and Development

City Hall, Room 1000  
121 North LaSalle Street  
Chicago, Illinois 60602  
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July 11, 2007

Ms. Jessica Marie Boudreau  
Schain, Burney, Ross & Citron, Ltd.  
222 North LaSalle Street  
Suite 1910  
Chicago, Illinois 60601-1102

**Re: Administrative Relief request for Business Planned Development  
No. 1007, Sherman Plaza, 161-233 W. 87<sup>th</sup> Street**

Dear Ms. Boudreau:

Please be advised that your request for a minor change to Business Planned Development No. 1007 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance.

Specifically, you requested to substitute solar panels on the roof of the above-referenced retail building in lieu of installing a green roof.

With regard to your request, the Department of Planning and Development has determined that substituting solar panels in lieu of a green roof would change the character of the development and would not meet the requirements of the City of Chicago's Green Roof policy.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 1007, I hereby deny the foregoing change to Business Planned Development No. 1007.

Sincerely,

Kathleen Nelson  
First Deputy Commissioner

KCN:MRD:tm

cc: Kathleen Nelson, Judy Minor Jackson, Michael Berkshire, Mike Marmo, Pat Haynes, DPD files





City of Chicago  
Richard M. Daley, Mayor

Department of Planning  
and Development

Lori T. Healey  
Commissioner

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September 11, 2006

Mr. Bernard I. Citron  
Schain, Burney, Ross & Citron, Ltd.  
222 North LaSalle Street  
Suite 1910  
Chicago, Illinois 60601-0200

**Re: Administrative Relief request for Business Planned Development  
No. 1007, Sherman Plaza, 163 W. 87<sup>th</sup> Street**

Dear Mr. Citron:

Please be advised that your request for a minor change to Business Planned Development No. 1007 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance.

Specifically, you requested to substitute the use of a through wall structural clay material (Atlas Brick) instead of the previously approved variety of building materials. This substitution of materials is for the rear elevations only of Sherman Plaza's small shop buildings and the Staples store located within the Plaza. The revised Exterior Elevations (A-4 and A-6), prepared by ONYX Architectural Services, Inc. and dated September 6, 2006, shall be substituted in place of the previously approved drawings and inserted into the main file.

With regard to your request, the Department of Planning and Development has determined that this substitution of materials to the rear elevations only: does not create an adverse impact on the Planned Development or surrounding neighborhood, does not result in an increase in the bulk or density, does 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 Business Planned Development No. 1007, I hereby approve the foregoing minor change, but no other changes to Business Planned Development No. 1007.

Sincerely,

A handwritten signature in cursive script that reads "Lori T. Healey".

Lori T. Healey  
Commissioner

LTH:MRD:tm  
cc: Judy Minor Jackson, Mike Marmo, DPD files





City of Chicago  
Richard M. Daley, Mayor

Department of Planning  
and Development

Lori T. Healey  
Commissioner

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August 30, 2006

Ms. Jessica Marie Boudreau  
Schain, Burney, Ross & Citron, Ltd.  
222 North La Salle Street; Suite 1910  
Chicago, IL 60601-1102

Re: **Site Plan Approval for Business Planned Development No. 1007 (Sherman Plaza):** Outparcel (TCF Bank)  
**Proposal:** The construction of a new 4,280-square-foot, one (1) story, bank building and a four (4) lane drive-through facility.  
**Location:** Outparcel  
161 West 87<sup>th</sup> Street (TCF Bank)

Dear Ms. Boudreau:

We have reviewed the material submitted by you for the construction of a one-story, 4,280 square-foot bank building and four-lane drive-through facility on the Outparcel of Business Planned Development No. 1007. Those materials, prepared by Griskelis Young Harrell, Ltd., consist of plans:

- A002 Architectural Site Plan, dated August 29, 2006;
- A101 Floor Plan & Ceiling Plan, dated June 20, 2006;
- A301 Building Elevations, dated August 7, 2006;
- A302 Building Elevations, dated August 7, 2006; and
- A303 Drive-Thru Elevations, dated June 20, 2006.

These plans are submitted in accordance with Statement No. 10 of Business Planned Development No. 1007.

Upon review of the material submitted, the Department of Planning and Development has determined that these plans are consistent with and satisfy the requirements of the Plan of Development with the following provisions:

- All signage shall be subject to a separate review and approval as per Statement No. 6 and the sign provisions of the Zoning Ordinance;
- This Site Plan approval covers the building elevations, only. Site and landscape work shall be in conformity with plans approved by the Minor Change Letter of August 29, 2006; and
- The vegetated ("green") roof requirement for this structure shall be provided as part of the Green Roof Plan GR-1, dated May 3, 2006.

Accordingly, this Site Plan submittal for the Outparcel of Business Planned Development No. 1007 is hereby approved as conforming to the Plan of Development.

Sincerely,

Lori T. Healey,  
Commissioner

Originated by: Fred Deters  
cc: Judy Minor-Jackson, Mike Marmo, Planned Development files





City of Chicago  
Richard M. Daley, Mayor

Department of Planning  
and Development

Lori T. Healey  
Commissioner

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August 29, 2006

Jessica Marie Boudreau  
Shain, Burney, Ross & Citron, LTD.  
222 North La Salle Street; Suite 1910  
Chicago, Illinois 60601-1102

**Re:** Request for Minor Change to Business Planned Development No. 1007  
(163 W. 87<sup>th</sup> Street - Sherman Plaza)

Dear Ms. Boudreau:

Your request for a minor change to Business Planned Development No. 1007, submitted on behalf of Berkshire - West 87<sup>th</sup> Street, L.L.C., has been considered by the Department of Planning and Development pursuant to Section 17-13-0611-A of the Chicago Zoning Ordinance.

Specifically, you requested minor changes in the Planned Development to substitute revised Site Plan, Landscape Plan, Building Elevations, and Green Roof Plan for those approved in the Planned Development. The revised Site and Landscape Plans reflect changes made to the parking lot to accommodate the bank's drive-through facility and a reconfiguration of the retail building. The revised Elevations and Green Roof Plan relate to the reconfigured retail building.

With regard to your request, the Department of Planning and Development has determined that such revisions to the Planned Development would constitute minor changes pursuant to Section 17-13-0611-A of the Chicago Zoning Ordinance.

I hereby approve the substitution of following plans prepared by Onyx Architectural Services, Inc. for those approved in the Planned Development:

- A-0 Site Plan, dated August 28, 2006;
- L-1 Landscape Plan, dated August 28, 2006;
- A-4 Elevations; dated August 28, 2006; and
- GR-1 Green Roof Plan, dated May 3, 2006.

Very truly yours,

Lori T. Healey  
Commissioner

Originated by: Fred Deters

cc: Mike Marmo, Judy Minor-Jackson, Planned Development files



2/8/2006

REPORTS OF COMMITTEES

15227  
70467

a line 62 feet north of and parallel to East 74<sup>th</sup> Street; South Woodlawn Avenue; East 74<sup>th</sup> Street; and the public alley next west of and parallel to South Woodlawn Avenue,

to those of an RS3 Residential Single-Unit (Detached House) District.

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

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*Reclassification Of Area Shown On Map Number 22-F.*

(As Amended)

(Application Number 15227) *BPD 1007*

*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, is hereby amended by changing all of the current M2-2 Light Industry District symbols and indications as shown on Map Number 22-F in the area described as follows:

beginning at a point on the south line of West 87<sup>th</sup> Street, said point being 100 feet south of the north line of said northeast quarter of Section 4 and 465.01 feet east of the north and south centerline of said section and running; thence south 00 degrees, 03 minutes, 40 seconds east, 204.51 feet; thence south 53 degrees, 55 minutes, 01 second east, 198.15 feet; thence south 54 degrees, 57 minutes, 45 seconds east, 61.14 feet; thence south 55 degrees, 00 minutes, 29 seconds east, 311.04 feet; thence south 35 degrees, 24 minutes, 01 second east, 141.60 feet; thence south 40 degrees, 37 minutes, 11 seconds east, 102.45 feet; thence north 69 degrees, 27 minutes, 49 seconds east, 16 feet; thence south 39 degrees, 07 minutes, 40 seconds east, 166.20 feet; thence north 50 degrees, 52 minutes, 20 seconds east, 50.04 feet; thence north 00 degrees, 05 minutes, 53 seconds west, 137.25 feet; thence north 20 degrees, 39 minutes, 31 seconds west, 374.83 feet; thence continuing along the last described course, a distance of 403.24 feet to a point of intersection to the southerly line of West 87<sup>th</sup> Street; thence southwesterly on a curved line, 256.50 feet, having a radius of 1,033 feet to the point of tangent; and thence westerly on the southerly line of West 87<sup>th</sup> Street, a distance of 211.80 feet to the point of beginning,

to those of a B3-1 Community Shopping District.

**SECTION 2.** That Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing the current B3-1 Community Shopping District symbols and indications as shown on Map Number 22-F in the area described as follows:

beginning at a point on the south line of West 87<sup>th</sup> Street, said point being 100 feet south of the north line of said northeast quarter of Section 4 and 465.01 feet east of the north and south centerline of said section and running; thence south 00 degrees, 03 minutes, 40 seconds east, 204.51 feet; thence south 53 degrees, 55 minutes, 01 second east, 198.15 feet; thence south 54 degrees, 57 minutes 45 seconds east, 61.14 feet; thence south 55 degrees, 00 minutes, 29 seconds east, 311.04 feet; thence south 35 degrees, 24 minutes, 01 second east, 141.60 feet; thence south 40 degrees, 37 minutes, 11 seconds east, 102.45 feet; thence north 69 degrees, 27 minutes, 49 seconds east, 16 feet; thence south 39 degrees, 07 minutes, 40 seconds east, 166.20 feet; thence north 50 degrees, 52 minutes, 20 seconds east, 50.04 feet; thence north 00 degrees, 05 minutes, 53 seconds west, 137.25 feet; thence north 20 degrees, 39 minutes, 31 seconds west, 374.83 feet; thence continuing along the last described course, a distance of 403.24 feet to a point of intersection to the southerly line of West 87<sup>th</sup> Street; thence southwesterly on a curved line, 256.50 feet, having a radius of 1,033 feet to the point of tangent; and thence westerly on the southerly line of West 87<sup>th</sup> Street, a distance of 211.80 feet to the point of beginning,

to those of a Business Planned Development which is hereby established in the area described above subject to such use and bulk regulations as are set forth in the Plan of Development Statements and Bulk Regulations and Data Table attached hereto and to no others.

**SECTION 3.** This ordinance shall be in force and effect from and after its passage and approval.

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

*Business Planned Development Number 1007.*

*Plan Of Development Statements.*

1. The area delineated herein as Business Planned Development Number 1007 (the "Planned Development") consists of approximately three hundred ten thousand four hundred twelve (310,412) square feet (approximately seven and thirteen-hundredths (7.13) acres) of land which is depicted on the attached Planned Development Boundary and Property

Line Map (the "Property"). For purposes of this Planned Development, the Property is controlled by the applicant, Berkshire-West 87<sup>th</sup> Street, L.L.C. a Massachusetts limited liability company.

2. All applicable official reviews, approvals or permits are required to be obtained by the applicant. Any dedication or vacation of streets, alleys or easements or any adjustment of right-of-way shall require a separate submittal on behalf of the applicant, its successors, assignees or grantee, and approval by the City Council.
3. 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 and their respective successors and assigns. All rights granted hereunder to the applicant shall inure to the benefit of its successors and assigns and, if different than the applicant, the legal titleholder and any ground lessors and their respective successors and assigns. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this statement shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be deemed 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 with respect to the portion of the Property so transferred.
4. This plan of development consists of these thirteen (13) statements; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site Plan; a Landscape Plan; and Building Elevations, prepared by Onyx Architectural Services dated December 15, 2005. These and no other zoning controls shall apply to the Property. This 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 of the Property shall be permitted: retail units, accessory parking and accessory uses.
6. Identification signs and business signs for on-site businesses shall be permitted upon the Property provided that such signs are compatible with the character of development authorized by this Planned Development and conform to the signage standards for strip centers (Section 17-9-0116-B-5 of the Chicago Zoning Ordinance). Temporary signs such as construction and marketing signs and temporary business identification signs shall be permitted within the Planned Development subject to review and approval of the Department.
7. Service drives or other means of ingress or egress, including for emergency vehicles shall be adequately designed and paved in accordance with the Municipal Code and the regulations of the Department of Transportation in effect at the time of construction. There shall be no parking within such paved areas or fire lanes. Ingress and egress shall be subject to the review and approval of the Department of Transportation and the Department of Planning and Development. All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation "Construction Standards for Work in the Public Way" and in accordance with Municipal Code of the City of Chicago. Off-street parking and loading facilities shall be provided in compliance with this Planned Development. A minimum of two percent (2%) of all parking spaces provided pursuant to this Planned Development shall be designated and designed for parking for the handicapped.
8. Height restrictions of any building or any appurtenance thereto shall be subject to height limitations as approved by the Federal Aviation Administration.
9. For purposes of floor area ratio ("F.A.R.") calculations, the definitions in the Chicago Zoning Ordinance in effect as of the date hereof shall apply.
10. Except for the outparcel on West 87<sup>th</sup> Street, the improvements on the Property shall be designed, constructed and maintained in substantial conformance with the exhibits described in Statement Number 4 of this Planned Development and shall not require further site plan approval. Prior to issuance by the Department of Planning and Development of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance ("Part II approval") for any future development within the outparcel in this Planned Development, Site Plans for proposed development shall be submitted to the Commissioner of the Department

of Planning and Development for Site Plan approval. All future proposals for development shall be subject to the provisions of this Planned Development and all relevant ordinances and City policies in effect at the time of submission. Site Plan approval is intended to assure that specific development proposals conform with this Planned Development, as well as relevant ordinances and City policies, and to assist the City in monitoring on-going development. No Part II approval shall be granted for development of the outparcel until an applicable Site Plan has been approved.

A Site Plan shall, at a minimum, provide the following information:

- a. boundaries of outparcel;
- b. building footprint or footprints;
- c. dimensions of all setbacks;
- d. location and depiction of all parking spaces (including relevant dimensions);
- e. location and depiction of all loading berths (including relevant dimensions);
- f. all drives, roadways and vehicular routes;
- g. all landscaping (including species and size);
- h. all pedestrian circulation routes and points of ingress/egress (including sidewalks);
- i. all site statistics applicable to the outparcel, including:
  - (1) floor area and floor area ratio as represented on submitted drawings;
  - (2) number of parking spaces provided;
  - (3) number of loading berths provided;
  - (4) uses of development of parcel; and
- j. parameters of the building envelope, including:
  - (1) maximum building height; and

- (2) setbacks and vertical setbacks, required and provided.

A Site Plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of this Planned Development and any City ordinances or policies in effect at the time of submission of the Site Plan.

11. The applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. The applicant shall use best and reasonable efforts to design, construct and maintain all buildings located within the Property in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System. Copies of these standards may be obtained from the Department of Planning and Development.

The applicant shall provide a vegetated ("green") roof on at least fifty percent (50%) of the combined net roof area of buildings to be constructed within this Planned Development. "Net roof area" is defined as the total roof area minus any required perimeter setbacks, rooftop structures and roof-mounted equipment.

12. 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. Therefore, at the time when building permits are sought, the plans for all 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.
13. Unless substantial construction of the project has commenced within the Planned Development within six (6) years of the passage of the Planned Development, the zoning of that Property shall revert to the B3-1 Community Shopping District. The six (6) year period may be extended for one (1) additional year if, before expiration, the Commissioner of the Department of Planning and Development determines that there is good cause for such an extension.

[Existing Zoning Map, Boundary and Property Line Map; Site Plan; Landscape Plan; and Building Elevations referred to in these Plan of Development Statements printed on pages 70474 through 70478 of this Journal.]

2/8/2006

REPORTS OF COMMITTEES

70473

15227

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

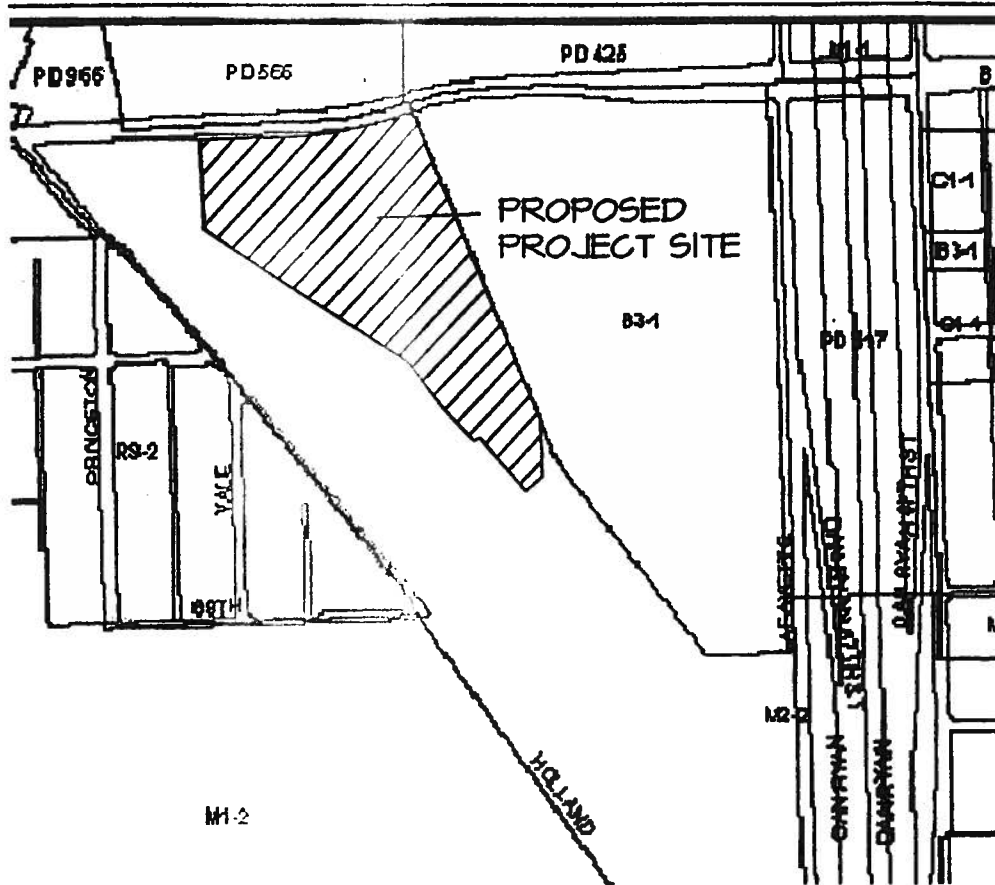
*Business Planned Development Number 1007.*

*Bulk Regulations And Data Table.*

**Gross Site Area (317,342 square feet; 7.29 acres) = Net Site Area (310,412 square feet; 7.13 acres) + Area Remaining in Public Right-of-Way (6,930 square feet; 0.16 acres)**

<b>Net Site Area:</b>	<b>310,412 square feet (7.13 acres)</b>
<b>Maximum Floor Area Ratio (F.A.R.):</b>	<b>1.20</b>
<b>Permitted Uses:</b>	<b>Retail units, accessory parking and accessory uses</b>
<b>Minimum Building Setbacks:</b>	<b>In accordance with Site Plan</b>
<b>Maximum Site Coverage:</b>	<b>In accordance with Site Plan</b>
<b>Minimum Number of Off-Street Parking Spaces:</b>	<b>147</b>
<b>Minimum Number of Loading Berths:</b>	<b>3</b>
<b>Minimum Bicycle Spaces:</b>	<b>1 for each 5 automobile spaces provided; maximum 50 bicycle spaces</b>
<b>Maximum Building Height:</b>	<b>38 feet</b>

Existing Zoning Map.



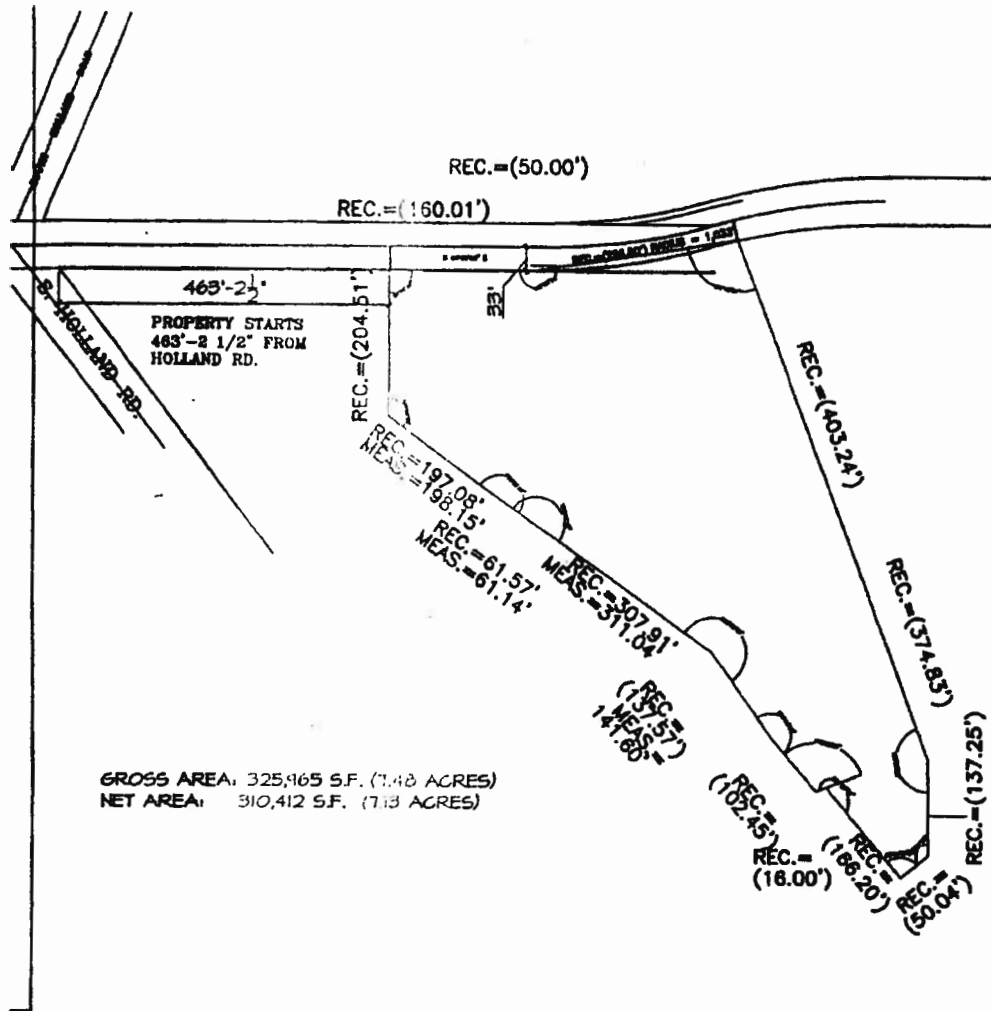
<b>EXISTING ZONING MAP</b>	
APPLICANT:	BERKSHIRE NEST 10TH STREET LLC
ADDRESS:	163-233 W. 10TH STREET
DATE:	10/6/05
REVISED:	1/3/06



**Architectural  
Services, Inc.**

750 N. FRANKLIN,  
CHICAGO, IL 60610  
Tel. (312) 787-2748  
Fax (312) 787-2857  
E-mail: onyx@onyxarch.net

Boundary And Property Line Map.



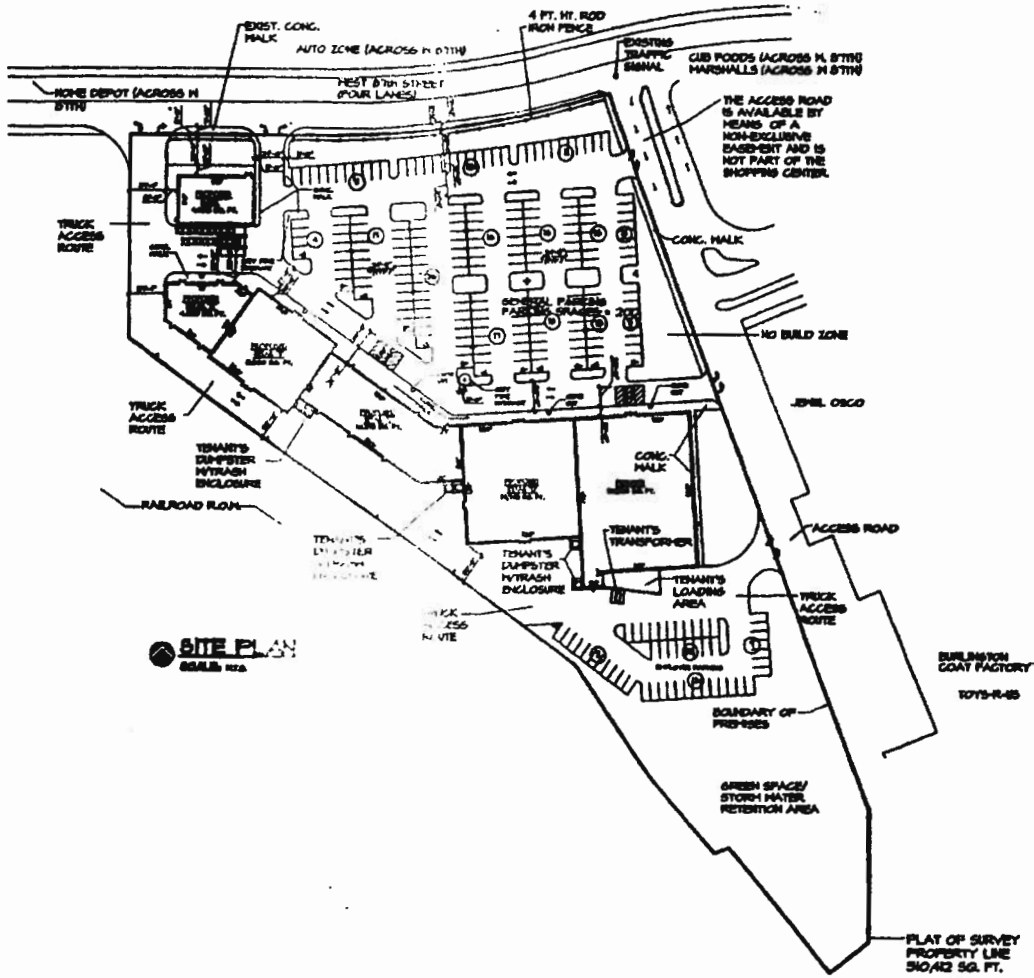
<b>BOUNDARY &amp; PROPERTY LINE MAP</b>	
APPLICANT:	BERKSHIRE WEST 27TH STREET, LLC
ADDRESS:	163-233 N. 27TH STREET
DATE:	10/6/05
REVISED:	12/15/05



**Architectural Services, Inc.**

750 N. FRANKLIN,  
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E-mail: onyx@onyxarch.net

Site Plan.



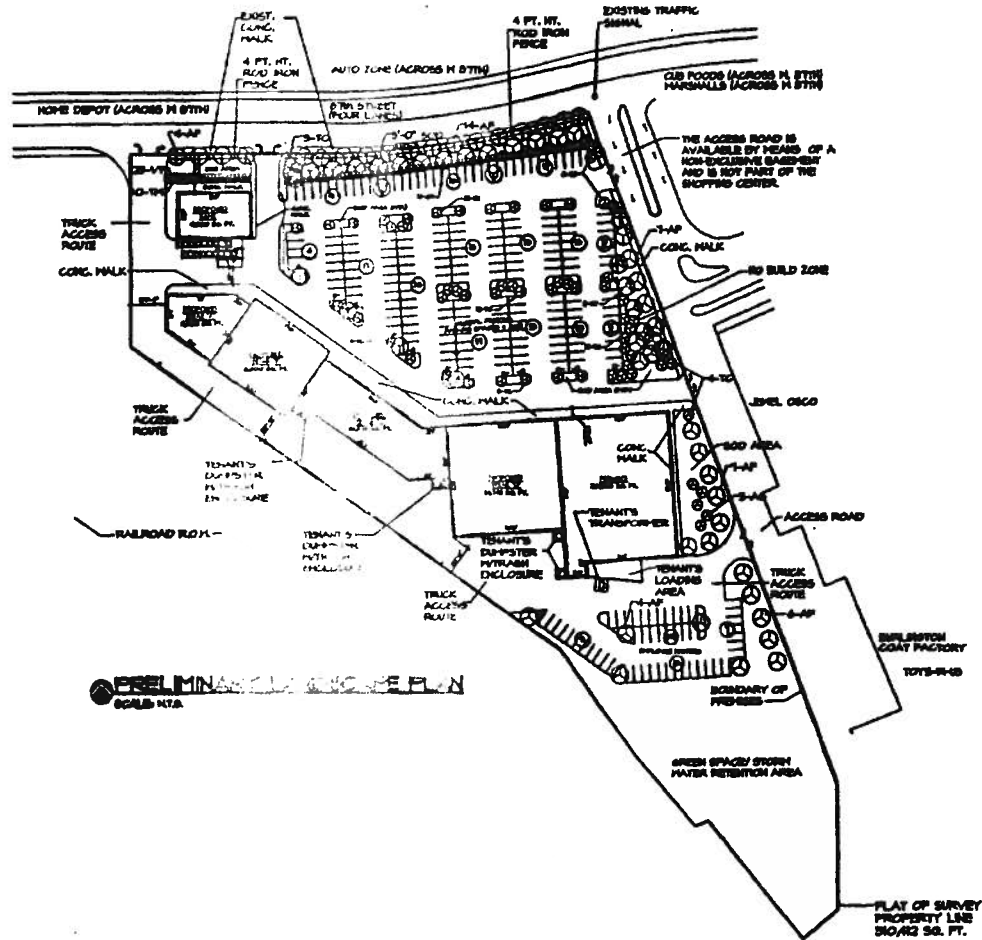
SITE PLAN	
APPLICANT:	BERKSHIRE WEST 8TH STREET, LLC
ADDRESS:	163-233 W. 8TH STREET
DATE:	10/6/05
REVISED:	12/15/05



**Architectural Services, Inc.**

750 N. FRANKLIN,  
CHICAGO, IL 60610  
Tel: (312) 787-2748  
Fax: (312) 787-2857  
E-mail: onyx@onyxarch.net

Landscape Plan.

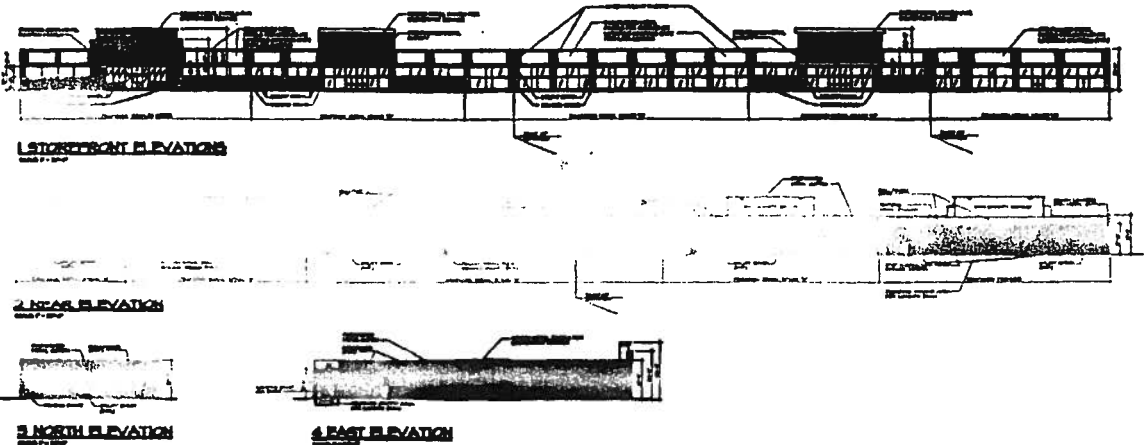


LANDSCAPE PLAN	
APPLICANT:	BERKSHIRE REALTY TRUST, LLC
ADDRESS:	163-233 NORTH 8TH STREET
DATE:	10/6/05
REVISED:	12/15/05



**Architectural Services, Inc.**  
 750 N. FRANKLIN,  
 CHICAGO, IL 60610  
 Tel: (312) 787-2748  
 Fax: (312) 787-2857  
 E-mail: onyx@onyxarch.net

Elevations.



**ELEVATIONS**  
APPLICANT: BERKSHIRE WEST  
ADDRESS: 163-233 N. 87TH  
DATE: 10/6/05  
REVISION: 12/15/05

ET, LLC



**Architectural  
Services, Inc.**  
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