



City of Chicago  
Richard M. Daley, Mayor

Department of Zoning and  
Land Use Planning

Patricia A. Scudiero  
Commissioner

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August 13, 2009

Mr. John J. George  
Attorney At Law  
Two First National Plaza  
Suite 400  
20 South Clark Street  
Chicago, IL 60603-1903

Re: **Residential Business Planned Development No. 1028, 925 West Jackson Boulevard**

Dear Mr. George:


This letter is in response to your letter of August 4, 2009. Residential Business Planned Development No. 1028 (PD) was approved by the City Council on September 13, 2006 for the property located at 925 W. Jackson Blvd. The PD permits a residential, business development and all uses permitted in the DX-5 Downtown Mixed Use District (DX-5 District), which includes office use. The PD also makes reference to an affordable housing requirement since the developer under the PD was increasing the floor area ratio. However, this development was never built.

You represent a client who is interested in acquiring the property. It is improved with a vacant, three-story building that was previously used for offices. Your client wishes to rehab the existing building and continue to use it as an office building with no residential units proposed. Therefore, you are seeking acknowledgment that office use is a permitted use under the PD, and also, since the existing building will be for office use only and there will be no increase in FAR, that the affordable housing requirement of the PD will not be applicable.

In a DX-5 District, the project now proposed (without the two-story addition as approved in the PD), would not qualify for a Planned Development, would not be required to provide parking and could proceed as-of-right. The PD requires a minimum of 61 accessory off-street parking spaces.

Therefore, with regard to your request, the Department of Zoning and Land Use Planning recommends that the PD be rezoned to a DX-5 District, which was the 1<sup>st</sup> step of the 2-step amendment. If you have any questions, please contact Heather Gleason of my staff at (312) 744-0063.

Sincerely,

  
Patricia A. Scudiero  
Commissioner

PAS:HG:tm

c: Heather Gleason, Steve Valenzano, Mike Marmo, Main file



85010

JOURNAL--CITY COUNCIL--CHICAGO

15508  
9/13/2006

*Reclassification Of Area Shown On Map Number 2-G.  
(As Amended)  
(Application Number 15508)*

*RBPD 1028*

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the DS-3 Downtown Service District symbols and designations as shown on Map Number 2-G in the area bounded by:

West Jackson Boulevard; a line 116.11 feet east of and parallel to South Sangamon Street; a line 201.07 feet south of and parallel to West Jackson Boulevard; and South Sangamon Street,

to those of a DX-5 Downtown Mixed-Use District and a corresponding use district is hereby established in the area above described.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all DX-5 Downtown Mixed-Use District symbols and designations as shown on Map Number 2-G in the area bounded by:

West Jackson Boulevard; a line 116.11 feet east of and parallel to South Sangamon Street; a line 201.07 feet south of and parallel to West Jackson Boulevard; and South Sangamon Street,

to the designation of a Residential-Business Planned Development which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

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

*Residential-Business Planned Development Number 1028.*

*Plan Of Development Statements.*

1. The area delineated herein as a Residential-Business Planned Development consists of approximately twenty-three thousand three hundred ninety-four (23,394) square feet (.5371 acres) and is owned or controlled by the applicant, 925 West Jackson L.L.C.

2. All applicable official reviews, approvals or permits are required to be obtained by the applicant or its successors, assignees or grantee. Any dedication or vacation of streets or alleys, or easements, or adjustments of right-of-way, or consolidation or resubdivision of parcels shall require a separate submittal on behalf of the applicant or 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. All rights granted hereunder to the applicant shall inure to the benefit of the applicant's successors and assigns and, if different then to the owners of record title to all of the property and to any ground lessors. 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 paragraph 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 made or authorized by all the owners of the property and any ground lessors. An agreement among property owners or a covenant binding property owners may designate the authorized party for any future amendment, modification or change.
4. This plan of development consists of fifteen (15) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; Existing Land-use Map; a Planned Development Boundary and Property Line Map; and a Site Plan; Landscape Plan; and Building Elevations prepared by Ridgeland Associates, Inc. dated August 17, 2006. Full size sets of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. The planned development is applicable to the area delineated hereto and these and no other zoning controls shall apply.
5. The following uses shall be permitted within the area delineated herein as "Residential Business Planned Development": all uses permitted in the DX-5 Downtown Mixed-Use District, including but not limited to: residential sixty (60) dwelling units, office, retail, commercial, parking and related uses but excluding hotel.
6. Identification signs shall be permitted within the planned development subject to the review and approval of the Department of Planning and Development. Temporary signs, such as construction and marketing signs

shall be permitted, subject to the review and approval of the Department of Planning and Development.

7. Ingress and egress shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic 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 compliance with the Municipal Code of the City of Chicago. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation.
8. In addition to the maximum height of the building and any appurtenance thereto prescribed in this 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 ratio ("F.A.R.") calculations, the definitions in the Chicago Zoning Ordinance shall apply.
10. The improvements in the property shall be designed, installed and maintained in substantial conformance with the Site Plan, Landscape Plan and Building Elevations and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.
11. The terms, conditions and exhibits of this planned development ordinance may be modified administratively by the Commissioner of the Department of Planning and Development, upon the application for such a modification by the applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated in this planned development and the purposes underlying the provisions hereof. Any such modification of the requirements of this Statement 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 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 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 Green Building Rating

System ("L.E.E.D."). The applicant is meeting the green roof requirement by providing a green roof over twenty-five percent (25%) (four thousand six hundred forty-five (4,645) square feet) of the total roof area.

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 property. 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. No permits shall be granted pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance until the Director of M.O.P.D. has approved detailed construction drawings for each building or improvement.
14. Pursuant to the Affordable Housing provision of the City of Chicago Zoning Ordinance, Title 17 Chapter 17-4-1004, et seq. ("Zoning Ordinance"), the applicant has asked for an increase in the floor area ratio of the property. The applicant hereby acknowledges that according to Section 17-4-1004D of the Zoning Ordinance, the total floor area devoted to affordable housing units must equal at least twenty-five percent (25%) of the total increase in floor area allowed under the Affordable Housing Bonus or a cash payment must be made to the City of Chicago Affordable Housing Opportunity Fund based on the increase in allowable floor area multiplied by eighty percent (80%) of the median cost of land per buildable square foot. Based on Section 17-4-1004D, the applicant has agreed to provide cash payment to the City of Chicago Affordable Housing Opportunity Fund in the amount of Six Hundred Thirty-six Thousand Three Hundred Sixteen and 80/100 Dollars (\$636,316.80). Prior to the issuance of permits, the applicant will enter into an Affordable Housing Agreement with the Chicago Department of Housing or provide a letter of credit or other security device in an amount equal to the cash contribution. The applicant must comply with all of the applicable sections of the Affordable Housing provision of the Zoning Ordinance which sections are hereby incorporated into this planned development. The Affordable Housing Agreement required by Section 17-4-1004-E9 is also incorporated into this planned development.
15. Unless substantial construction has commenced within six (6) years following adoption of this planned development and unless completion is thereafter diligently pursued, then this planned development shall expire. If this planned development expires under the provisions of this section, then the zoning of the property shall automatically revert to that of the DX-5 Downtown Mixed-Use District.

[Site Plan referred to in these Plan of Development  
Statements unavailable at time of printing.]

[Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Landscape Plan and Planting Detail; Building Elevations; First Floor Plan; and Green Roof Plan referred to in these Plan of Development Statements printed on pages 85015 through 85023 of this *Journal*.]

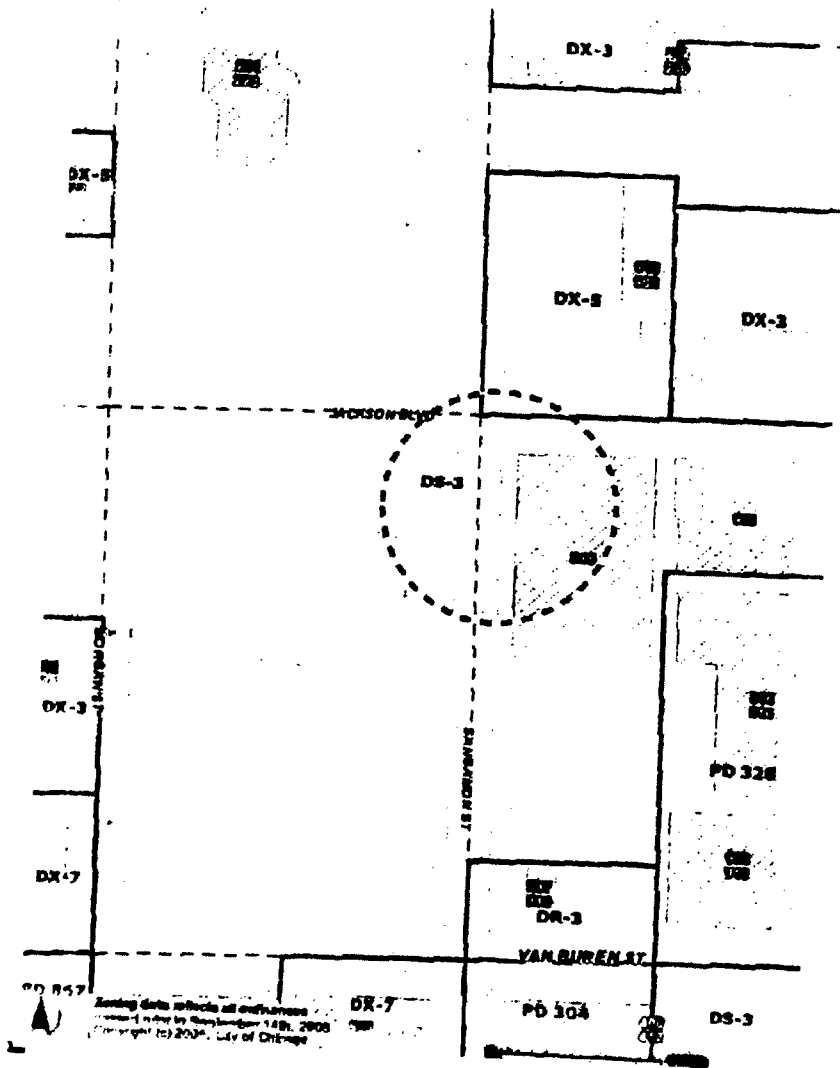
Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

*Residential-Business Planned Development Number 1028.*

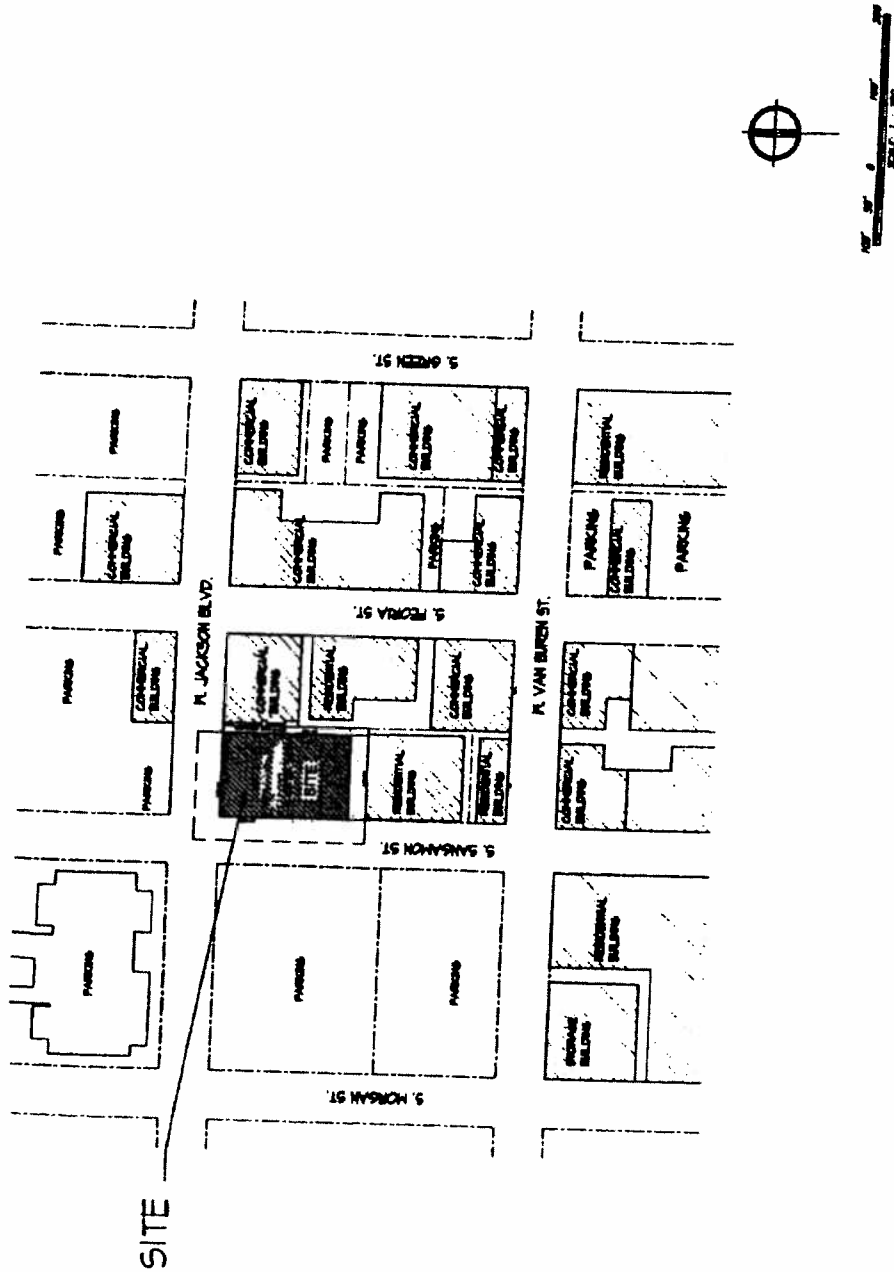
*Bulk Regulations And Data Table.*

Site Area:	23,394 square feet (0.537 acre)
Maximum Floor Area Ratio:	5.0
Number of Residential Units:	60 units
Site Coverage:	100%
Minimum Number of Accessory Off-Street Parking Spaces:	61
Number of Bike Parking Spaces:	32
Number of Off-Street Loading Docks:	None
Building Setbacks:	None, set backs are not required
Building Height:	79 feet

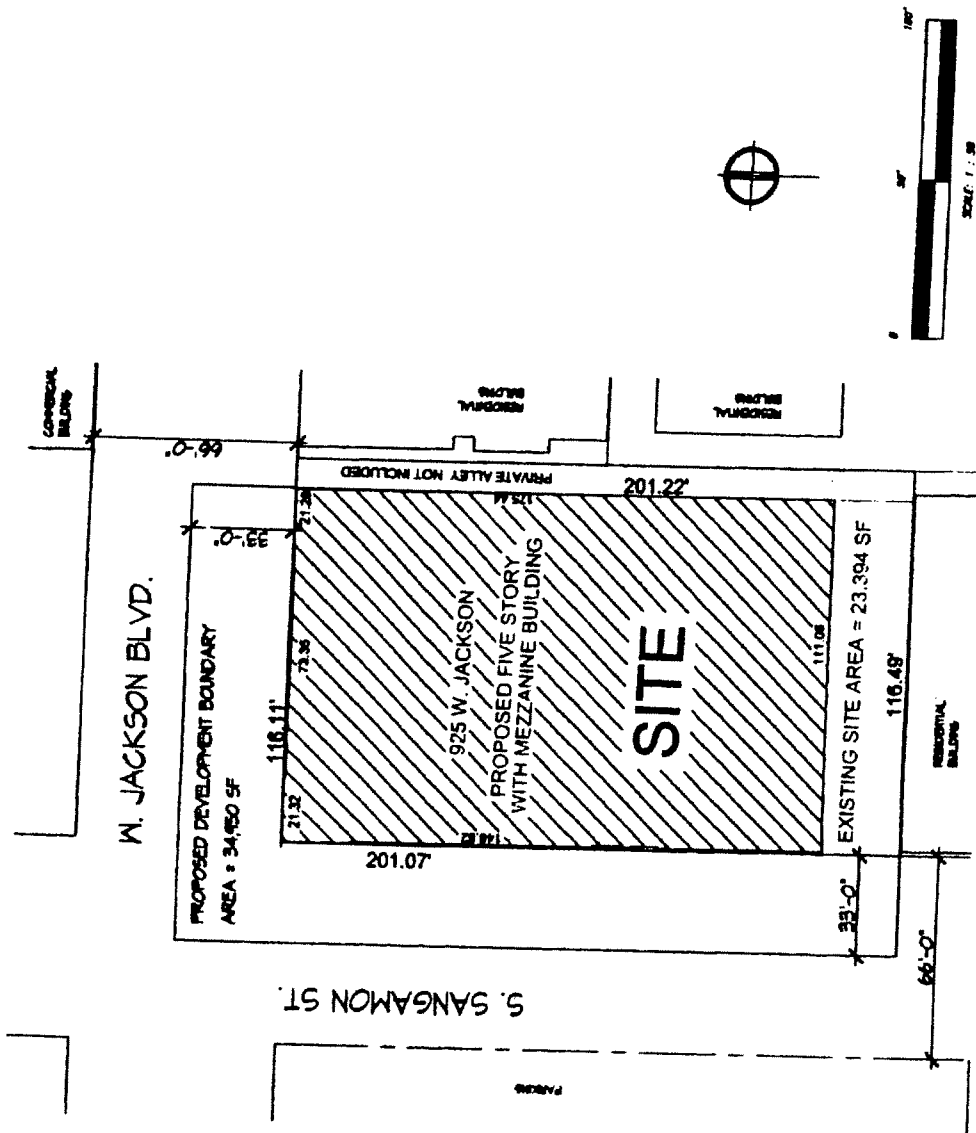
Zoning Map.



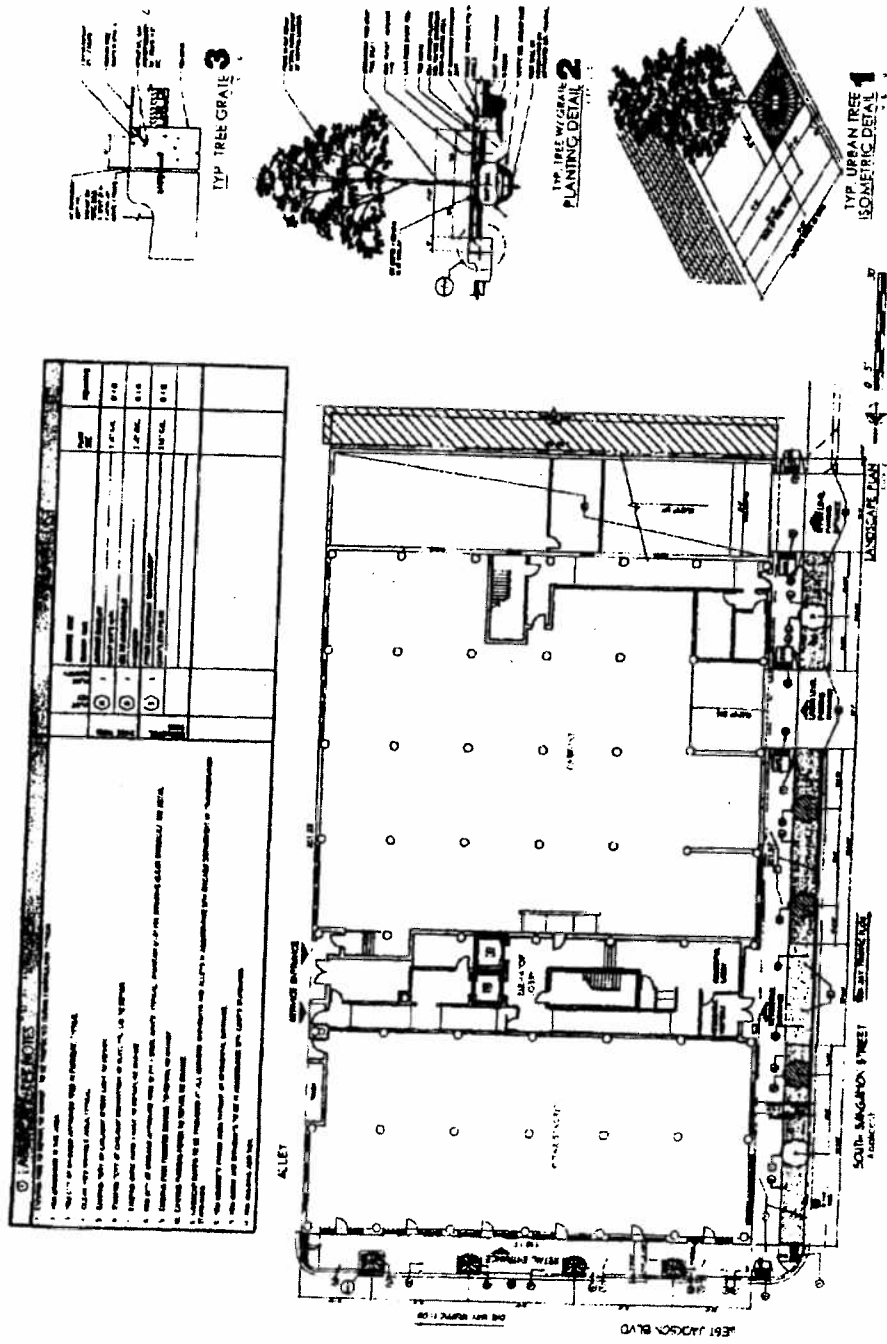
Existing Land-Use Map.



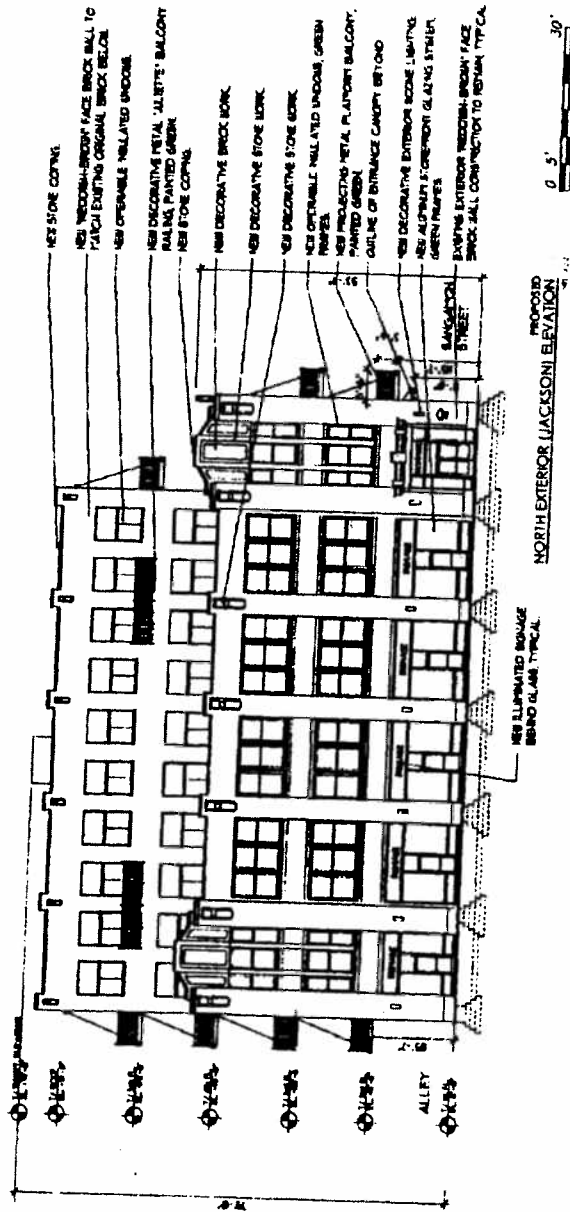
Planned Development Boundary  
And Property Line Map.



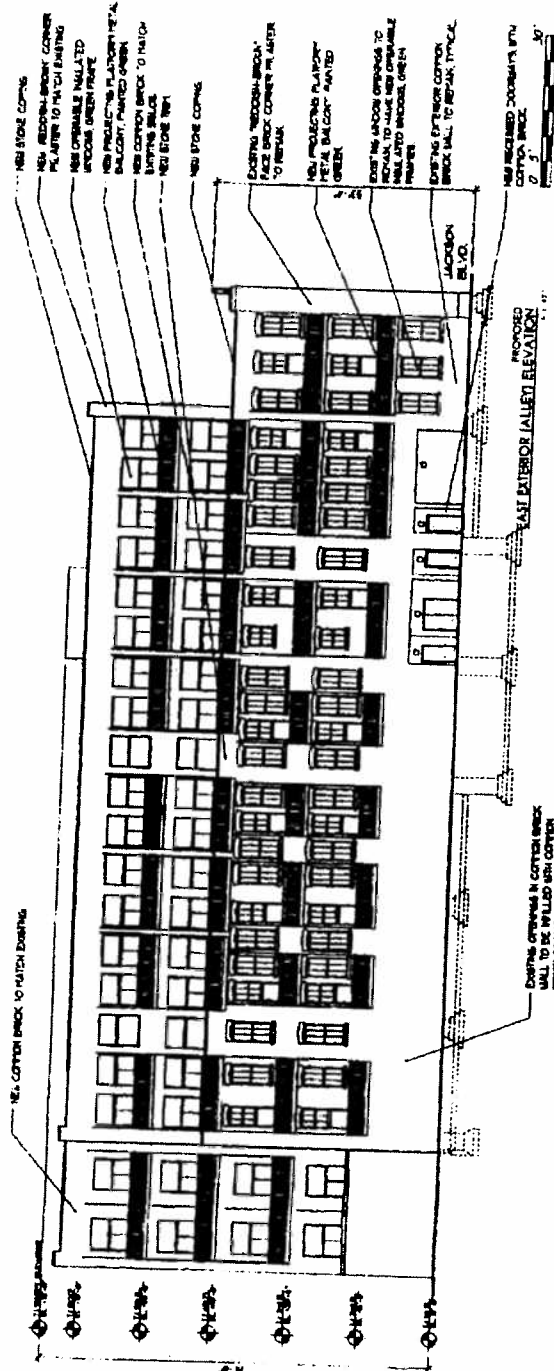
Landscape Plan And Planting Detail.



Building Elevations.  
(Page 1 of 3)

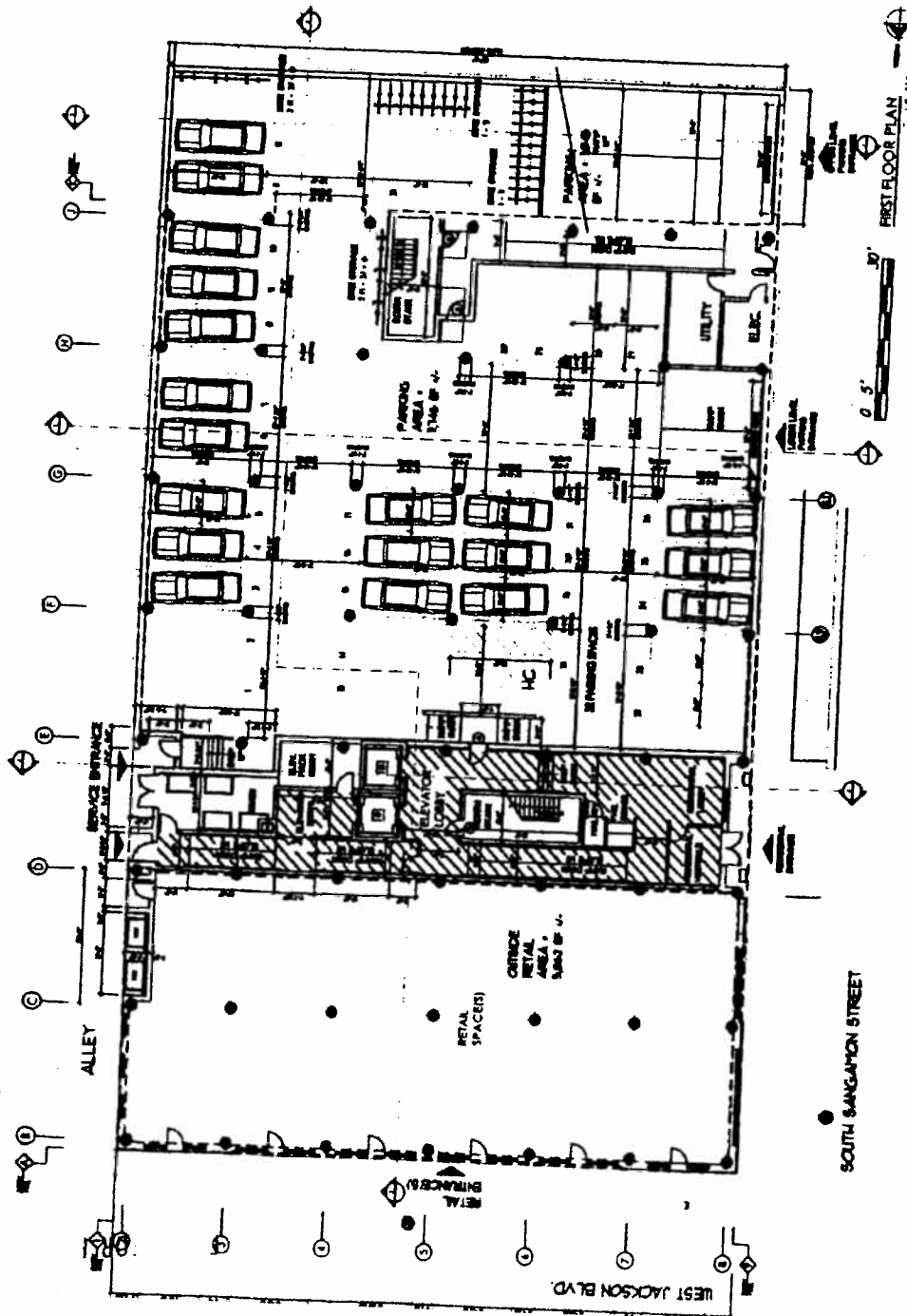


Building Elevations.  
(Page 2 of 3)





First Floor Plan.



Green Roof Plan.

