

PD 1030

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DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

June 12, 2012

James J. Banks
Law Offices of Samuel V.P. Banks
Thirty-Eighth Floor
221 North LaSalle Street
Chicago, IL 60601

**Re: Advisory Opinion for Residential-Business Planned Development No. 1030
188-190 West Randolph Street**


Dear Mr. Banks:

In response to your recent request, please be advised that the property located at 188-190 West Randolph Street is zoned Residential-Business Planned Development No. 1030 ("Planned Development") as amended.

Your firm represents Relu Stan, who is seeking to lease six (6) apartment units at this location and establish vacation rentals within these apartment units. Statement No. 5 of the Planned Development permits the following uses: dwelling units; accessory and non-accessory parking; loading; banks, business and professional offices; retail, service and commercial facilities, including but not limited to health clubs; telecommunications facilities, including but not limited to antennas and satellite dishes, which shall be appropriately screened; eating and drinking establishments; private clubs; and other related and/or accessory uses. Pursuant to the Zoning Ordinance, Section 17-4-0207 Use Table and Standards, vacation rentals require special use approval within downtown districts.

Therefore, an amendment to the Planned Development is required in order to add vacation rentals as a permitted use. If you have any further questions or require additional information, please contact Teresa McLaughlin of my staff at (312) 744-4891.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

PAS: HG: tm

c: Heather Gleason, Mike Marmo, Vicki Lozano, Main file

9/13/2006

REPORTS OF COMMITTEES

15341
85109

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

Yeas -- Aldermen 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, Laurino, O'Connor, Doherty, Natarus, Daley, Tunney, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 49.

Nays -- None.

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

The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):

Reclassification Of Area Shown On Map Number 1-F.

(As Amended)

(Application Number 15341)

RBP 1030

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 current DC-16 Downtown Core District symbols and indications as shown on Map Number 1-F in the area bounded by:

West Couch Place; a line 81.12 feet east of and parallel to North Wells Street; West Randolph Street; and North Wells Street,

to those of a Residential-Business Planned Development, as amended, and a corresponding use district is hereby established in the area above described.

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

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

*Residential-Business Planned Development. 1030**Plan Of Development Statements.*

1. The area delineated herein as Residential-Business Planned Development (the "Planned Development") consists of approximately fourteen thousand six hundred ninety-eight (14,698) net square feet (approximately 0.3374 acres) of property located in the area generally bounded on the north by West Couch Place; on the east by adjacent five (5) story building; on the south by West Randolph Street; and on the west by North Wells Street (the "Property"). For purposes of this Planned Development, the Property is controlled by the applicant, 188 West Randolph, L.L.C., an Illinois 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 rights-of-way shall require a separate submittal on behalf of the applicant, its successors, assignees or grantees 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 the applicant's successors and assigns and, if different than the applicant, the legal titleholder and any ground lessors and their respective successors and assigns. Notwithstanding any ordinance to the contrary, for so long as the applicant holds title to any portion of the Property, any applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development shall be made by the applicant or by a successor or assign to whom the applicant has expressly conveyed such right. 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. Except as provided above with respect to amendments, modifications and changes, 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. This plan of development consists of these fourteen (14) statements; a Bulk Regulations and Data Table; and the following documents prepared by Hartshorne & Plunkard Architecture dated December 7, 2005, revised August 17, 2006 (collectively, the "Plans"): Existing Zoning Map (Exhibit 1); Existing Land-Use Map (Exhibit 2); Property Line and Boundary Map (Exhibit 3); Net Buildable Area (Exhibit 4); Site Plan (Exhibit 5); Landscape Plan (Exhibit 6); Basement Floor Plan (Exhibit 7); 1st Floor Plan (Exhibit 8); 3rd Floor Plan (Exhibit 9); Building Elevations (Exhibits 10 -- 15); Solarium (Exhibits 16A, 16B and 16C); East Building Elevation (Exhibit 17); Proposed Storefront (Exhibits 18, 19A and 19B); Residential Entrance (Exhibit 20); and Exterior Lighting (Exhibits 21 -- 33). Full-sized copies of the plans are on file with the Department of Planning and Development. 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: dwelling units; accessory and non-accessory parking; loading; banks, business and professional offices; retail, service and commercial facilities, including but not limited to health clubs; telecommunications facilities, including but not limited to antennas and satellite dishes, which shall be appropriately screened; eating and drinking establishments; private clubs; and other related and/or accessory uses.
 6. Temporary signs such as construction and marketing signs shall be permitted subject to the reasonable review and approval of the Department of Planning and Development. Business identification signs shall be permitted within the Planned Development subject to the review and approval of the Department of Planning and Development, consistent with the provisions of Section 17-12-010, et seq., of the Chicago Municipal Code. No approvals shall be required for any signage located in and designed to be viewed solely from the interior of any improvements on the Property.
 7. The improvements on the Property shall be designed, constructed and maintained in substantial conformance with the Plans described in Statement 4 above, and in accordance with the parkway tree and parking lot landscaping provisions of the Chicago Zoning Ordinance.
 8. In addition to the maximum building height and any appurtenances attached thereto prescribed in this Planned Development, the height of
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any improvements shall also be subject to height limitations as approved by the Federal Aviation Administration.

9. For purposes of floor area ratio ("F.A.R.") and building height calculations, the definitions of the Chicago Zoning Ordinance in effect as of the date hereof shall apply; provided, however, that in addition to the other exclusions from floor area for purposes of determining F.A.R. permitted by the Chicago Zoning Ordinance, such floor area shall not include (a) floor area devoted to mechanical equipment and storage areas within the building and (b) any floor area associated with parking and loading areas. The calculation of F.A.R. shall be based on the net site area of the Planned Development. In addition, the calculation of building height shall not include elevator shafts, ingress/egress towers, mechanical penthouses and enclosures, telecommunications facilities or architectural design elements such as spires.
10. 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. Any changes to ingress and egress as depicted in the Plans and as set forth below shall be subject to the review and approval of the Department of Transportation and the Department of Planning and Development.
11. The requirements of the Planned Development may be modified administratively by the Commissioner of the Department of Planning and Development upon 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 this 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 of the Chicago Zoning Ordinance. Notwithstanding the provisions of Section 17-13-0611 of the Chicago Zoning Ordinance, such minor changes may include a reduction in the minimum required distance between structures, a reduction in periphery setbacks and an increase of the maximum percent of land covered; provided, however, any permit to demolish the existing improvements shall be issued only upon receipt of written approval by the Commissioner of the Department of Planning and Development.
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 energy resources. The Applicant agrees that it shall design, construct and maintain all buildings located upon the Property in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating; provided,

however, nothing set forth in this Planned Development shall be construed to require Applicant to obtain L.E.E.D. certification for any of the improvements on the Property. To satisfy the foregoing requirement, the Applicant commits to a green roof totaling two thousand seven hundred twelve (2,712) square feet, which is in excess of the fifty percent (50%) requirement.

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 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 at the time of application for a building permit. The Applicant shall, in its discretion, determine the location in the building of any accessible dwelling units if required by applicable law.
14. Unless substantial construction of the new building contemplated by this amended planned development ordinance has commenced within six (6) years following adoption of this amended planned development ordinance, and unless completion of such building is pursued thereafter, 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 the pre-existing classification of DC-16 Downtown Core District. Said six (6) year period may be extended for up to one (1) additional year if, before expiration, the Commissioner of the Department of Planning and Development determines that good cause for such an extension is shown.

[Exhibit 1 -- Existing Zoning Map; Exhibit 2 -- Existing Land-Use Map; Exhibit 3 -- Property Line and Boundary Map; Exhibit 4 -- Net Buildable Area; Exhibit 5 -- Site Plan; Exhibit 6 -- Landscape Plan; Exhibits 7 -- 9 -- Floor Plans; Exhibits 10 -- 15, 17 and 20 -- Building Elevations; Exhibits 16A, 16B and 16C -- Solarium; Exhibits 18, 19A and 19B -- Storefront; and Exhibits 21 -- 33 -- Exterior Lighting Drawings referred to in these Plan of Development Statements printed on pages 85115 through 85150 of this *Journal*.]

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

15341

85114

JOURNAL--CITY COUNCIL--CHICAGO

9/13/2006

Bulk Regulations And Data Table.

Gross Site Area (27,886 square feet) = Net Site Area (14,698 square feet) + Area in Public Rights-of-Way (13,188 square feet):

Net Site Area:	± 14,698 square feet
Maximum Floor Area Ratio:	24.0 (existing)
Maximum Number of Dwelling Units:	325
Minimum Number of Off-Street Parking Spaces:	None required per Section 17-10-0102-A
Minimum Number of Off-Street Loading Berths:	As per the Site Plan
Maximum Percentage of Land Covered:	As per the Site Plan
Minimum Setbacks from Property Line:	As per the Site Plan
Maximum Building Heights:	463 feet (existing to remain)
Minimum Number of Bicycle Parking Spaces:	86

9/13/2006

REPORTS OF COMMITTEES

85115

Exhibit 1.
Existing Zoning Map.

188 W. RANDOLPH

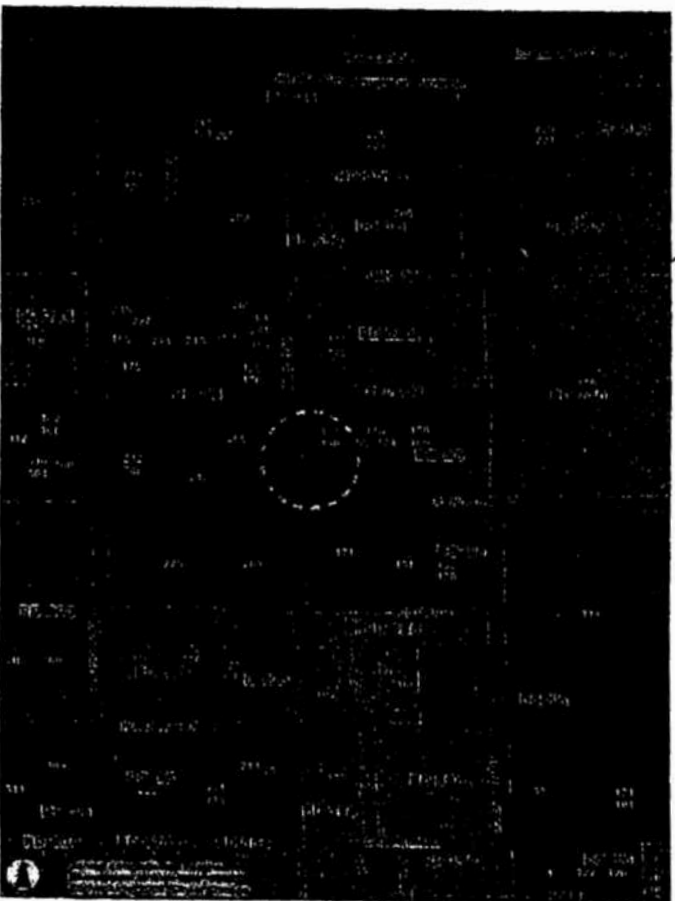
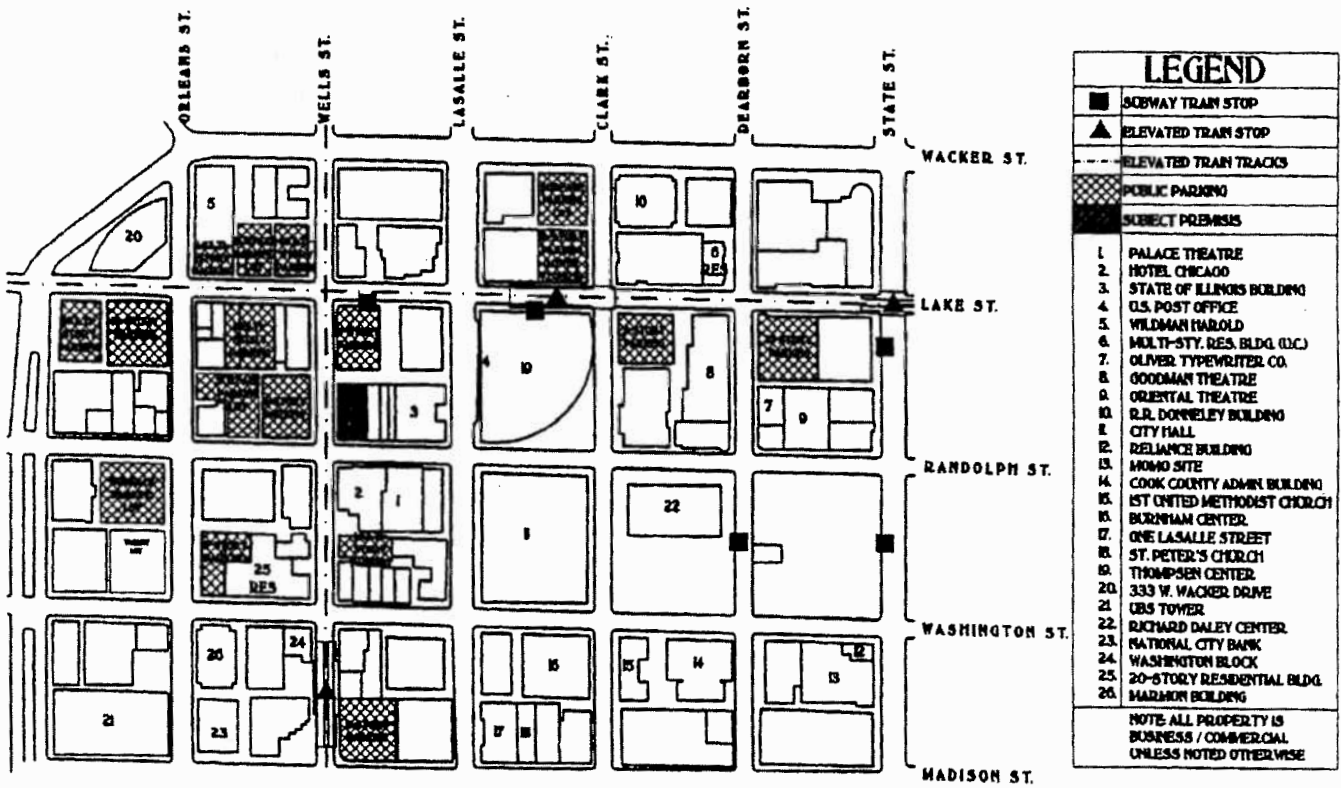


Exhibit 2.
Land-Use Map.



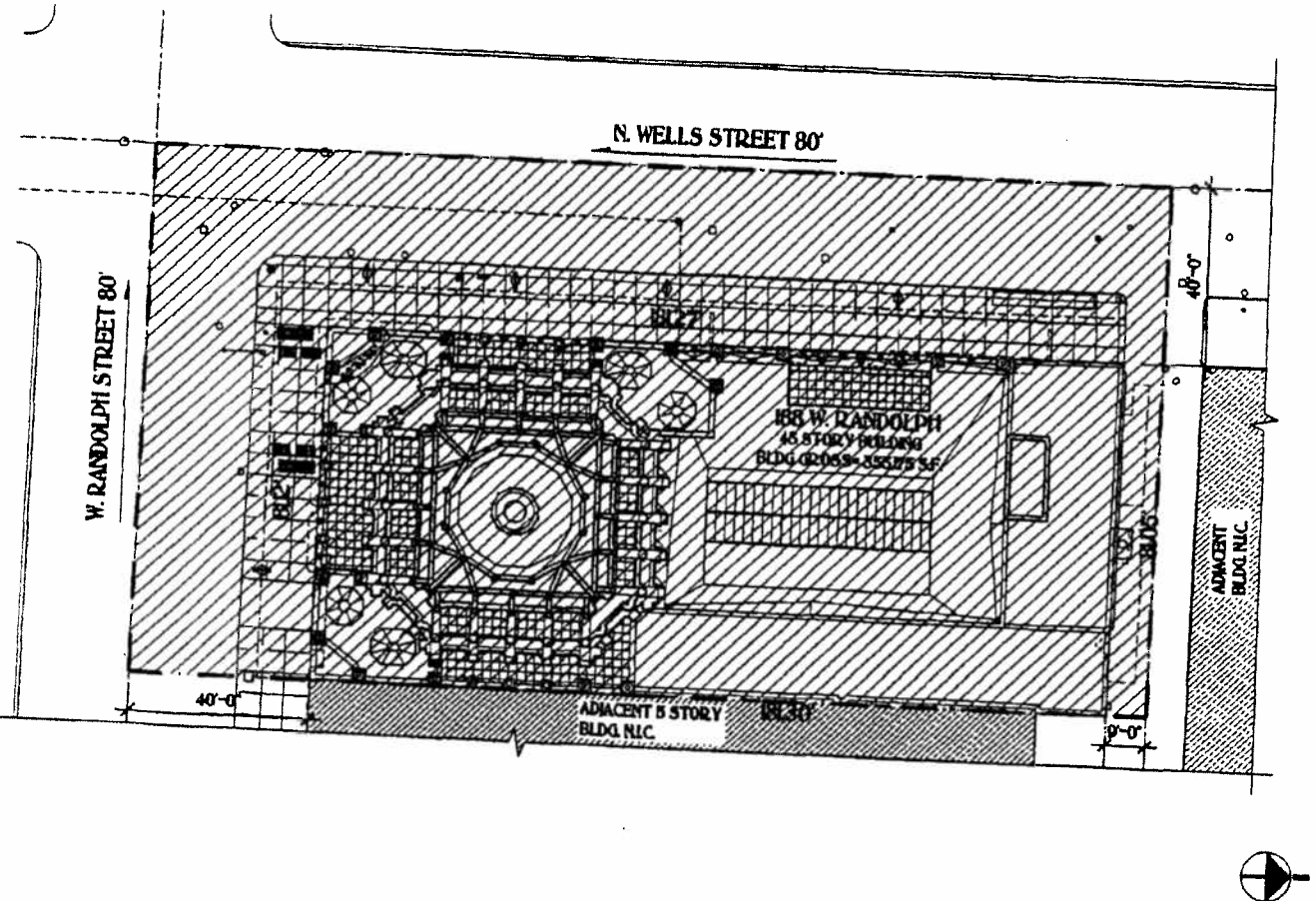
9/13/2006

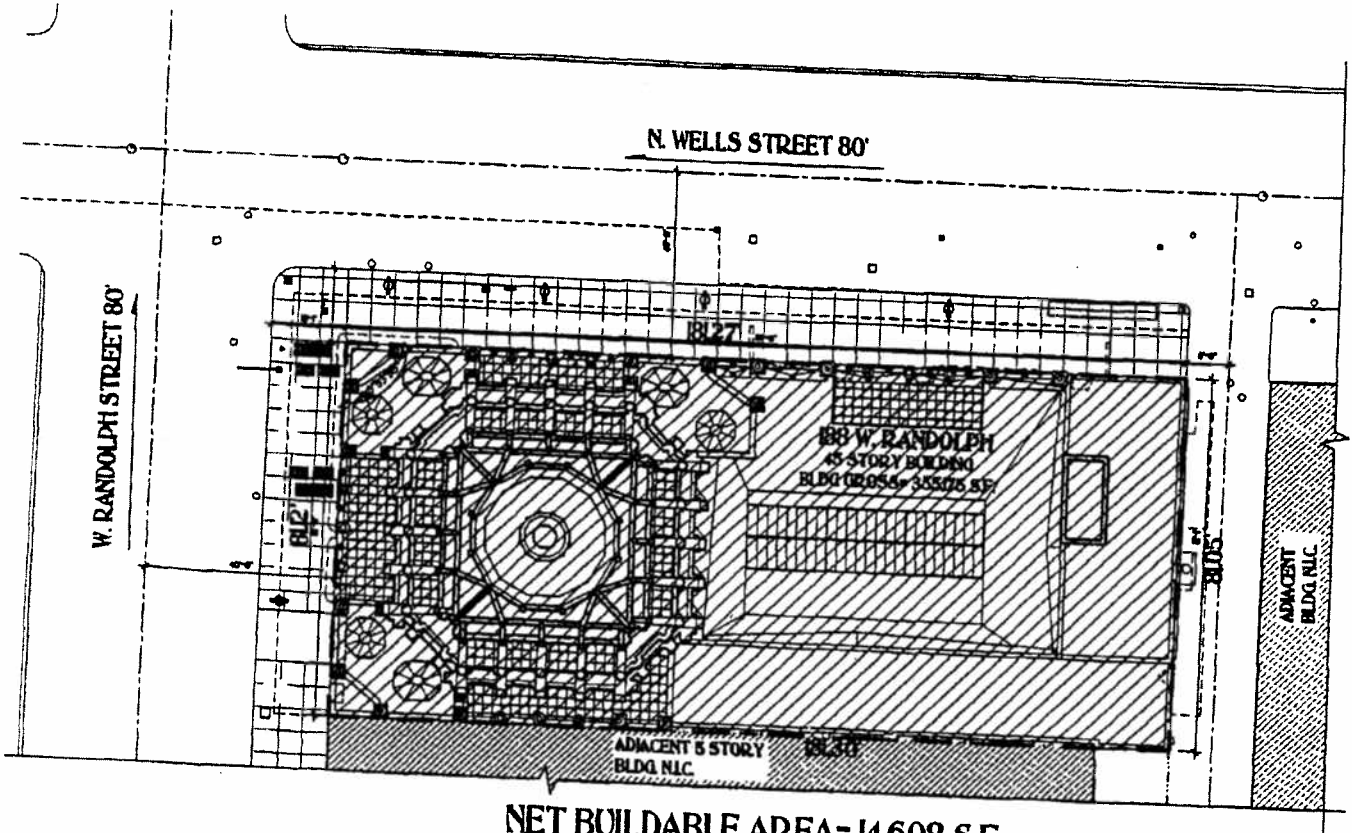
REPORTS OF COMMITTEES

85117

Exhibit 3.

Property Line And Boundary Map.





NET BUILDABLE AREA= 14,698 S.F.

Net Buildable Area.

Exhibit 4.

9/13/2006

REPORTS OF COMMITTEES

85119

Exhibit 5.
Site Plan.

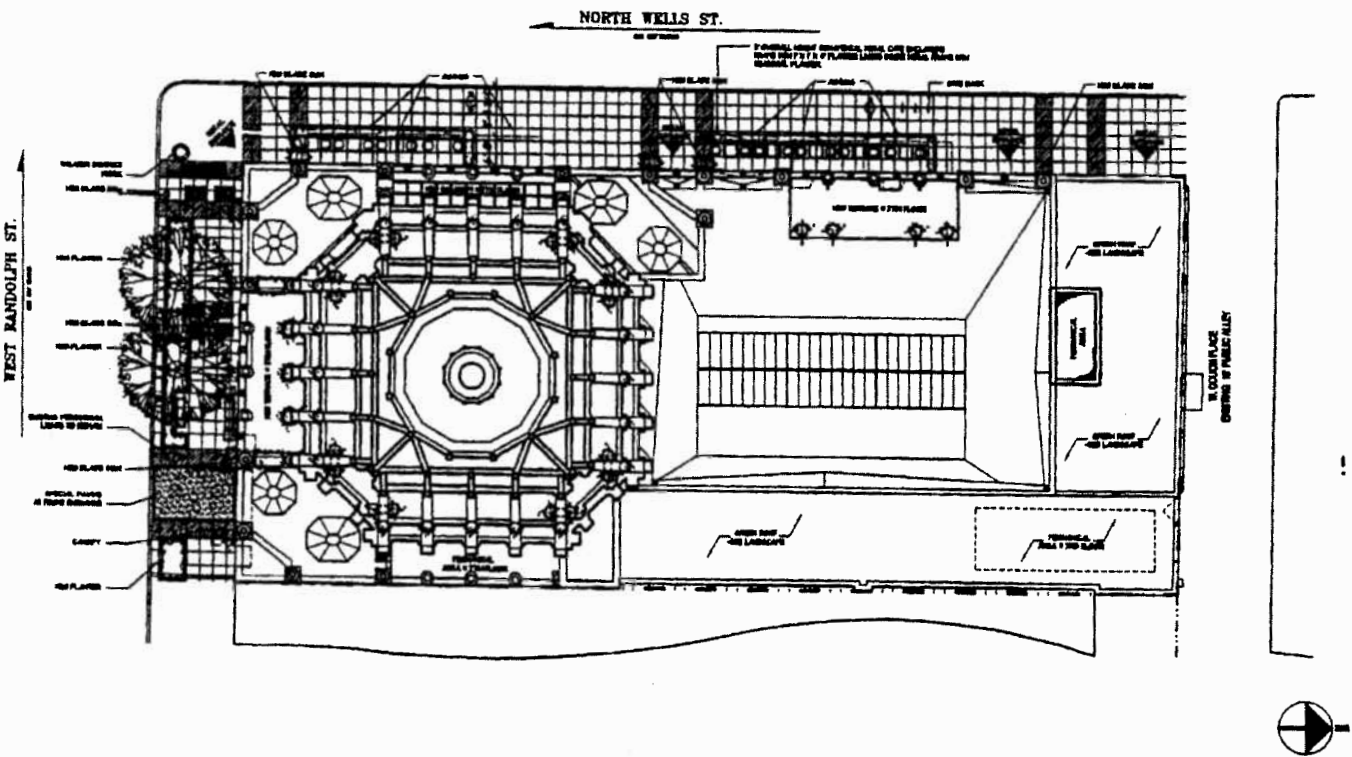
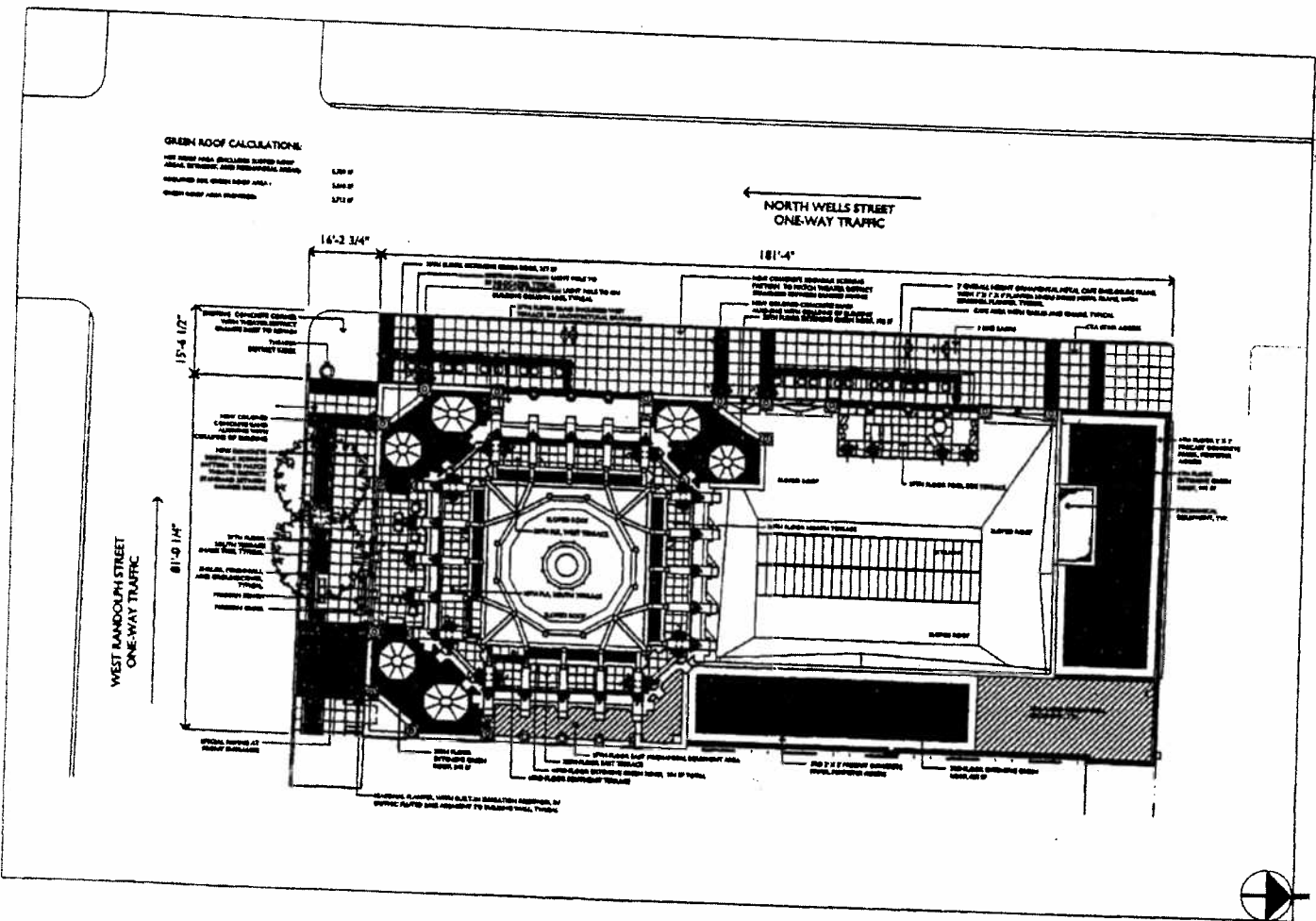


Exhibit 6.

Landscape Plan.



9/13/2006

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85121

Exhibit 7.

Basement Floor Plan.

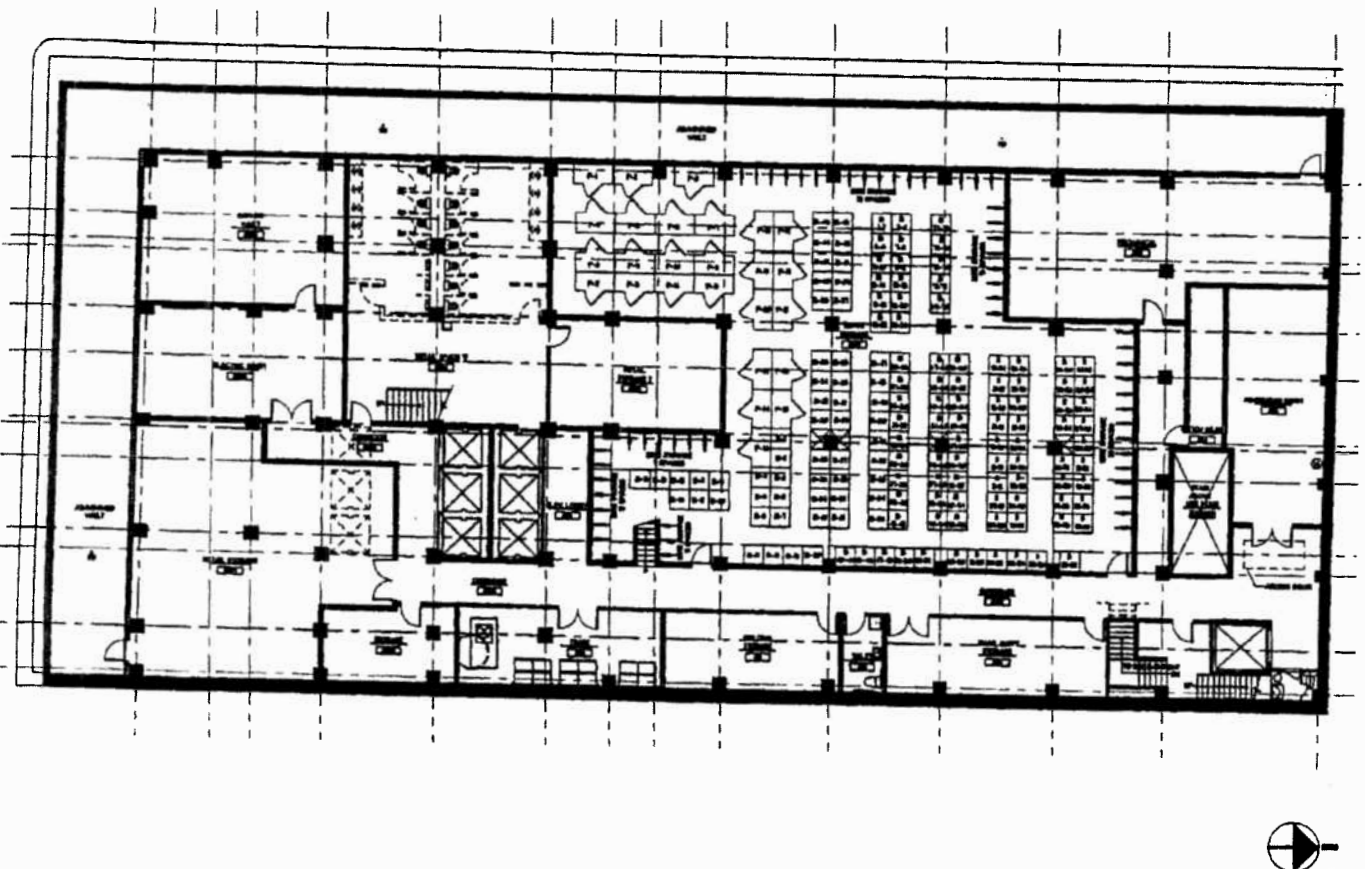


Exhibit 8.

First Floor Plan.

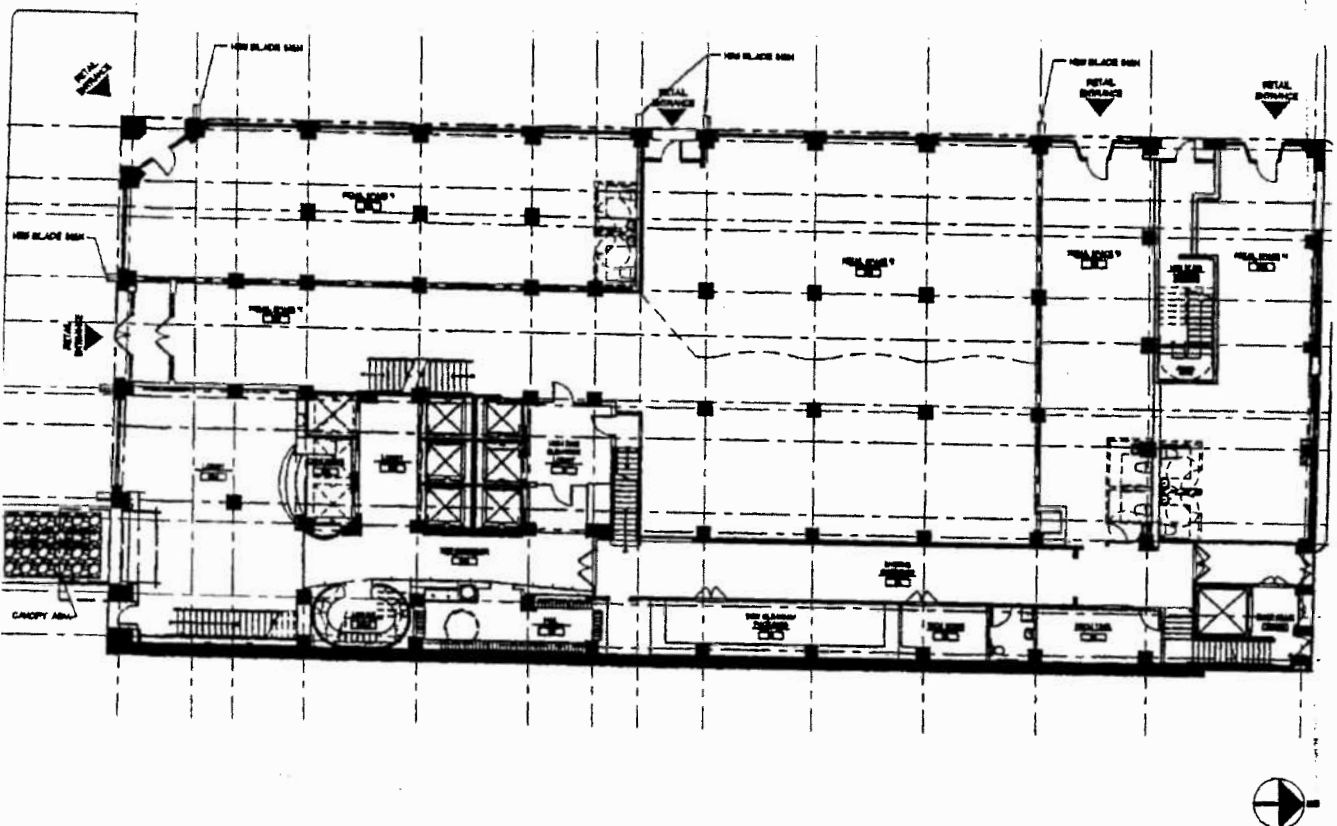


Exhibit 9.

Third Floor Plan.

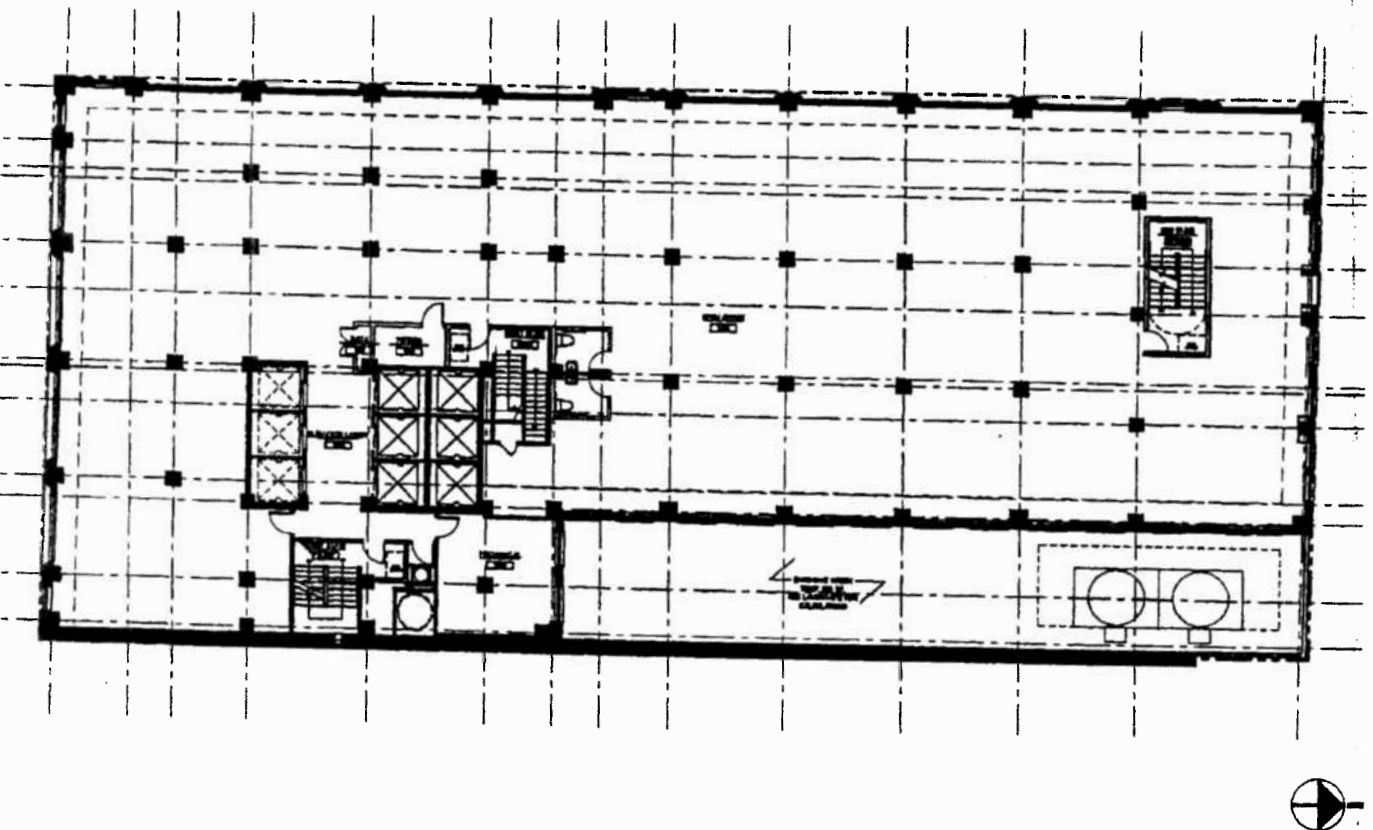


Exhibit 10.
Building Elevation.

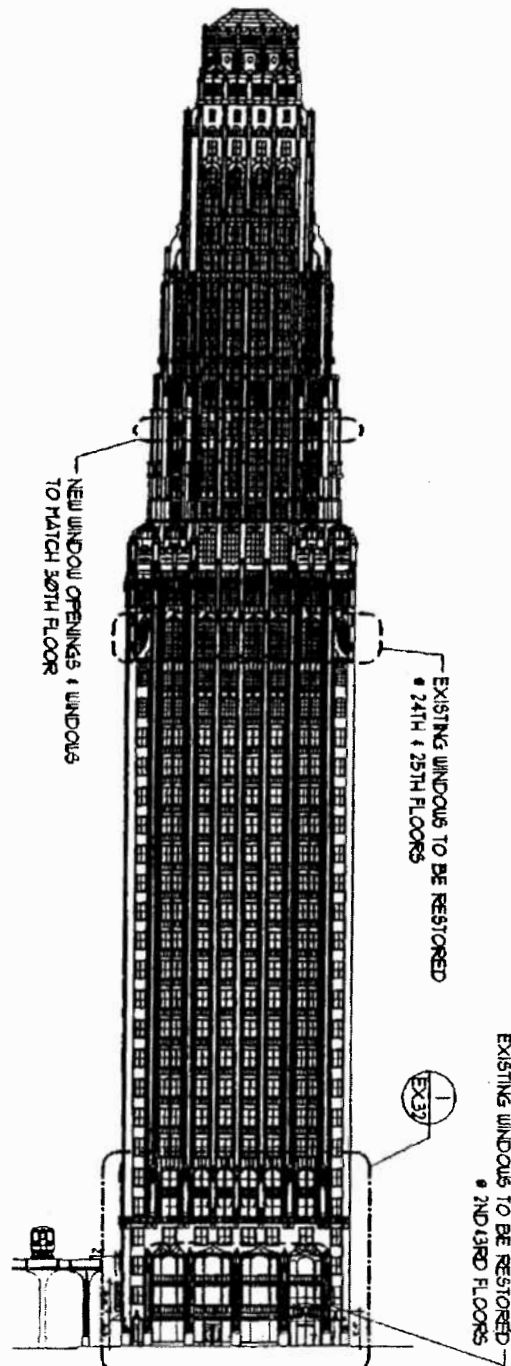


Exhibit 11.
Building Elevation.

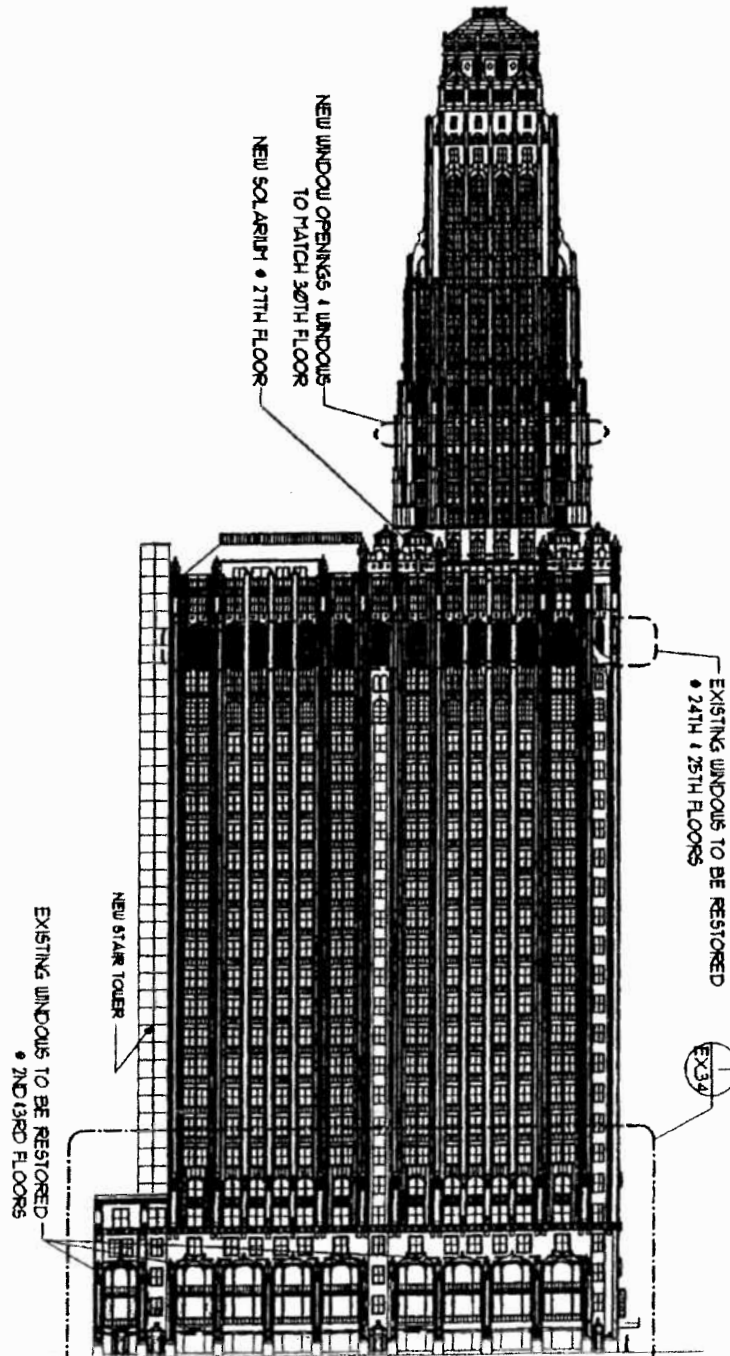


Exhibit 12.

Building Elevation.

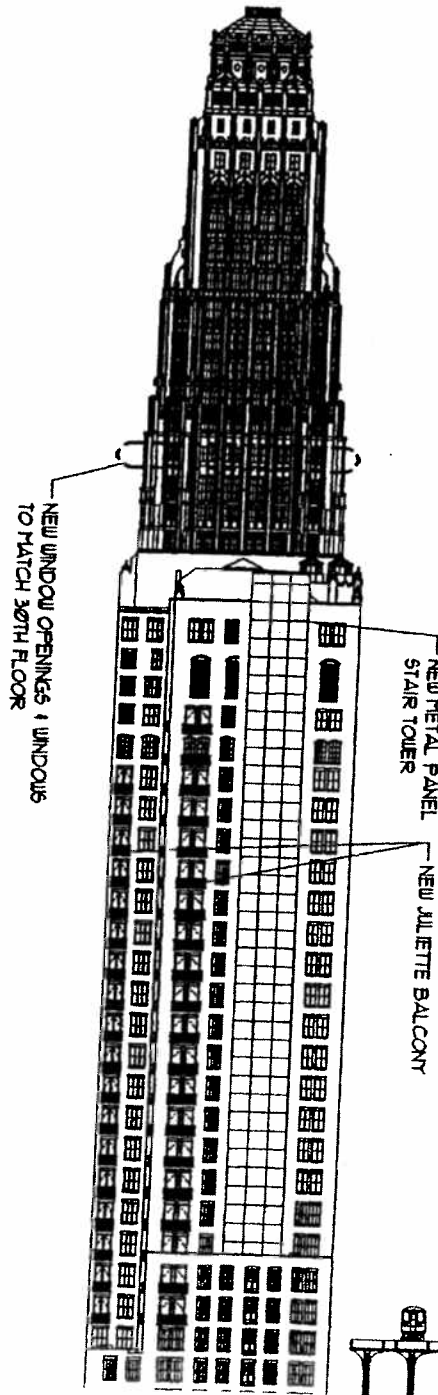


Exhibit 13.

Building Elevation.

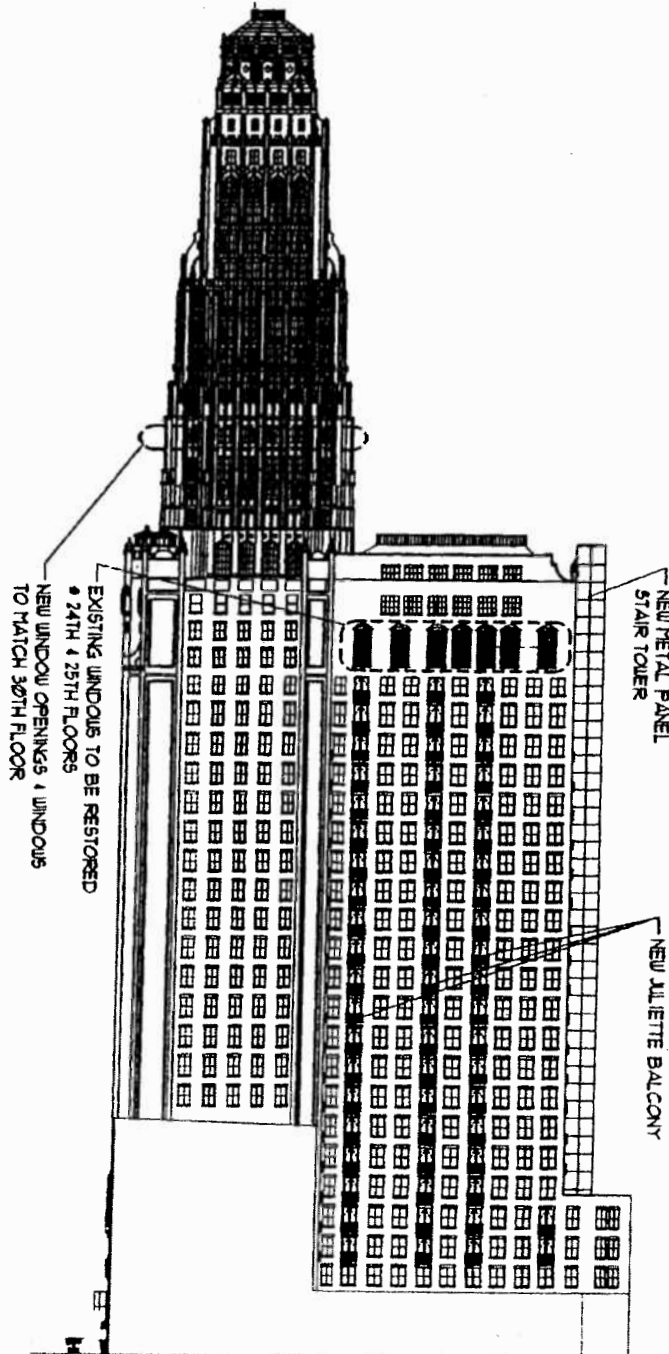
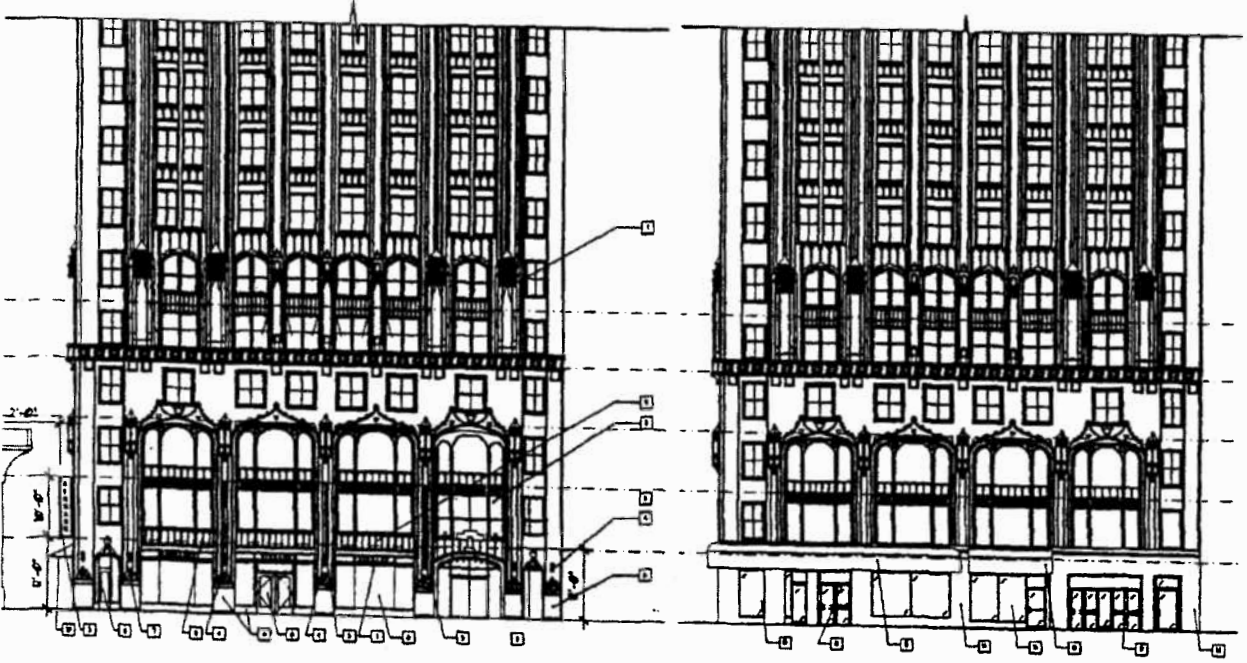


Exhibit 14.

South Building Elevation.

REVISIONS	
1	NEW ARCHITECTURAL WINDOW TYPE
2	NEW GLASS BRICK WALL
3	NEW GLASS WALL
4	NEW TERRAZZO FLOORING
5	NEW TERRAZZO FLOORING
6	NEW TERRAZZO FLOORING
7	NEW TERRAZZO FLOORING
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100	NEW TERRAZZO FLOORING



2 PROPOSED RANDOLPH ELEVATION
NTS

1 EXISTING RANDOLPH ELEVATION
NTS

9/13/2006

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85129

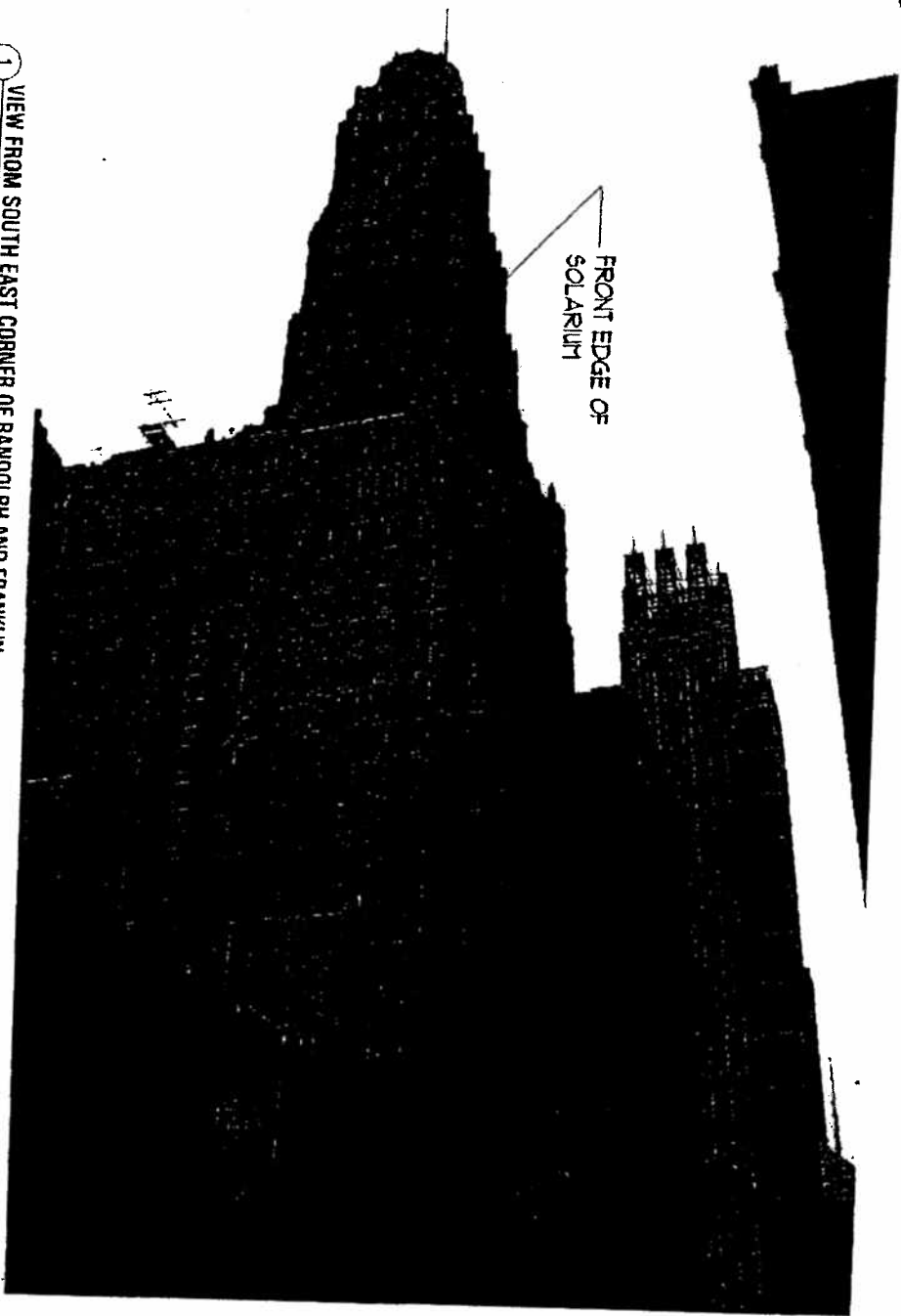
Exhibit 15.

East Building Elevation.



① EXISTING WELLS ELEVATION
NTS

1
NTS
VIEW FROM SOUTH EAST CORNER OF RANDOLPH AND FRANKLIN



Solarium.

Exhibit 16-A.

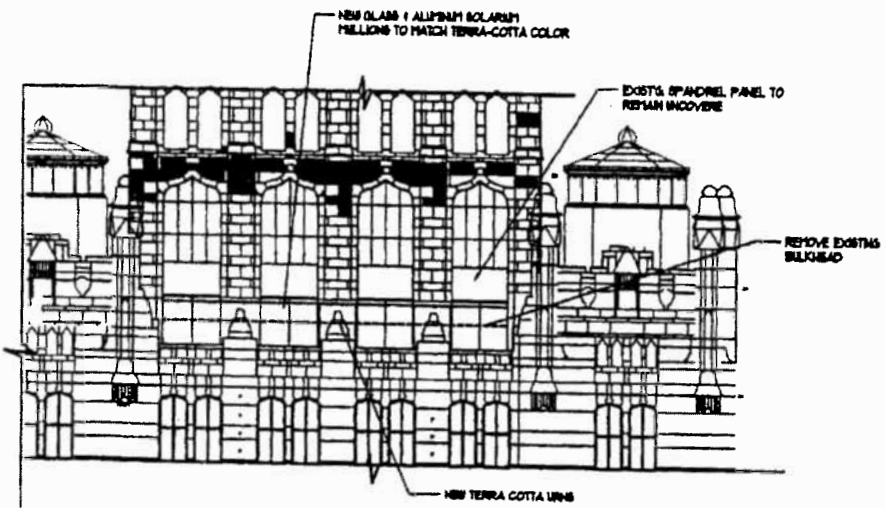
9/13/2006

REPORTS OF COMMITTEES

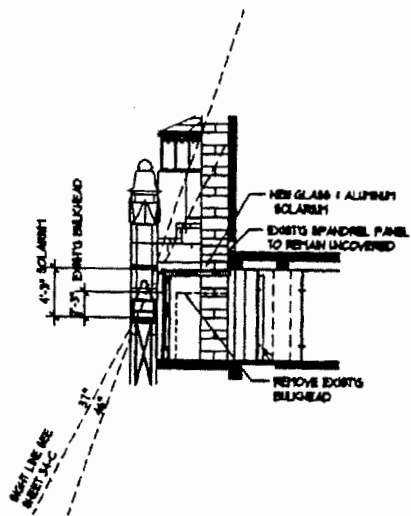
85131

Exhibit 16-B.

Solarium.



② SOLARIUM ELEVATION
NTS



① SECTION
NTS

Exhibit 16-C.

Building Elevation.

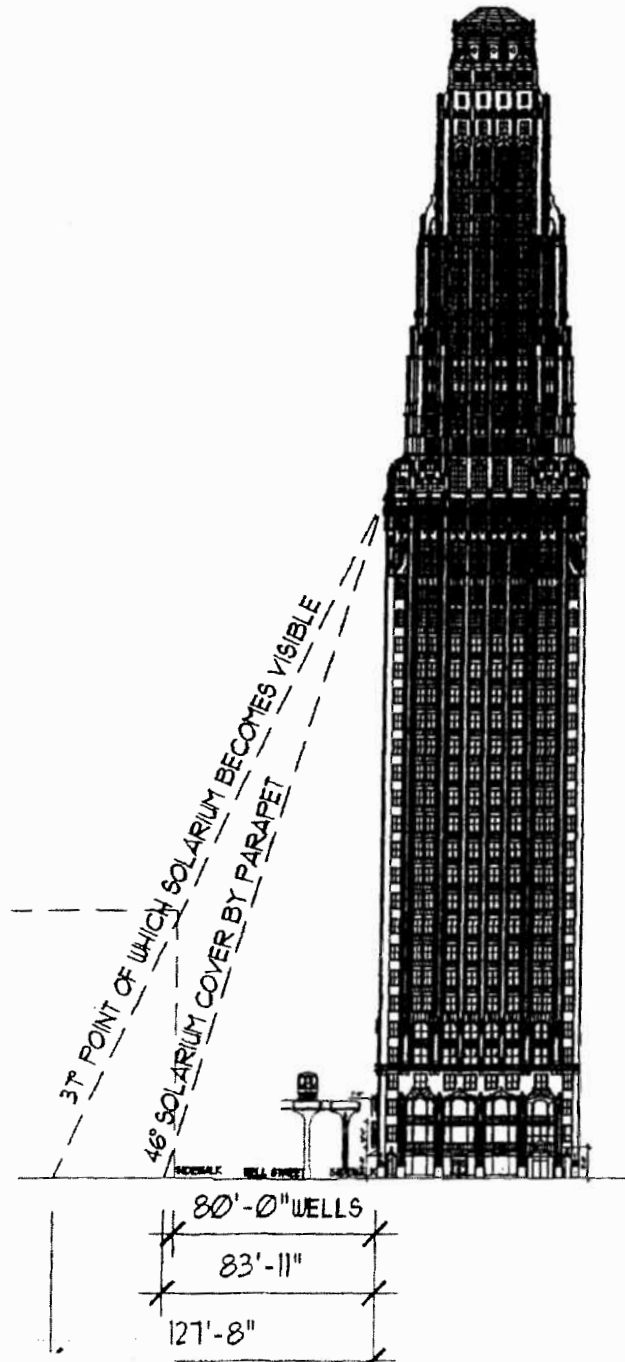
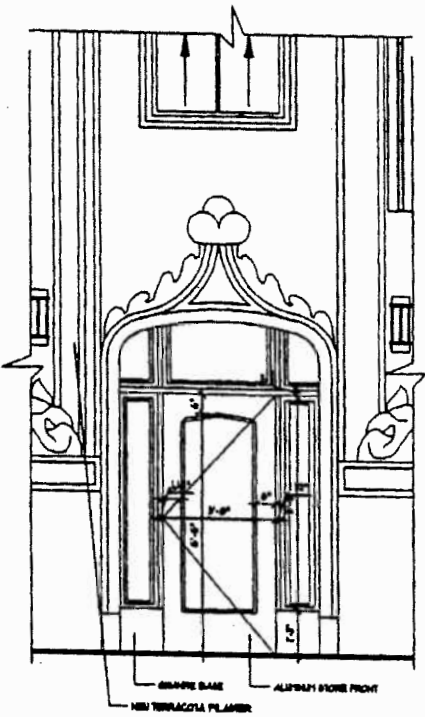
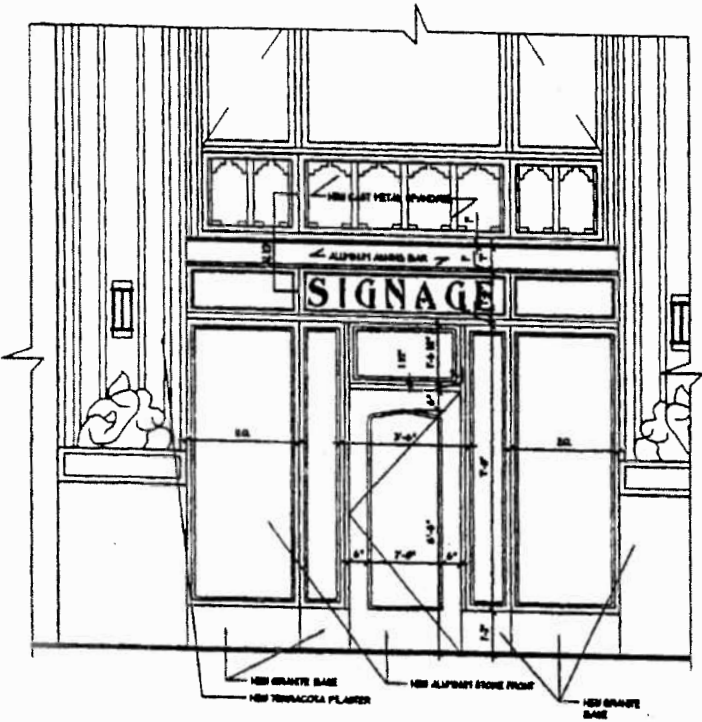


Exhibit 18.
Proposed Storefront.



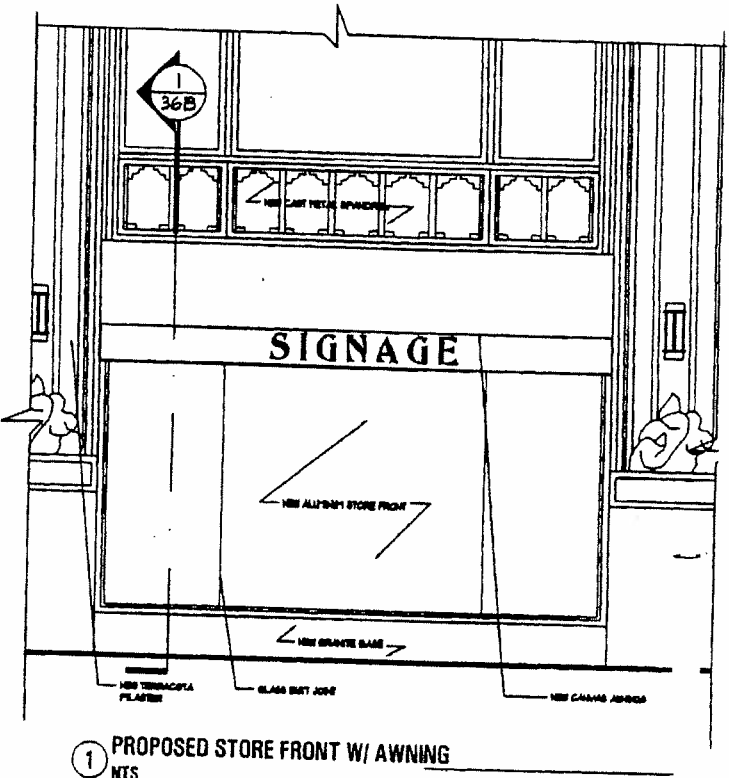
① PROPOSED STORE FRONT
NTS



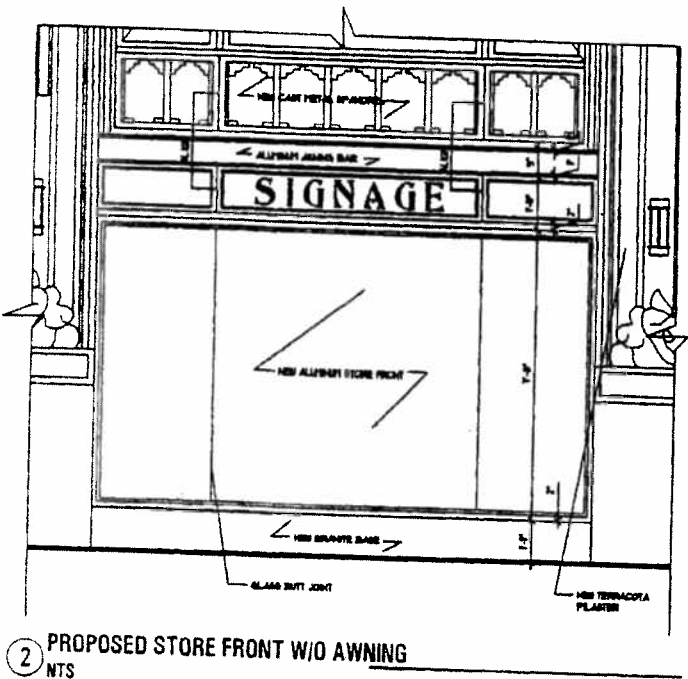
② PROPOSED STORE FRONT
NTS

Exhibit 19A.

Proposed Storefront.



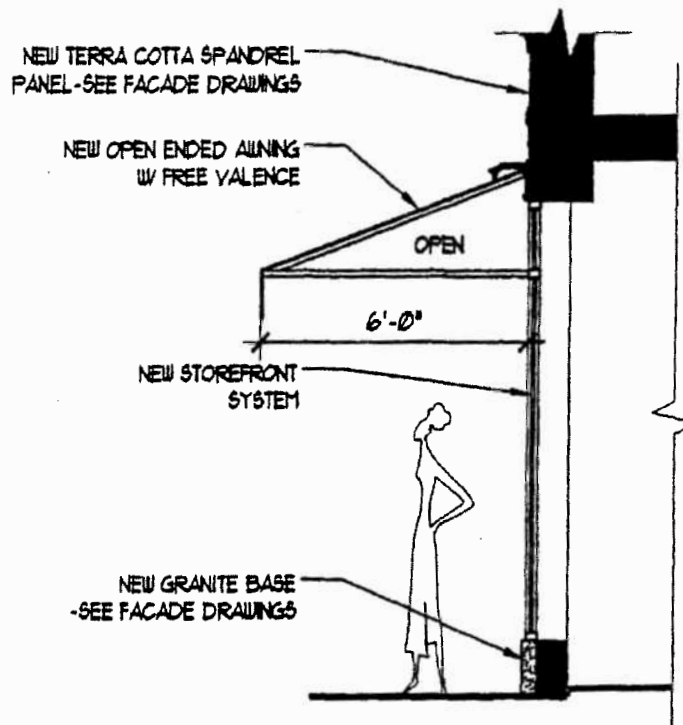
1 PROPOSED STORE FRONT W/ AWNING
NTS



2 PROPOSED STORE FRONT W/O AWNING
NTS

Exhibit 19B.

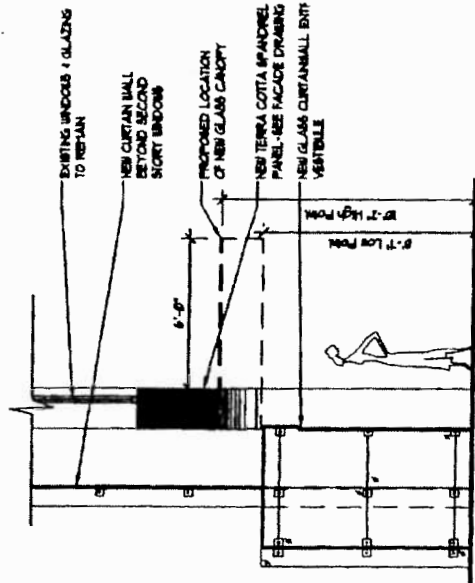
Proposed Storefront.



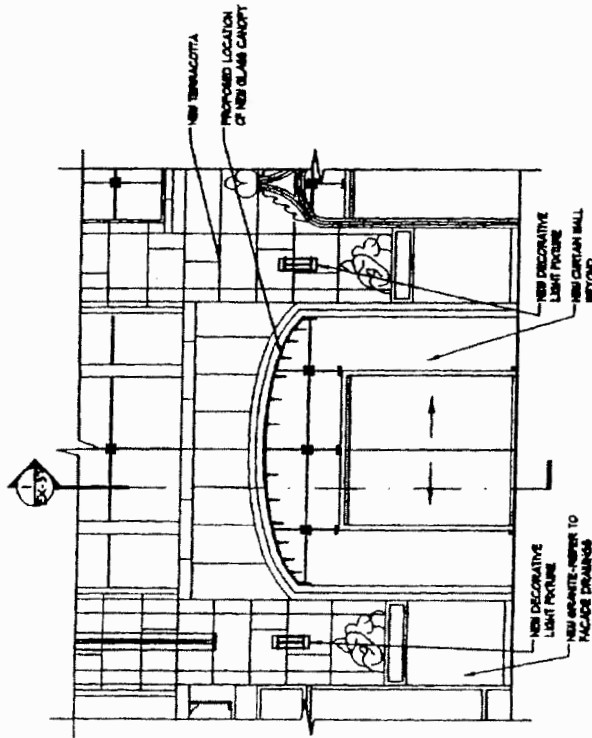
1 PROPOSED SECTION THRU AWNING
NTS

Exhibit 20.

Residential Entrance.



1 CANOPY SECTION
NTS



2 RESIDENTIAL ENTRANCE
NTS

Exhibit 21

Exterior Lighting.

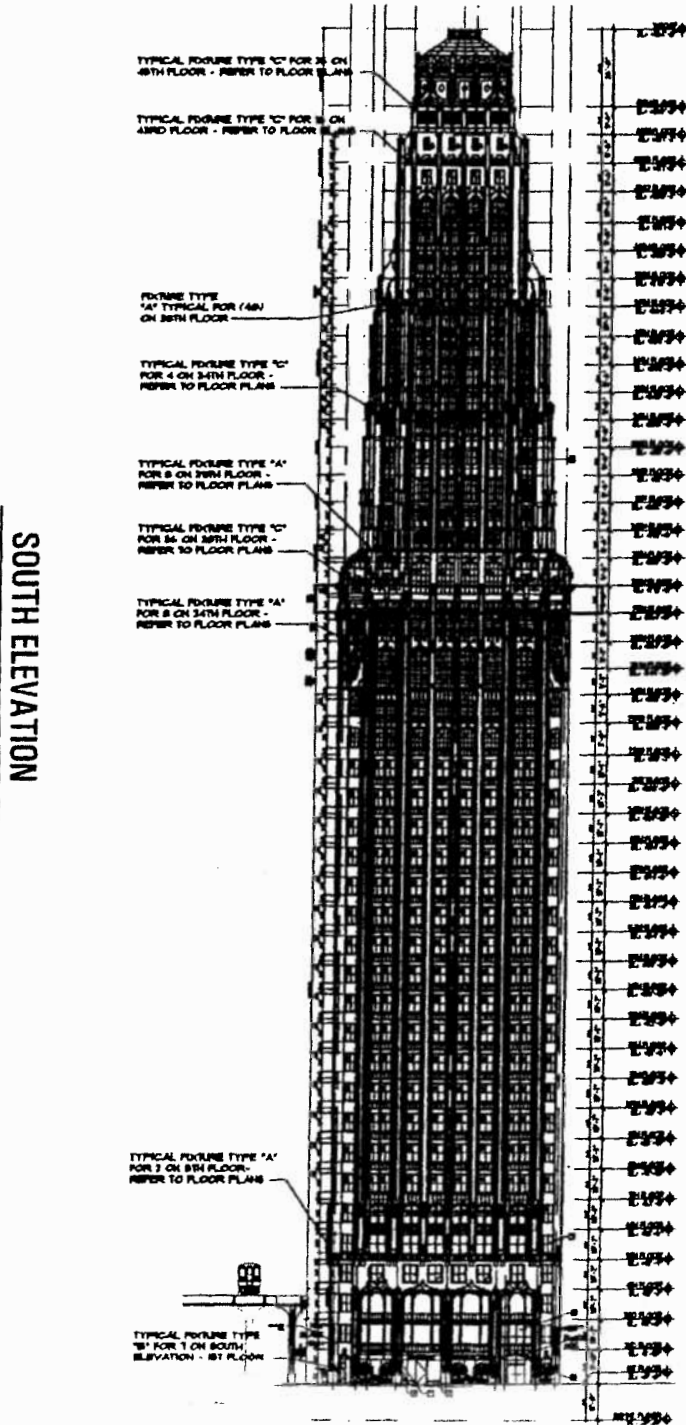


Exhibit 22.

Exterior Lighting.

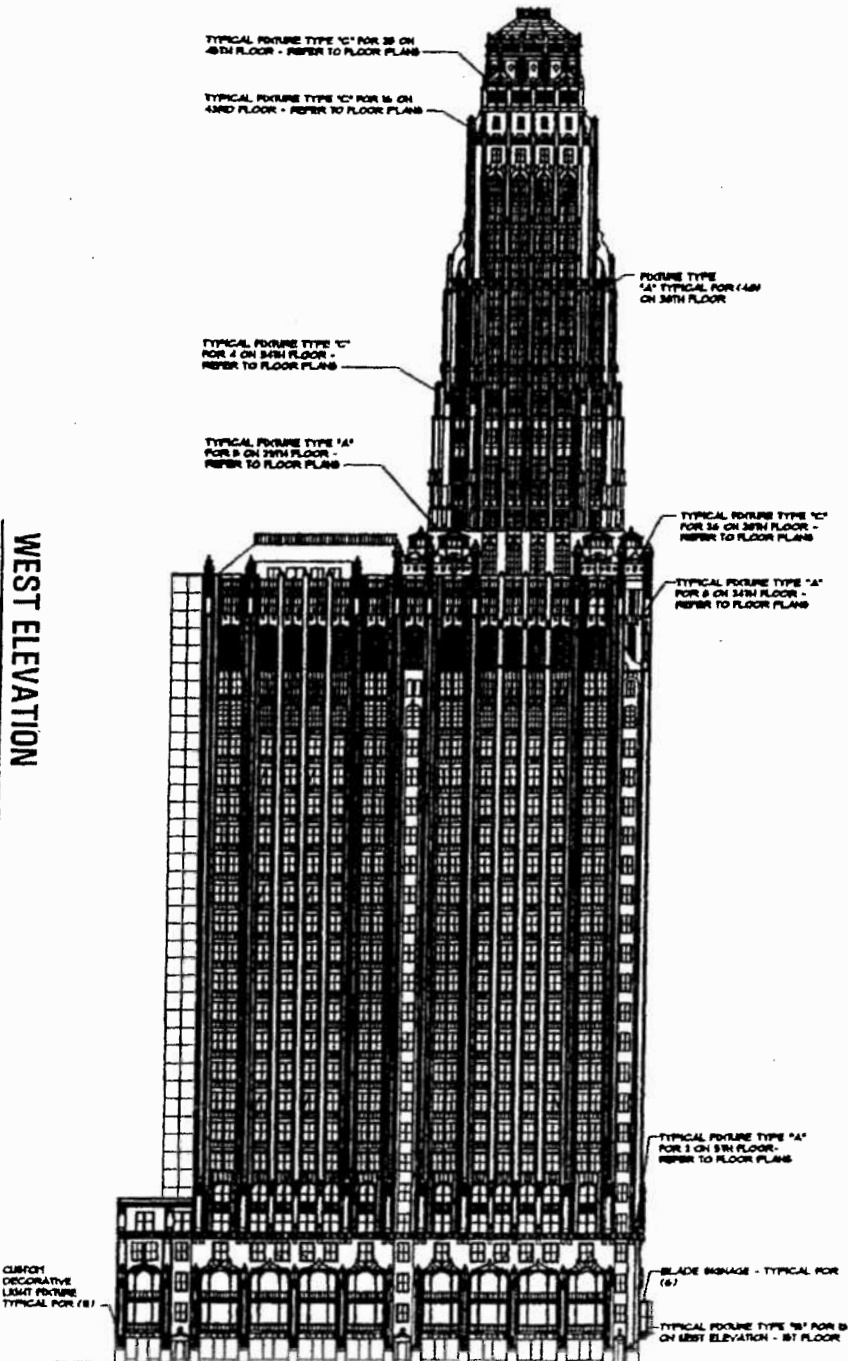
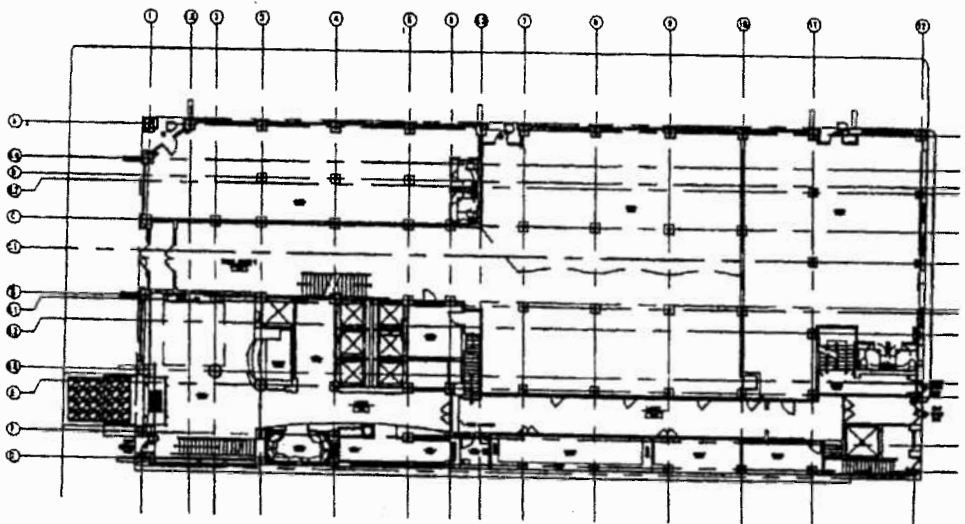


Exhibit 23.

Exterior Lighting.



GROUND FLOOR

Exhibit 24.
Exterior Lighting.

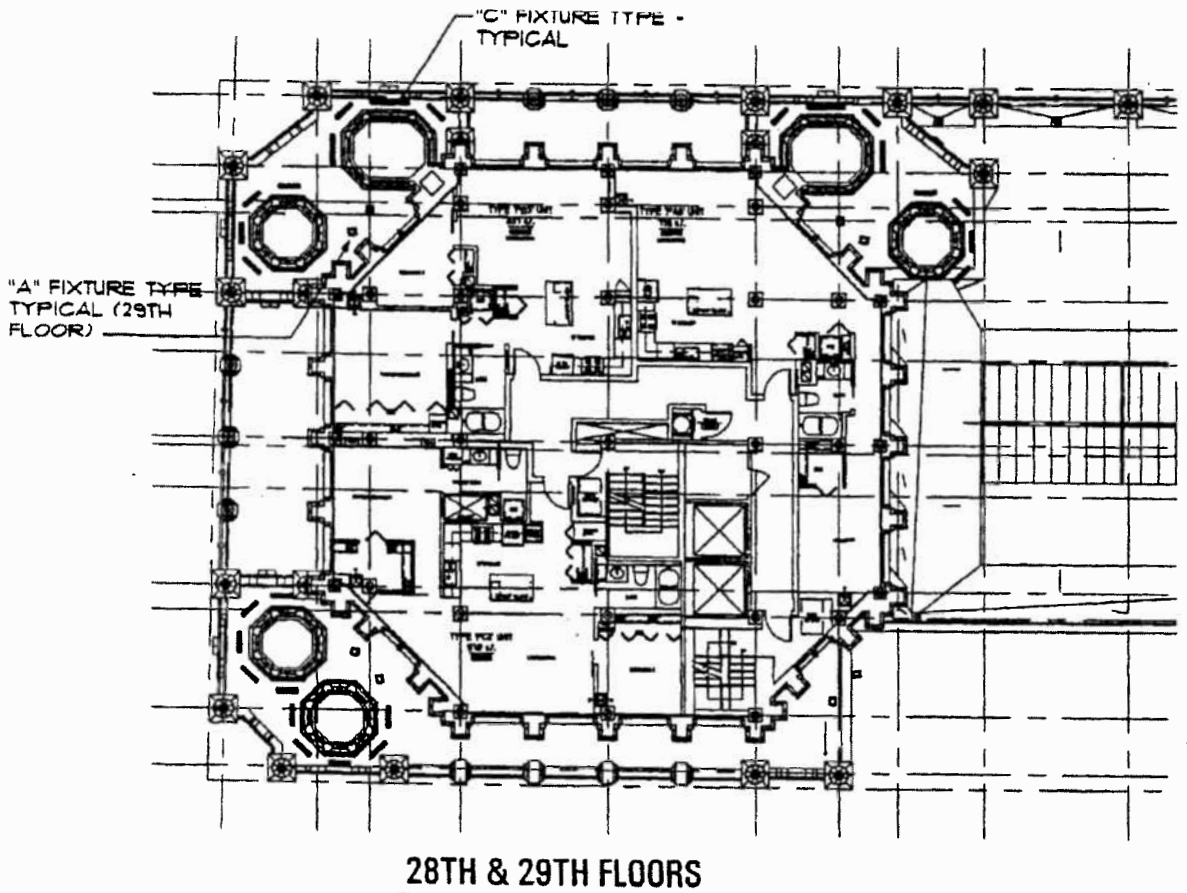
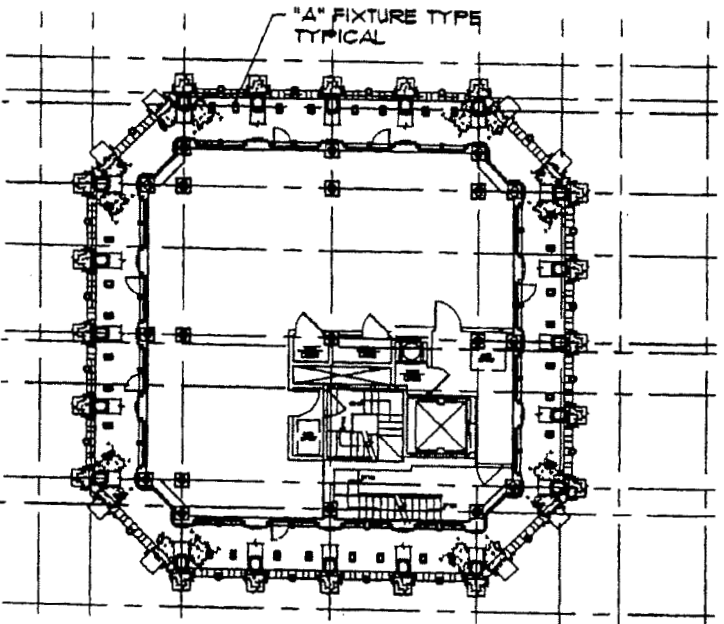


Exhibit 25.

Exterior Lighting.



38TH FLOOR

Exhibit 26.
Exterior Lighting.

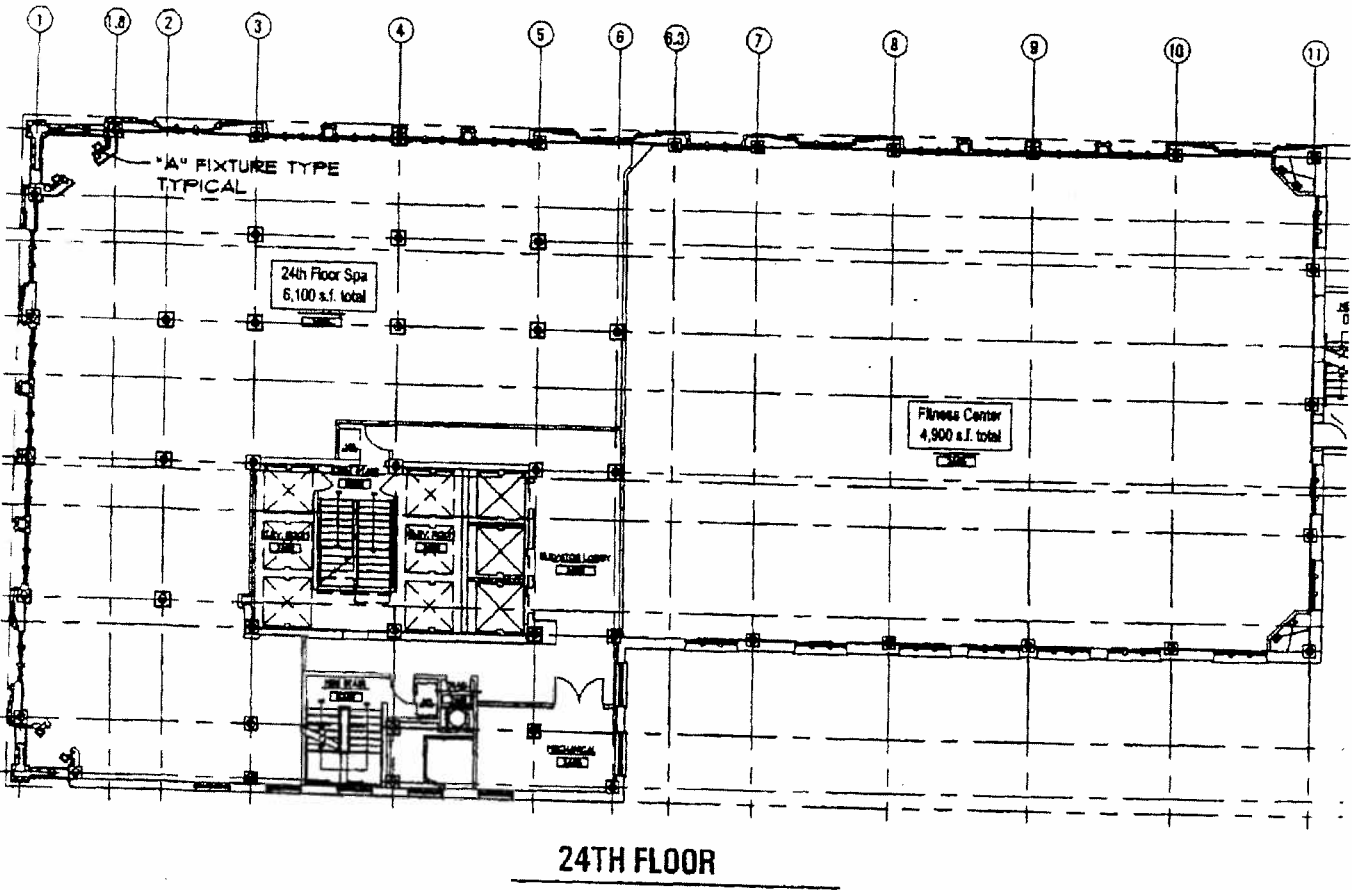
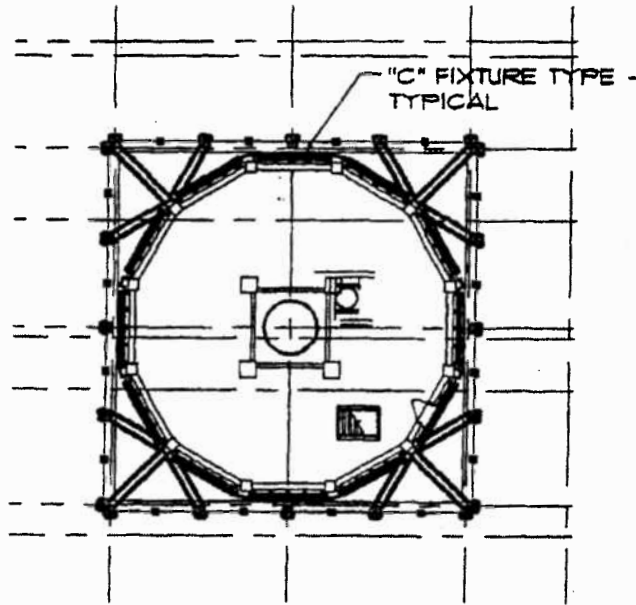


Exhibit 27.

Exterior Lighting.



45TH FLOOR

9/13/2006

REPORTS OF COMMITTEES

85145

Exhibit 28.

Exterior Lighting.

LIGHT FIXTURE SCHEDULE					
Fixture Type	Manufacturer / Model Number	Lamp	Total Fixture wattage	Mounting	Remarks
TENANT APARTMENT FIXTURES					
A	HYDREL 8100-100M™-VFL-YM-BD	100W MH	125	YOLK	ADJUSTABLE
B	HYDREL 8100-100M™-NFL-YM-BD	100W MH	125	YOLK	ADJUSTABLE
C	HYDREL 4750 SERIES, T5HO LAMPS, SIZE VARY PER FIXTURE LENGTH	VARIES	VARIES	WALL	ADJUSTABLE, POLAR COLD WEATHER BALLAST
D	LIGHTOLIER #C7E17PLWHW-C770MHE1	70 MH	80	RECESSED	OVER DOOR DOWNLIGHT

Exhibit 29.

Exterior Lighting.

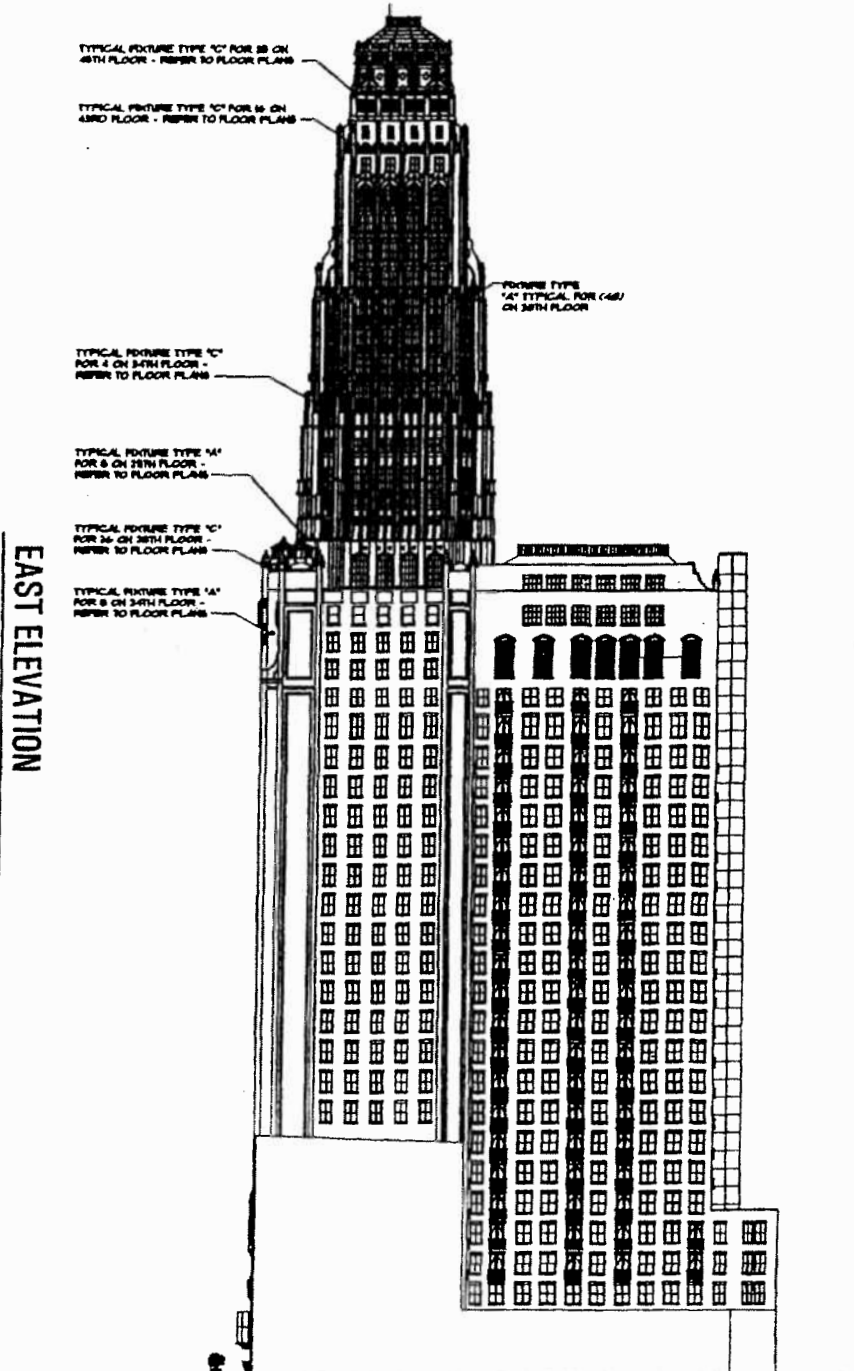


Exhibit 30.

Exterior Lighting.

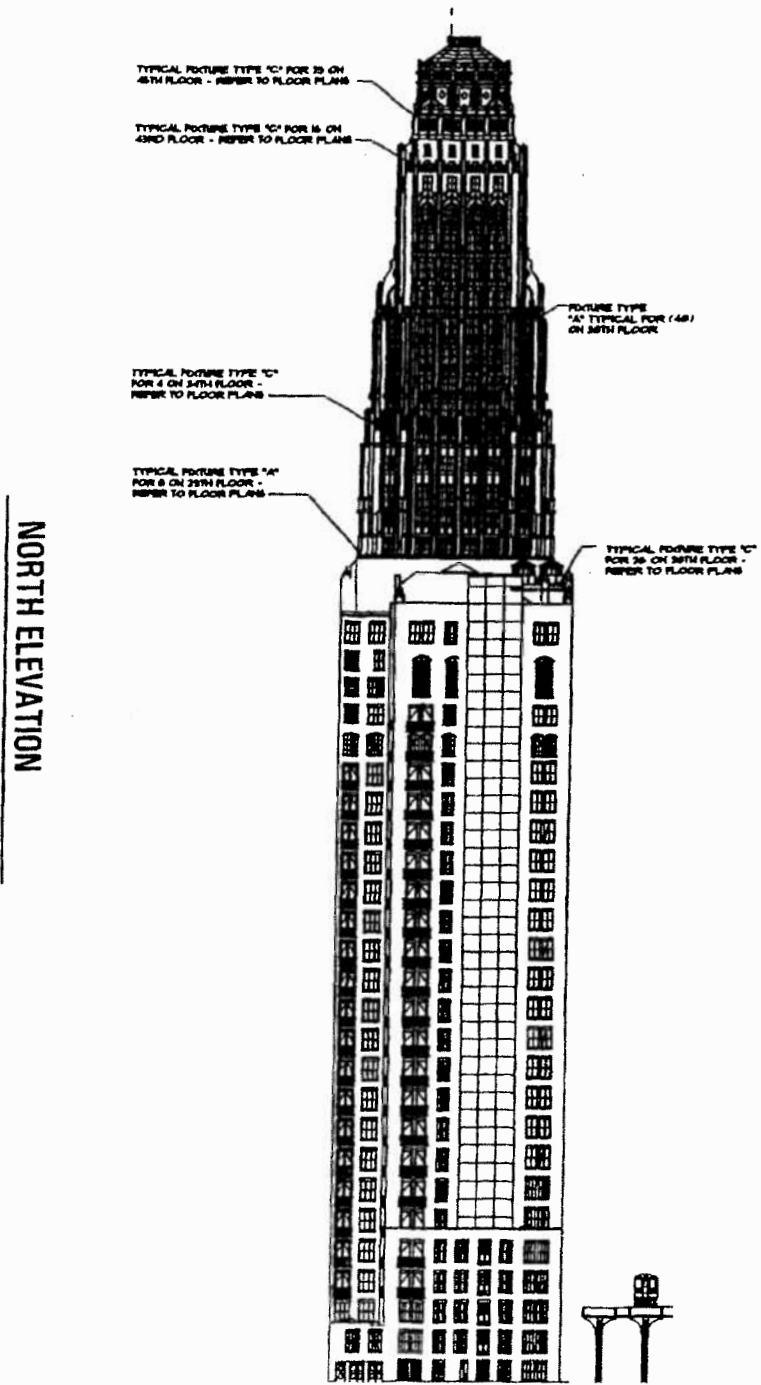


Exhibit 31.

Exterior Lighting.

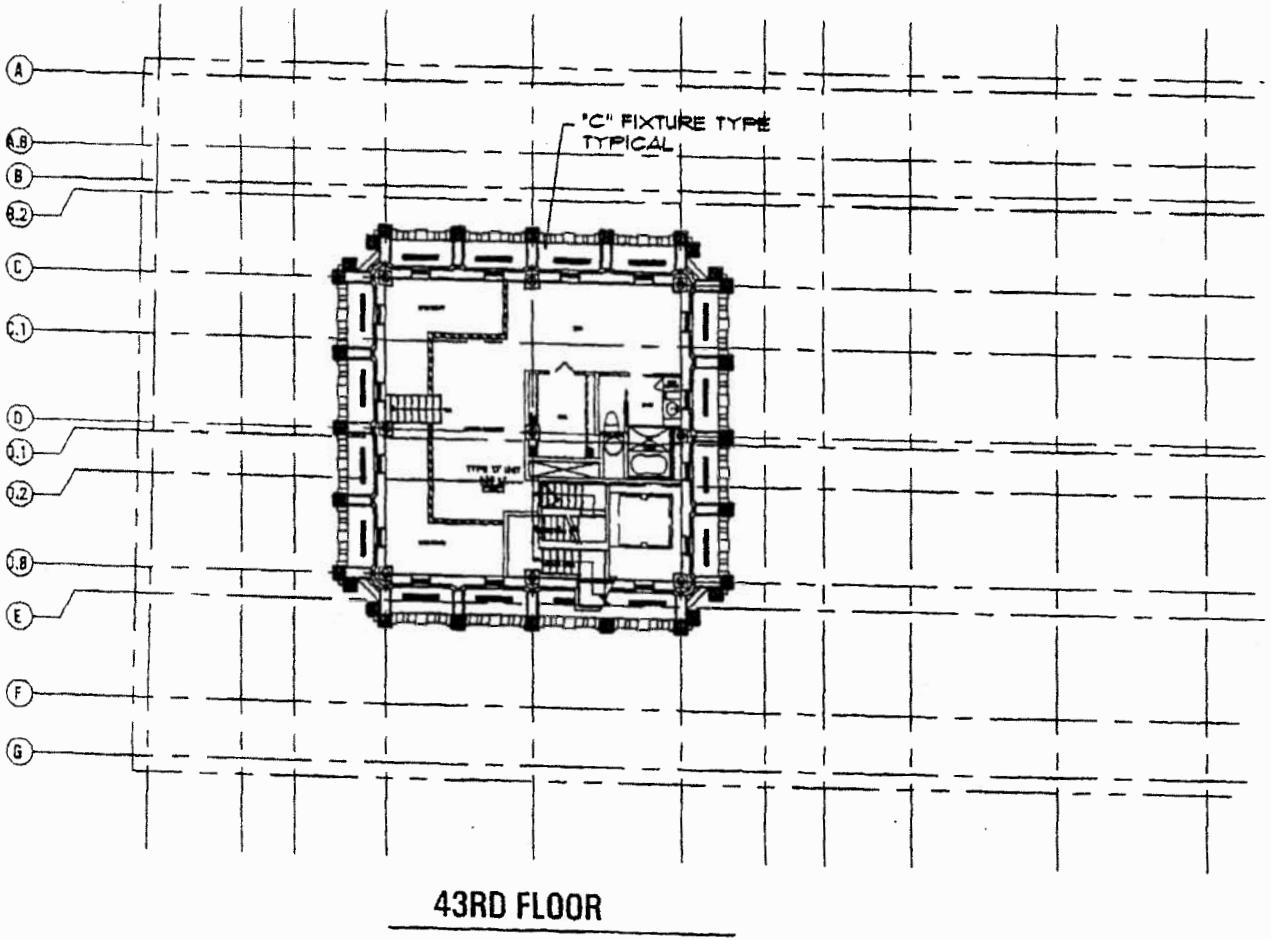


Exhibit 32.

Exterior Lighting.

