

PD 1032

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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
(312) 744-4190
(312) 744-2271 (FAX)
(312) 744-2578 (TTY)
<http://www.cityofchicago.org>

May 30, 2007

Ms. Katriina S. McGuire
Schain, Burney, Ross & Citron, Ltd.
220 North LaSalle Street
Suite 1910
Chicago, IL 60601-1102

Re: **Minor change request for Residential Business Planned Development No. 1032, Parc Huron, 469 W. Huron Street**

Dear Ms. McGuire:

Please be advised that your request for a minor change to Residential Business Planned Development No. 1032 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No.13 of the Planned Development.

Specifically, you are requesting to:

- Reduce the height of the top of the parapet wall of the building in Sub-Area A from 261 feet to 232 feet.
- Redesign the balconies on the building in Sub-Area A so that they extend outward from the building's exterior wall rather than being recessed in the building. However, none of the balconies will overhang the public way. Both of these changes are reflected on revised North, South, East and West Elevation drawings labeled SK#7-10, prepared by Hartshorne Plunkard Architects and dated January 24, 2007.
- Substitute a revised Bulk Regulations and Data Table submitted with your letter dated January 30, 2007. The revised Bulk Table corrects an error in the sub-area floor area ratio. Shortly before Plan Commission, a change was made to the Site Plan that altered the site areas of the two sub-areas. However, the original Bulk Table did not reflect these changes. The FAR for Sub-Area A is 5.61 rather than 6.02 and the FAR for Sub-Area B is 1.7 rather than 1.23. The overall FAR remains 5.0.

With regard to your request, the Department of Planning and Development has reviewed the request and has determined that these revisions will not create an adverse impact on the Planned Development or surrounding neighborhood and would constitute a minor change. Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 1032, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

Sincerely,


Kathleen Nelson *ck*
First Deputy Commissioner

KCN:MRD:tm

cc: Kathleen Nelson, Terri Haymaker, Fred Deters, Mike Marmo, Patrick Haynes, DPD files



Alderman Burke invoked Rule 14 of the City Council's Rules of Order and Procedure, disclosing that he had represented parties to these ordinances in previous and unrelated matters.

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 15513)

RBPD 1032

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 DX-5 Downtown Mixed-Use District symbols and indications as shown on Map Number 1-F in the area bounded by:

West Huron Street; a line 148.36 feet east of and parallel to North Kingsbury Street running south for a distance of 108.91 feet; a line 108.93 feet north of West Erie Street running east to North Hudson Avenue for a distance of 192.34 feet; North Hudson Avenue; West Erie Street; and North Kingsbury Street,

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

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

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

Residential-Business Planned Development Number 1032

Plan Of Development Statements.

1. The area delineated herein as Residential-Business Planned Development Number *1032* ("Planned Development") consists of a net site area of approximately fifty-three thousand two hundred fifty three (53,253) square feet of real property which is depicted on the attached Planned

Development Boundary and Property Line Map (the "Property"), and is owned or controlled by the applicant, Lennar Communities of Chicago, L.L.C. ("Applicant") for purposes of this Residential-Business Planned Development. This Planned Development consists of two (2) subareas: Subarea A and Subarea B.

2. The Applicant shall obtain all applicable official reviews, approvals or permits which are necessary to implement this plan of development. Any dedication or vacation of streets or alleys or easements or adjustments of rights-of-way or consolidation or resubdivision of parcels shall require separate submittal on behalf of the Applicant or its successors, assigns or grantees and approval by the City Council.
3. The requirements, obligations and conditions applicable within this Planned Development shall be binding upon the owner of each individual subarea, its successors and assigns and if different than the Applicant, the owners of all the property within the Planned Development or any homeowners association(s) formed to succeed the Applicant for purposes of control and management of any portion of the Planned Development, the legal titleholder and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors.

Furthermore, pursuant to the requirements of Section 17-13-0600 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 if the change has a material adverse effect on the other subarea. A change shall be deemed to have a material adverse effect if it results in, or would result in, any of the following: (i) any limitation, restriction or diminution in the allowable uses, floor area, floor area ratio, density or other development entitlements of the other subarea's owner as they exist under this Planned Development or the Chicago Zoning Ordinance; (ii) any increase in the other subarea's owner's obligations with regard to, or cost of, the development or maintenance of the improvements located, or which may in the future be located, in the subarea owned by such other subarea owner; (iii) any imposition of changes, conditions or requirements upon the use, development, construction or maintenance of the owner's subarea, the improvements located or to be located thereon or thereunder, which changes, conditions or requirements are not contained in this Planned Development, or (iv) any change in law sought by a subarea's owner which would result in any portion of the Property owned by the other subarea's owner or the improvements located thereon becoming nonconforming. 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 modification or change thereto (administrative, legislative or otherwise) shall be made by the Applicant, the owners of all the property within the Planned Development or any homeowners association(s) formed to succeed the Applicant for purposes of control and management of any portion of the Planned Development. If an amendment, modification or change (administrative, legislative or otherwise) does not have a material adverse effect, the amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development applicable to or in a given subarea designated pursuant to Statement Number 5 below need only be made or authorized by the owners and/or ground lessees of such subarea. Moreover, where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" shall be deemed to refer solely to the condominium association of the owners of such portions of the improvements and not to the individual unit owners therein. No amendment may be sought without written approval by the condominium association unless the right to do so has been retained by Applicant and its successors in title documents. Notwithstanding the foregoing, 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, interest or obligation therein.

4. This plan of development consists of these fifteen (15) statements; a Bulk Regulations and Data Table; an Existing Land-Use Map; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Planned Development Subarea Map; a Site Plan; and West, North, East and South Building Elevations, all dated August 17, 2006, prepared by Hartshorne & Plunkard Architecture; and Ground Level Landscape Plan; Roof Level Landscape Plan; and Landscape Details, dated August 17, 2006, prepared by Pugsley & La Hale, Ltd., which are all incorporated herein. Full-size sets of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. This Plan of Development is in conformity with the intent and purposes of the Chicago Zoning Ordinance (Title 17 of the Municipal Code in Chicago) and all requirements thereof and satisfies the established criteria for approval of a Planned Development. These and no other zoning controls shall apply to the area delineated herein. In any instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Building Code shall control.
5. The following uses shall be permitted within the areas delineated herein:
 - Subarea A: Multi-unit residential; ground floor commercial and business uses permitted in the DX-5 Downtown Mixed-Use District;

accessory parking; accessory uses; publicly-open space; and related uses.

Subarea B: Townhouse residential uses; accessory parking; accessory uses; and related uses.

6. Identification and on-premise business 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 within the Planned Development subject to review and approval of the Department of Planning and Development.
 7. Off-street parking and loading facilities shall be in compliance with this Planned Development, subject to the review and approval of the Departments of Transportation and Planning and Development.
 8. Any service drives or other ingress or egress including emergency vehicle access shall be adequately designed, constructed and paved in accordance with the Municipal Code of Chicago and the regulations of the Department of Transportation in effect at the time of construction. Ingress and egress shall be in accordance with the Site Plan and subject to the review and approval of the Department of Transportation and the Department of Planning and Development. 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. All work 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 the Municipal Code of the City of Chicago.
 9. In addition to the maximum height of any building or any appurtenance attached thereto the height of any improvement shall also be subject to height limitations as approved by the Federal Aviation Administration.
 10. The maximum permitted floor area ratio ("F.A.R.") shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of F.A.R. calculations and floor area measurements, the definition in the City of Chicago Zoning Ordinance shall apply.
 11. Improvements of the Property, including on-site exterior landscaping and the landscaping along the adjacent rights-of-way, and all entrances and exits shall be designed, installed and maintained in substantial conformance with the Site Plan, Landscape Plans, Building Elevations and the Bulk Regulations and Data Table attached hereto and made a part
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hereof. Landscaping shall be installed and maintained at all times in accordance with the Site Plan and the Parkway Tree Provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.

The Applicant or its successors or assignees shall construct and provide ongoing maintenance to the proposed landscaped open space totaling approximately fourteen thousand seven hundred seventy-five (14,775) square feet (zero and thirty-four hundredths (0.34) acres) to be located within Subarea A. The square footage of this landscaped open space shall be counted in determining compliance with any open space requirements within this Planned Development and shall be included in the determination of the required Open Space Impact Fee for Subarea A of this Planned Development. This landscaped open space shall be open to the public during regular Park District hours.

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 Subarea B of this Planned Development, plans for the proposed development of Subarea B shall be submitted to and approved by the Commissioner of the Department of Planning and Development ("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 submittal. 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.

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

- a. boundaries of development parcel;
- 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), if any;
- 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 development parcel or parcels, 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, if any;
 - (4) uses of the development parcel; and
- j. parameters of the building envelope, including:
 - (1) maximum building height;
 - (2) building setbacks and vertical setbacks, required and provided; and
 - (3) proposed building elevations, listing all facade materials.

A request for Site Plan Approval 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.

Following the issuance of Site Plan Approval by the Commissioner, the approved Site Plan(s) shall be kept on permanent file with the Department of Planning and Development and shall be deemed to be an integral part of this Planned Development. The approved Site Plans may be changed or modified pursuant to the minor change provisions of 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 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. 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 written request for such 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 is consistent with the nature of the improvements contemplated in this Planned Development. Any such modification of the requirements of this 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.
14. 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 commercially reasonable efforts to design, construct and maintain all buildings located within this Planned Development in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating. 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 twenty-five percent (25%) of the net roof area of each building to be constructed within Subarea A of this Planned Development. "Net roof area" is defined as total roof area minus any required perimeter setbacks, roof top structures and roof-mounted equipment.

If City financial assistance is sought in connection with development within this Planned Development, then relevant City policy in effect at the time such assistance is sought regarding vegetated ("green") roofs and other environmental requirements shall apply.

15. Unless substantial construction of the project has commenced within the Planned Development within six (6) years of the passage of the Residential-Business Planned Development, the zoning of the Property shall revert to the DX-5 Downtown Mixed-Use District. The six (6) year period may be extended for one (1) additional year if, before expiration, the

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Commissioner of the Department of Planning and Development determines that there is good cause for such an extension.

[Existing Land-Use Map; Existing Zoning Map; Planned Development Boundary and Property Line Map; Planned Development Subarea Map; Site Plan; Building Elevations; Ground Level Landscape Plan; Roof Level Landscape Plan; and Fence and Decorations Plan referred to in these Plan of Development Statements printed on pages 88426 through 88437 of this *Journal*.]

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

Residential-Business Planned Development Number 1032.

Bulk Regulations And Data Table.

Gross Site Area:	84,905 square feet (1.95 acres)
- Area Remaining in Public Right-of-Way:	31,652 square feet (0.74 acres)
= Net Site Area -- Total:	53,253 square feet (1.22 acres)
Net Site Area -- Subarea A:	44,920 square feet (1.03 acres)
Net Site Area -- Subarea B:	8,333 square feet (0.19 acres)
Maximum Floor Area Ratio:	
Total:	5.00
Subarea A:	6.02
Subarea B:	1.23

Permitted Uses:

Subarea A:	Multi-unit residential; ground floor commercial and business uses; accessory parking; accessory uses; publicly-accessible open space; and related uses
Subarea B:	Townhouse residential uses; accessory parking; accessory uses; and related uses

Maximum Permitted Number of Residential Units:

Total:	241
Subarea A:	237
Subarea B:	4

Minimum Number of Off-Street Parking Spaces:

Subarea A:	237
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(If revisions are required by another City agency at the time of building permit applications, the number of parking spaces may be reduced so long as a minimum ratio of 1:1 spaces per dwelling unit is maintained)

Subarea B:	8
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(If revisions are required by another City agency at the time of building permit applications, the number of parking spaces may be reduced, so long as a minimum ratio of 1:1 spaces per dwelling unit is maintained)

**Minimum Number of Loading
Spaces:**

Subarea A: 2 by 10 feet at 25 feet (tandem)

Subarea B: 0

**Minimum Number of Bicycle
Storage Spaces:**

Subarea A: 1:2 automobile parking spaces
(maximum 50 required)

Subarea B: 1:2 automobile parking spaces

Maximum Building Height:

Subarea A: 265 feet

Subarea B: 55 feet

Maximum Site Coverage:

Subarea A: 65%

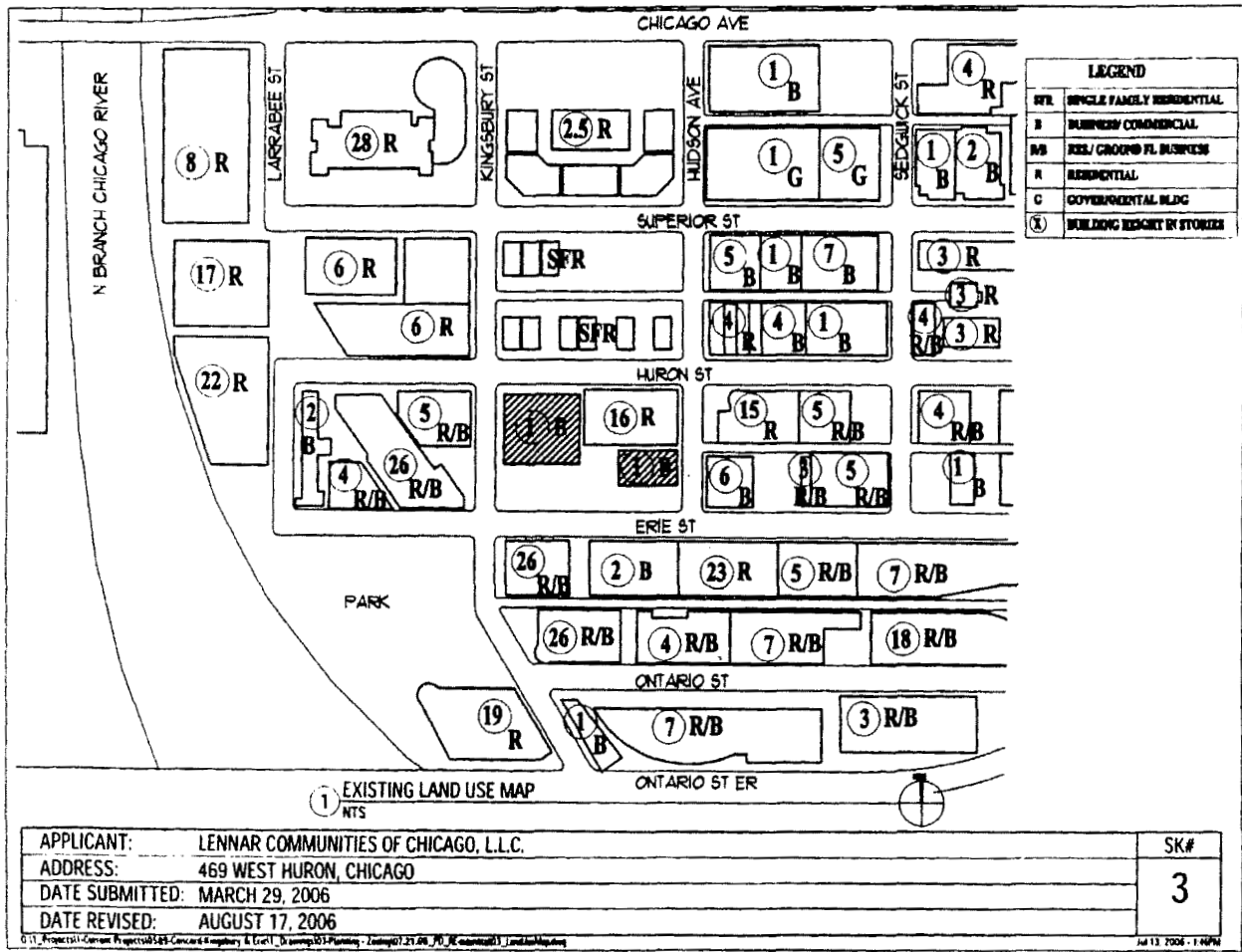
Subarea B: 68%

Minimum Periphery Setbacks:

Subarea A: Per approved Site Plan

Subarea B: Per approved Site Plan

Existing Land-Use Map.



APPLICANT: LENNAR COMMUNITIES OF CHICAGO, L.L.C.	SK#
ADDRESS: 469 WEST HURON, CHICAGO	3
DATE SUBMITTED: MARCH 29, 2006	
DATE REVISED: AUGUST 17, 2006	

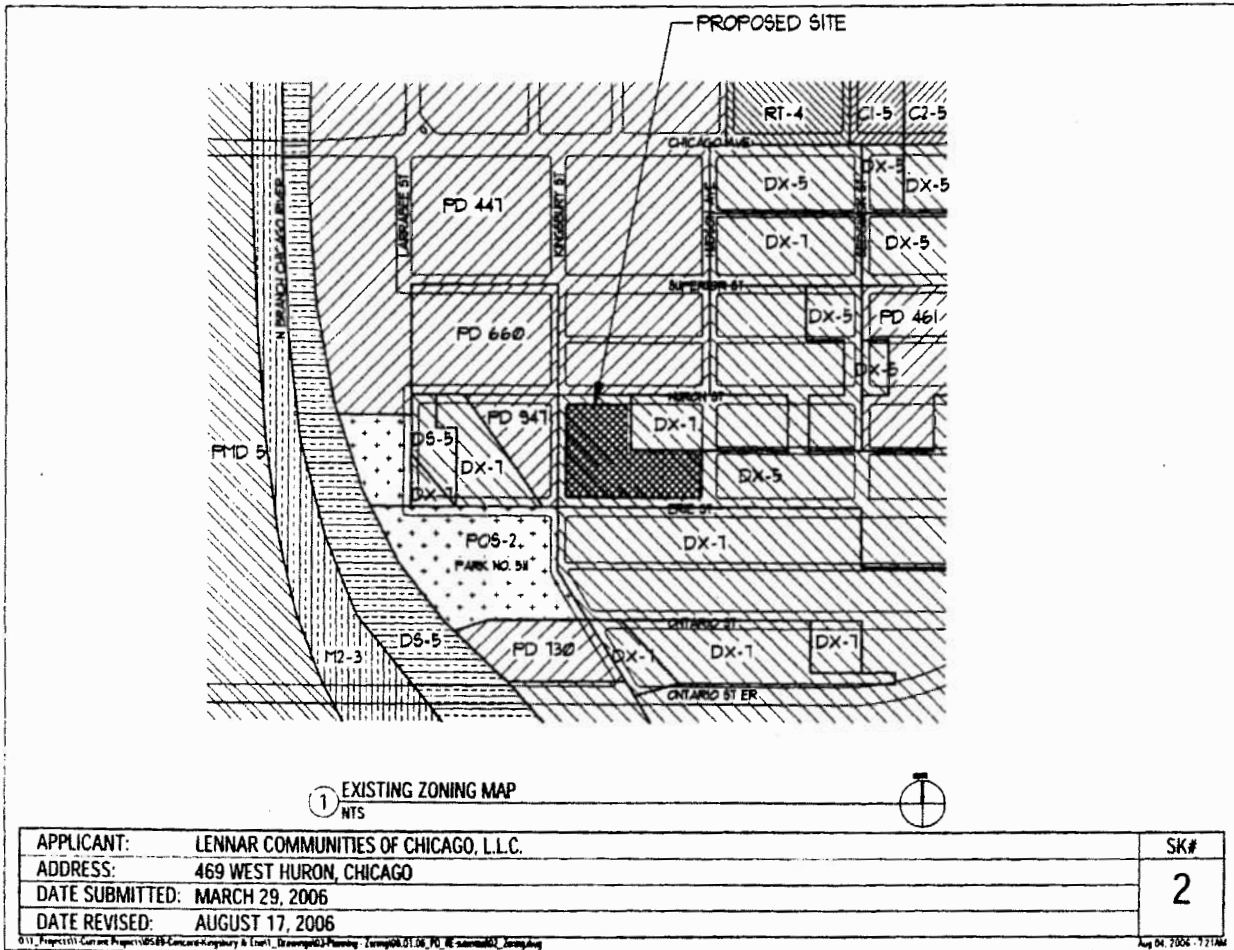
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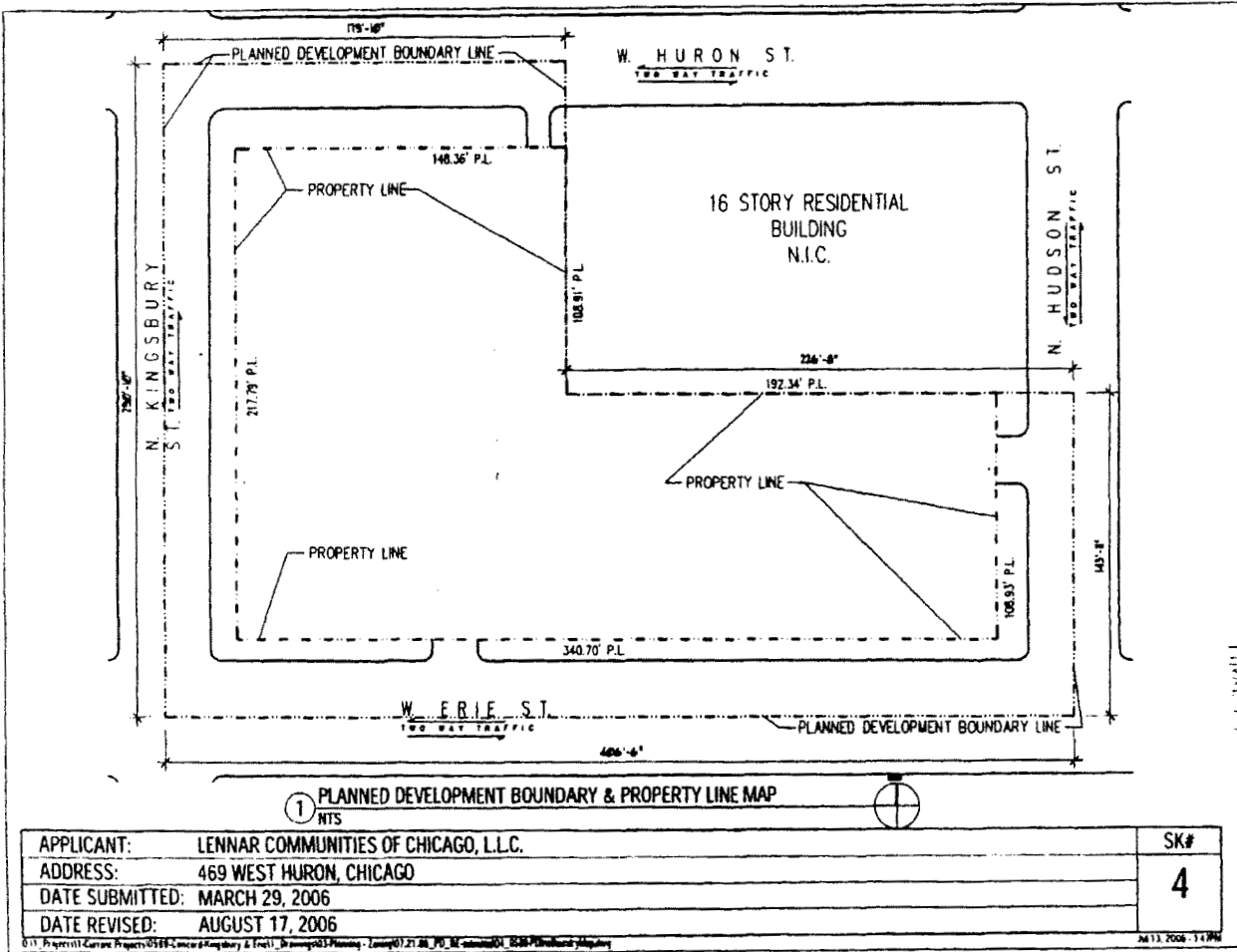
Existing Zoning Map.



APPLICANT:	LENNAR COMMUNITIES OF CHICAGO, L.L.C.	SK#
ADDRESS:	469 WEST HURON, CHICAGO	2
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011_Project1117-Corland Project\05285-Corland-Registry & Tour\1_Drawing\02-Planning - Zoning\08.01.06_PD_#6_schematic2_zoning.dwg Aug 04, 2006 - 17:16M

Planned Development Boundary
And Property Line Map.

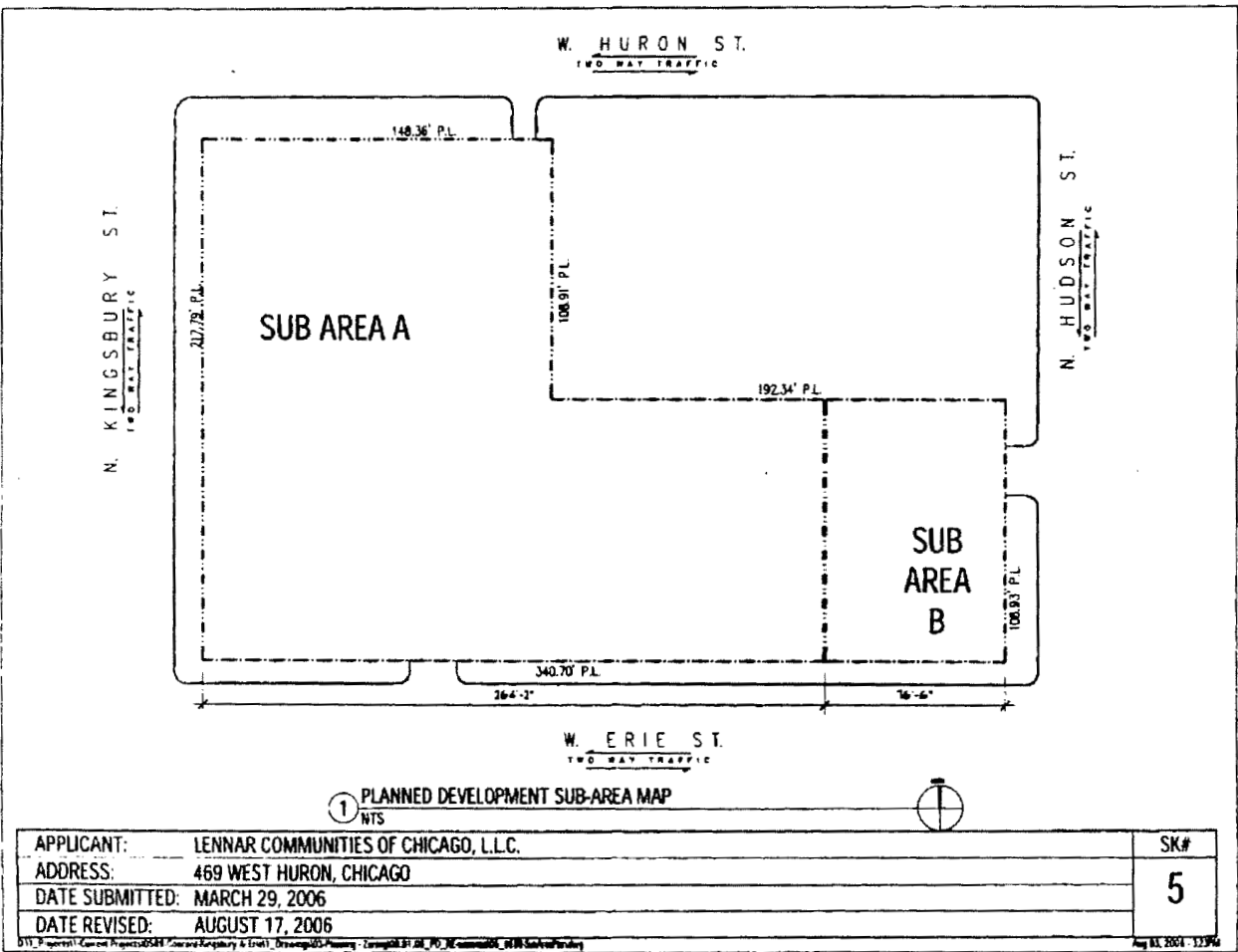


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Planned Development Subarea Map.

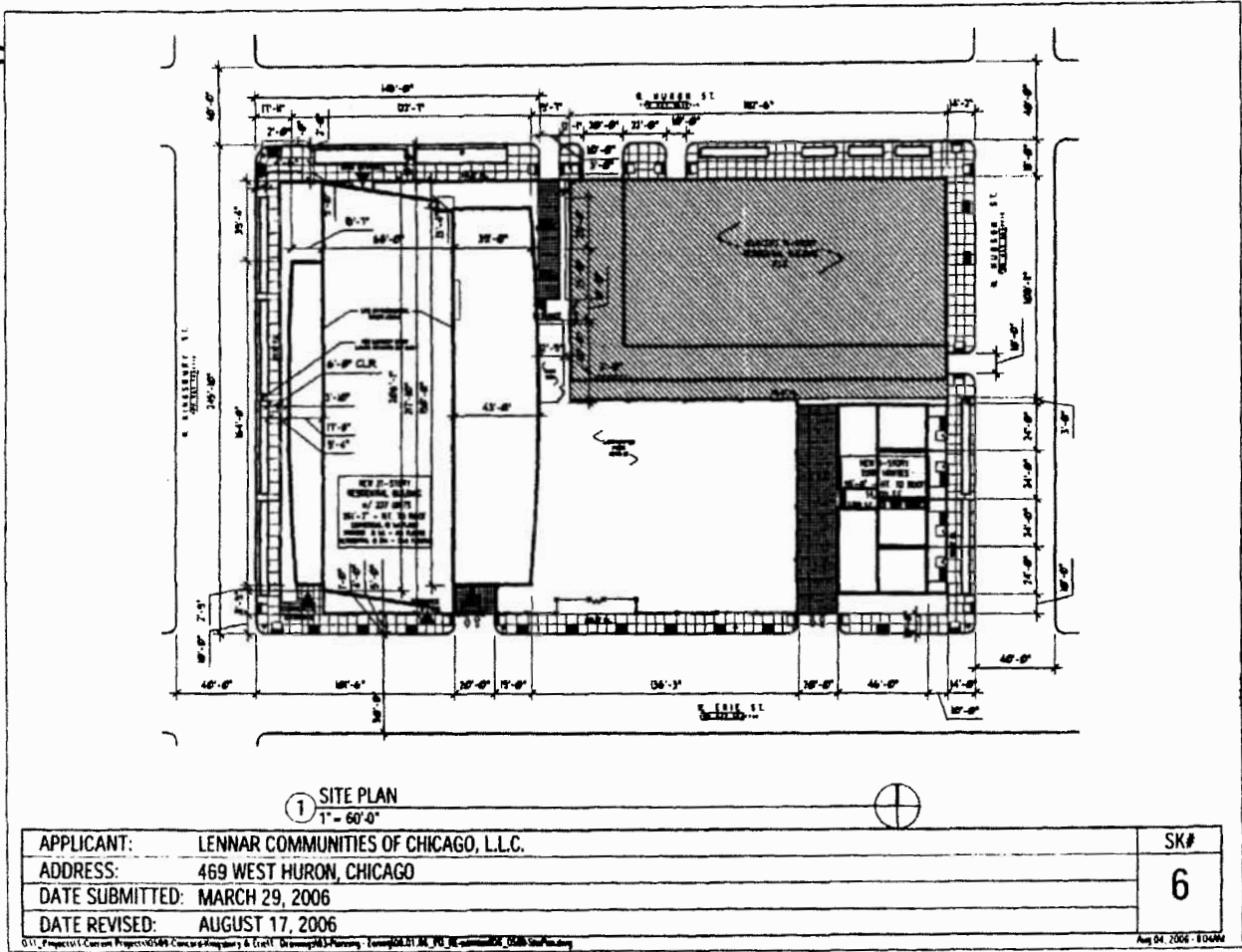


① PLANNED DEVELOPMENT SUB-AREA MAP
NTS

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511 3 9/2004/1/Current Projects/2004/Chicago/Kingsbury & Erie/1 - Chicago/2005-Planning - Chicago/31/2006/NTS/Planned Development Sub-Area Map/511-3-9/2004/1-22/04

Site Plan.

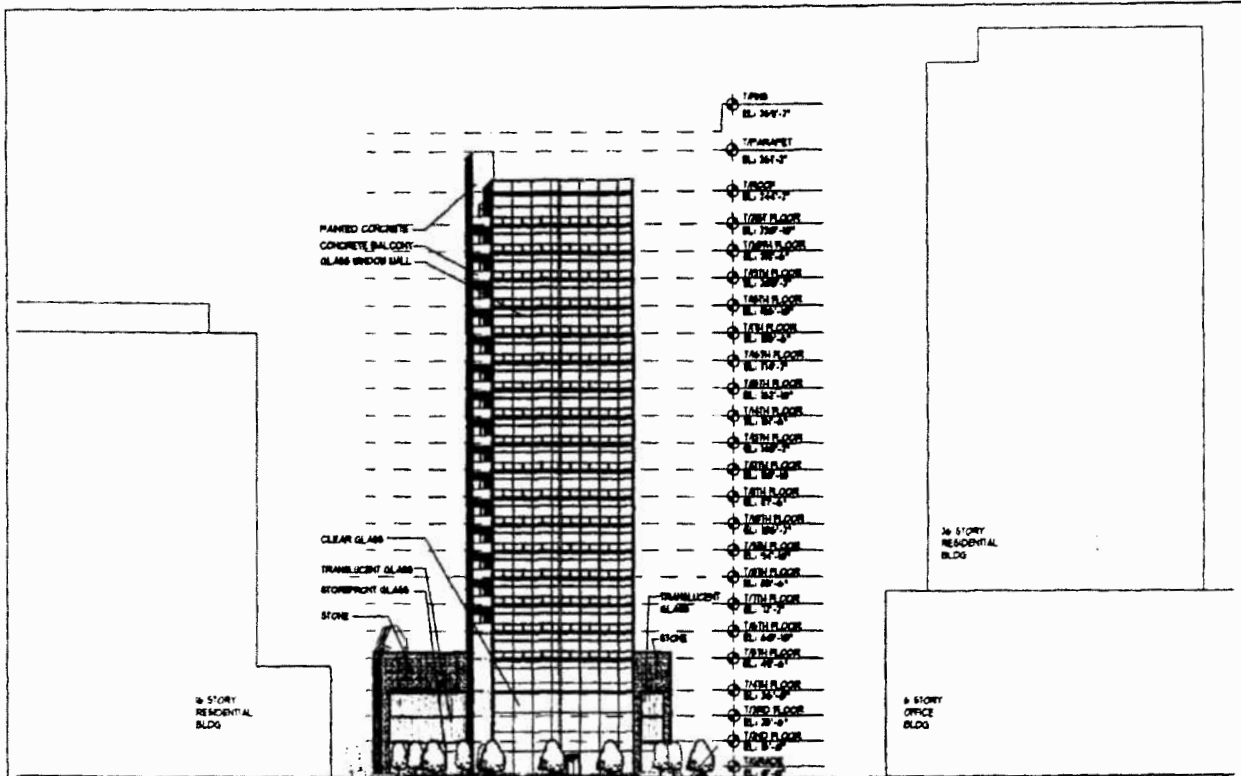


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North Elevation.

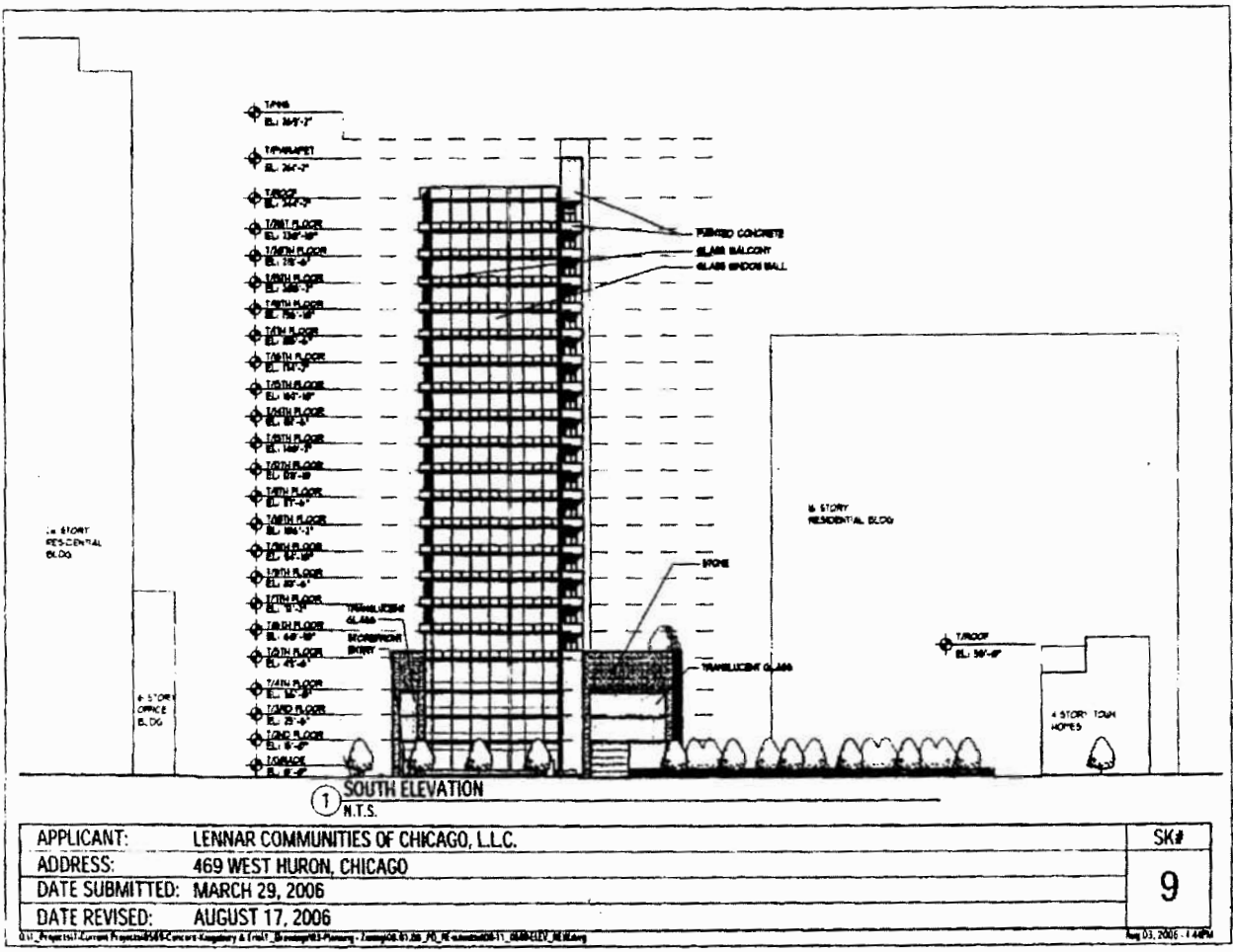


1 NORTH ELEVATION
N.T.S.

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DATE REVISED:	AUGUST 17, 2006	

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South Elevation.

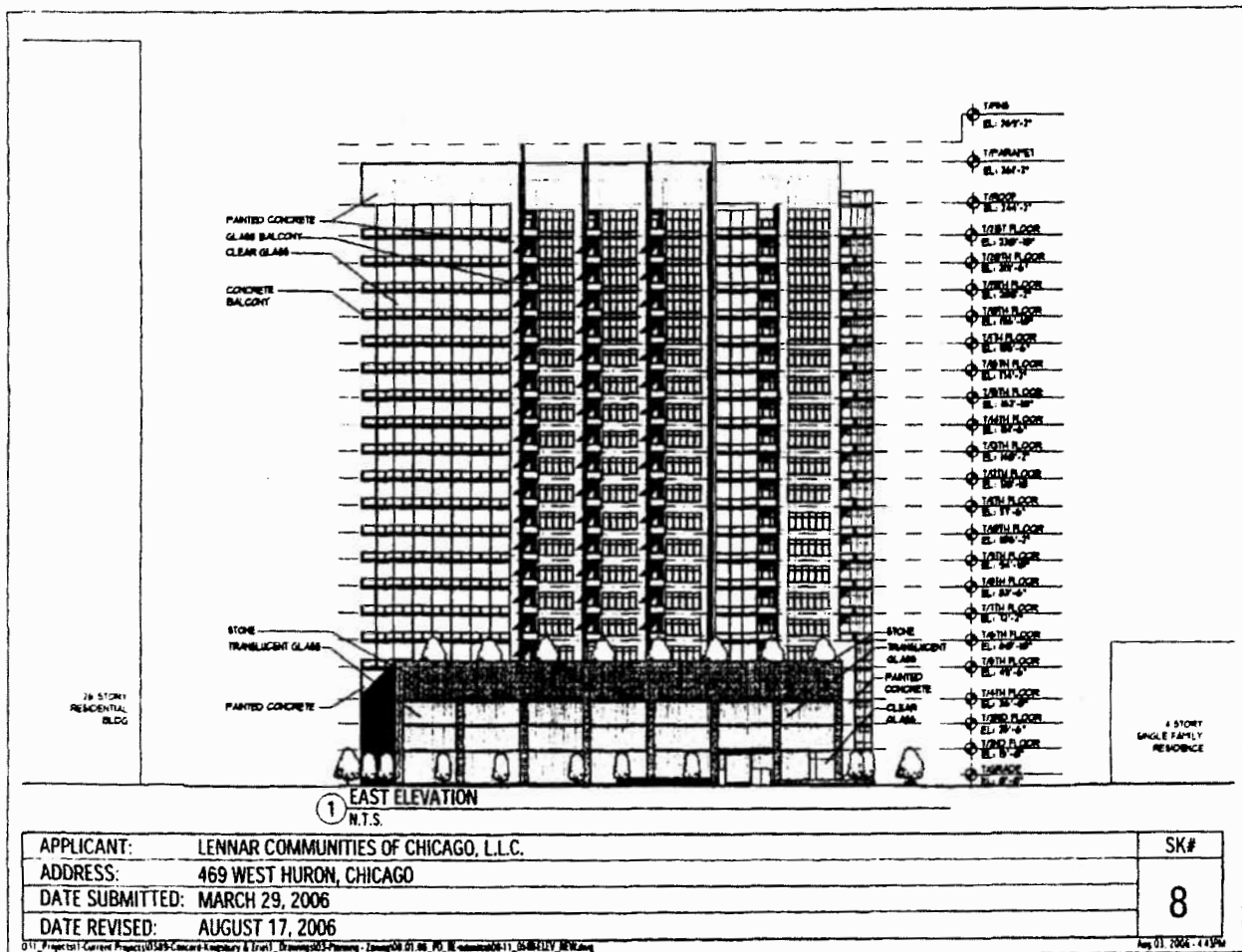


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East Elevation.

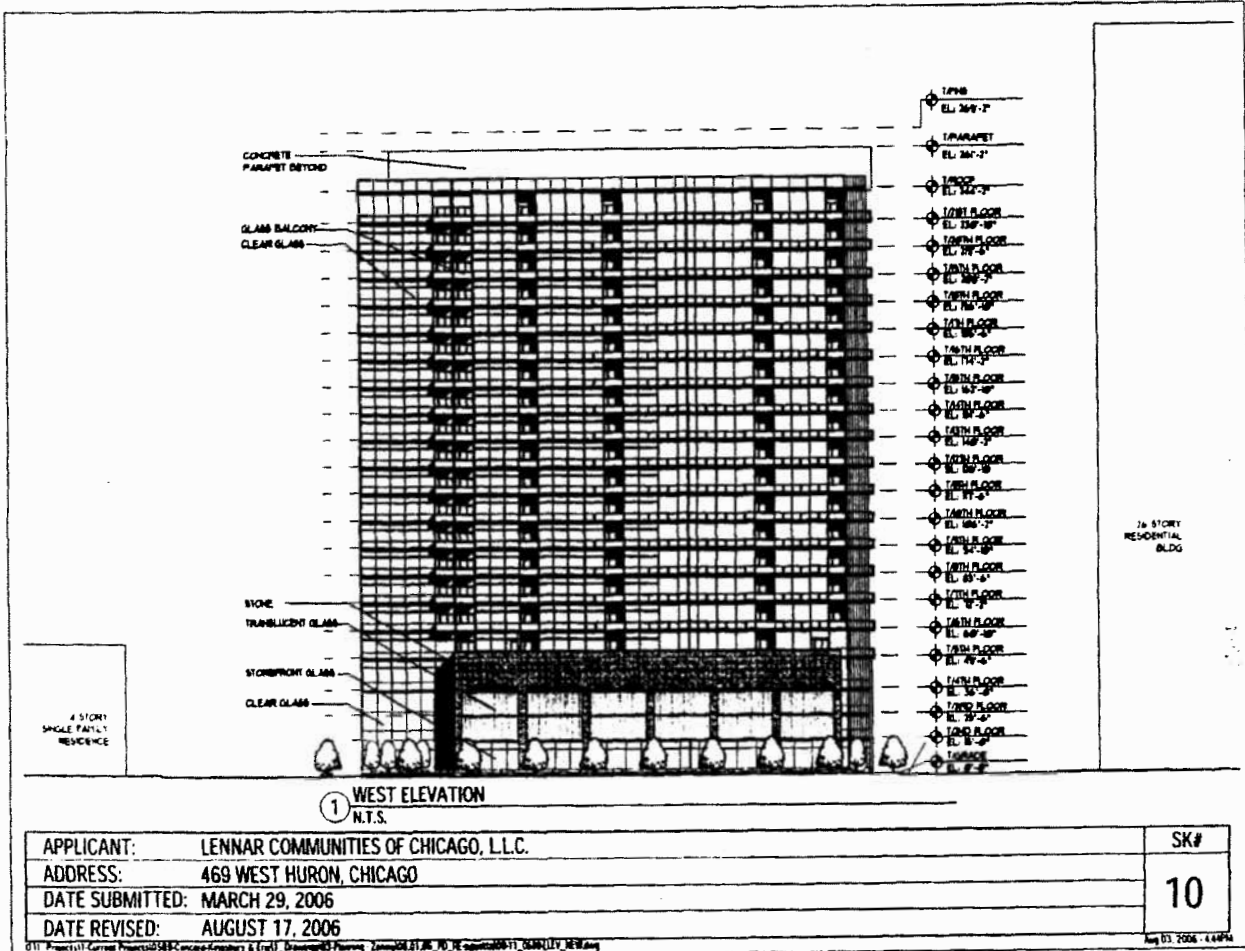


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West Elevation.

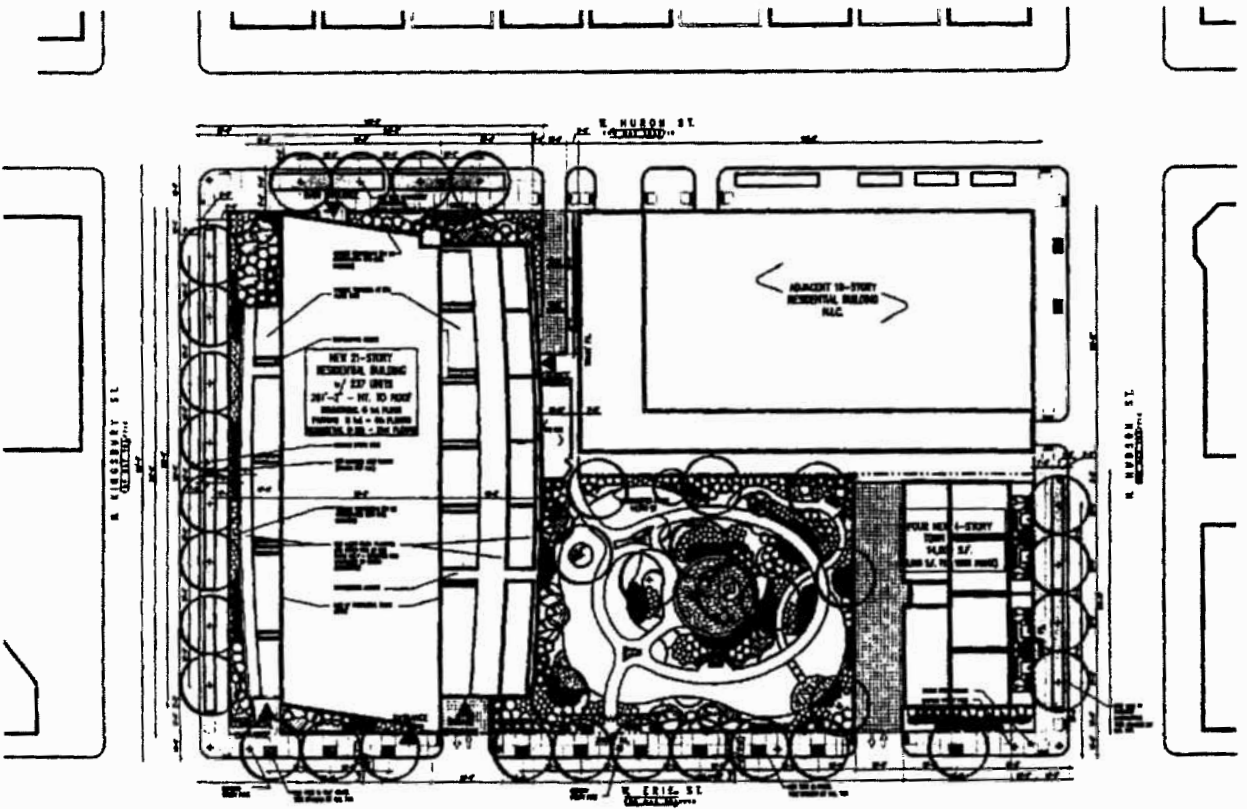


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Ground Level Landscape Plan.



GROUND LEVEL LANDSCAPE PLAN

SCALE 1" = 50'-0"

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 DATE REVISED: AUGUST 17, 2006



PUSELEY & LA HAM, L.P.
 landscape architects and contractors
 26416 N. Old McHenry Road
 Lake Zurich, IL 60047
 pr 607.438.8073 fx 438.8084



SK#

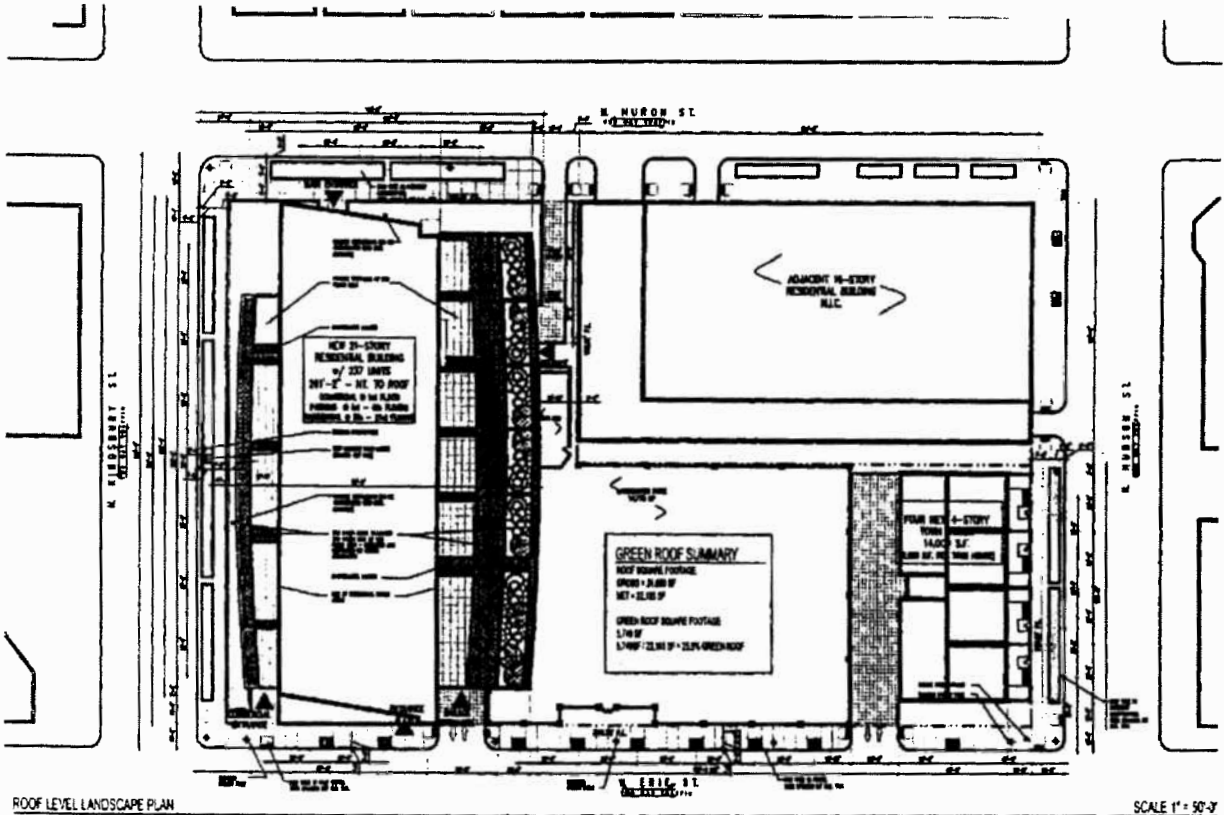
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Roof Level Landscape Plan.



APPLICANT: LENNAR COMMUNITIES OF CHICAGO, L.L.C.
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PUGHLEY & LA MARE, LTD.
 Landscape architects and contractors
 3000 N. 6th Broadway Road
 John Zwick, R. 08067
 or 847.438.8913 & 438.8884



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