

PD 1094

Table of Contents

01/09/2008 PD Adoption **2**
 Ordinance 2
 Statements 3
 Bulk Table 9
 Exhibits 12

1/9/2008

REPORTS OF COMMITTEES

15584

19637

~~Reclassification Of Area Shown On Map Number 7-H.
(Application Number 16437)~~

~~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 the M1-2 Limited Manufacturing/Business Park District symbols as shown on Map Number 7-H in the area bounded by:~~

~~West Belmont Avenue; a line 125 feet east of and parallel to North Ravenswood Avenue; the public alley next south of and parallel to West Belmont Avenue; and a line 100 feet east of and parallel to North Ravenswood Avenue,~~

~~to those of a B2-2 Neighborhood Mixed-Use District which is hereby established in the area above described.~~

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

Reclassification Of Area Shown On Map Number 7-I.
(As Amended)

(Application Number 15884)

RBPE 1094

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 current RS3 Residential Single-Unit (Detached House) District symbols and indications as shown on Map Number 7-I in the area bounded by:

West Diversey Avenue; the alley next east of North Maplewood Avenue; a line 50.10 feet south of West Diversey Avenue; and North Maplewood Avenue,

to those of a B2-1 Neighborhood Mixed-Use District which is hereby established in the area described above.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the current M1-2 Limited Manufacturing/Business Park District symbols and indications as shown on Map Number 7-I in the area bounded by:

West Diversey Avenue; North Maplewood Avenue; the northeastern line of the Chicago and Northwestern Railroad right-of-way; and North Rockwell Street,

to those of a C2-5 Motor Vehicle-Related Commercial District which is hereby established in the area described above.

SECTION 3. That the Chicago Zoning Ordinance be amended by changing all the current B2-1 Neighborhood Mixed-Use District and C2-5 Motor Vehicle-Related Commercial District symbols and indications as shown on Map Number 7-1 in the area bounded by:

West Diversey Avenue; the alley next east of North Maplewood Avenue; a line 50.10 feet south of West Diversey Avenue; North Maplewood Avenue; the northeastern line of the Chicago and Northwestern Railroad right-of-way; and North Rockwell Street,

to those of Residential-Business Planned Development Number 1094 which is hereby established in the area described above and subject to such use and bulk regulations as are set forth in the Plan of Development attached hereto and to no others.

SECTION 4. 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 1094.

Plan Of Development Statements.

1. The area delineated herein as a Residential-Business Planned Development Number 1094 (the "Planned Development") consists of approximately eighty-four thousand one hundred fifty-two (84,152) square feet (one and ninety-three hundredths (1.93) acres) of property which is depicted on the attached Planned Development Boundary, Property Line and Subarea Map (the "Property") and is owned or controlled for purposes of filing and approval of this Planned Development by Cooper Venture One, L.L.C., an Illinois limited liability company (the "Applicant").
2. The Applicant shall obtain all necessary official reviews, approvals or permits. 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 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 than the Applicant, the legal

titleholders and 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) (hereafter "Modifications") 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 Modifications to this Planned Development is made or authorized by the Applicant, its successors and assigns or any property owner's association which is formed; provided, however, that after the initial adoption of this Planned Development the owner(s) or designated controlling party for each subarea, without the consent of the owners of the other subarea, may seek Modifications for that owned or controlled subarea provided that the Modifications do not alter the development parameters for the other subarea.

4. This plan of development consists of fourteen (14) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Boundary, Property Line and Subarea Map all dated November 16, 2007; and a Site Plan, and six (6) drawings depicting the Subarea A building's elevations (the "Elevations") all prepared by Hartshorne Plunkard Architecture and dated November 16, 2007. Full size copies of these exhibits 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. In any instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Building Code shall control.
5. The property within the Planned Development is indicated on the Planned Development Boundary, Property Line and Subarea Map. Subject to the Bulk Regulations and Data Table, the following uses are permitted on the Property:
 - Subarea A: Work -- Live Units (as defined and more specifically regulated herein in Statement 10); and any of the allowed uses in the Public and Civic, Commercial and Industrial Use Groups of the C2 Motor Vehicle-Related Commercial District.
 - Subarea B: Any of the allowed uses of the B2-1 Neighborhood Mixed-Use District, and off-street accessory parking related to Subarea A permitted uses.
6. On-premise business identification signs and temporary signs shall be permitted within the Planned Development subject to the review and approval of the Commissioner of the Department of Planning and Development. Specifically, one non-video display changing image sign for the identification of multiple on-premise businesses is allowed provided it is mounted on the proposed penthouse as

illustrated on the elevation drawings included herein and dated November 16, 2007 and provided the area of such sign shall not exceed two hundred (200) square feet or as permitted by law.

7. Off-street parking shall be provided in compliance with this Planned Development subject to the review and approval of the Department of Transportation. Parking for uses in Subarea A may be provided within Subarea B and vice-versa and any such parking provided shall be deemed accessory parking and not subject to further approvals, including approval as a Special Use, under the Chicago Zoning Ordinance. In addition, the minimum required parking under this Planned Development for Subarea A is one hundred eight (108) spaces which is the combined total of the spaces on Subarea A and the spaces located on an interim basis in Subarea B.
8. Any service drive or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of the City of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas. Ingress and egress shall be subject to the review and approval of the Department of Transportation.
9. In addition to the maximum heights of the buildings and any appurtenance attached thereto prescribed in this Planned Development, the height of any improvements shall also be subject to height limitations as approved by the Federal Aviation Administration.
10. (A) Subarea A Building Design: The Subarea A improvements depicted on the Site Plan and the Elevations, including the landscaping along adjacent rights-of-way and all entrances and exits to and from the parking and loading areas shall be designed, constructed and maintained in substantial conformance with the Site Plan and Elevations. The existing building in Subarea A (the "Subarea A Building") is intended to be designated as a Chicago Landmark and to be redeveloped in accordance with the provisions of such designation as primarily, and to the extent commercially reasonable, a place of employment that will attract businesses with a specific focus on commercial users which are involved in areas related to the use or promotion of environmentally sound and sustainable practices. This will cause the building to serve as a center for existing and emerging environmentally responsible technologies, products and services and for the dissemination of information related thereto. Consistent with this intent, the Subarea A Building will be designed in accordance with the standards for at least Gold certification under the Leadership in Energy and Environmental Design ("L.E.E.D.") standards.

(B) Subarea A Building Use: The applicant acknowledges that the City of Chicago has approved the work-live units, described in paragraph 10, as a pilot program to allow the City to study the efficacy of work-live units to promote "no commute" employment options within the City. The Applicant acknowledges that this pilot program shall have no precedential value and the City shall not be bound to permit any work-live units, other than those permitted by this Planned Development, to locate within the City of Chicago in the future. For the purposes of this Planned Development residential uses shall be limited to Work/Live Units. A Work/Live Unit shall be defined as a commercial unit that contains a dwelling space which is accessory to an ongoing commercial use within the same unit. A dwelling space shall be deemed accessory to the commercial unit to the extent that at least one of the occupants of each Work/Live Unit shall conduct a business in the unit and shall secure and maintain the appropriate City of Chicago business licenses. Commercial uses allowed in such Work/Live Units shall be limited to those allowed in the following commercial and industrial use categories as defined in the C2 Motor Vehicle-Related Commercial District:

- Artists Work or Sales Space
- Business Equipment Sales and Service
- Business Support Services
- Communication Service Establishments
- Office
- Personal Service
- Retail Sales, General
- Manufacturing, Production and Industrial Services (only Artisan and only to the extent permitted by the Chicago Building Code)

In addition, any commercial use established in a Work/Live Unit shall not have more than five (5) employees that use the Work/Live Unit as their permanent work location.

(C) Subarea B is planned to be initially improved with a surface parking lot. 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 development within Subarea B of this Planned Development

other than the improvements indicated herein, Site Plans for proposed development shall be submitted to the Commissioner of the Department of Planning 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 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. No Part II approval shall be granted until an applicable Site Plan has been approved.

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

- a. boundaries of development parcel or parcels;
- 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 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;
 - (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.

Following 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.

(D) The improvements indicated on the Site Plan to the west side of North Maplewood Avenue and the east side of North Rockwell Street for Subarea A are not part of this Planned Development; they are to be designed and constructed by others. Otherwise, notwithstanding any statement to the contrary, this Planned Development shall be subject to the provisions of Chapter 17-11 of the Chicago Zoning Ordinance governing landscaping and screening. In any instance where a provision of the Planned Development conflicts with landscape and screening provisions of the Chicago Zoning Ordinance, the Chicago Zoning Ordinance shall control. Nothing in this Planned Development is intended to waive the applicability of the landscape and screening provisions of the Chicago Zoning Ordinance.

11. The terms, conditions and exhibits of this Planned Development 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 in nature, 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 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 renovate all buildings in a manner that provides healthier environments, reduces operating costs and conserves energy and 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. In furtherance of these goals, the Applicant shall provide green roof areas on buildings in each subarea equal to twenty-five percent (25%) of the net roof area. "Net roof area" is defined as total roof area minus any required perimeter setbacks, rooftop structures and roof-mounted equipment. Furthermore, consistent with the intended use of the Subarea A Building as described in Statement 10 above, the Applicant shall design and construct the Subarea A Building so as to receive Leadership in Energy and Environmental Design ("L.E.E.D.") Gold Certification criteria.

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 of 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 improvements contemplated in subarea A has commenced within six (6) years of the effective date hereof and unless completion of those improvements is thereafter diligently pursued, then this Planned Development shall expire and the zoning of Subarea A shall automatically revert to a M1-2 Limited Manufacturing/Business Park District and of Subarea B shall automatically revert to an RS3 Residential Single-Family (Detached House) District as applicable prior to adoption of this Planned Development. The 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 an extension is shown.

[Existing Zoning Map; Planned Development Boundary, Property Line and Subarea Map; Site Plan; and Building Elevations referred to in these Plan of Development Statements printed on pages 19647 through 19655 of this *Journal*.]

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

Residential-Business Planned Development Number 1094.

*Plan Of Development
Bulk Regulations And Data Table.*

Permitted Uses:

See Statement Number 5 of this Planned Development

Maximum Permitted Floor
Area Ratio:

Subarea A: 3.10

Subarea B: 1.20

Gross Site Area = Net Site Area + Area remaining in public Right-of-Way:

Subarea A: 106,006.24 square feet (2.43 acres) = 77,848 square feet (1.79 acres) + 28158.24 square feet (0.65 acre)

Subarea B: 12,461.38 square feet (0.29 acre) = 6,304 square feet (0.15 acre) + 6,157.38 square feet (0.14 acre)

Overall Gross Site Area: 118,467.62 square feet (2.72 acres) = 84,152 square feet (1.93 acres) + 34,315.62 square feet (0.79 acre)

Setbacks From Property Line:

Subarea A:

North Maplewood Street: 0 feet

West Diversey Avenue: 0 feet

North Rockwell Street: 0 feet

Southern Property Line: 14 feet

Subarea B: In conformance with the B2-1 regulations

Maximum Percentage of Site Coverage:

Subarea A: 95%

Subarea B: In conformance with the B2-1 regulations

Maximum Number of Dwelling
Units:

Subarea A: 0

Subarea B: As permitted under the B2-1 regulations

Maximum Number of "Work-Live"
Units:

Subarea A: The lesser of 100 units or 100,000 square
feet of floor area

Subarea B: 0

Minimum Number of Off-Street
Parking Spaces:

Subarea A: 108

Subarea B: As required under the B2-1 regulations

Minimum Number of Off-Street
Loading Berths:

Subarea A: 1 (12 feet clear height)

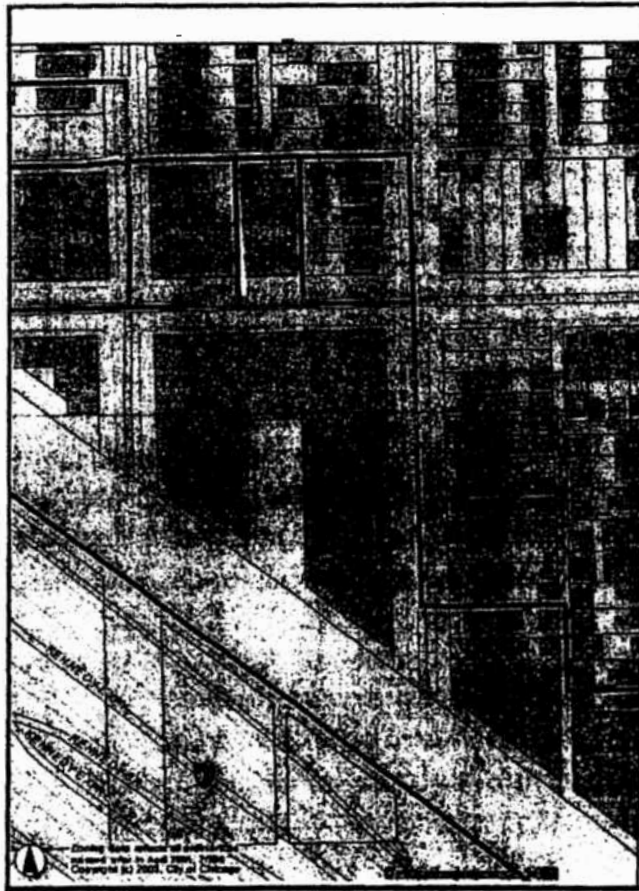
Subarea B: None

Maximum Building Height:

Subarea A: 71.0 feet (excluding the existing tower)

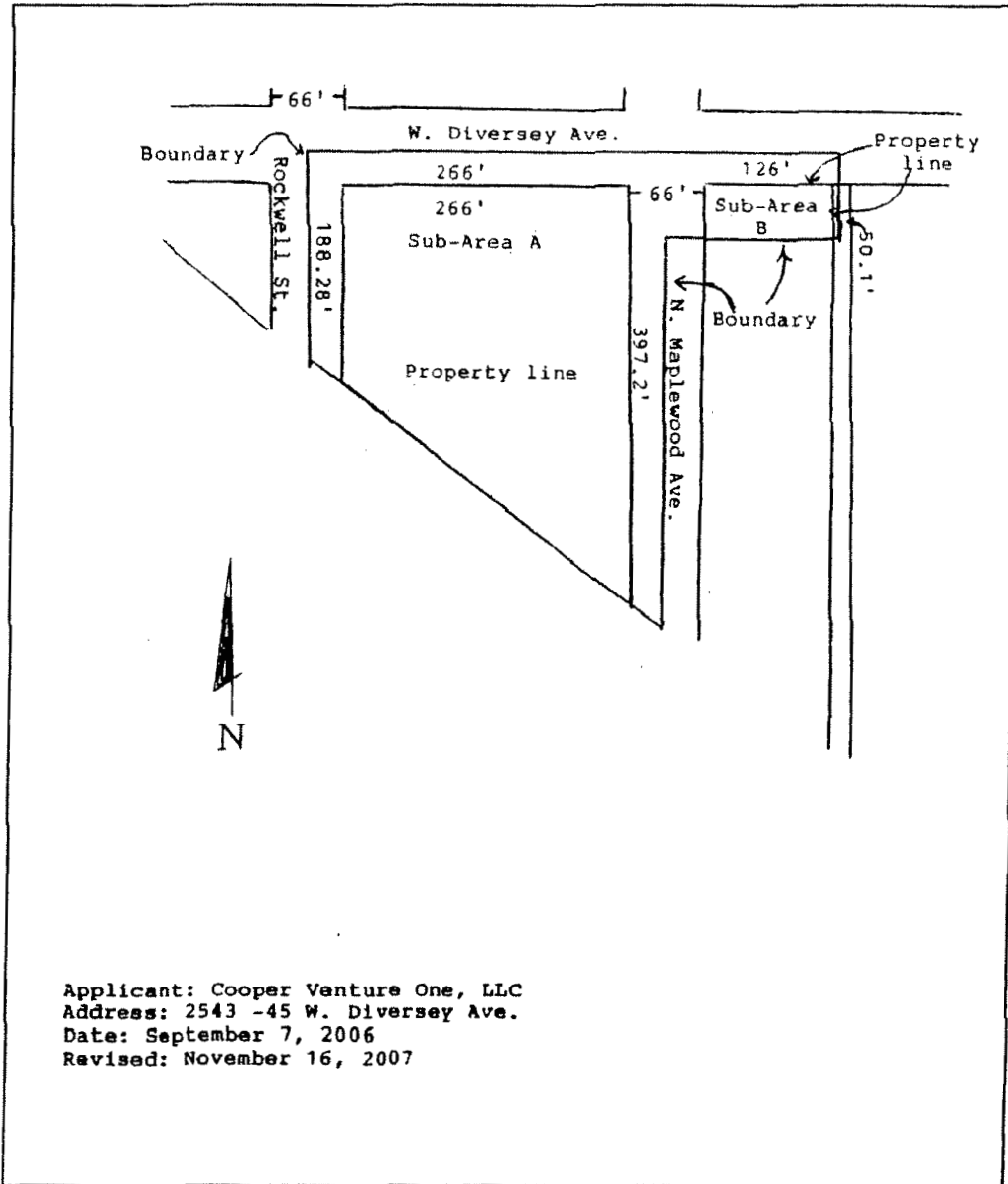
Subarea B: As permitted under the B2-1 regulations

Existing Zoning Map.

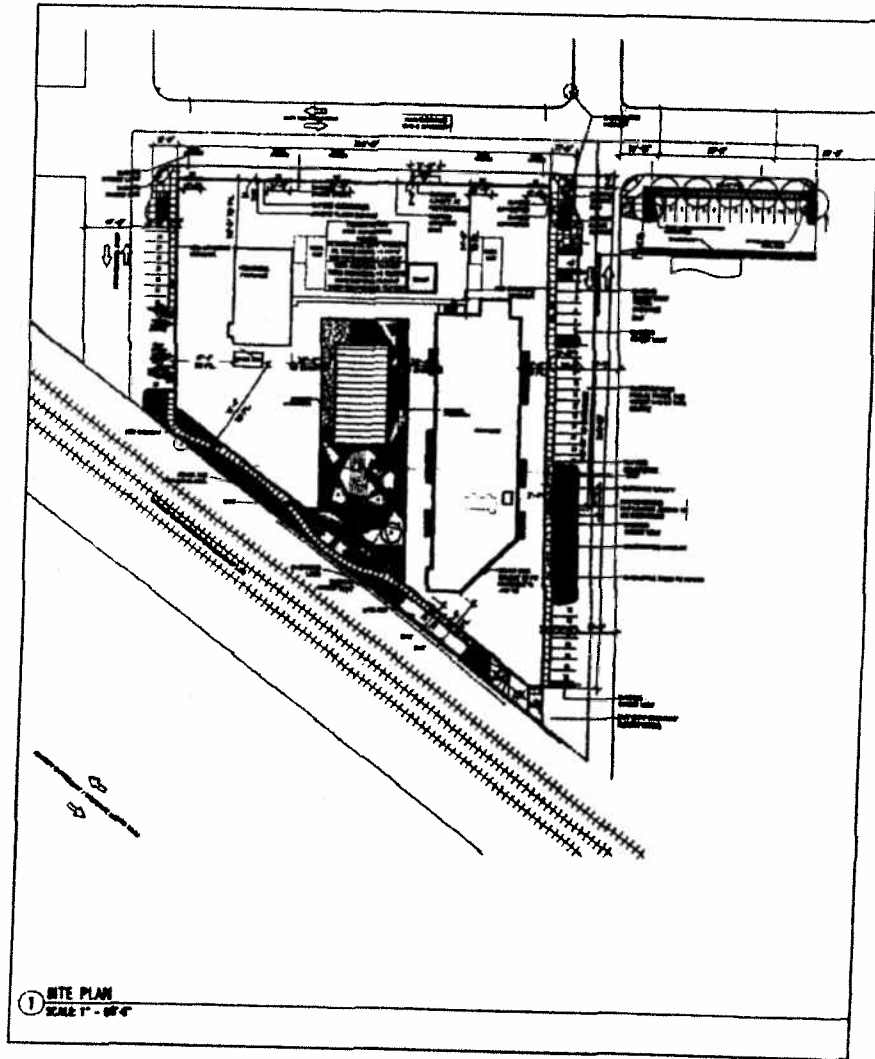


Applicant: Cooper Venture One, LLC
Address: 2543 - 45 W. Diversey Ave.
Date: September 7, 2006
Revised: November 16, 2007

Planned Development Boundary, Property Line And Subarea Map.



Site Plan.

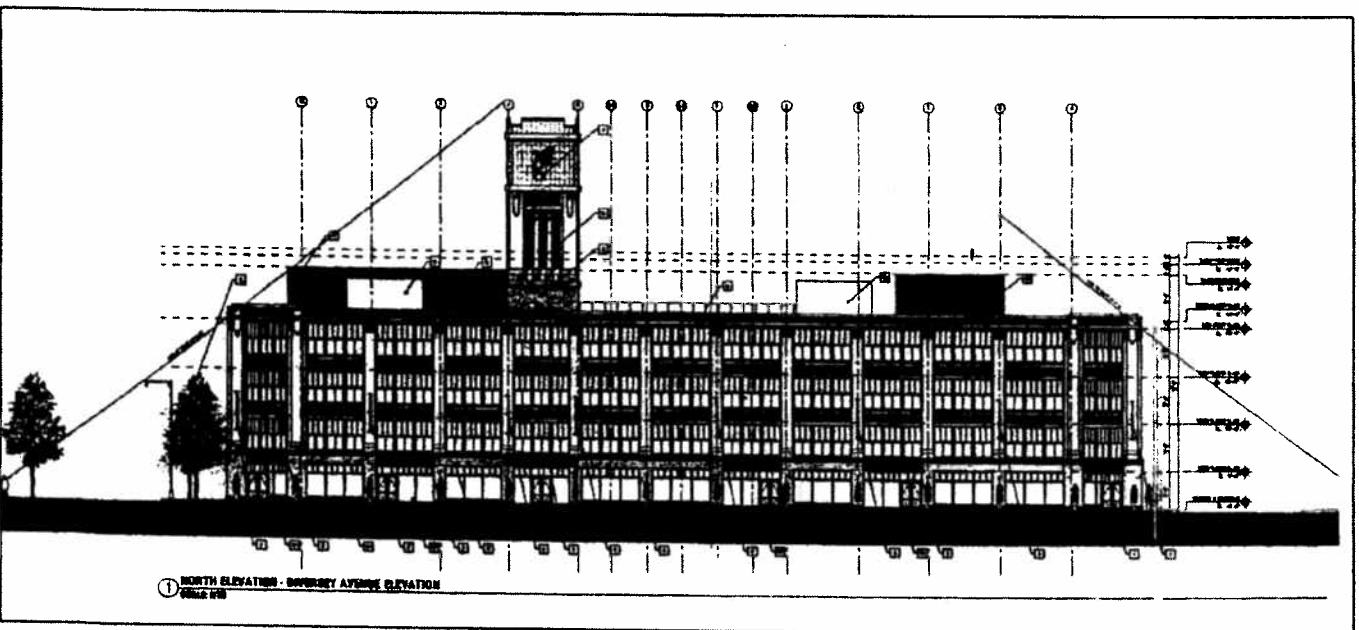


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JOURNAL--CITY COUNCIL--CHICAGO

1/9/2008

North Elevation -- Diversey Avenue Elevation.

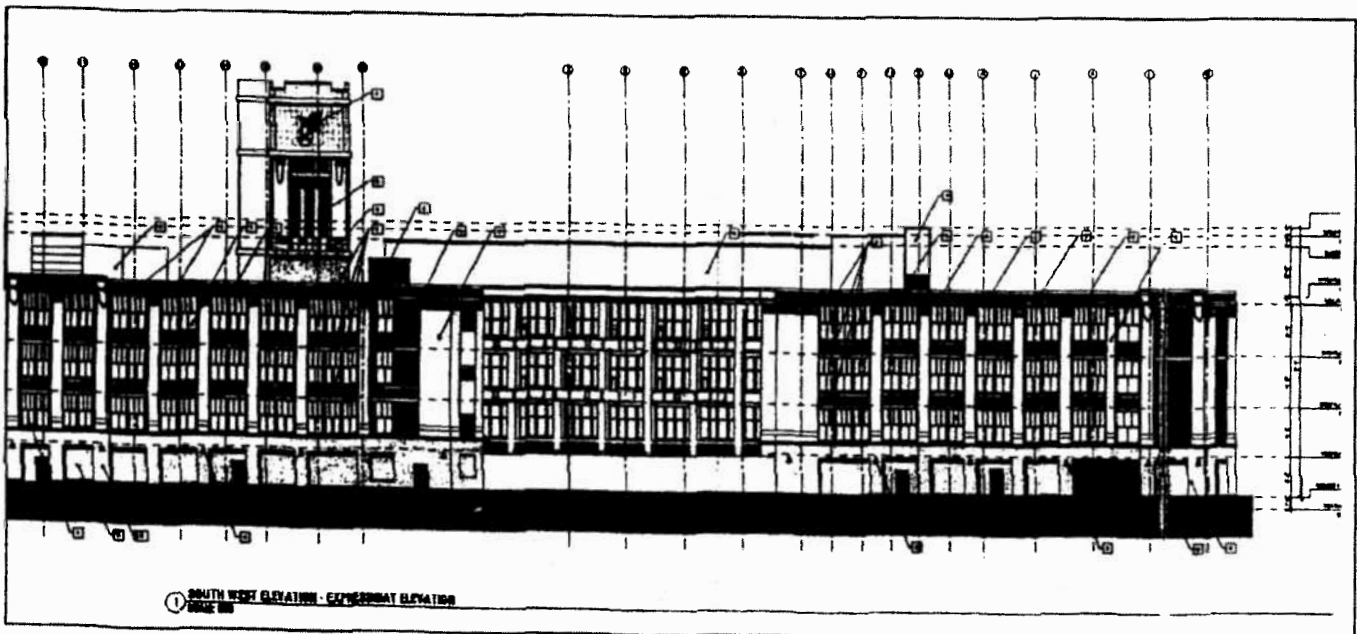


1/9/2008

REPORTS OF COMMITTEES

19651

Southwest Elevation -- Expressway Elevation.

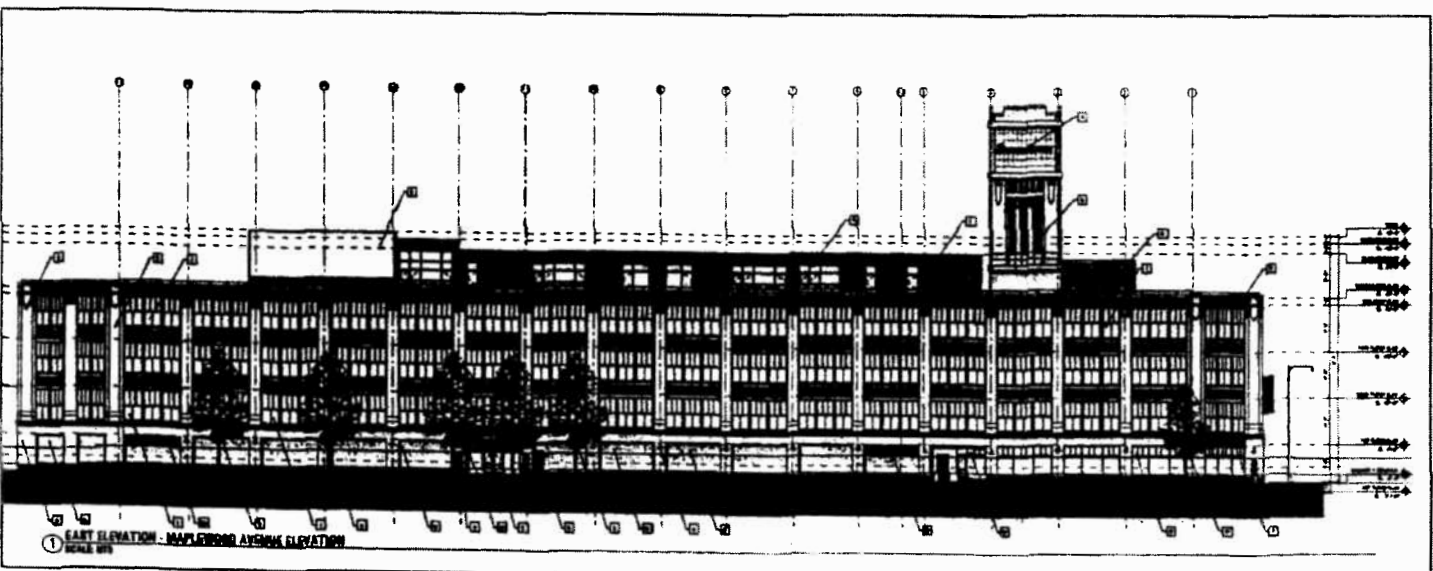


19652

JOURNAL--CITY COUNCIL--CHICAGO

1/9/2008

East Elevation -- Maplewood Avenue Elevation.

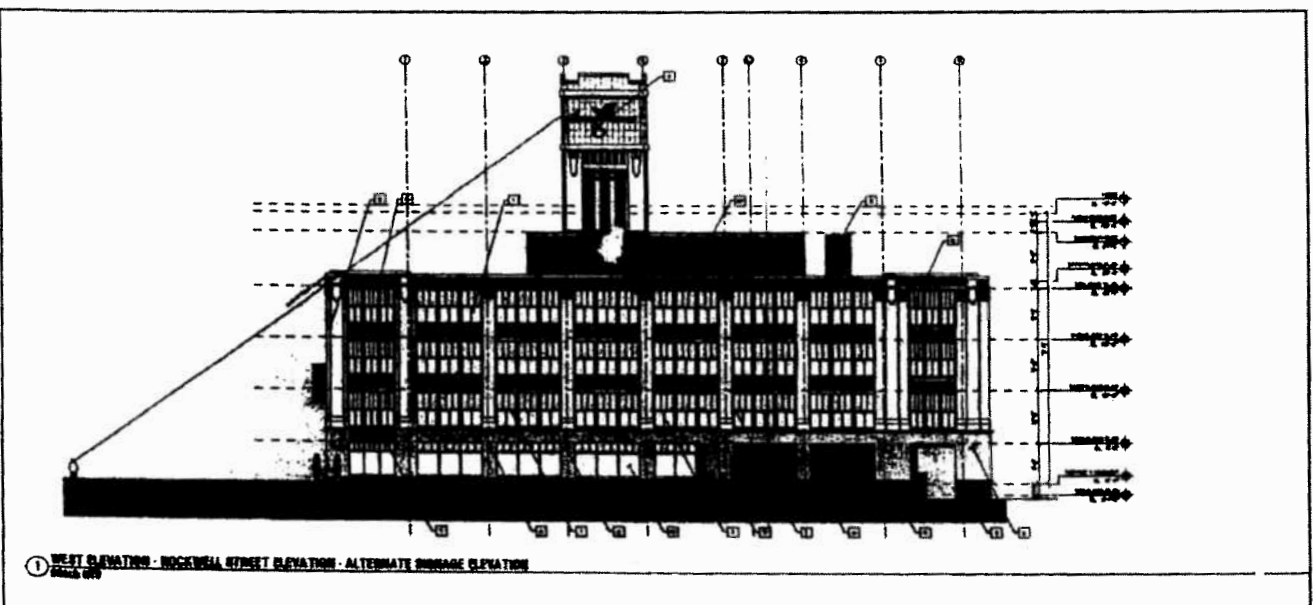


1/9/2008

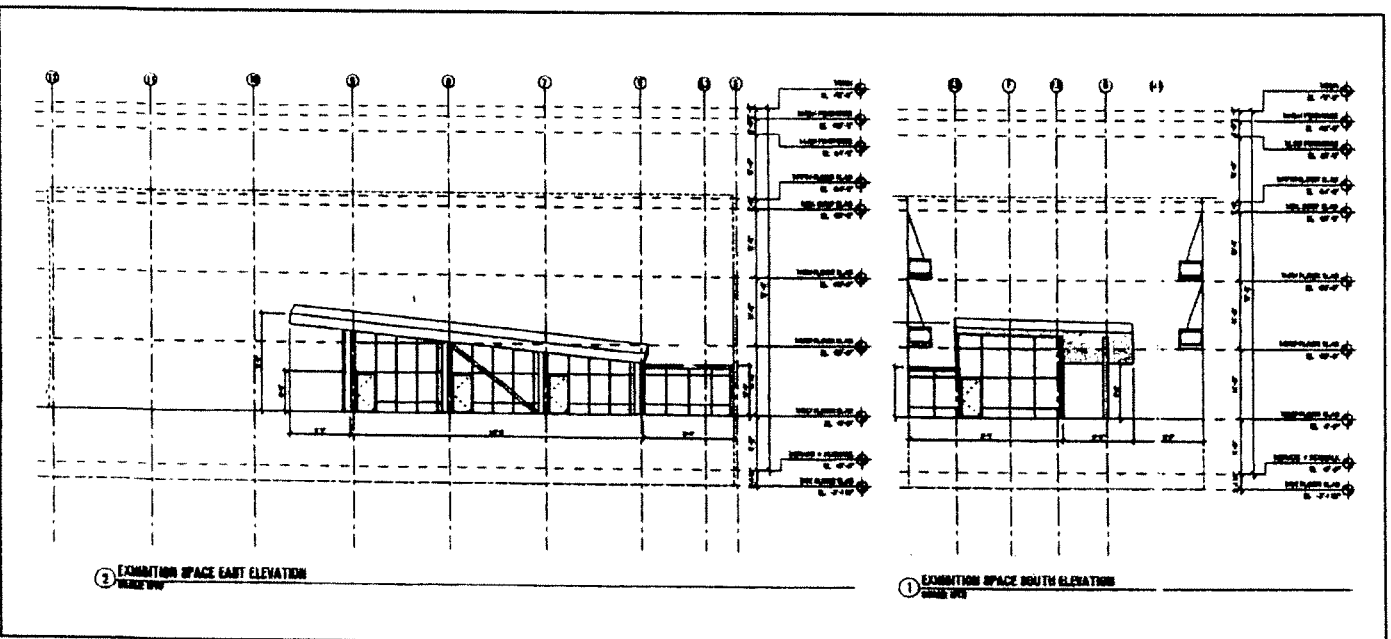
REPORTS OF COMMITTEES

19653

West Elevation -- Rockwell Street Elevation --
Alternate Signage Elevation.



Exhibition Space East And South Elevations.



East Penthouse Elevation.

