

20439

*Reclassification Of Area Shown On Map No. 1-H.*

(As Amended)

(Application No. 20439)

(Common Address: 1939 -- 1959 W. Lake St., 115 -- 159 N. Damen Ave.,

1900 -- 1958 W. Maypole Ave., 1901 -- 1959 W. Maypole Ave.,

1900 -- 1948 W. Washington Blvd. And

100 -- 146 N. Wolcott Ave.)

PD 1097, 99

[SO2020-3720]

*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 of the Residential Planned Development Number 1097 symbols and indications as shown on Map Number 1-H in the area bounded by:

West Lake Street; the public alley next east of and parallel to North Damen Avenue; the public alley next south of and parallel to West Lake Street; North Wolcott Avenue; West Washington Boulevard; a north/south line approximately 95.12 feet east of and parallel to North Damen Avenue; the public alley next north of and parallel to West Washington Boulevard; and North Damen Avenue,

to those of a B2-5 Neighborhood Mixed-Use District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B2-5 Neighborhood Mixed-Use District symbols and indications as shown on Map Number 1-H in the area bounded by:

West Lake Street; the public alley next east of and parallel to North Damen Avenue; the public alley next south of and parallel to West Lake Street; North Wolcott Avenue; West Washington Boulevard; a north/south line approximately 95.12 feet east of and parallel to North Damen Avenue; the public alley next north of and parallel to West Washington Boulevard; and North Damen Avenue,

to those of Planned Development Number 1097, as amended, which is hereby established in the area described above and subject to such use and bulk regulations set forth in the Plan of Development attached hereto and to no others.

SECTION 3. This ordinance takes effect after its passage and due publication.

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

*Planned Development No. 1097, As Amended.*

*Plan Of Development Statements.*

1. The area delineated herein as Planned Development Number 1097, as amended, ("Planned Development") consists of approximately 250,988 square feet (5.76 acres) of net site area which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Chicago Housing Authority. The Chicago Housing Authority has given consent to the Applicant, BMH-I, LLC, an Illinois limited liability company, to file this application.
2. 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 titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assign or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Planned Development.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway and landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for Work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation.

4. This plan of development consists of eighteen (18) Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Property Line and Boundary Map; a Site Plan; a Landscape Plan; West Elevation; South and North Elevations; and East Elevation prepared by Landon Bone Baker submitted herein. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development ordinance and the Zoning Ordinance, this Planned Development ordinance shall control.
5. The following uses shall be permitted in this Planned Development: multi-unit residential dwelling units located above and on the ground floor; cultural exhibits and libraries; community centers; postal service; animal services (sales and grooming excluding kenneling); artist work or sales space; business support services; restaurant, limited; outdoor patio (if located at grade level); indoor special event including incidental liquor sales; bank, savings bank, savings and loan association, currency exchange, and credit union (excluding drive-throughs, payday/title secured loan stores and pawn shops); automated teller machine facility (walk up only); food and beverage retail sales; liquor sales (as accessory use); medical service; office;

personal service (hair salon, nail salon, or barbershop); repair or laundry service, consumer; dry cleaning drop-off or pick-up (no on-premises plant); retail sales, general; sports and recreation, participant (children's play center), wireless communication facilities (co-located); accessory parking and accessory uses.

6. On-premises signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a net site area of 250,988 square feet and a base FAR of 1.5.
9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II Reviews, are conditional until final Part II approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors.
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 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. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II Review process is initiated for each improvement that is subject to the aforementioned policy and must provide documentation verifying compliance.
15. Prior to the Part II approval (Section 17-13-0610 of the Chicago Zoning Ordinance) for any future development in Subarea B, the Applicant shall submit a site plan, landscape plan and building elevations for the specific subarea(s) for review and approval by the Department of Planning and Development (DPD). Review and approval by DPD is intended to assure that specific development components substantially conform with the Planned Development (P.D.) and to assist the City in monitoring ongoing development. Subarea Site Plan Approval Submittals (Section 17-13-0800) need only include that portion of the Property for which approval is being sought by the Applicant. If the Applicant is seeking approval for a portion of the Property that represents less than an entire subarea, the Applicant shall also include a site plan for that area of the Property which is bounded on all sides by either public rights-of-way or the boundary of the nearest subarea. The site plan provided shall include all dimensioned and planned street rights-of-way.

No Part II approval for any future development in Subarea B shall be granted until Site Plan approval has been granted. Following approval by DPD, the approved Subarea Site Plan Approval Submittals, supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of the P.D.

After approval of the Subarea Site Plan, changes or modifications may be made pursuant to the provisions of Statement (to be determined). In the event of any inconsistency between approved plans and the terms of the P.D., the terms of the P.D. shall govern. Any Subarea Site Plan Approval Submittals shall, at a minimum, provide the following information:

- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned building elevations;
- fully-dimensioned landscape plan(s); and
- statistical information applicable to the subject subarea, including floor area, the applicable floor area ratio, uses to be established, building heights and setbacks.

Subarea Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the P.D.

16. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority- and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the City in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the City approval process. First, the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of city residents in the construction work. The City encourages goals of 26 percent MBE and 6 percent WBE participation (measured against the total construction budget for the project or any phase thereof), and \*(ii) 50 percent city resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the applicant's submission for Part II permit review for the project or any phase thereof, the applicant must submit to DPD (a) updates (if any) to the applicant's preliminary outreach plan, (b) a description of the applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof; (c) responses to the applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and city resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, and evidence of such participation. In addition to the foregoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.
17. The Applicant acknowledges and agrees that the rezoning of the Property from Residential Planned Development Number 1097 to B2-5 Neighborhood Mixed-Use District, and then to this Planned Development, triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago (Affordable Requirements Ordinance or ARO). Any developer of a residential housing project within the meaning

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\* Editor's Note: Numbering sequence error; (i) missing in original document.

of the ARO must: (i) set aside 10 percent of the housing units in the residential housing project (the Required Units) as affordable units, or with the Commissioner of the Department of Planning and Development's (DPD) approval, provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of the Required Units; or (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25 percent of the Required Units on-site or off-site. If the developer elects to provide affordable units off-site, the off-site affordable units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a higher income area, within the meaning of the ARO. As a result, the Applicant's affordable housing obligation is 29 affordable units (10 percent of 288 total units rounded up), 8 of which are Required Units (25 percent of (to be determined), rounded up). Applicant has agreed to satisfy its affordable housing obligation by providing all required affordable units in the rental/for sale buildings to be constructed in the P.D., as set forth in the Affordable Housing Profile Form attached hereto as Exhibit \_\_\_\_\_. The Applicant agrees that the affordable rental/for sale units must be affordable to households earning no more than 60 percent of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the P.D., the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the number of required Affordable Units without amending the P.D. Prior to the issuance of any building permits for any residential building in the P.D., including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the P.D., or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement (to be determined), including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the P.D.

Notwithstanding the foregoing, if the Applicant receives Low-Income Housing Tax Credits, tax increment financing or other financial assistance whose affordability requirements exceed those of the Affordable Housing Ordinance from the City to develop affordable housing in any portion of the Planned Development, the regulatory, redevelopment, loan or other agreement(s) to be executed by the City and the Applicant in connection with such tax credits or other financial assistance shall govern and control the Applicant's obligation to provide affordable housing for such subsidized portion of the Planned Development.

3/24/2021

## REPORTS OF COMMITTEES

29155

18. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a zoning map amendment to rezone the Property to B2-5 Neighborhood Mixed-Use District.

[Affordable Housing Profile Form referred to in these Plan of Development Statements unavailable at time of printing.]

[Existing Zoning Map; Existing Land-Use Map; Boundary and Property Line Map; Site Plan; Landscape Plan; North, South, East and West Building Elevations; and Chicago Builds Green -- Sustainable Development Matrix referred to in these Plan of Development Statements printed on pages 29157 through 29165 of this *Journal*.]

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

*Planned Development No. 1097, As Amended.*

*Bulk Regulations And Data Table.*

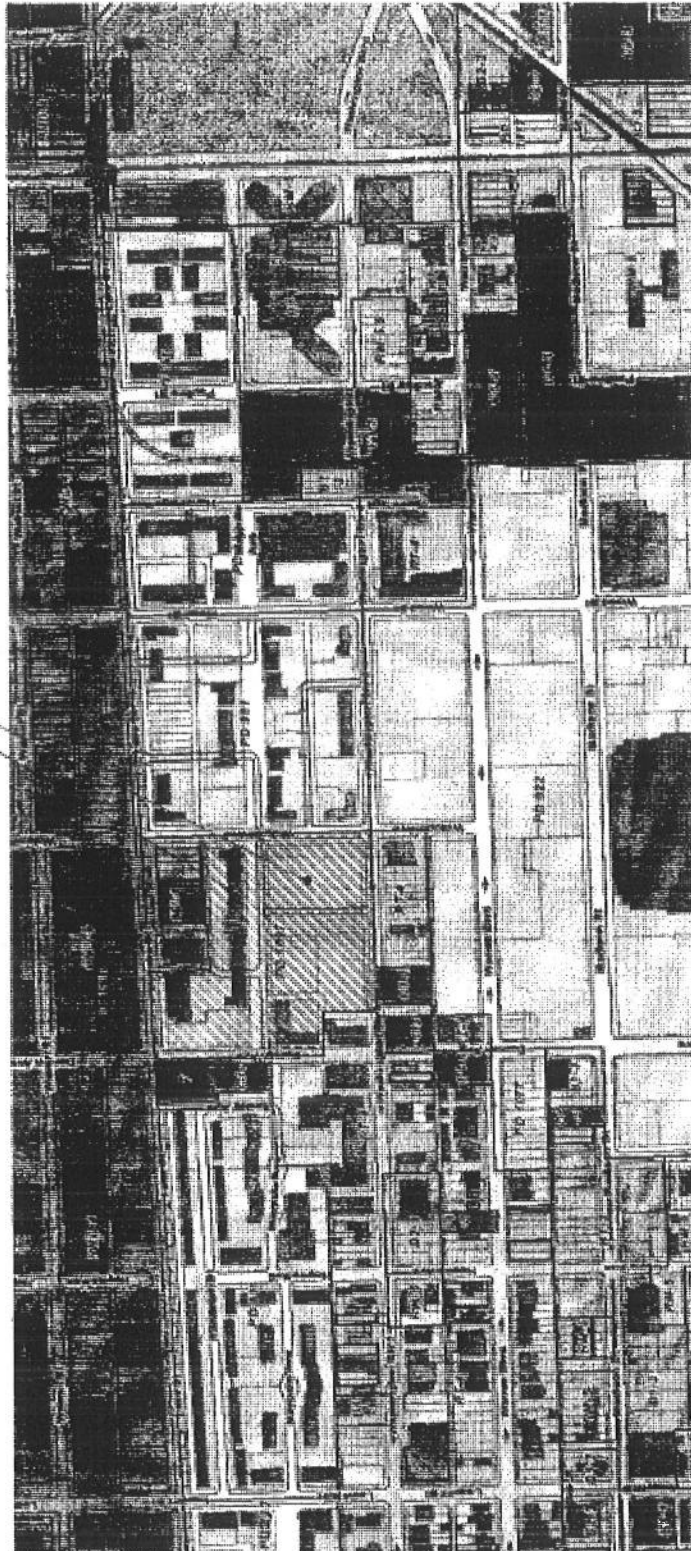
Gross Site Area:	362,102 square feet (8.31 acres)
Area Remaining in Public Right-of-Way:	111,114 square feet (2.55 acres)
Net Site Area:	250,988 square feet (5.76 acres)
Subarea A:	
Gross Site Area:	149,046 square feet
Net Site Area:	98,978 square feet
Subarea B:	
Gross Site Area:	213,057 square feet
Net Site Area:	152,010 square feet



Maximum Number of Dwelling Units:	288 dwelling units
Maximum Number of Dwelling Units in Subarea A:	168 dwelling units
Maximum Number of Dwelling Units in Subarea B:	120 dwelling units
Maximum Floor Area Ratio for all subareas:	1.5
Maximum Floor Area Ratio in Subarea A:	2.3
Maximum Floor Area Ratio in Subarea B:	1.0
Off-Street Parking Spaces:	
Minimum Number of Off-Street Parking Spaces in Subarea A:	89 spaces, 73 spaces for existing buildings, 16 spaces for proposed building
Minimum Number of Off-Street Parking Spaces in Subarea B:	20 spaces for existing building  New buildings will be in accordance with B2-5 and Site Plan approval
Bicycle Parking:	
Subarea A:	96 interior bike spaces and 10 exterior bike spaces for the proposed new building
Subarea B:	New buildings will be in accordance with B2-5 and Site Plan approval
Off-Street Loading Spaces:	1 (10 feet by 25 feet) -- in Subarea A for proposed building
Minimum Required Perimeter Setbacks:	0 feet
Maximum Building Height:	141 feet

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PD SUB-AREA A  
PD SUB-AREA B



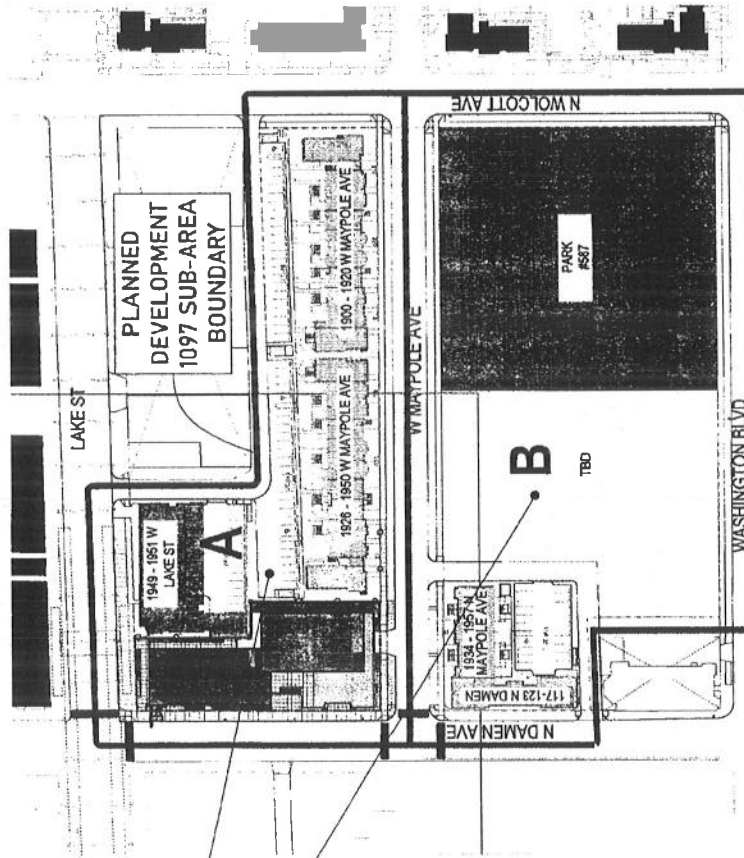
Applicant: BMR-LLC  
Address: 1339-1959 West Lake Street; 115-159 North Damen; 1900-1959 West Maypole;  
1901-1959 West Washington; 100-145 North Wolcott  
Introduced: March 18th, 2021

Existing Zoning Map



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**KEY**

-  PROPOSED BUILDING
-  EXISTING PARK
-  PD BOUNDARY

PD SUB-AREA A  
149, 046 GSF

PD SUB-AREA B  
213, 057 GSF

Property Line and Boundary Map  
SCALE: 1" = 100'



Applicant: BMH-I, LLC  
Address: 1939-1959 West Lake Street; 115-159 North Damen; 1900-1959 West Maypole;  
1901-1959 West Maypole; 1900-1949 West Washington; 100-146 North Wolcott  
Introduced: March 18th, 2021



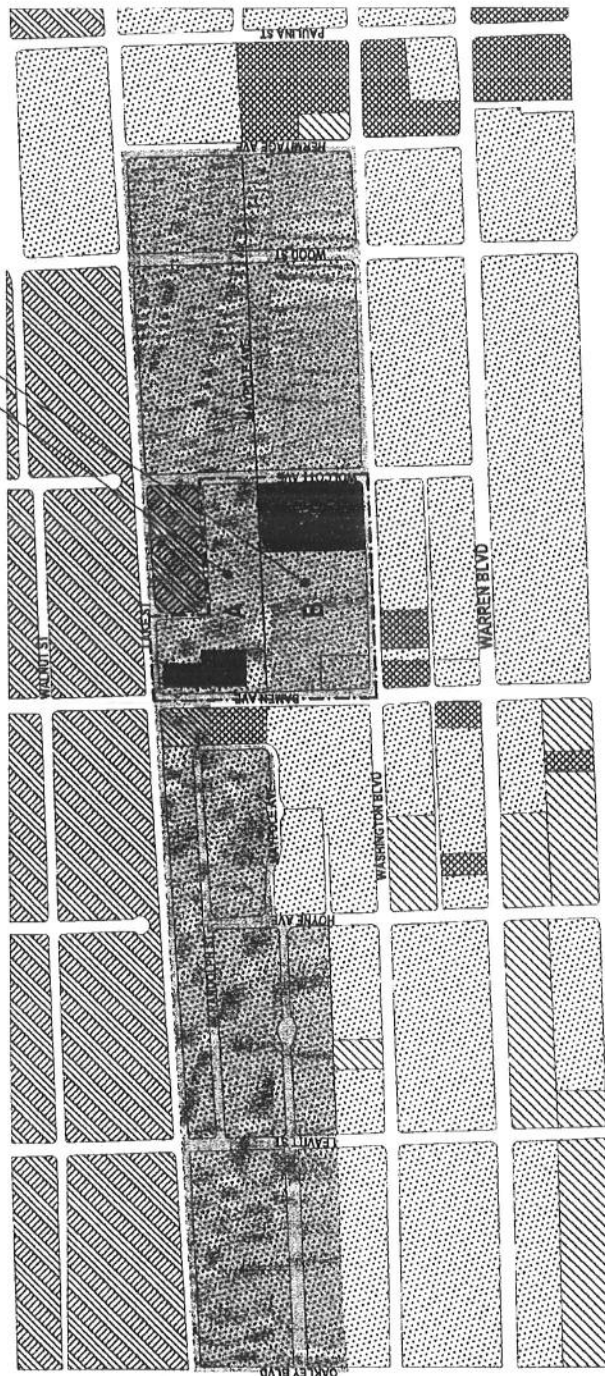
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Planned Development Property Line and Boundary Map

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PD 1097 SUB-AREA A

PD 1097 SUB-AREA B



KEY

- EXISTING COMMERCIAL
- EXISTING MIXED-USE (COMMERCIAL & RESIDENTIAL)
- EXISTING RESIDENTIAL
- EXISTING MANUFACTURING
- EXISTING TRANSIT
- EXISTING VACANT
- PARK
- FORMER HENRY HORNER HOMES SITE
- PROPOSED BUILDING SITE
- PLANNED DEVELOPMENT 1097 BOUNDARY LINE

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Existing Land Use Map

Applicant: BMH-I, LLC  
 Address: 1929-1939 West Lake Street; 115-159 North Damen; 1900-1958 West Maypole; 1901-1959 West Washington; 100-144 North Wincent  
 Introduced: March 18th, 2021

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**NEW 12-STORY  
BUILDING  
Type 1B - Fully Sprinklered  
A2 Occupancy (Primary)  
E & F (Accessory)**

**TOTAL 121,758 GSF (including garage and stair/ mech penthouse area)**

HEIGHT: 141'-0" to top of penthouse roof

96 RESIDENTIAL UNITS  
(82) 1BR  
(14) 2BR

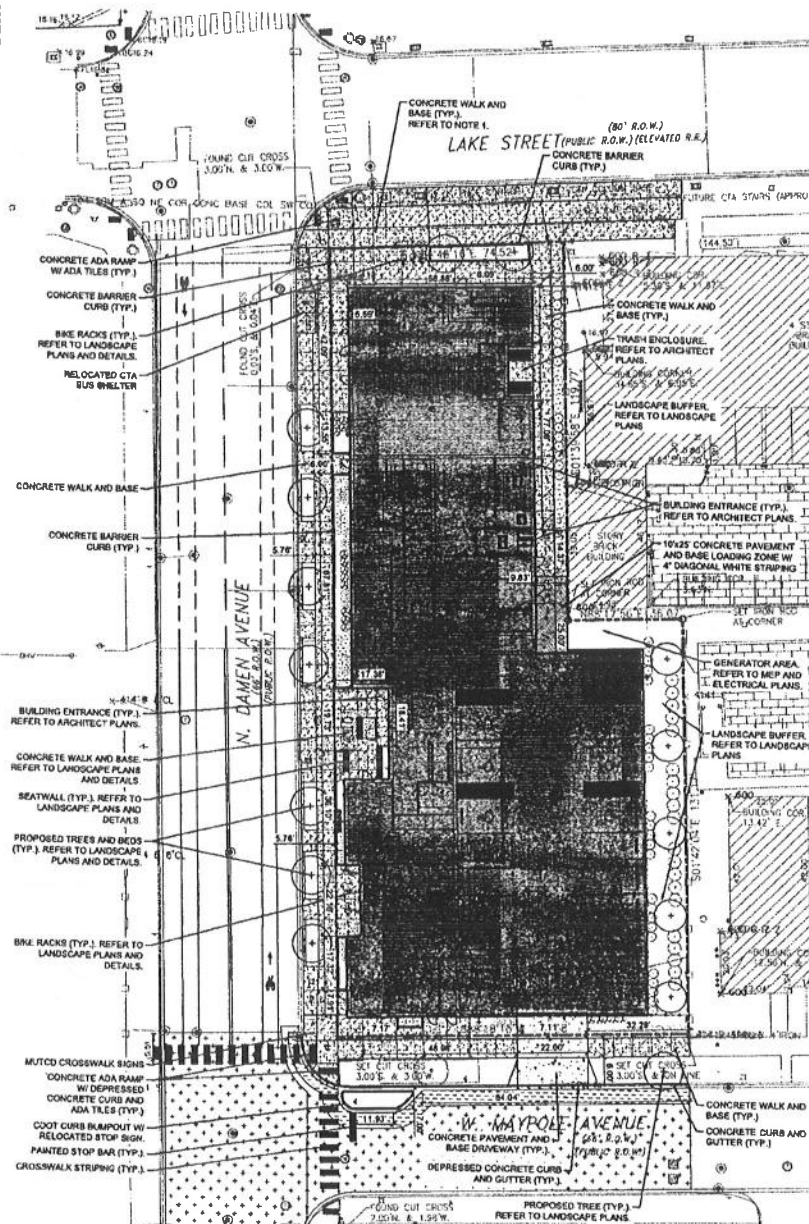
(16) PARKING SPACES  
(96) INDOOR BIKE STORAGE  
(10) OUTDOOR BIKE RACKS

**RETAIL  
MANAGEMENT OFFICES  
RESIDENTIAL AMENITY  
SPACES**

NO FIRE LANES OR EXISTING HYDRANTS ON-  
PROPERTY (HYDRANTS LOCATED ACROSS THE  
STREET AT DAMEN & LAKE)



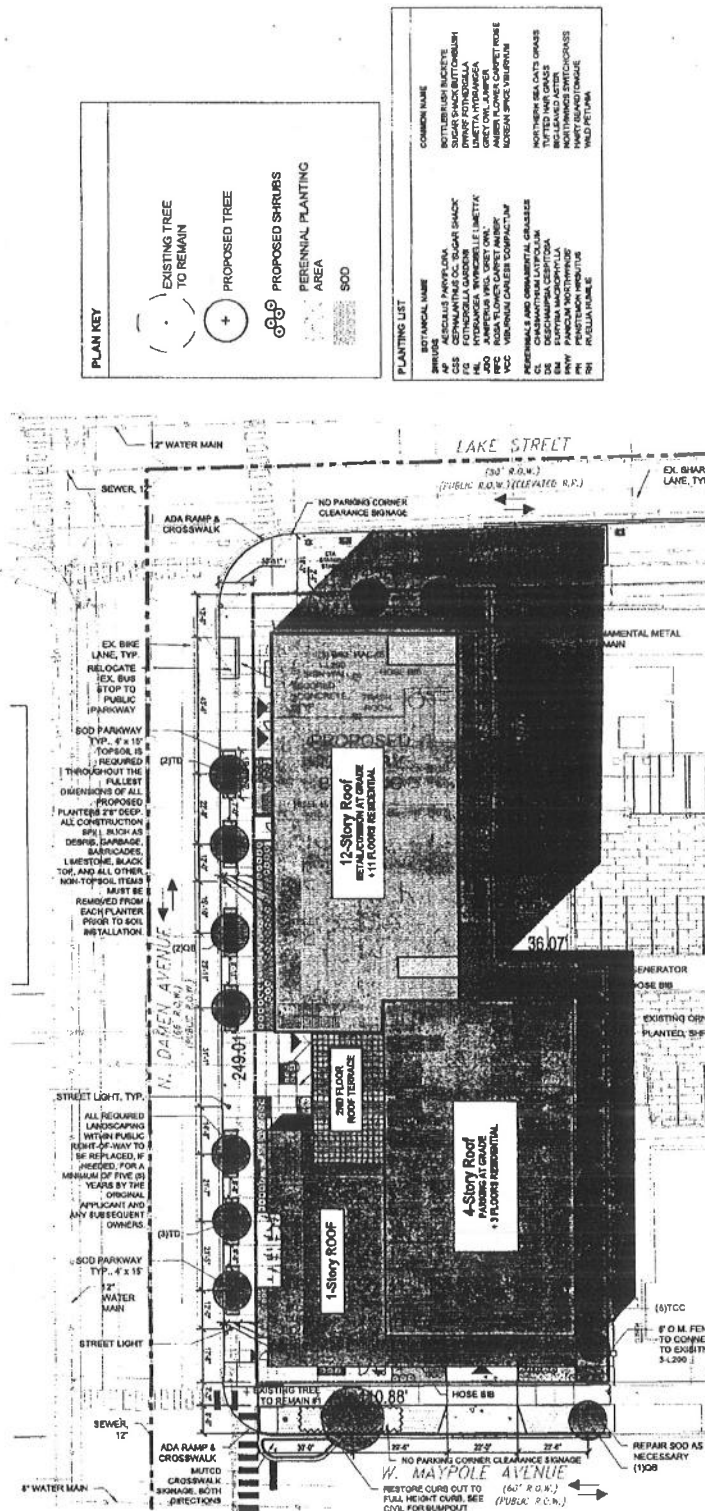
**Applicant:** BMH-I, LLC  
**159 North Damen; 1900-1958 West Maypole;**  
**8 West Washington; 100-146 North Wolcott**  
**Introduced: March 18th 2021**



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REBUILDING

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**Applicant:** BMH-I, LLC  
**North Damen:** 1900-1958 West Maypole;  
**West Washington:** 100-146 North Wolcott  
**Introduced:** March 18th, 2021

Applicant: BMH-ITL  
Address: 1939-1959 West Lake Street: 115-159 North Damen: 1900-1958 West Maypole:

**Introduced:** March 18th, 2021

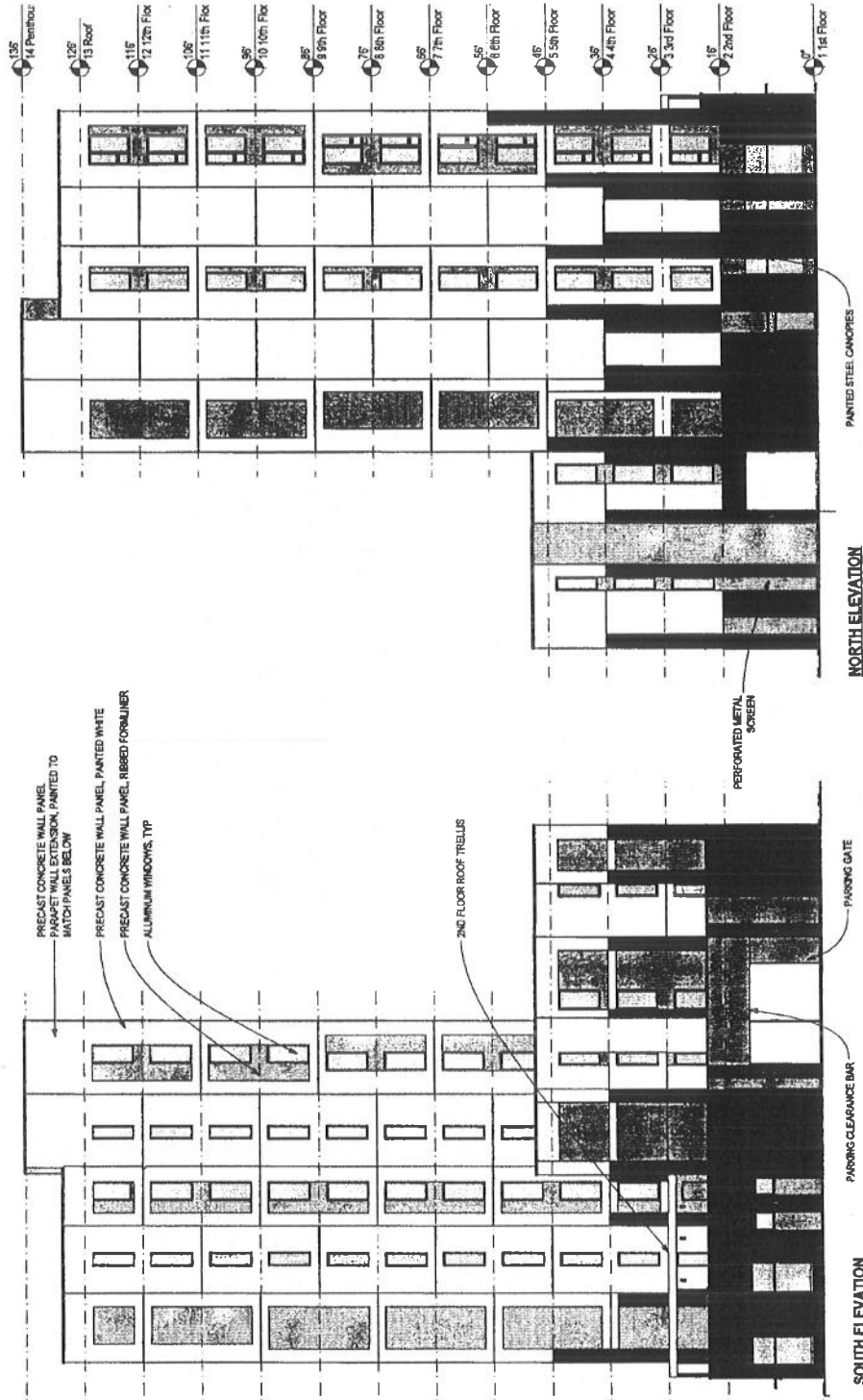
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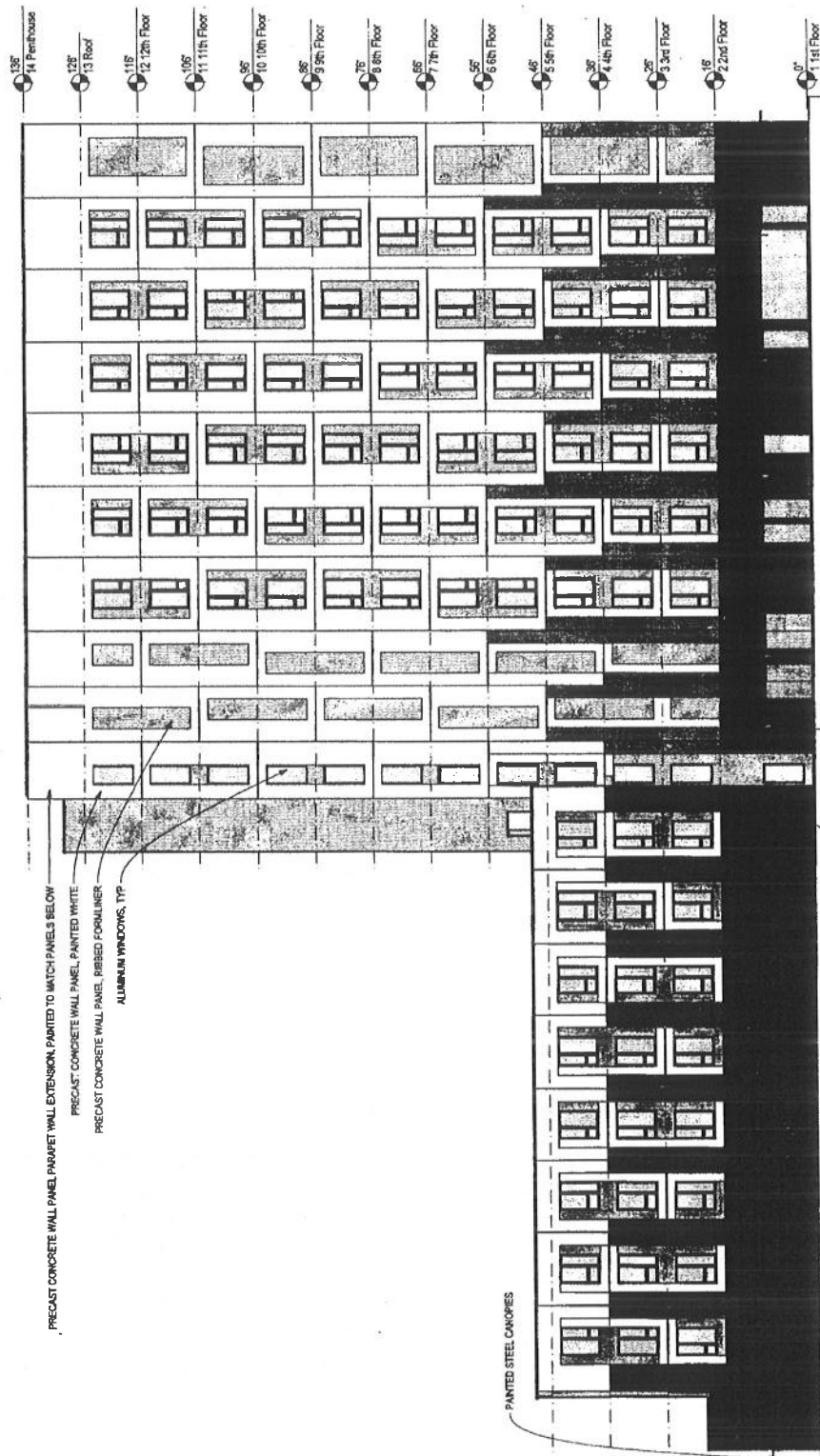
Applicant: BMH-LLC  
Address: 1338-1358 West Lake Street, 115-158 North Damen, 1300-1358 West Maypole,  
1301-1358 West Washington, 100-146 North Halsted  
Introduced: March 18th, 2021

North & South Elevation

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**EAST ELEVATION**

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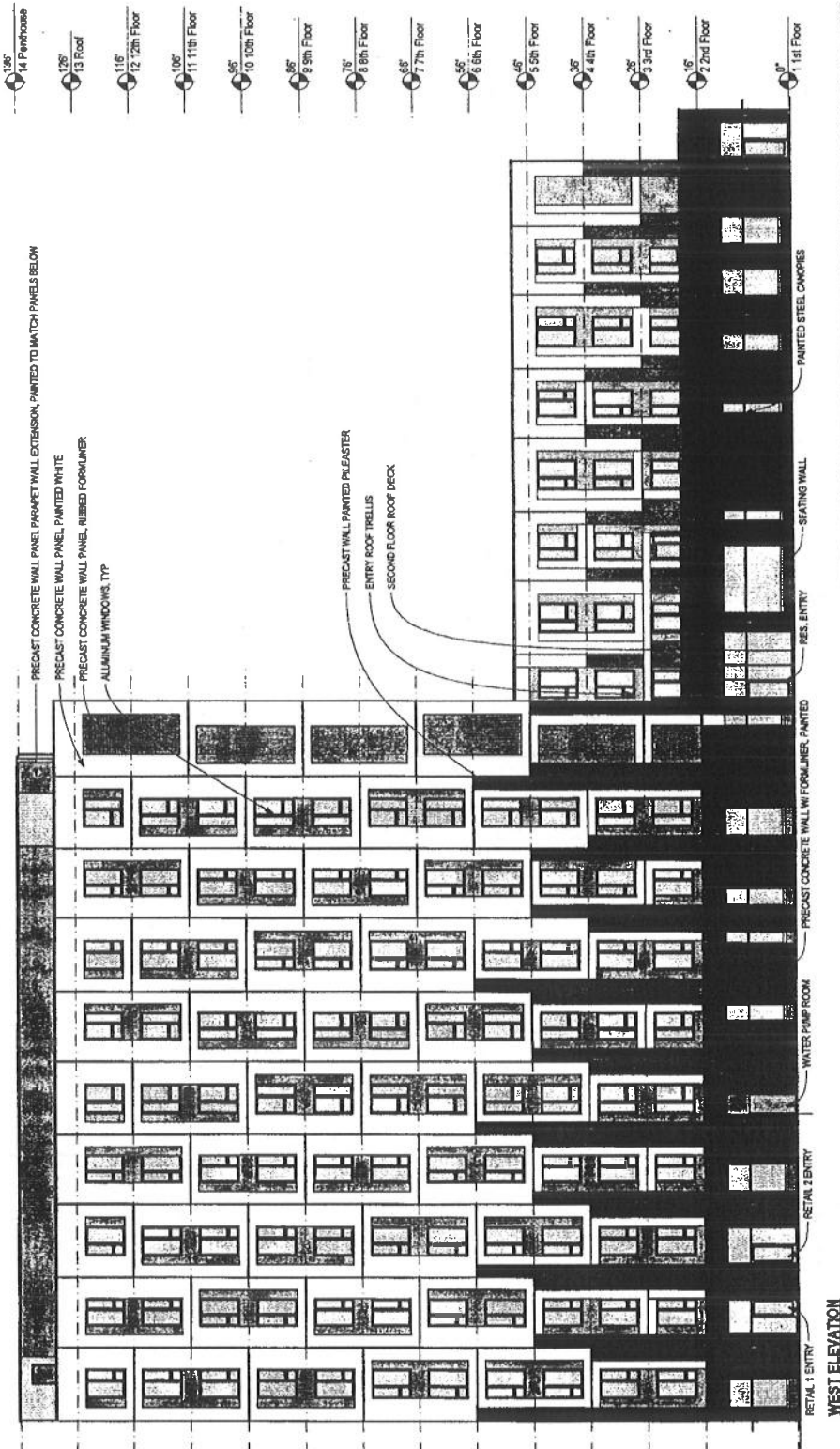
**East Elevation**

**Applicant: BMH-ILLC**  
**Address: 1909-1959 West Lake Street, 115-159 North Damen, 1900-1958 West Maypole, 1901-1959 West Washington, 190-145 North Wolcott**  
**Introduced: March 18th, 2021**

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Applicant: BMH-LLC  
 Address: 1909-1959 West Lake Street, 115-159 North Damen, 1900-1938 West Maypole,  
 1961-1959 West Maypole, 1900-1948 West Washington, 100-146 North Wolcott  
 Introduced: March 18th, 2021

West Elevation



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Chicago Sustainable Development Policy 2017<sub>11.12</sub>

Westhaven RD  
Sustainable Design Strategies  
12.09.20

Sustainable Design Strategies

[illegible]

does not apply to TIF assistance of less than \$1M (including but not limited to TIF-MP, TIF Purchase Rebate,

**Quantified TFE and SSIF programs**

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## Chicago Builds Green- Sustainable Development Matrix

**Applicant:** 8MW-I, LLC  
**Address:** 1939-1959 West Lake Street; 115-159 North Damen; 1900-1958 West Maypole;  
1901-1959 West Maypole; 1900-1948 West Washington; 100-146 North Wolcott  
**Introduced:** March 18th, 2021

**Address:** 1839-1959 West Lake Street; 115-159 North Damen; 1900-1958 West Maryland;

Address: 1935 West Lake Street; 113-139 North Damen; 1300-1338 West Maypole;  
1901-1959 West Maypole; 1900-1948 West Washington; 100-145 North Wolcott

Introduced: March 18th, 2021

25

2. ~~Wind Condition Reporting:~~

- ~~a. To further enhance the level of safety for flight operations, the heliport will be equipped with an enhanced Automated Weather Observation System (A.W.O.S.) that broadcasts "real time" weather observations, wind direction, and wind velocity information for the heliport site as well as broadcasting to pilots an immediate warning in the event that there should ever be an incident of wind shear at the heliport.~~
- ~~b. The system to be provided will be Super A.W.O.S. technology. The "real time" capability of this system is a significant enhancement to the safety of flight operations and a major improvement over more traditional systems.~~

3. ~~The heliport is only able to accommodate one (1) helicopter at a time for landing, take-off or parking:~~

- ~~a. Incoming helicopters must obtain prior landing approval in order to accommodate multiple transports.~~
- ~~b. Security and the Transport Team are to be notified by the incoming flight service prior to departure from the referring facility.~~

*Reclassification Of Area Shown On Map Number 1-H.  
(As Amended)  
(Application Number 16294)*

**RPD 1097**

*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 of the RT4 Residential Two-Flat, Townhouse and Multi-Unit District symbols and indications as shown on Map Number 1-H in the area bounded by:

West Lake Street, the public alley next east of and parallel to North Damen Avenue; the public alley next south of and parallel to West Lake Street; North Wolcott Avenue; West Washington Boulevard; a north/south line approximately 95.12 feet east of and parallel to North Damen Avenue; the public alley next north of and parallel to West Washington Boulevard; and North Damen Avenue.

(Continued on page 21320)

(Continued from page 21304)

to that of a Residential Planned Development, which 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 Planned Development Number 1097*

*Plan Of Development Statements.*

1. The area delineated herein as a Residential Planned Development (the "Planned Development") consists of approximately two hundred fifty-seven thousand eight hundred twenty-seven (257,827) square feet (or approximately five and ninety-two hundredths (5.92) acres) net site area (and three hundred sixty-three thousand seven hundred twelve (363,712) square feet, or approximately eight and thirty-five hundredths (8.35) acres, gross site area) (the "Property"), which is depicted on the attached Planned Development Boundary and Property Line and Map and which is controlled by BMH-I, L.L.C., on behalf of the Chicago Housing Authority, and the Chicago Housing Authority (collectively, "Owner").
2. All necessary official reviews, approvals or permits are required to be obtained by the Owner or successors, assignees or grantees (collectively, "Affiliates"). The intended dedication and vacation of streets and alleys within (or adjacent to and affecting) the Property are identified on the Public Way Adjustment Plan. 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 Owner (or Affiliates) and approval by the City Council and issuance of any required permits. In order to facilitate the development hereby approved, the City agrees to undertake and complete construction of all improvements within the public rights-of-way within (or adjacent to and affecting) the Property, curb to curb as well as street lighting improvements on adjacent public sidewalks.
3. The requirements, obligations and conditions contained with this Planned Development shall be binding upon the Owner, its Affiliates, and, if different than the applicant, the legal titleholders or any ground lessors. All rights granted hereunder to the Owner shall inure to the benefit of the Affiliates and, if different than the Owner, the legal titleholder or any ground lessors. The Owner is hereby designated as the controlling entity for the purposes of this planned development. "Single designated control" for purposes of this paragraph shall mean that any application

to the City of Chicago (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 of the owners of the Property and any ground lessors. Nothing herein shall prohibit or in any manner restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein.

4. This plan of development consists of these sixteen (16) statements and the following described exhibits, all such documents having been prepared by Landon Bone Baker Architects and McKay Landscape Architects, all dated November 16, 2007 (collectively, the "Plans") (all of which are incorporated herein and made a part hereof by this reference):

- Exhibit 1 -- Bulk Regulations and Data Table, Development Summary
- Exhibit 2 -- Neighborhood Features
- Exhibit 3 -- Existing Zoning Map
- Exhibit 4 -- Planned Development Boundary and Property Line Map
- Exhibit 5 -- Overall Site Plan
- Exhibit 6 -- Overall Site Plan Unit Mix
- Exhibit 7 -- Subarea A Dimensions
- Exhibit 8 -- Subarea B Dimensions
- Exhibit 9 -- Right-of-Way Adjustment Plan
- Exhibit 10 -- Street Elevations
- Exhibit 11 -- Building Type A -- eighty (80) Unit Highrise
- Exhibit 12 -- Building Type B -- twenty-four (24) Unit Midrise
- Exhibit 13 -- Building Type C, D, E, F and J -- fifty (50) Units
- Exhibit 14 -- Building Type G -- eighteen (18) Unit Walkup
- Exhibit 15 -- Building Type H -- thirty-one (31) Unit Townhouses
- Exhibit 16 -- Green Roof
- Exhibit 17 -- Landscape Plan

Exhibit 18 -- Open Space Master Plan

Exhibit 19 -- Plant List

Exhibit 20 -- Energy Efficiency and Sustainable Development Features

Full-size sets of the Plans are on file with the Department of Planning and Development ("D.P.D."). This Planned Development is applicable to the Property and these and no other controls shall apply. This plan of development is in conformity with the intent and purposes of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of the City of Chicago and all requirements thereof, and satisfies the established criteria for approval as a planned development.

5. The following uses shall be permitted within the area delineated herein as a Residential planned development: dwelling units including, but not limited to, townhouses, attached dwelling units, multiple family dwelling units and live-work units; Nonresidential uses permitted in a B2-5 Zoning District; property management and maintenance office; public open space; community center; accessory off-street parking; and accessory uses.
6. Use identification signs shall be permitted within the Planned Development subject to the review and approval by D.P.D.. Temporary signs such as construction and marketing signs shall also be permitted subject to the review and approval by the D.P.D.. No advertising signs shall be permitted within the Planned Development. No off-premise signs will be permitted.
7. Any service drives or any other means of ingress or egress, including for emergency vehicles, shall be adequately designed and paved in accordance with the provisions of the Municipal Code and the regulations of the Chicago Department of Transportation ("C.D.O.T.") in effect at the time of construction, subject to review and approval by C.D.O.T. and D.P.D.. Ingress and egress shall also be subject to the review and approval of C.D.O.T. and D.P.D.. All work proposed in the Public Way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standard for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Closure of all or any part of any public streets or alleys during demolition or construction shall be subject to the review and approval of C.D.O.T.. To the extent there is any conflict between the provisions of this Planned Development and the provisions of the Chicago Building Code, the provisions of the Chicago Building Code shall apply.
8. The maximum height of any building or any appurtenance thereto, in addition to any limitations prescribed in this Planned Development, shall also be subject to height limitations approved by the Federal Aviation Administration.
9. The maximum permitted floor area ratio ("F.A.R.") shall be three and zero-tenths (3.0) and shall be further limited in accordance with the attached Bulk Regulations and

Data Table. For purposes of F.A.R. calculations and floor area measurements, the definitions in the Chicago Zoning Ordinance shall apply; provided that, in addition to other exclusions from floor area permitted for determining F.A.R., under the Chicago Zoning Ordinance, all, parking provided anywhere on the Property shall be deemed accessory parking and shall be excluded from the calculation of floor area.

10. The improvements to the Property shall be designed, installed and maintained in substantial conformance with the Plans. Landscaping shall be designed in accordance with the applicable provisions of the Chicago Zoning Ordinance.
11. Open space for the development shall be provided on-site by means of a new public park, as reflected on Exhibit 3, which shall be designed and constructed by Owner with the approval by the Chicago Park District to meet Chicago Park District standards, and which shall be conveyed after design and construction to the Chicago Park District and shall be operated and maintained by the Chicago Park District.
12. The development shall be organized by subarea, with both Subarea A and Subarea B being as depicted on Exhibits 10 and 11, respectively.
13. The terms, conditions and exhibits of this Planned Development ordinance may be modified administratively by the Commissioner of D.P.D., upon the application for such a modification by the Owner and after a determination by the Commissioner 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 of this statement by the Commissioner of D.P.D. 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.
14. The Owner acknowledges that it is in the public interest to design, construct and maintain all buildings and improvements on the Property in a manner that promotes energy efficiency and maximizes the conservation of natural resources. To ensure that this objective is satisfied, plans for all buildings and improvements on the Property shall be reviewed with D.P.D. to determine those features, materials and resources that would be cost-effective to include as a part of the design, construction and maintenance of the buildings and improvements on the Property. This review process shall specifically include the use of computer modeling programs recommended by D.P.D.. The types of features, materials and resources that will be analyzed and considered during this review process are enumerated on Exhibit 20. This listing is not intended to be exhaustive and other features, materials and resources may also be reviewed and evaluated. The goal of this review and approval process will be to achieve a Home Energy Rating System (or "H.E.R.S.") rating of at least eighty-six (86) or designation as an Energy Star Home. To the extent that design, construction and maintenance of any of these features, materials or resources requires supplemental funding from the City or other public source(s), design, construction or maintenance will be subject to the receipt of such funding. The improvements on the Property will incorporate several green design features,



including, but not limited to, bike racks; high efficiency heating and hot water; high insulation values in windows, walls and roof; green water detention approaches, such as swales between buildings, permeable pavement in certain locations, and down spouts directed into green areas to encourage water percolation, as well as green roofs on twenty-eight percent (28%) (or eighteen thousand three hundred sixty-two (18,362) square feet) of the for sale buildings and terraces on several building designs.

15. 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 approvals 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.
16. Unless construction has commenced within six (6) years following adoption of this Planned Development, and unless completion thereof is diligently sought, then this Planned Development shall expire and the zoning of the property shall automatically revert to that of an RT4 General Residence District. This six (6) year period may be extended for up to one (1) additional year if, prior to expiration, the Commissioner of D.P.D. determines that good cause for an extension is shown.

[Exhibit 20 -- Energy Efficiency and Sustainable Development Features  
referred to in these Plan of Development Statements  
unavailable at time of printing.]

[Exhibit 1 -- Bulk Regulations and Data Table, Development Summary, Exhibit 2 --  
Neighborhood Features; Exhibit 3 -- Existing Zoning Map; Exhibit 4 -- Boundary  
and Property Line Map; Exhibit 5 -- Overall Site Plan; Exhibit 6 -- Overall Site  
Plan Unit Mix; Exhibits 7 and 8 -- Subareas A and B Dimensions; Exhibit 9  
-- Right-of-Way Adjustment Plan; Exhibit 10 -- Street Elevations; Exhibit 11  
-- Building Type A; Exhibit 12 -- Building Type B; Exhibit 13 -- Building  
Type C, D, E, F and J; Exhibit 14 -- Building Type G; Exhibit 15  
-- Building Type H; Exhibit 16 -- Green Roof; Exhibit 17 --  
Landscape Plan; Exhibit 18 -- Open Space Master Plan;  
and Exhibit 19 -- Plant List referred to in these  
Plan of Development Statements  
printed on pages 21325  
through 21343 of  
this Journal.]

**BULK REGULATIONS & DATA TABLE**  
WESTHAVEN PARK - PHASE IIC

AREA	GROSS SITE AREA		RIGHTS OF WAY		NET SITE AREA		FAR	MAX DWELLING UNITS	GREEN ROOF AREA SF
	Acres	SF	Acres	SF	Acres	SF			
Subarea A	3.42	148,938	1.15	50,040	2.27	98,898	3.15	152	14,915
Subarea B	4.93	214,774	1.28	55,845	3.65	158,929	0.79	51	3,447
Site Total	8.35	363,712	2.43	105,885	5.92	257,827	1.7	203	18,362

Number of off-street parking spaces: 242 (233 residential + 9 commercial)

Minimum off-street loading spaces: 1

Periphery setbacks: minimum 0'-0", maximum 68'-0" and in accordance with the Plans

Minimum building height: in accordance with the Plans (see Development Summary)

**DEVELOPMENT SUMMARY**  
WESTHAVEN PARK - PHASE IIC

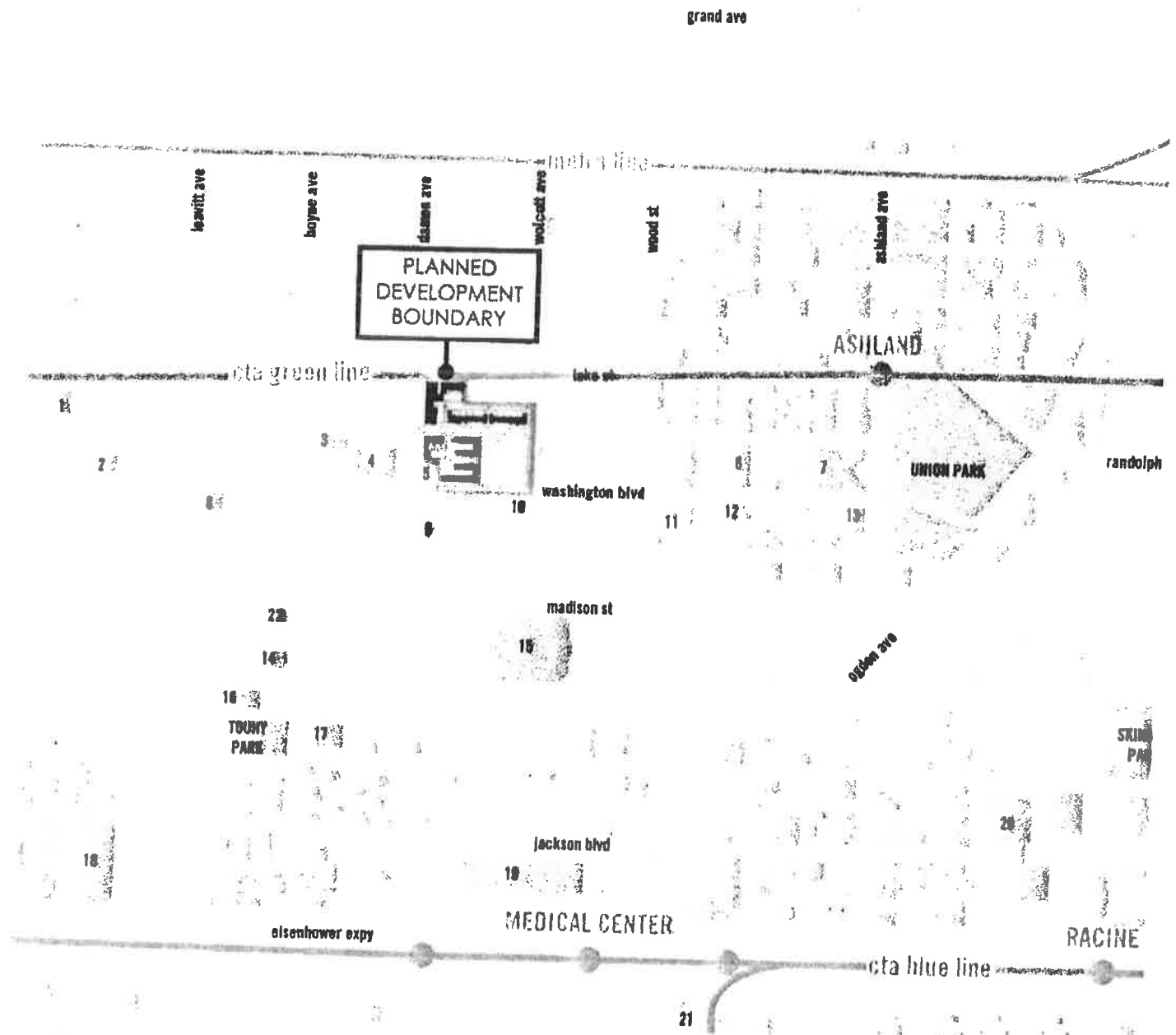
DEVELOPMENT BLOCK	TYPE A	TYPE B	TYPE C	TYPE D	TYPE E	TYPE F	TYPE G	TYPE H	TYPE J	TOTAL # OF UNITS BY SUBAREA	NUMBER OF BUILDINGS
	DAMEN HIGHRISE	LAKE MIDRISE	2 br 3 FLAT	3 & 4 br 3 FLAT	1 & 3 br 5 UNIT	1 & 3 br STACKED	DAMEN WALKUP	TOWNHOUSE	3 br 3 FLAT		
Subarea A	80	24	6	6	20	10	0	0	6	152	4
Subarea B	0	0	0	0	0	0	20	31	0	51	3
Site Total	80	24	6	6	20	10	20	31	6	203	7
Building Heights (as calculated from grade to the top of the floor of the highest occupied floor)	99'-4"	36'-4"	20'-4"	20'-4"	20'-4"	20'-4"	36'-4"	22'-4"	20'-4"		

Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 626 W. Jackson Blvd, Chicago, IL 60611

LANDON BONE BAKER ARCHITECTS

**Bulk Regulations, Data Table, Development Summary**  
**Westhaven Park, Phase IIC**

November 16th, 2007



**KEY**

- buildings
- parks
- "L" station entrance
- 1/4 mile circle around "L" station
- landmarks

**NEIGHBORHOOD FEATURES**

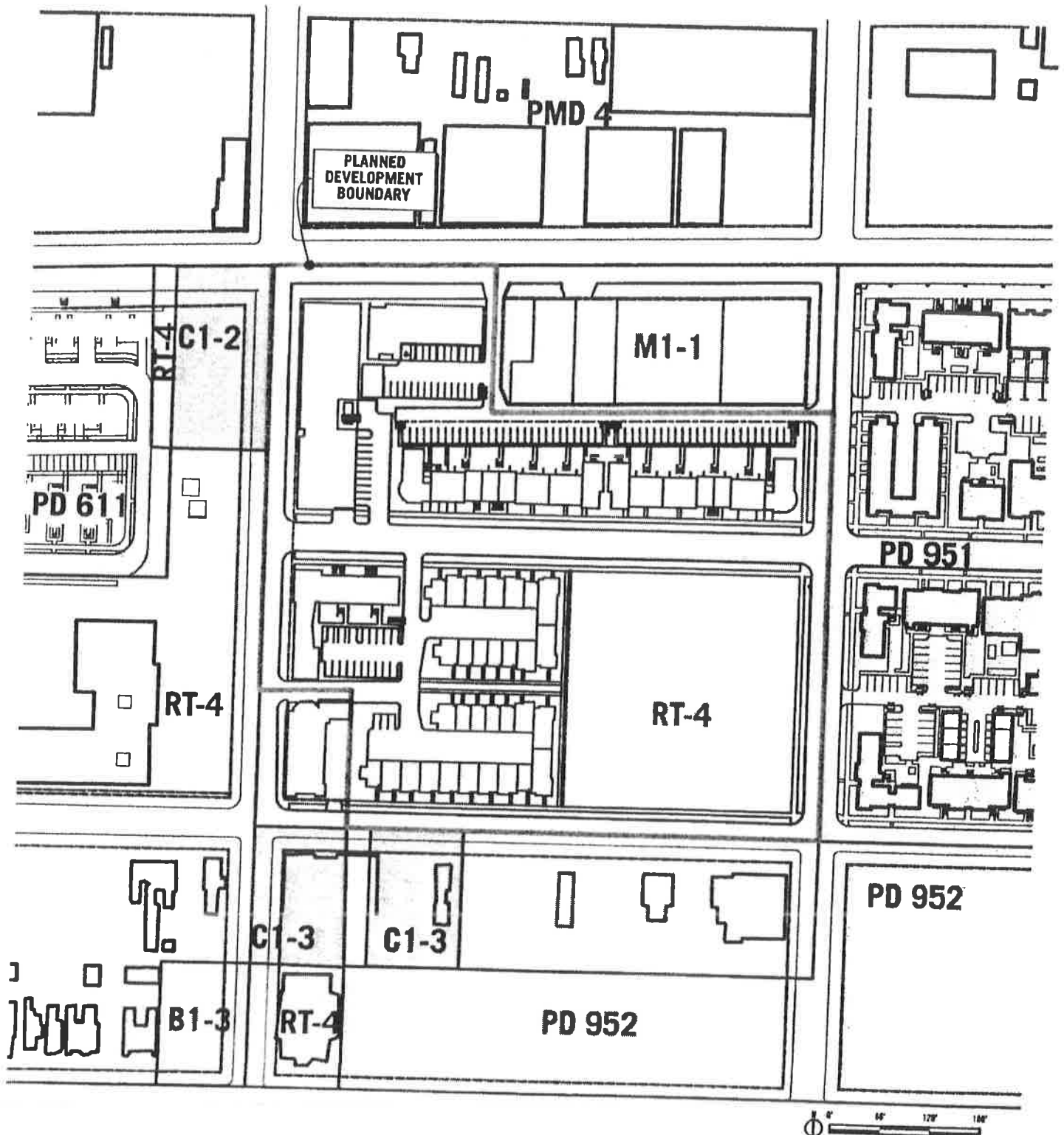
- |                                     |   |
|-------------------------------------|---|
| 1. Dett School                      | 12. Greater Pleasant Valley             |
| 2. St. Malachy School               | 13. First Baptist Congregational Church |
| 3. Miles Square Neighborhood Health | 14. James Jordan Boys and Girls Club    |
| 4. Suder School                     | 15. United Center                       |
| 5. Gospel Temple Church             | 16. Victor Herbert Elementary School    |
| 6. Wilma Rudolph Learning Center    | 17. Best Practices High School          |
| 7. Spalding High School             | 18. Crane High School                   |
| 8. Metro Baptist Church             | 19. Malcolm X College                   |
| 9. Greater Union Baptist Church     | 20. Whitney Young High School           |
| 10. Pilgrim West M.B. Church        | 21. UIC Medical Center                  |
| 11. Brown School                    | 22. Mable Manning Public Library        |

Applicant: **BMH-I LLC**  
on behalf of Chicago Housing Authority  
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**LANDON BONE BAKER ARCHITECTS**

**Neighborhood Features  
Westhaven Park, Phase IIC**

November 16th, 2007

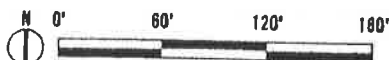
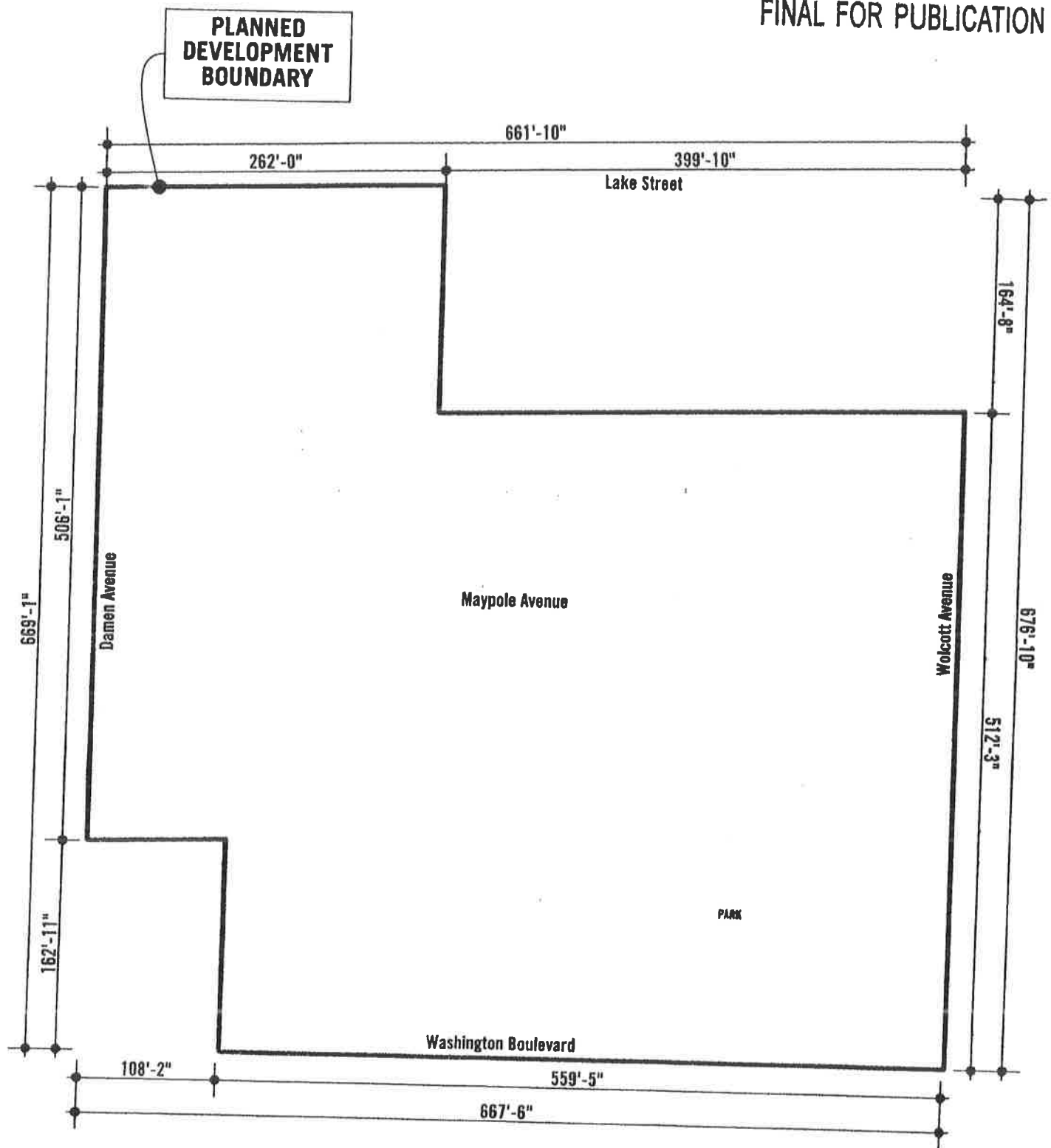


Applicant: **BMH-I LLC**  
on behalf of Chicago Housing Authority  
Address: 828 W. Jackson Blvd, Chicago, IL 60611

**LANDON BONE BAKER** ARCHITECTS

**Existing Zoning Map**  
**Westhaven Park, Phase IIC**

November 16th, 2007



Applicant: **BMH-I LLC**  
on behalf of Chicago Housing Authority  
Address: 828 W. Jackson Blvd, Chicago, IL. 60611

**LANDON BONE BAKER ARCHITECTS**

**PD Boundary and Property Line Map**  
**Westhaven Park, Phase IIC**

November 16th, 2007

**PLANNED  
DEVELOPMENT  
BOUNDARY**



11

7

November 18th, 2007

WESTHAVEN IIC  
Unit mix

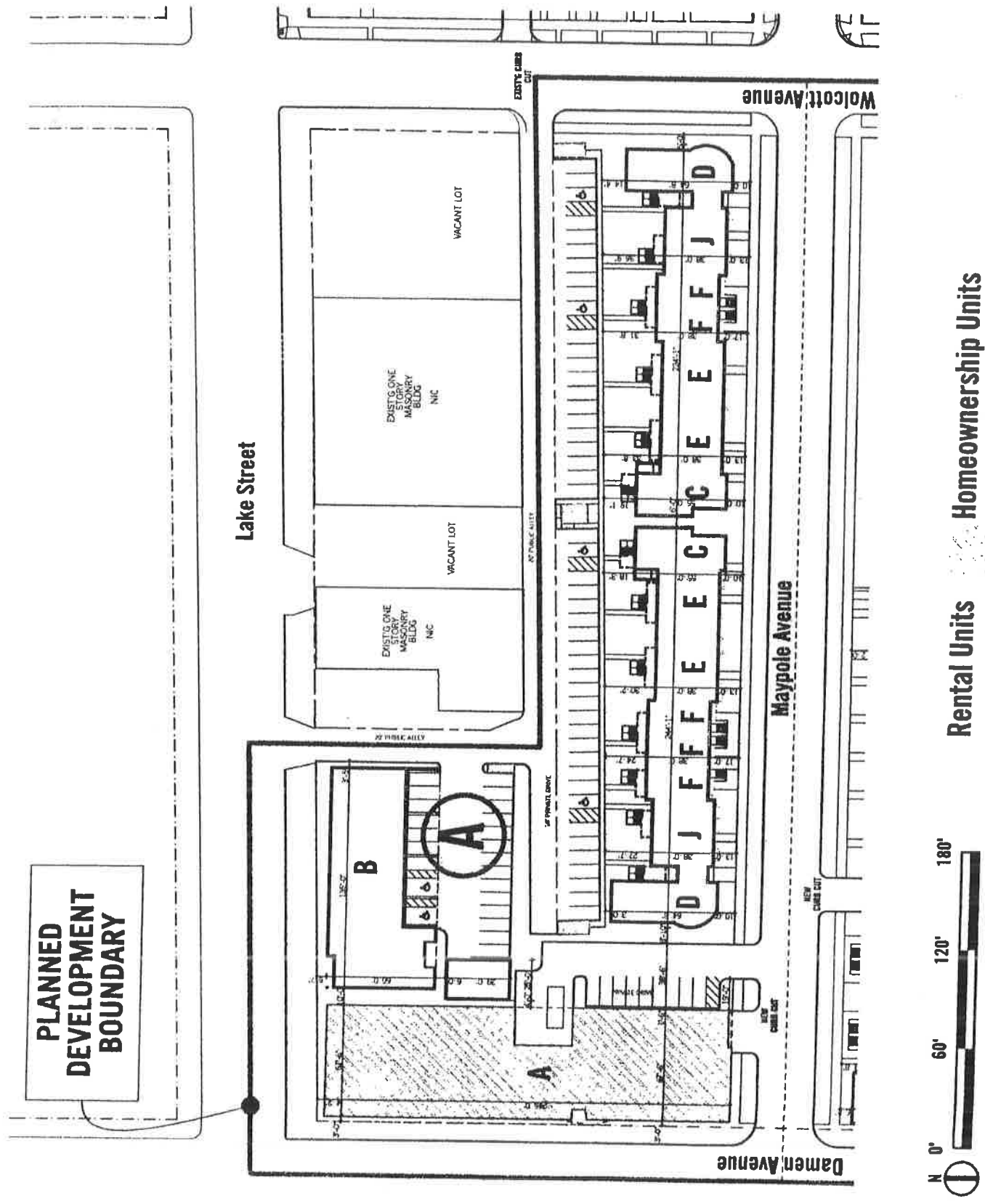
<u>Amt</u>	<u>Building Type</u>	<u>total units</u>
1	A - Damen Highrise (Homeownership)	80
	1 bedroom	24
	1 bedroom + den	12
	2 bedroom	44
1	B - Lake Midrise (Rental)	24
	1 bedroom	15
	2 bedroom	9
2	C - 2br Maypole 3 Flat (Rental)	6
	2 bedroom	6
2	D - 3br & 4br Maypole 3 Flat (Rental)	6
	3 bedroom	4
	4 bedroom	2
4	E - 1br & 3br Maypole 5 Unit (Rental)	20
	1 bedroom	16
	3 bedroom	4
5	F - 1br & 3br Maypole Stacked (Rental)	10
	1 bedroom	5
	3 bedroom	5
1	G - Damen/Maypole Walkup (Rental)	20
	1 bedroom	16
	3 bedroom	4
2	H - Townhouses (Ownership)	31
	2 bedroom	16
	3 bedroom	15
2	J - 3br Wide 3 Flat (Rental)	6
	2 bedroom	0
	3 bedroom	6
1	Maintenance	0
	<b>Total</b>	
	total units	203
	1 bedroom	88
	2 bedroom	75
	3 bedroom	38
	4 bedroom	2
	total # Types	20
	min 1 parking space / unit	

Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 828 W. Jackson Blvd, Chicago, IL. 60611

LONDON BONE BAKER ARCHITECTS

Overall Site Plan Unit Mix  
Westhaven Park, Phase IIC

November 16th, 2007



Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 828 W. Jackson Blvd, Chicago, IL. 60611

LANDON BONE BAKER ARCHITECTS

### Sub-Area A Dimensions Westhaven Park, Phase IIC

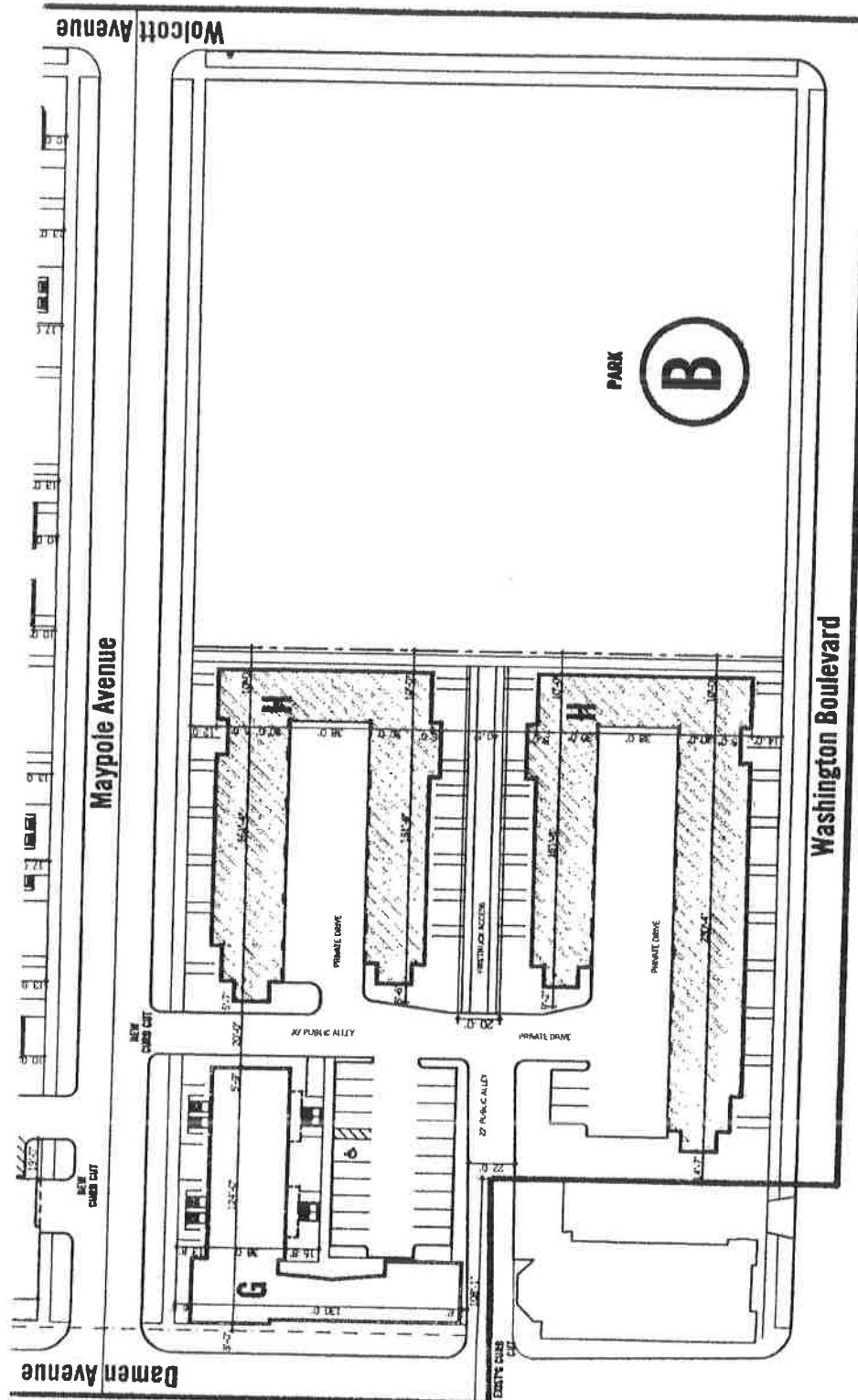
November 18th, 2007



Rental Units      Homeownership Units



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Rental Units Homeownership Units

Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 826 W. Jackson Blvd, Chicago, IL. 60611

LONDON BONE BAKER ARCHITECTS

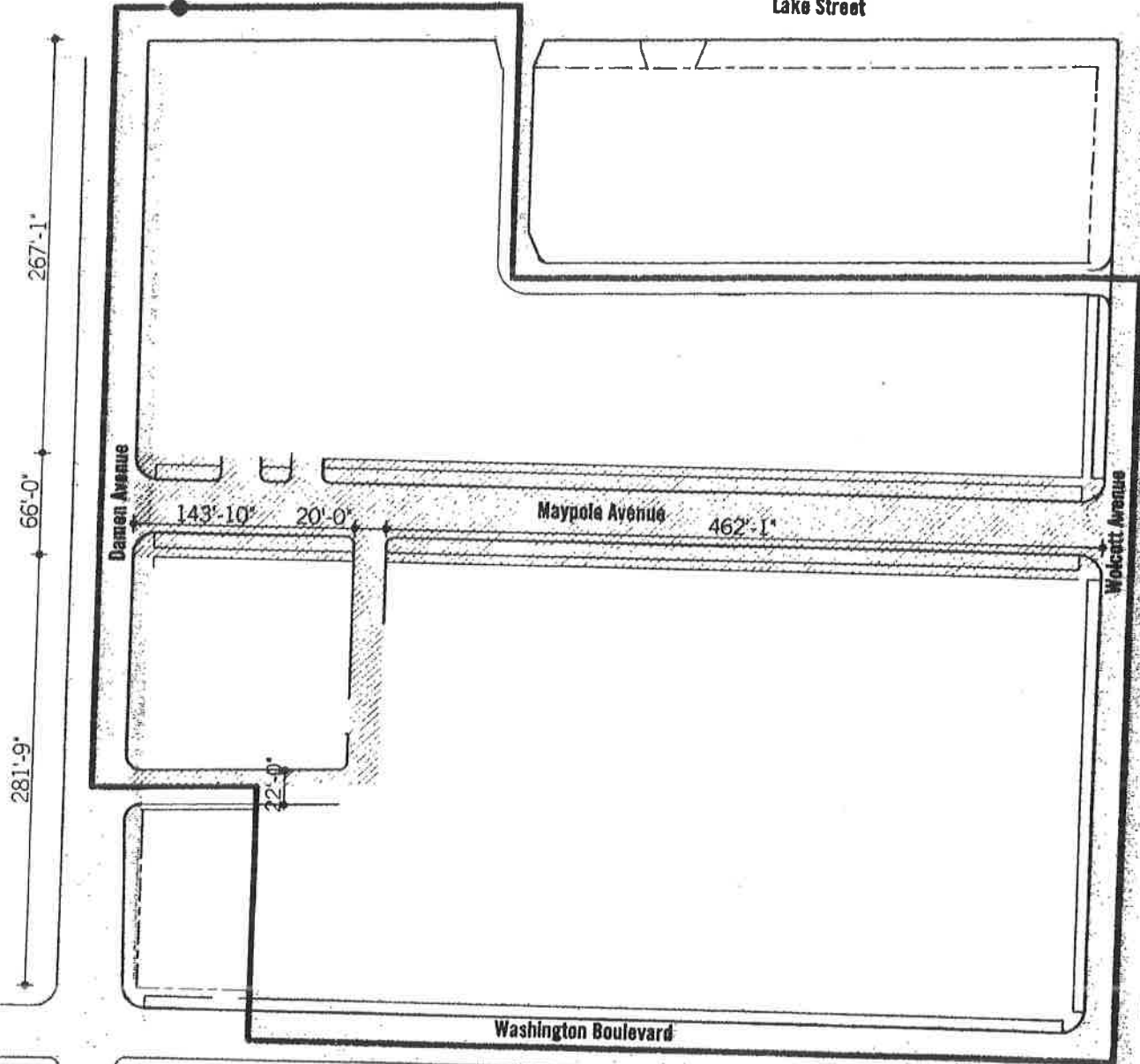
Sub-Area B Dimensions  
Westhaven Park, Phase IIC

November 16th, 2007

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PLANNED  
DEVELOPMENT  
BOUNDARY

Lake Street



New Right-Of-Way

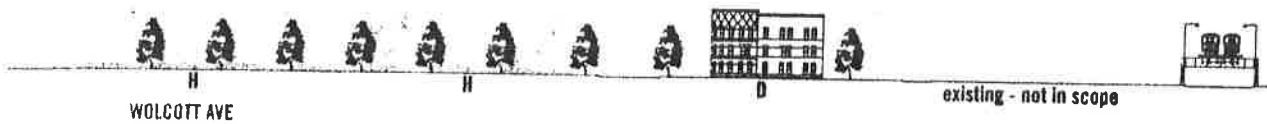
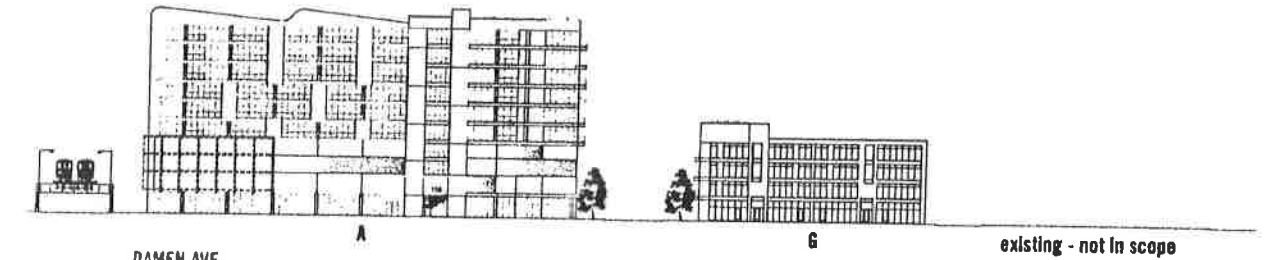
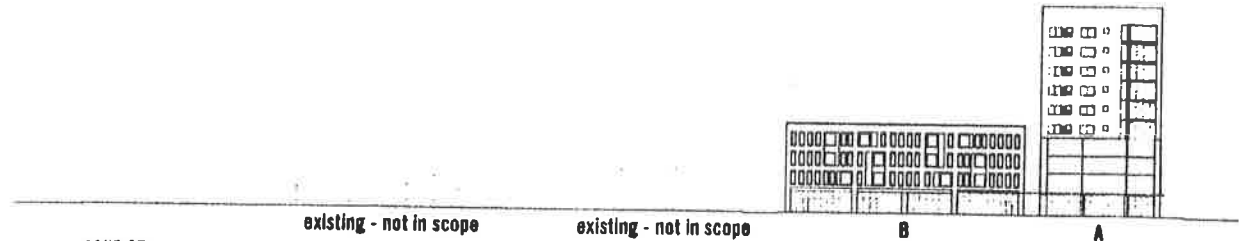
Existing Right-Of-Way

Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 826 W. Jackson Blvd, Chicago, IL. 60611

LONDON BONE BAKER ARCHITECTS

Right-Of-Way Adjustment Plan  
Westhaven Park, Phase IIC

November 16th, 2007



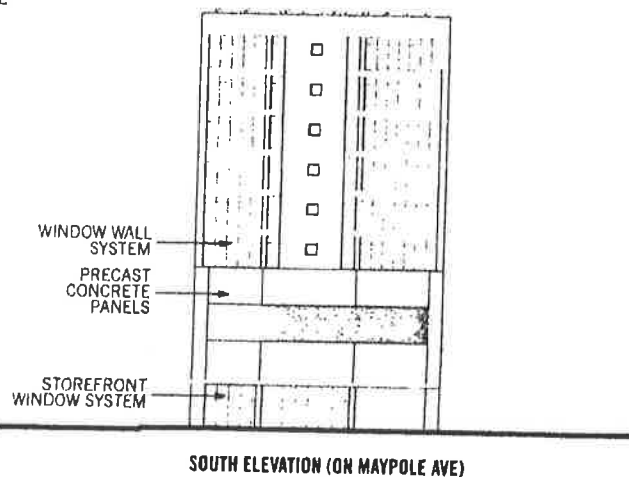
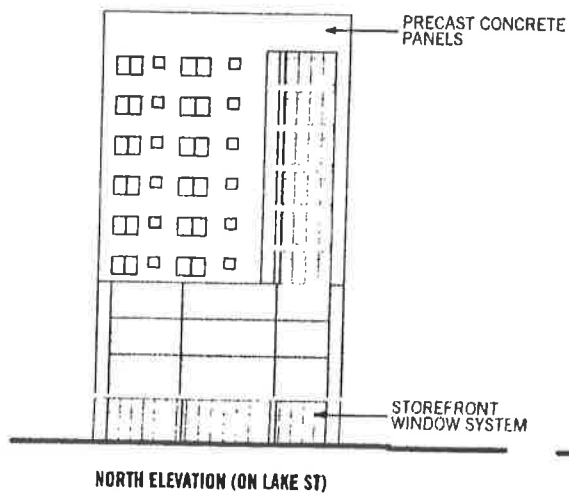
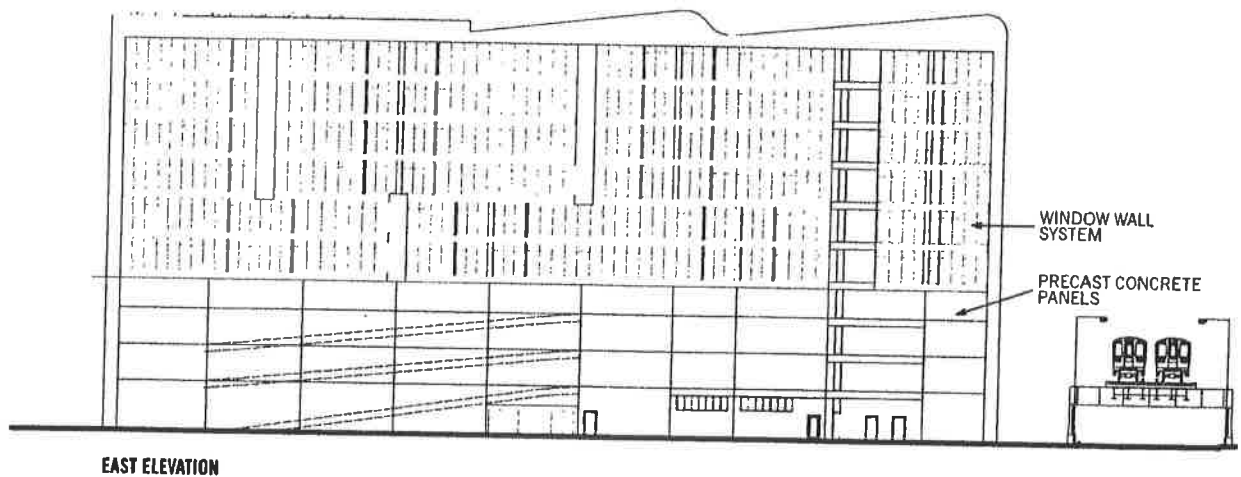
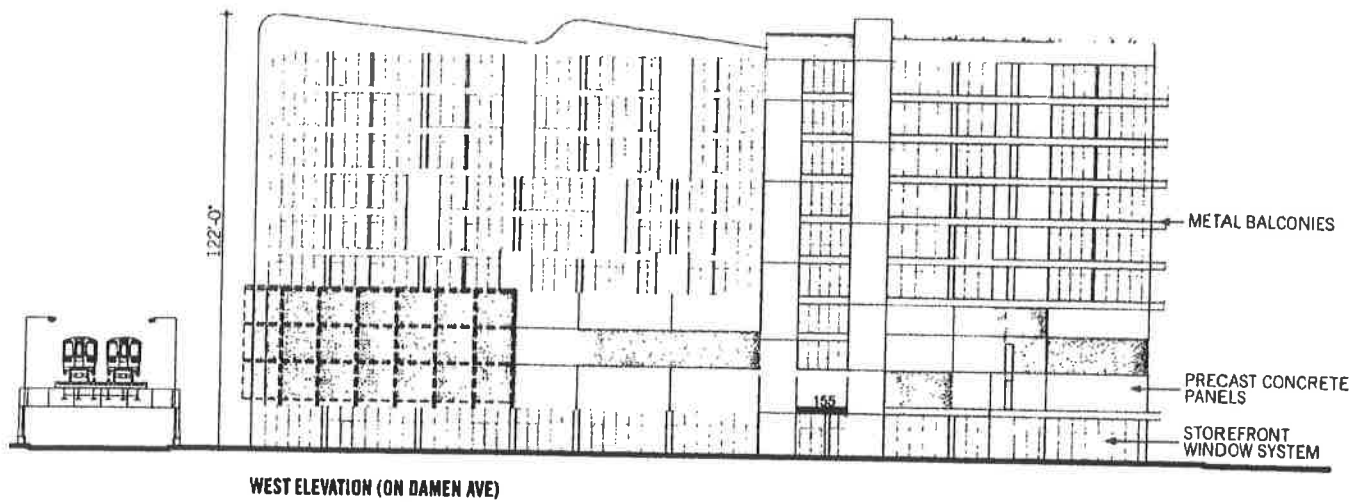
Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 628 W. Jackson Blvd, Chicago, IL. 60611

LONDON BONE BAKER ARCHITECTS

## Street Elevations Westhaven Park, Phase IIC

November 16th, 2007

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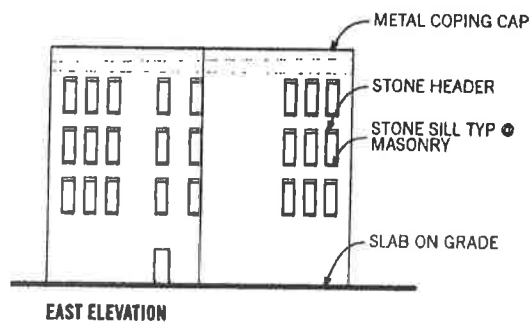
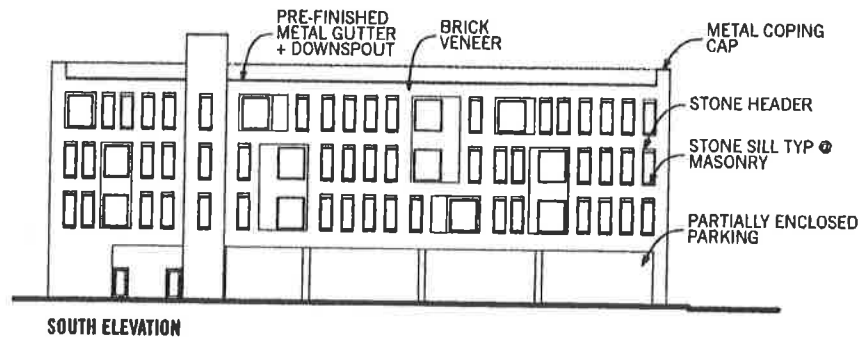
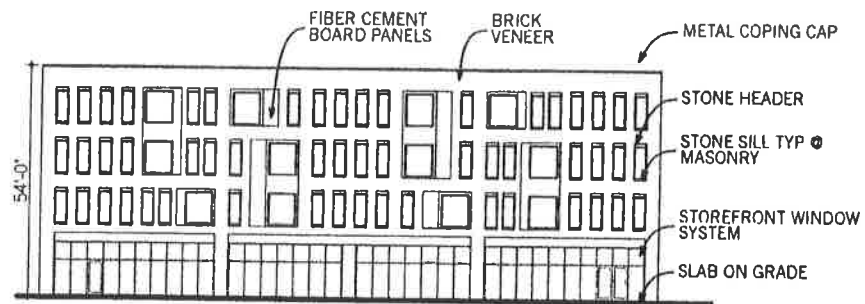
Applicant: **BMH-I LLC**  
on behalf of Chicago Housing Authority  
Address: 826 W. Jackson Blvd, Chicago, IL. 60611

LONDON BONE BAKER ARCHITECTS

**Building Type A - 80 Unit Highrise**  
**Westhaven Park, Phase IIC**

November 16th, 2007

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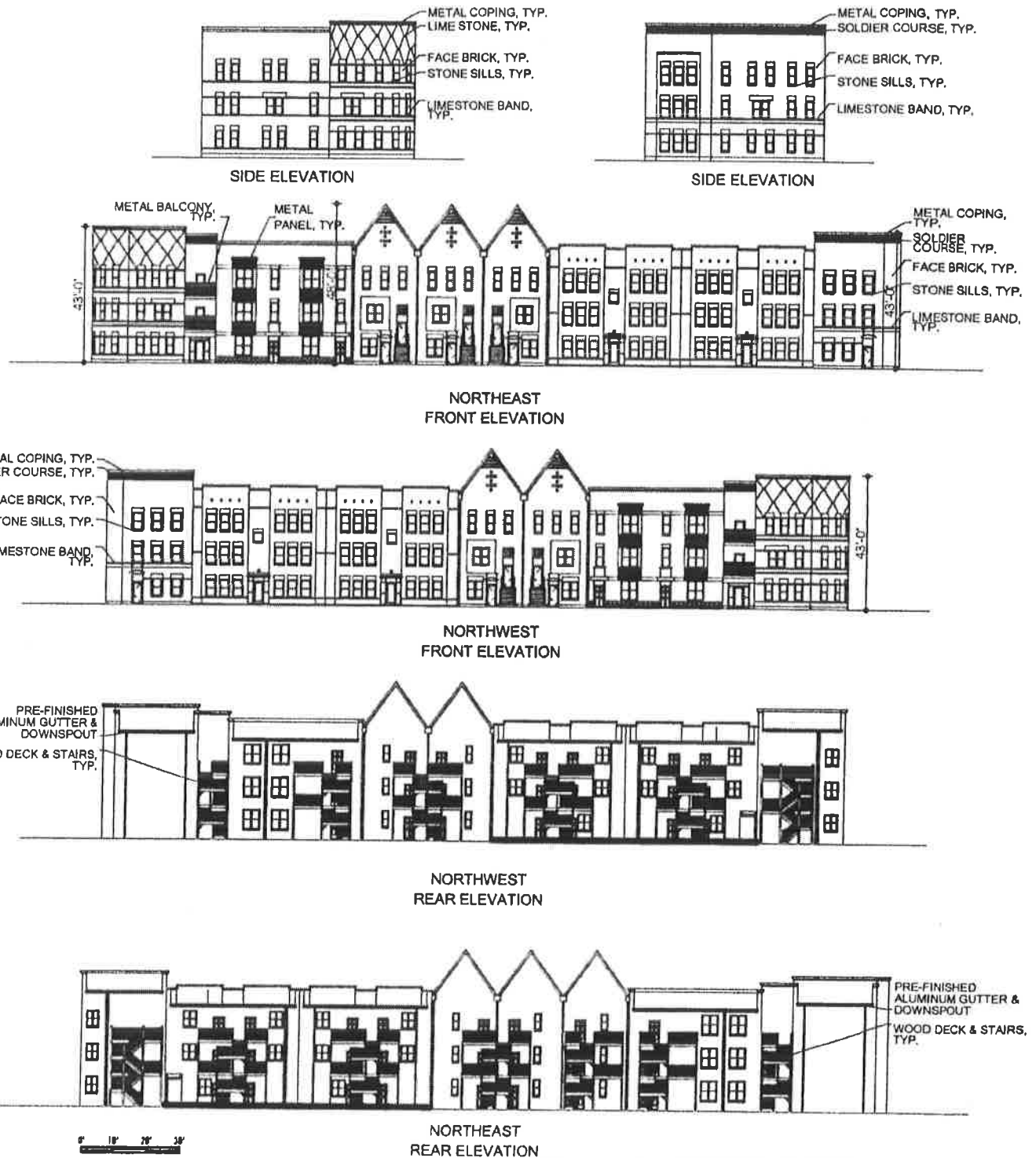


Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 626 W. Jackson Blvd, Chicago, IL. 60611

LONDON BONE BAKER ARCHITECTS

Building Type B - 24 Unit Midrise  
Westhaven Park, Phase IIC

November 16th, 2007

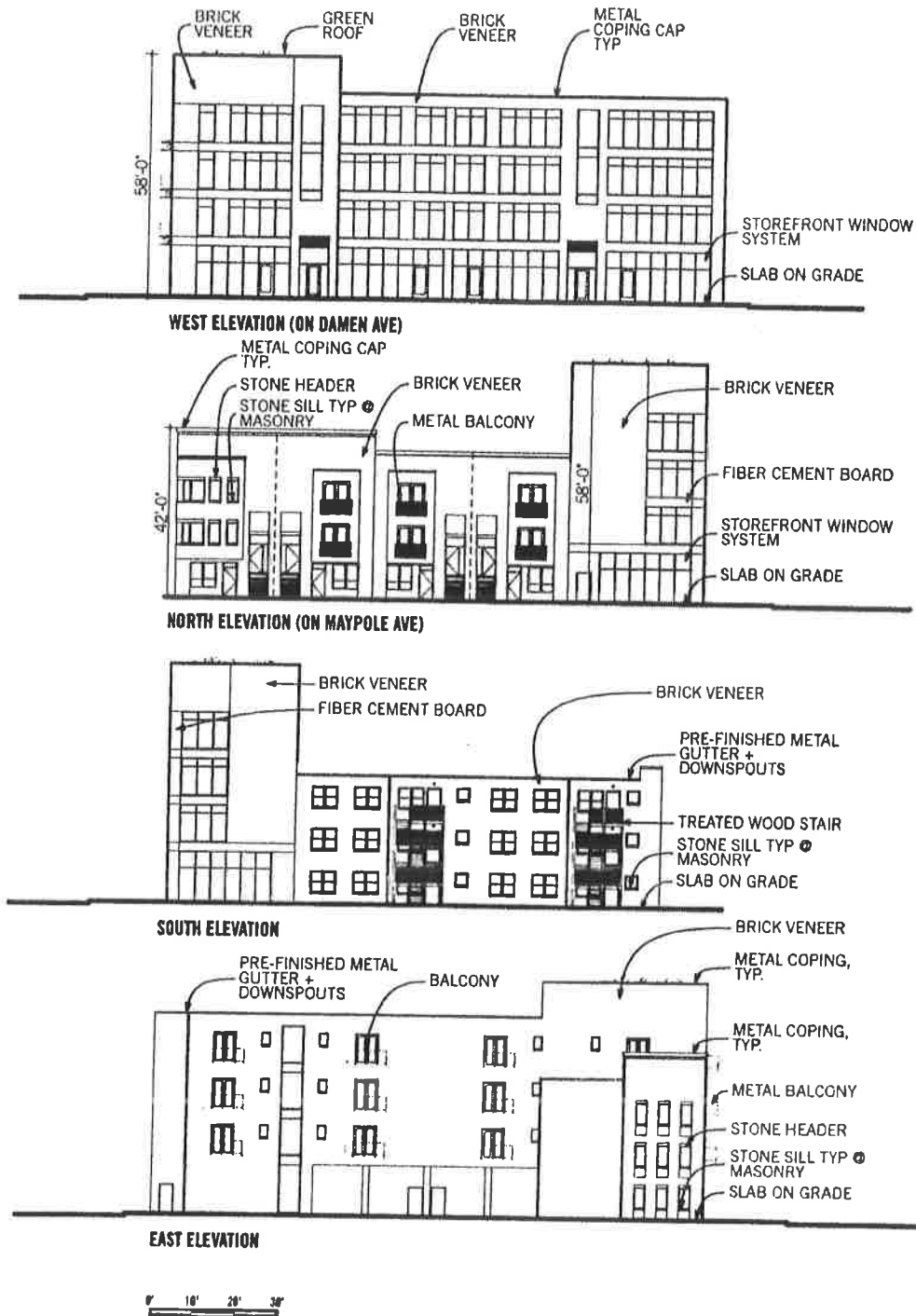


Applicant: **BMH-I LLC**  
on behalf of Chicago Housing Authority  
Address: **826 W. Jackson Blvd, Chicago, IL. 60611**

**JOHNSON & LEE ARCHITECTS**

**Building Type C,D,E,F,J - 50 Units**  
**Westhaven Park, Phase IIC**

November 16th, 2007

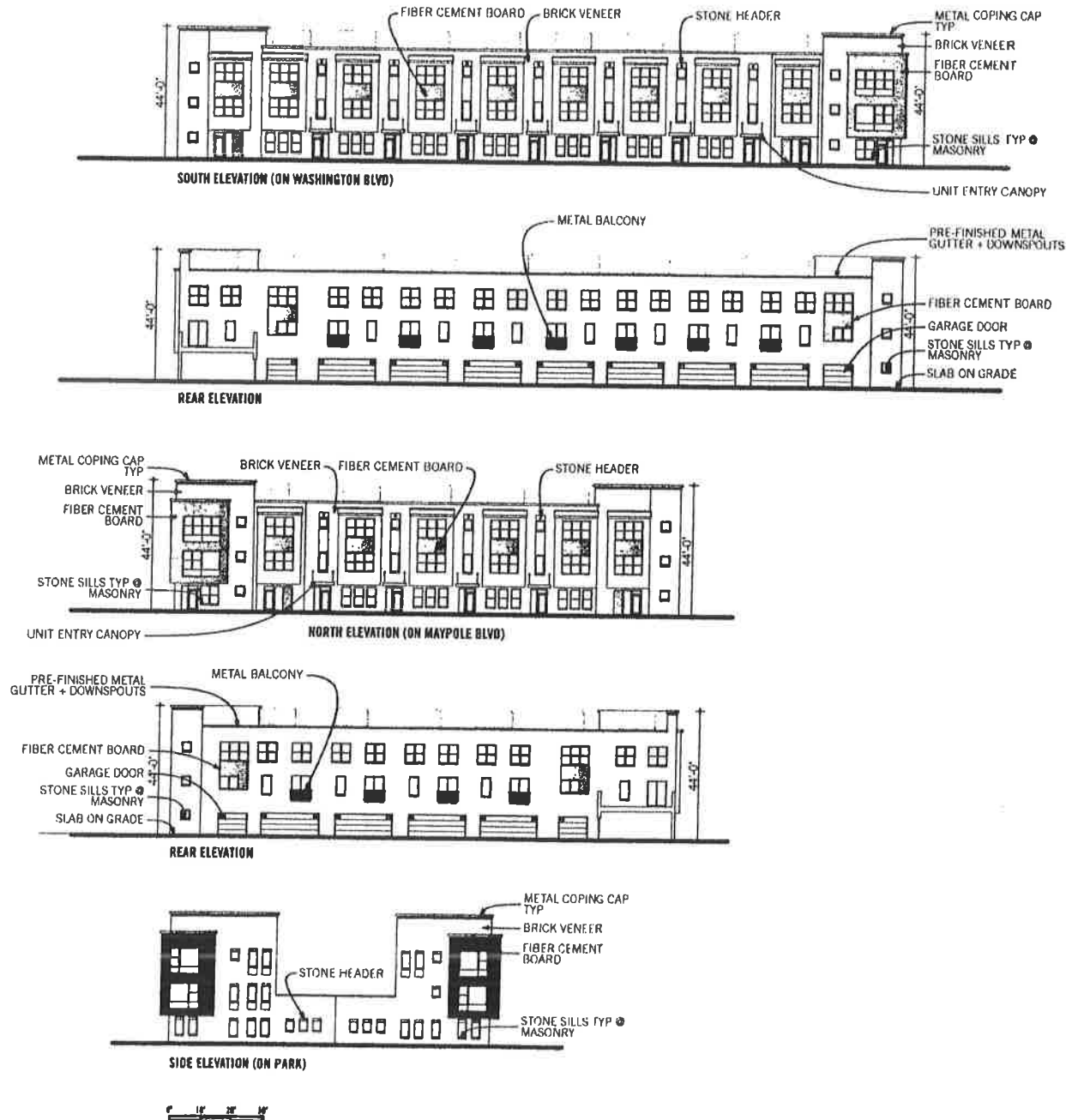


Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 826 W. Jackson Blvd, Chicago, IL. 60611

LONDON BONE BAKER ARCHITECTS

**Building Type G - 18 Unit Walkup  
Westhaven Park, Phase IIC**

November 16th, 2007



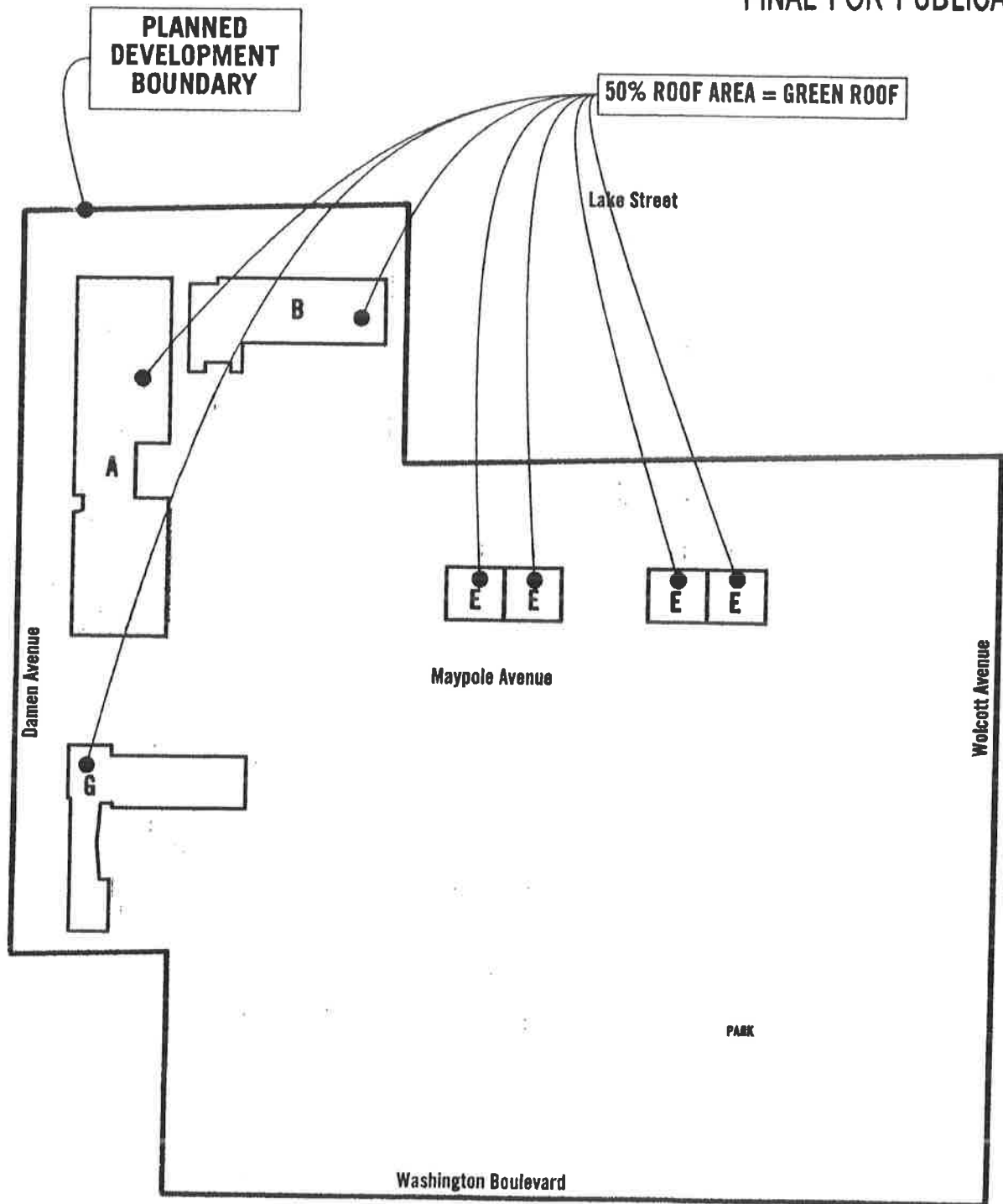
Applicant: **BMH-I LLC**  
on behalf of Chicago Housing Authority  
Address: **826 W. Jackson Blvd, Chicago, IL. 60611**

**LONDON BONE BAKER** ARCHITECTS

**Building Type H - 31 Unit Townhouses**  
**Westhaven Park, Phase IIC**

**November 16th, 2007**





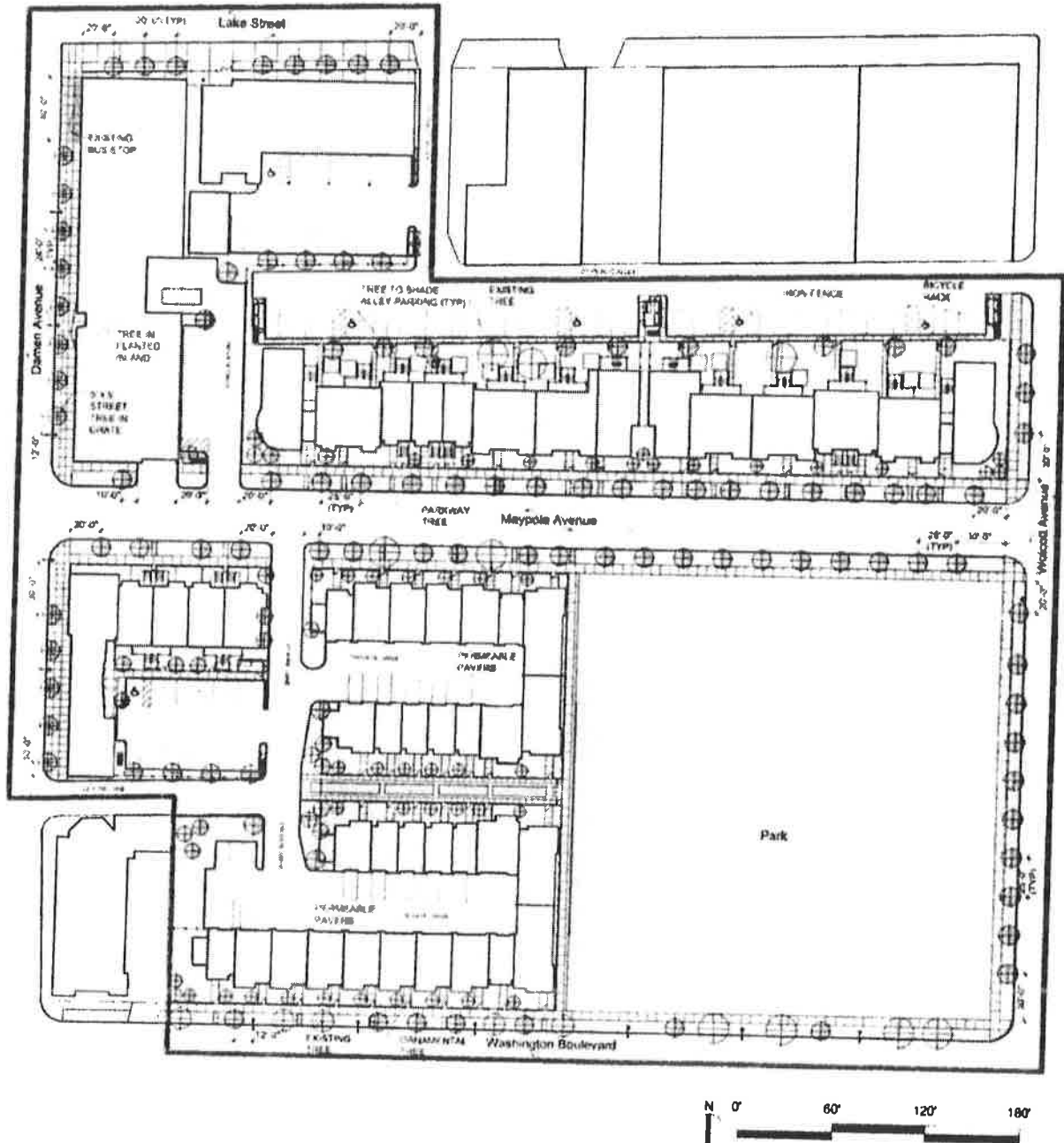
Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 828 W. Jackson Blvd, Chicago, IL. 60611

LONDON BONE BAKER ARCHITECTS

**Green Roof**  
**Westhaven Park, Phase IIC**

November 16th, 2007

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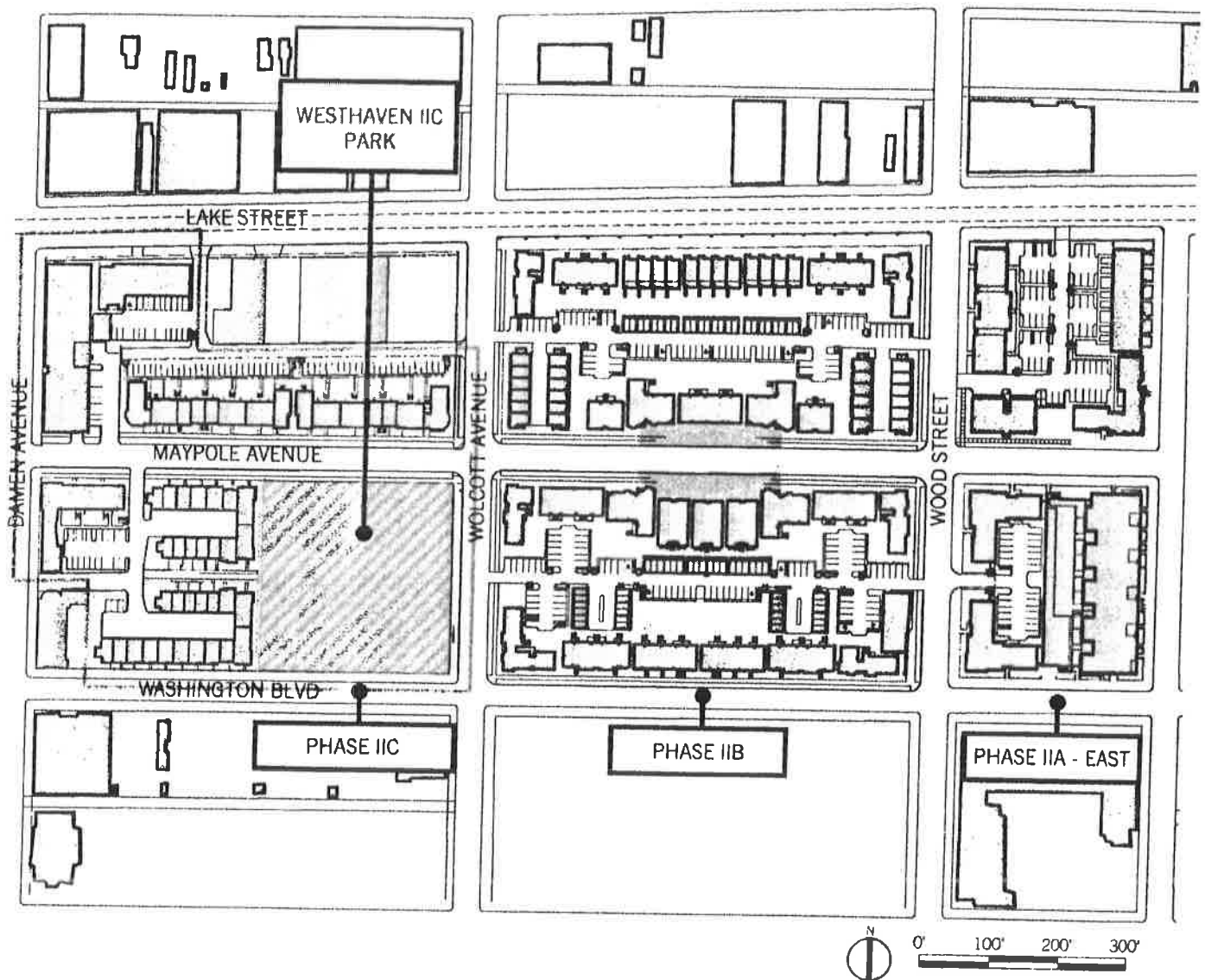


Applicant: **BMH-I LLC**  
on behalf of Chicago Housing Authority  
Address: 626 W. Jackson Blvd, Chicago, IL. 60611

McKay Landscape Architects

**Landscape Plan**  
**Westhaven Park, Phase IIC**

November 16th, 2007



**PLANT MATERIAL PALETTE**

**BOTANICAL NAME**

**COMMON NAME**

**SIZE**

**STREET TREES**

**GRASS PARKWAYS**

PLATANUS OCCIDENTALIS 'BLOODGOOD'  
QUERCUS BICOLOR  
ULMUS JAPONICA x WILSONIANA 'ACCOLADE'

BLOODGOOD SYCAMORE  
SWAMP WHITE OAK  
ACCOLADE ELM

4" CAL.  
4" CAL.  
4" CAL.

**TREE PITS WITH GRATES**

GINKGO BILOBA 'PRINCETON SENTRY'  
PYRUS CALLERYANA 'GLEN'S FORM'

PRINCETON SENTRY GINKGO  
CHANTICLEER PEAR

4" CAL.  
4" CAL.

**LANDSCAPED ISLANDS**

CATALPA SPECIOSA  
CELTIS OCCIDENTALIS 'CHICAGOLAND'  
ROBINIA PSEUDOACACIA 'CHICAGO BLUES'  
ULMUS JAPONICA x WILSONIANA 'TRIUMPH'

NORTHERN CATALPA  
CHICAGOLAND HACKBERRY  
CHICAGO BLUES BLACK LOCUST  
TRIUMPH ELM

4" CAL.  
4" CAL.  
4" CAL.  
4" CAL.

**SHADE TREES**

ACER RUBRUM 'RED SUNSET'  
GLEDITSIA TRIACANTHOS INERMIS 'SKYLINE'  
TILIA CORDATA 'GREENSPIRE'

RED SUNSET RED MAPLE  
SKYLINE HONEYLOCUST  
GREENSPIRE LINDEN

4" CAL.  
4" CAL.  
4" CAL.

**ORNAMENTAL TREES**

AMELANCHIER CANADENSIS  
BETULA NIGRA  
CORNUS MAS 'GOLDEN GLORY'  
PINUS NIGRA  
SYRINGA RETICULATA 'IVORY SILK'  
VIBURNUM PRUNIFOLIUM

SERVICEBERRY  
RIVER BIRCH  
CORNELIAN CHERRY  
AUSTRIAN PINE  
JAPANESE TREE LILAC  
BLACKHAW VIBURNUM

8' HGT.  
10' HGT.  
8' HGT.  
8' HGT.  
3" CAL.  
8' HGT.

**DECIDUOUS AND EVERGREEN SHRUBS**

CORNUS ALBA 'BAILHALO'  
HYDRANGEA PANICULATA 'BRUSSELS LACE'  
JUNIPERUS CHINENSIS 'KALLAY'S COMPACT'  
RIBES ALPINUM 'GREEN MOUND'  
ROSA 'NEARLY WILD'  
ROSA 'WILD SPICE'  
SYRINGA MEYERI 'PALIBIN'  
TAXUS MEDIA 'BERRYHILL'  
TAXUS MEDIA 'HICKSII'  
VIBURNUM SARGENTII 'ONONDAGA'

IVORY HALO DOGWOOD  
PANICLE HYDRANGEA  
KALLAY'S COMPACT JUNIPER  
ALPINE CURRANT  
SHRUB ROSE  
SHRUB ROSE  
DWARF LILAC  
BERRYHILL YEW  
HICKS YEW  
SARGENT VIBURNUM

36"  
24"  
24"  
36"  
3 GAL  
3 GAL  
36"  
24"  
36"  
36"

Applicant: BMH-I LLC  
on behalf of Chicago Housing Authority  
Address: 628 W. Jackson Blvd, Chicago, IL. 60611

McKay Landscape Architects

**Plant List**  
**Westhaven Park, Phase IIC**

November 16th, 2007