



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

June 23, 2014

Richard F. Klawiter
DLA Piper LLP
203 North LaSalle Street, Suite 1900
Chicago, IL 60601-1293

**Re: One-year sunset extension request for Business Planned Development No. 1112
601-25 West Monroe Street**

Dear Mr. Klawiter:


Please be advised that your request, on behalf of the owner, SPUSO5 601 West Monroe, LP, for a one-year extension to the six-year construction period for Business Planned Development No. 1112 ("PD 1112") has been considered by the Department of Planning and Development pursuant to Section 17-13-0612-B of the Chicago Zoning Ordinance and Statement No. 17 of the Planned Development.

PD 1112 was passed by the Chicago City Council on July 9, 2008. Statement No. 17 of the Planned Development requires commencement of substantial construction within six years of the effective date of the ordinance. Additionally, pursuant to Statement No. 13, if construction was not commenced within three years of the effective date of the ordinance, then within the following six months, the applicant was to bring the existing surface parking lot on the property into compliance with all applicable City codes, including landscaping.

On July 27, 2011, an administrative relief was granted to allow an extension from January 9, 2012 to January 28, 2013 to bring the existing surface parking lot into compliance. On January 25, 2013, an administrative relief was granted to further extend the period from January 28, 2013 to July 28, 2013, and also stated that if construction did not commence by July 28, 2013, the existing parking lot was to be brought into compliance by the end of 2013.

Project construction has not commenced and the existing parking lot has not been brought into compliance with the Chicago Zoning Ordinance. Therefore, the owner is in violation of PD 1112 and no further extensions shall be granted. Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 1112, I hereby deny your one-year sunset extension request.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm

C: Fred Deters, Mike Marmo, Erik Glass, Main file



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

January 25, 2013

Mr. Richard F. Klawiter
DLA Piper LLP (US)
203 North LaSalle Street
Suite 1900
Chicago, Illinois 60601-1293

Re: Administrative Relief request for Business Planned Development No. 1112

Dear Mr. Klawiter:

Please be advised that your request for a minor change to Business Planned Development No. 1112 has been considered by the Department of Housing and Economic Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 14 of the Planned Development.

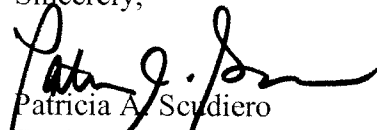
The Planned Development (PD) was approved by the City Council on July 9, 2008. Pursuant to Statement No. 13, if construction of the project is not commenced within three (3) years following approval of the PD, then the applicant shall, within the following six (6) months, bring the existing surface parking lot on the property into compliance with applicable City codes and ordinances, including, without limitation, parking lot landscaping requirements of the Chicago Zoning Ordinance. On July 27, 2011, the Department of Housing and Economic Development granted an administrative relief extending the deadline for completing this requirement to January 28, 2013.

Your client, SPUSO5 601 West Monroe, LP, the owner and developer of all the property within the PD, is requesting a further extension from January 28, 2013 to July 28, 2013 to bring the existing surface parking lot on the subject property into compliance with applicable City codes and ordinances or commence construction of the development.

With regard to your request, the Department of Housing and Economic Development has determined that allowing a six (6) month extension from January 28, 2013 to July 28, 2013, would not create an adverse impact on the Planned Development and the surrounding neighborhood, would not change the character of the development, and therefore, would constitute a minor change. However, if you do not commence construction of the development by July 28, 2013, we anticipate that you will be able to bring the existing surface parking lot into compliance by the end of this year.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 1112, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

Sincerely,



Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm

c: Mike Marmo, Erik Glass, Ron Daye, Main file



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

July 27, 2011

CITY OF CHICAGO

Mr. Jesse W. Dodson
DLA Piper LLP (US)
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293

Re: Administrative Relief request for Business Planned Development No. 1112

Dear Mr. Dodson:

Please be advised that your request for a minor change to Business Planned Development No. 1112 has been considered by the Department of Housing and Economic Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 14 of the Planned Development.

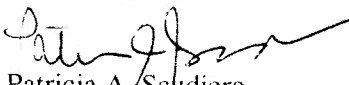
The Planned Development (PD) was approved by the City Council on July 9, 2008, and states that if construction of the project is not commenced within three (3) years following approval of the PD, then the applicant shall, within the following six (6) months, bring the existing surface parking lot on the property into compliance with applicable City codes and ordinances, including, without limitation, parking lot landscaping requirements of the Chicago Zoning Ordinance. The three (3) year and six (6) month time period will expire on January 9, 2012.

Your client, SPUSO5 601 West Monroe, LP, the owner and developer of all the property within the PD, is requesting an extension from January 9, 2012 to January 28, 2013 to bring the existing surface parking lot on the subject property into compliance with applicable City codes and ordinances. The financial crisis and the continuing difficult economic climate have created unforeseen obstacles for the owner in developing the site. However, they are hopeful that an anchor tenant may be secured in the near future and construction would then begin.

With regard to your request, the Department of Housing and Economic Development has determined that allowing an approximate one (1) year extension from January 9, 2012 to January 28, 2013, would not create an adverse impact on the Planned Development and the surrounding neighborhood, would not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 1112, I hereby approve this Administrative Relief request.

Sincerely,


Patricia A. Scudiero
Commissioner

PAS:HG:tm

c: Mike Marmo, Erik Glass, Ron Daye, Main file

~~Reclassification Of Area Shown On Map Number 1-H.
(Application Number A-7353)~~

~~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 C1-5 Neighborhood Commercial District symbols and indications as shown on Map Number 1-H in the area bounded by:~~

~~West Chicago Avenue; North Leavitt Street; the public alley next south of and parallel to West Chicago Avenue; and a line 119.40 feet west of and parallel to North Leavitt Street, to those of a C1-2 Neighborhood Commercial District.~~

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

Reclassification Of Area Shown On Map Number 2-F.
(As Amended)

(Application Number 16426) BPD 1112

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 DC-12 Downtown Core District and indications as shown on Map Number 2-F in the area bound by:

West Monroe Street; South Jefferson Street; a line 198.83 feet south of and parallel to West Monroe Street; and South Des Plaines Street,

to those of a DC-16 Downtown Core District and a corresponding use district is hereby established in the area above described.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the DC-16 Downtown Core District symbols and indications in the area described above,

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

SECTION 3. 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:

Business Planned Development Number 1112.

Plan Of Development Statements.

1. The area delineated herein as Business Planned Development Number 1112 (hereinafter referred to as "Planned Development" or "Plan of Development") consists of a net site area of approximately sixty-one thousand two hundred thirty-seven (61,237) square feet within the area bounded by West Monroe Street; South Jefferson Street; a line 198.83 feet south of and parallel to West Monroe Street; and South Des Plaines Street (the "Property"), which is controlled by FRC-MJ, L.L.C. ("Applicant") for purposes of this Planned Development.
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 right-of-ways or consolidation or resubdivision of parcels shall require a separate submittal on behalf of the Applicant or its successors, assignees or grantees and approval by the City Council.
3. The requirements, obligations and conditions applicable 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 except as provided herein. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's, successors and assignees and, if different than the Applicant, the legal titleholder and any ground lessors and their respective successors or assignees.

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 single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development shall be made by the Applicant, the owners of all the property within the Planned Development or any association(s) formed to succeed the Applicant for purposes of control or management of any portion of the Planned Development. No amendment may be sought without written approval by the association unless the right to do so has been retained by the Applicant and its successors in title documents. 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.

Upon an alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any (indebtedness) and solely with respect to the portion of the Property so transferred, the term "Applicant" shall be deemed amended to apply to transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder.

4. This Plan of Development consists of these seventeen (17) statements; a Bulk Regulations and Data Table (including Bonus Calculation Sheet); an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Right-of-Way Adjustment Map; a Site Plan; a Green Roof and Landscape Plan; Building Elevations (1 -- 6); and Bonus Calculation Sheets (1 -- 5); all prepared by DeStefano + Partners, last revised June 19, 2008, which are all incorporated herein (collectively, the "Plans"). Full-size sets of the Plans 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: all uses permitted in the DC-16 Downtown Core District, including but not limited to office, retail, accessory parking, accessory and related uses, and non-accessory parking, but excluding, however, hotel, residential, vehicle sales and service, manufacturing, production and industrial services, and recycling facilities.
6. Identification and other necessary 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. Off-premise signs shall not be permitted in the Planned Development.
7. 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 Chicago Department of Transportation in effect at the time of construction. Ingress and egress shall be subject to the review and approval of the Chicago Department of Transportation and the Department of Planning and Development. 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 compliance with the Municipal Code of the City of Chicago. Off-street parking and off-street loading facilities shall be provided in compliance with this Plan of Development subject to review of the Departments of Transportation and Planning and Development. Part II approval shall not be released until the Applicant provides the Department of Planning and Development with an updated survey showing the right-of-way adjustments and the recorded document numbers for the vacations and dedications.

8. For purposes of height measurement and determination, the definitions in the Chicago Zoning Ordinance shall apply. 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.
9. The maximum permitted floor area ratio shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of F.A.R. calculations and floor area measurements, the definitions of the City of Chicago Zoning Ordinance shall apply.
10. Improvements of the Property, including landscaping and entrances and exits shall be designed, installed, and maintained in substantial conformance with the Plans and the Bulk Regulations and Data Table. The Applicant shall have the right to develop the Property in phases, with each of the two (2) buildings contemplated by the Plans (i.e., 601 West Monroe Street and 625 West Monroe Street) constituting a separate phase. 601 West Monroe Street is the first phase of development and 625 West Monroe Street is the second phase of development. Floor area bonus credits achieved, but not needed, by the first phase of development may be applied to the second phase of development.
11. The City of Chicago established a Part II Review Fee in the amount of Zero and 25/100 Dollars (\$0.25) per square foot for the total buildable square feet (floor area). The Part II Review Fee will be assessed by the Department of Planning and Development during the actual Part II Review. The fee as determined by the Department of Planning and Development staff at that time is final and binding on the Applicant and must be paid to the Department of Planning and Development prior to the issuance of any Part II approval.
12. (a) The Applicant shall have the right to utilize the following F.A.R. bonuses, subject to the requirements of Section 17-4-1000 of the Chicago Zoning Ordinance:

Bonus	601 West Monroe Street	625 West Monroe Street	Total
Green Roof	0.57	0.64	1.21
Arcades	0.67	0.67	1.34
Upper Level Setbacks	0.22	-	0.22
Off-Site Park and Open Space Contribution (\$500,000.00/ (\$29x0.8)/61,237 square feet)	-	0.35	0.35
Through-Block Connection	-	2.16	2.16
Water Feature	-	0.65	0.65
TOTAL:	1.46	4.47	5.93

(b) Prior to obtaining Part II approval for construction of the second phase of development, the Applicant shall enter into a written agreement with the Chicago Park District, in a form reasonably acceptable to the Department: (i) substantiating the contribution to be made by the Applicant to the Chicago Park District for the Off-Site Park and Open Space Bonus; and (ii) providing reasonable detail as to the improvements to be made by the Chicago Park District to the park located immediately south of the Property as a result of such contribution.

(c) The plaza within the Project which is part of the Through-Block Connection shall be maintained as privately-owned open space. The public shall not be restricted from using the Pass-Through Connection during the hours required by Section 17-4-1009 of the Chicago Zoning Ordinance (i.e., 8:00 A.M. to 7:00 P.M.).

13. If construction of the Project is not commenced within three (3) years following approval of this Planned Development, then the Applicant shall, within the following six (6) months, bring the existing surface parking lot on the Property into compliance with applicable City codes and ordinances, including, without limitation, parking lot landscaping requirements of the Chicago Zoning Ordinance, until construction of the Project commences. Further, if construction of the first phase of the Project has commenced but construction of the second phase of the Project has not commenced

within said three (3) year period, then the Applicant shall, within the following six (6) months, bring that portion of the surface parking lot within the second phase into compliance with applicable City codes and ordinances, including, without limitation, parking lot landscaping requirements of the Chicago Zoning Ordinance, until construction of the second phase commences.

14. 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 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.
15. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes, enables, and maximizes universal access throughout the property. Therefore, at the time when Part II approvals 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.
16. 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. All buildings located on the Property shall be Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System certified. Landscaping shall be installed and maintained at all times in accordance with the Plans and the Parkway Tree Provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. The Applicant shall provide green roof area on each building and shall provide a total net green roof area of fifty percent (50%) (approximately twenty-three thousand (23,000) square feet).
17. Unless substantial construction of the first phase of the Project has begun within the Planned Development within six (6) years of the date of passage of the Planned Development, the zoning of the Property shall revert to the DC-12 Downtown Core District. The six (6) year period may be extended for one (1) additional year if, before expiration, the Commissioner of the Department of Planning and Development determines that there is a good cause for such an extension.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Right-of-Way Adjustment Map; Site Plan; Green Roof and Landscape Plan; Building Elevations; and Bonus Calculation Sheets referred to in these Plan of Development Statements printed on pages 33426 through 33442 of this *Journal*.]

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

Business Planned Development Number 1112.

Bulk Regulations And Data Table.

Gross Site Area:	90,869 square feet/2.09 acres = Net Site Area (61,237 square feet/1.40 acres) + Public Alley to be Vacated (2,056 square feet/0.05 acre) - Public Alley to be Dedicated (1,799 square feet/0.04 acre) + Public Alley to Remain (288 square feet/0.01 acre) + Public Street to Remain (29,087 square feet /0.67 acre)
Net Site Area:	61,237 square feet
Allowable Uses:	All uses permitted in the DC-16 Downtown Core District; including but not limited to office, retail, accessory parking, accessory and related uses, and non-accessory parking, but excluding hotel, residential, vehicle sales and service, manufacturing, production and industrial services, and recycling facilities.
Maximum Floor Area Ratio with F.A.R. Bonuses:	
Base F.A.R.:	16.00

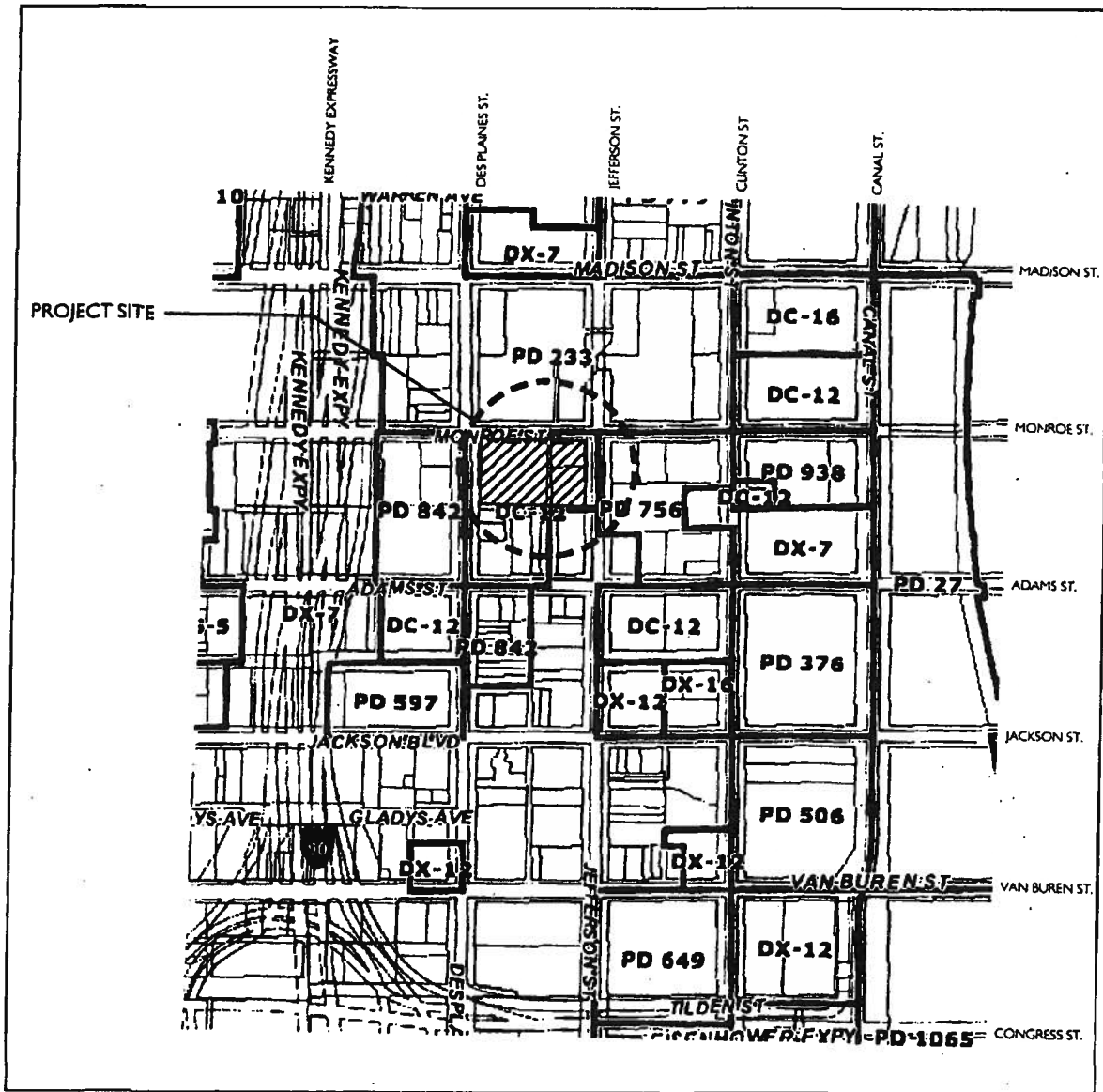
7/9/2008

REPORTS OF COMMITTEES

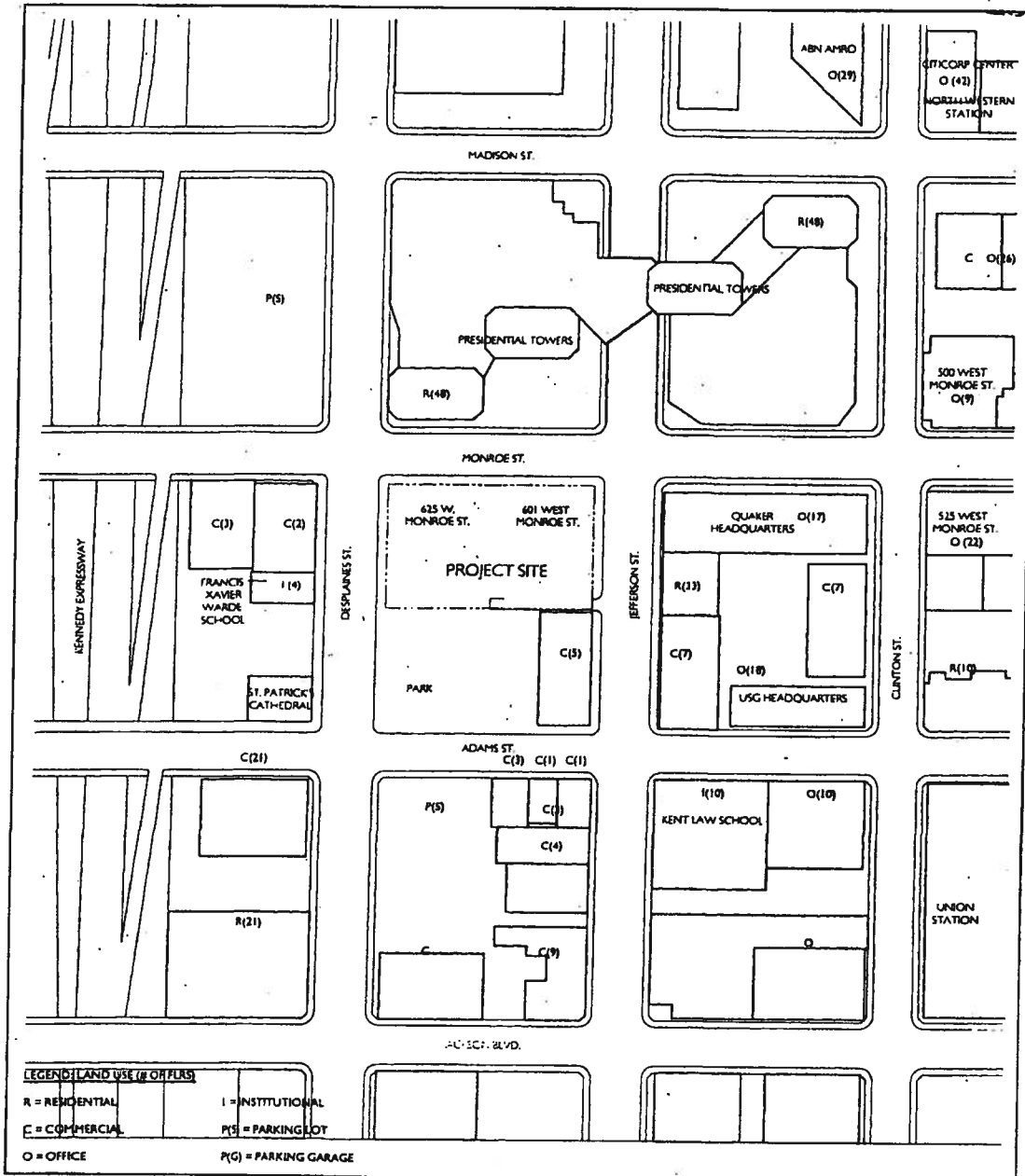
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Green Roof:	1.21
Arcades:	1.34
Off-Site Park and Open Space Contribution:	0.35
Upper Level Setback:	0.22
Through-Block Connection:	2.16
Water Feature:	0.65
Total F.A.R.:	21.93
Maximum Site Coverage:	Per Site Plan
Minimum Number of Accessory Parking Spaces:	0
Maximum Number of Non-Accessory Off-Street Parking Spaces:	449
Minimum Number of Off-Street Loading Spaces:	4
Minimum Building Setbacks:	Per Site Plan
Maximum Building Height:	409 feet for 601 West Monroe Street 470 feet for 625 West Monroe Street

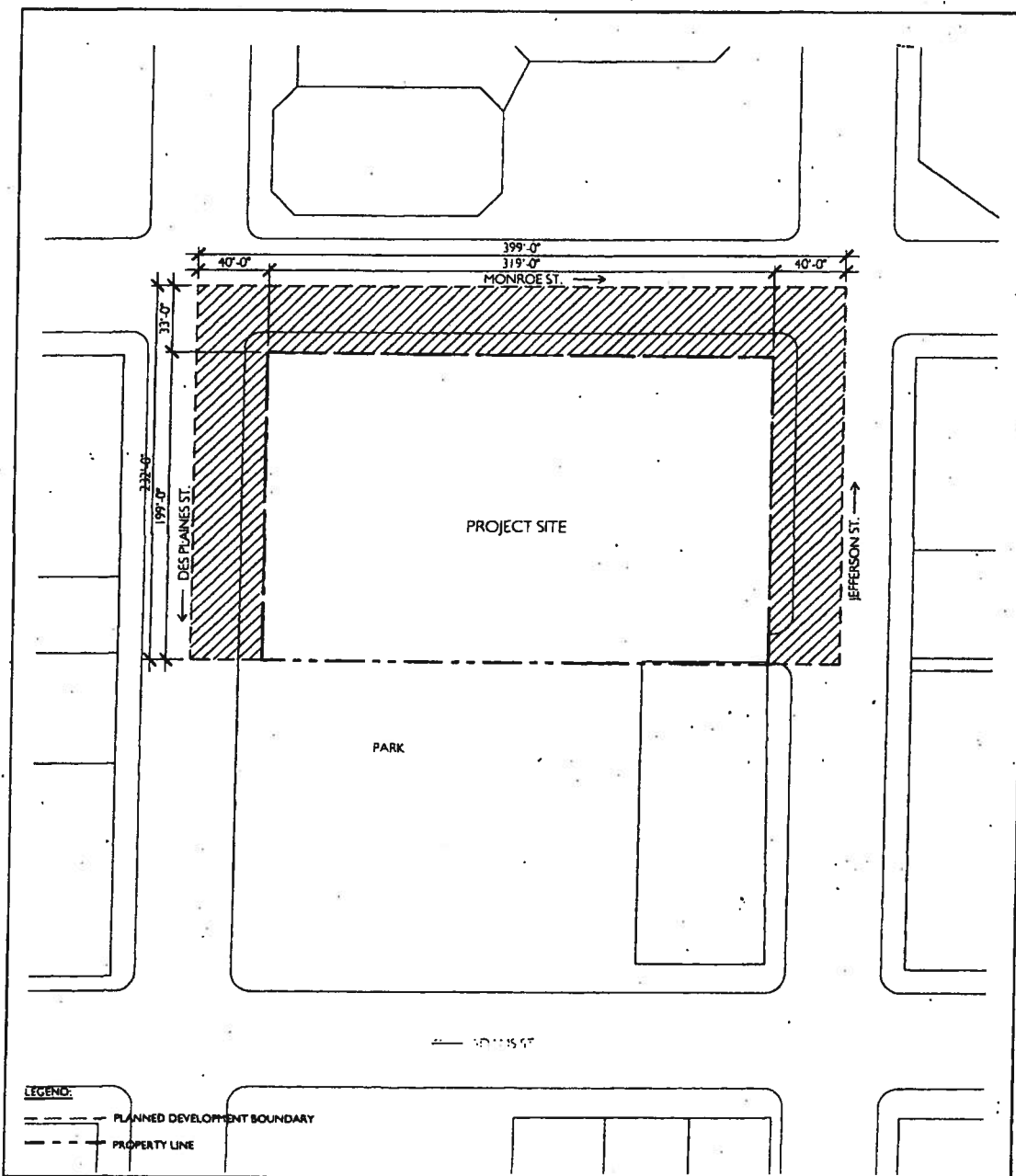
Existing Zoning Map.



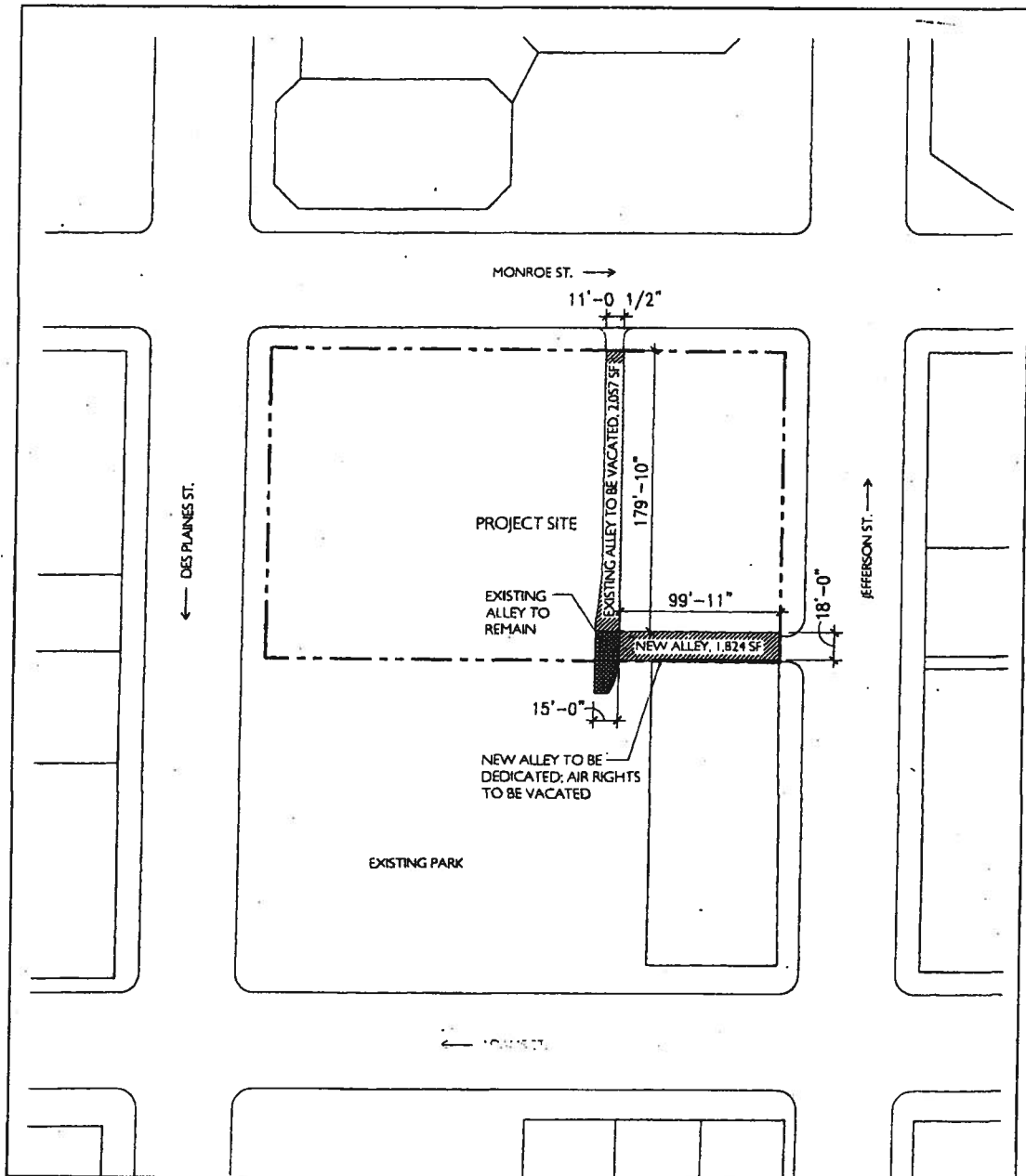
Existing Land-Use Map.



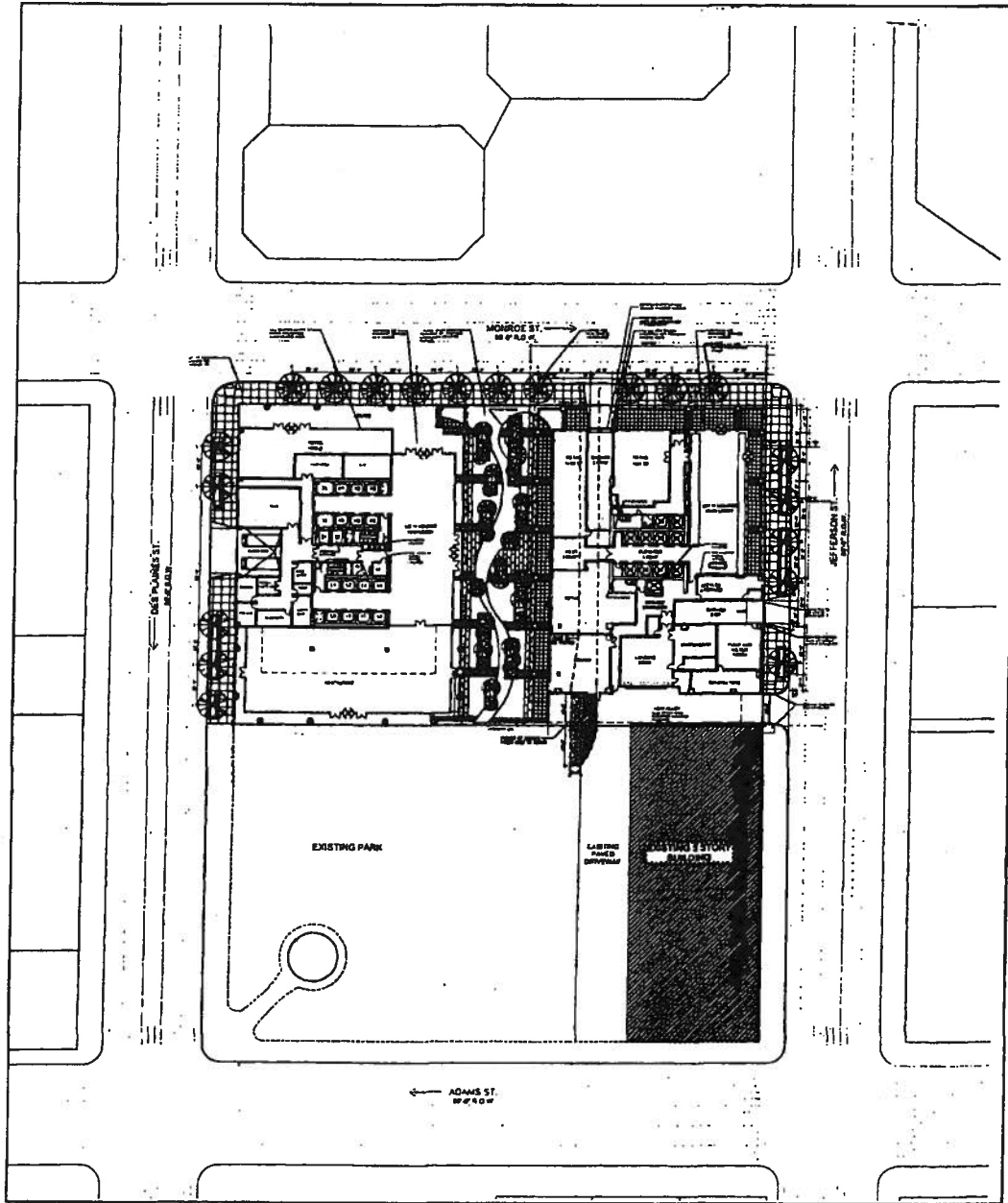
Planned Development Boundary And
Property Line Map.



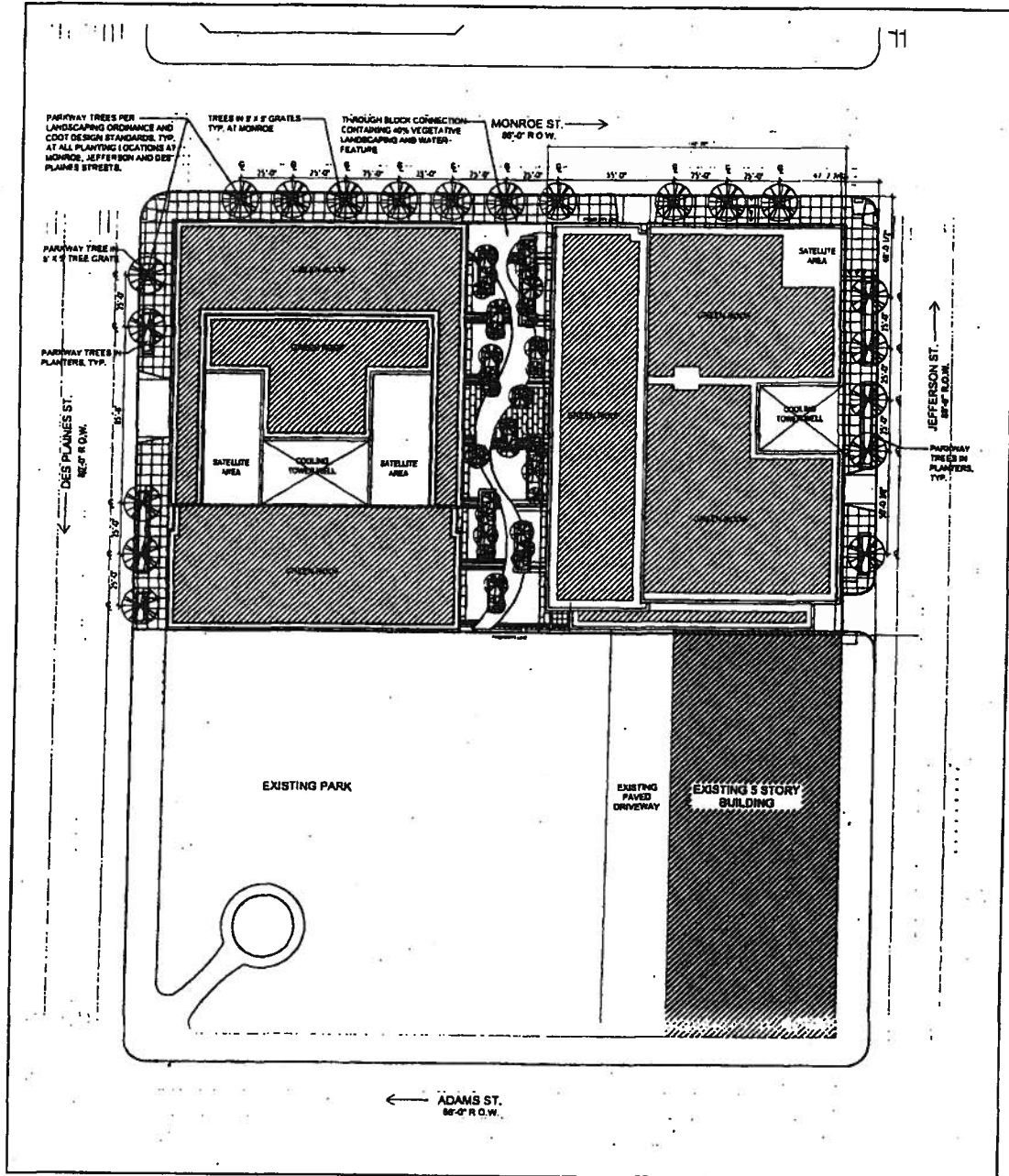
Right-Of-Way Adjustment Map.



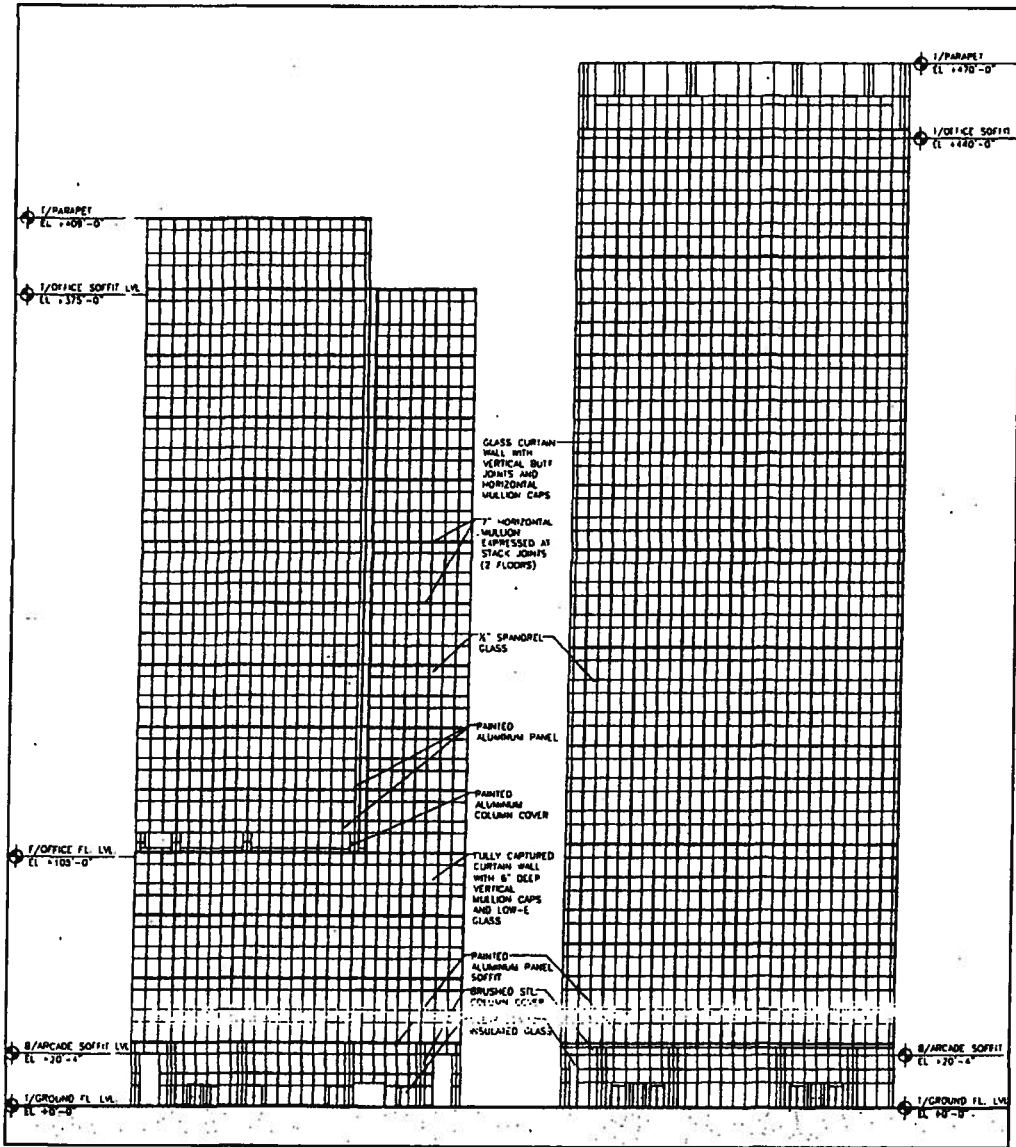
Site Plan.



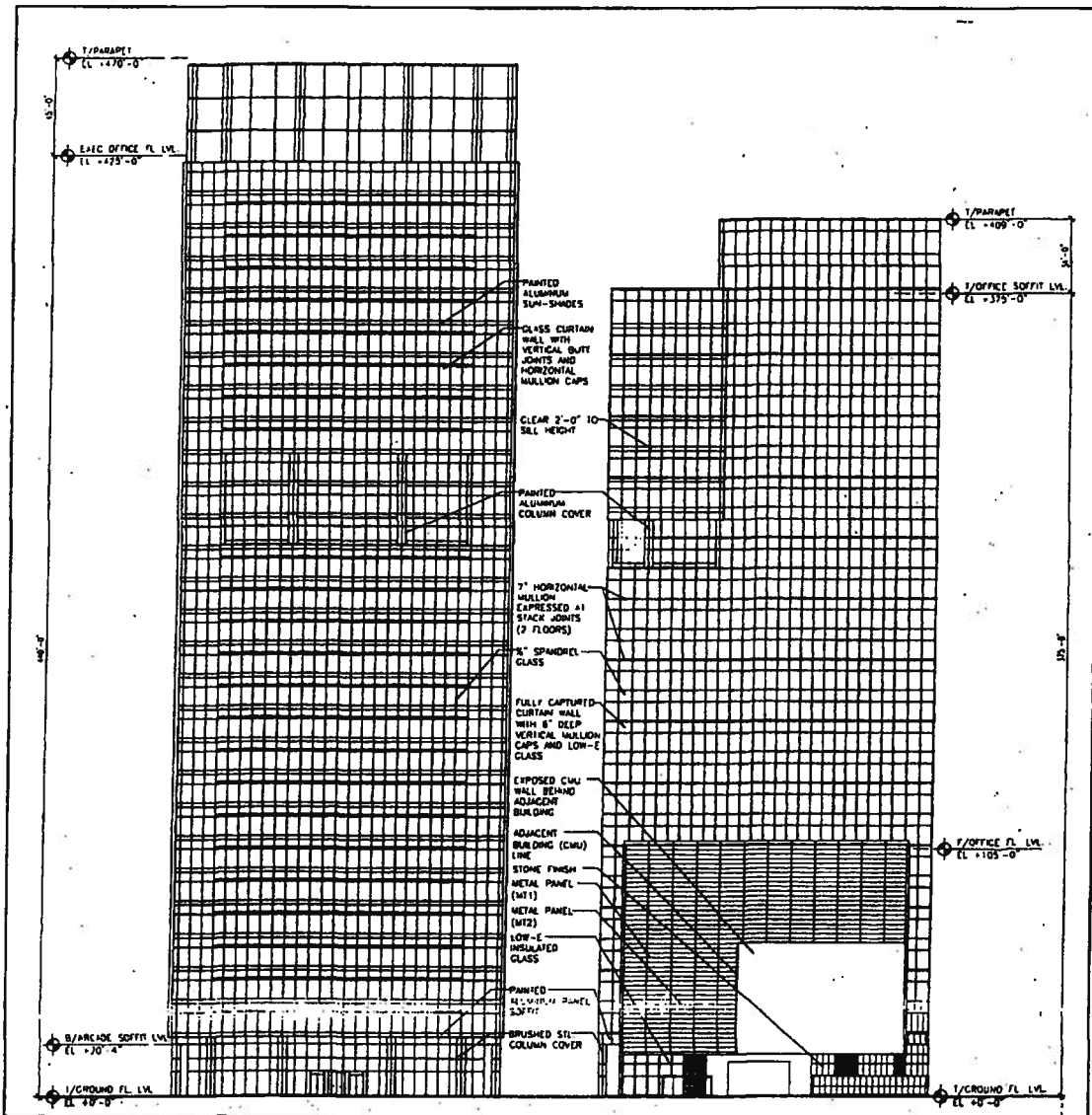
Green Roof And Landscape Plan.



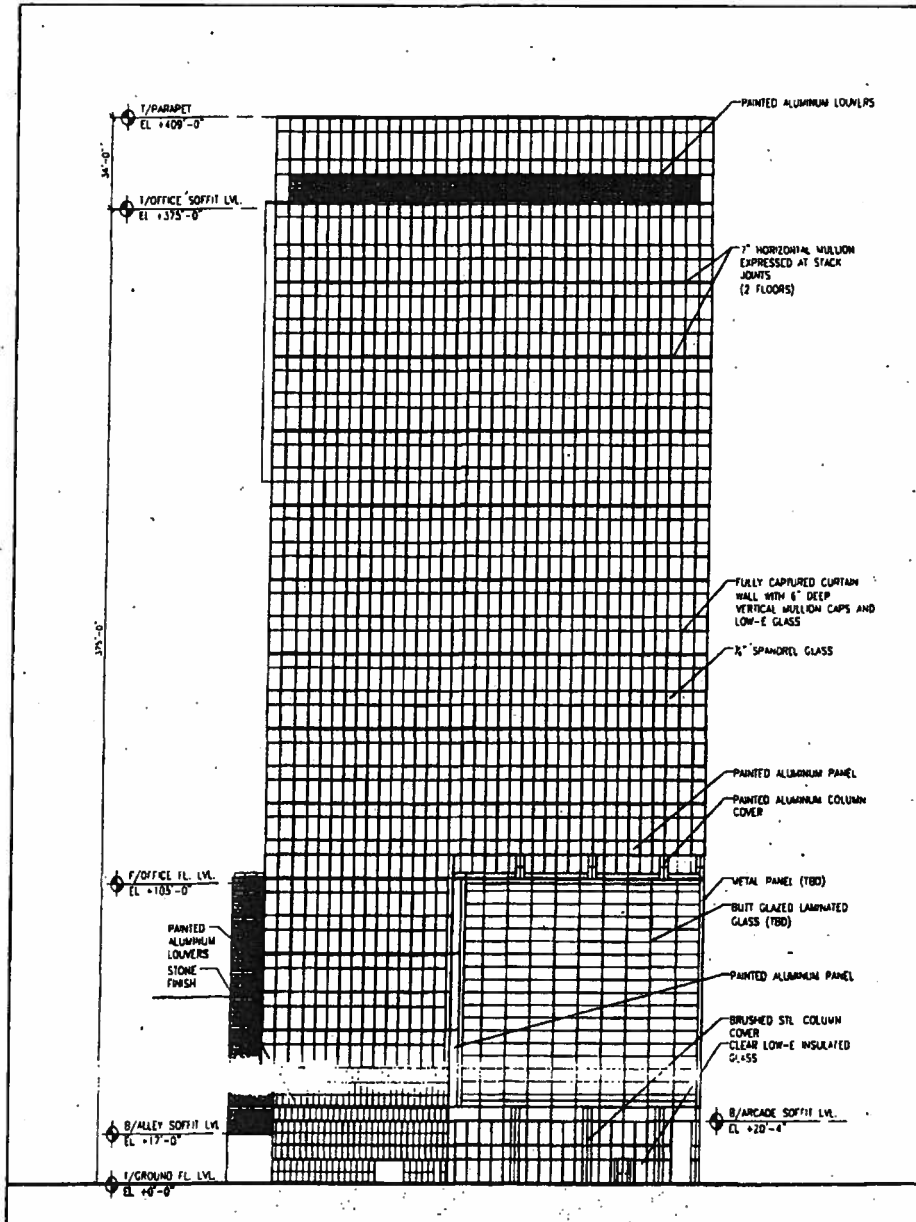
Building Elevation 1.



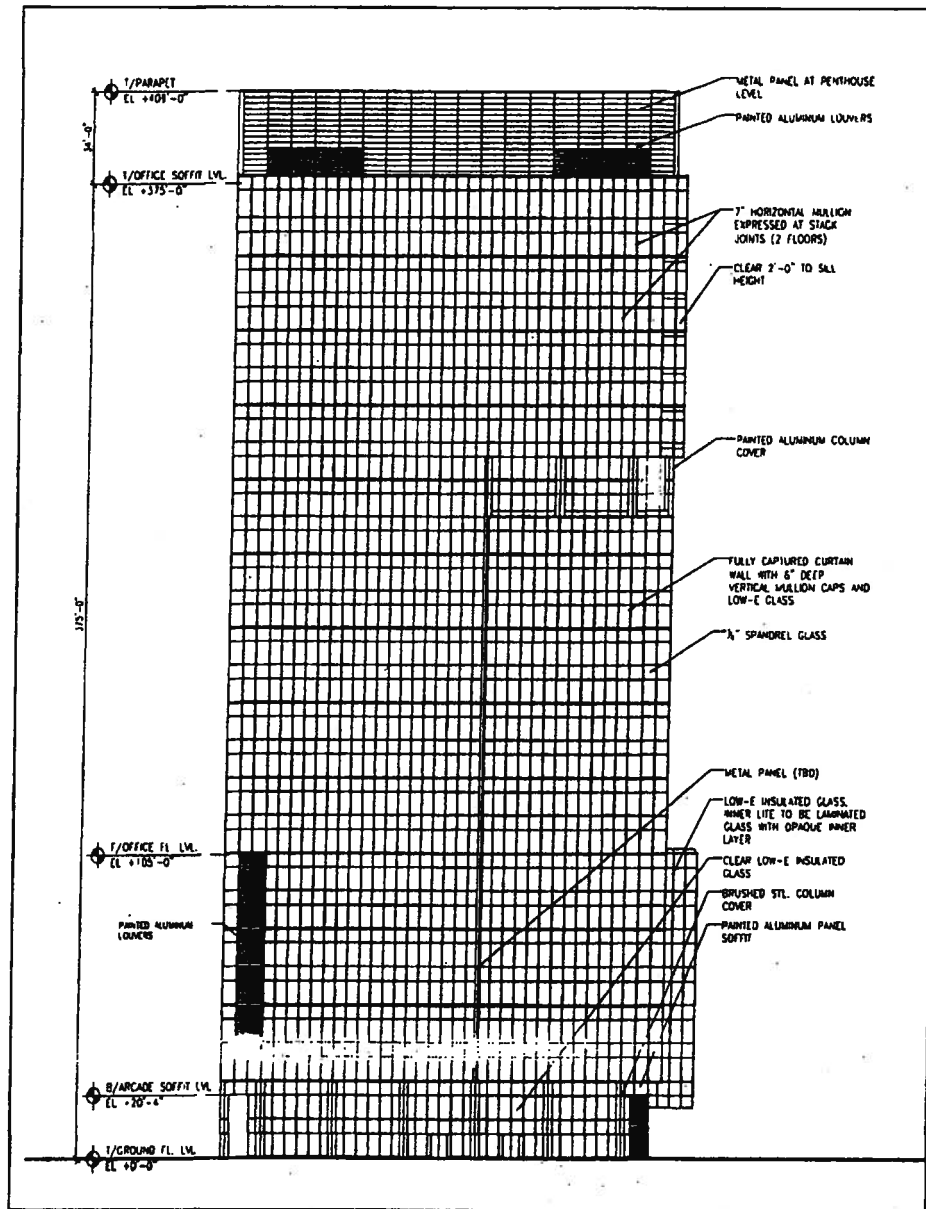
Building Elevation 2.



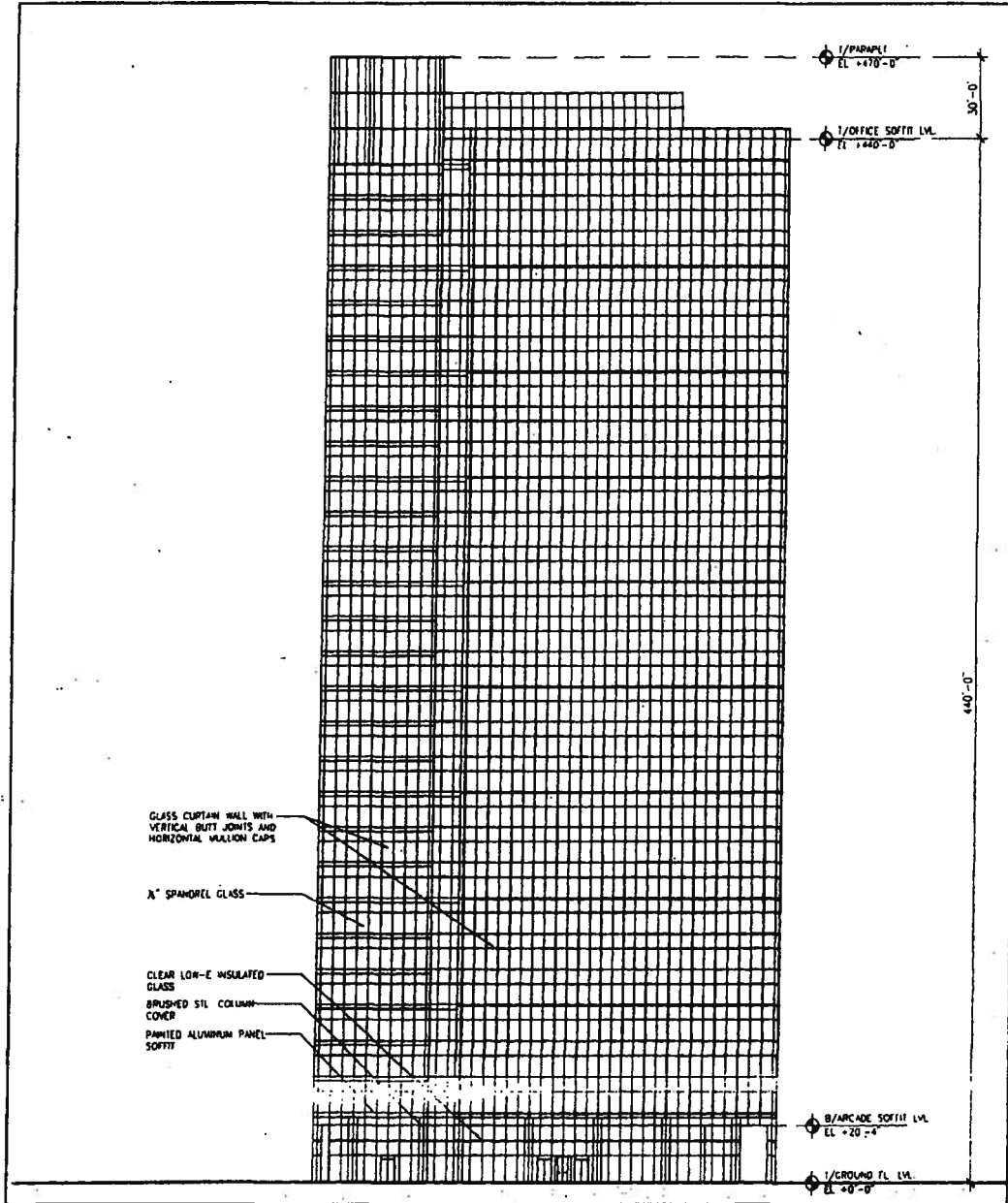
Building Elevation 3.



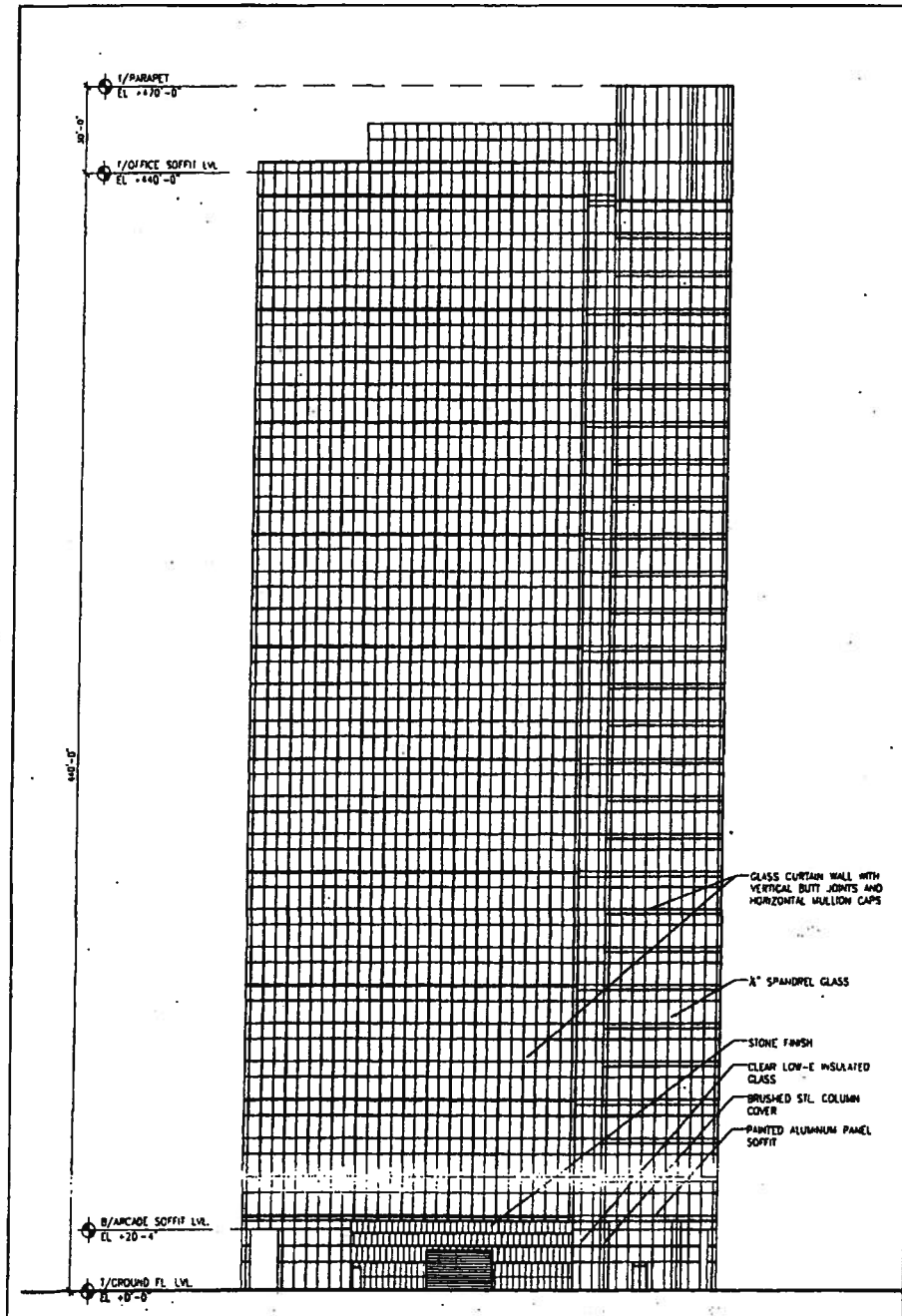
Building Elevation 4.



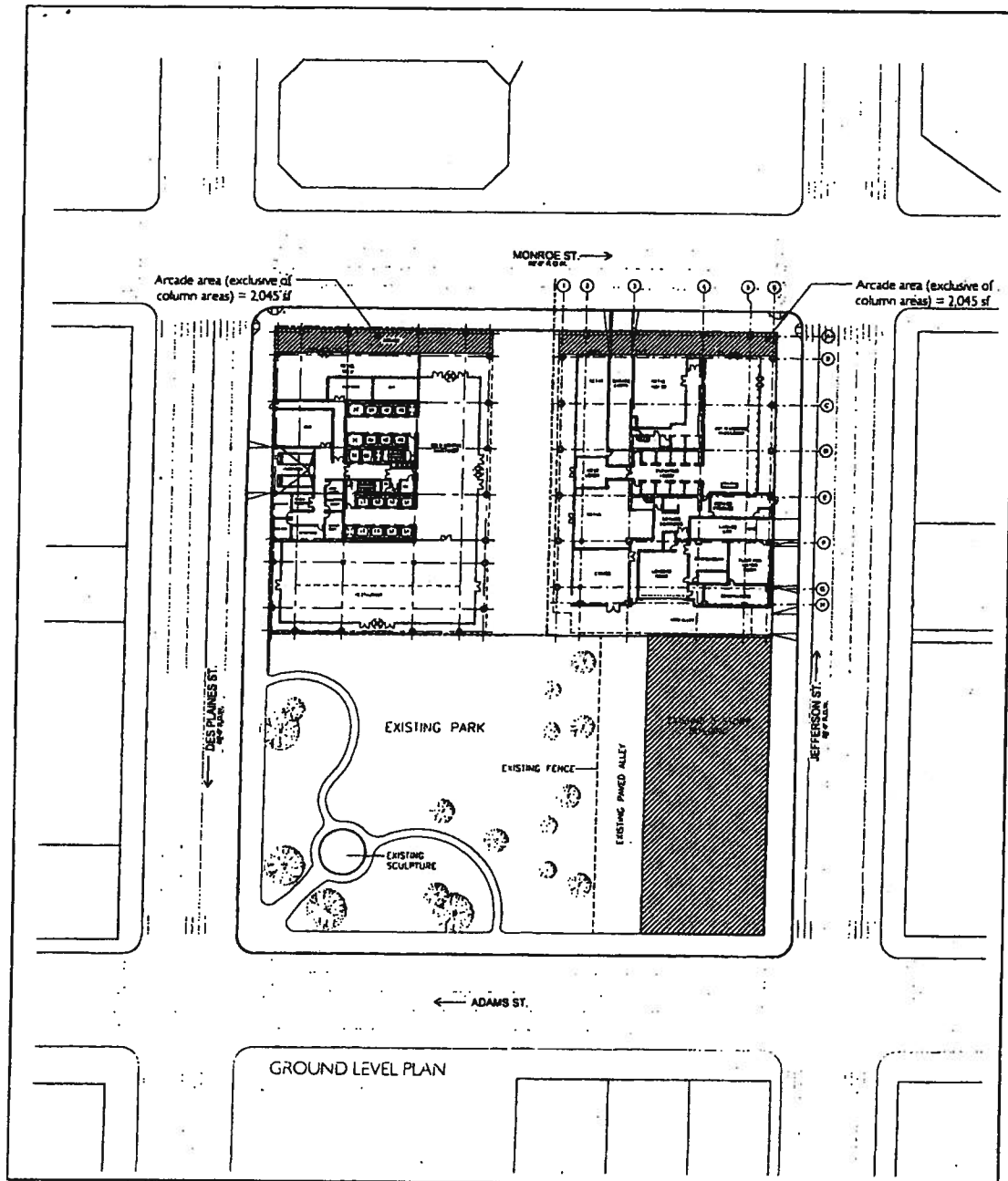
Building Elevation 5.



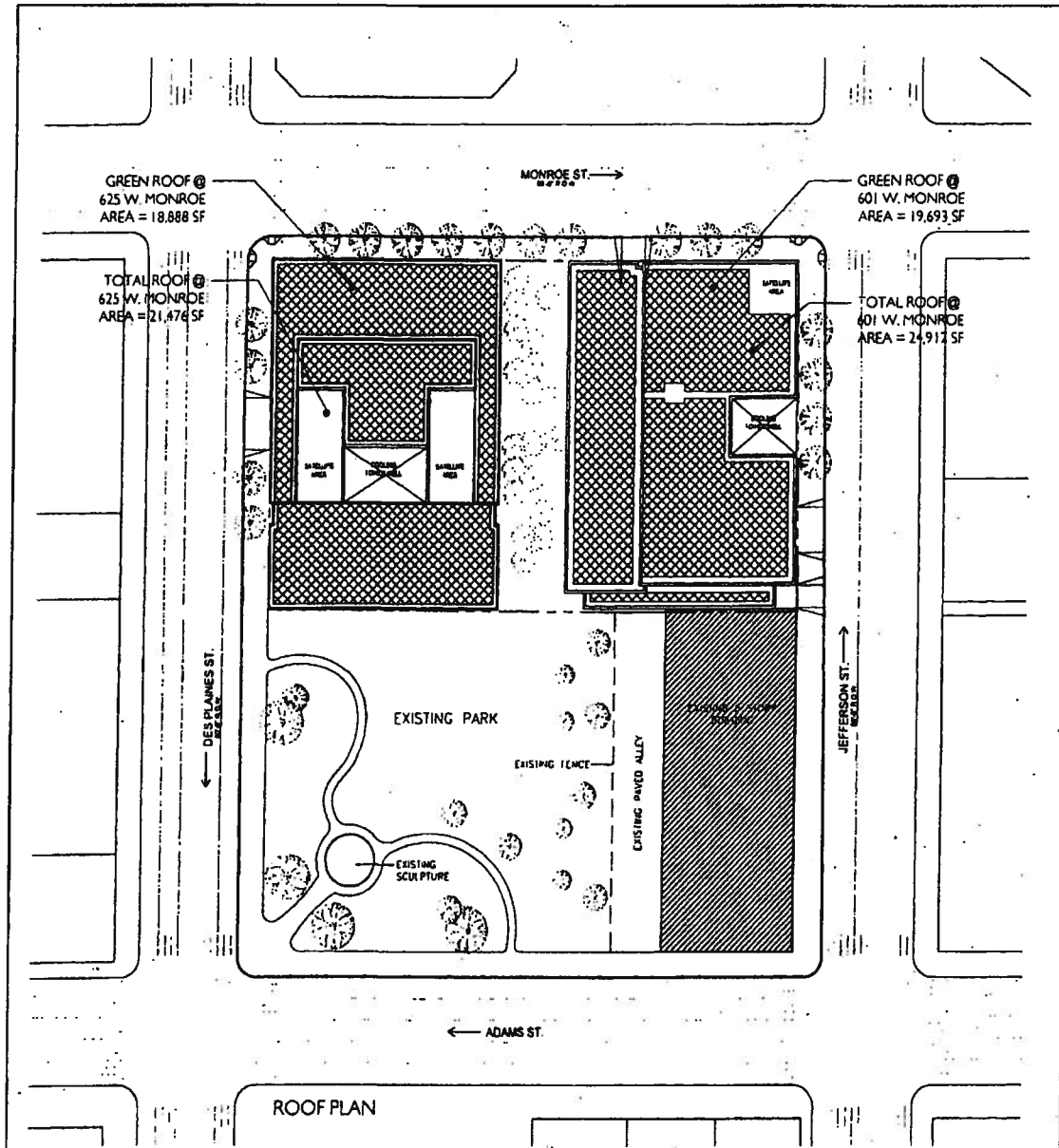
Building Elevation 6.



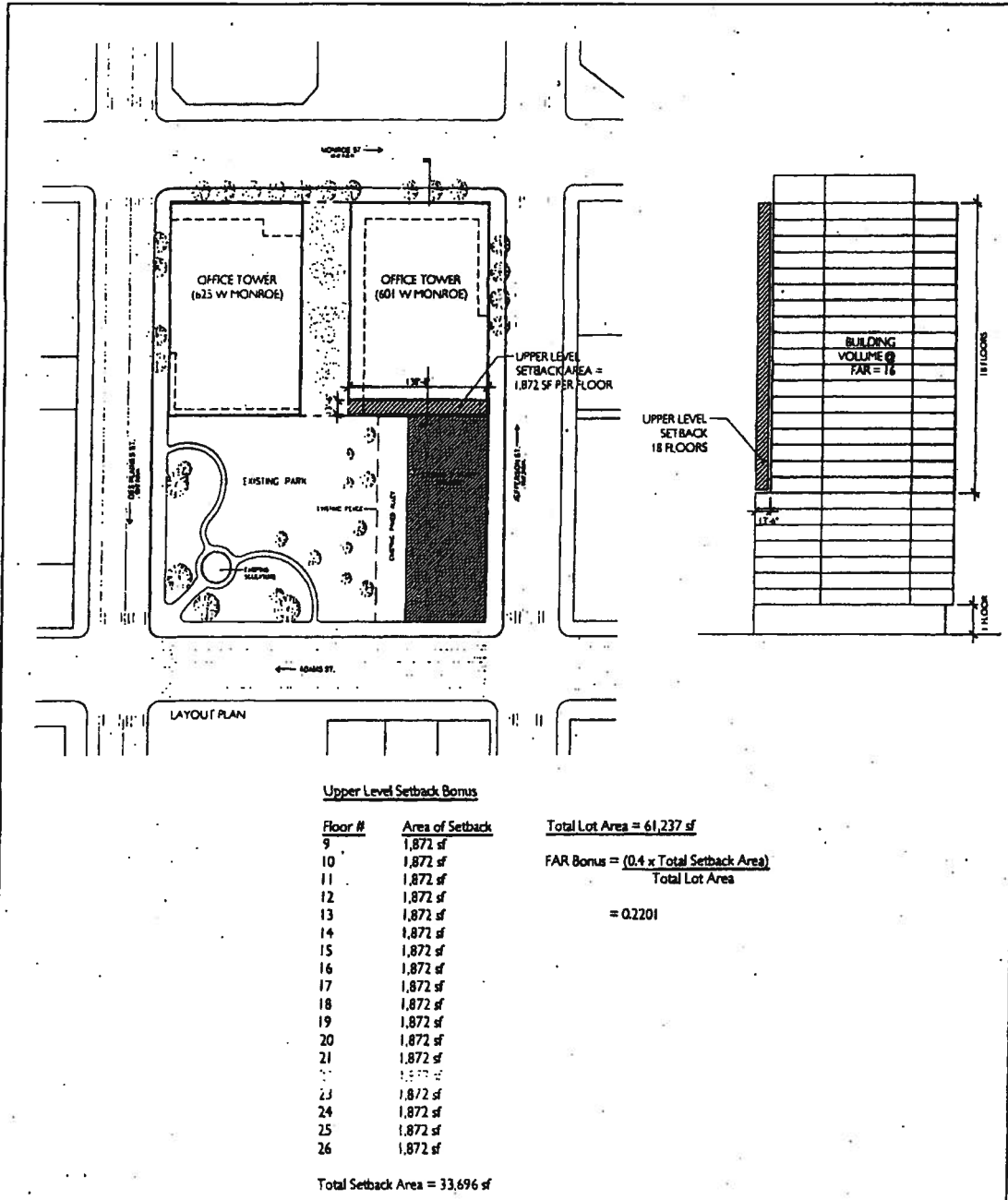
Bonus Calculation Sheet 1: Arcades.



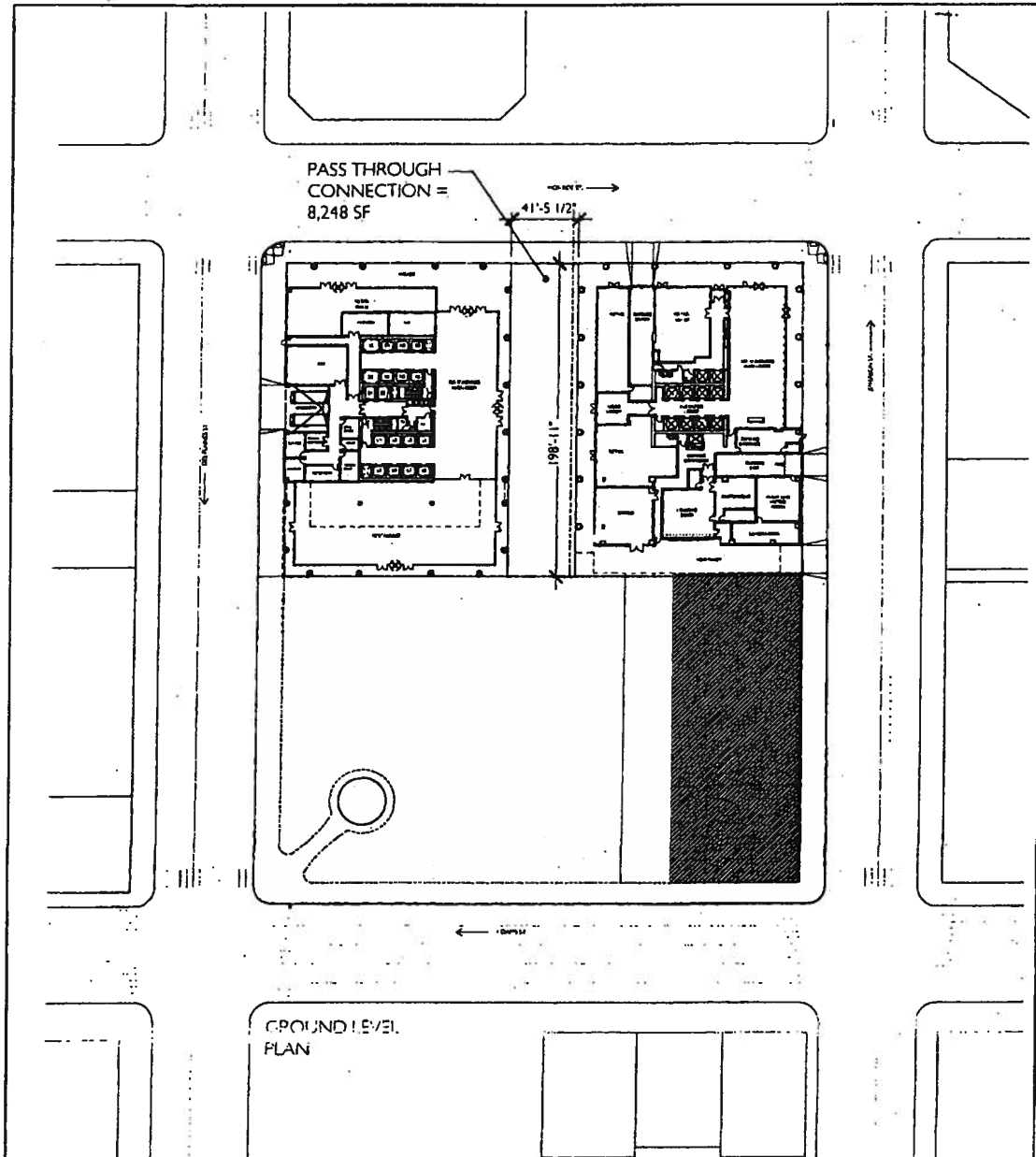
Bonus Calculation Sheet 2: Green Roof.



Bonus Calculation Sheet 3: Upper Level Setback.



Bonus Calculation Sheet 4: Through-Block Connection.



Bonus Calculation Sheet 5: Water Feature.

