

*Reclassification Of Area Shown On Map No. 6-E.*

(CPC No. 3).

(As Amended)

*RBE PD 1133*

[SO2009-38]

*Be It Ordained by the City Council of the City Of Chicago:*

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the B3-5 Community Shopping District and T Transportation District symbols and indications as shown on Map Number 6-E in the area bounded by:

a line 2 feet north of the north line of East 26<sup>th</sup> Street and the extension of that line where no street exists; the westerly line of the I.C.G. R.R. right-of-way; East 31<sup>st</sup> Street; a line 586 feet east of and parallel to South Dr. Martin Luther King, Jr. Drive; East 30<sup>th</sup> Street; South Vernon Avenue; a line beginning at a point 503.16 feet north of East 29<sup>th</sup> Street and 401 feet east of South Dr. Martin Luther King, Jr. Drive and extending northwesterly to a point 335 feet east of South Dr. Martin Luther King, Jr. Drive and 663.09 feet south of East 26<sup>th</sup> Street; a line 335 feet east of and parallel to South Dr. Martin Luther King, Jr. Drive; a line 268.17 feet south of and parallel to East 26<sup>th</sup> Street; and South Dr. Martin Luther King, Jr. Drive,

to those of a Residential-Business Institutional Planned Development.

SECTION 2. 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 Institutional Planned Development No. 1133.*

*Plan Of Development Statements.*

1. The area delineated herein as Residential-Business Institutional Planned Development Number 1133 (the "Planned Development") consists of approximately one million six hundred eighty-eight thousand one hundred forty (1,688,140) net square feet of real property generally bounded as follows:

the north line of Lot 1 in Assessor's Division on the north (also being the southern boundary line of an east/west portion of the Lakefront Protection District); the western right-of-way line of the Illinois Central Railroad rail line on the east; the centerline of East 31<sup>st</sup> Street on the south; and the eastern right-of-way line of South Vernon Park Place on the west (as more particularly described in the exhibits hereto, the "Property").

The Property is primarily comprised of the Michael Reese Hospital campus ("Subarea A"). MRL Acquisition, L.L.C., an Illinois limited liability company, is the legal titleholder to Subarea A. The Property also includes a parcel at the southeast corner of East 29<sup>th</sup> Street and South Vernon Avenue ("Subarea B"). Prairie Shores SC, L.L.C., an Illinois limited liability company, or one or more of its affiliates, is the legal titleholder of Subarea B. The Property also includes a small, vacant triangular parcel at the far northeast corner of the site ("Subarea C") and a short, approximately two-foot wide vacant parcel at the far northwest corner of the site ("Subarea D"). King Sykes, L.L.C., an Illinois limited liability company, is the legal titleholder of Subarea C and Subarea D. The Commissioner ("Commissioner") of the City of Chicago ("City") Department of Planning and Development ("D.P.D.") is the applicant ("Applicant") for this Planned Development.

This Planned Development has been established to initially permit the construction of an Olympic Village on portions of the Property in connection with the City's bid to host the Olympic and Paralympic Games to be held in 2016 (collectively, the "Games"). The Olympic Village shall be constructed in accordance with the requirements of the Olympic Charter of the International Olympic Committee ("I.O.C."), and the Olympic Village and candidature rules and procedures promulgated pursuant thereto, as the same may be modified from time to time, provided that the same are consistent with this Planned Development. In connection with the construction of such Olympic Village, the Planned Development contemplates the construction of certain temporary and certain permanent improvements on Subarea A and Subarea B and certain right-of-way improvements on Subarea C and Subarea D. If the City is selected as the host City for the Games and the Olympic Village is built, then upon completion of the Games, certain temporary improvements on Subarea A and Subarea B constructed for the Games may be removed, and certain permanent improvements constructed on Subarea A and Subarea B may be converted to a mixed-use residential development consistent with, and that shall continue to be governed by, the terms of this Planned Development.

If the City is not selected as the host city for the Olympic Games, the zoning rights established under this Planned Development with respect to Subarea A, Subarea B, Subarea C and Subarea D shall nonetheless continue to apply to and govern the redevelopment of such subareas, subject to the terms and conditions hereof.

2. The Applicant or its successors, assignees or grantees shall obtain all applicable official reviews, approvals or permits which are necessary to implement this Planned Development. Any dedication or vacation of City streets, alleys or grant of easements by the City or any adjustment of rights-of-way owned by the City shall require a separate submittal on behalf of the Applicant or its successors, assignees or grantees, and approval by the City Council. The Applicant or its successors, assignees or grantees may construct the proposed improvements contemplated by this Planned Development in phases and shall be permitted to seek and obtain permits required for such construction separately for different structures located in this Planned Development. Notwithstanding the foregoing, due to the need to integrate the construction of the public improvements and the adjustment of rights-of-way

contemplated by the Site Plan with the construction of the improvements on the subareas designated herein, the Commissioner may withhold Part II Approval (as hereinafter defined) in connection with the issuance of any such permit until the requisite public improvements have been constructed, or adjustments of rights-of-way been approved by City Council. Nothing in this Planned Development shall obligate the City to construct any contemplated public improvements.

3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assignees and, if different than the Applicant, the legal titleholders, ground lessees, vertical subdivision owners and air rights owners. 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 titleholders, vertical subdivision owners, ground lessees or air rights owners and their respective successors and assignees. Pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications, changes or approvals (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control, subject to the subarea and subparcel provisions set forth in such Section 17-8-0400 that permit a subarea owner or subparcel owner to act unilaterally under the circumstances described therein, subject to the additional authorization requirements set forth in this Statement 3. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification, change or approval pursuant thereto (administrative, legislative or otherwise) shall, except as otherwise expressly permitted hereunder, be made or authorized by all the owners of the Property and any ground lessees of the Property (subject to the subarea and subparcel provisions of such Section 17-8-0400, as modified by this Statement 3). For purposes of this Planned Development, 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. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an easement, lease or assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness and other than an individual unit owner of property submitted to the Illinois Condominium Property Act) and solely with respect to the portion of the Property so alienated, sold or transferred, the term "Applicant" shall be deemed amended for all purposes pursuant to these plan of development statements to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder with respect to the rights alienated, sold or transferred. An agreement among different owners of the Property or a portion

thereof, or a covenant binding owners of the Property or a portion thereof, may designate the parties authorized to apply for future amendments, modifications, changes or approvals pursuant to this Planned Development, a given subarea or a subparcel within a subarea, or a portion of the Property.

4. This plan of development consists of these sixteen statements; a Bulk Regulations and Data Table; and the following plans prepared by Skidmore, Owings & Merrill L.L.P., all dated June 5, 2008 (collectively, the "Plans"): Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Subarea Map; Site Plan and Generalized Land-Use Map; Right-of-Way Adjustments; and Landscape Plan. Full-sized copies of the Plans are on file with D.P.D. These and no other zoning controls shall apply to the Property. The provisions of the City's Lakefront Protection Ordinance, Municipal Chapter 16-04-010, shall not apply to the Property. In any instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a planned development.
5. The area within this Planned Development is divided into four (4) subareas, as indicated on the Subarea Map. The following uses are permitted within this Planned Development:

Subareas A and B: Dwelling units, including but not limited to multi-unit residential located on and above the ground floor, elderly housing, assisted living, and continuing care retirement community; group living facilities with accessory services, including without limitation security command center, communications center, community dining areas, sports information center, kitchen facilities and laundry facilities; participant sports and recreation; entertainment and spectator sports (excluding inter-track wagering facilities); colleges and universities; schools; religious assembly uses; hotels; conference, convention, entertainment, spectator sport, fair and exposition uses, including without limitation welcome centers and media centers; retail, service and commercial facilities, including without limitation general retail sales, photo development and sales, hair salon, nail salon, barbershop, spa, florist, pharmacy, and travel agency; eating and drinking establishments; food and beverage retail sales, including cafes; banks; business and professional offices, including without limitation medical service offices, physical and massage therapy offices, banks, internet and cyber cafes; storage and warehouse uses; transportation and staging facilities, including without limitation the loading, unloading and transfer of goods and materials and the storage of automobiles, trucks, tractors and trailers; temporary construction staging, temporary storage of construction materials, and temporary buildings for construction purposes; accessory and non-accessory parking; accessory uses; and all permitted public, civic, lodging uses and other allowed uses in B3-5 Community Shopping District.

The following additional uses are permitted within Subareas A and B; provided, however, that such uses shall be permitted only if the City is selected by the I.O.C. as the host city for the Games, and then only on a temporary basis, with such temporary uses ceasing on December 31, 2016: World Anti-Doping Agency offices; and any other I.O.C. required Olympic Village or Olympic and Paralympic Game uses in addition to those uses enumerated in the above paragraph.

Subareas C and D. Roads and other uses permitted in the T Transportation District and any other I.O.C.-required Olympic Village or Olympic and Paralympic Game uses, provided, however, that such uses shall be permitted only if the City is selected by the I.O.C. as the host city for the Games, and then only on a temporary basis, with such temporary uses ceasing on December 31, 2016.

6. Business identification 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 D.P.D.
7. Any service drives or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the City Department of Transportation ("C.D.O.T.") 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 emergency areas. Ingress and egress shall be subject to the review and approval of the C.D.O.T., Bureau of Traffic and D.P.D.. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the such same parties.
8. In addition to the maximum heights of the buildings and any appurtenances attached thereto prescribed in this Planned Development (if any), the height of any improvements shall also be subject to height limitations as approved by the Federal Aviation Administration.
9. The improvements on the Property, 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 Plans described in Statement Number 4, above.
10. Prior to the issuance by D.P.D. of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance ("Part II Approval") of the buildings contemplated within the Planned Development, the Applicant shall submit plans of such buildings for review and approval of the Commissioner. Review and approval by the Commissioner is intended to assure that specific development proposals substantially conform with this Planned Development and to assist the City in monitoring ongoing development. Such plans need only include that portion of the Property for which approval is being sought by the Applicant. No Part II Approval for any portion of the Property shall be granted until such plans have been approved.

Following approval by the Commissioner, the approved plans and supporting data and materials shall be kept on permanent file with the Department and shall be deemed to be an integral part of this Planned Development.

After approval of the plans, they may be changed or modified pursuant to the provisions of Statement 13 hereof. In the event of any inconsistency between approved plans and the terms of this Planned Development in effect at the time of approval of such plans or of the modifications or changes thereto, the terms of this Planned Development shall govern.

Plans shall, at a minimum, provide the following information:

- (a) the boundaries of the site or portion of the Property for which approval is being sought;
- (b) the footprint of the proposed improvements;
- (c) elevations of the improvements;
- (d) location and depiction of all parking spaces (including relevant dimensions);
- (e) location and depiction of all loading berths (including relevant dimension);
- (f) all drives, roadways and vehicular routes;
- (g) all landscaping and buffer zones (including a description of all landscape materials);
- (h) statistical information applicable to the Property including the following:
  - (i) floor area and floor area ratio;
  - (ii) floor area devoted to retail uses;
  - (iii) number of dwelling units;
  - (iv) number of parking spaces;
  - (v) number of loading berths; and
  - (vi) uses of parcels.
- (i) parameters of building envelopes including:
  - (i) maximum building height; and

- (ii) setbacks, required and provided.

Plans shall include such other information as may be necessary to illustrate substantial conformance to this Planned Development.

11. For purposes of floor area, floor area ratio ("F.A.R.") and building height calculations, the definitions of the Chicago Zoning Ordinance in effect as of the date hereof shall apply, as modified by this Statement 11; provided, however, that in addition to the other exclusions from floor area for purposes of determining F.A.R. permitted by the Chicago Zoning Ordinance, such floor area shall not include (a) all floor area devoted to mechanical equipment, and (b) all floor area associated with parking and loading areas. The calculation of F.A.R. shall be made based on the gross site area of the Planned Development. In the event any portion of the Planned Development is, as of the date hereof, or is hereafter dedicated as public right-of-way or public open space, the site area of such existing or hereafter dedicated public right-of-way or public open space shall continue to be included in the calculation of gross site area for purposes of calculating floor area and F.A.R. In addition, the calculation of any building height shall not include elevator shafts, ingress/egress towers, mechanical penthouses and enclosures, telecommunications facilities or architectural design elements such as spires.

The Commissioner of the Department of Planning and Development shall have the right to administratively designate additional subparcels within Subarea A, and to allocate bulk, density and dwelling units to such subparcels, subject to the overall limits set forth in the Bulk Regulations and Data Table. All such designations may be done from time to time in order to promote orderly development, to facilitate financing, acquisition, leasing or disposition of the Property within Subarea A, or relevant portions thereof, to designate zoning control or to otherwise administer this Planned Development. The designation and redesignation of additional subparcels within Subarea A shall not require an amendment or minor change to this Planned Development. Without limiting the generality of the foregoing, the Applicant may, with the approval of the Commissioner as provided in Statement 12 below, reallocate or reassign the development rights under this Planned Development to and among designated subareas within Subarea A, including, but not limited to, floor area and F.A.R., signage, building height and parking; provided, however, that the limitations set forth in the Bulk Regulations and Data Table applicable to the entirety of the Planned Development shall not be exceeded or increased as a result of any such designation(s).

12. The requirements of this Planned Development may be modified administratively by the Commissioner upon application and a determination by the Commissioner that such modification is minor, appropriate and consistent with the nature of the improvements contemplated by this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of the Planned Development by the Commissioner shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance (even if not

- presently enumerated as a minor change in such section), and shall not require approval by the Plan Commission under the Lake Michigan and Chicago Lakefront Protection Ordinance, Chapter 16-4 of the Chicago Municipal Code. It is acknowledged that the location and relocation of demising walls or division of interior spaces shall not be deemed to require any further approvals pursuant hereto.
13. All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. A minimum of two percent (2%) of all parking spaces provided pursuant to this Planned Development shall be designated and designed for parking for the handicapped.
  14. The Applicant acknowledges that it is in the public interest to design, construct and maintain the buildings in Subarea A and Subarea B in a manner which promotes and maximizes the conservation of natural resources. The Applicant shall use commercially reasonable efforts to design, construct and maintain the buildings located within such subareas in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System.
  15. The Applicant acknowledges that it is in the public interest to design, construct and maintain the improvements of the Property in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all new buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("M.O.P.D.") at the time of application for a building permit to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility at the time of application for a building permit.
  16. Unless substantial construction has commenced on Subarea A within six (6) years of the date of City Council approval of this Planned Development, the zoning of the portion of the Property within Subarea A shall automatically revert to B3-5 Community Shopping District. Unless substantial construction has commenced on Subarea B within six (6) years of the date of City Council approval of this Planned Development, the zoning of the portion of the Property within Subarea B shall automatically revert to B3-5 Community Shopping District. Subarea C and Subarea D shall not be subject to any sunset provision.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Subarea Map; Site Plan and Generalized Land-Use Map; Right-of-Way Adjustments; and Landscape Plan referred to in these Plan of Development Statements printed on pages 54411 through 54417 of this *Journal*.]

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

*Residential-Business Planned Development Number 1133**Plan Of Development**Bulk Regulations And Data Table.*

Gross Site Area of 2,201,928 square feet (48.2536 acres) = Net Site Area of 1,688,140 square feet (38.7544 acres) plus Area Remaining in Right-of-Way of 413,788 square feet (9.4992 acres)

## Gross Site Area:

Total:	2,101,928 square feet (48.2536 acres)
Subarea A:	1,625,316 square feet (37.3121 acres)
Subarea B:	59,624 square feet (1.3688 acres)
Subarea C:	2,713 square feet (0.0623 acre)
Subarea D:	487 square feet (0.0112 acre)
Rights-of-Way:	413,788 square feet (9.4992 acres)
Total:	1,688,140 square feet (38.7544 acres)

## Net Site Area:

Subarea A:	1,625,316 square feet (37.3121 acres)
Subarea B:	59,624 square feet (1.3688 acres)
Subarea C:	2,713 square feet (0.0623 acre)
Subarea D:	487 square feet (0.0112 acre)

## Maximum Floor Area Ratio:

Subarea A:	4.50*
Subarea B:	4.50*
Subarea C:	0.0
Subarea D:	0.0

## Maximum Number of Dwelling Units:

Subarea A:	7,275
Subarea B:	225
Subarea C:	0
Subarea D:	0

## Maximum Number of Hotel Keys:

Subarea A:	1,000
Subarea B:	0
Subarea C:	0
Subarea D:	0

## Conversion of Units And Keys:

In Subarea A, a dwelling Unit may be substituted for a Hotel Key so as to increase the Maximum Number of Dwelling Units on a 1:1 basis

## Maximum Site Coverage:

In accordance with the Site Plan

## Minimum Building Setbacks:

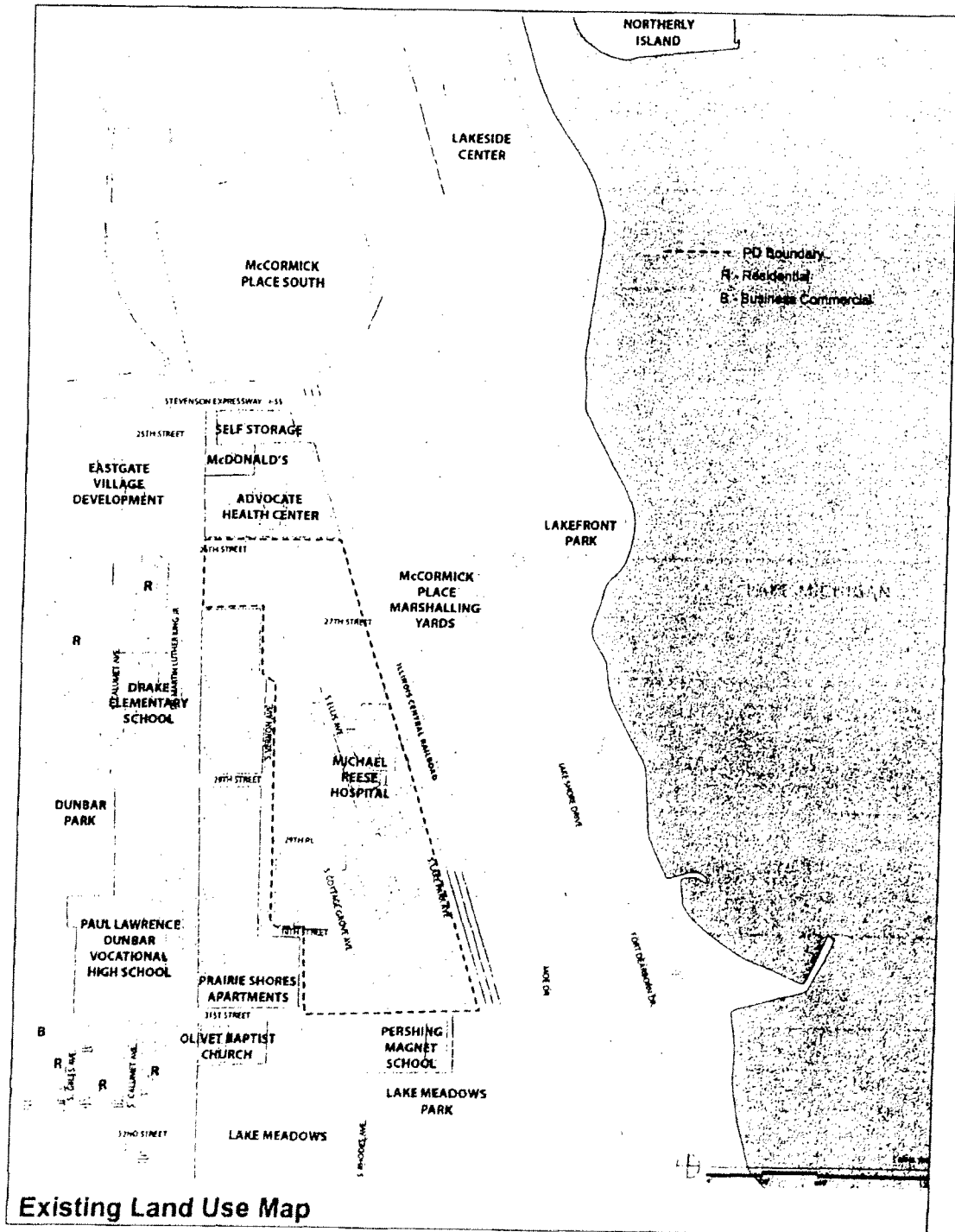
In accordance with the Site Plan

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\* As calculated pursuant to Statement 11.



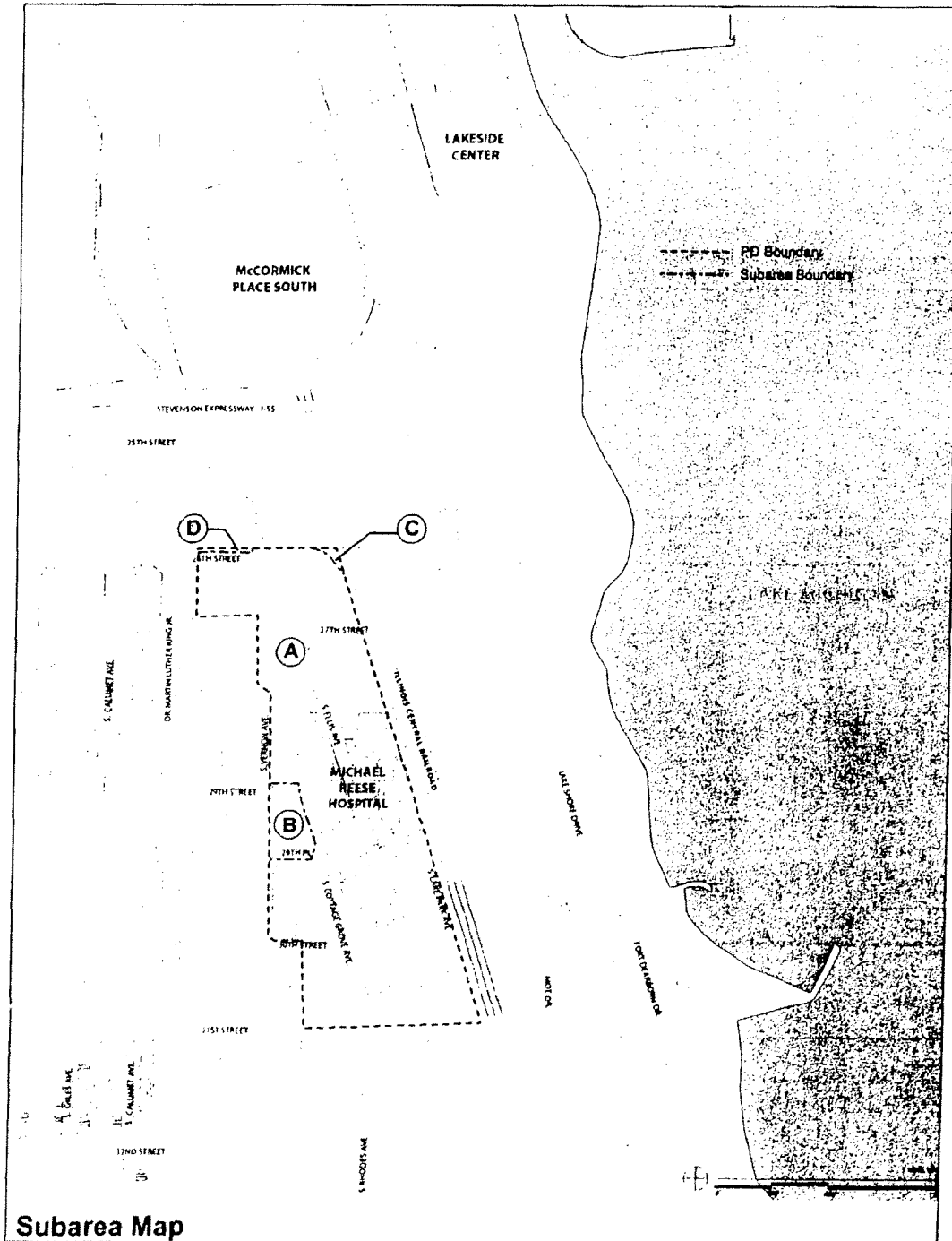
Existing Land-Use Map.



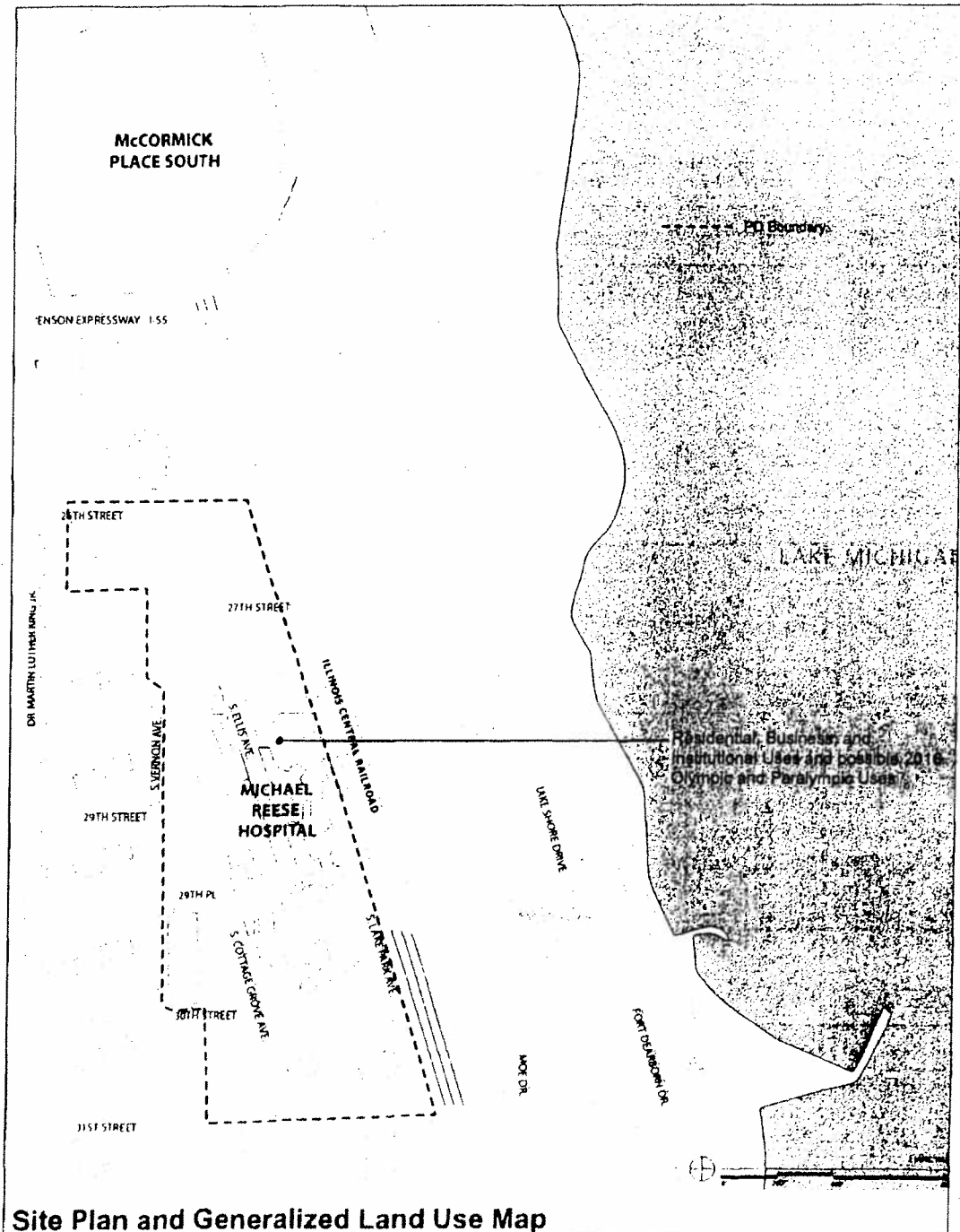
Existing Land Use Map



Subarea Map.



Site Plan And Generalized Land-Use Map.



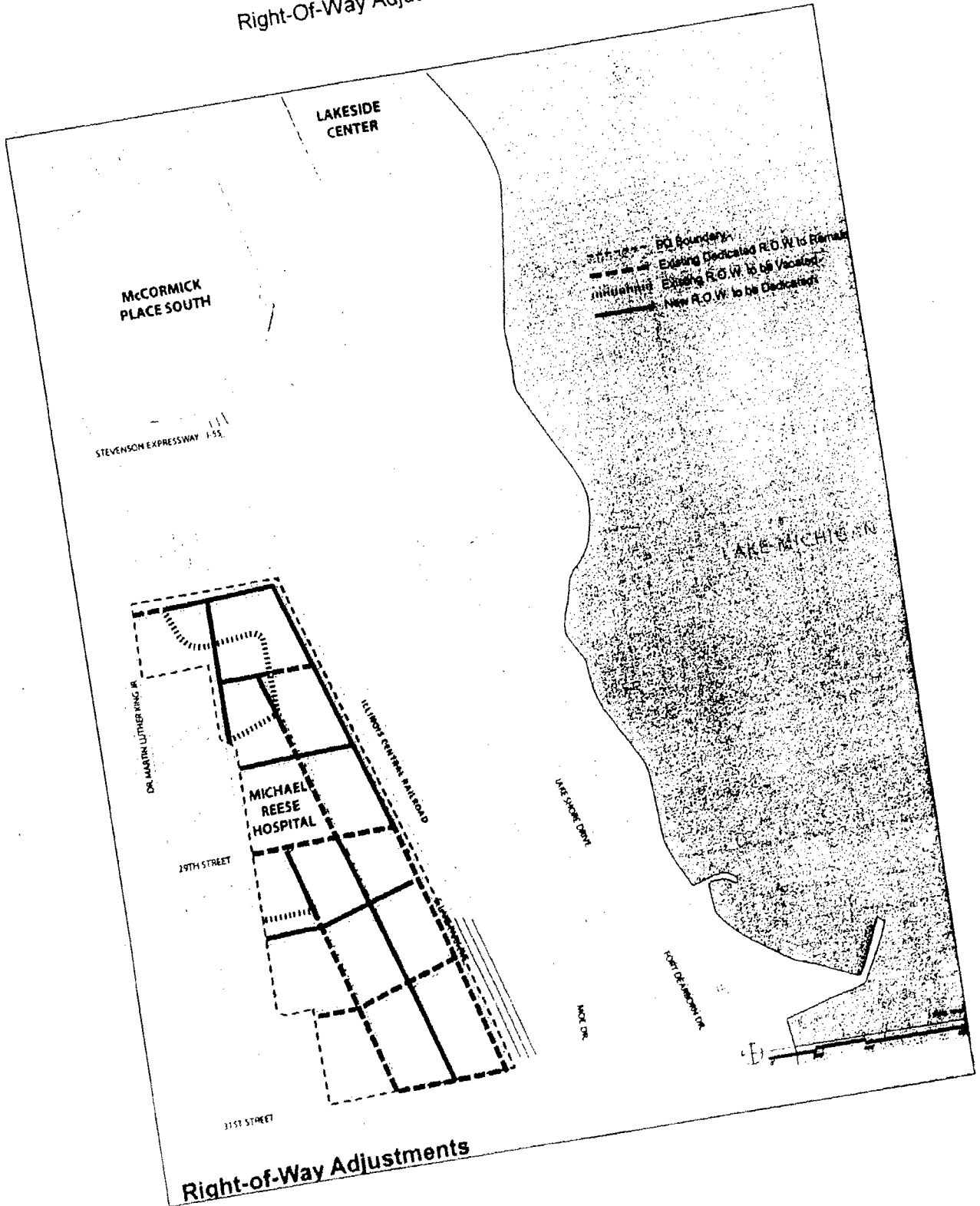
Site Plan and Generalized Land Use Map

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Right-Of-Way Adjustments.



Right-of-Way Adjustments

Landscape Plan.

