

# PD 1148

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DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT  
CITY OF CHICAGO

September 26, 2012

Jesse W. Dodson  
DLA Piper LLP (US)  
203 North LaSalle Street  
Suite 1900  
Chicago, IL 60602-1263

**Re: Administrative Relief request for Residential Business Planned Development No. 1148, 1233 North Wells Street**

Dear Mr. Dodson:

Please be advised that your request for a minor change to Residential Business Planned Development No. 1148 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. 13 of the Planned Development (PD)

Wells Street Flats, LLC, requests the following modifications to the PD:

- An increase of 98 square feet (for a total of 60,430 square feet) to the PD's net site area. The PD identifies a net site area of 60,332 square feet, based on a Plat of Survey dated April 3, 2009 and prepared by Jens K. Doe. However, a more recent Plat of Survey, dated November 18, 2010, and prepared by Spaceco Inc., identifies the net site area as 60,430 square feet, resulting in an increase of 98 square feet.
- A reduction in the residential tower upper level (2<sup>nd</sup>/3<sup>rd</sup> floor) setback from 42'-0" to 14'-2" as a result of a proposed rooftop escalator and elevator enclosure which will serve the ground floor grocery tenant space. The enclosure will have a height of approximately 31'-10" from grade. Existing site and building structure constraints make it difficult to locate this proposed escalator and elevator enclosure elsewhere.

Along with the above-referenced Spaceco Inc. Plat of Survey, an Alternate 2<sup>nd</sup> Floor Vestibule Concept Plan and Alternate 2<sup>nd</sup> Floor Popup Elevation, both prepared by Hartshorne Plunkard Architects and dated September 18, 2012, shall be inserted into the main file.

With regard to your request, the Department of Housing and Economic Development has determined that allowing this net site area increase and setback reduction will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, will 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 Residential Business Planned Development No. 1148, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia A. Scudiero". The signature is fluid and cursive, with a long horizontal stroke at the end.

Patricia A. Scudiero  
Zoning Administrator

PAS: HG: tm

C: Paul Shadle, Cindy Roubik, Mike Marmo, Erik Glass, Main file



City of Chicago  
Richard M. Daley, Mayor

Department of Housing  
and Economic Development

City Hall, Room 1000  
121 North LaSalle Street  
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(312) 744-2578 (TTY)  
<http://www.cityofchicago.org>

May 13, 2011

Paul W. Shadle  
DLA Piper LLP (US)  
203 North LaSalle Street  
Suite 1900  
Chicago, IL 606012-1263

**Re: Administrative Relief request for Residential Business Planned  
Development No. 1148, 1233-1241 North Wells Street**

Dear Mr. Shadle:

Please be advised that your request for a minor change to Residential Business Planned Development No. 1148 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. 13 of the Planned Development.

Wells Street Flats, LLC, proposes to develop the property with a mixed-use development consisting of 250 dwelling units, enclosed parking and ground floor commercial/retail space. You are requesting the following revisions to the project:

- Revise the building height to 167'-2", below the maximum of 180 feet permitted.
- Relocate the main residential entrance further south to allow for more contiguous retail space.
- Add two additional retail entrances, one at the historic façade and another at the center of the building.
- Replace the painted concrete garage wall with painted concrete block at the east and south elevations, and brick at the north and west elevations.
- Replace the painted concrete tower walls with brick.
- Add more glass to the tower window pattern and arrangement.
- Include glass on the metal balcony railings.
- Revise the storefronts to match the scale and materials of the historic Tower Olds Building facade.
- Locate one overhead door on the west (Wells Street) elevation.
- Modify the landscaping as shown on a revised Landscape Plan, Sheet L-1, prepared by Wolff Landscape Architects and dated May 6, 2011.

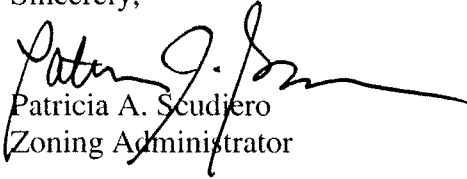
The following revised drawings, prepared by Hartshorne Plunkard and dated April 13, 2011, shall be inserted into the main file: Site Plan, 1<sup>st</sup> Floor Plan-North, 1<sup>st</sup> Floor Plan-South, North, South, East and West Elevations.



With regard to your request, the Department of Housing and Economic Development has determined that allowing these modifications will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, will 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 Residential Business Planned Development No. 1148, 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

~~Yeas-- Aldermen Flores, Fioretti, Dowell, Preckwinkle, Hairston, Lyle, Jackson, Harris, Beale, Pope, Balcer, Cárdenas, Olivo, Burke, Foulkes, Thompson, Thomas, Lane, Rugai, Cochran, Brookins, Muñoz, Zalewski, Dixon, Solis, Maldonado, Burnett, E. Smith, Carothers, Reboyras, Suarez, Waguespack, Mell, Austin, Colón, Mitts, Allen, Laurino, O'Connor, Doherty, Reilly, Daley, Tunney, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 49.~~

~~Nays -- None.~~

~~Alderman Tunney moved to reconsider the foregoing vote. The motion was lost.~~

~~The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):~~

~~*Reclassification Of Area Shown On Map No. 1-I.*  
(Application No. 16920)  
(Common Address: 2701 W. Chicago Ave.)~~

~~[O2009-5235]~~

~~*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 C1-2 Neighborhood Commercial District symbols and indications as shown on Map Number 1-I in the area bounded by:~~

~~a line 50 feet west of and parallel to North Washtenaw Avenue; West Chicago Avenue, North Washtenaw Avenue; and the alley next south and parallel to West Chicago Avenue,~~

~~to those of a C1-3 Neighborhood Commercial District.~~

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

*Reclassification Of Area Shown On Map No. 3-F.*  
(As Amended)  
(Application No. 16866)  
(Common Address: 1233 -- 1241 N. Wells St.)

RBPD 1148

[SO2009-5270]

*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 C1-5 Neighborhood Commercial District symbols and indications as shown on Map Number 3-F in the area bounded by:

a line 66.42 feet south of and parallel to West Goethe Street; the public alley next east of and parallel to North Wells Street; a line 431.87 feet south of and parallel to West Goethe Street; and North Wells Street,

to those of a Residential-Business Planned Development.

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-Business Planned Development No. 1148.*

*Plan Of Development Statements.*

1. The area delineated herein as Residential Business Planned Development Number 1148 (the "Property") consists of approximately sixty thousand three hundred thirty-two (60,332) net square feet (one and thirty-nine hundredths (1.39) acres) of property bounded by a line sixty-six and forty-two hundredths (66.42) feet south of and parallel to West Goethe Street; the public alley next east of and parallel to North Wells Street; a line four hundred thirty-one thousand and eighty-seven hundredths (431.87) feet south of and parallel to West Goethe Street; and North Wells Street. The Property is depicted on the attached Planned Development Property Line and Boundary Map. The applicant, Wells & Scott Development Company, L.L.C. (the "Applicant") has applied for this planned development with the authorization of the owner of the Property, Grossprops Associates, L.L.C.
2. All applicable official reviews, approvals or permits are required to be obtained by the Applicant. Any dedication or vacation of streets, alleys or easements or any adjustments of rights-of-way shall require a separate submittal on behalf of the Applicant, its successors, assigns or grantees and approval by the City Council.
3. The requirements, obligations and conditions contained within this planned development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and if different than the Applicant, the legal titleholder and any ground lessors and ground lessees. 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 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 "the Applicant" shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust). An agreement among different owners of the Property, or a covenant binding owners of the Property, may designate the parties authorized to apply for future amendments, modifications or other changes to the planned development. Any amendments, changes or modifications to this planned development shall be governed by Section 17-8-400 of the Chicago Zoning Ordinance.

4. This planned development consists of these eighteen (18) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Property Line and Boundary Map; a Site Plan/Landscape Plan; and Building Elevations and Green Roof Plan; all prepared by Hartshorne Plunkard Architecture, dated April 15, 2009 and revised August 20, 2009. Full-sized copies of these plans are on file with the Department of Zoning and Land Use Planning (with its successors, the "Department"). These and no other zoning controls shall apply to the Property. This planned development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a planned development.
5. The uses of the Property permitted pursuant to this planned development shall include all uses permitted in the C1-5 Neighborhood Commercial District, including, without limitation, retail and residential units above the ground floor.
6. Business identification signs and temporary signs such as construction and marketing signs shall be permitted subject to the review and approval of the Department. All other on-premise signs shall be permitted within the planned development subject to the review and approval of the Department, consistent with the provisions of Section 17-12-010, et seq., of the Chicago Municipal Code. Off-premise signs shall not be permitted in the planned development.
7. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. All work 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.
8. The maximum height of improvements on the Property shall be as designated on the Elevations and in the Bulk Regulations and Data Table attached hereto. In addition to the maximum heights of the buildings and any appurtenances attached thereto prescribed in this planned development, the height of any improvements also shall be subject, if applicable, to height limitations as approved by the Federal Aviation Administration.

9. For purposes of floor area ratio ("F.A.R.") calculations, the definitions in the Chicago Zoning Ordinance in effect as of the date hereof shall apply.
10. The improvements on the Property shall be designed, constructed and maintained in substantial conformance with the plans described in Statement Number 4 above, in accordance with the parkway tree and parking lot landscaping provisions of the Chicago Zoning Ordinance (to the extent the same are not inconsistent with such plans) and corresponding regulations and guidelines.
11. The P.D. boundary includes an existing building at 1241 North Wells Street (the "Tower Olds Building") which is identified in the Chicago Historic Resources Survey as potentially historically significant. The applicant agrees to retain, preserve, and rehabilitate, in-situ, the street (west) facade of the Tower Olds Building ("Historic Facade") as part of the redevelopment of 1241 North Wells Street (the "Project") as a condition of the approval of this business planned development. Prior to the issuance of a permit to demolish the rear portion of the Tower Olds Building, the Applicant shall submit for the Department's review and acceptance a construction timeline for the Project and evidence of committed and available financing for the entire Project costs acceptable to the Department's Commissioner and Corporation Counsel. Prior to or as part of the Part II submission, and prior to submitting a permit application to demolish the rear portion of the Tower Olds Building, the Applicant shall submit for the review and acceptance by the Historic Preservation Division of the Department: a report by a licensed structural engineer addressing how the Historic Facade should be supported, braced, and protected, in-situ, during the demolition of the rear of the Tower Olds Building and the excavation and construction of the Project, with said measures and protections incorporated as part of any proposed work; photographic documentation and drawings of the existing conditions of the Historic Facade; and a scope of work for the rehabilitation of the Historic Facade. The rehabilitation of the Historic Facade shall include the repair and restoration of the terra-cotta, new windows, and a new storefront system, all in conformance with the United States Secretary of the Interior's Standards for Rehabilitation of Historic Buildings. The Department's Commissioner may approve changes to the approved scope of work on the Historic Facade if consistent with the intent to preserve the Historic Facade and its overall historic character. As part of any future changes to the planned development, the Historic Facade shall be retained and preserved in-situ, including its rooflines. The upper levels of the Project shall be set back a minimum of forty-two (42) feet from the Historic Facade, measured from the eastern edge of the Wells Street public right-of-way as depicted on the Plans attached hereto and made a part hereof.
12. 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 during the actual Part II Review. The fee as determined by the Department staff at that time is final and binding on the Applicant and must be paid to the Department prior to the issuance of any Part II approval.

13. The terms, conditions and exhibits of this planned development may be modified administratively by the Commissioner of the Department upon the application for such a modification by the owner or ground lessor of the Property and a determination by the Commissioner of the Department 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 of the Department shall be deemed to be a minor change in the planned development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance. It is acknowledged that the demising walls for the interior space are illustrative only and that the location and relocation of demising walls or division of interior spaces shall not be deemed to require any further approvals pursuant hereto.
14. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. The Applicant shall design, construct and maintain all new buildings located within the Property in a manner generally consistent with the requirements of the City of Chicago's Building Green/Green Roof Matrix in effect as of the date of approval of this planned development. The Owner shall provide a green roof consisting of fifty percent (50%) of the net roof area in accordance with the Green Roof Plan. The proposed building will achieve L.E.E.D. certification.
15. The Applicant acknowledges that it is in the public interest to design, construct and maintain the improvements on 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.
16. 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. Any changes to ingress and egress as depicted in the Plans and as set forth below shall be subject to the review and approval of the Department of Transportation and the Department. Off-street parking and loading facilities shall be provided in compliance with this planned development. A minimum of two percent (2%) of all parking spaces provided pursuant to this planned development shall be designated and designed for parking for disabled persons.
17. The Applicant will comply with Rules and Regulations For the Maintenance of Stockpiles promulgated by the Commissioner of the Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings under Section 13-32-125 of the Municipal Code of Chicago or any other provision of that Code.

18. Unless substantial construction of the improvements contemplated by this planned development has commenced within six (6) years following adoption of this planned development, and unless completion thereof if diligently pursued, then this planned development shall expire and the zoning of the Property shall automatically revert to the C1-5 Neighborhood Commercial District. Said six (6) year period may be extended for up to one (1) additional year if, before expiration, the Commissioner of the Department determines that good cause for such an extension is shown.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Site and Landscape Plan; Building Elevations; and Chicago Builds Green Form referred to in these Plan of Development Statements printed on pages 71124 through 71133 of this *Journal*.]

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

*Residential-Business Planned Development No. 1148*

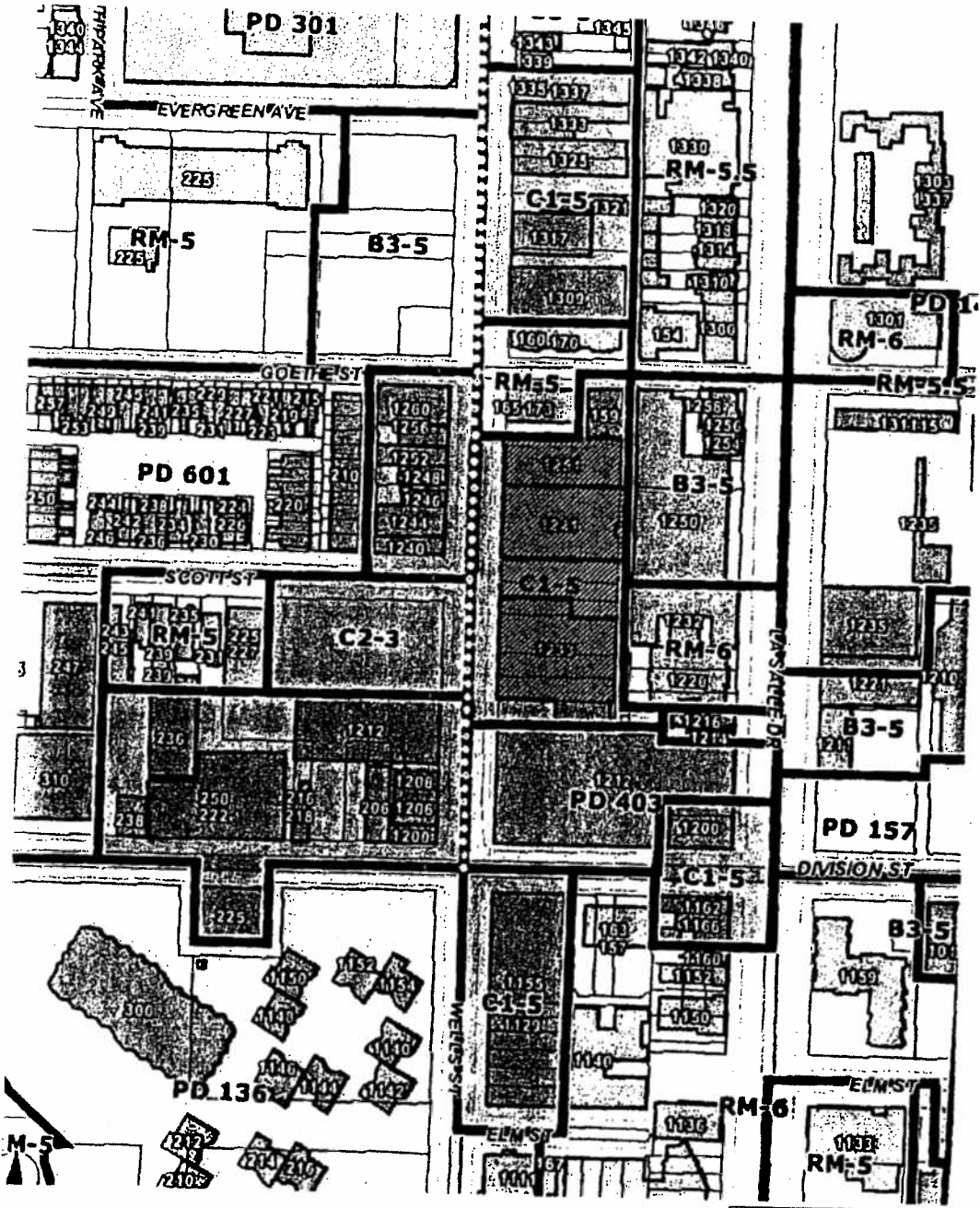
*Plan Of Development*

*Bulk Regulations And Data Table.*

Gross Site Area = Net Site Area + Area Remaining in Public Right-of-Way:  $\pm 77,356$  gross square feet (1.77 acres) =  $\pm 60,332$  net square feet (1.39 acres)  $\pm 17,024$  square feet (0.39 acre) in public right-of-way.

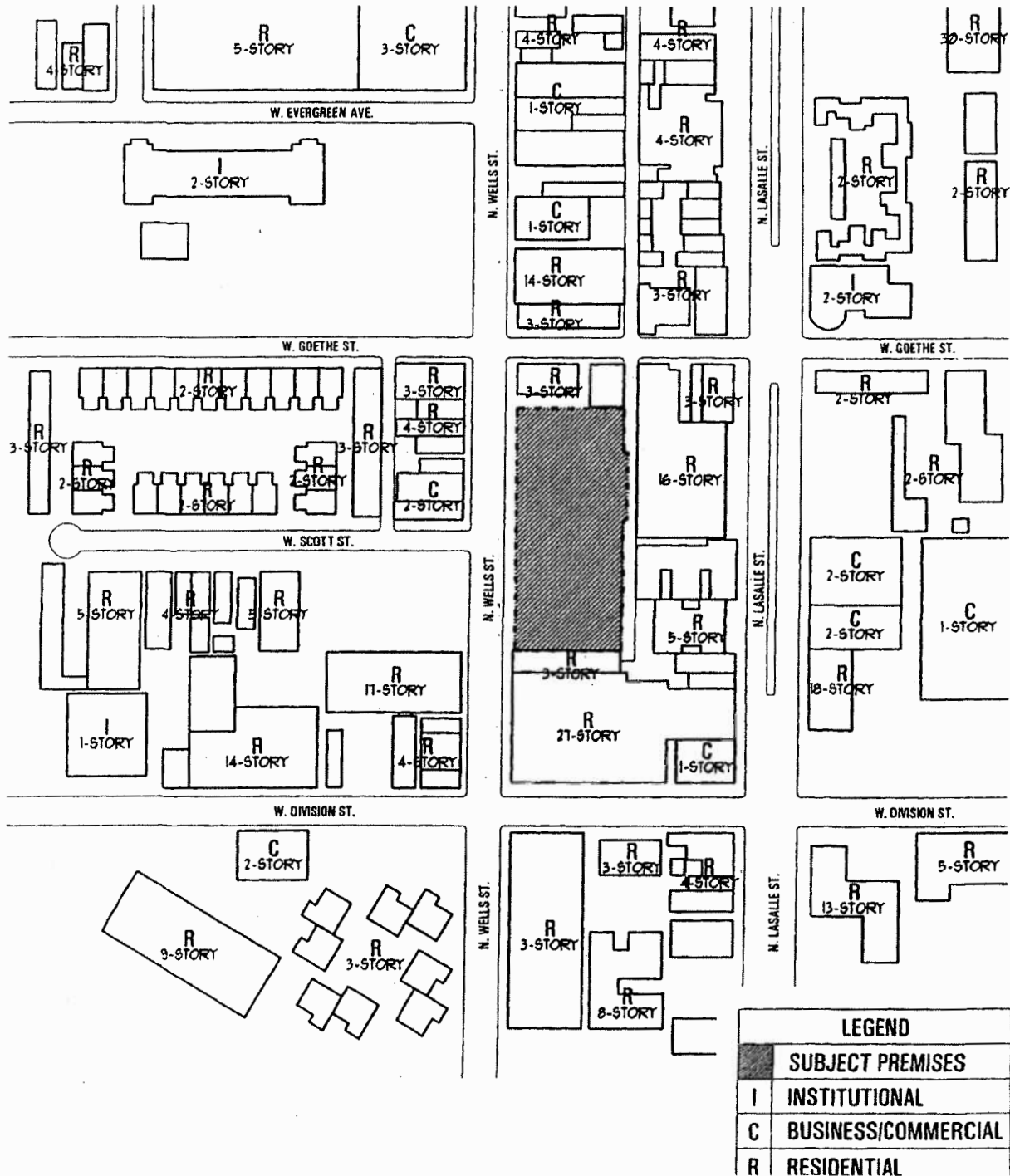
Maximum Number of Dwelling Units:	250
Maximum F.A.R.:	5.0
Minimum Number of Parking Spaces:	250
Minimum Number of Loading Berths:	2 at 10 inches by 25 feet loading berths
Setbacks:	In accordance with site plan
Building Height:	180 inches, as measured under the Chicago Zoning Ordinance

Existing Zoning Map.



LEGEND  
SUBJECT PREMISES

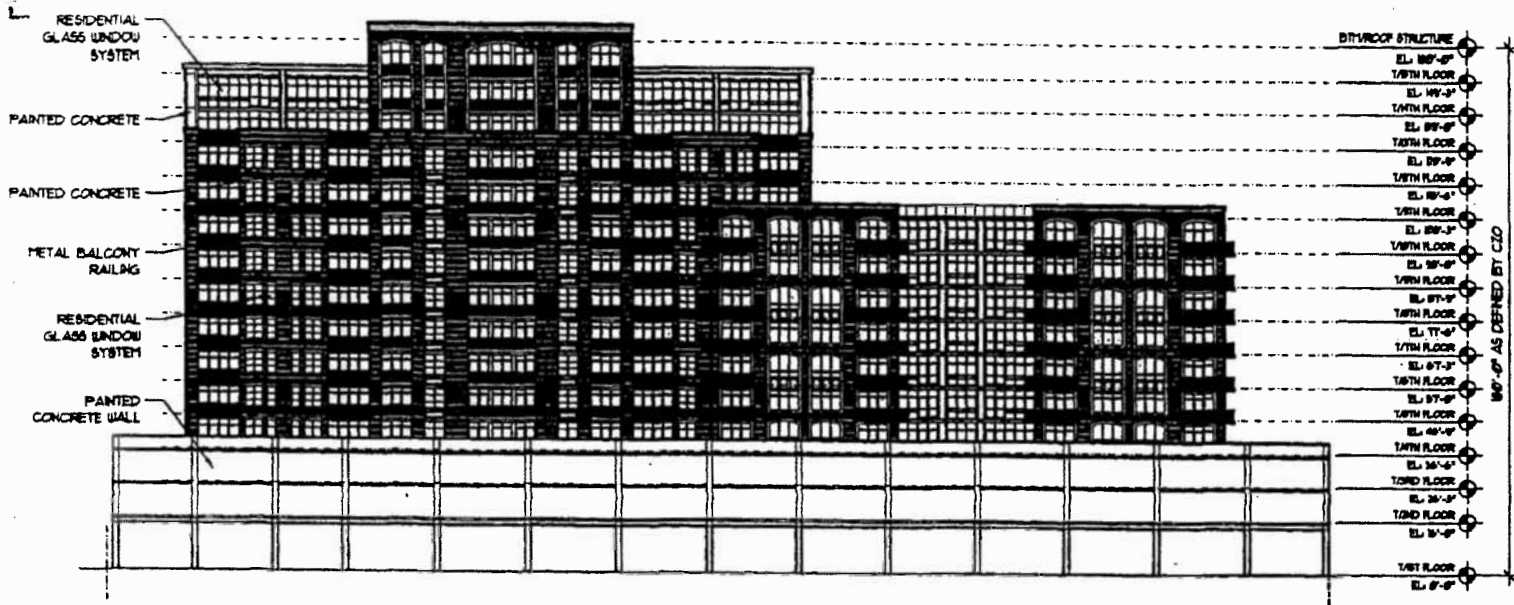
Existing Land-Use Map.





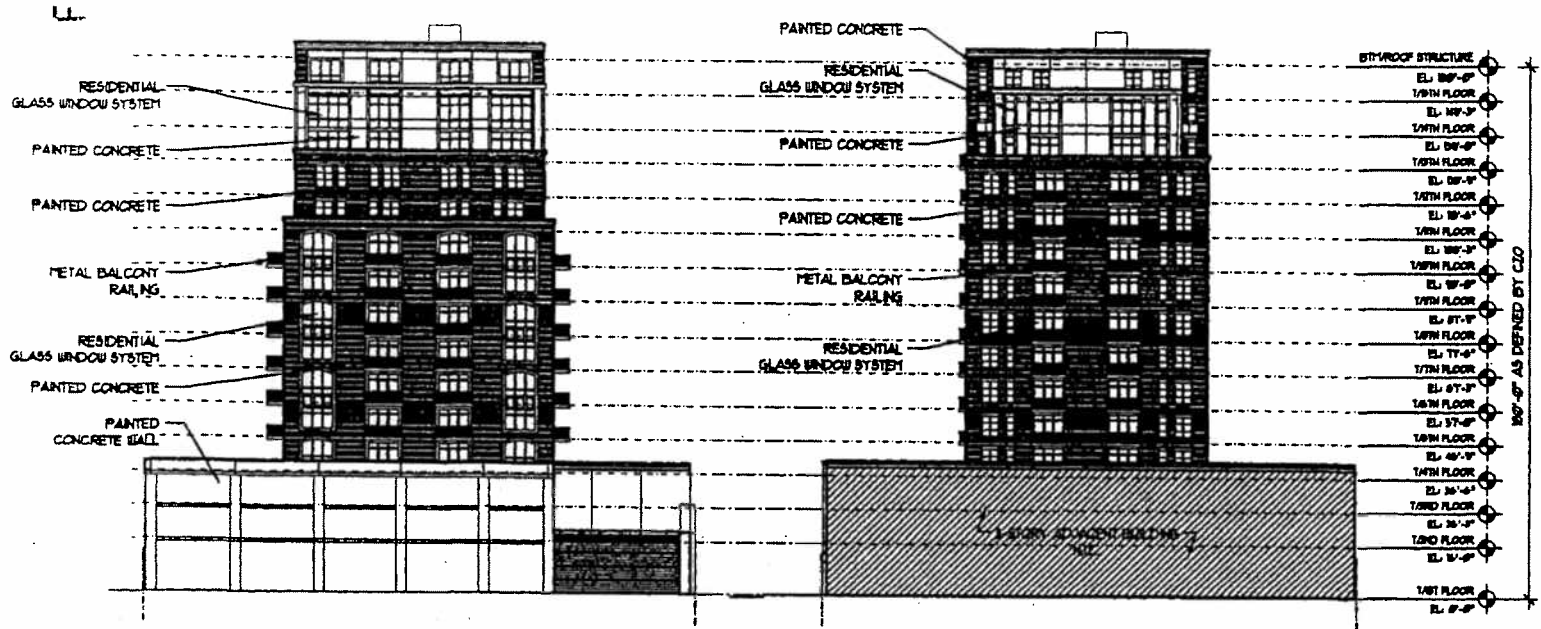


East Elevation.



1 EAST ELEVATION  
 SCALE: 1" = 50'-0"

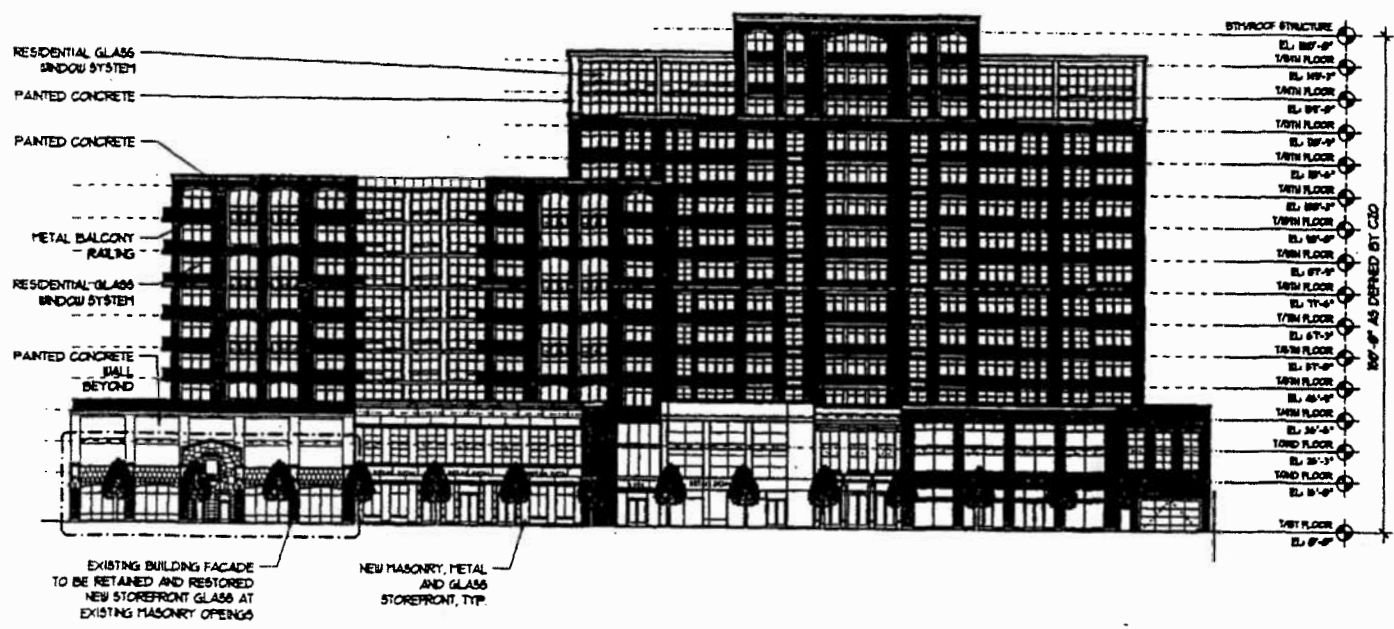
North/South Elevations.



2 NORTH ELEVATION  
SCALE: 1" = 50'-0"

1 SOUTH ELEVATION  
SCALE: 1" = 50'-0"

West Elevation.



1 WEST ELEVATION  
SCALE: 1" = 50'-0"

Chicago Builds Green.  
(Page 1 of 3)

Project Name:

1233-1241 N. WELLS ST.

Project Location:

\* Street Number (if the address only includes one street number, please fill only the cell "From"):  
 From\* To\* Direction: Street Name: Select Street Type:  
 1233 1241 N Wells St

Ward No: Community Area No:  
 43 ??

Project Type:

Check applicable:  
 Planned Development     Redevelopment Agreement     Zoning Change  
 PD No:     RDA No:     From:  C1-5 To:  PD  
 Public project     Landmark

Project Size:

Total land area in sq.ft.: Total building(s) footprint in sq.ft.: Total vehicular use area in sq.ft.:  
 60,332 s.f. 50,300 s.f. 86,630 s.f.

DPD Project Manager:

Enter First Name Last Name  
 Sarah Sheehan

BG/GR Matrix:

Select project category:  
 Res. 4 or more Market Rate

Financial Incentives:

Check applicable:  
 TIF     Empowerment Zone Grant     Class L  
 GRIF     Ind. Dev. Revenue Bonds     Class 6b  
 SBIF     Bank Participation Loan     DOH  
 Land Sale Write Down

Density Bonus:

Check applicable:  
 Public plaza & pocket park     Water features in a plaza or pocket park  
 Chicago Riverwalk improvements     Setbacks above the ground floor  
 Winter gardens     Lower level planting terrace  
 Indoor through-block connection     Green roof  
 Sidewalk widening     Underground parking and loading  
 Arcades     Concealed above-ground parking

Chicago Builds Green.  
(Page 2 of 3)

Landscaping:

	Required per Zoning Code or Green Roof/Building Green Matrix	To be Provided by the development:
<i>Please fill, if applicable</i>		
7' Landscape Setback	Square footage: 0	0
Interior Landscape Area	Square footage: 0	0
No. of Interior Trees	0	0
No. of Parkway Trees	0	13
Open Space:		
River Setback	Square footage: 0	0
Private Open Space	Square footage: 0	3250
Privately developed Public Open Space	Square footage: 0	0

Stormwater Management (At-grade volume control):

Permeable paving	Square footage:	0
Raingarden	Check applicable:	<input type="checkbox"/>
Filter strip		<input type="checkbox"/>
Bioswale		<input type="checkbox"/>
Detention pond		<input type="checkbox"/>
Native landscaping	Square footage:	0
Rain-water collection cistem/barrel	Gallons:	0
Total impervious area reduction	Square footage:	1,400 s.f.

Other sustainable surface treatments:

Green roof	Square footage:	0	4,000
Energy Star roof	Square footage:	0	0
High-albedo pavement	Square footage:	0	0
Transportation:			
No. of accessory parking spaces		0	250
Total no. of parking spaces (Accessory + Non- Acc.)			260
No. of parking spaces dedicated to car sharing services (E.g.: I-Go, Zip-Car)		0	0
No. of bicycle parking		0	50
Within 600 ft of CTA or Metra station entrance	Check if applicable:	<input checked="" type="checkbox"/>	

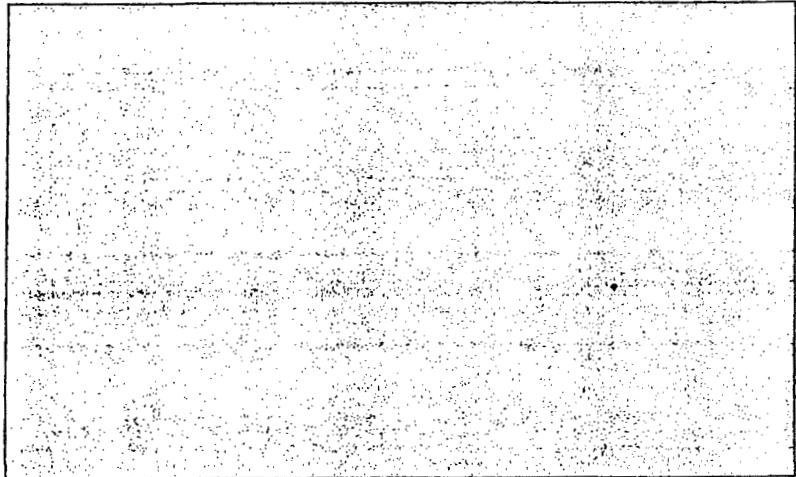
Chicago Builds Green.  
(Page 3 of 3)

**Building Certification:**

- |                                  |                                     |                                     |
|----------------------------------|-------------------------------------|-------------------------------------|
| Energy Star building             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| LEED certification               | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| LEED Certified                   |                                     | <input checked="" type="checkbox"/> |
| LEED Silver                      |                                     | <input type="checkbox"/>            |
| LEED Gold                        |                                     | <input type="checkbox"/>            |
| LEED Platinum                    |                                     | <input type="checkbox"/>            |
| Chicago Green Homes              | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Chicago Green Homes [one-star]   |                                     | <input type="checkbox"/>            |
| Chicago Green Homes [two-star]   |                                     | <input type="checkbox"/>            |
| Chicago Green Homes [three-star] |                                     | <input type="checkbox"/>            |

**Energy efficiency strategies not captured above:**

*(IE: Other than Energy Star Roof - or Energy Star Building Certification-*



**Other sustainable strategies and/or Project Notes:**

