

6/9/2010

REPORTS OF COMMITTEES

94069

16222

Alderman Burke invoked Rule 14 of the City Council's Rules of Order and Procedure, disclosing that he had represented parties to these ordinances in previous and unrelated matters.

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 Number 20-A.
(As Amended)
(Application Number 16222)
(Location: Area Bound By East 79th Street, East 83rd Street,
South Brandon Avenue And US Route 41)

RBPDS 1162

[SO2010-3043]

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 M1-1 Limited Manufacturing/Business Park District and M3-3 Heavy Industry District symbols and indications as shown on Map Number 20-A in the area bounded by:

the centerline of US Route 41; the centerline of East 83rd Street; the centerline of South Mackinaw Avenue; a line approximately 297 feet north of and parallel to the north line of East 83rd Street; and the centerline of South Brandon Avenue,

to those of a B3-5 Community Shopping District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the B3-5 Community Shopping District symbols and indications as shown on Map Number 20-A in the area bounded by:

the centerline of US Route 41; the centerline of East 83rd Street; the centerline of South Mackinaw Avenue; a line approximately 297 feet north of and parallel to the north line of East 83rd Street; and the centerline of South Brandon Avenue,

to those of a Residential-Business Planned Development.

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:

*Residential-Business Planned Development No. 1162**Plan Of Development Statements.*

1. The area delineated herein as Residential-Business Planned Development Number ___ (the "Planned Development") consists of approximately three million three hundred forty-two thousand six hundred twelve (3,342,612) gross square feet (seventy-six and seventy-four hundredths (76.74) acres) of property (the "Property") and two million two hundred twenty-one thousand three hundred seventy-nine (2,221,379) square feet (fifty-one (51) acres) of net site area together with certain portions of existing adjacent rights-of-way, as depicted on the attached Planned Development Boundary and Property Line Map. The Property is owned by Chicago Lakeside Development, L.L.C., a Delaware limited liability company (the "Applicant"). This Planned Development is divided into Subareas (each, a "Subarea" and collectively, the "Subareas") as indicated on the attached Subarea Map.
2. All applicable official reviews, approvals or permits are required to be obtained by the Applicant and its successors, assigns and grantees. These Planned Development Statements do not establish any public rights-of-way, nor do they obligate the City to construct any public improvements, nor do they obligate the City to finance the construction of any such public improvements. Any dedication, opening or vacation of public streets, alleys or easements or any adjustment of the public right-of-way shall require a separate submittal on behalf of the Applicant and its successors, assigns and grantees, and approval by the Commissioner of the Department of Transportation ("C.D.O.T.") and the City Council. Any required City Council approvals must be obtained prior to the issuance of any Part II approval. In connection with planning for any Subarea identified on the Subarea Map, adjustments in the location, width and configuration of the public rights-of-way illustrated on the Right-of-Way Map attached to these statements may be approved by the Commissioner (the "Commissioner") of the Department of Zoning and Land Use Planning (the "Department") as a minor change to this Planned Development in accordance with the requirements of Section 17-13-0611 of the Chicago Zoning Ordinance, provided that such adjustments (a) do not result in a change in the character of this Planned Development, (b) are set forth in a plat of subdivision, dedication, opening or vacation, or comparable plat or instrument, as applicable, that has been submitted by Applicant (or its successors, assigns or grantors) for approval by C.D.O.T., the Department and by the City Council at the time of request for such adjustments (and approved by C.D.O.T. and the City Council to the issuance of any Part II approval related to such adjustments), and (c) shall not be deemed to confer any additional bulk, density or other development rights. The plat review and approval provisions of this Statement 2 shall be construed consistently with the provisions of Statement 12.a.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors, assigns and grantees.

All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant and its successors, assigns and grantees. The requirements of Section 17-8-0400 of the Chicago Zoning Ordinance (the "Zoning Ordinance") shall apply to the Property. The Subareas (and, if subsequently designated on any Final Subarea Plan, as described below, any subparcels designated therein) shall be deemed specifically delineated subareas and subparcels for purposes of Section 17-8-0400; provided, however, that for so long as the Applicant or any affiliate thereof owns any part of the Property, any application to the City for any amendments, changes or modifications (administrative, legislative or otherwise) must in all cases be authorized by the Applicant (or Applicant's successors, assigns or grantees) or such affiliate. 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 by the Applicant and its successors, assigns and grantees, nor interfere with, abrogate or annul any zoning rights agreement, deed restriction or covenant, or other written agreement between the Applicant (or Applicant's successors, assigns or grantees) and other owners or designated controlling parties of Subareas (or any designated subparcels). The developer making application shall have the burden of establishing to the reasonable satisfaction of the Department that the Applicant's consent has been obtained or irrevocably waived. 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 the applicable portion of the Property, and not to the individual unit owners therein.

4. This Planned Development consists of these nineteen (19) statements and the Design Exhibits prepared by Skidmore, Owings & Merrill L.L.P. ("S.O.M."), dated April 15, 2010 and attached hereto, which include the following exhibits, maps and plans (collectively, the "Design Exhibits"):
 - Planned Development Boundary (Exhibit 1.0)
 - Existing Land-Use Map (Exhibit 1.1)
 - Existing Zoning Map (Exhibit 1.2)
 - Existing Topographic Map (Exhibit 1.3)
 - Planned Development Boundary and Property Line Map (Exhibit 1.4)
 - Illustrative Development Plan (Exhibit 1.5)
 - Illustrative Right-of-Way Map (Exhibit 1.6)
 - Illustrative Street Plan and Sections (Exhibit 1.7)

- Illustrative Traffic Circulation Map (Exhibit 1.8)
- Illustrative Transit Map (Exhibit 1.9)
- Illustrative Bicycle Network (Exhibit 1.10)
- Illustrative Land-Use Map (Exhibit 1.11)
- Open Space Plan (Exhibit 1.12)
- Conceptual Phasing Map (Exhibit 1.13)
- Subarea Map (Exhibit 1.14)
- Illustrative Elevations (Exhibit 1.15) (two pages)
- Conceptual Maximum Development Strategy (Exhibit 1.16)
- Area and Bulk Regulation Data Table (Exhibit 1.17)
- Subareas 1.1 -- 1.7 Subarea Use and Bulk Regulations, Subarea 1.1 Uses, Subareas 1.3, 1.4 and 1.7 Uses, Subareas 1.2, 1.5 and 1.6 Uses, Illustrative -- Subarea Development Plan, Subarea Illustrative Maximum Massing (Exhibit 1.18) (six pages)
- Subareas 2.1 -- 2.5 Subarea Use and Bulk Regulations; Subarea Uses; Illustrative Subarea Development Plan; Subarea Illustrative Maximum Massing (Exhibit 1.19) (four pages)
- Subareas 3.1 -- 3.7 Subarea Use and Bulk Regulations, Subarea Uses, Illustrative Subarea Development Plan, Subarea Illustrative Maximum Massing (Exhibit 1.20) (four pages) Subareas 4.1 -- 4.2 Subarea Use and Bulk Regulations, Illustrative Subarea Development Plan (Exhibit 1.21) (two pages)

Full-sized copies of the Design Exhibits are on file with the Department. References in these statements to the "Planned Development" shall be deemed to include the Bulk Regulations Data Table and the Design Exhibits. In any instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Chicago Building Code shall control. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance and satisfies the established criteria for approval as a planned development. In the case of any express conflict between the terms of this Planned Development ordinance and the Chicago Zoning Ordinance, this Planned Development ordinance shall apply. Absent such an express conflict, the terms of the Chicago Zoning Ordinance shall apply to reviews, determinations and approvals under these statements and to improvements to the Property.

5. The permitted uses, bulk, density, off-street parking, loading, setback and other development regulations applicable to the Subareas are set forth in the applicable Subarea use and Bulk Regulations Summaries and the Area and Bulk Regulation Data Table. The zoning district applicable to the Property immediately before approval of this Planned Development was the B3-5 Community Shopping District.
6. On-premise 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. Off-premise signs are prohibited within the boundary of the Planned Development.
7. All ingress and egress shall be subject to the review and approval of the Department of Transportation ("C.D.O.T.") and the Department. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of C.D.O.T.. All work proposed in the public way must be designed and constructed in accordance with the C.D.O.T. Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago, and must be designed in accordance with the C.D.O.T. Street and Site Plan Design Standards and follow the principles and practices of a Complete Streets design approach. Any dedication, opening or vacation of public streets, alleys or easements or any adjustment of the public right-of-way contained within a particular Part II submittal shall be approved by C.D.O.T. and City Council as described in Statement 2. In connection with the Applicant's submittal of plats, Final Sub Area Plans and Site Plans in accordance with Statement 12 below, C.D.O.T., after consultation with the Applicant, shall finally determine what means of ingress and egress are needed, what public rights-of-way are required, and what public way improvements must be constructed as part of the construction of any project in any given Subarea (which public way improvements may include construction, reconstruction, adjustment or improvement of public rights-of-way outside of the Subarea or Planned Development boundary but are integrally related to such Subarea's public way improvements, such as, for example, public way improvements between East 83rd Street and East 82nd Place), and when such construction must occur.
 - a. Applicant shall secure and pay for the services of a traffic consultant to be designated by C.D.O.T. to update the "USX South Works Site Transportation Access Strategy" and to update the capacity analyses of the signalized intersections along the relocated US Route 41 from the intersection of East 79th Street and South South Shore Drive to the intersection of South Harbor Avenue/South Ewing Avenue/South Mackinaw Avenue. The study must be completed within six (6) months of finalization of the scope of work by C.D.O.T.
 - b. Applicant acknowledges that the level of detailed development information available at the time of approval of this Planned Development precludes the customary detailed analysis of the traffic trip generation rates, traffic distributions and peak hour traffic volumes. The applicant and its successors, assigns and grantees agrees to provide traffic impact studies for each Subarea

of development as needed, as determined by C.D.O.T.. The scope of work for the traffic impact studies for Subareas will be related to the requested approvals being sought and will be reasonably determined by C.D.O.T., but at a minimum, will include projected peak hour turning movement volumes, pedestrian and bicycle traffic projections, existing and projected multi-modal levels of service, recommended traffic control devices, and approach lane configurations, and will be incrementally comprehensive in scope, incorporating traffic studies and data from earlier phases of development. The applicant agrees to implement recommended traffic measures (e.g., additional traffic signals, traffic signal modifications) included in the studies approved by C.D.O.T. and integrally related to such Subarea's public way improvements. C.D.O.T. must approve such traffic impact studies before the department's issuance of any applicable Part II approval.

- c. The applicant also agrees to secure and pay for the services of a professional engineering service to assist C.D.O.T. in (a) reviewing detailed engineering plans and drawings and performing review services in connection with C.D.O.T.'s review and approval of any plats, Final Subarea Plan, and Site Plan submissions (which approval shall be a condition precedent to the Department's issuance of any applicable Part II approval), and (b) performing construction inspection and certification services in connection with the construction of the public improvements constructed at the Property (or constructed, reconstructed or adjusted outside of the Planned Development Boundary, but integrally related to such Subarea's public way improvements, such as, for example, improvements between East 83rd Street and East 82nd Street) to assure compliance with approved plans and city standards. The selection of the traffic consultant and professional engineering consultant shall be subject to approval of C.D.O.T. and all such consultant(s) shall report to C.D.O.T.; provided, however, that copies of such consultant's reports shall also be made available to the Applicant. All streets and other transportation improvements in the public right-of-way shall be designed and constructed in accordance with the requirements and standards of C.D.O.T.. Utility services and stubs shall be extended at least five (5) feet outside the right-of-way line and clearly marked for ease of location in the future. Open cutting of the roadway along US Route 41 will not be allowed.
- d. Applicant acknowledges that the city will not maintain or bear the cost of maintaining any landscape or streetscape improvements on any medians to be constructed within the Planned Development. The City will maintain any landscape and streetscape improvements in medians to be constructed by the City along relocated US Route 41, and the Applicant will cooperate to establish a mechanism reasonably satisfactory to the City that provides for funding for the maintenance costs of such medians, which mechanism may provide for maintenance costs to be funded through a special service area or special service district, the establishment of which will require separate City Council approval. If such City Council approval is not granted, the Applicant shall have

- to find an alternative means of financing such costs. Prior to C.D.O.T. approval of engineering drawings for any median street to be constructed by the Applicant within the Planned Development other than Route 41, the Applicant must demonstrate to the satisfaction of C.D.O.T. that sufficient sustainable resources have been committed, and written agreements exist (which provide reasonable protection to the City and, among other things, shall name the City as intended beneficiary, shall grant the City enforcement rights, and shall include or extend indemnification and insurance provisions for the benefit of the City) (such agreements, the "Maintenance Agreements") to provide for the satisfactory maintenance of such medians, which agreements may provide for maintenance costs to be funded through a special service area or special service district, the establishment of which will require separate City Council approval. If such City Council approval is not granted, the Applicant shall have to find an alternative means of financing such costs.
- e. Applicant acknowledges that the City will not maintain, nor bear the cost of maintaining, landscape and streetscape improvements on the sidewalk and parkway areas, including street furniture, located on the Property within hereinafter approved public rights-of-way. Prior to C.D.O.T. approval of engineering drawings for any landscape or streetscape improvements to be constructed by the applicant on such public rights-of-way, the Applicant must demonstrate to the satisfaction of C.D.O.T. that sufficient sustainable resources have been committed, and written Maintenance Agreements exist to provide for the satisfactory maintenance of such landscape and streetscape improvements, which may provide for maintenance costs to be funded through a special service area or special service district, the establishment of which will require separate City Council approval, and in a manner otherwise consistent with the City's requirements for the issuance of building permits. If such City Council approval is not granted, the Applicant shall have to find an alternative means of financing such costs. Notwithstanding the foregoing, the City will maintain or cause to be maintained publicly-owned facilities such as street lighting, fire hydrants, water facilities, parking meters, and bus shelters that are located within the approved public right-of-way.
- f. Applicant has identified Subareas 3.1, 3.2, 3.3, 3.4 and 3.5 as the Subareas that may be the first phase of the development project. The Applicant shall submit for C.D.O.T. review and approval a detailed schedule for the design, construction and opening of the public street improvements proposed by the Applicant for the first phase of the development as part of the submission for approval of the first Final Subarea Plan consistent with the principles set forth in Statement 7 and pursuant to the procedures set forth in Statement 13 hereof. The applicant shall thereafter similarly submit for C.D.O.T. review and approval a detailed schedule for the design, construction and dedication or opening of the public street improvements for each subsequent Final Subarea Plan Submittal and development phase. If the first phase of the development includes Subareas 3.1, 3.2, 3.3., 3.4 and 3.5 (or one or more such Subareas), or when

C.D.O.T., after consultation with the applicant, otherwise determines it is necessary or appropriate, the applicant shall complete the reconstruction and improvement (including curbs, pavement, sidewalks, streetlights, sewer lines integrally related to sewer lines serving the Property, parkway trees and restoration) along the following existing City streets: South Burley Avenue, South Buffalo Avenue and South Mackinaw Avenue, all from East 82nd Place to East 83rd Street, and East 82nd Place, from South Brandon Avenue to South Mackinaw Avenue. Such off-site improvements shall be constructed in conjunction with Applicant's construction work in the applicable Subarea(s) triggering the need for such related off-site public improvement work and completed before C.D.O.T.'s issuance of a certificate of acceptance for the applicable Subarea's public improvements.

- g. Applicant shall maintain South Brandon Avenue between East 79th Street and East 83rd Street in a clean and serviceable condition during construction of improvements to the Property along the east side of South Brandon Avenue, unless the city otherwise authorizes the temporary closure of said public right-of-way. When, after any first development phase submission, C.D.O.T., in consultation with the Department of Water Management ("D.W.M."), determines it is necessary or appropriate, the applicant shall complete the reconstruction of South Brandon Avenue between East 79th Street and East 83rd Street (or, if determined by C.D.O.T. and D.W.M., a portion thereof), including existing curbs, pavement, sidewalks, streetlights and replacement or rehabilitation of existing sewer lines within South Brandon Avenue (between East 79th Street and East 83rd Street) that are integrally related to sewer lines serving the property if required by D.W.M. on the basis of a video inspection of such sewer lines prior to preparation of final plans for reconstruction of South Brandon Avenue. Such adjacent public improvements shall be completed before C.D.O.T.'s issuance of a certificate of acceptance for the applicable Subarea improvements triggering the need for such related public improvement work.
- h. At such time as is established by the mutual agreement of C.D.O.T., the Chicago Transit Authority and the Illinois Department of Transportation ("I.D.O.T."), and in accordance with the standards and requirements of C.D.O.T. and I.D.O.T., the applicant will complete all work necessary to establish South Shore Drive as a one-way street in the southbound direction between East 79th Street and East 80th Street. Such work shall include, without limitation, modification of traffic signals at the intersections of East 79th Street and South South Shore Drive and at US Route 41 and South Buffalo Avenue.
- i. Applicant shall complete at the applicants's expense the installation of traffic signals at the intersection of East 81st Street and US Route 41 at the time of construction of right-of-way improvements at that intersection within the Property. C.D.O.T. shall install at no cost to the applicant manholes, handholes and the conduit street crossing associated with the traffic signals in accordance

with the plans and details prepared and approved by C.D.O.T.. Activation and operation of the traffic signals shall be determined by C.D.O.T.

- j. The locations, elevations and release rates of storm water discharges from the Planned Development to the drainage system installed for US Route 41 shall be consistent with the Applicant's Storm Water Plan Exhibit prepared by Spaceco, Inc. and dated December 22, 2006, as approved by the City's Department of Water Management on August 24, 2009. In accordance with special condition Number 4 of Metropolitan Water Reclamation District ("M.W.R.D.") Permit Number 06-CH-08 on the Sewer Connection Authorization issued by M.W.R.D. to C.D.O.T., the Applicant shall obtain approvals from M.W.R.D. as required in order to release any storm water from the development into the north slip.
- k. Applicant acknowledges that construction by the City of US Route 41 will result in breaches of the existing site access control fencing. The Applicant will install, secure and maintain site access control fencing in accordance with a plan that is mutually agreeable to the city, the Chicago Park District and the Applicant.
- l. No Part II approvals will be issued unless and until C.D.O.T. approves detailed site development plans and engineering plans and specifications for public right-of-way improvements for the project for which Part II approval is requested. Site plans submitted to the City for approval pursuant to Statement 12.b hereof shall include proposed building placement, parking lot plans, locations and sizes of ingress and egress, drop-off areas and loading zones. Nothing within this Planned Development shall be construed to be approval of any driveway, drop-off area or loading zone. The configurations of all public rights-of-way are subject to C.D.O.T. review pursuant to Statement 12 hereof and based on actual development proposals and plans for adjacent properties, and on the transportation infrastructure, including streets, parking lanes, sidewalks, bicycle facilities, and parkway or landscape zones required to meet the needs of the Planned Development.
- m. Unless the Applicants proposed infrastructure improvement plans match the design and configuration of C.D.O.T.'s plans to realign and construct US Route 41, the Applicant shall be responsible for all costs associated with any necessary changes to US Route 41 to accommodate the Applicant's plans. The City shall vacate at no cost to the Applicant the portions of the US Route 41 right-of-way identified on the Planned Development Boundary and Property Line Map, which were previously dedicated by the Applicant at the direction of C.D.O.T. and which are inconsistent with C.D.O.T.'s design and configuration of the realigned US Route 41 now under construction.
- n. Applicant acknowledges that the site traffic study completed by KLOA, Inc. on behalf of the Applicant identifies the need for additional right-of-way to allow for future modifications at certain intersections along the relocated US Route 41 to

accommodate projected traffic volumes and ultimate build-out of the Planned Development. KLOA Inc. has identified the need for additional right-of-way at the northwest, southwest and southeast corners of East 81st Street and US Route 41; and the northwest, southwest and southeast corners of East 83rd Street and US Route 41. Except at the intersection of East 79th Street and South South Shore Drive (US Route 41), such additional right-of-way, as identified on drawings prepared by KLOA, Inc. and dated September 30, 2009, shall be dedicated to the city prior to any Part II approval for any proposed development immediately adjacent to an individual parcel of additional right-of-way identified in such drawings.

- o. Applicant acknowledges that based on the density of the improvements contemplated by this Planned Development, it is in the public interest to design, construct, and maintain improvements on the Property in a manner that reduces the amount of, and dependence on, travel by single-occupant automobile and provides real choice among alternative modes of transportation, including walking, biking and transit. Subject to approval of the Department and C.D.O.T., Applicant shall implement and integrate travel demand management measures that further these goals, which measures may include, but not be limited to:
1. providing enhanced bicycle and pedestrian amenities and facilities;
 2. providing start-up support of a one-stop Transportation Resource Center to (A) coordinate and market mobility programs for the site; and (B) periodically monitor transportation, parking and traffic outcomes from the new development and impacts on adjacent neighborhoods in South Chicago; and
 3. a comprehensive shared parking program.

Applicant shall participate in the start-up costs of establishing a car-sharing service for residents, guests and employees at the Property and in the start-up costs of establishing a bicycle sharing program throughout the Planned Development in accordance with a schedule mutually agreed to by C.D.O.T. and the Applicant.

- q. Applicant acknowledges that it is in the public interest to design, construct and maintain improvements on the Property so that the safety and convenience of all users of the transportation system, including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be accommodated and balanced in all phases of the project so that even the most vulnerable -- children, elderly, and persons with disabilities -- can travel safely within the public right-of-way. Plans for all street improvements shall incorporate appropriate and feasible

traffic calming measures, bicycle accommodations and pedestrian safety measures, including but not limited to curb extensions, raised intersections and crosswalks, traffic circles, median refuge islands, and pedestrian crossing signals and warning devices. The maintenance of any landscape treatments associated with any such measures shall be the responsibility of the Applicant.

8. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building or improvement shall also be subject to height limitations established by the Federal Aviation Administration.
9. The maximum permitted floor area ratio ("F.A.R.") for the Property shall be in accordance with the attached Area Bulk Regulation and Data Table and Design Exhibits. For the purposes of floor area ratio calculations and floor area measurements, the definitions in the Chicago Zoning Ordinance shall apply. The maximum permitted F.A.R. on the Property identified in the Bulk Regulations and Data Table and the Design Exhibits has been determined using a Net Site Area of two million two hundred twenty-one thousand three hundred seventy-nine (2,221,379) square feet.
10. The location of certain water retention and detention areas are depicted on the Open Space Plan (such areas, the "Detention Parks"). Such Detention Parks shall be privately-owned and privately-maintained and, when not serving retention and detention purposes, shall serve as publicly-accessible open space. Any relocation or material modification of the Detention Parks shall require an amendment to this Planned Development, unless such modification is processed under the plat review and minor change provisions set forth in Statement 2. The location of certain open space areas located within the medians of certain public rights-of-way are depicted on the right-of-way map (such areas, the "Median Plazas"). Such Median Plazas shall be publicly-owned but privately-maintained but shall also serve as publicly-accessible open space that may, subject to compliance with City procurement requirements, be activated with seasonal retail uses from temporary structures. Any relocation or material modification of the Median Plazas shall require an amendment to this Planned Development, unless such modification is processed under the plat review and minor change provisions set forth in Statement 2. The Detention Parks and the Median Plazas are sometimes collectively referred to in these statements as the "Publicly Available Areas". Prior to the issuance of any Part II approval related to the construction of the Detention Parks and the Median Plazas, the Applicant must demonstrate to the satisfaction of the Department and C.D.O.T. that sufficient sustainable resources have been committed, and written Maintenance Agreements exist to provide for the satisfactory maintenance of Median Plazas and to govern the public's use of such areas, which agreements may provide for maintenance costs to be funded through a special service area or special service district, the establishment of which will require separate City Council approval. If such City Council approval is not granted, the Applicant shall have to find an alternative means of financing such costs. Areas depicted on the Open Space Plan as open space shall

have no permanent retail buildings or retail improvements built upon them, the only permitted permanent structures being those accessory to the publicly-accessible open space use of such areas, such as, for example, streetscape and landscape amenities for general public use and enjoyment (e.g., fountains, street furniture).

11. Sanitary sewer facilities shall be provided in the Planned Development in a manner consistent with the "Conceptual Sanitary Sewer Flow Exhibit" prepared by Spaceco, Inc., dated June 15, 2005 and last revised December 22, 2006, as approved by D.W.M. on August 24, 2009. Storm water management shall be provided in the Planned Development in a manner consistent with the "USX Southworks Redevelopment Final Storm Water Management Plan Summary Report" prepared by Christopher B. Burke Engineering, Ltd., dated January, 2006 and last revised March 2006, as approved by D.W.M. on August 24, 2009. Except as otherwise set forth in this Statement Number 12, the development of the Property shall be in accordance with the City of Chicago Storm Water Management Ordinance Manual, dated January 2009 and the latest edition of the Regulations for Sewer Construction and Storm Water Management (or any successor regulations) then applicable. Volume control in accordance with the Storm Water Ordinance and Regulations shall be provided for any storm water discharges to combined City sewers. Conceptual layouts of these sanitary sewer, Storm Water Management and infrastructure plans are on file with the Department. Determinations of consistency with the referenced plans shall be made by D.W.M. and C.D.O.T. (and any other affected City department), as applicable, taking into account any prior amendments to these statements, any plats previously approved by City Council, any prior Part II approval and known site conditions known at the time of any such approval. Sanitary sewer, storm water and other infrastructure improvements shown on said plans to be constructed for the benefit of the Planned Development will be constructed by the applicable developer of each parcel of the Property at the time of construction of improvements in such applicable parcels (pursuant to the review and approval of the Department, C.D.O.T., D.W.M. and any other affected City departments), to the extent necessary to serve or accommodate proposed specific buildings and uses that are included in said improvements based on civil engineering review and plans. The City and Applicant contemplate entering into a separate redevelopment agreement subject to City Council approval providing for the financing of a portion of the costs of such improvements. Without limiting C.D.O.T.'s discretion under Statement 7, improvements defined as "necessary to serve or accommodate proposed specific buildings or uses" on an applicable parcel or parcels of land within the Planned Development shall be deemed to be the following: (a) the utilities necessary to provide potable water, sanitary sewer facilities, storm sewer facilities, electric, gas, telephone, cable and other private utility facilities and services to the proposed uses on a subject site; and (b) the streetscape and landscape improvements associated with the required public roadway improvements (sidewalks, streetlights, street trees and planters). As to public improvements described in preceding clauses (a) and (b), C.D.O.T., D.W.M. and other affected City department shall determine what public improvements must be constructed as part of any phase of construction and when such construction must occur, including, if applicable, any off-site improvements integrally related to the construction of such public improvements. Public facilities

constructed by the Applicant or any developer on behalf of the City will be maintained by the developer until the City issues its certificate of acceptance for such facilities. Thereafter, the City will be responsible for their on-going maintenance.

12. This Statement 12 describes the procedures and approvals that shall govern the review and approval by the Department and, when applicable, the review and approval of the Chicago Plan Commission or the City Council, or both the Chicago Plan Commission and the City Council, whenever the Applicant, or any developer that is a successor, assignee or grantee with respect to any portion of the Property, undertakes any development project on the Property.

- a. Final Subarea Plan. At the time the first development project in one or more Subareas is undertaken, the Applicant, or the applicable developer shall file with the Department a preliminary plat of subdivision for the applicable Subarea and a final Subarea plan (the "Final Subarea Plan") for submission along with an application for Site Plan Review pursuant to Section 17-13-0800 of the Zoning Ordinance. The Final Subarea Plan shall govern such first development project and (unless amended) all subsequent development projects thereafter constructed in such Subarea. The preliminary plat of subdivision shall include, without limitation, proposed lot dimensions. After incorporating any City comments received during the review process described in this statement, and prior to any Part II approvals, the Applicant or applicable developer shall thereafter submit to the City Council for approval a final plat of subdivision for the subject Subarea which conforms with the Final Subarea Plan for the area to be subdivided. The City Council's approval of such plat of subdivision, and the recording of such plat, shall be a condition precedent to the Applicant's (or any developer's) conveyance of any property within such Subarea. Upon such recording, the Applicant (or applicable developer) shall promptly deliver a copy of the recorded plat to the Department for filing with this Planned Development. The Applicant's failure to comply with such approval and recording requirements shall be the basis for the Department to withhold any further Part II approvals until such requirements are satisfied. The Final Subarea Plan filing shall include the following:

- (1) A dimensioned Subarea Plan including the following with respect to such Subarea (and any subparcels designated therein, if any):
 - (i) all public rights-of-way that are proposed to be dedicated or opened, and all private rights-of-way;
 - (ii) dimensioned setback lines;
 - (iii) all off-street parking and service areas, both accessory and nonaccessory;

- (iv) all open space, Publicly-Available Areas and recreational facilities; and
 - (v) sites for any schools, libraries, police stations or other public facilities, if any; and
 - (vi) dimensioned green roof plans.
- (2) A detailed, dimensioned Subarea site plan including:
- (i) all sidewalks (including the width of paved surfaces and construction details);
 - (ii) all roads, streets, alleys (all identified as public or private), including the right-of-way width, the width of paved surfaces, construction details, and all curb cuts;
 - (iii) dimensioned building sites, dimensioned setback lines, the proposed use of each building site, and indication of the maximum building height, F.A.R. and residential unit count for each building site;
 - (iv) all off-street parking and service areas, both accessory and non-accessory (provided that, subject to the approval of the Department and C.D.O.T., parking to serve uses in one Subarea may be located in another Subarea); and
 - (v) fully dimensioned parking plans, loading areas, and landscape plans.
- (3) Preliminary engineering drawings including the following:
- (i) sanitary and storm sewer lines and systems (identified as public or private);
 - (ii) water lines and water supply systems (identified as public or private);
 - (iii) street lighting (identified as public or private) and lighting systems.
- (4) Illustrative Subarea building elevations and locations for all of the buildings to be constructed in such Subarea including the following:

- (i) illustrative elevations for all buildings to be located within the applicable Subarea (including 3-D exhibits), consistent with the maximum floor area ratio, building height, dwelling unit, setback and parking space requirements permitted or required in the applicable subarea;
 - (ii) although final elevations for the buildings to be constructed shall not be required, the massing, the entrances, building orientations, windows and maximum building heights should be addressed, and depictions and explanations provided that establish how the buildings will incorporate the pedestrian-orientation, urban design, building design and green design standards and guidelines set forth in Sections 17-8-0905, 17-8-0906, 17-8-0907 and 17-8-0908 of the Zoning Ordinance, respectively.
- (5) Traffic planning information including the following:
- (i) Travel demand management measures;
 - (ii) Any operation and maintenance agreements required under these statements; and
 - (iii) Any traffic studies required under these statements.

The Final Subarea Plan shall be subject to the review and approval of the Department and such bureaus, departments or agencies as the Commissioner deems appropriate; (which may include, but are not limited to, C.D.O.T., D.W.M., the Fire Department and the Mayor's Office for People With Disabilities ("M.O.P.D.")), before any Part II approval shall be granted under this Planned Development for the first development project. The Final Subarea Plan must be in substantial compliance with the Planned Development, as applied to the applicable Subarea. If, after such City departmental review, the Commissioner determines that the Final Subarea Plan is in substantial compliance with the Planned Development, the Final Subarea Plan must then be reviewed and a recommendation issued by the Chicago Plan Commission during a public meeting (for which placement on a Chicago Plan Commission Agenda, publication in accordance with Section 17-13-0107-B of the Zoning Ordinance, and posting in accordance with Section 17-13-0107-C of the Zoning Ordinance shall be required, but for which written notice pursuant to Section 17-13-0107-A of the Zoning Ordinance shall not be required) but shall not require review and approval by the City Council. The Commissioner shall either approve the Final Subarea Plan or advise the Applicant or developer in writing of the ways in

which the Final Subarea Plan and supporting data and material do not comply with the Planned Development, in which case the Applicant shall be given an opportunity to submit a revised Final Subarea Plan that complies with the Planned Development. If the Commissioner finally determines that a Final Subarea Plan is not in substantial compliance with the Planned Development, the Applicant or developer undertaking such development project shall be required to amend the Planned Development in accordance with the review and approval procedures in Section 17-13-0602 through Section 17-13-0610 of the Chicago Zoning Ordinance in order to obtain approval of such Final Subarea Plan.

- b. **Site Plans.** Site Plan Review shall be required for all projects undertaken in furtherance of the Planned Development and the Final Subarea Plan in accordance with Section 17-13-0800 of the Zoning Ordinance. In addition to complying with the Site Plan Review submission requirements specified in such section, the Applicant or developer of the subject project shall provide an exhibit showing lot sizes and boundaries for such project.

The Applicant or developer shall also provide a Site Data Table for such project containing, for each Subarea and subparcel, if any, included in such project:

- (1) the Gross Site Area;
- (2) the Net Site Area;
- (3) the square feet of floor area of each proposed building;
- (4) the amount of F.A.R. utilized out of the maximum F.A.R. permitted under the Design Exhibit(s) applicable to such Subarea;
- (5) the height of each building to be constructed and the maximum allowable height permitted under the Design Exhibits applicable to such Subarea;
- (6) the number of dwelling units to be constructed and the maximum number of dwelling units permitted under the Design Exhibits applicable to such Subarea;
- (7) the front, rear and side setbacks for each building and the setbacks required under the Design Exhibits applicable to such Subarea;
- (8) all Residential Open Space, if applicable;
- (9) the number of parking spaces to be provided and the minimum and maximum number of parking spaces required under the Area and Bulk Regulation Data Table; and

- (10) building elevations, including, without limitation, window designs.

The Site Data Table shall also incorporate a Chicago Builds Green Form/Sustainable Features table showing the "green" features to be included in the proposed buildings. The Site Plan shall be subject to review and approval of the Department and such bureaus, departments or agencies as the Commissioner reasonably deems appropriate (which may include, but are not limited to, C.D.O.T., D.W.M., the Fire Department and M.O.P.D.) before any Part II approval shall be granted under this Planned Development for the subject project. The Site Plan must be in substantial compliance with both the Planned Development and the applicable Final Subarea Plan. If, after City departmental review, the Commissioner determines that the Site Plan is in substantial compliance with both the Planned Development and the applicable Final Subarea Plan, the Site Plan must then be reviewed by the Chicago Plan Commission during a public meeting (for which placement on a Chicago Plan Commission Agenda, publication in accordance with Section 17-13-0107-B of the Zoning Ordinance, and posting in accordance with Section 17-13-0107-C of the Zoning Ordinance shall be required, but for which written notice pursuant to Section 17-13-01-07-A of the Zoning Ordinance shall not be required) but shall not require review and approval by the City Council. After such City departmental review, the Commissioner shall either approve the applicable Site Plan or advise the Applicant or developer in writing of the ways in which the Site Plan and supporting data and material do not comply with the Planned Development and/or the Final Subarea Plan, in which case the Applicant shall be given an opportunity to submit revised Site Plans that comply with the Planned Development and the Final Subarea Plan. If the Commissioner finally determines that a Site Plan is not in substantial compliance with the Planned Development and/or the applicable Final Subarea Plan, the Applicant or developer undertaking such development project shall be required to amend the Planned Development in accordance with the review and approval procedures in Section 17-13-0602 through Section 17-13-0610 of the Chicago Zoning Ordinance in order to obtain approval of such Site Plan. After approval of a Final Subarea Plan and/or Site Plan, such Final Subarea Plans and Site Plans may be changed or modified pursuant to the requirements of Statement 14 hereof, if applicable.

13. Final Subarea Plans or Site Plans, and improvements constructed pursuant thereto, that substantially comply with the requirements of this Planned Development (as the same may be amended from time to time in accordance with the Chicago Zoning Ordinance), the applicable Final Subarea Plan and final Site Plan (as the same may be modified and/or amended from time to time in accordance with these statements) shall, after Chicago Plan Commission review and recommendation, and approval by the Commissioner, be reviewed and approved through the Part II Review Process as set forth in Section 17-13-0600 of the Chicago Zoning Ordinance. The Part II review fee for permits and licenses to be issued for projects in the Planned Development shall be the

greater of Zero and 25/100 Dollars (\$0.25) per square foot for the total buildable floor area (i.e., the current rate under Section 17-13-0610 of the Zoning Ordinance) or the then applicable per square foot charge (or other then applicable charge) at the time of such Part II review. Such fee shall be determined and assessed by the Department at the time of each and every Part II review, shall be applicable to all projects, whether undertaken by the Applicant or another developer, shall be final and binding and must be paid to the Department prior to issuance of any Part II approval. Following Part II review and approval by the Commissioner, the Department shall keep such approved plans and elevations on permanent file and they shall be deemed to be an integral part of this Planned Development. After Part II review and approval of project plans by the Department, said approved project plans may be changed or modified pursuant to the minor change and amendment provisions, as applicable, of Section 17-13-0611 of the Chicago Zoning Ordinance.

14. Final Subarea Plans or Site Plans for buildings or project improvements that increase one or more of the applicable (a) maximum F.A.R., (b) maximum building height or (c) dwelling unit limits, for any Subarea set forth in this Planned Development, or (d) that do not conform to the Open Space Plan or the Right-of-Way Map (subject to any modification processed under the plat review and minor change provisions set forth in Statement 2), (e) or that, in the Commissioner's reasonable determination, fail to incorporate the pedestrian-orientation, urban design, building design and green design standards and guidelines set forth in Sections 17-8-0905, 17-8-0906, 17-8-0907 and 17-8-0908 of the Zoning Ordinance, respectively, shall mean that a Final Subarea Plan or Site Plan is not in substantial compliance with the Planned Development and/or the applicable Final Subarea Plan and, therefore, must be approved in accordance with the review and approval procedures for planned development amendments under Section 17-13-0602 through Section 17-13-0610 of the Zoning Ordinance. Subject to the foregoing, the terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner upon application and a determination by the Commissioner in accordance with the minor change provisions and standards of Section 17-13-0611 of the Chicago Zoning Ordinance.
15. The Applicant and each developer of any portion of the Property at the time of a project shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of the Department of Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings under Section 13-32-125 of the Municipal Code of the City of Chicago or any other provision of that Code.
16. The Applicant acknowledges that it is in the public interest to design, construct and maintain the Planned Development buildings and improvements 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

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, at the time of application for building permits for specific improvements.

17. 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 also acknowledges that it is in the public interest to design, construct and preserve a development that maintains and improves Chicago's urban design to optimize its environmental benefits for current and future generations. The Applicant agrees that all buildings pursuant to this Planned Development shall conform to the current City of Chicago Sustainable Development Policy Matrix (the "Matrix") in effect on the date of any Part II approval issued pursuant to this Planned Development.
18. The Site and Landscape plans shall be in substantial conformance with Section 17-11 of the Chicago Zoning Ordinance and any other corresponding Municipal Code provisions, regulations and guidelines. Final landscape plan review and approval will be by the Department. Any interim reviews associated with site plan review or Part II reviews are conditional until final Part II approval.
19. This Planned Development shall lapse and be null and void unless both (a) substantial construction (as hereinafter defined) of the improvements on the Property has commenced within six (6) years of the latest of (a) of the date of City Council's approval of this Planned Development, and (ii) the date on which the reconstruction of the segment of US Route 41 extending between East 79th Street and East 87th Street is substantially complete, which shall be deemed satisfied if US Route 41 is either open to public traffic or is available to be open to traffic (but C.D.O.T. has determined that such opening should be deferred), and (b) construction is thereafter diligently pursued to completion. For purposes of clause (a), "substantial construction" of the improvements on the Property shall be deemed to have commenced if construction permits for all of the following improvements have been issued: (i) two hundred fifty (250) or more residential units; (b) one hundred thousand (100,000) square feet of non-residential improvements; and (c) the Detention Parks. In the event of such lapse, the zoning of the Property shall automatically revert to the zoning district in place immediately prior to the approval of this Planned Development. Such six (6) year period may be extended if, before expiration, the Commissioner determines that good cause exists for an extension, in which case the Commissioner shall have the discretion to extend such period for one (1) additional year.

[Chicago Lakeside Residential Business Planned Development Design Exhibits 1.0 through 1.21 referred to in these Plan of Development Statements printed on pages 94088 through 94129 of this *Journal*.]

Chicago Lakeside Residential Business
Planned Development Design Exhibits.



6/9/2010

REPORTS OF COMMITTEES

94089

Exhibit 1.0.
Planned Development Boundary.

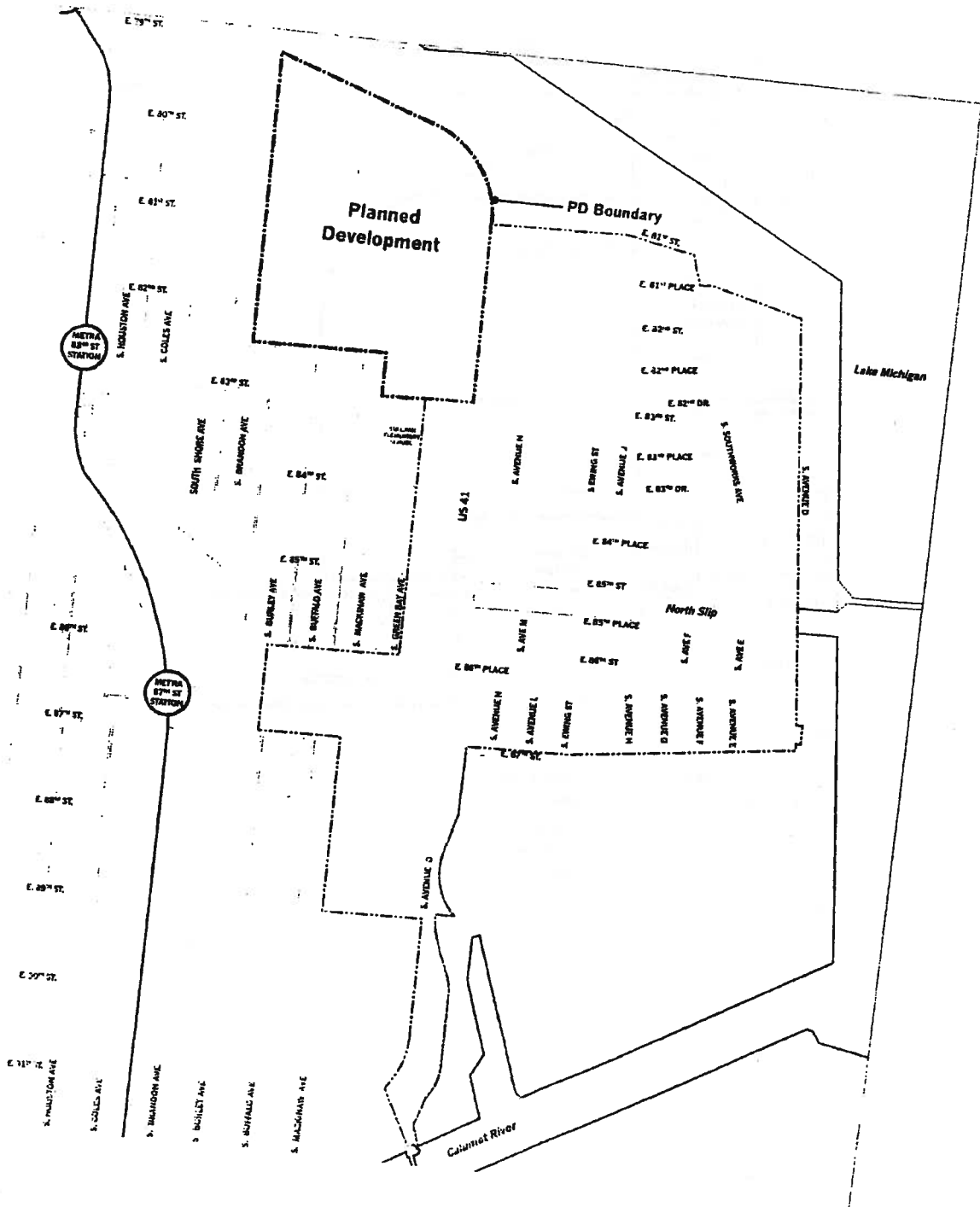
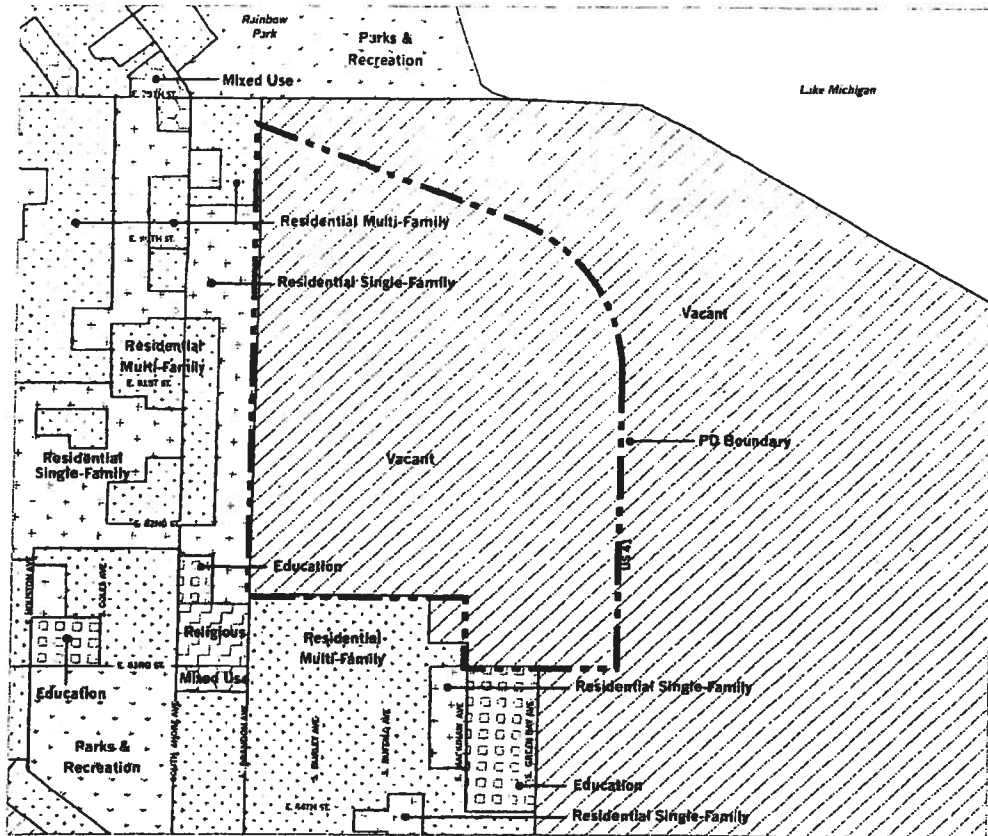


Exhibit 1.1.
Existing Land-Use Map.



Existing Land Use

	Residential Single-Family		Parks & Recreation
	Residential Multi-Family		Utility
	Mixed Use		Religious
	Manufacturing & Warehouse		Communication
	Vacant		Independent Car Park
	Education		

Exhibit 1.2.
Existing Zoning Map.

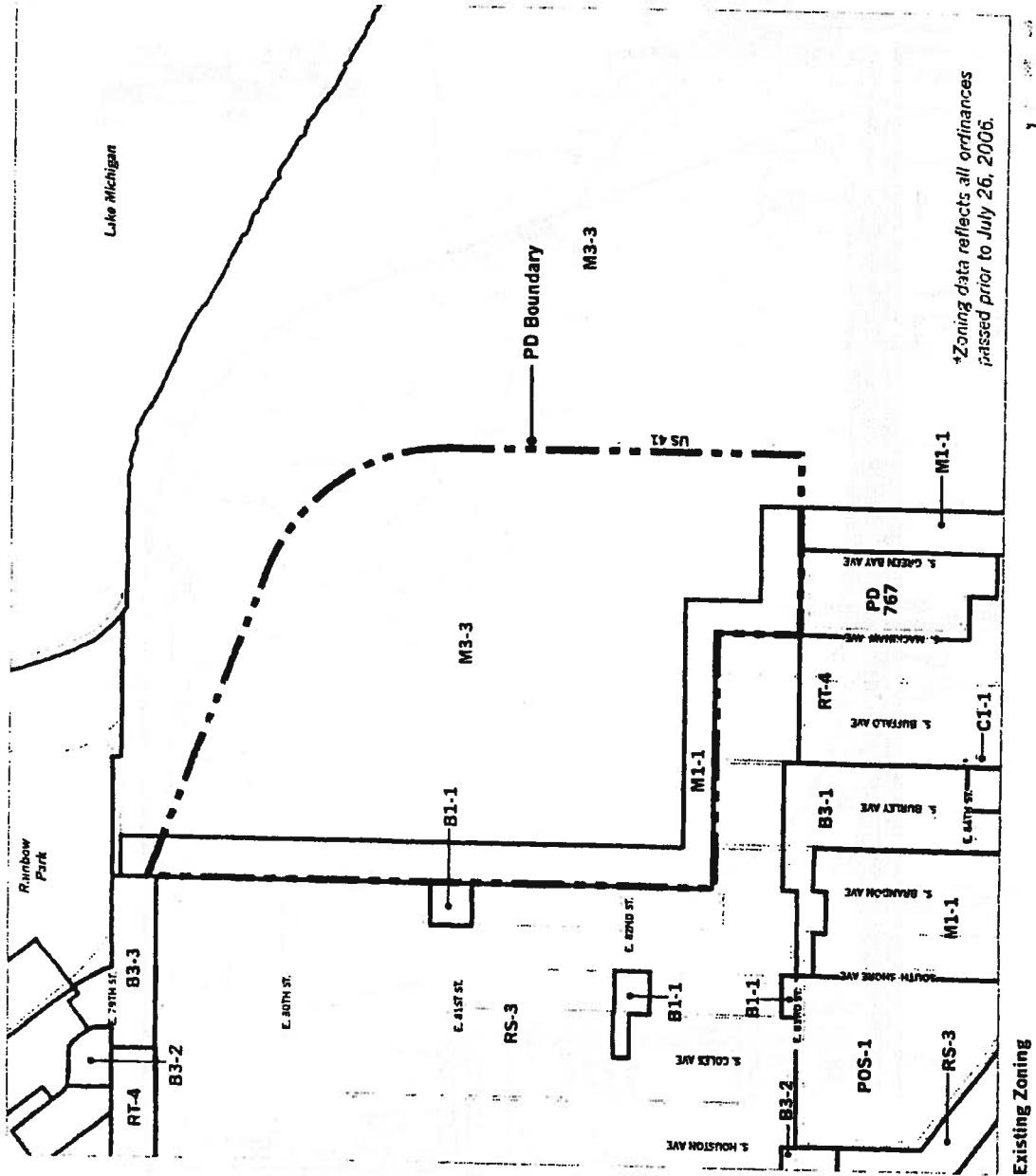


Exhibit 1.3.
Existing Topographic Map.

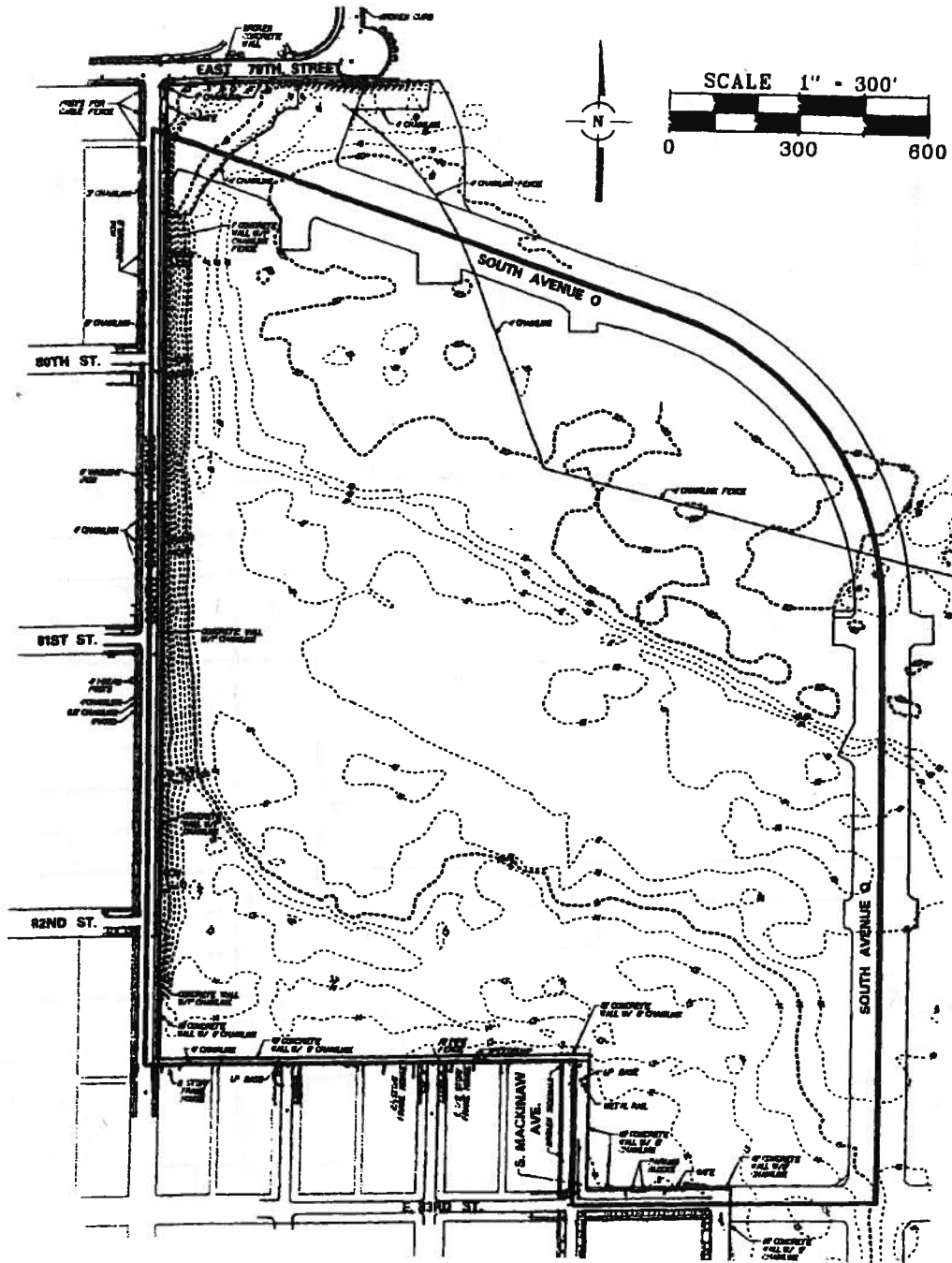
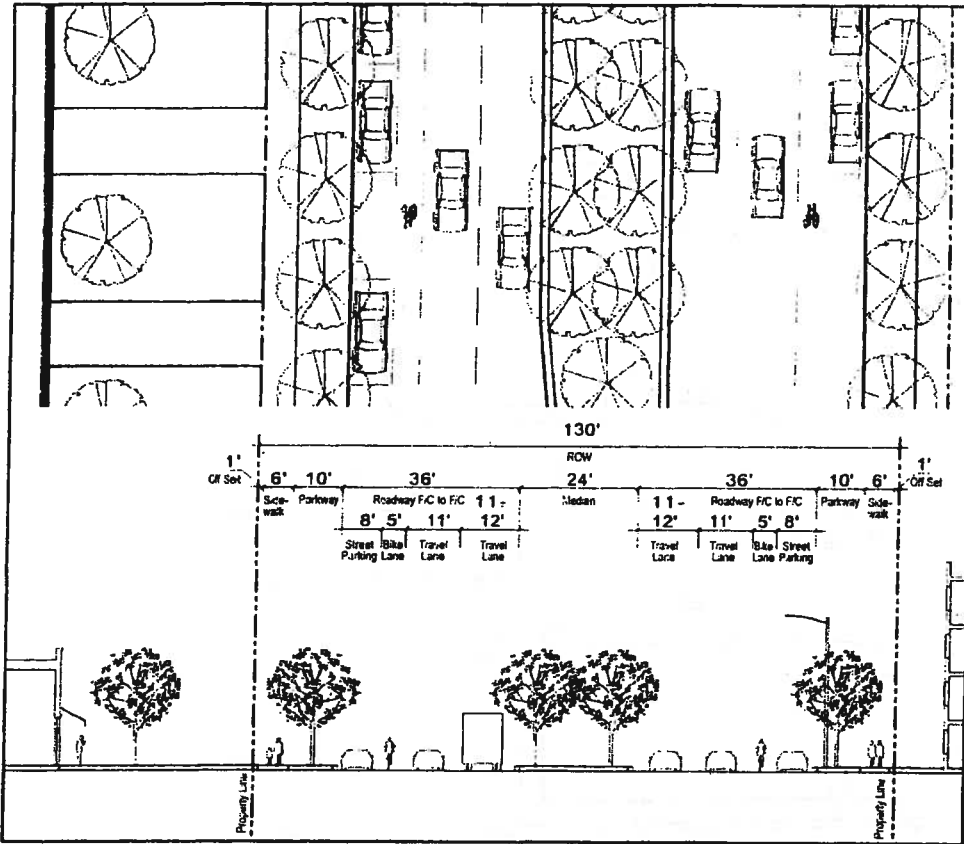


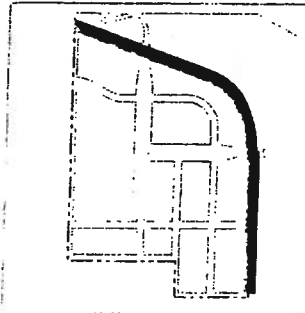
Exhibit 1.7.
 Illustrative Street Plan And Sections.
 (Page 1 of 7)



US 41 ROW Plan and Section - Commercial Condition

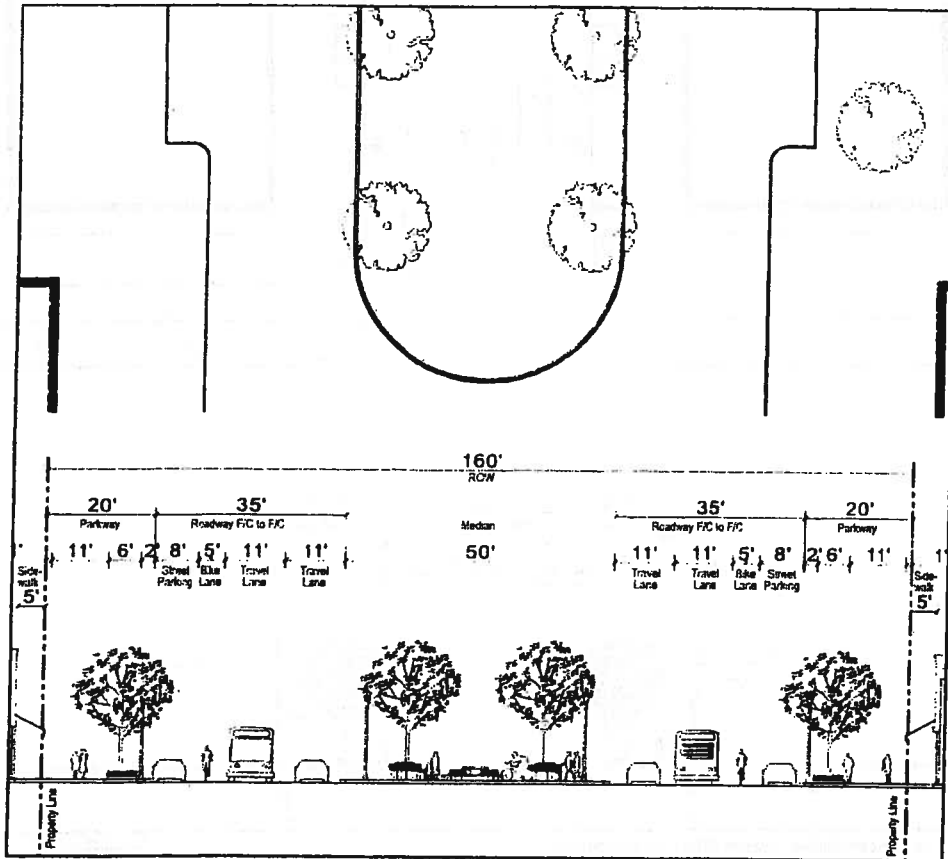
Street Type	Arterial Street
R.O.W Width	130'
Roadway Width	36' (Curb To Curb)
Traffic Lanes	Two Way
Traffic Lane Width	11' Min
Parking Lanes	Parallel Both Sides
Parking Lane Width	3'
Parkway Width	10'
Median Width	24'
Sidewalk Width	6'
Bike Lanes	Yes

Location Key



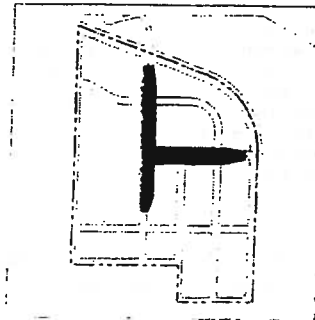
- Lane widths and other improvements within the POW are subject to approval of Chicago City Council

Exhibit 1.7.
 Illustrative Street Plan And Sections.
 (Page 2 of 7)



Buffalo Avenue ROW Plan and Section - Commercial Condition

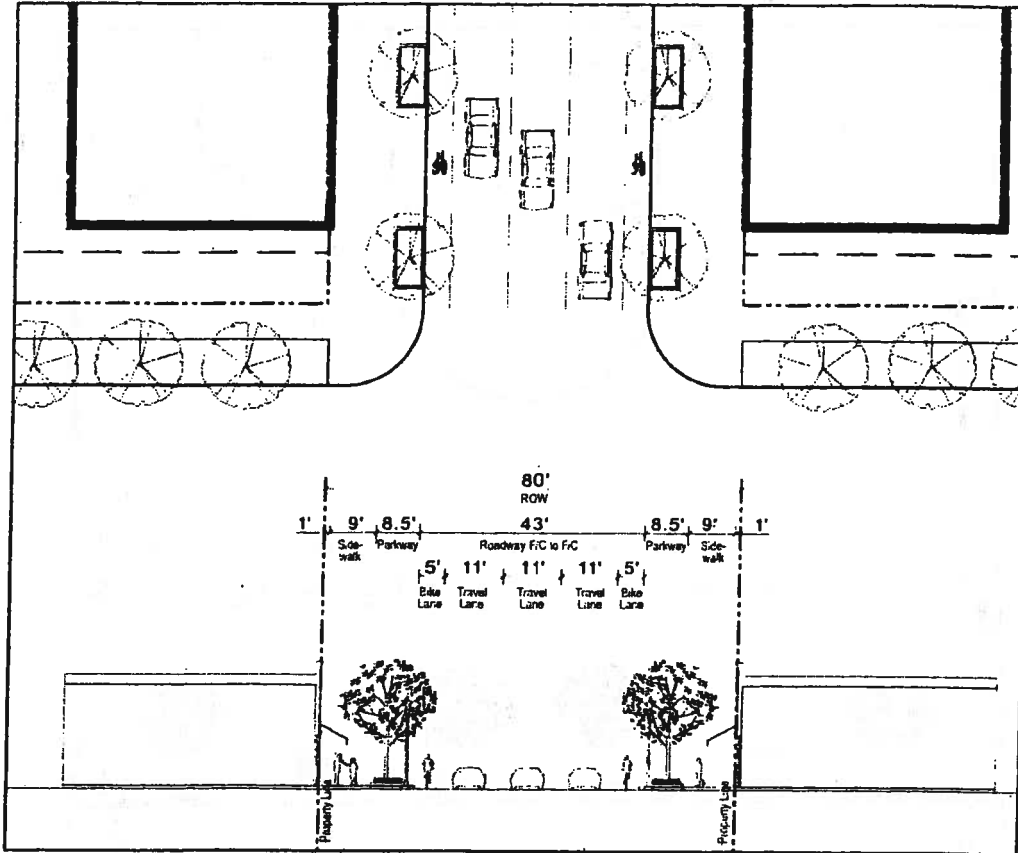
Location Key



Street Type	Arterial Street
R.O.W Width	160'
Roadway Width	35' (Curb To Curb)
Traffic Lanes	Two Way
Traffic Lane Width	11' Min
Parking Lanes	Parallel Both Sides
Parking Lane Width	8'
Parkway Width	20' / 10'
Median Width	50'
Sidewalk Width	12' / 5'
Bike Lanes	Yes

- Lane widths and other improvements within the ROW are subject to approval of Chicago City Council

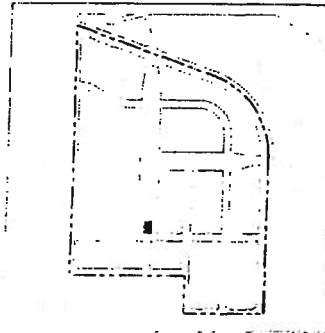
Exhibit 1.7.
 Illustrative Street Plan And Sections.
 (Page 3 of 7)



Retail Streets - South Buffalo Avenue ROW Plan and Section

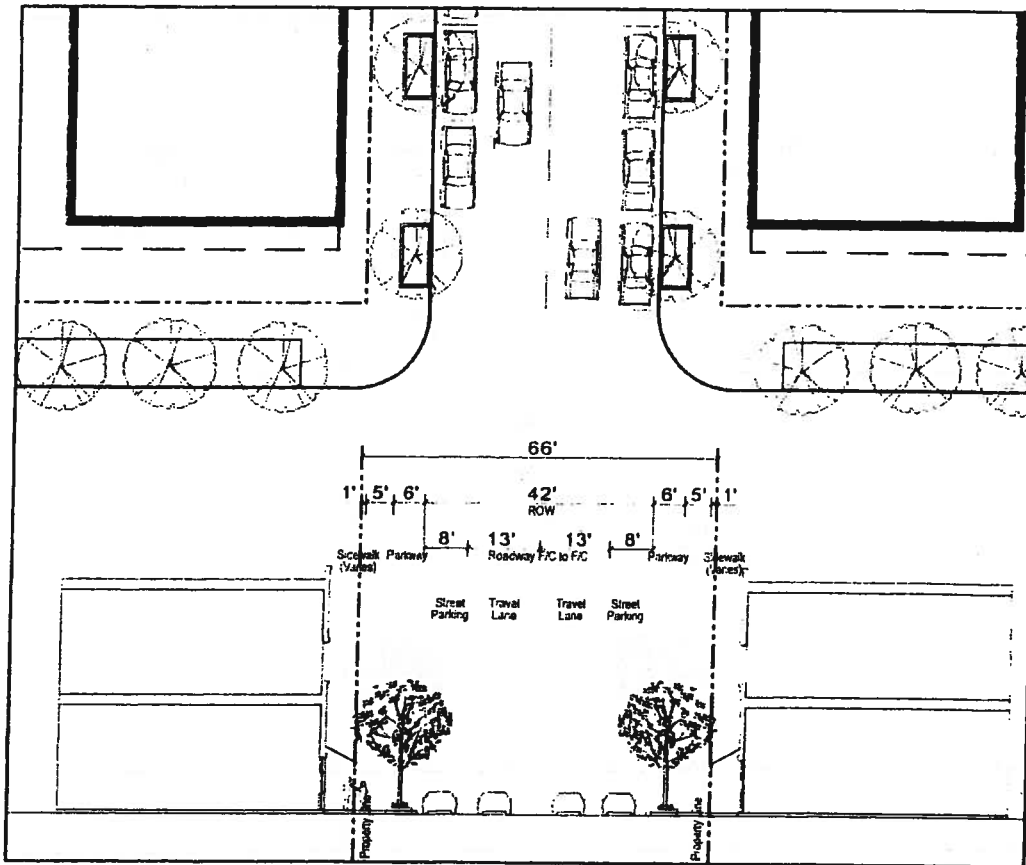
Street Type	Retail Street
R.O.W Width	80'
Roadway Width	43' (Curb To Curb)
Traffic Lanes	Two Way
Traffic Lane Width	11' Min
Parking Lanes	No
Parking Lane Width	N/A
Parkway Width	8.5'
Median Width	N/A
Sidewalk Width	9'
Bike Lanes	Yes

Location Key



• Lane widths and other improvements within the ROW are subject to approval of Chicago City Council

Exhibit 1.7.
 Illustrative Street Plan And Sections.
 (Page 4 of 7)



Retail Streets - Adjacent to Parking ROW Plan and Section

Street Type	Retail Street
R.O.W Width	66'
Roadway Width	42' (Curb To Curb)
Traffic Lanes	Two Way
Traffic Lane Width	13' Min
Parking Lanes	Parallel Both Sides
Parking Lane Width	3'
Parkway Width	6'
Median Width	N/A
Sidewalk Width	5'
Bike Lanes	No

- Lane widths and other improvements within the ROW are subject to approval of Chicago City Council

Location Key

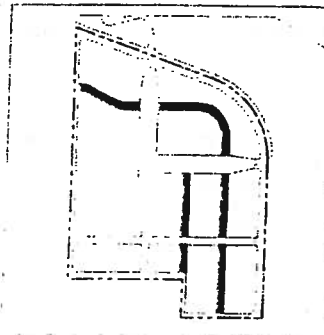
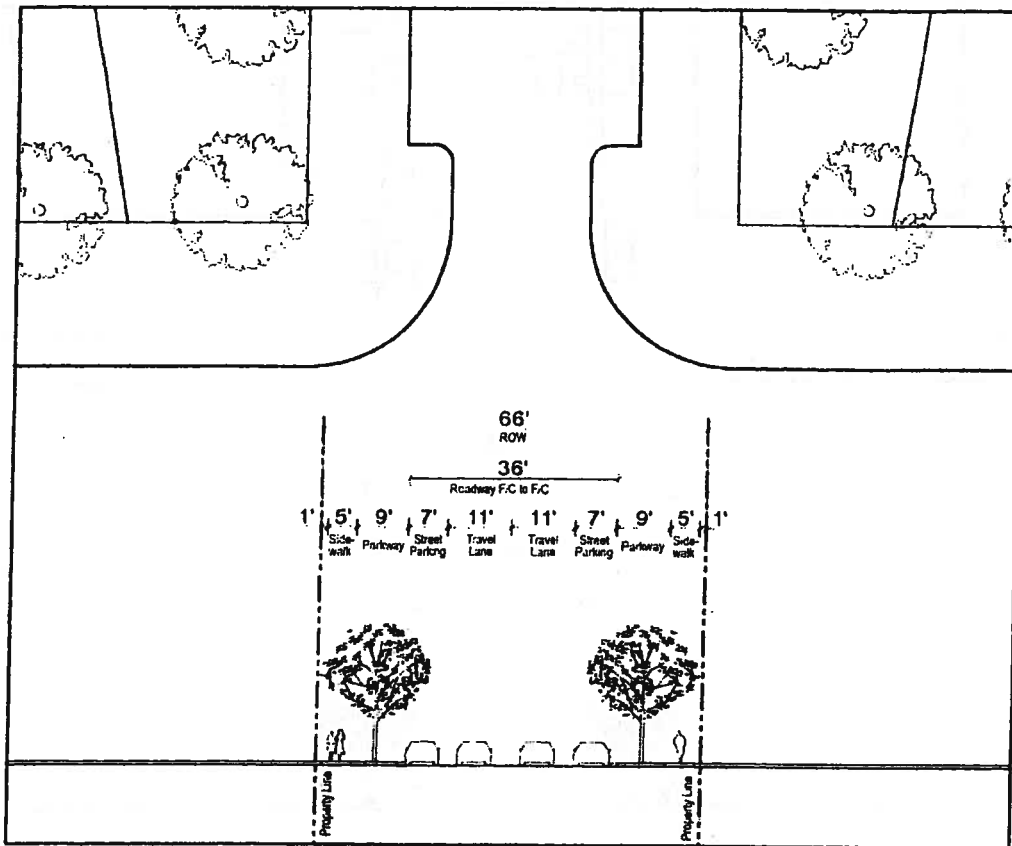


Exhibit 1.7.
 Illustrative Street Plan And Sections --
 82nd Street To 82nd Place.
 (Page 5 of 7)

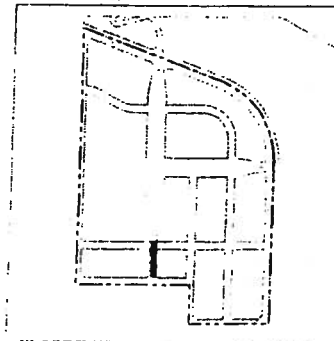


Buffalo Avenue ROW Plan and Section - Park Condition



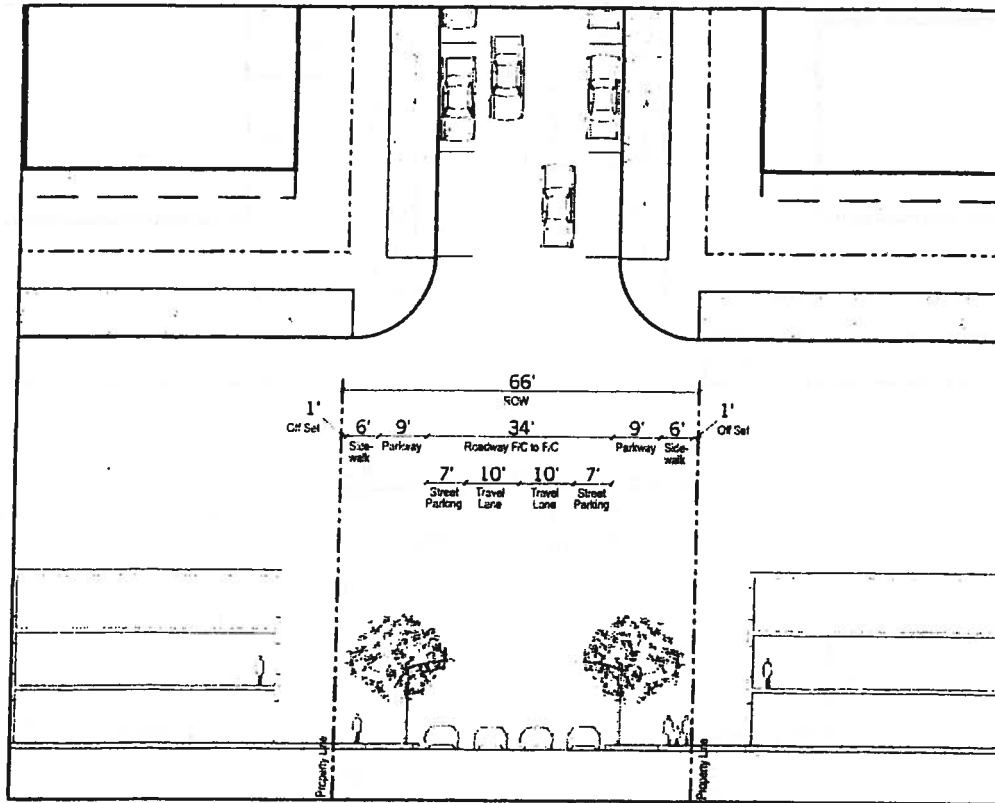
Street Type	Arterial Street
R.O.W Width	66'
Roadway Width	36' (Curb To Curb)
Traffic Lanes	Two Way
Traffic Lane Width	11' Min
Parking Lanes	Parallel Both Sides
Parking Lane Width	7'
Parkway Width	9'
Median Width	N/A
Sidewalk Width	5'
Bike Lanes	No

Location Key



- Lane widths and other improvements within the POW are subject to approval of Chicago City Council

Exhibit 1.7.
 Illustrative Street Plan And Sections.
 (Page 6 of 7)

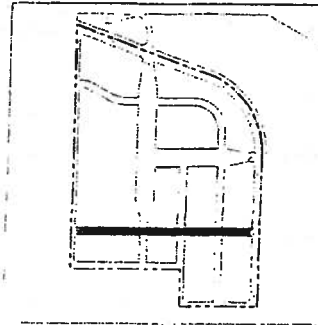


Typical Residential Street ROW Plan and Section



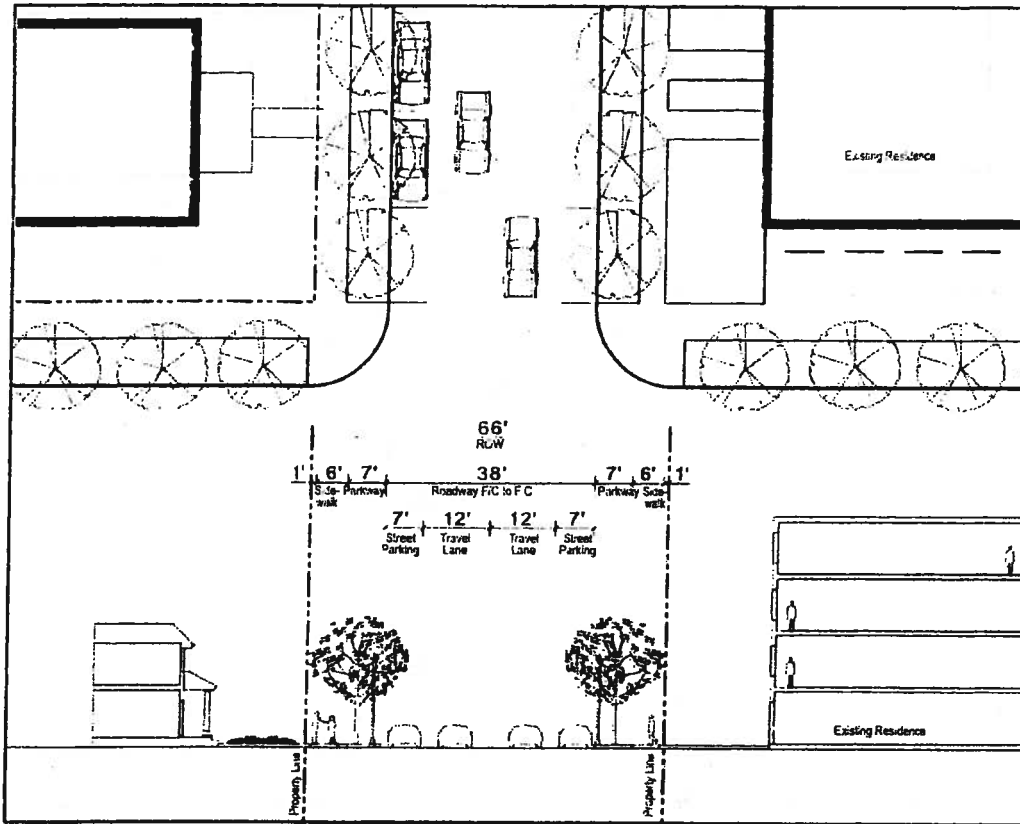
Street Type	Local Street
R.O.W Width	66'
Roadway Width	34' (Curb To Curb)
Traffic Lanes	Two Way
Traffic Lane Width	10' Min
Parking Lanes	Parallel Both Sides
Parking Lane Width	7'
Parkway Width	9'
Median Width	N/A
Sidewalk Width	6'
Bike Lanes	N/A

Location Key



- Lane widths and other improvements within the POW are subject to approval of Chicago City Council

Exhibit 1.7.
 Illustrative Street Plan And Sections.
 (Page 7 of 7)



Retail Streets - Brandon Avenue ROW Plan and Section

Street Type	Local Street
R.O.W Width	66'
Roadway Width	33' (Curb To Curb)
Traffic Lanes	Two Way
Traffic Lane Width	12' Min
Parking Lanes	Parallel Both Sides
Parking Lane Width	7'
Parkway Width	8'
Median Width	N/A
Sidewalk Width	6'
Bike Lanes	No

- Lane widths and other improvements within the POW are subject to approval of Chicago City Council

Location Key

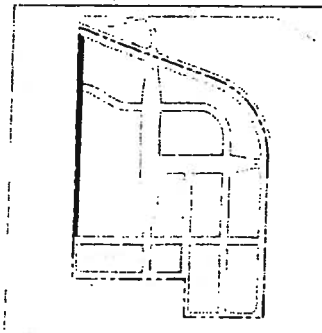


Exhibit 1.8.
Illustrative Traffic Circulation Map.

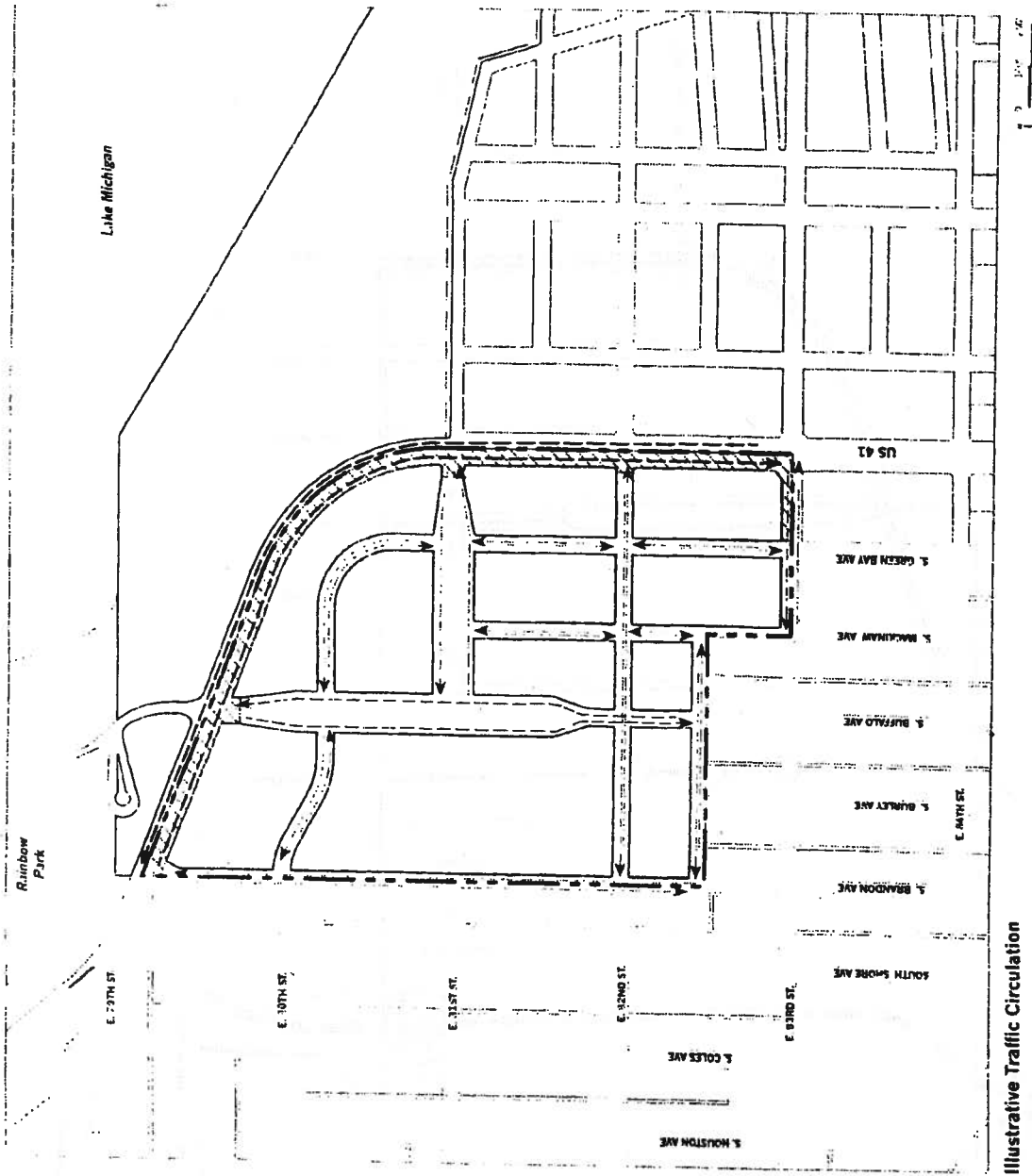


Exhibit 1.9.
Illustrative Transit Map.

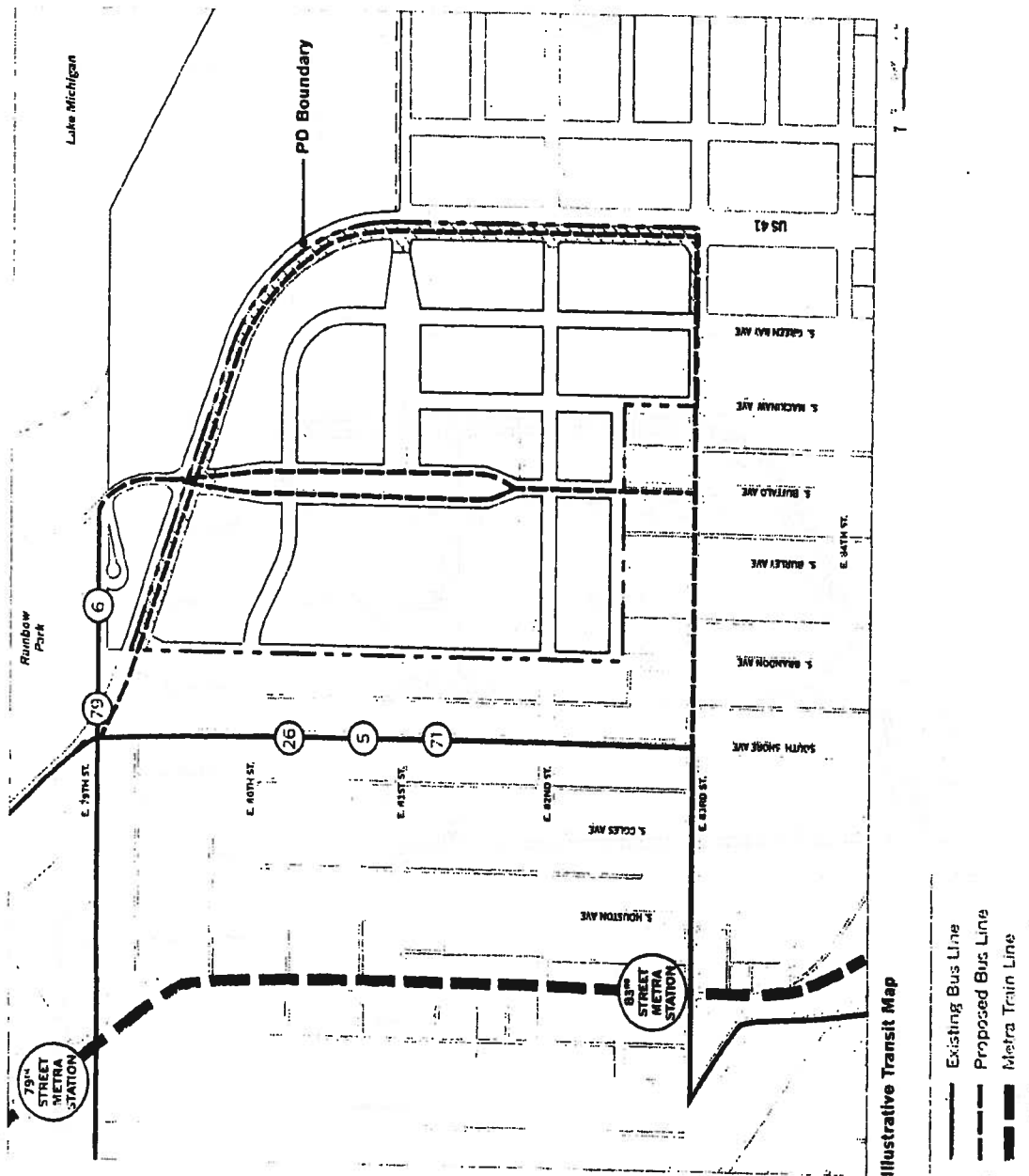


Exhibit 1.10.
Illustrative Bicycle Network.

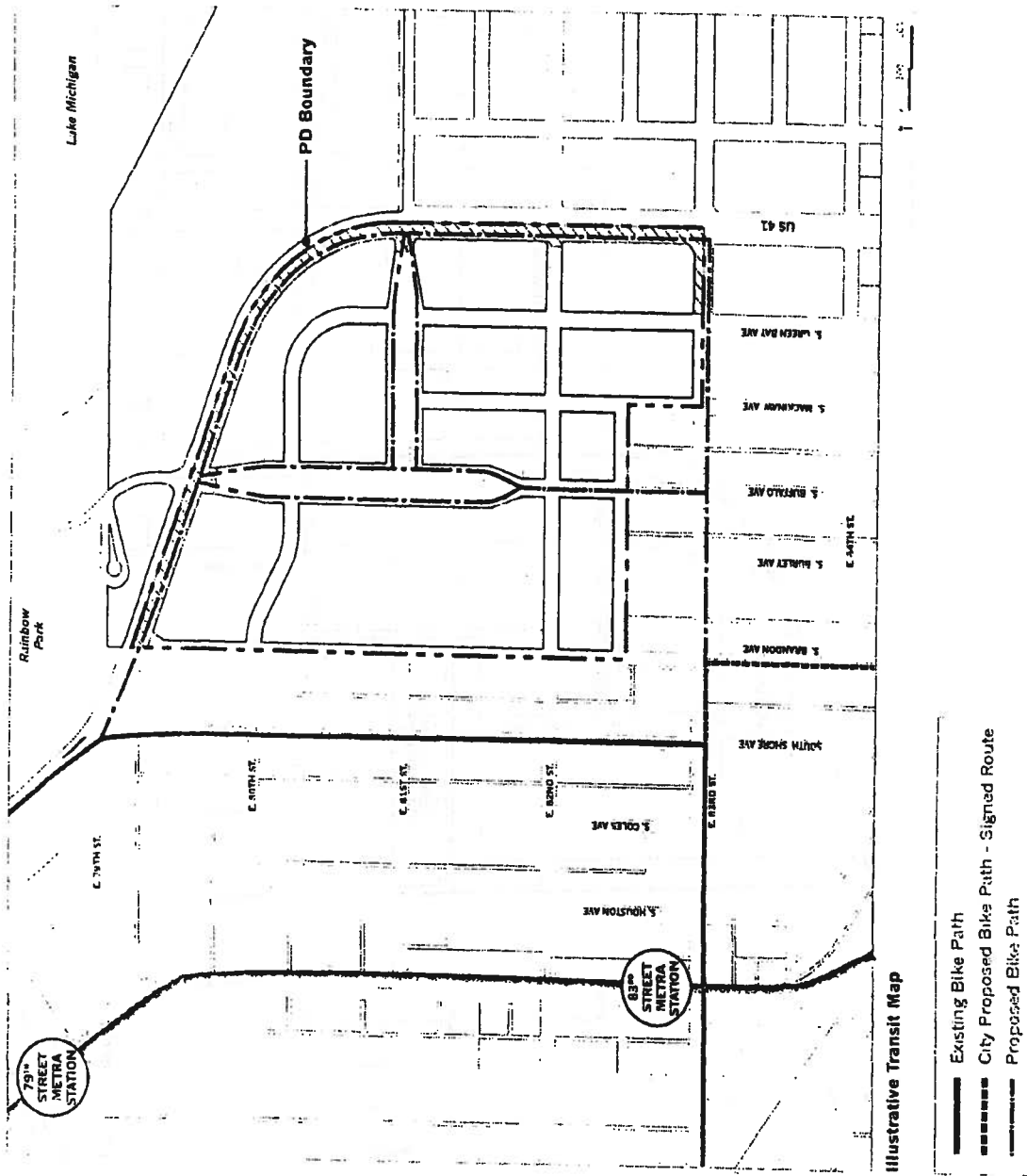


Exhibit 1.11.
Illustrative Land-Use Map.

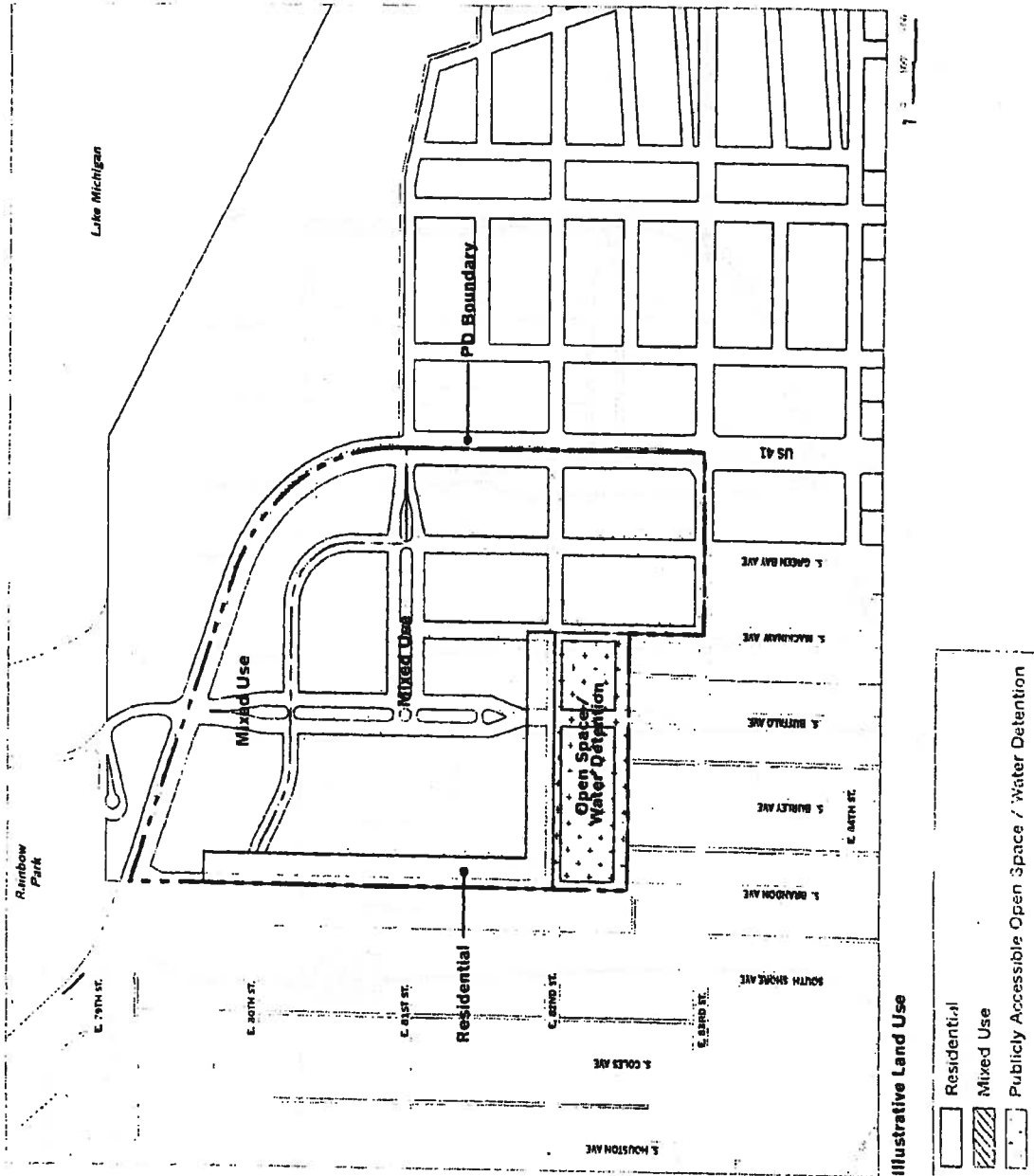
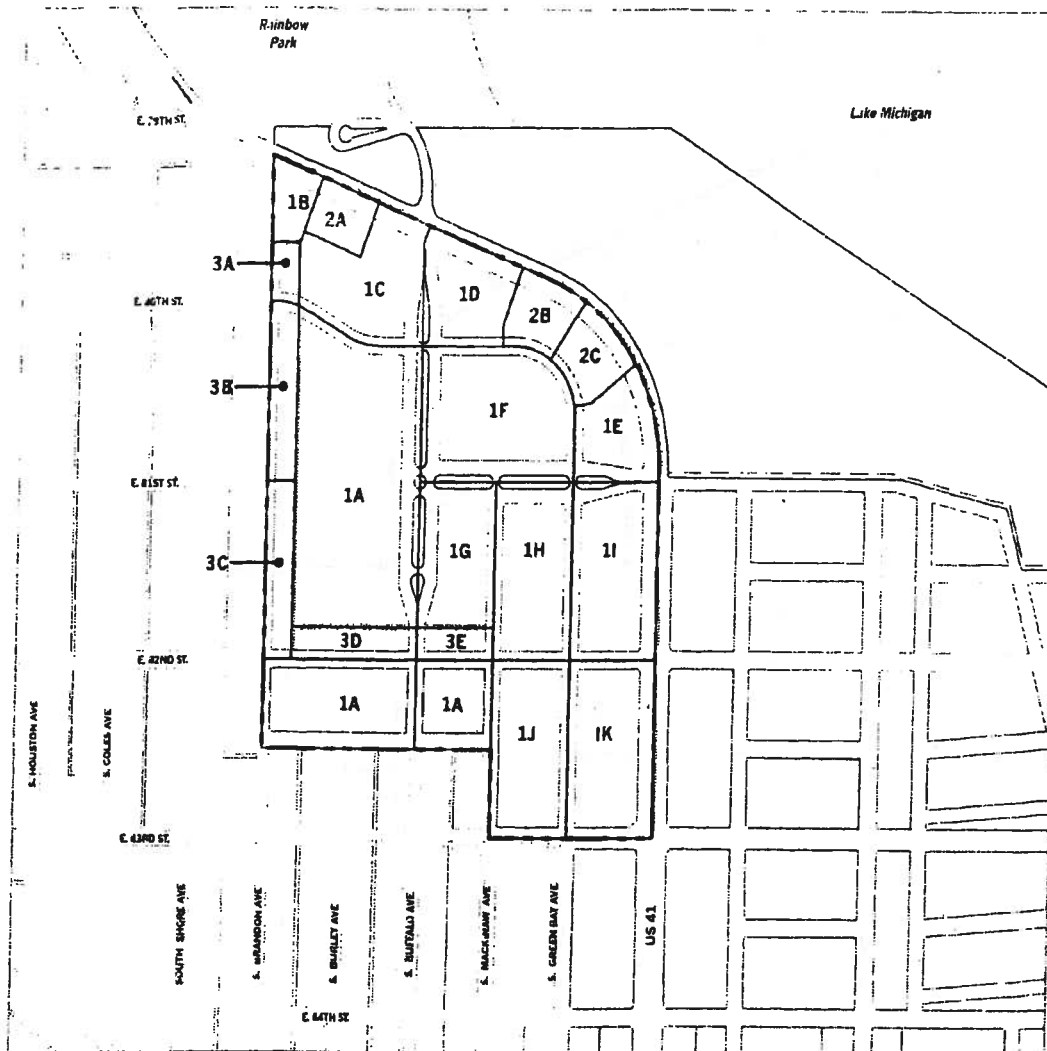


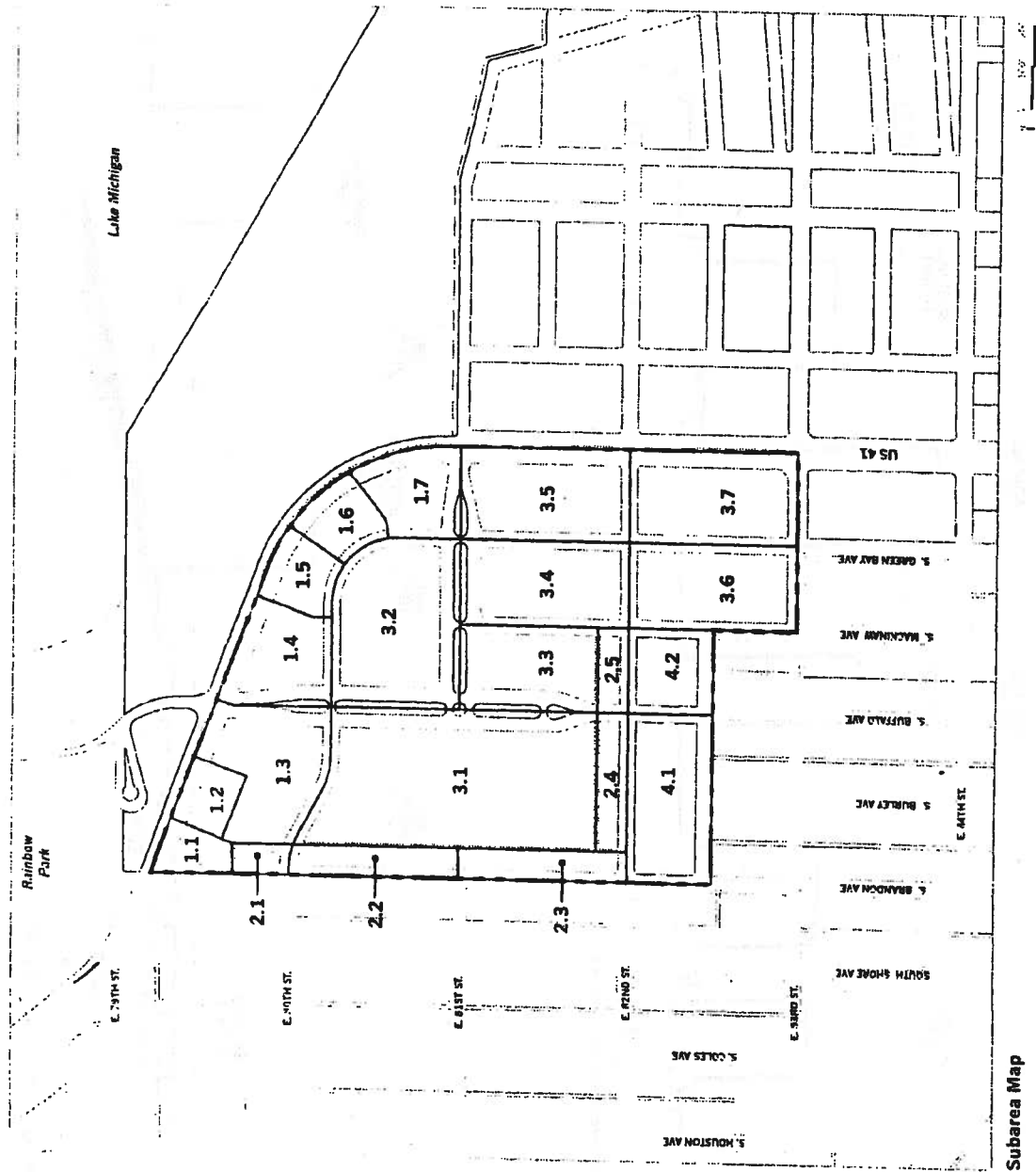
Exhibit 1.13.
Conceptual Phasing Map.



Conceptual Phasing

- Phase 1 1A - 1K
- Phase 2 2A - 2C
- Phase 3 3A - 3E

Exhibit 1.14.
Subarea Map.



Subarea Map

Exhibit 1.15.
Illustrative Elevations.
(Page 1 of 2)

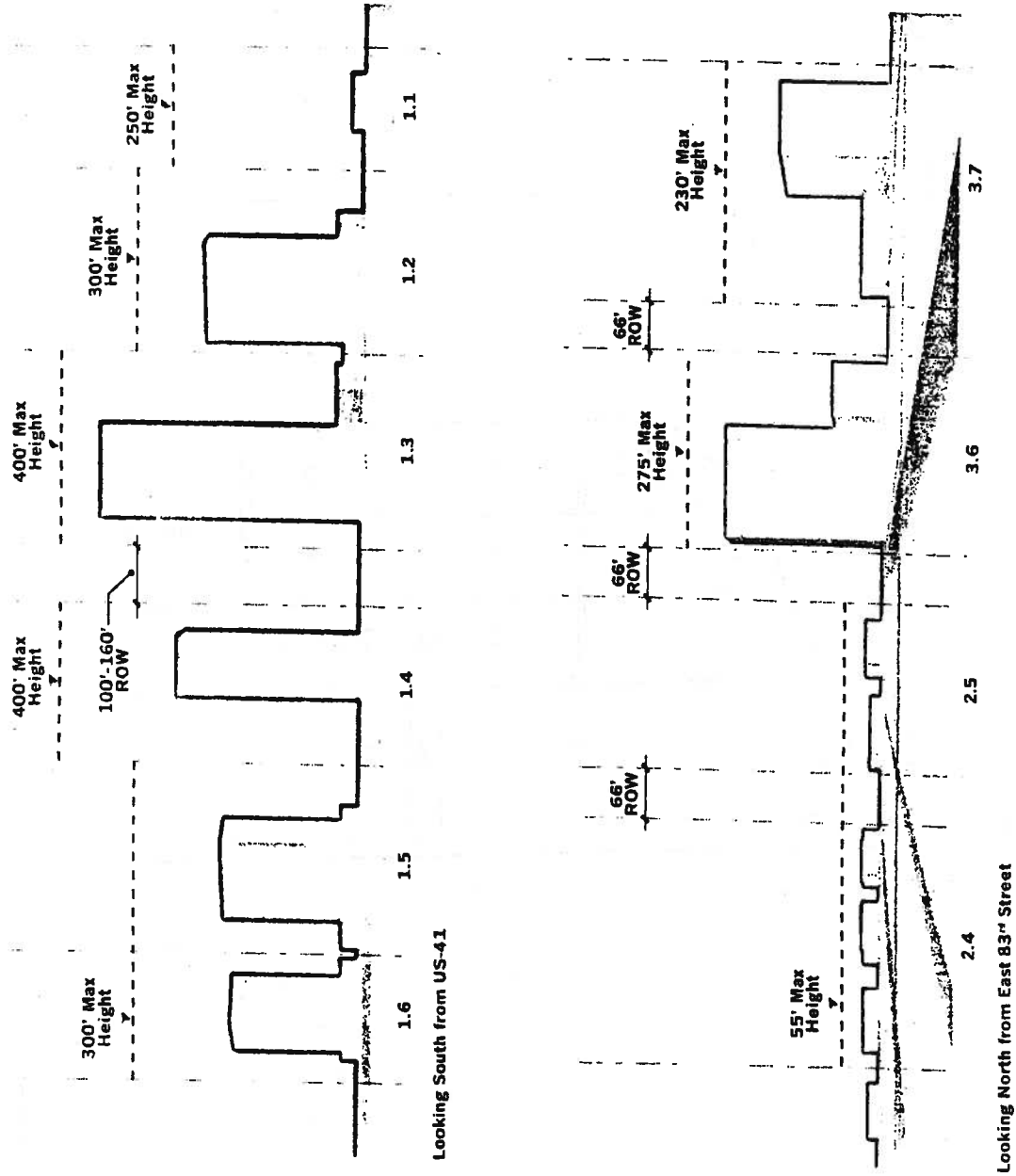
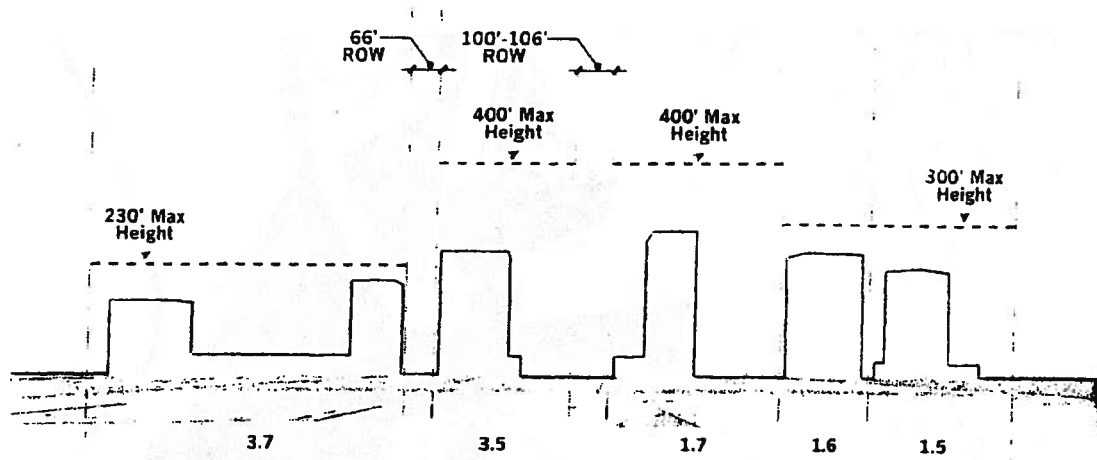
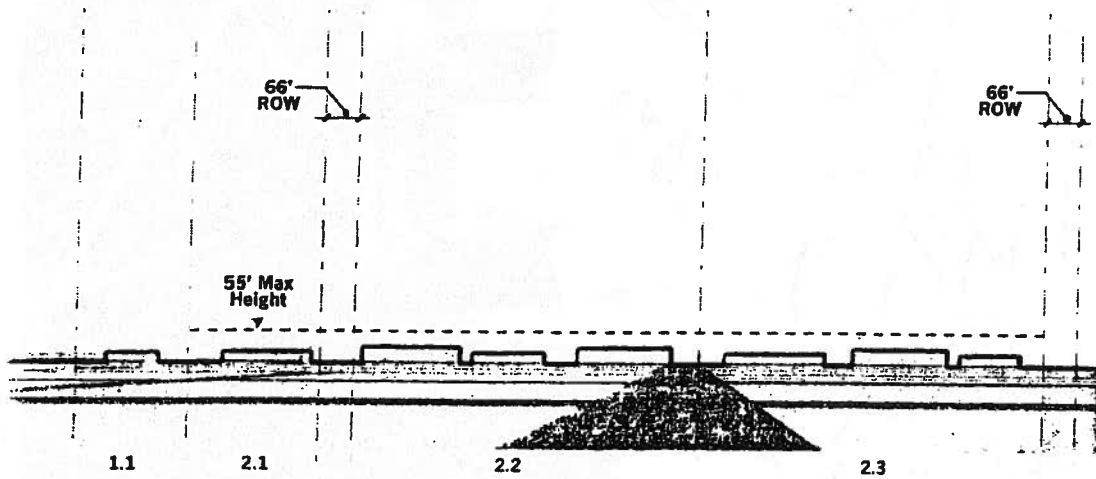


Exhibit 1.15.
Illustrative Elevations.
(Page 2 of 2)

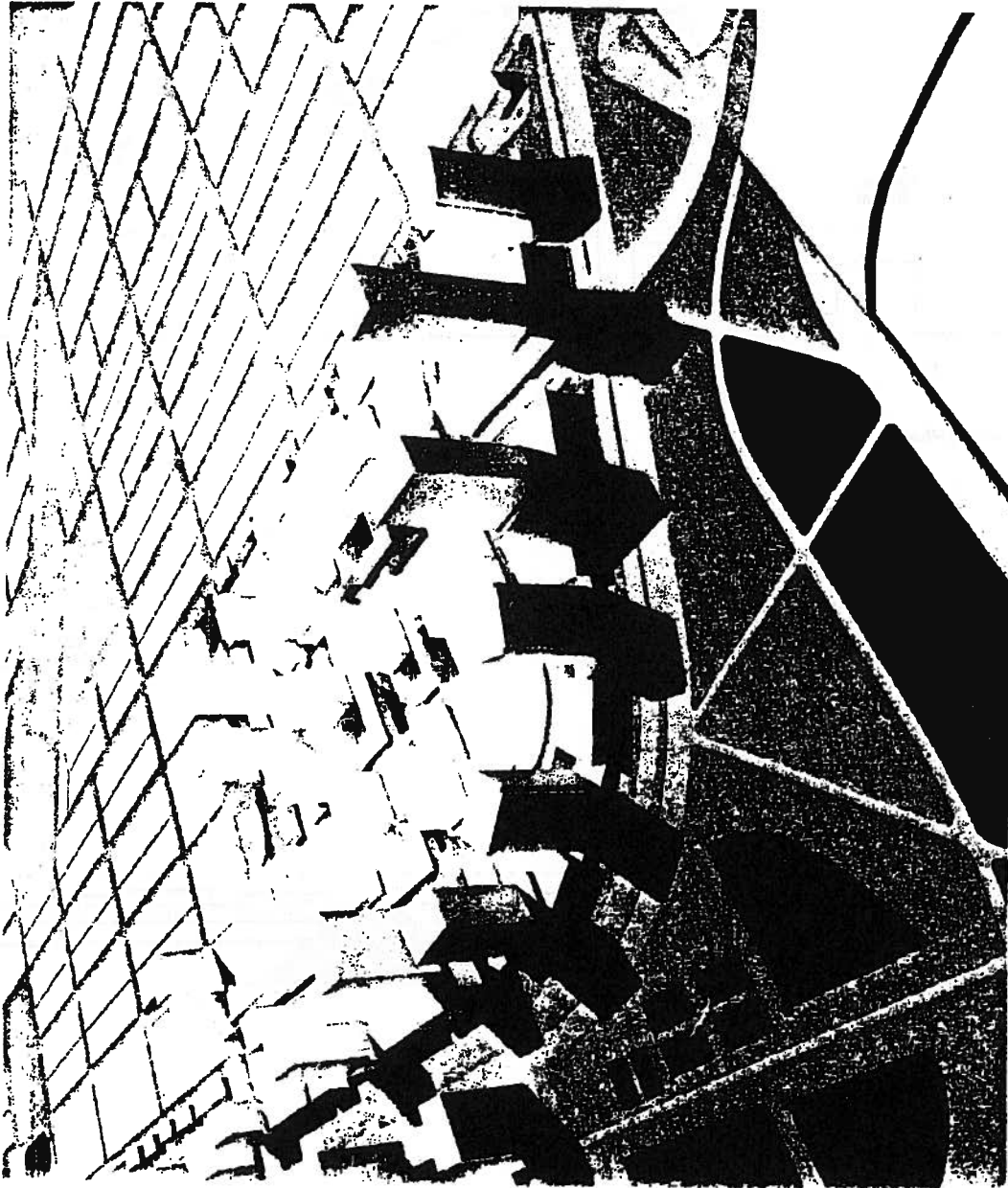


Looking West from US-41



Looking East from S. Brandon Avenue

Exhibit 1.16.
Conceptual Maximum Development.



Looking SW from Lake Michigan

10222

Exhibit 1.17.
Area And Bulk Regulations Data Table.

Planned Development

Gross Land Area	3,342,612 s.f.	76.736 acres
Area of Public ROW *	1,132,949 s.f.	26.009 acres
Net Site Area	2,221,379 s.f.	50.996 acres
Maximum Permitted Dwelling Units	3,000 units	
Maximum Permitted FAR	5.0	
Minimum Setbacks	Refer to the specific sub area regulations	
Minimum Parking	Refer to the specific sub area regulations	

*** Note:**

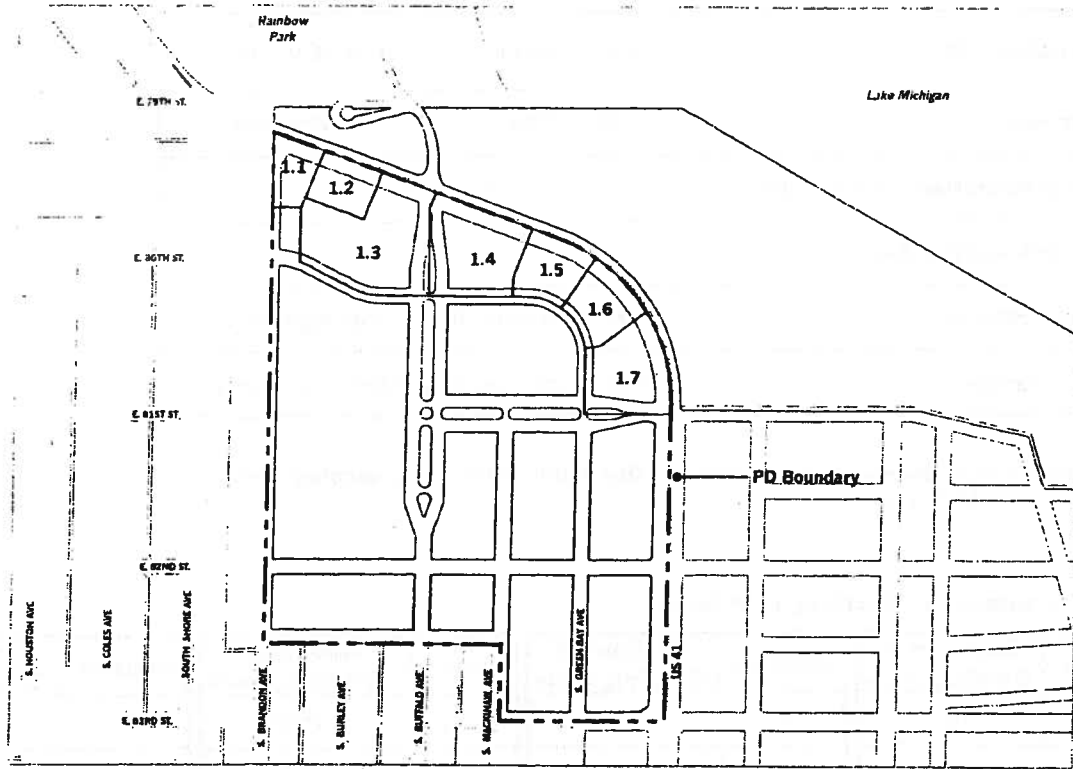
Area of Public ROW excludes area in the Existing Public ROW to be vacated which equals a size of 11,716 s.f.

Planned Development - Dwelling Unit Totals

Subarea	Maximum # Dwelling Units	Subarea	Maximum # Dwelling Units	Subarea	Maximum # Dwelling Units	Subarea	Maximum # Dwelling Units
1.1	150	2.1	18	3.1	1500	4.1	0
1.2	250	2.2	60	3.2	500	4.2	0
1.3	600	2.3	54	3.3	500		
1.4	350	2.4	48	3.4	400		
1.5	250	2.5	27	3.5	500		
1.6	250			3.6	400		
1.7	350			3.7	350		
TOTAL 1.1 - 1.7	1,600	TOTAL 2.1 - 2.5	200	TOTAL 3.1 - 3.7	2,000	TOTAL 4.1 - 4.2	0
Planned Development Maximum Permitted Dwelling Units				3,000 units			

Note: While the dwelling unit count for all of the Sub Areas add to a total of 6,557 units, no more than 3,000 dwelling units are permitted in the overall planned development.

Exhibit 1.18.
 Subareas 1.1 – 1.7
 Subarea Use And Bulk Regulations.
 (Page 1 of 6)



Subareas 1.1 - 1.7

Subareas 1.1 - 1.7	Subarea Number	1.1	1.2	1.3	1.4	1.5	1.6	1.7	TOTAL	
	Gross Land Area (s.f.)	47,664	55,063	207,114	142,123	71,460	75,467	122,874	721,765	
	Net Land Area (s.f.)	24,172	38,370	149,346	80,010	45,230	48,126	68,423	451,830	
	Maximum Floor Area Ratio	5.3	8.0	10.0	9.0	8.0	8.0	8.0	3.69	
	Maximum Building Height	250'	300'	400'	400'	300'	300'	400'	-	
	Maximum Dwelling Units	150	250	600	350	290	250	350	1600	
		Maximum dwelling units for combined Sub Areas 1.1 - 1.7: 1600 units								
	Minimum Front Setback	-10' from US-41 property line; otherwise 0'								
	Minimum Rear Setback	0' from alleyways; otherwise minimum 5' from rear property line								
	Minimum Side Setback	0' from streets and alleyways; otherwise 10' minimum								
Minimum Parking Spaces and Minimum Bike Parking	Office - none for the first 35,000 sf; then 1 space per 1,000 sf / bike parking - 1 per 10 auto spaces Retail - none for the first 35,000 sf; then 1 space per 1,000 sf / bike parking - 1 per 5 auto spaces Hotel - none for the first 35,000 sf; then 1 space per 1,000 sf / bike parking - 1 per 10 auto spaces Residential: 1 space per unit for the first 100 units; 0.60 spaces per unit for all additional unit/ bike parking - 1 per 2 auto spaces in buildings containing 3 or more units									

Exhibit 1.18.
Subareas 1.1 -- 1.7
Subarea Use And Bulk Regulations -- Subarea 1.1.
(Page 2 of 6)

The following uses shall be allowed in Subarea 1.1

- Above Ground Residential
- Accessory Uses
- Art Galleries
- Artist Live/Work Space - ground floor and other
- Artist Work or Sales Space
- Automated Teller
- Automated Teller Machine
- Auto Supply / Accessory Sales
- Bank
- Business Equipment Sales and Services
- Business Support Services
- Catering
- Wireless Communication Facilities
- Communication Service Establishments
- Cultural Exhibits & Libraries
- Currency Exchange
- Dry Cleaner with no on-premise plant
- Drive-Through Facility
- Dwelling Units - above ground floor
- Elderly Housing
- Employment Agencies
- Financial Services
- Fitness Clubs
- Food & Beverage Retail Sales
- Foreign Consulates
- Gas Stations
- Hair/ Nail Salon / Barbershop
- Hotel
- Indoor Special Event Class B, including Incidental Liquor Sales
- Liquor Sales (Accessory Use)
- Liquor Sales (Packaged Goods)
- Medical Service
- Multi-Unit Residential
- Nursing Home
- Office

- Outdoor Patio Eating and Drinking
- Personal Service
- Pet Sales and Grooming
- Postal Service
- Philanthropic Institutions
- Religious Assembly
- Restaurant, General
- Restaurant, Limited
- Retail Sales
- Small Venue Entertainment (1-149 capacity)
- Tavern
- Utilities and Services, Minor
- Veterinary

The following uses shall be prohibited in Subarea 1.1

- Adult Use
- Cemetery
- Contractor Construction Services Storage Yard
- Cremating
- Detention/Correctional
- General Laundry (Dry Cleaning Plant)
- Classified
- Overnight Shelter
- Poultry Slaughter
- Recycling Facilities Class I
- Recycling Facilities Class II
- Residential Storage Warehouse
- Stables
- Utilities & Services, Major
- Vehicle Towing/Storage

Exhibit 1.18.
Subareas 1.1 -- 1.7
Subarea Use And Bulk Regulations -- Subareas 1.3, 1.4 And 1.7.
(Page 3 of 6)

**The following uses shall be
 allowed in Subareas 1.3, 1.4, 1.7**

- Above Ground Residential
- Accessory Uses
- Art Galleries
- Artist Live/Work Space - ground floor and other
- Artist Work or Sales Space
- Assisted Living
- Automated Teller
- Automated Teller Machine
- Auto Supply / Accessory Sales
- Bank
- Banquet or Meeting Halls
- Business Equipment Sales and Services
- Business Support Services
- Catering
- Wireless Communication Facilities
- Communication Service Establishments
- Community Centers
- Cultural Exhibits & Libraries
- Currency Exchange
- Day Care
- Dry Cleaner with no on-premise plant
- Dwelling Units - above ground floor
- Elderly Housing
- Financial Services
- Fitness Clubs
- Food & Beverage Retail Sales
- Foreign Consulates
- Ground Floor Residential
- Hair/ Nail Salon / Barbershop
- High Tech Office
- Hotel
- Indoor Special Event Class B, including Incidental Liquor Sales
- Indoor Sports
- Liquor Sales (Accessory Use)
- Liquor Sales (Packaged Goods)
- Lodge or Private Club
- Medical Service
- Movie Theatres

- Multi-Unit Residential
- Museums
- Night Clubs
- Nursing Home
- Office
- Outdoor Patio Eating and Drinking
- Personal Service
- Pet Sales and Grooming
- Philanthropic Institutions
- Repair or Laundry Service
- Restaurant, General
- Restaurant, Limited
- Retail Sales
- Small Venue Entertainment (1-149 capacity)
- Sports and Recreation
- Tavern
- Utilities and Services, Minor
- Veterinary

**The following uses shall be
 prohibited in Subareas 1.3, 1.4, 1.7**

- Adult Use
- Cemetery
- Contractor Construction Services Storage Yard
- Cremating
- Detention/Correctional
- General Laundry (Dry Cleaning Plant)
- Overnight Shelter
- Poultry Slaughter
- Recycling Facilities Class I
- Recycling Facilities Class II
- Residential Storage Warehouse
- Stables
- Utilities & Services, Major
- Vehicle Towing/Storage

Exhibit 1.18.
Subareas 1.1 – 1.7 Subarea Use And Bulk
Regulations – Subareas 1.2, 1.5 And 1.6.
(Page 4 of 6)

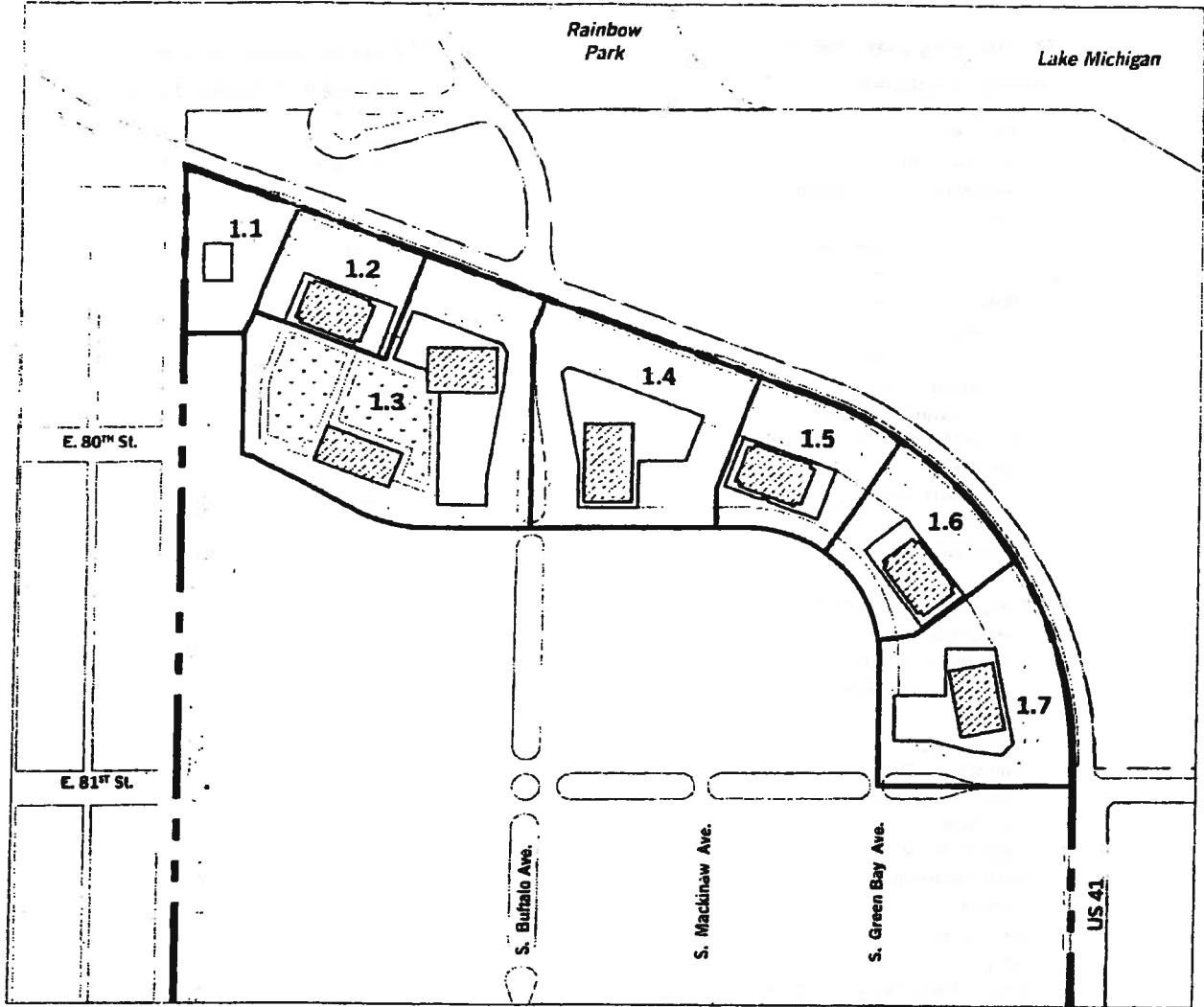
**The following uses shall be
allowed in Subareas 1.2, 1.5, 1.6**

- Art Gallery
- Assisted Living
- Automated Teller Machine
- Bank
- Banquet or Meeting Halls
- Bed and Breakfast
- Business Support Services
- Catering
- Colleges and Universities
- Community Centers
- Convents and Monasteries
- Cultural Exhibits and Libraries
- Day Care
- Dry Cleaner with no on-premise plant
- Elderly Housing
- Financial Services
- Fitness Clubs
- Food and Beverage Retail Sales
- Foreign Consulates
- Philanthropic Institutions
- Hair/ Nail Salon/ Barbershop
- Hospital
- Hotel
- Liquor Sales (Accessory Use)
- Liquor Sales (Packaged Goods)
- Live Theatre
- Lodge or Private Club
- Multi-Unit Residential
- Museums
- Nursing Home
- Office
- Outdoor Patio Eating and Drinking
- Parking, Non-Accessory
- Pet Sales and Grooming
- Postal Services
- Resident Support Services
- Restaurant, General
- Restaurant, Limited
- Retail Sales
- Tavern
- Utilities and Services, Minor

**The following uses shall be
prohibited in Subareas 1.2, 1.5, 1.6**

- Cemetery
- Cremating
- Detached House
- School
- Two-Flat
- Townhouse

Exhibit 1.18.
Subareas 1.1 -- 1.7
Illustrative Subarea Development Plan.
(Page 5 of 6)

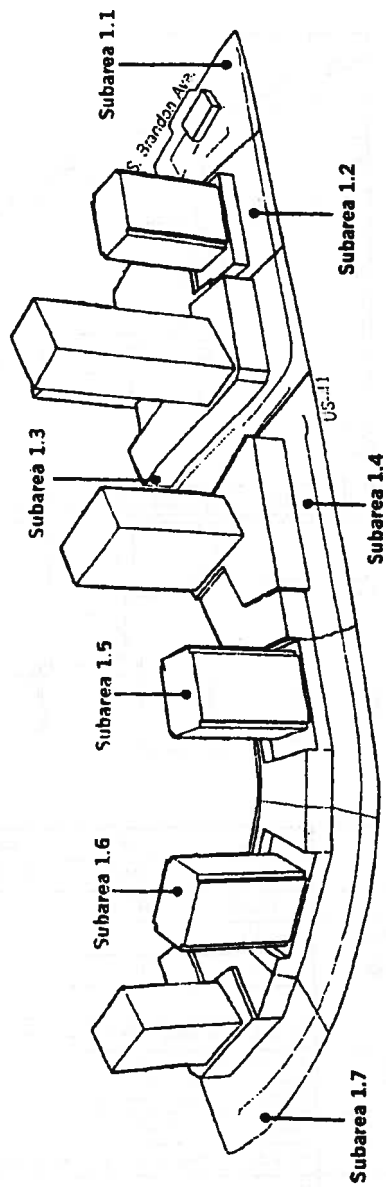


Subareas 1.1 - 1.7

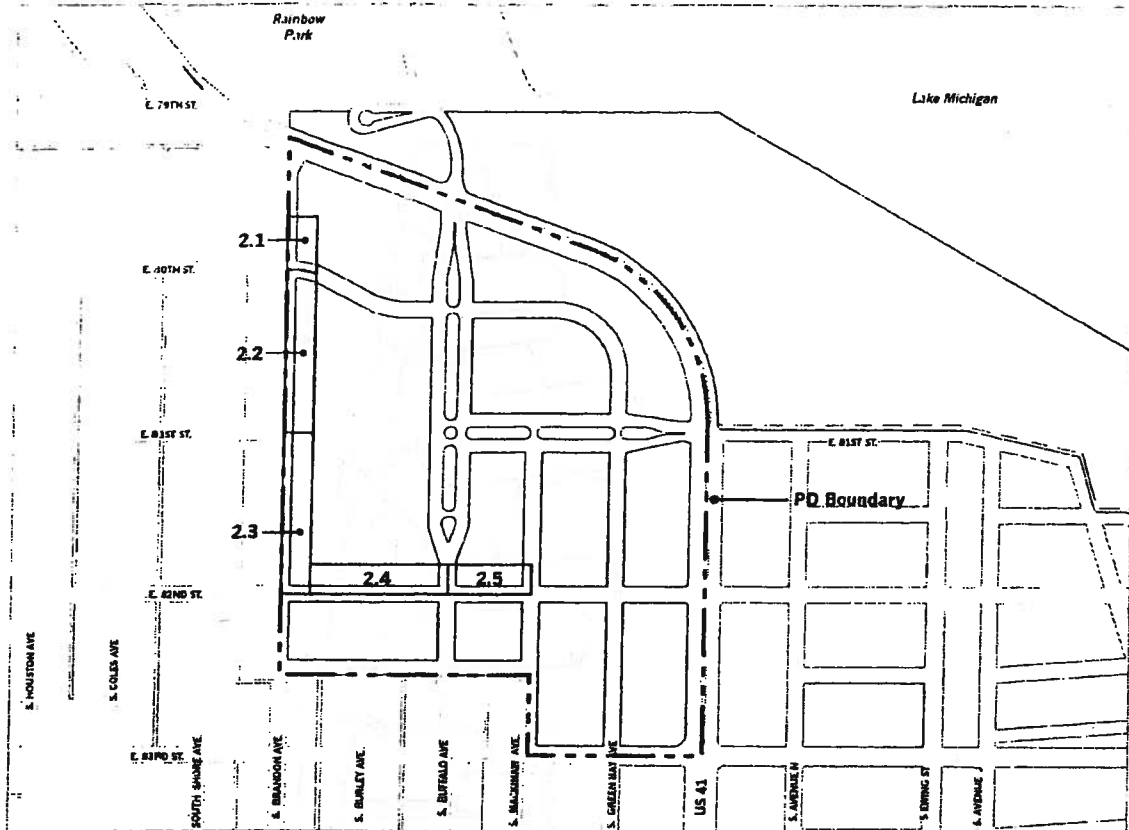
Illustrative Development Plan	
	Retail
	Podium base with retail
	Tower
	Terrace above structured parking

This plan illustrates the maximum level of improvements that may be constructed in the Planned Development.

Exhibit 1.18.
Subareas 1.1 -- 1.7
Subarea Illustrative Maximum Massing.
(Page 6 of 6)



**Exhibit 1.19.
Subareas 2.1 -- 2.5
Subarea Use And Bulk Regulations.
(Page 1 of 4)**



Sub Areas 2.1 - 2.5

1 : 1" = 100'

Subareas 2.1 - 2.5	Subarea Number	2.1	2.2	2.3	2.4	2.5	TOTAL
	Gross Land Area (s.f.)	25,474	76,910	77,578	65,892	40,091	285,945
	Net Land Area (s.f.)	13,198	46,703	47,254	39,774	20,985	167,914
	Maximum Floor Area Ratio	1.2	1.2	1.2	1.2	1.2	1.2
	Maximum Building Height	55'	55'	55'	55'	55'	-
	Maximum Dwelling Units	13	60	54	48	27	200
		Maximum dwelling units for combined Sub Areas 2.1 - 2.5: 200 units					
	Minimum Front Setback	12' from front property line					
	Minimum Rear Setback	0' from alleyways; otherwise 15% of lot depth or 30', whichever is less					
	Minimum Side Setback	Attached: 0' / Detached: 2.5					
Minimum Open Space	65 sf per dwelling unit or 6.5% of lot area, whichever is greater						
Minimum Parking Spaces and Minimum Bike Parking	Retail: none for the first 4,000 sf; then 2 spaces per 1,000 sf Residential: 1 space per dwelling unit / no bike parking required						

Exhibit 1.19.
Subareas 2.1 -- 2.5
Subarea Use And Bulk Regulations.
(Page 2 of 4)

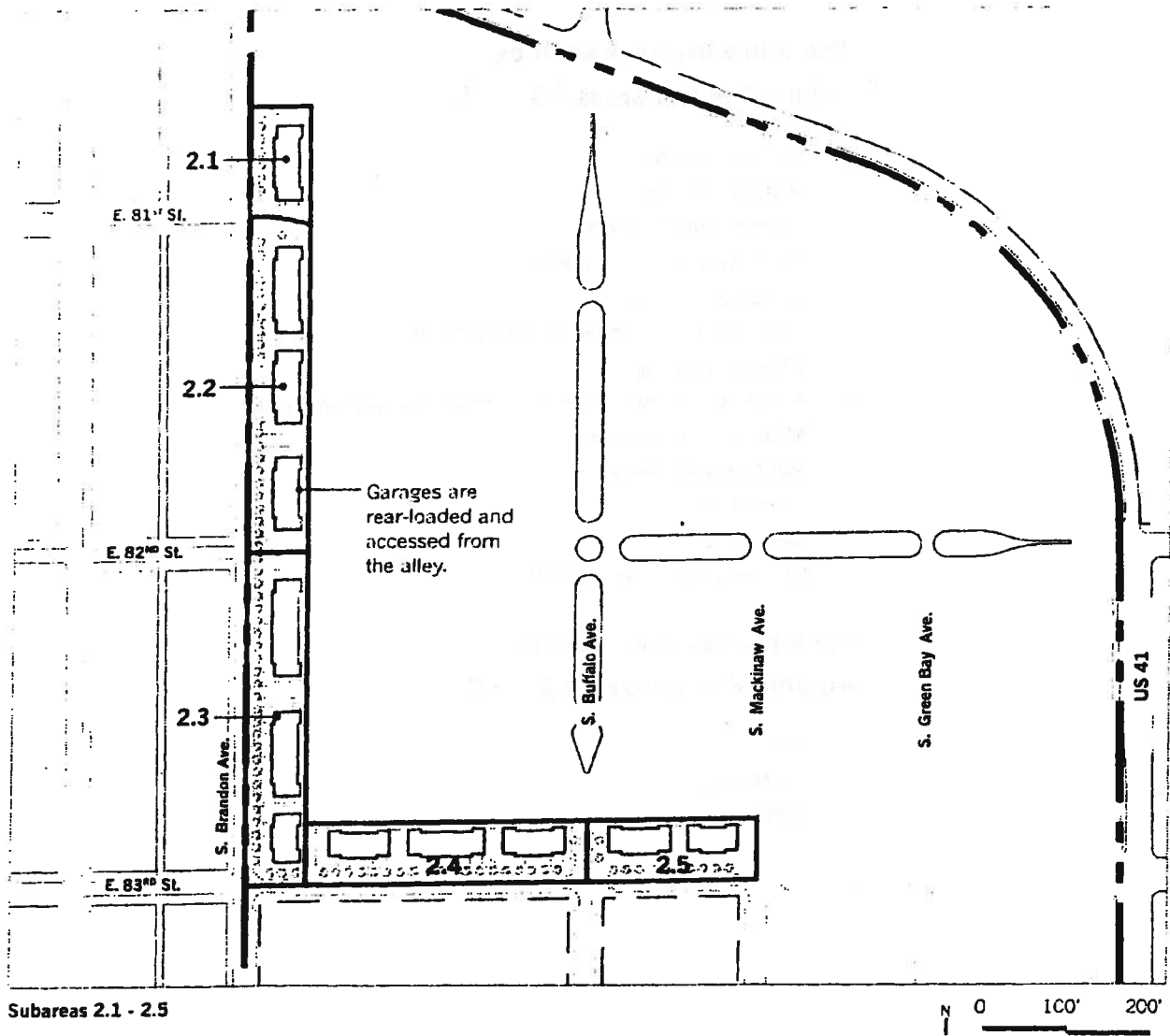
**The following uses shall be
allowed in Subareas 2.1 - 2.5**

- Accessory Uses
- Assisted Living
- Community Centers
- Community Home, Family
- Detached House
- Dwelling Units - ground floor and other
- Elderly Housing
- Artist Live/Work Space Above-Ground and At-Grade
- Multi-Unit Residential
- Religious Assembly
- Townhouse
- Two-Flat
- Utilities and Services, Minor

**The following uses shall be
prohibited in Subareas 2.1 - 2.5**






- Cemetery
- Cremating
- School

Exhibit 1.19.
 Subareas 2.1 -- 2.5
 Illustrative Subarea Development Plan.
 (Page 3 of 4)



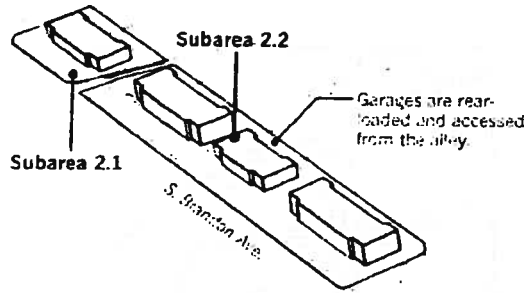
Subareas 2.1 - 2.5

Illustrative Development Plan

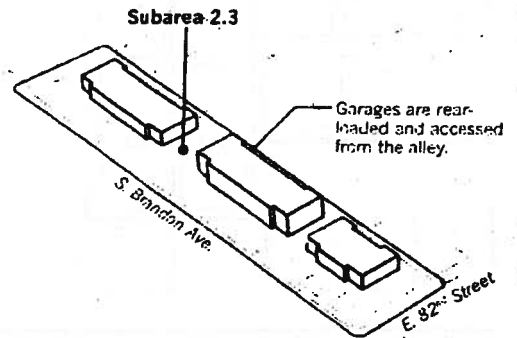
-  Retail
-  Podium base with retail
-  Tower
-  Terrace above structured parking
-  Residential

This plan illustrates the maximum level of improvements that may be constructed in the Planned Development.

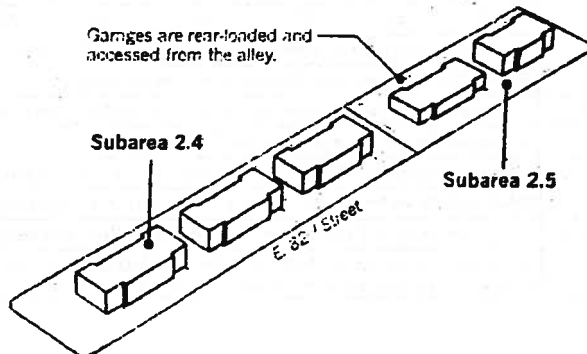
Exhibit 1.19.
Subareas 2.1 -- 2.5
Subarea Illustrative Maximum Massing.
(Page 4 of 4)



Subareas 2.1 - 2.2: Looking NE from S. Brandon Ave.



Subarea 2.3: Looking NE from S. Brandon Ave.



Subareas 2.4 - 2.5: Looking NE from E. 82nd Street

Exhibit 1.20.
Subareas 3.1 -- 3.7
Subarea Use And Bulk Regulations.
(Page 2 of 4)

The following uses shall be allowed in Subareas 3.1 - 3.7

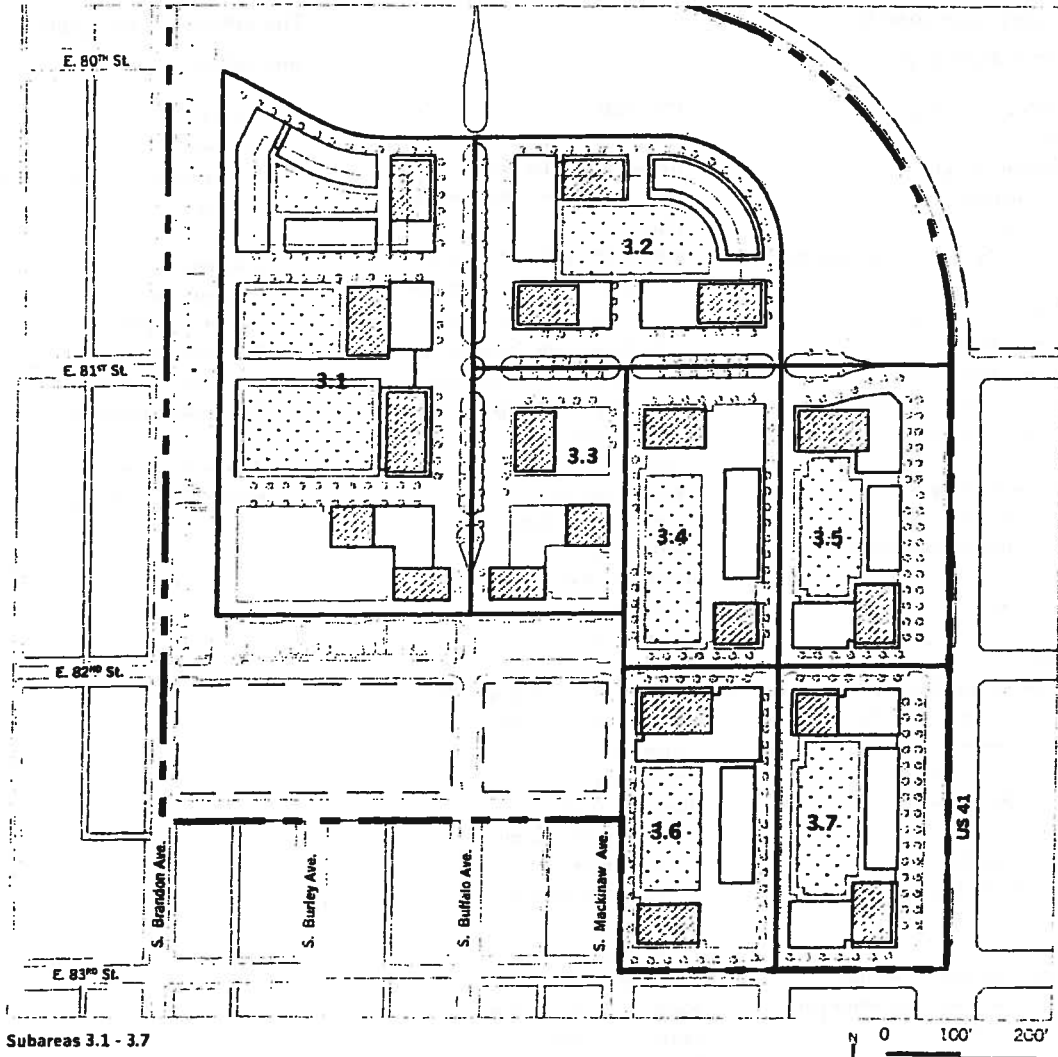
- Above Ground Residential
- Accessory Uses
- Amusement Arcades
- Animal Services
- Art Galleries
- Artist Live/Work Space - ground floor and other
- Artist Work or Sales Space
- Automated Teller
- Automated Teller Machine
- Automobile Sales / Services
- Auto Supply / Accessory Sales
- Bank
- Banquet or Meeting Halls
- Body Art Services
- Business Equipment Sales and Services
- Business Support Services
- Catering
- Car Wash
- Coin Operated Laundromat
- Wireless Communication Facilities
- Colleges & Universities
- Commercial Greenhouses
- Communication Service Establishments
- Community Centers
- Cultural Exhibits & Libraries
- Currency Exchange
- Day Care
- Day Labor Employment Agency
- Dry Cleaner with no on-premise plant
- Drive-Through Facility
- Elderly Housing
- Employment Agencies
- Entertainment and Spectator Sports
- Financial Services
- Fitness Clubs
- Flea Market
- Fire Station
- Food & Beverage Retail Sales
- Fortune Telling

- Gas Stations
- Government-Operated Health Center
- Ground Floor Residential
- Hair/ Nail Salon / Barbershop
- Hotel
- Indoor Special Event Class B, including Incidental Liquor Sales
- Inter-Track Wagering Facility
- Light Equipment Sales/Rental
- Liquor Sales (Accessory Use)
- Liquor Sales (Packaged Goods)
- Live Theatres
- Lodge or Private Club
- Medical Service
- Motor Vehicle Repair Shop
- Movie Theatres
- Multi-Unit Residential
- Museums
- Night Clubs
- Office
- Outdoor Patio Eating and Drinking
- Parking, Non-Accessory
- Pawn Shop
- Payday Loan
- Personal Service
- Pet Sales and Grooming
- Postal Service
- Public Safety Services
- Police Station
- Philanthropic Institutions
- Religious Assembly
- Repair or Laundry Service
- Restaurant, General
- Restaurant, Limited
- Residential Support Service
- Retail Sales
- School
- Small Venue Entertainment (1-149 capacity)
- Sports and Recreation
- Tavern
- Utilities and Services, Minor
- Veterinary

The following uses shall be prohibited in Subareas 3.1 - 3.7






- Adult Use
- Cemetery
- Contractor Construction Services Storage Yard
- Cremating
- Detention/Correctional
- General Laundry (Dry Cleaning Plant)
- Poultry Slaughter
- Recycling Facilities Class I
- Recycling Facilities Class II
- Residential Storage Warehouse
- Stables
- Utilities & Services, Major
- Vehicle Towing/Storage

Exhibit 1.20.
 Subareas 3.1 -- 3.7
 Illustrative Subarea Development Plan.
 (Page 3 of 4)



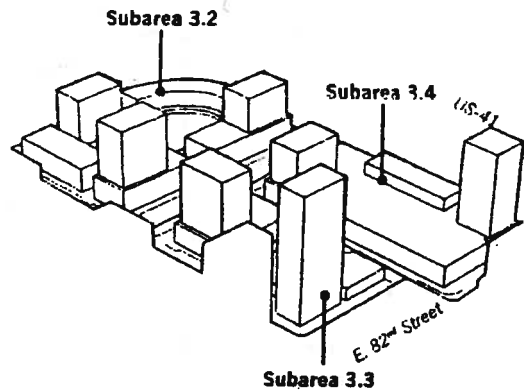
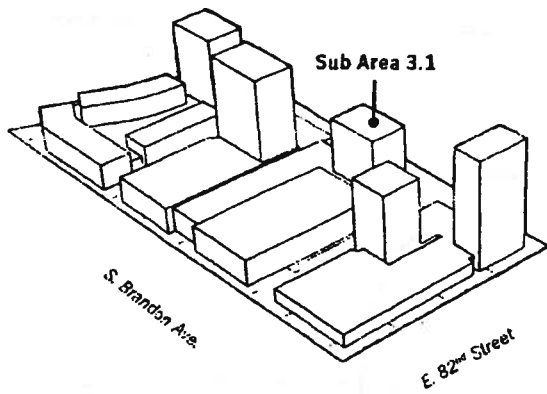
Subareas 3.1 - 3.7

Illustrative Development Plan

-  Retail
-  Podium base with retail
-  Tower
-  Terrace (above structured parking)
-  Residential

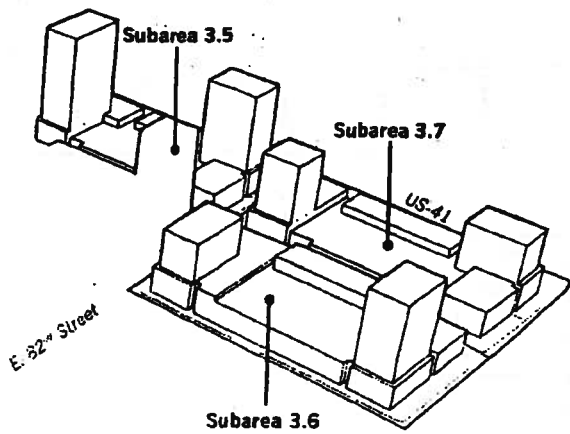
This plan illustrates the maximum level of improvements that may be constructed in the Planned Development.

Exhibit 1.20.
Subareas 3.1 – 3.7
Subarea Illustrative Maximum Massing.
(Page 4 of 4)



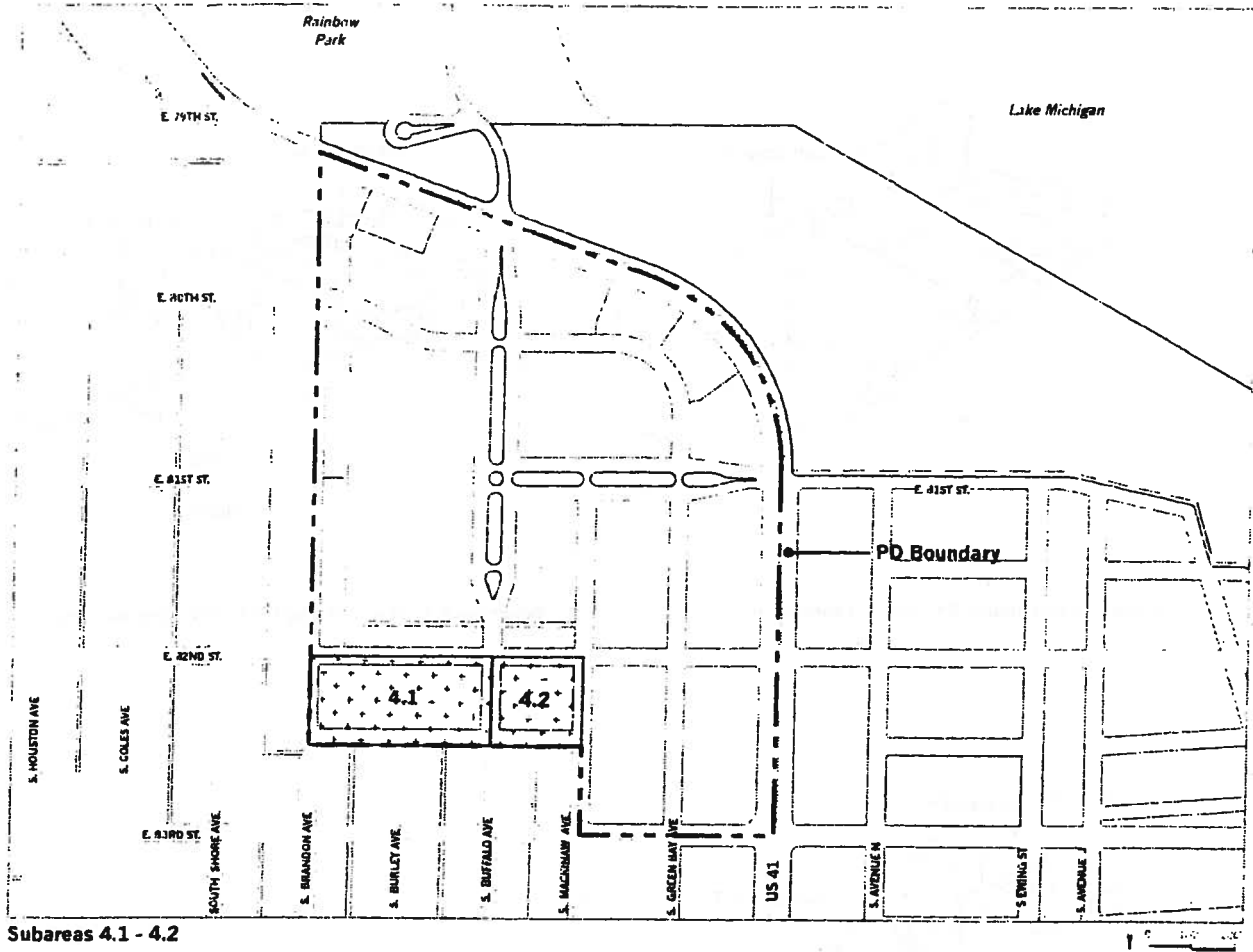
Subarea 3.1: Looking NE from S. Brandon Ave.

Subareas 3.2 - 3.4: Looking NE from S. Brandon Ave.



Subareas 3.5 - 3.7: Looking NE from S. Brandon Ave.

Exhibit 1.21.
 Subareas 4.1 -- 4.2
 Subarea Use And Bulk Regulations.



Subareas 4.1 - 4.2

Subarea Number	4.1	4.2	TOTAL
Gross Land Area (s.f.)	219,296	109,985	329,282
Net Land Area (s.f.)	142,139	63,437	205,576
Maximum Floor Area Ratio	0.0	0.0	0.0
Maximum Building Height	n/a	n/a	-
Maximum Dwelling Units		n/a	
Minimum Front Setback		n/a	
Minimum Rear Setback		n/a	
Minimum Side Setback		n/a	
Minimum Parking Spaces and Minimum Bike Parking		n/a	

Exhibit 1.21.
Subareas 4.1 -- 4.2
Illustrative Subarea Development Plan.

