

PD 1207

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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

May 19, 2015

Arkadia Apartments LLC
c/o Prudential Real Estate Investors
7 Giralda Farms
Madison, New Jersey 07940

**Re: Administrative Relief for Residential Business Planned Development No. 1207
Property line setbacks at 765 West Adams Street**

To whom it may concern:

Please be advised that a request for a minor change to Residential Business Planned Development No. 1207 ("PD 1207"), has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 13 of PD 1207.

PD 1207 was passed on December 12, 2012, and authorized the construction of a 33-story residential building. The Bulk Regulations and Data Table ("Bulk Table") identifies the Adams and Halsted Street setbacks as 5'-11" and an east property line setback of 1'-0". However, the Site Plan identifies an Adams Street setback of 2'-5", a Halsted Street setback of 3'-0", and an east property line setback of 0'.

The building has been completed and the Adams and Halsted Street setbacks are approximately 3'-0" and the east property line setback is approximately 0.79'. The underlying zoning was a DX-7 Downtown Mixed-Use District which has no setback requirements. Also, based on the discrepancy within the PD Bulk Table and Site Plan exhibits, the reduced setbacks were considered in substantial compliance with PD 1207.

Therefore, the Department of Planning and Development has determined that allowing the reduced setbacks will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and 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. 1207, 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, Fernando Espinoza, Jessica Morgan, Main file



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

July 5, 2013

Rolando R. Acosta
2949 W. Gregory Street
Chicago, IL 60625

**Re: Administrative Relief request for Residential Business Planned Development No. 1207
765 West Adams Street, Revised parkway landscaping**

Dear Mr. Acosta:

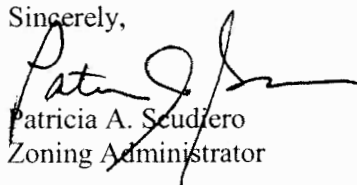
Please be advised that your request for a minor change to Residential Business Planned Development No. 1207 has been considered by the Department of Housing and Economic Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 13 of the Planned Development ("PD").

You are requesting, on behalf of the property owner, White Oak Realty Partners, LLC, to replace the landscaped parkway along W. Adams and S. Halsted Streets as shown on the PD's Site Plan, with trees in continuous grates as shown on the attached revised Landscape Plan, dated June 12, 2013. The change is being made at the request of the City's Bureau of Forestry due to the high volume of pedestrian traffic on the adjoining sidewalks.

With regard to your request, the Department of Housing and Economic Development has determined that allowing the replacement of planters with tree grates will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

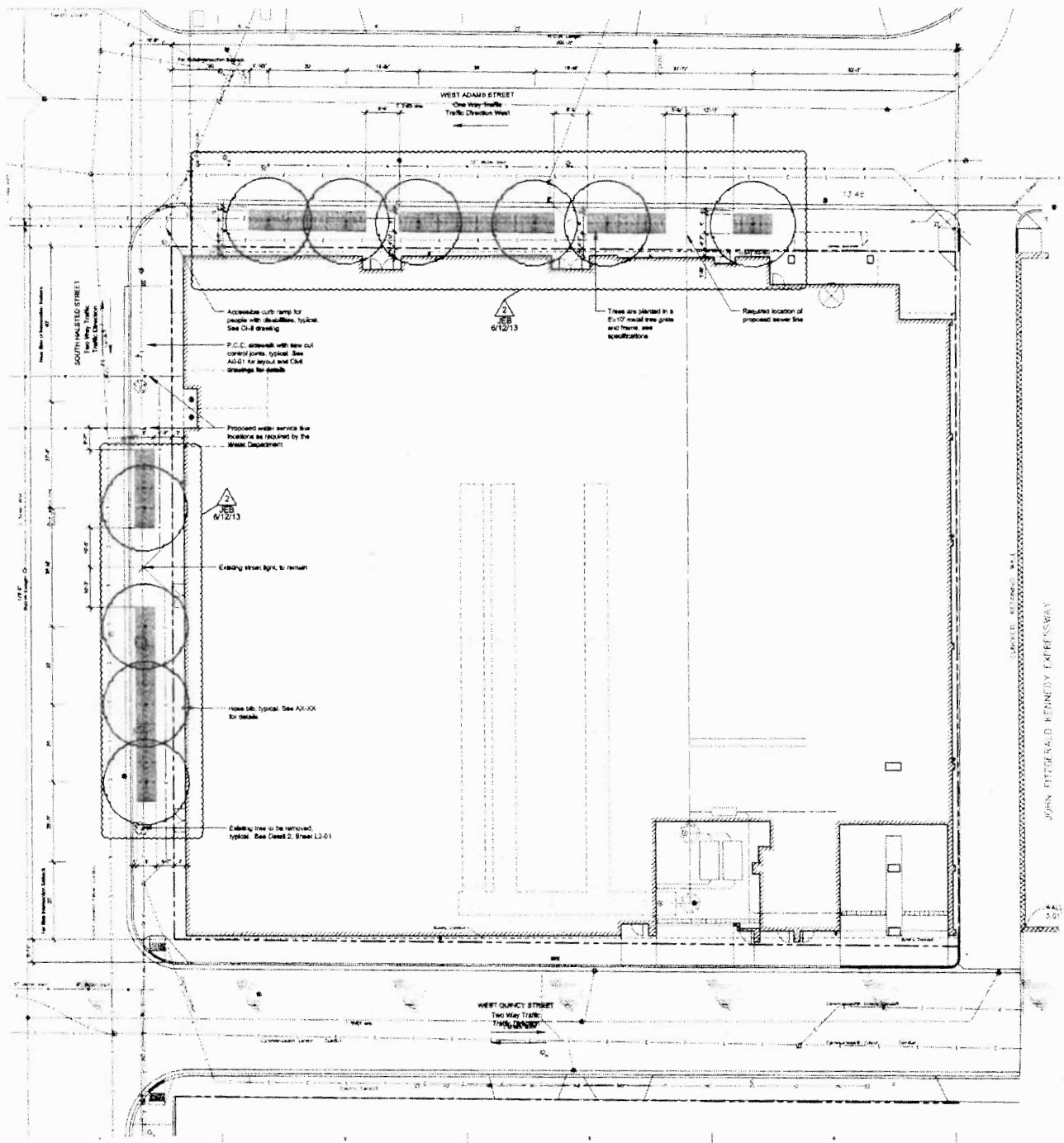
Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 1207, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for 12 months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

PAS: HG: tm

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



LEGEND



PLANT LIST - GROUND FLOOR

NOTE: QUANTITIES ON THE PLANT LIST ARE PROVIDED FOR INFORMATION ONLY. PLANT QUANTITIES UNDER THE CONTRACT ARE SUBJECT TO THE INVOICE BY THE SYSTEM OF ANY DISCREPANCY. THE CONTRACT SHALL BE BASED ON THE QUANTITIES SHOWN ON THE PLANS.

Species Name	Minimum Size	Quantity	Notes
Shade Trees			
Circle Oak (varieties: White Oak)	12" DBH	1	P.C. 1
Circle Maple (varieties: Norway Maple)	12" DBH	1	P.C. 1

**Landscape Ordinance Analysis
Parkway Planting**

Street	Length (Linear Feet)	Number of Trees Required (1 per 25 LF)	Number of Existing Trees	Number of Additional Trees Provided	Notes
West Adams Street	202.19	8	0	0	0 trees are provided. Additional trees can not be provided due to street intersection setbacks and utilities.
South Halsted Street	178.42	7	4	3	3 trees are provided. Additional trees can not be provided due to street intersection setbacks and utilities.
West Quincy Street	202.18	8	0	0	0 trees can not be provided due to setbacks being less than 6' wide.

Owner's Sworn Statements

The undersigned acknowledges that the landscape planting plan shown on the attached landscape plan for the property at 785 West Adams, Chicago, Illinois, has been designed to the best of the undersigned applicant's knowledge, been designed, and will be installed, maintained, and replaced, as required, by current and subsequent owners, in accordance with the requirements of Title 11, Chapter 32 of the Chicago Municipal Code, the landscaping standards of the Chicago Zoning Ordinance, and the "Guide to the Chicago Landscaping Ordinance."

Existing pavement will be removed due to construction constraints.

The plants will be installed by December 15, 2014.

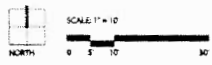
By Owner: *[Signature]*
Date: 8.26.13

Landscape Architect's Sworn Statement

The undersigned landscape architect, registered in the State of Illinois, acknowledges that the landscape planting plan and construction details shown on the attached landscape plan for the property at 785 West Adams, Chicago, Illinois, has been designed in accordance with the requirements of Title 11, Chapter 32 of the Chicago Municipal Code, the landscaping standards of the Chicago Zoning Ordinance, and the "Guide to the Chicago Landscaping Ordinance."

I, Joel Rubin, registered landscape architect No. 157-001145 in the State of Illinois, certify that these drawings were prepared under my direct supervision. License expiration date August 31, 2015.

By Landscape Architect: *[Signature]*
Joel Rubin, Registered Design Group
8-26-13
Date



FitzGerald
Associates Architects
1522 W. Lake St. Chicago, Illinois 60607
Tel: 312.563.1919

HITCHCOCK DESIGN GROUP
Landscape Architecture

11043
arkadia
TOWER
785 WEST ADAMS
CHICAGO IL 60661

Client:
White Oak Realty Partners, LLC

9525 W. Bryn Mawr Ave Suite 975, Rosemont, IL

785 WEST ADAMS
CHICAGO, ILLINOIS 60661
DATE: 8/26/13



LANDSCAPE PLAN - GROUND FLOOR

L1-01



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

CITY OF CHICAGO

February 26, 2013

Rolando R. Acosta
Law Offices of Rolando R. Acosta, P.C.
2949 W. Gregory Street
Chicago, IL 60625

**Re: Administrative Relief request for Residential Business Planned Development No. 1207
765 West Adams Street**

Dear Mr. Acosta:

Please be advised that your request for a minor change to Residential Business Planned Development No. 1207 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.

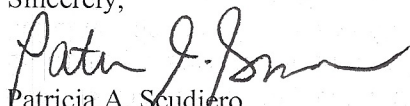
You are requesting on behalf of the property owner, White Oak Realty Partners, LLC, to increase the building height from 365 feet to 380 feet and to reduce the minimum required parking from 357 spaces to 350 spaces.

Residential Business Planned Development No. 1207 was adopted on December 12, 2012, and authorized construction of a 33-story building containing 351 units and 357 parking spaces. As work on the construction drawings progressed, a need for additional mechanical elements has resulted in a slight increase in the height of the building's podium from 64.33 feet to 66 feet and an increase in the building's mechanical penthouse from 365 feet to 380 feet, as shown on the revised building section, dated February 6, 2013. Additional structural elements have also resulted in seven fewer parking spaces being provided.

With regard to your request, the Department of Housing and Economic Development has determined that allowing a height increase from 365 feet to 380 feet and a parking reduction from 357 spaces to 350 spaces will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

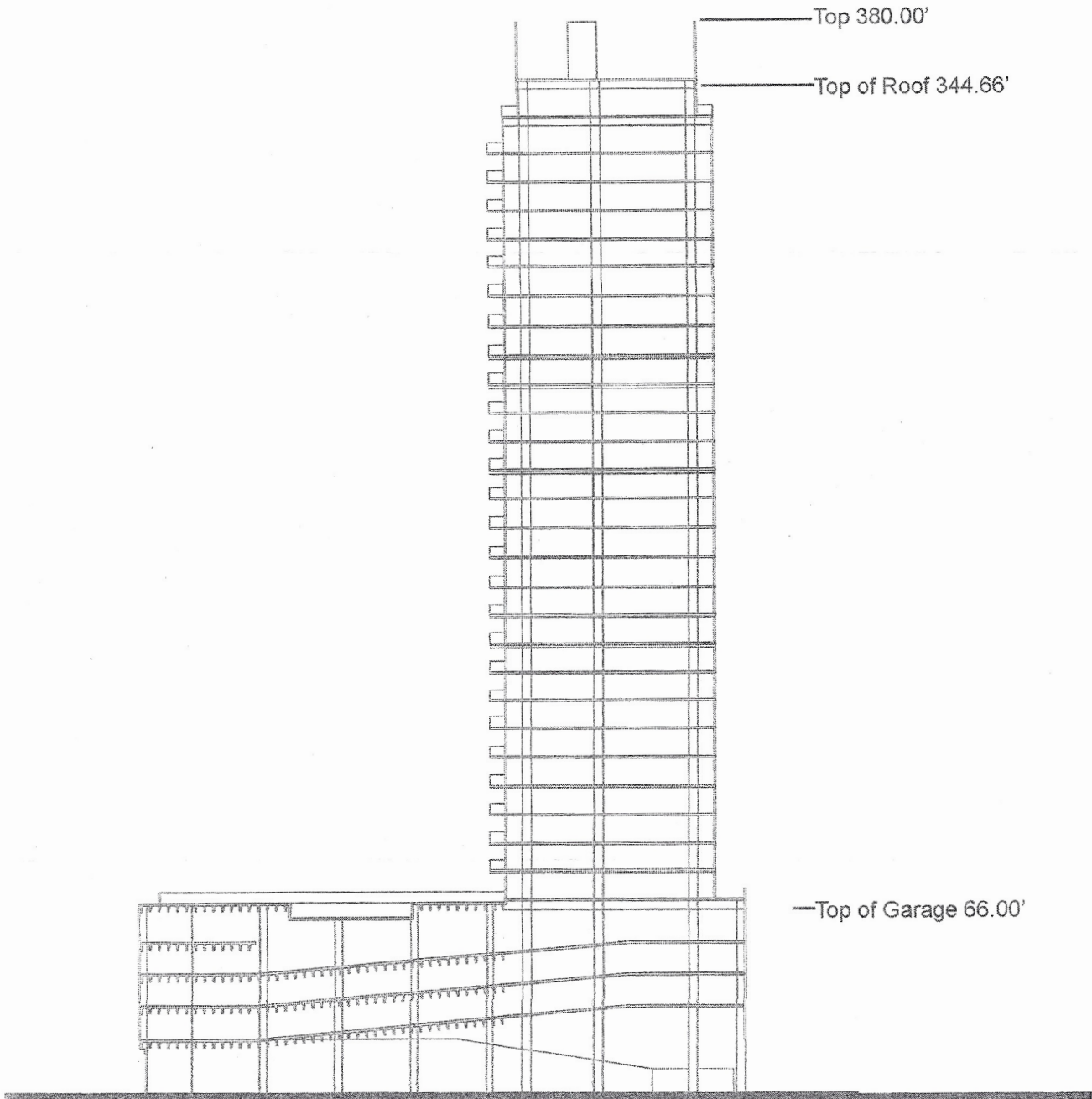
Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 1207, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for 12 months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

C: Mike Marmo, Erik Glass, Fernando Espinoza, Main file

Planned Development No. Building Section



Applicant: White Oak Realty Partners LLC
Address: 201 - 17 S. Halsted / 761 - 79 W. Adams / 760 - 78 W. Quincy
Submitted: November 27, 2012 Revised: February 6, 2013

12/12/2012

REPORTS OF COMMITTEES

44409

17552

Reclassification Of Area Shown On Map No. 2-F.
(As Amended)
(Application No. 17552)
(Common Address: 201 -- 217 S. Halsted St., 761 -- 779 W. Adams St.
And 758 -- 778 W. Quincy St.)

RBPD 1207

[SO2012-4964]

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 current DS-5 Downtown Service District symbols and indications as shown on Map Number 2-F in the area bounded by:

West Adams Street; a line 202.19 feet east of South Halsted Street; West Quincy Street;
and South Halsted Street,

to those of a DX-7 Downtown Mixed-Use District which is hereby established in the area described above.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the current DX-7 Downtown Mixed-Use District symbols and indications as shown on Map Number 2-F in the area bounded by:

West Adams Street; a line 202.19 feet east of South Halsted Street; West Quincy Street;
and South Halsted Street,

to those of a Residential Business Planned Development which is hereby established in the area described above.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

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

Residential-Business Planned Development Statements.

1. The area delineated herein as Planned Development Number 1207 ("Planned Development") consists of approximately 36,102 square feet of property, which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the applicant, White Oak Realty Partners LLC.

2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the applicant, its successors and assigns and, if different than the applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the applicant shall inure to the benefit of the applicant's successors and assigns and, if different than the applicant, the legal titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the applicant or its successors, assign or grantees. Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the plans. In addition, prior to the issuance of a Certificate of Occupancy for the proposed development, the applicant shall have caused, at its expense, the completion of certain traffic related improvement consisting of A) a separate left turn lane from southbound Halsted Street to eastbound Quincy Street as indicated on the Site Plan; B) a northbound actuated left turn signal at Adams Street and Halsted Street; and C) a southbound actuated left turn signal at Jackson Street and Halsted Street. The applicant's deposit of the funds for completion of these improvements with the Department of Transportation at least six months prior to the request for issuance of the Certificate of Completion shall be deemed compliance with the requirement to provide said improvements prior to issuance of the Certificate of Completion.

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

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This plan of development consists of sixteen (16) statements: a Bulk Regulations Table; an Existing Land-Use Map; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site/Landscape Plan; and Building Elevations submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Housing and Economic Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent

and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are permitted in the area delineated herein as a Residential-Business Planned Development: Residential Units; Day Care; Permitted uses in the Commercial use group; Wireless Communications Facilities; and accessory uses. The following uses are Prohibited: undertaking, lodging, entertainment cabaret, and free standing communication (towers).

The applicant shall maintain the minimum required residential parking spaces plus a minimum of an additional thirty (30) parking spaces for the retail users available at all times for occupants of, employees in or visitors to the building; provided, however, that the applicant may lease to members of the public on an hourly, daily, weekly or monthly basis up to forty-five percent (45%) of the minimum required residential parking spaces, and any parking spaces above the minimum required, except the thirty (30) parking spaces reserved for the retail users.

6. On-Premises signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Housing and Economic Development. Off-Premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted Floor Area Ratio identified in the Bulk Regulations Table has been determined using a Net Site Area of 36,102 square feet and a base FAR of 7. The improvements to be constructed on the Property will utilize the following series of FAR bonuses:

Description	FAR
Base FAR:	7.00
Upper Level Setbacks:	1.00
Affordable Housing:	<u>1.65</u>
Total FAR:	9.65

9. The applicant acknowledges and agrees that the rezoning of the Property from DS-5 to DX-7 for this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance" or "AHO"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). The applicant further acknowledges and agrees that this Planned Development is subject to Section 17-4-1004-D of the Zoning Code, which also requires on-site affordable housing or payment of a fee in lieu of providing affordable housing for rezonings in DC, DX and DR districts that increase the base floor area ratio. If a planned development is subject to the requirements of both Sections (2-45-110 and 17-4-1004-D), the developer may elect to satisfy the AHO requirements by complying with the affordable housing floor area bonus provided for in Section 17-4-1004. Applicant has elected to comply with Section 17-4-1004. Pursuant to Section 17-4-1004-B of the Zoning Ordinance, the applicant has requested an increase in the floor area ratio for the Property, as set forth in the bonus worksheet required under Section 17-4-1003-D and attached hereto as Exhibit A ("Bonus Worksheet"). In accordance with the formulas set forth in Section 17-4-1004-C and the Bonus Worksheet, the applicant acknowledges and agrees that it must provide a cash payment in lieu of providing affordable housing in the amount of \$1,675,132.80 ("Cash Payment"). Prior to the issuance of any building permits for the Eligible Building, including, without limitation, excavation or foundation permits, the applicant must make the required Cash Payment. The applicant acknowledges and agrees that, pursuant to Section 17-4-1003-D3, the Bonus Worksheet will serve as an official record of bonuses and amenities. Notwithstanding anything to the contrary contained in Section 17-4-1003-E, the Commissioner of the Department of Housing and Economic Development may enforce remedies for breach of the provisions of this Statement 9, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.
10. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Housing and Economic Development. The fee, as determined by staff at the time, is final and binding on the applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
11. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Housing and Economic Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

12. The applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management, and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
13. The terms and conditions of development under this Planned Development Ordinance may be modified administratively, pursuant to Section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the applicant, its successors and assigns and, if different than the applicant, the legal titleholders and any ground lessors.
14. The applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
15. 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 has agreed to provide a 50% green roof (10,470 square feet) of the net roof area and achieve LEED Certification to comply with the City of Chicago's Sustainable Matrix.
16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Housing and Economic Development shall initiate a Zoning Map Amendment to rezone the Property to a DX-7 Downtown Mixed-Use District.

[Zoning Map; Boundary and Property Line Map; Land Use Map; Site Plan; Typical Garage Floor Plan; First Residential Floor Plan; Typical Residential Floor Plan; Roof Plan; Building Section; North, South, East and West Elevations referred to in these Plan of Development Statements printed on pages 44415 through 44427 of this *Journal*.]

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

44414

JOURNAL--CITY COUNCIL--CHICAGO

12/12/2012

*Residential-Business Planned Development
Plan Of Development 1207
Bulk Regulations And Data Table.*

Gross Site Area = Net Site Area + Area Remaining in the Public Right-of-Way
54,135 square feet (1.24 acres) = 36,102 square feet (.82 acre) + 18,033 square feet
(0.41 acre)

FAR:

Base FAR:	7.00
Upper Level Setbacks:	1.00
Affordable Housing:	1.65
Total Maximum FAR:	9.65

Setbacks From Property Line:

Adams Street:	5 feet, 11 inches
East Property Line:	1 foot
Quincy Street:	None
Halsted Street:	5 feet, 11 inches

Maximum Percentage of Site
Coverage:

Per Site Plan

Maximum Number of Units:

351

Minimum Number of Off-Street
Parking:

357

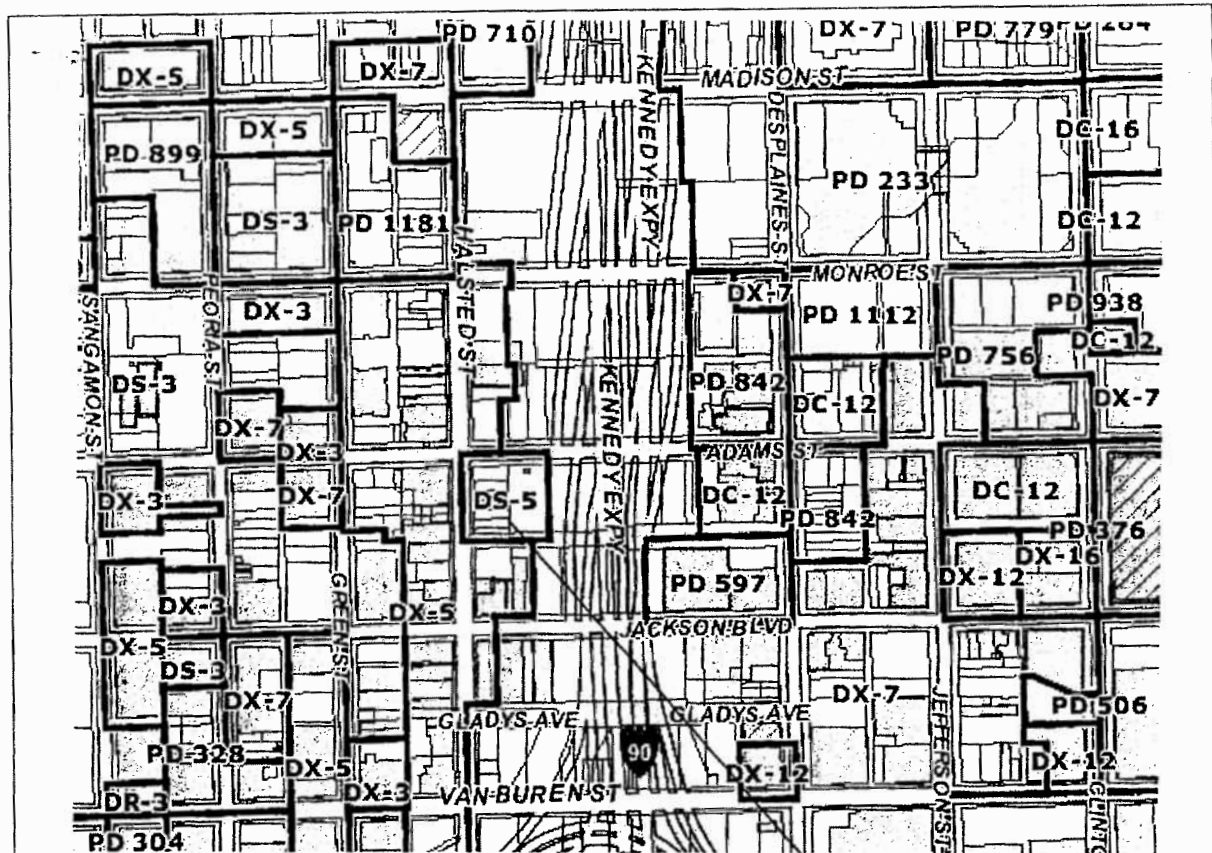
Minimum Number of Off-Street
Loading:

2 (10 feet by 25 feet)

Maximum Building Height:

365 feet

Zoning Map.

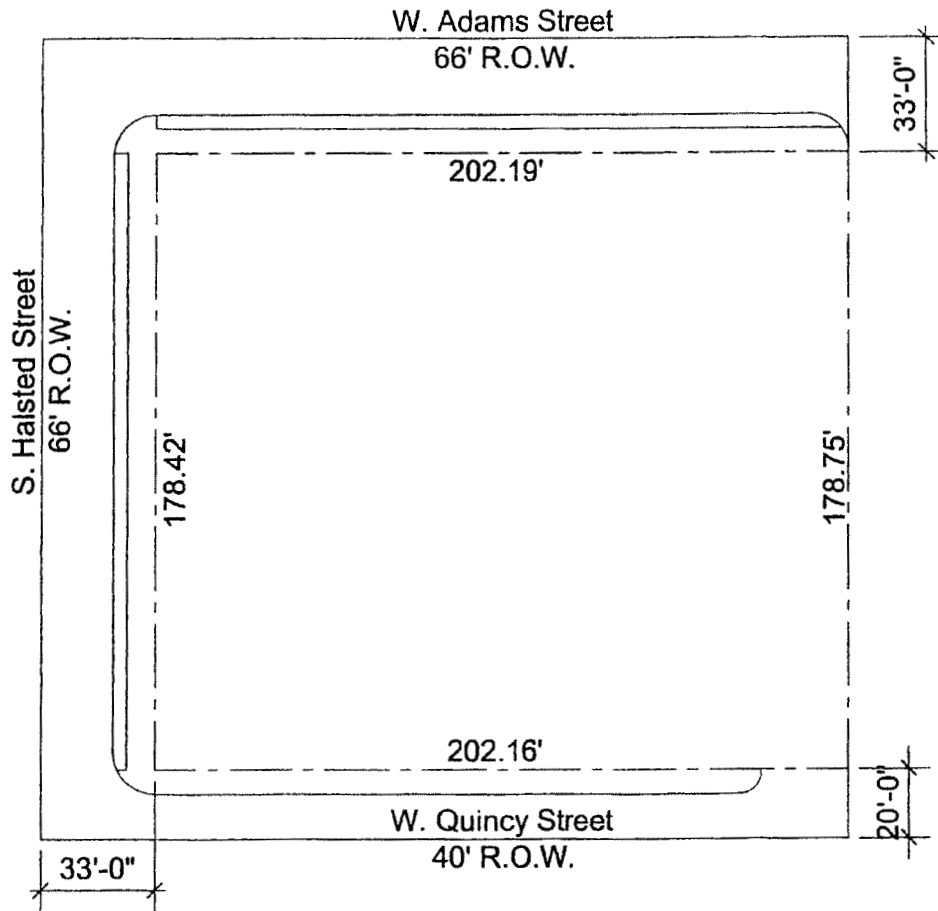


Project Site



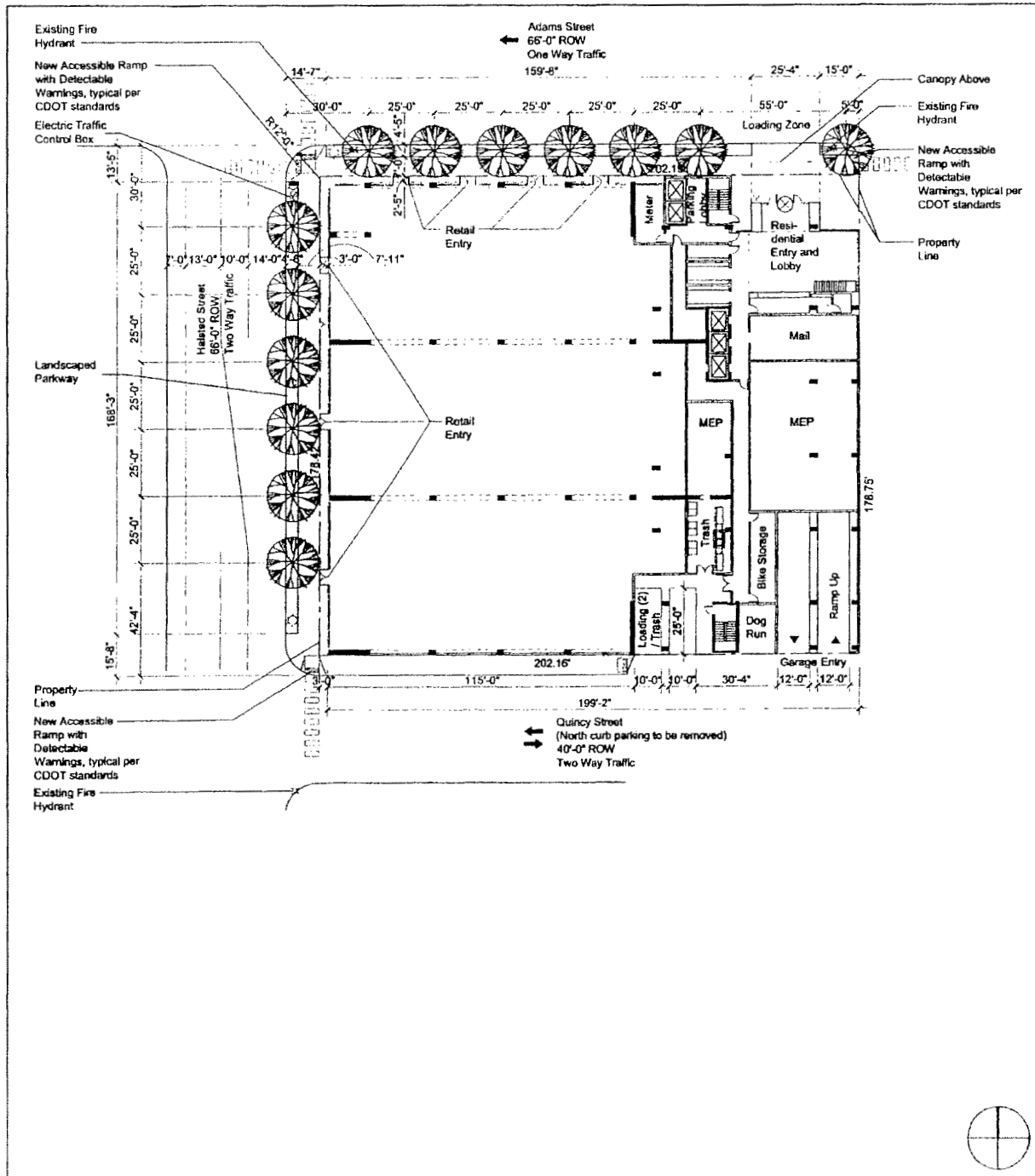
Applicant: White Oak Realty Partners LLC
Address: 201 - 17 S. Halsted / 761 - 79 W. Adams / 760 - 78 W. Quincy
Submitted: November 27, 2012

Boundary And Property Line Map.

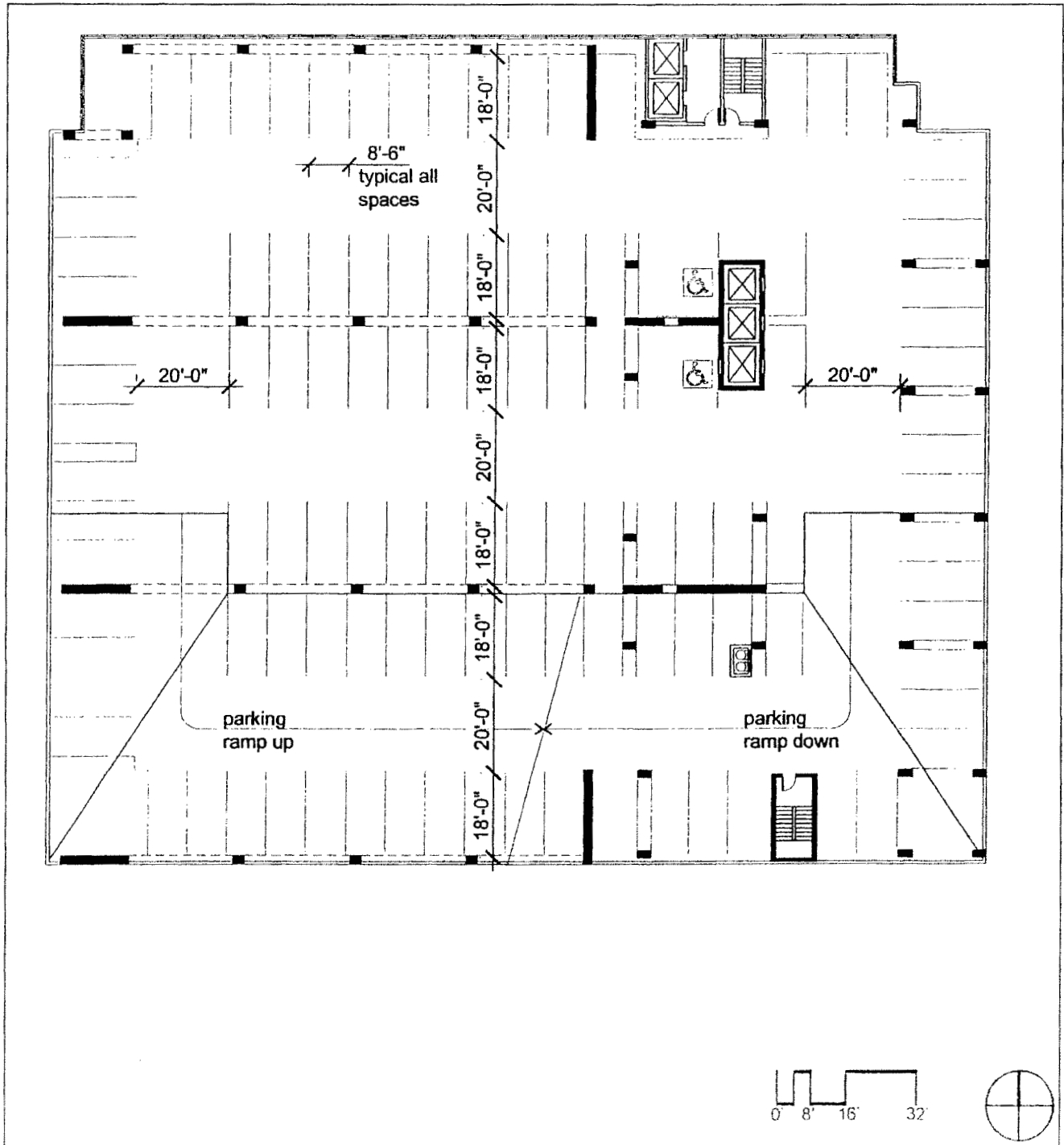


Applicant: White Oak Realty Partners LLC
Address: 201 - 17 S. Halsted / 761 - 79 W. Adams / 760 - 78 W. Quincy
Submitted: November 27, 2012

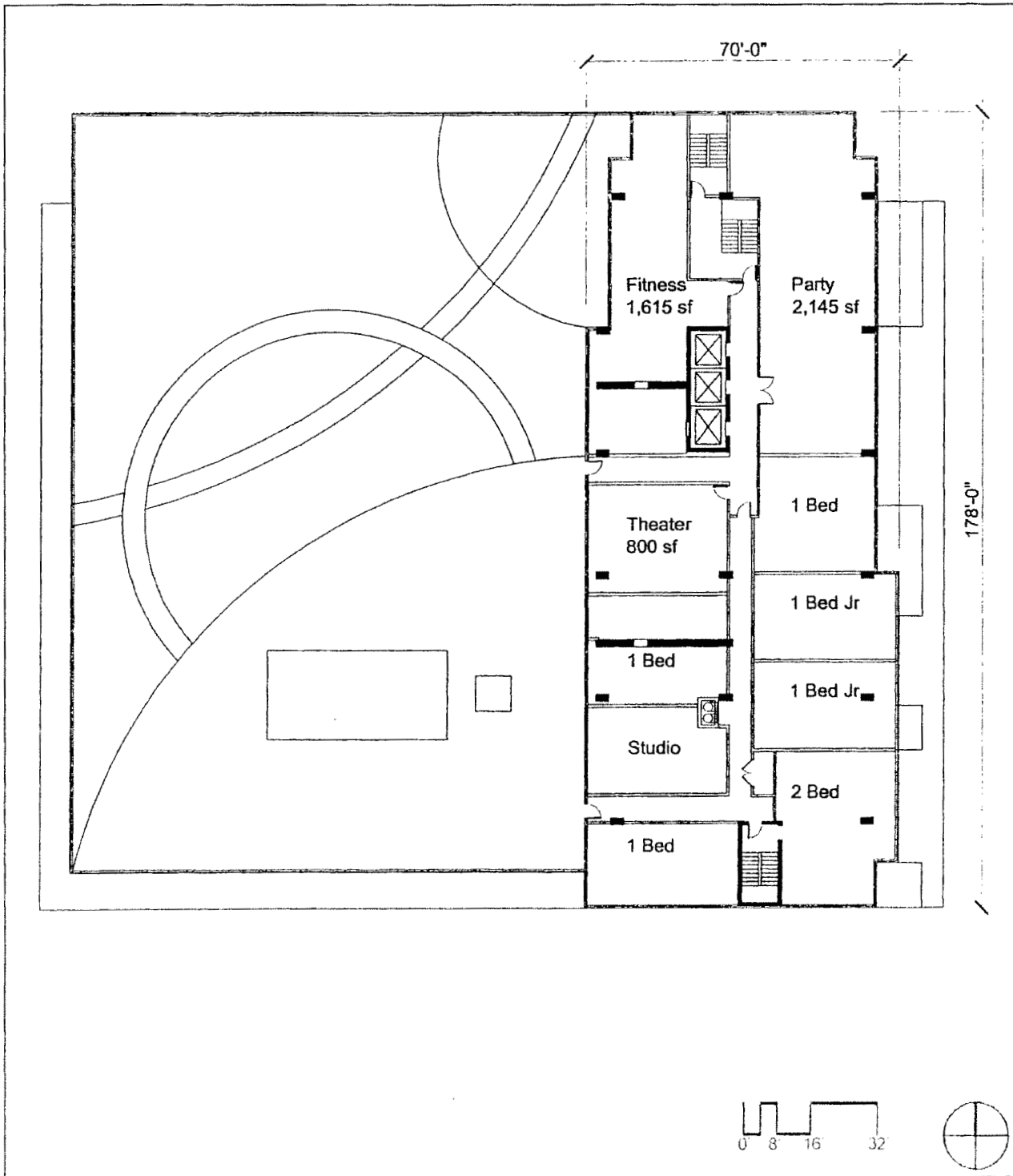
Site Plan.



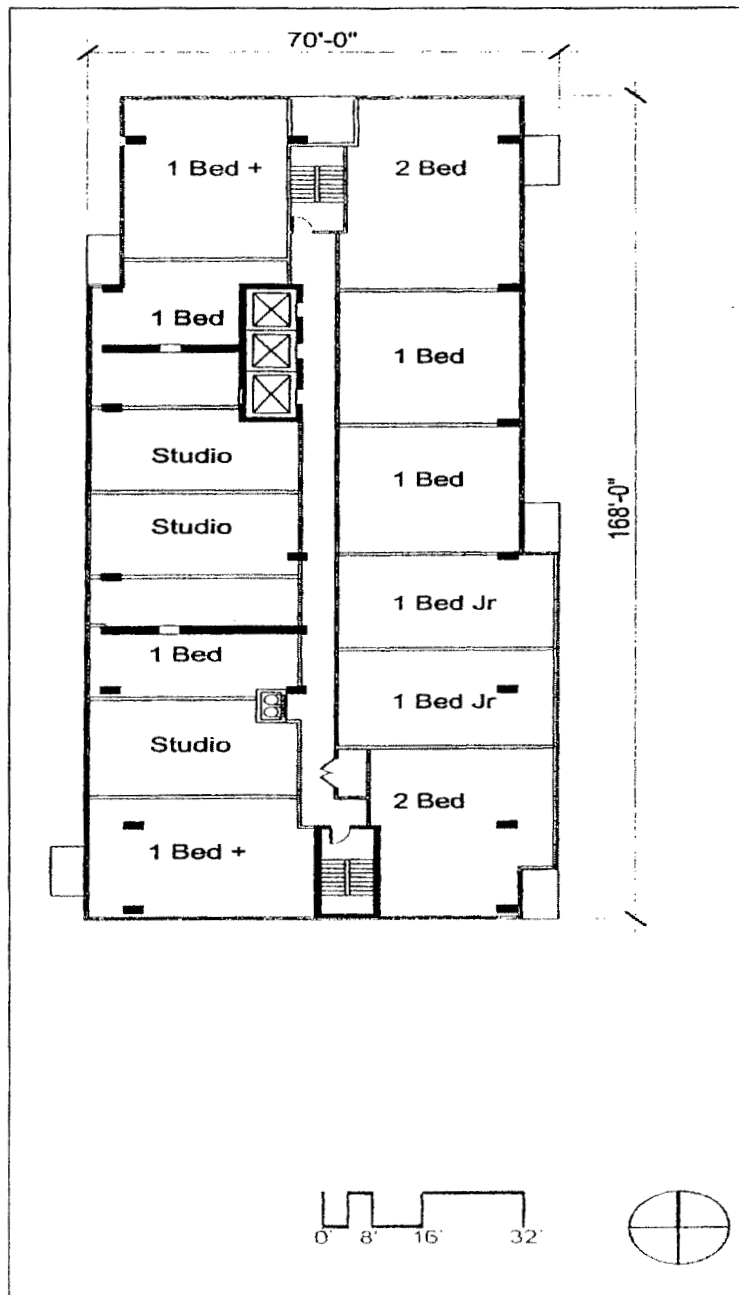
Typical Garage Floor Plan.



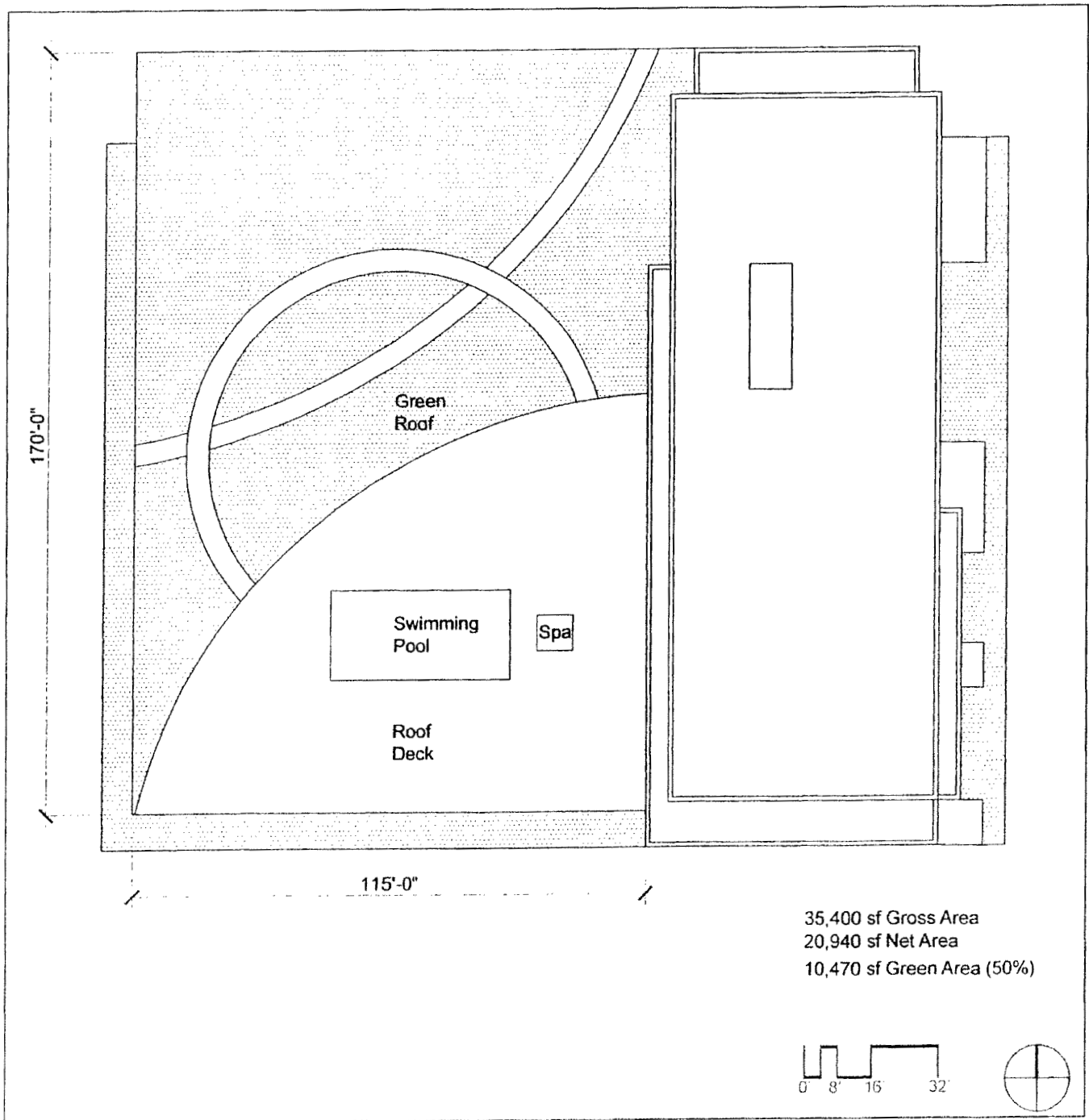
First Residential Floor Plan.



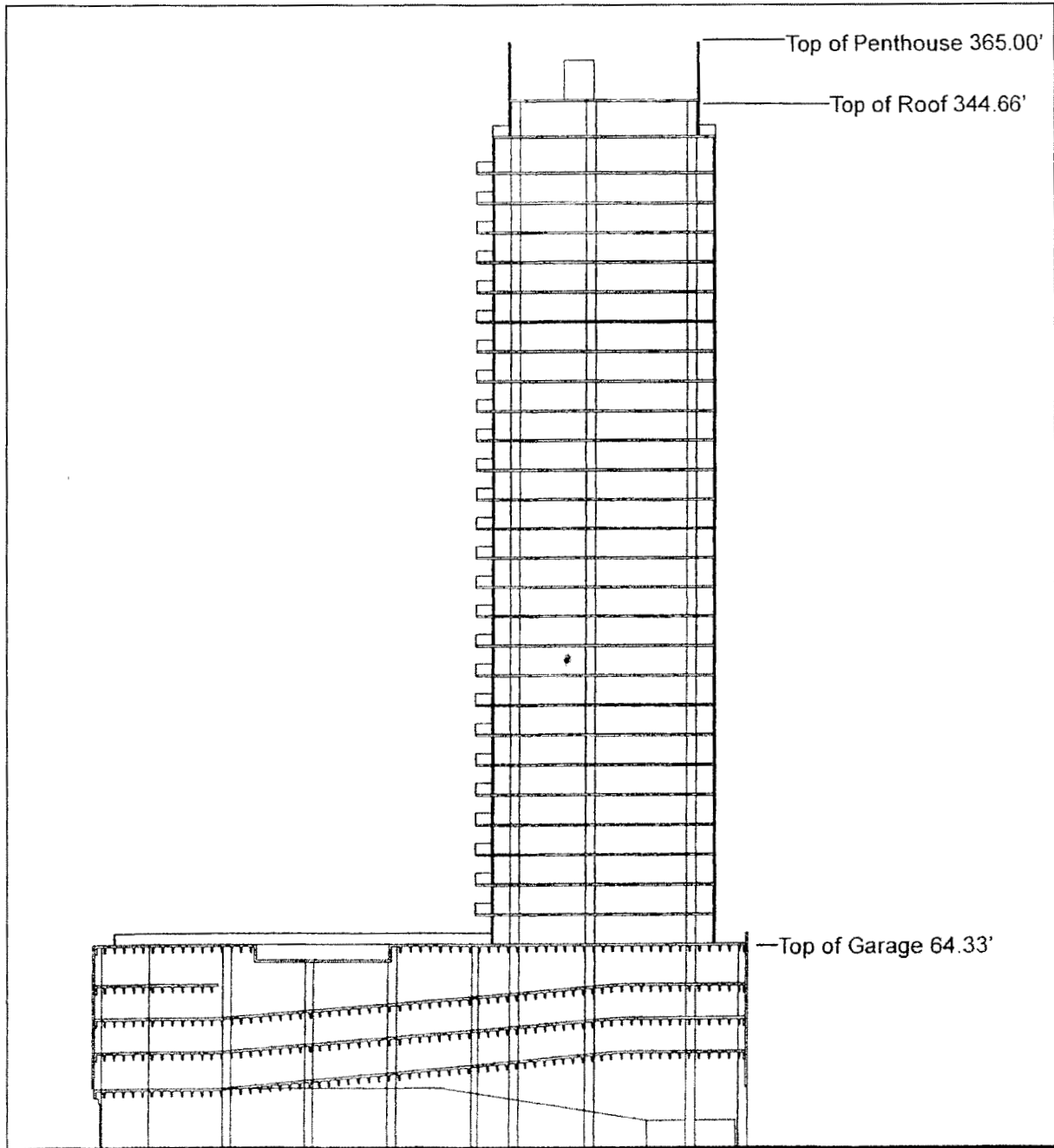
Typical Residential Floor Plan.



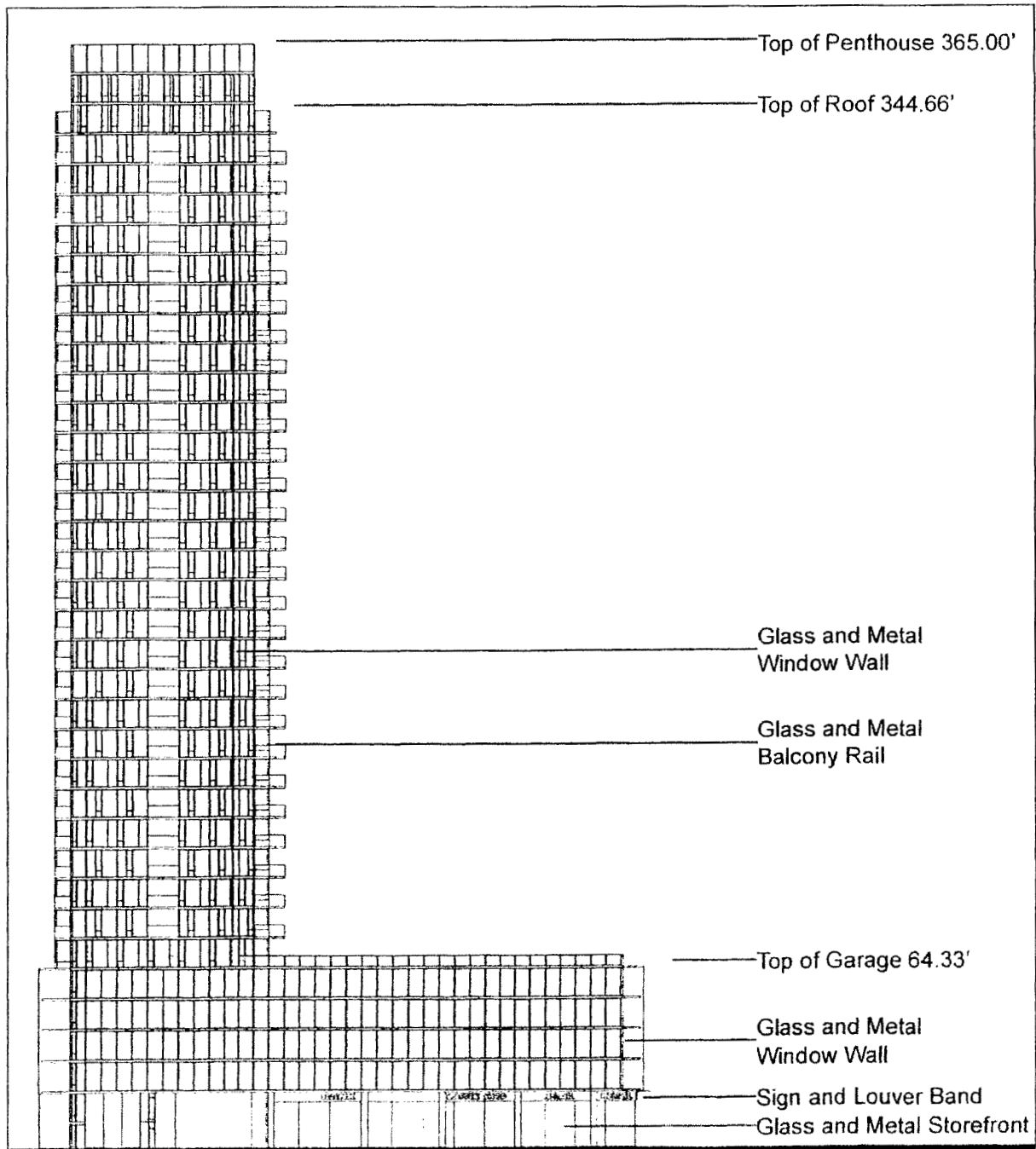
Roof Plan.



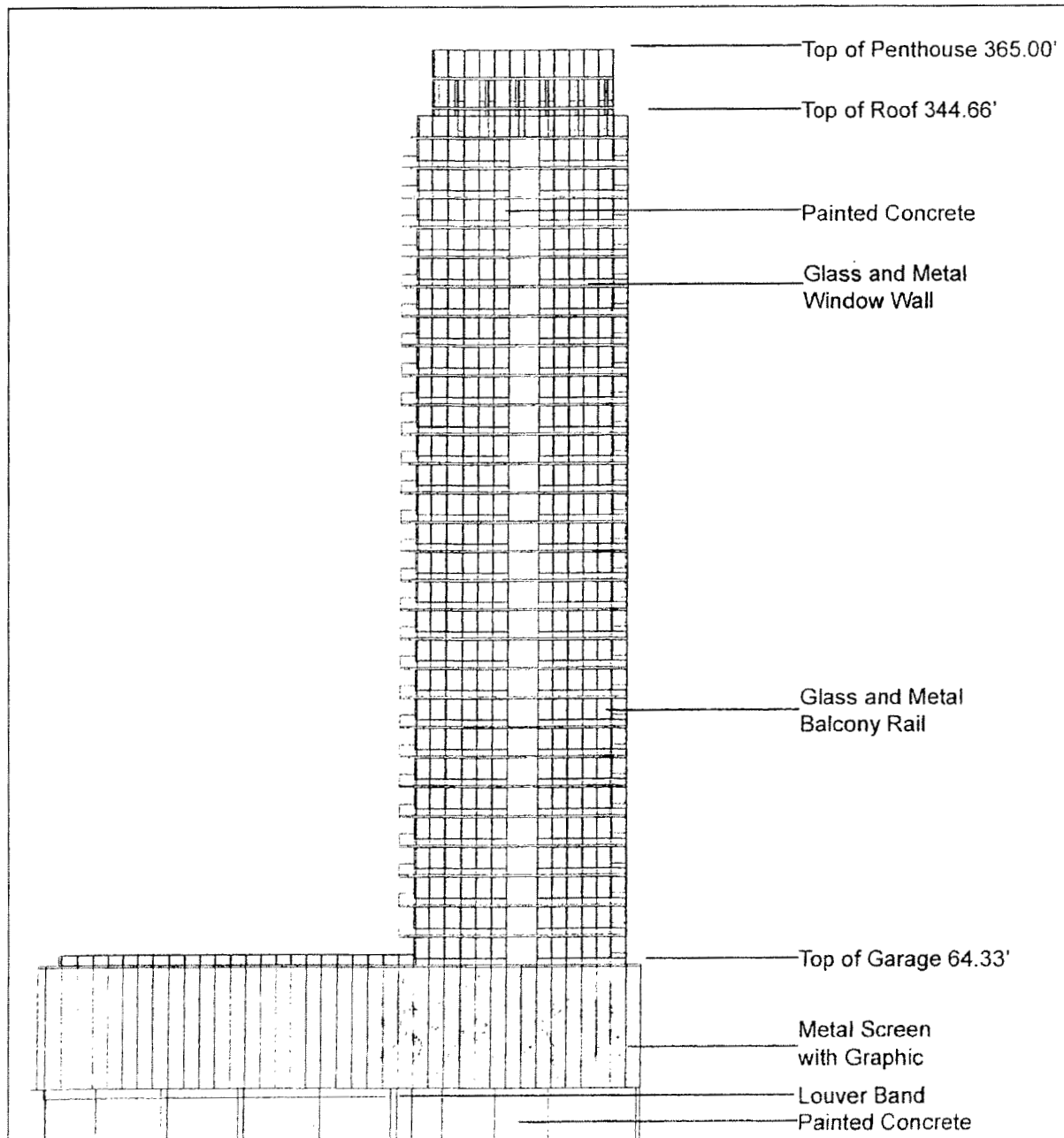
Building Section.



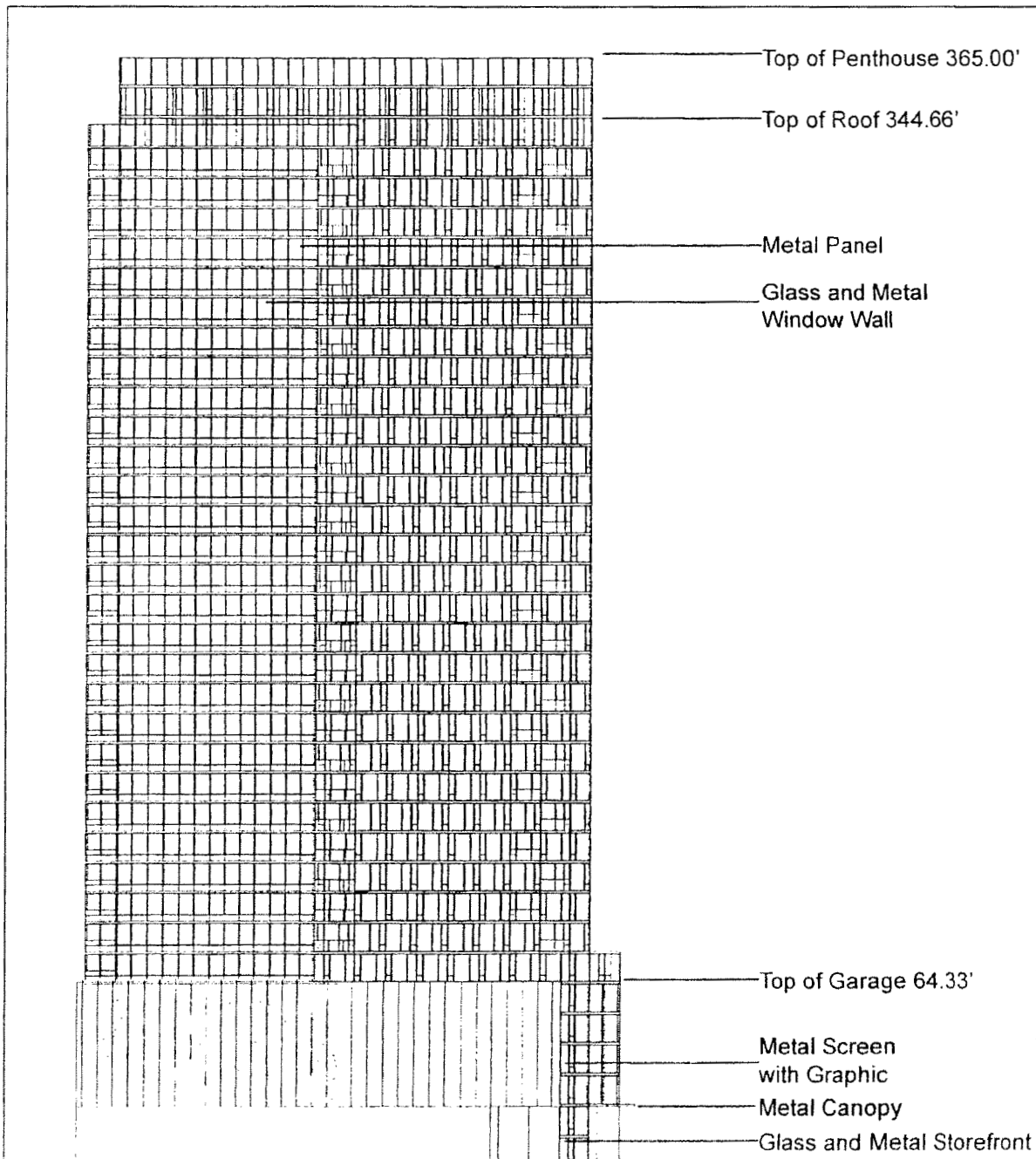
North Elevation.



South Elevation.



East Elevation.



West Elevation.

