

PD 1211

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17611

49126

JOURNAL--CITY COUNCIL--CHICAGO

3/13/2013

SECTION 2. This ordinance shall take effect and be in force upon its passage and publication.

—

Amendment Of Honorary Street Designation Of Portions Of S. Oglesby Ave. As "Lester H. McKeever, Jr. Way".

[O2013-814]

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

That an ordinance passed by the City Council of the City of Chicago on January 17, 2013 for "Lester H. McKeever, Jr. Way" is hereby amended by deleting the words: "the southwest corner of East 67th and South Oglesby Avenue", and inserting in its place the words: "South Oglesby Avenue, East 67th to East 68th Street".

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**COMMITTEE ON ZONING, LANDMARKS
AND BUILDING STANDARDS.**

PD1211

—————

AMENDMENT OF TITLE 17 OF MUNICIPAL CODE BY RECLASSIFICATION OF AREA SHOWN ON MAP NO. 12-C.

(As Amended)

(Application No. 17611)

(Common Address: 5020 -- 5050 S. Lake Shore Dr.)

[SO2012-8008]

The Committee on Zoning, Landmarks and Building Standards submitted the following report:

CHICAGO, March 13, 2013.

To the President and Members of the City Council:

Presenting a series of reports for Your Committee on Zoning, Landmarks and Building Standards which held a meeting on February 26, 2013, the following items were passed by a majority of the members present:

Pages one through six contain numerous ordinances for zoning map amendments.

Page seven contains two historical landmark designations.

Page seven contains orders for advertising and business identification signs.

At this time, I move for passage of the proposed substitute ordinance transmitted herewith.

Respectfully submitted,

(Signed) DANIEL S. SOLIS,
Chairman.

On motion of Alderman Solis, the said proposed substitute ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Moreno, Fioretti, Dowell, Burns, Hairston, Sawyer, Holmes, Harris, Beale, Pope, Balcer, Cárdenas, Quinn, Foulkes, Thompson, Thomas, Lane, O'Shea, Cochran, Brookins, Muñoz, Zalewski, Chandler, Solis, Maldonado, Burnett, Ervin, Graham, Suarez, Waguespack, Mell, Austin, Colón, Sposato, Mitts, Cullerton, Laurino, P. O'Connor, M. O'Connor, Reilly, Smith, Tunney, Arena, Cappleman, Pawar, Osterman, Moore, Silverstein -- 48.

Nays -- None.

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

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

The following is said ordinance as passed:

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 RM6.5 Residential Multi-Unit District symbols and indications as shown on Map Number 12-C in the area bounded by:

South East End Avenue; a line that is parallel to and 452.01 feet northerly of the north line of East Hyde Park Boulevard; a line that is parallel to and 250.13 feet easterly of the east line of South East End Avenue; a line that is parallel to and 471.63 feet northerly of the north line of East Hyde Park Boulevard; a line that is parallel to and 300.16 feet easterly of the east line of South East End Avenue; and East Hyde Park Boulevard.

to those of B3-5 Community Shopping Center District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the B3-5 Community Shopping Center District symbols and indications as shown on Map Number 12-C in the area bounded by:

South East End Avenue; a line that is parallel to and 452.01 feet northerly of the north line of East Hyde Park Boulevard; a line that is parallel to and 250.13 feet easterly of the east line of South East End Avenue; a line that is parallel to and 471.63 feet northerly of the north line of East Hyde Park Boulevard; a line that is parallel to and 300.16 feet easterly of the east line of South East End Avenue; and East Hyde Park Boulevard,

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 referred to in this ordinance read as follows:

Planned Development Statements.

1. The area delineated herein as Planned Development Number 1211 ("Planned Development") consists of approximately 136,652 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, RP Hyde Park LLC. The Property is currently improved with an existing, 37-story, multi-tower, mixed-use building (the "Building") that was originally constructed with 1,038 dwelling units and was then modified, on multiple occasions, prior to the effective date of this Planned Development.
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, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way shall be in compliance with the Plans.

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 16 statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; Existing Sign Chart; a Green Roof Plan; Subbasement Plan; Basement Plan; Level 1 Plan; Level 2 Plan; Level 3 Plan; Level 4 -- 35 Typical Plan; Level 36 Plan; Level 37 Plan; Basement Level Floor Area Swaps; Level 1 Floor Area Swaps (West); Level 1 Floor Area Swaps (South); Level 2 Floor Area Swaps; Building Elevations (North, South, East and West); and Chicago Builds Green form prepared by Studio Gang Architects and dated February 21, 2013, 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 allowed in the area delineated herein as the Planned Development: Artist Live/Work Space, Dwelling Units (located on Levels 3 or higher); Lodging (limited exclusively to Vacation Rental (with a maximum not to exceed six (6) such rooms) and Hotel (with a maximum not to exceed twenty (20) such rooms); Day Care; Limited and General Restaurants, including rooftop and grade-level Outdoor Patios, and also including Limited Manufacturing, Production and Industrial Services (catering & shared kitchen only); Automated Teller Machine Facility (only if located on Levels 3 or lower); Food and Beverage Retail Sales, including Liquor Sales as an accessory use, but excluding Liquor Stores (and only if located on Levels 3 or lower);

Personal Service, excluding Massage Establishments (and only if located on Levels 3 or lower); Consumer Repair or Laundry Service, including Dry Cleaning drop-off or pick-up but no on-premise plant (and only if located on Levels 3 or lower); General Retail Sales (only if located on Levels 3 or lower); Indoor and Outdoor Participant Sports and Recreation; Accessory Parking; Non-Accessory Parking (in accordance with Statement 10 of this Planned Development); Car-Sharing Services (only if located on Levels 2 or lower); Co-located Wireless Communication Facilities; and all accessory and related uses.

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. No one or more provisions of this statement 6 shall prevent or limit Continuation (as such term is used in Section 17-15-0503 of the Zoning Ordinance), Alteration (as such term is used in Section 17-15-0504 of the Zoning Ordinance), routine maintenance and or repair of any sign within the property existing as of the effective date of this Planned Development (including, without limitation, the existing signs noted in the Existing Sign Chart), provided that such sign previously received all required approvals and permits.
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 Property shall be in accordance with the attached Bulk Regulations Table, subject to the provisions of this statement 8. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance as of the effective date of this Planned Development and the Net Site Area set forth in the Bulk Regulations Table shall apply. Notwithstanding the preceding provisions of this statement 8, the Property currently has, and shall be permitted to continue having, an aggregate, existing floor area (as measured for the purposes of determining FAR in accordance with Sections 17-17-0305-A and 17-17-0305-B of the Zoning Ordinance) of 1,230,000 square feet (the "Maximum Net Floor Area") on a Net Site Area of 136,652 square feet, resulting in a Maximum FAR of 9.0. The Property shall be permitted the 7,045 square feet of floor area adjustments shown in the Basement Level Floor Area Swaps; Level 1 Floor Area Swaps (West); Level 1 Floor Area Swaps (South); Level 2 Floor Area Swaps; Basement Plan, Level 1 Plan and Level 2 Plan; provided that the Property, from and after such improvements, does not have an aggregate floor area (as measured for the purposes of determining FAR in accordance with 17-17-0305-A and 17-17-0305-B) above the Maximum Net Floor Area.
9. Upon review and determination pursuant to Section 17-13-0610 of the Zoning Ordinance ("Part II Review"), 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. The Part II fee shall be assessed only against the floor area, as measured for FAR purposes under the Zoning Ordinance, that is added to the Building, without any offset for the corresponding floor area being removed from the Building.

10. Parking for the Property, as of the effective date of this Planned Development, is provided within an existing, indoor, multi-level garage that includes tandem parking spaces and is generally deficient with respect to other current parking design standards required by the Zoning Ordinance and other applicable provisions of the Municipal Code (including, but not limited to, Section 17-10-1000 and all standards of Section 17-10 relating to minimum parking space dimensions, handicapped-accessibility, vertical clearance and drive aisle dimensions). Renovations to the Property's garage and surface parking area to the east of the Building, when undertaken by the applicant, shall be completed in accordance with this statement 10, in accordance with the Bulk Table and substantially in accordance with the Sub-basement Plan, Basement Plan, Level 1 Plan and Level 2 Plan. Such renovations and installation will: i) reduce, but will not eliminate some of the existing non-conformities with respect to off-street parking at the Property; and, ii) will increase the number of tandem spaces, but to no more than fifty-two (52) such spaces. Any tandem parking spaces within the Property, before or after renovations, may be utilized only by residents of the Property and their guests. In accordance with the Maximum Net Floor Area, parking spaces located on any levels located more than fifty percent (50%) above grade shall be used exclusively for accessory parking. Pursuant to the stipulations of Section 17-10-0503, and provided the applicant submits a written request to the Zoning Administrator with adequate supporting information, such as residential and non-residential occupancy levels and parking vacancy levels at the Property, and the Zoning Administrator determines in writing that the following will be in the interest of public convenience and will not have a significantly detrimental impact on the general welfare of the neighborhood or community, up to twenty-five percent (25%) of the accessory parking spaces provided in the Planned Development may be leased on a daily, weekly or monthly basis to persons who are not residents, tenants, patrons, employees or guests of the Planned Development.
11. Site and Landscape Plans submitted for final Part II Approval shall be in substantial conformance with the Landscape Plan incorporated as a part of this Planned Development and shall be subject to review and approval of the Department of Housing and Economic Development to ensure such conformance. Except as otherwise shown in the Landscape Plan incorporated as part of this Planned Development, all landscaping and landscaping plans for the Property shall be in accordance with the Landscape Ordinance and any other corresponding regulations and guidelines.
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 Property 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.
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, conserves energy and maximizes the preservation of natural resources. In substantial compliance with the current City of Chicago Sustainable Development Policy, set forth by the Department of Housing and Economic Development: i) the Property will exceed ASHRAE 90.1-2004 by a minimum of 14% if the value of the renovations included in this application for the establishment of a planned development are more than 600% of the assessed value of the building at the time of such renovations; and, ii) the applicant will maintain and continue to provide an approximately 57,000 square foot outdoor rooftop garden, in the location shown on the Level 3 Plan incorporated as a part of this Planned Development.
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 RM 6.5 (Residential Multi-Unit District).

[Chicago Builds Green Form referred to in these Plan of Development Statements unavailable at time of printing.]

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; Green Roof Plan; Sub-basement Plan; Basement Plan; Level 1 Plan; Level 2 Plan; Level 3 Plan; Level 4 -- 35 Typical Plan; Level 36 Plan; Level 37 Plan; Basements Floor Area Swaps; Level 1 Floor Area Swaps (West); Level 1 Floor Area Swaps (South); Level 2 Floor Area Swaps; and North, South, East, West Elevations referred to in these Plan of Development Statements printed on pages 49134 through 49155 of this *Journal*.]

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

*Residential Business Planned Development Number 1211.**Plan Of Development**Bulk Regulations And Data Table.*

Gross Site Area = Net Site Area + Area Remaining in the Public Right-of-Way
 168,226.33 square feet (3.8619 acres) = 136,652 square feet (3.137 acres) + 31,574.33
 square feet (0.7248 acre)

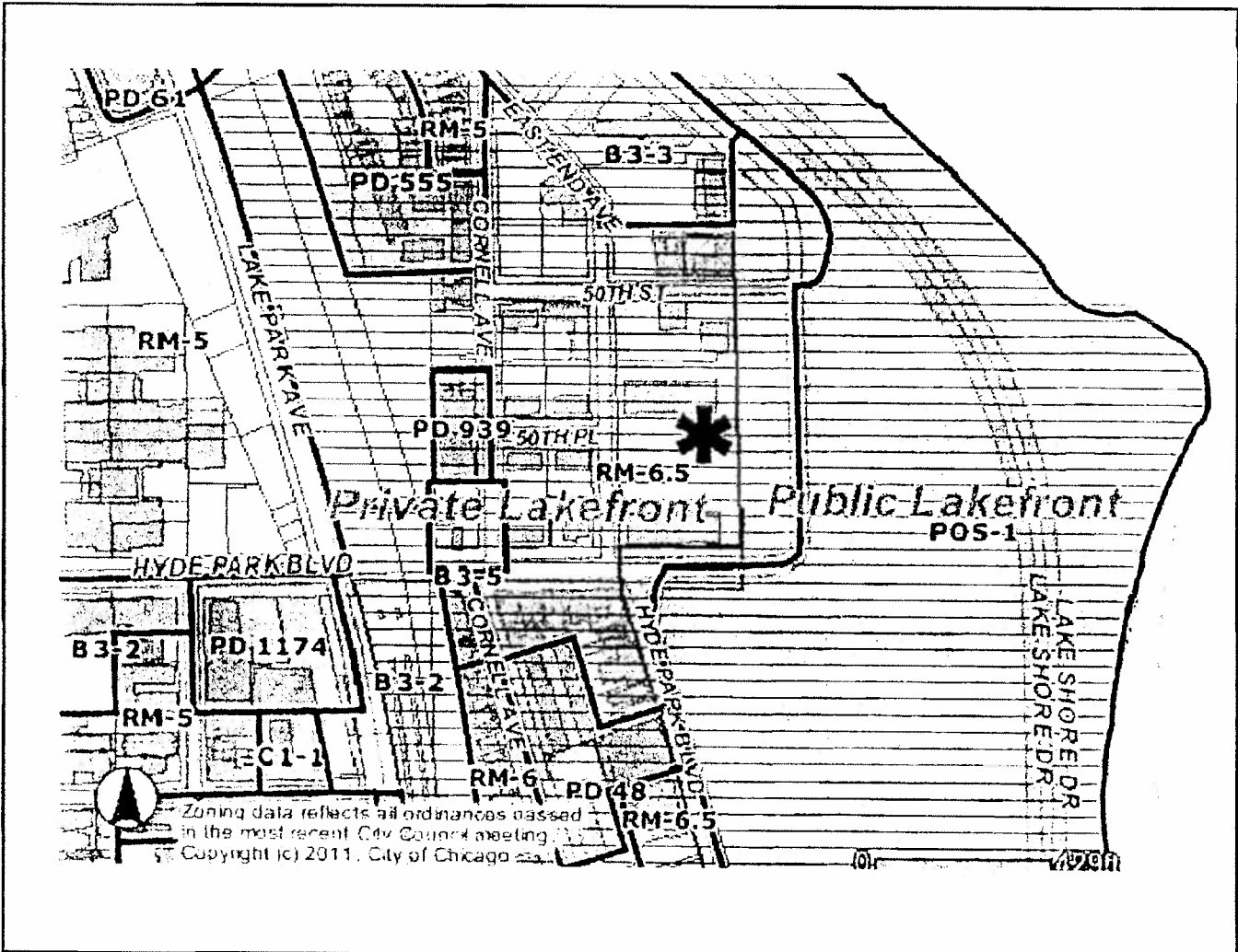
Maximum Permitted Floor Area Ratio:	9.0 ⁽¹⁾
Building Setbacks from Property Line:	Per Site Plans
Maximum Unit Count:	1,038
Minimum Number of Off-Street, Handicapped-Accessible Parking Spaces:	14 ⁽²⁾
Minimum Number of Off-Street Parking Spaces:	660 ⁽³⁾
Minimum Number of Off-Street Loading Berths:	1 at 10 feet by 50 feet 3 at 10 feet by 25 feet
Minimum Number of Bicycle Parking Spaces:	50

(1) Subject to the terms detailed in statement 8 of this Planned Development

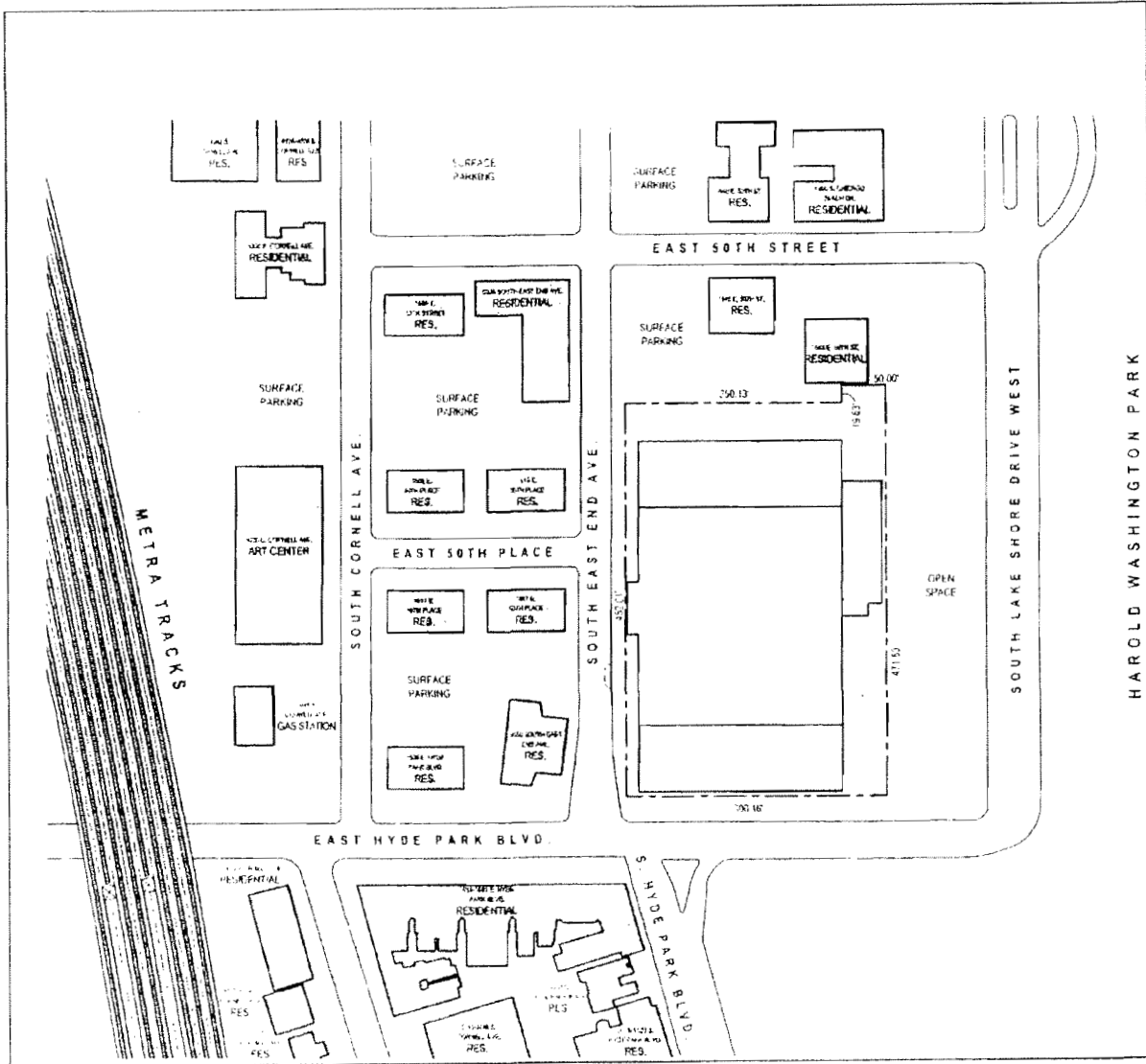
(2) Twelve (12) within garage and two (2) surface parking area

(3) Subject to the terms detailed in statement 10 of this Planned Development

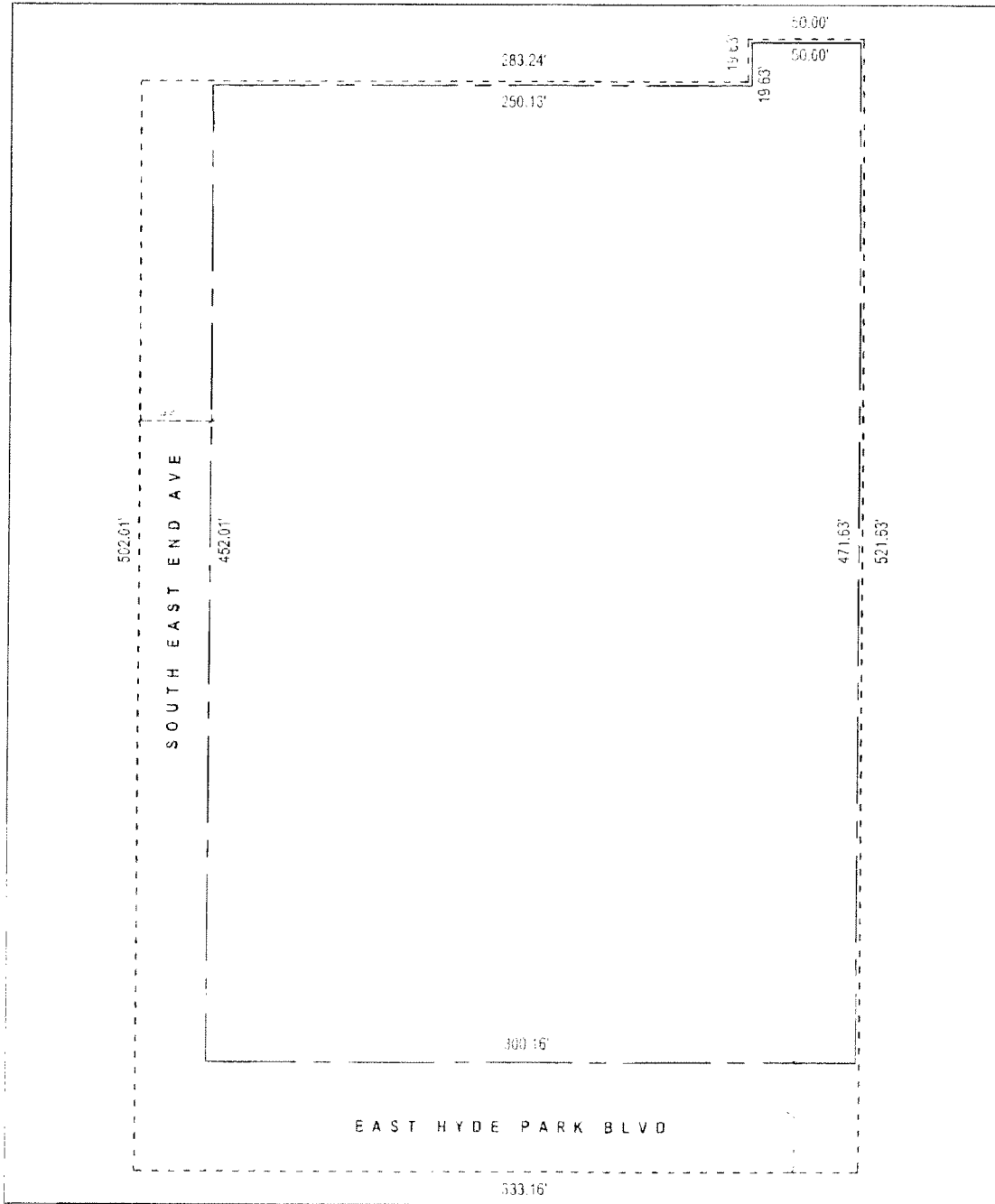
Existing Zoning Map



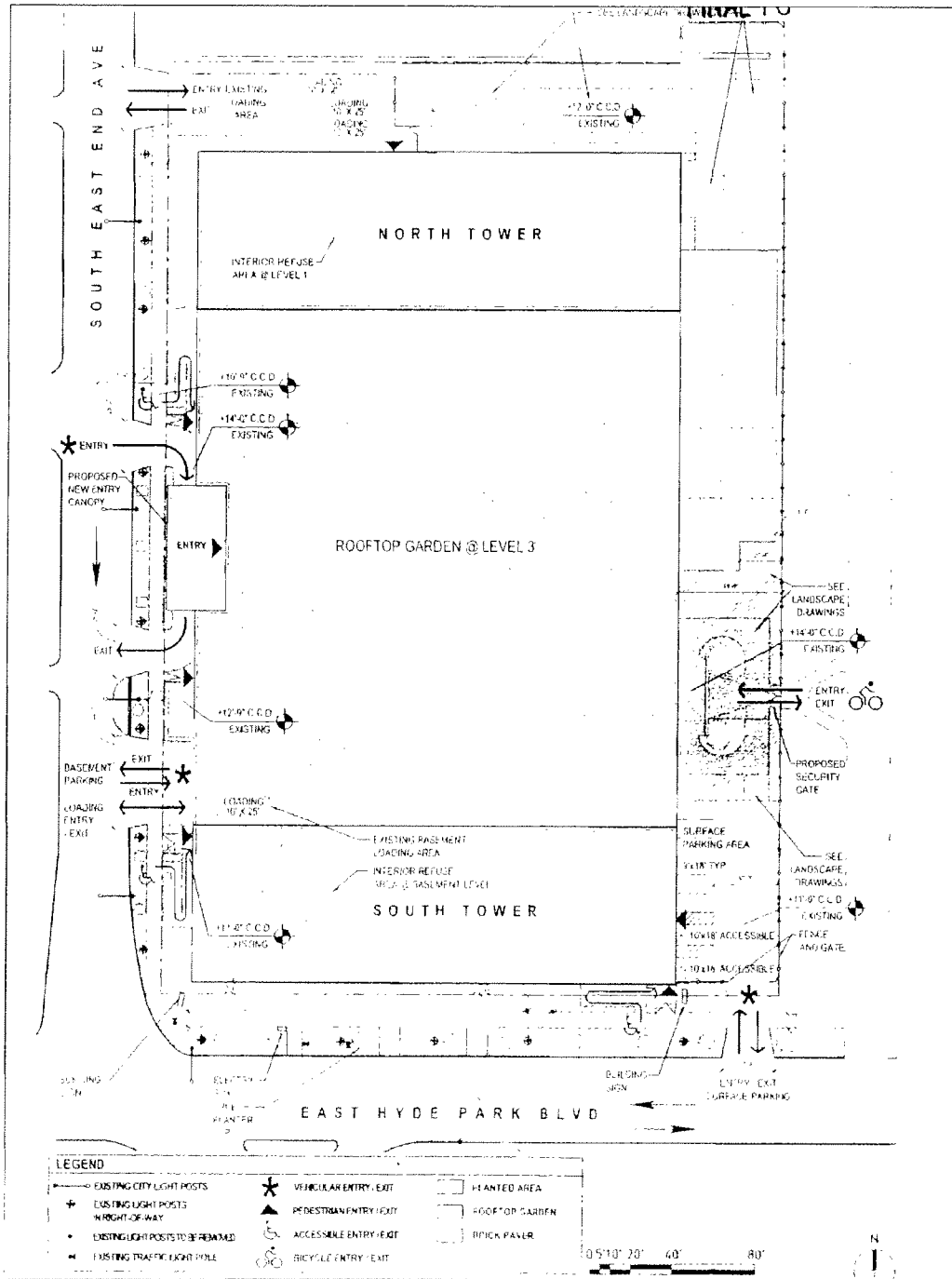
Existing Land-Use Map



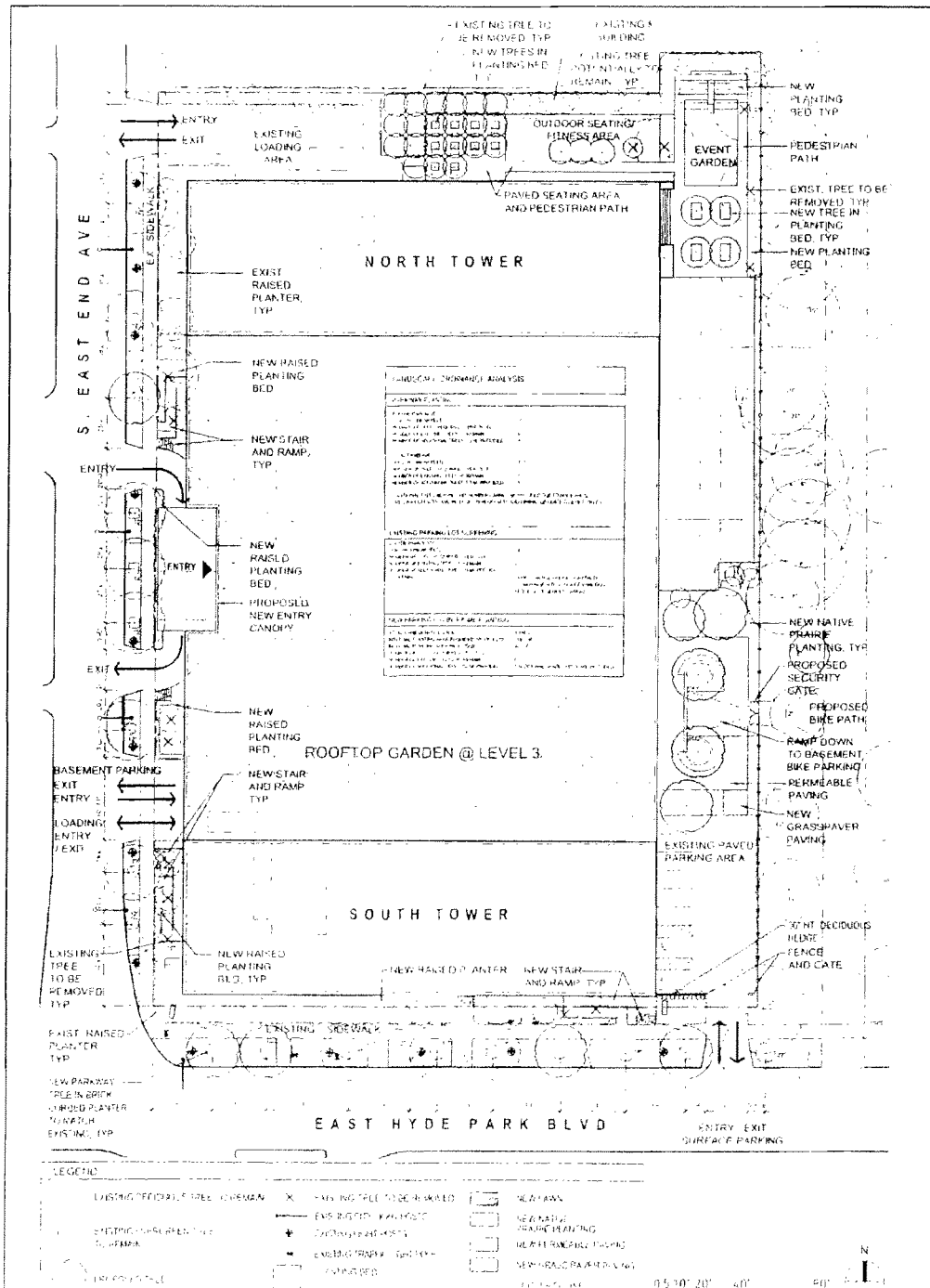
Planned Development Boundary
And Property Line Map.



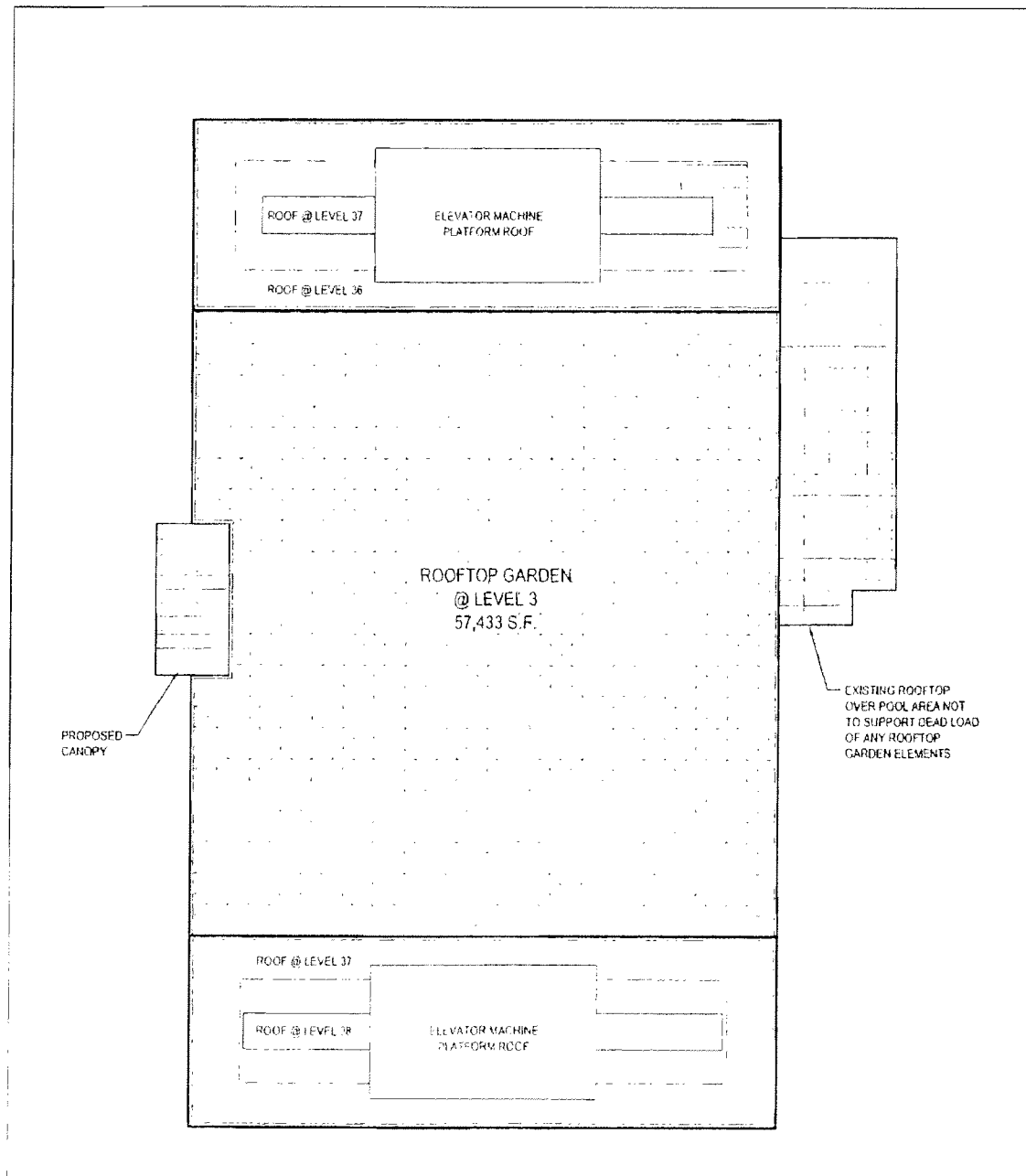
Site Plan.



Landscape Plan.

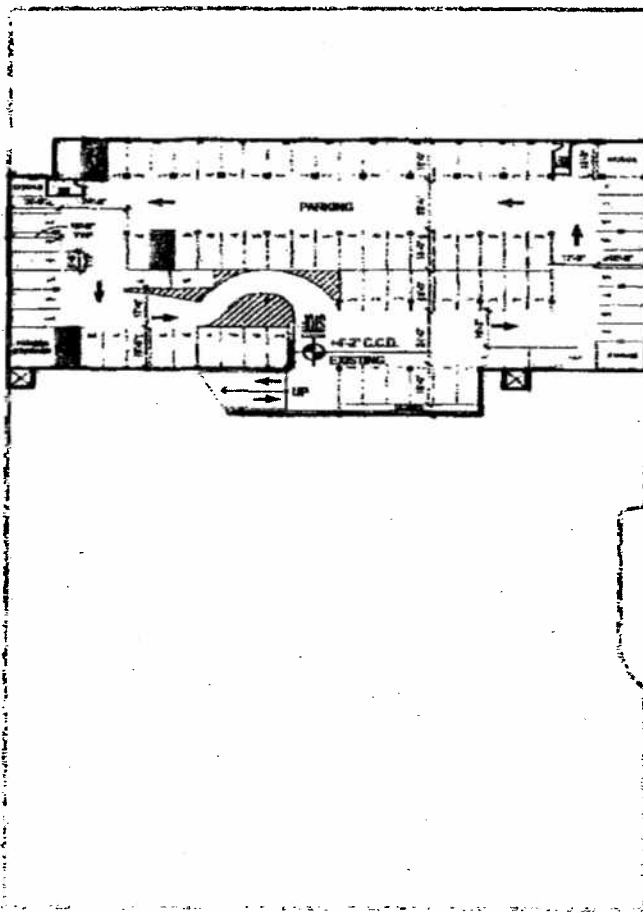


Green Roof Plan.



Sub-Basement Plan.

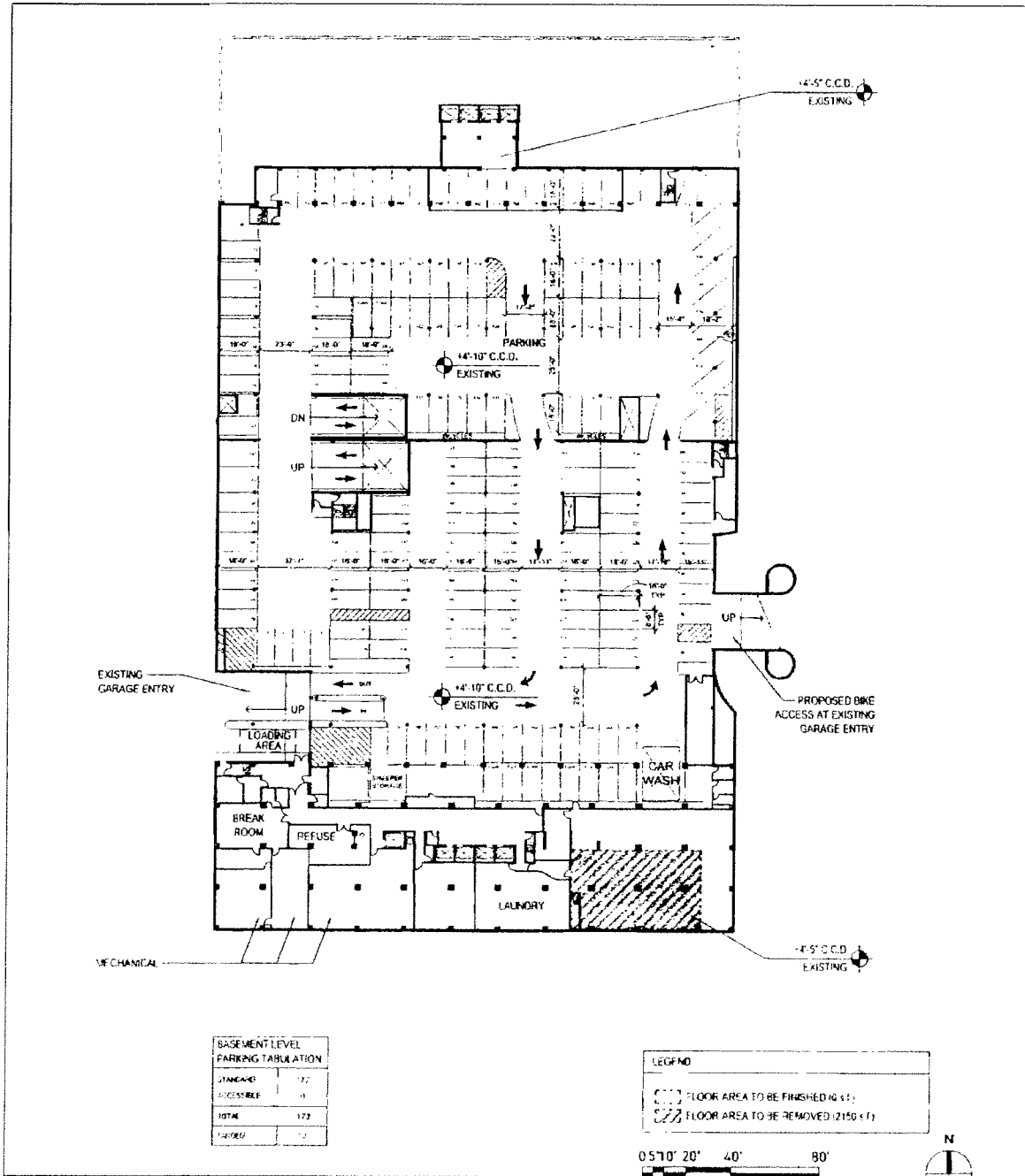
PARKING TABULATION TOTAL FOR ALL LEVELS					
F.A.S.	STANDARD	ACCESSIBLE	BARRED	GRAND OFFICER LOADING	TOTAL -NET PARKING
1	38	2	7	38	75
2	8	4	22	18	52
3	77	5	12	17	109
10	30	5	1	88	124
TOTAL	153	16	42	151	366



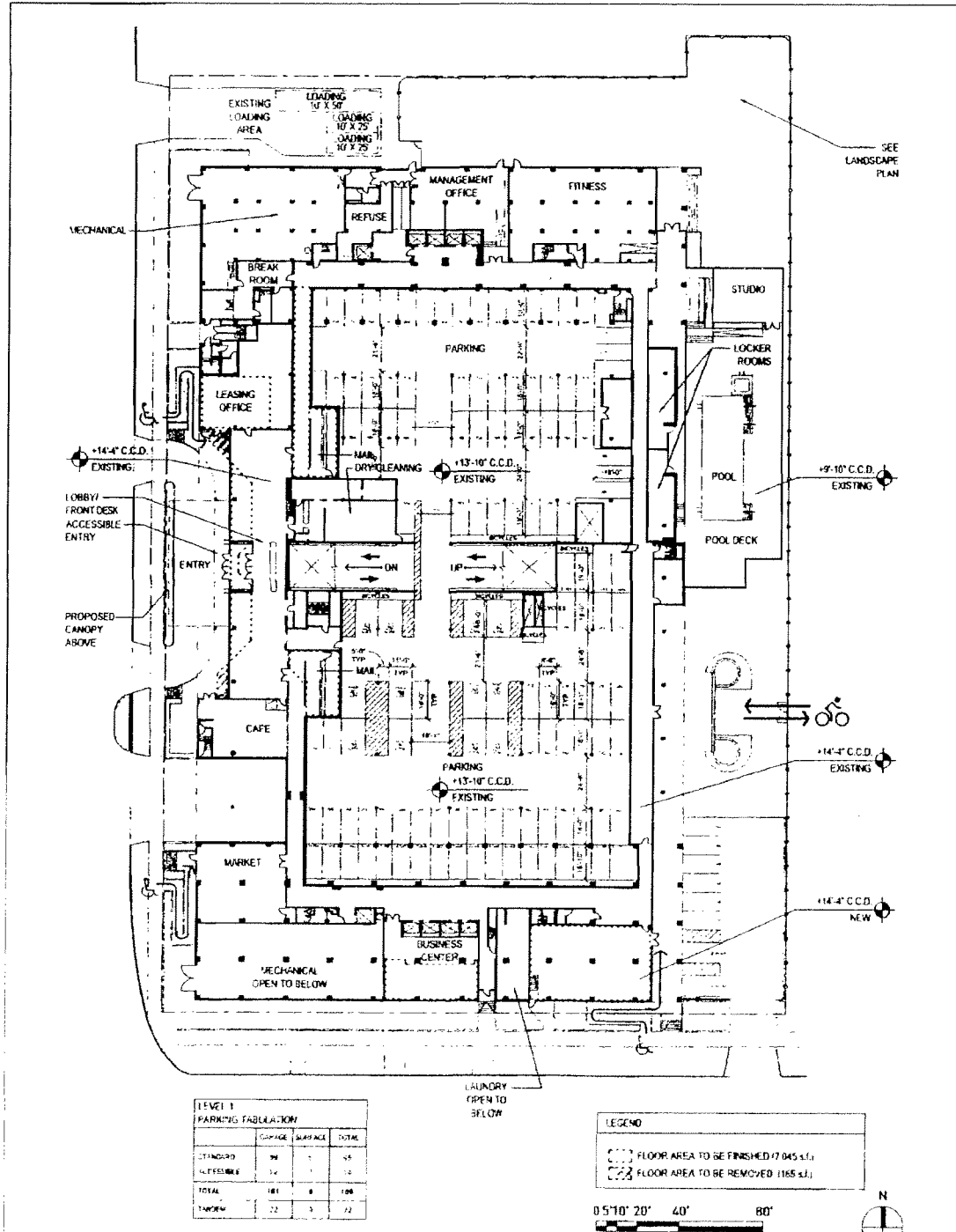
SUB-BASEMENT LEVEL PARKING TABULATION	
STANDARD	153
ACCESSIBLE	16
TOTAL	169
BARRED	42

N

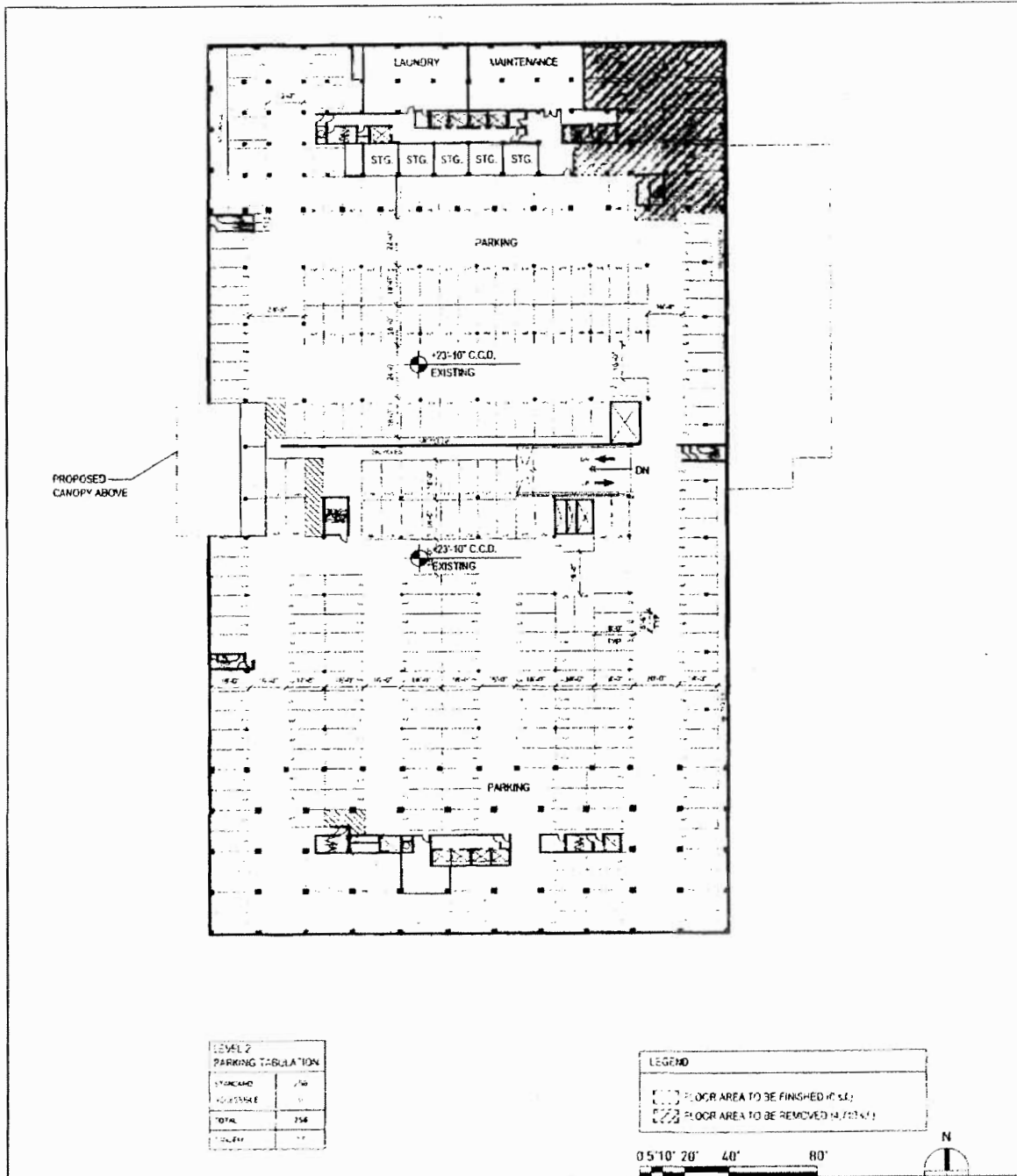
Basement Plan.



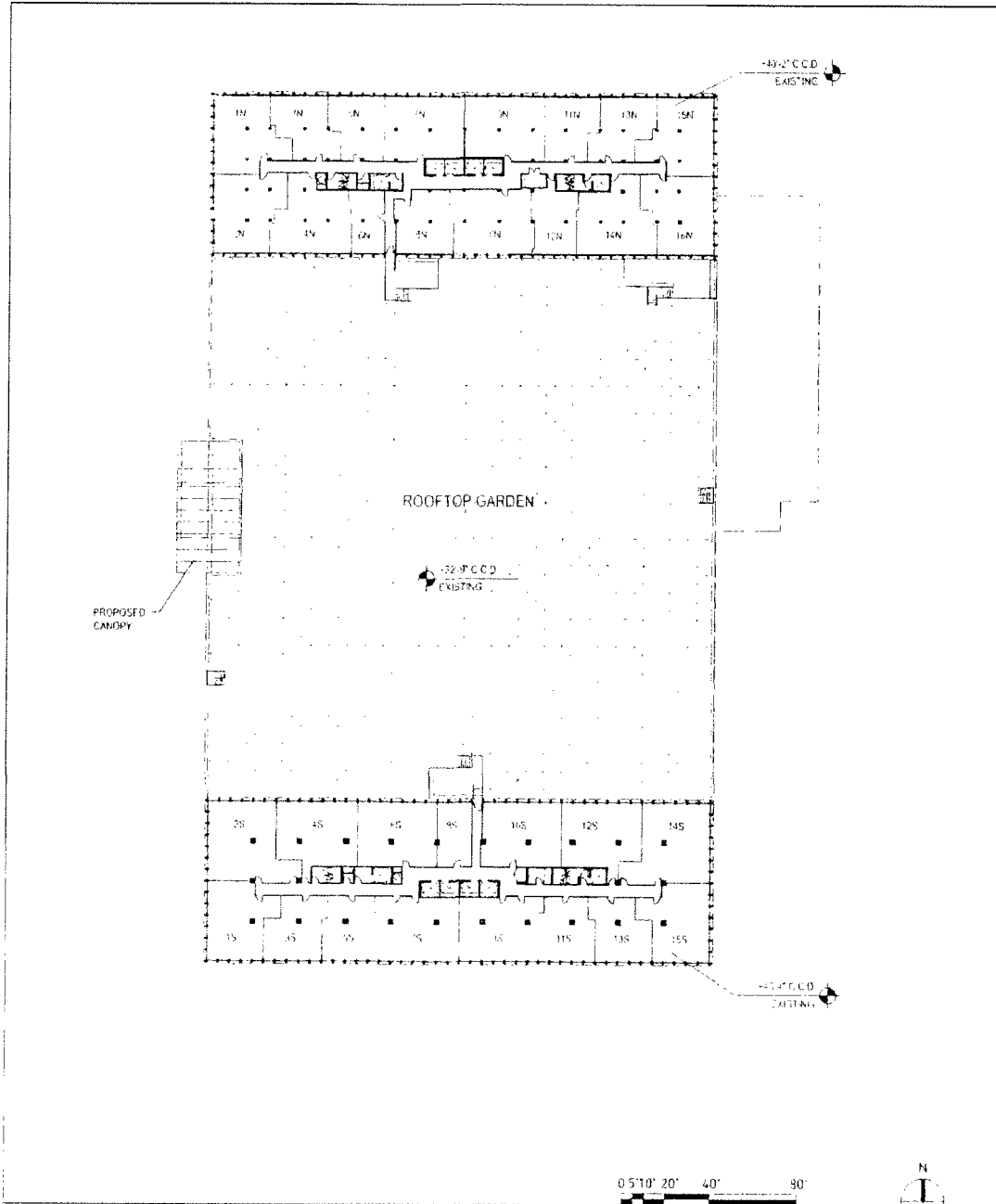
Level 1 Plan.



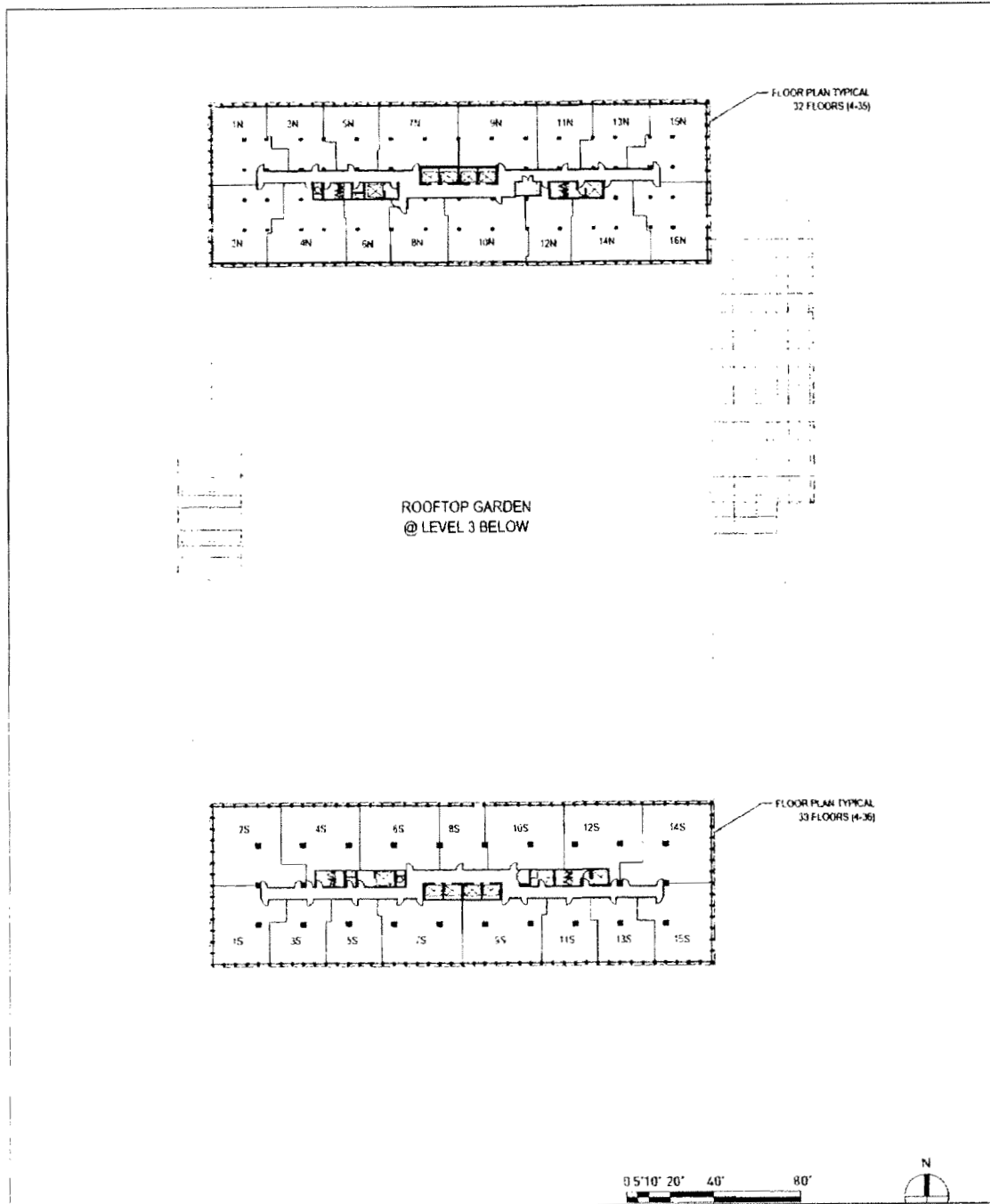
Level 2 Plan.



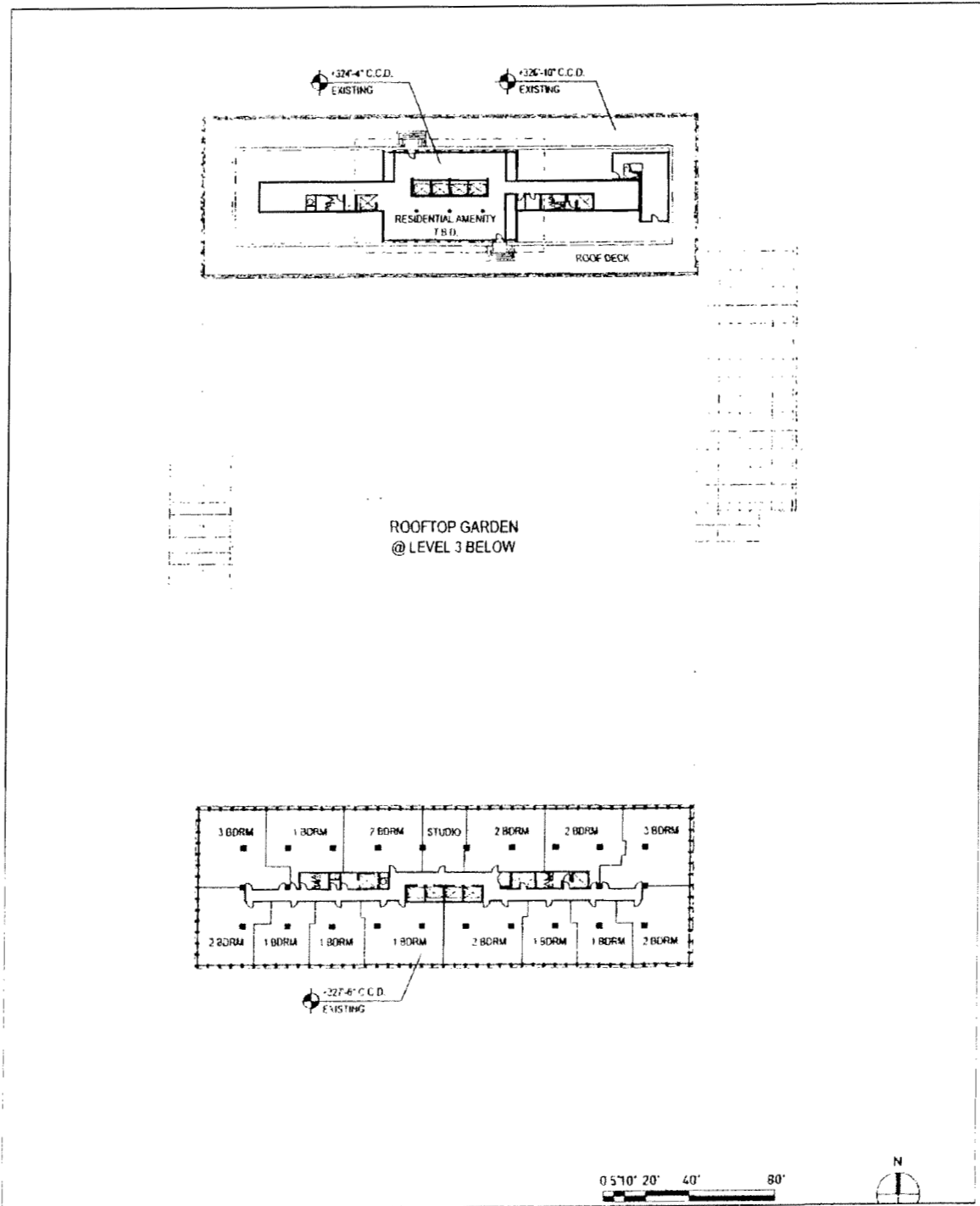
Level 3 Plan.



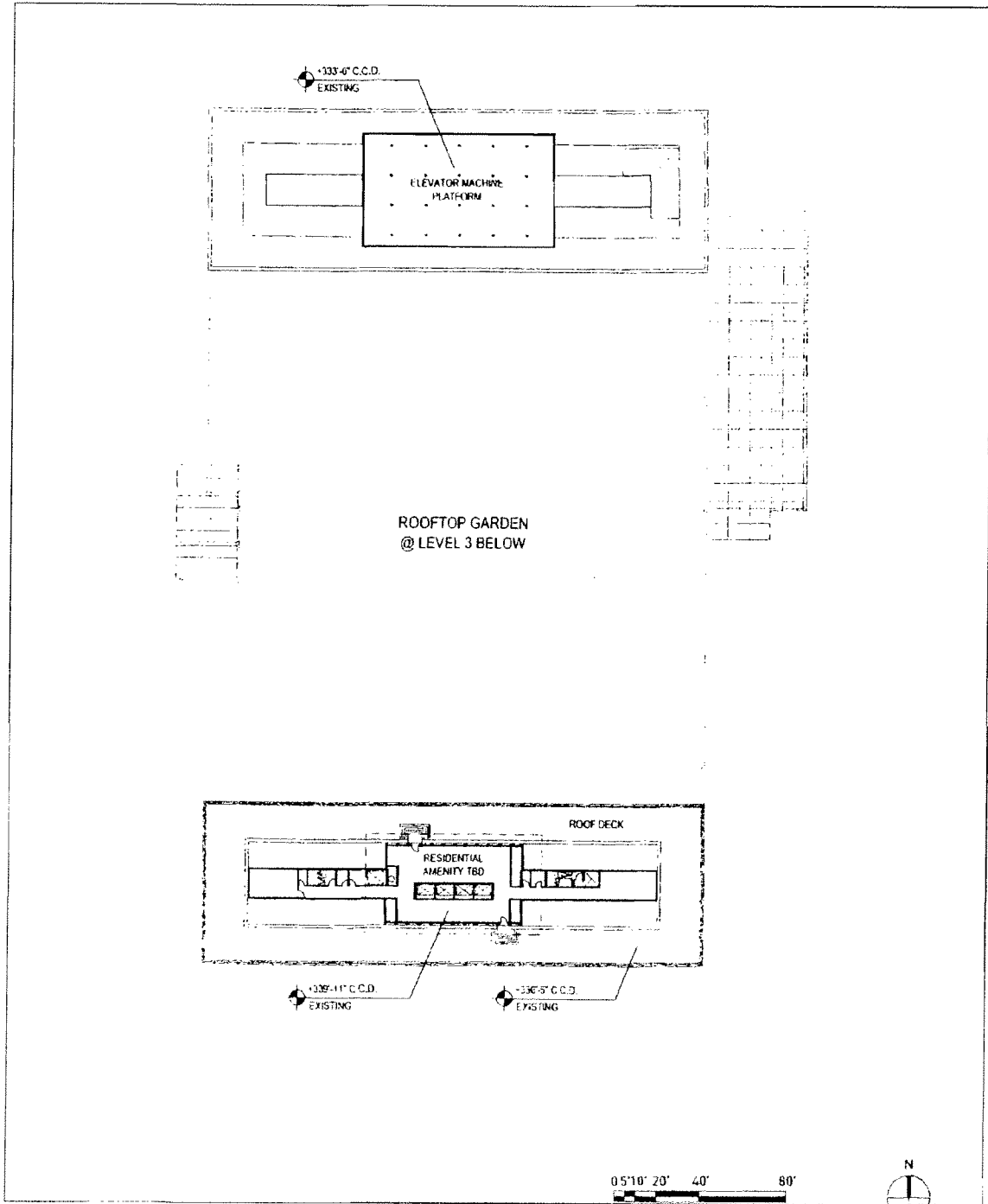
Level 4 -- 35 Typical Plan.



Level 36 Plan.

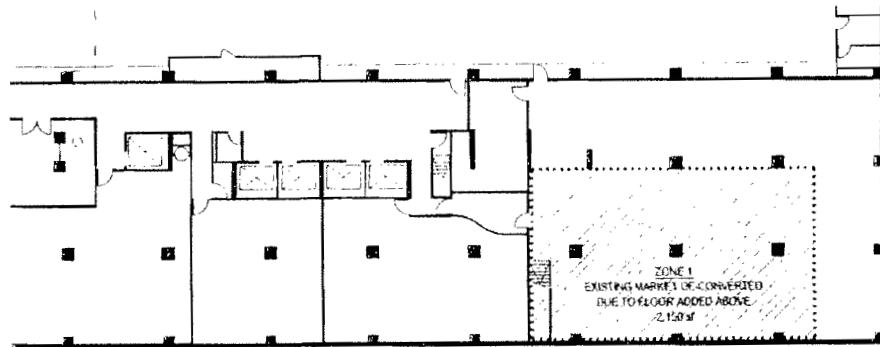


Level 37 Plan.



Basement Floor Area Swaps.

FLOOR AREA SWAP TOTAL	
ZONE 1	-2,150 sf
ZONE 2	-110 sf
ZONE 3	-75 sf
ZONE 4	+845 sf
ZONE 5	+1,050 sf
ZONE 6	+990 sf
ZONE 7	+460 sf
ZONE 8	+710 sf
ZONE 9	+840 sf
ZONE 10	+2,150 sf
ZONE 11	-4,710 sf
TOTAL	+0 sf



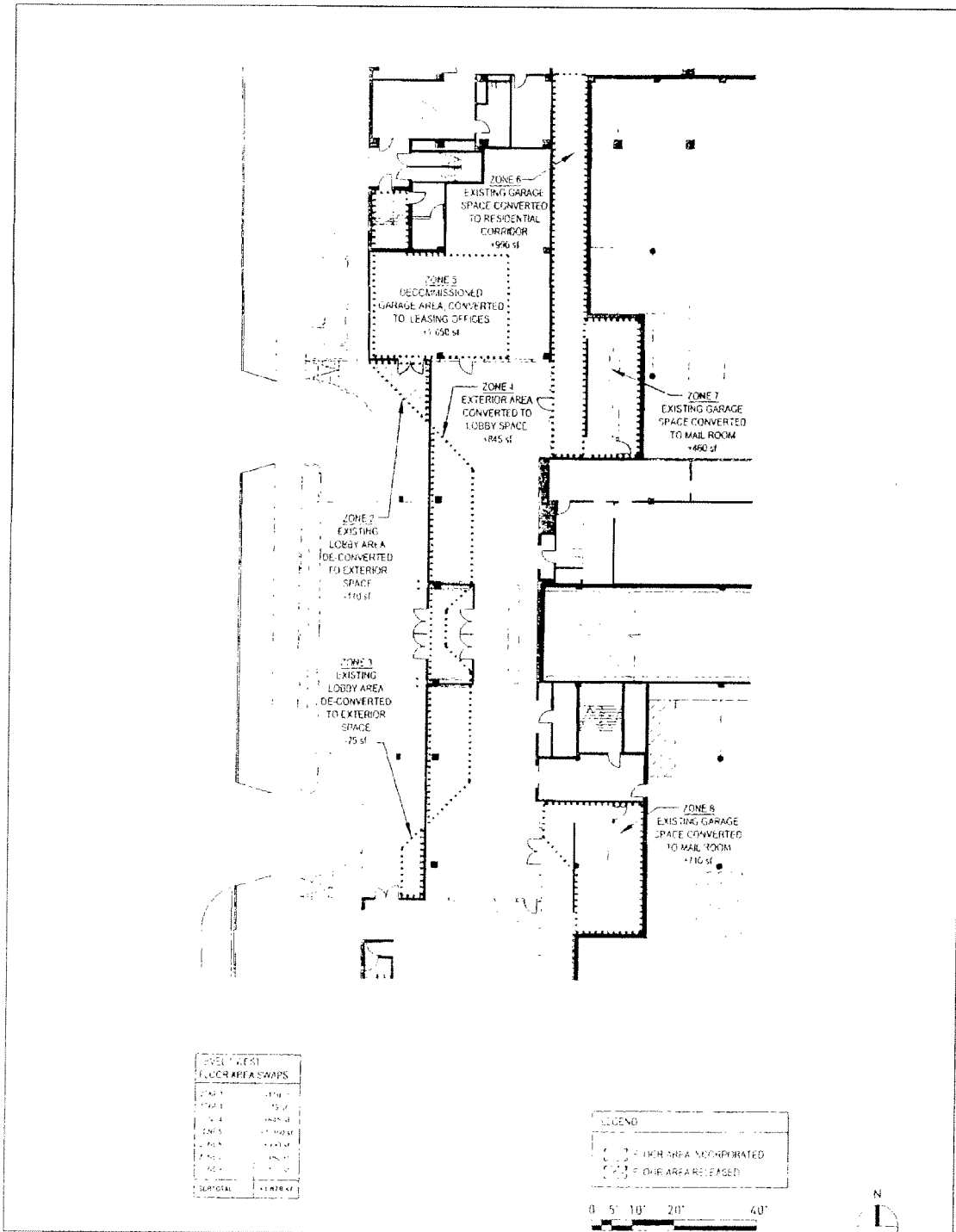
BASEMENT FLOOR AREA SWAPS	
NET	2,150 SF
TOTAL	2,150 SF

LEGEND	
[Solid Line]	FLOOR AREA INCORPORATED
[Dashed Line]	FLOOR AREA RELEASED

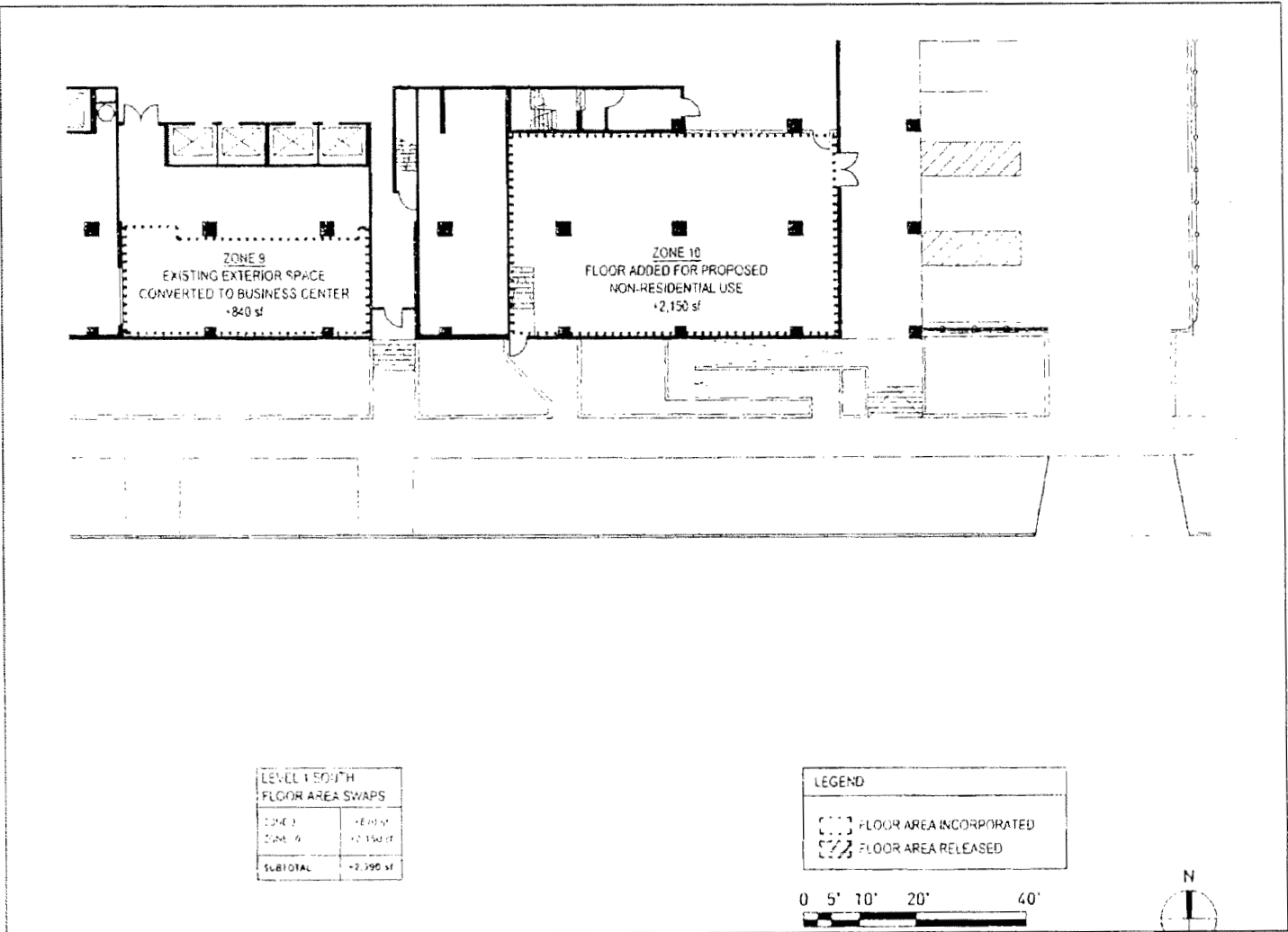
0 5' 10' 20' 40'



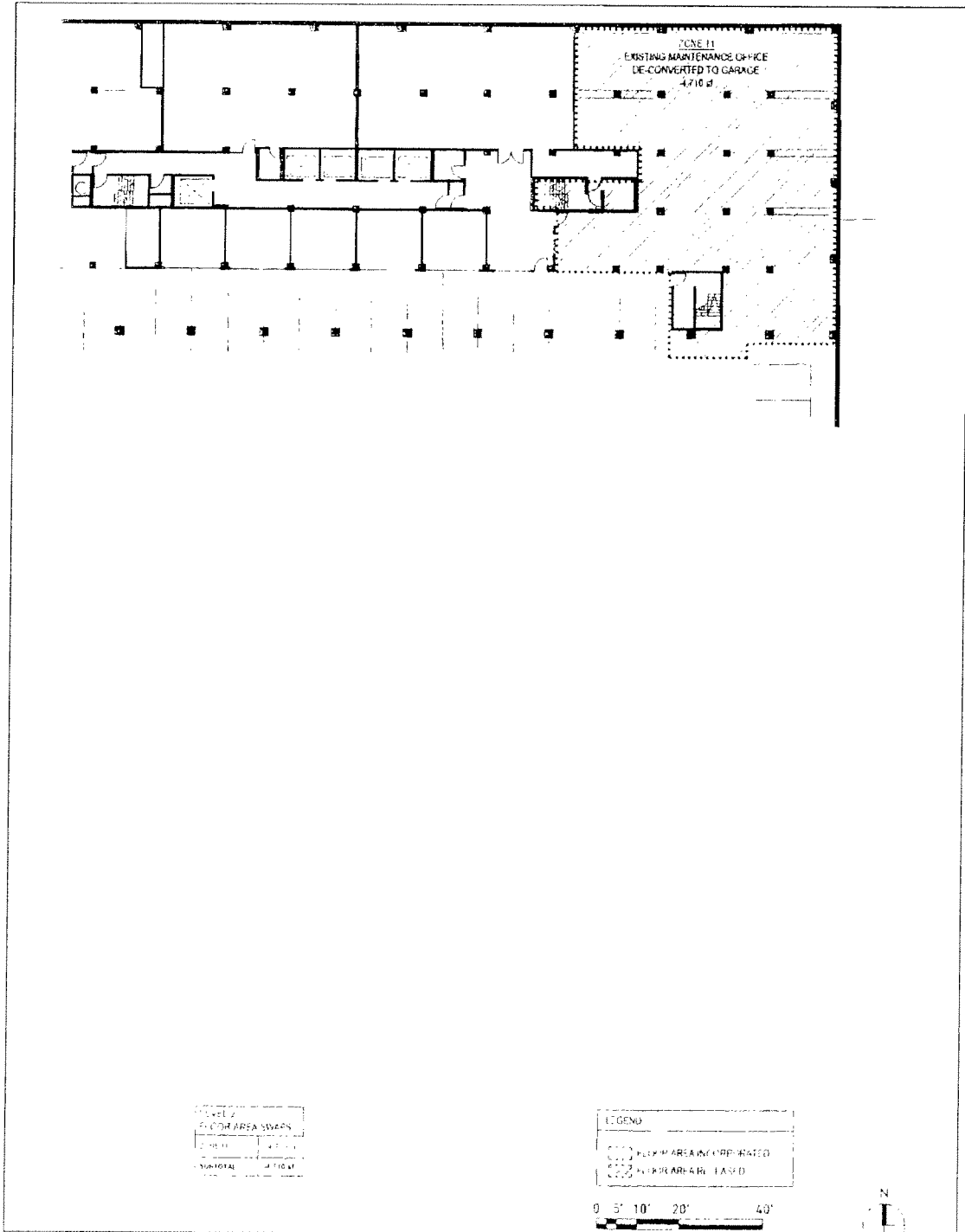
Level 1 Floor Area Swaps (West)



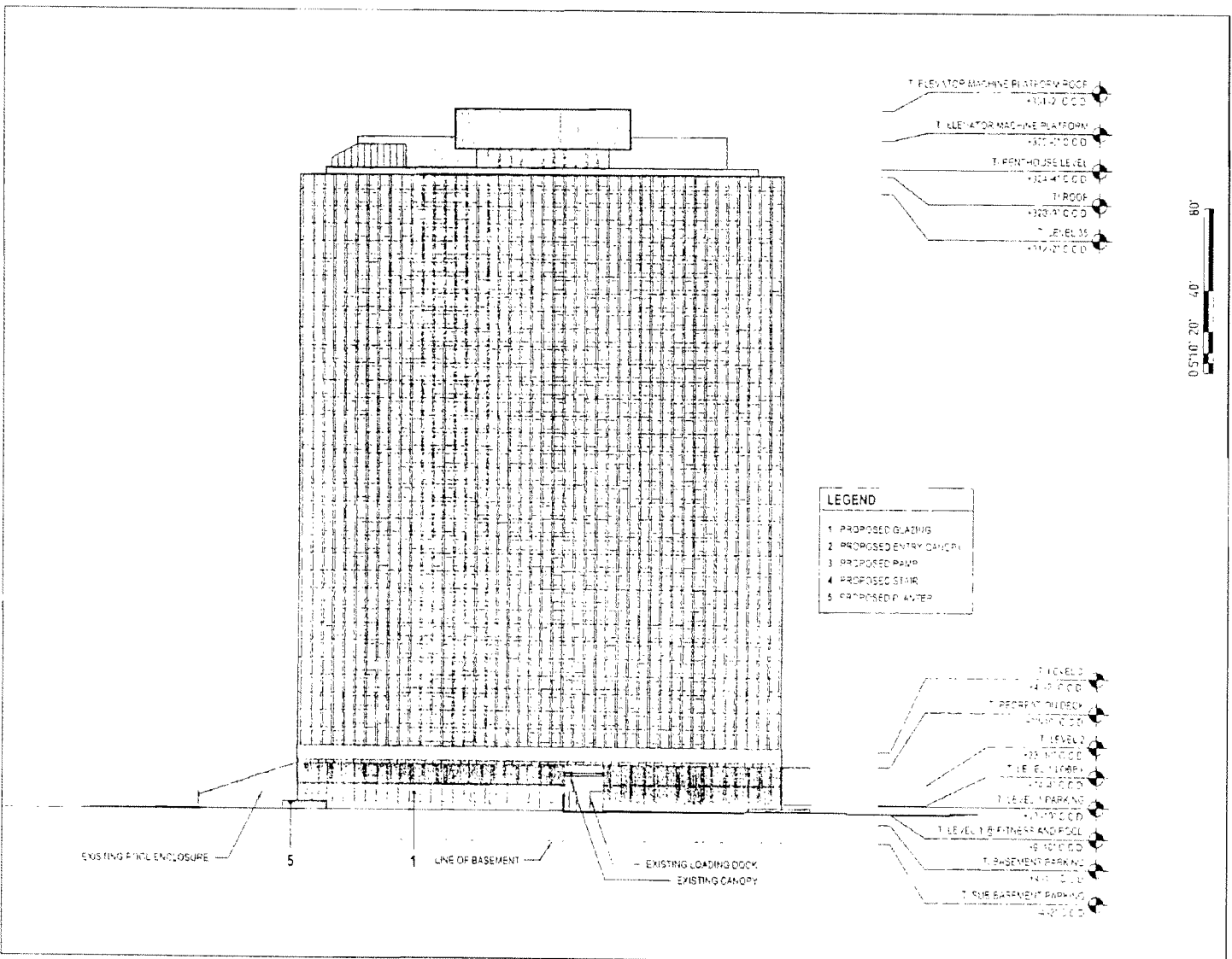
Level 1 Floor Area Swaps (South)



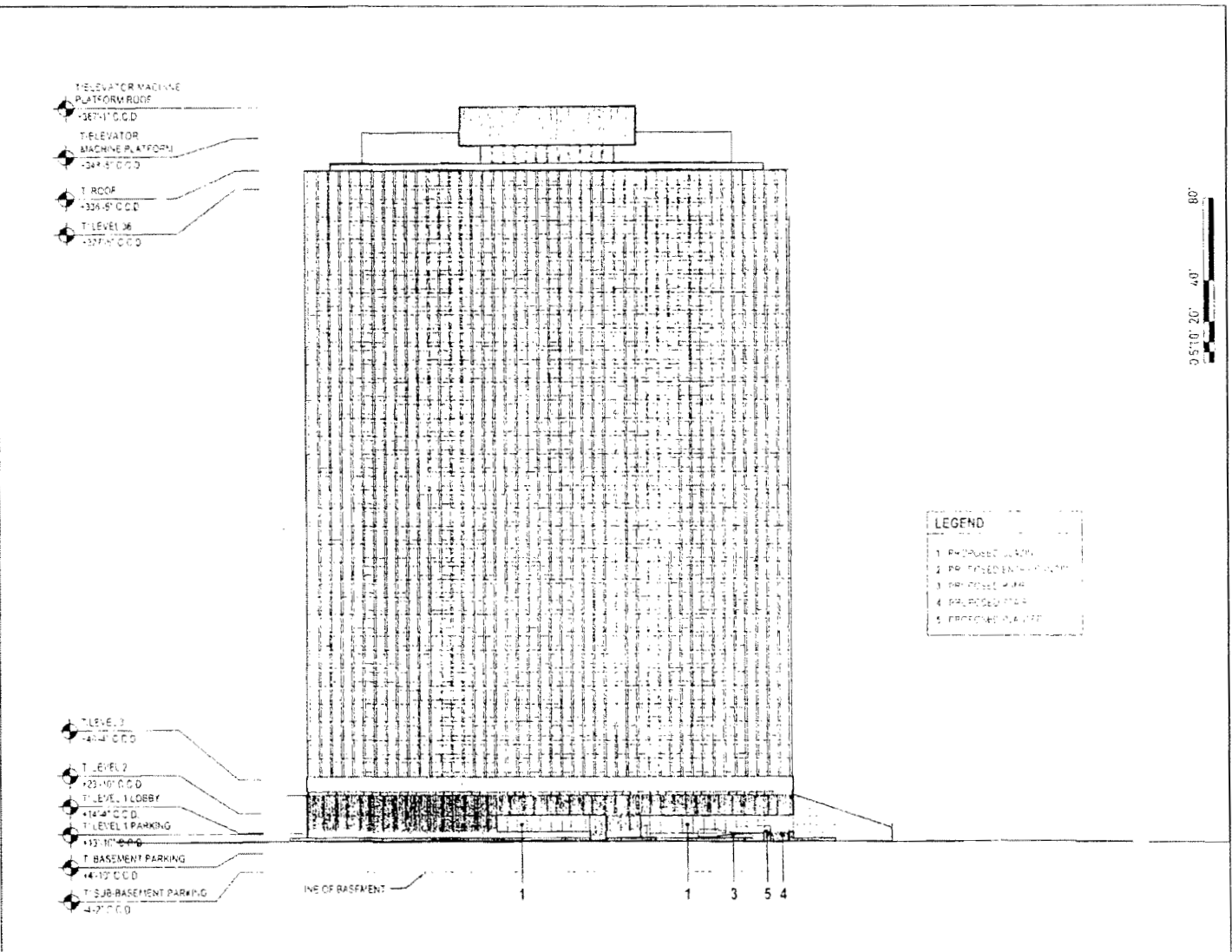
Level 2 Floor Area Swaps.



North Elevations.



South Elevations



West Elevation.

