

# PD 1219

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17903

2/5/2014

REPORTS OF COMMITTEES

74875

*Reclassification Of Area Shown On Map No. 3-F.*

(As Amended)

(Application No. 17903)

(Common Address: 118 -- 128 W. Chicago Ave. And 801 -- 819 N. LaSalle St.)

[SO2013-9424]

*RBPD 1219, 00*

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all the Residential Business Planned Development Number 1219 symbols and indications as shown on Map Number 3-F in an area bounded by:

a line 202.24 feet north of and parallel to West Chicago Avenue; the alley next east of and parallel to North LaSalle Street; West Chicago Avenue; and North LaSalle Street,

to the designation of Residential-Business Planned Development Number 1219, as amended, which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

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

*Residential-Business Planned Development No. 1219, As Amended.*

*Plan Of Development Statements.*

1. The area delineated herein as Residential Business Planned Development Number 1219 consists of approximately 27,709 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, Smithfield Chicago LaSalle 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 applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned

Development are made, shall be under single ownership or under single 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 adjustments of right-of-way, shall require a separate submittal to the Department of Transportation on behalf of the applicant or its successors, assignees, 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 Planning and 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 these sixteen (16) statements; a Bulk Regulations and Data Table; an Existing Land-Use Map; Existing Zoning Map; a Property Line and Right-of-Way Adjustment Map; a Site Plan/First Floor/Landscape Plan; a Green Roof Diagram; and Building Elevations prepared by architect Antunovich Associates dated January 16, 2014. Full size copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and 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 shall be allowed within the area herein delineated as Residential-Business Planned Development: residential uses, retail/commercial uses, accessory parking, related facilities, and accessory 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 Planning and 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 and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of 27,709 square feet.

Base FAR: 7.0

The improvements to be constructed on the Property will utilize the following series of FAR Bonuses:

Upper Level Set Back Bonus: 1.0

Affordable Housing: 1.75

Total FAR: 9.75

The calculation of the additional Floor Area Ratio obtained through the series of proposed Bonuses is as follows:

Upper-Level Setback

$$\begin{aligned} \text{Bonus Floor Area Ratio} &= (0.3 \text{ by sum of setback area on each floor}) / \text{lot area} \\ &= (0.3 \text{ by } 16 \text{ floors by } 5,853 \text{ square feet}) / 27,709 \text{ square feet} \\ &= 1.0 \text{ FAR} \end{aligned}$$

$$\begin{aligned} \text{Affordable Housing} &= \text{Net site area by } 1.75 \text{ FAR} = 48,491 \text{ square feet of floor area as a result of Affordable Housing} \\ &= 48,491 \text{ square feet by } 0.80 \text{ by } \$43 = \$1,668,090.40 \end{aligned}$$

9. The applicant acknowledges and agrees that the rezoning of the Property from DX-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 cash payment in lieu of providing affordable housing in the amount of \$1,668,090.40 ("Cash Payment"). As of the date of this Planned Development approval the applicant has paid \$714,892.20 for 20,781.75 square feet of bonus floor area and received excavation and foundation permits. Prior to the issuance of any additional building permits for the Eligible Building, the applicant must make the remaining Cash Payment of \$953,198.20 for the 27,709.25 square feet of floor area. The terms of the Affordable Housing Agreement and any amendments thereto are incorporated herein by this reference. 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 Planning and 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 Planning and 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 Planning and 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, Environment 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.

Site Plan Approval Submittals (per Section 17-13-0800) need only include that portion of the Property for which approval is being sought by the applicant. If the applicant is seeking approval for a portion of the Property that represents less than the entire site, the applicant shall also include a site plan for that area of the Property which is bounded on all sides by either public or private rights-of-way or the boundary of the nearest building pad.

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 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. At the time of a hearing before the Chicago Plan Commission, all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development. The project will be LEED certified and will provide an 11,365 square foot green roof to cover at least 50 percent of the net roof area of the building. "Net roof area" is defined as total roof area minus any required perimeter setbacks, roof top structures, and roof-mounted equipment.
16. Unless construction of the new improvements contemplated in this Planned Development has commenced within six (6) years following adoption of this Planned Development, and unless completion is thereafter diligently pursued, then this Planned Development shall expire and the zoning of the Property shall automatically revert to the DX-7 Downtown Mixed-Use District classification.

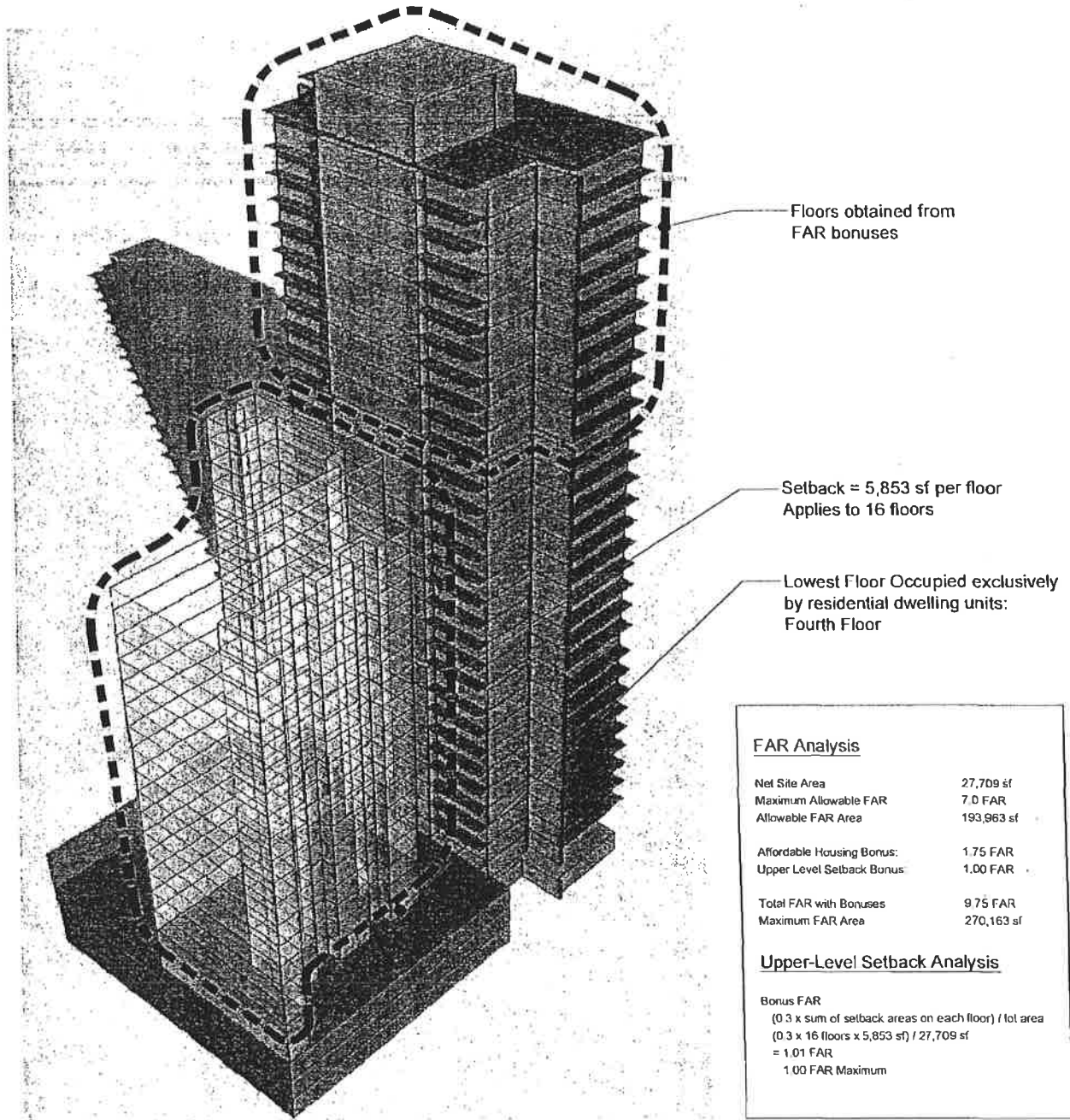
[Exhibit "A" -- Bonus Worksheet referred to in these  
Plan of Development Statements unavailable  
at time of printing.]

[Upper Level Setback Analysis; Existing Land-Use Map; Existing Zoning Map;  
Property Line and Right-of-Way Adjustment Map; Site Plan/First Floor/  
Landscape Plan; North, South, East and West Elevations; and  
Green Roof Plan referred to in these Plan of Development  
Statements printed on pages 74881 through  
74890 of this *Journal*.]

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

*Bulk Regulations Table.*

Net Site Area:	27,709 square feet
Gross Site Area (Net Site Area+ Remaining in Public Right-of-Way)	48,214 square feet
Maximum Allowable FAR:	7.0 FAR
Upper Level Setback Bonus:	1.00 Bonus FAR
Affordable Housing Bonus:	1.75 Bonus FAR
Total Far With Bonuses:	9.75 FAR
Maximum Residential Units:	295 Units
Area of Retail/Commercial:	4,200 square feet
Accessory Parking:	108 Spaces (3HC); All Standard 8 feet by 18 feet
Loading Berths:	One 10 feet by 25 feet
Proposed Building Height:	353 feet
Bike Room:	58 bikes (minimum)



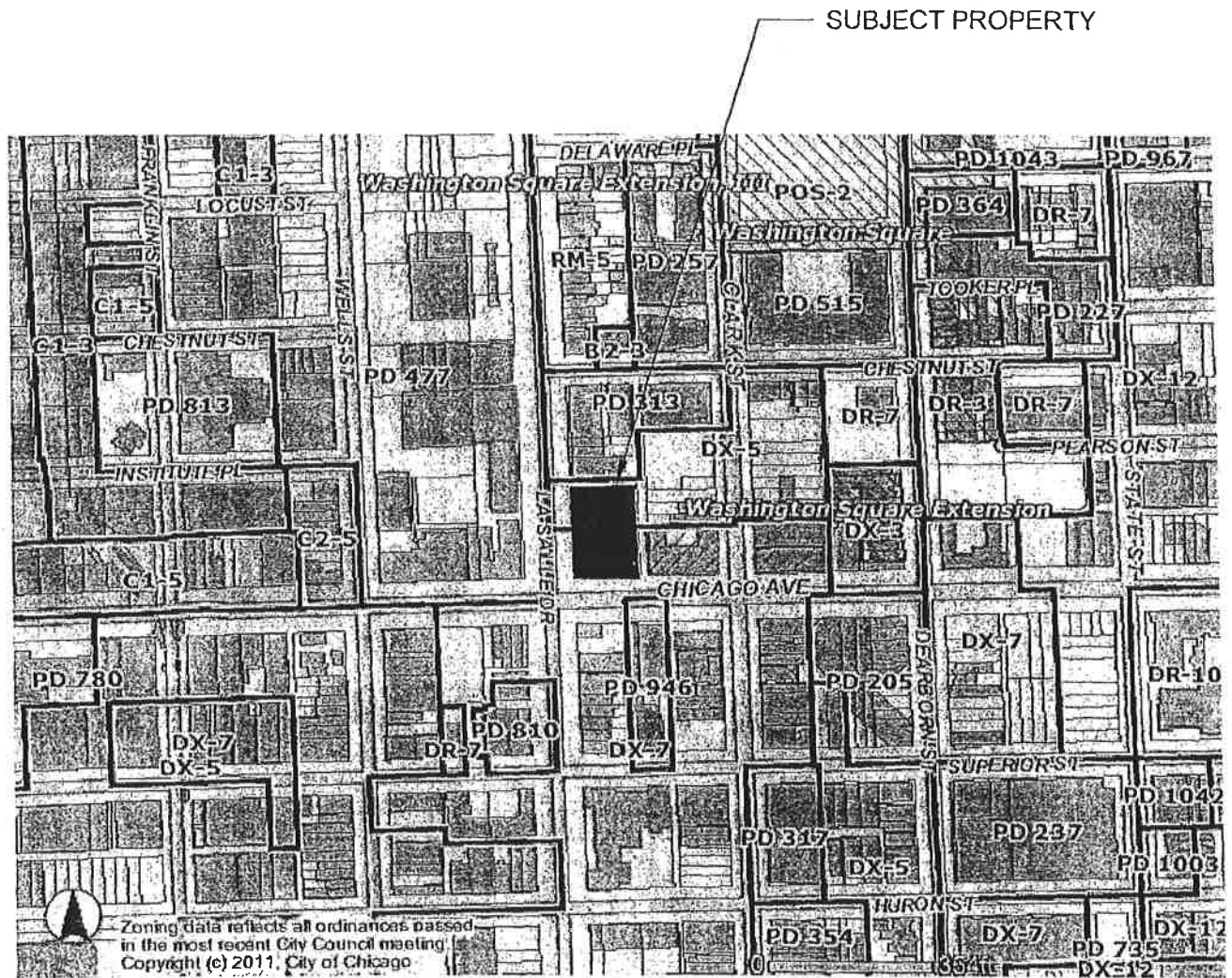
B. UPPER-LEVEL SETBACK ANALYSIS

CHICAGO + LASALLE - Planned Development Exhibits

Applicant: Smithfield Chicago LaSalle L.L.C.  
Address: 118-128 West Chicago Ave / 801-819 North LaSalle Street

City Council Introduction Date: December 11, 2013  
Chicago Plan Commission Date: January 16, 2014



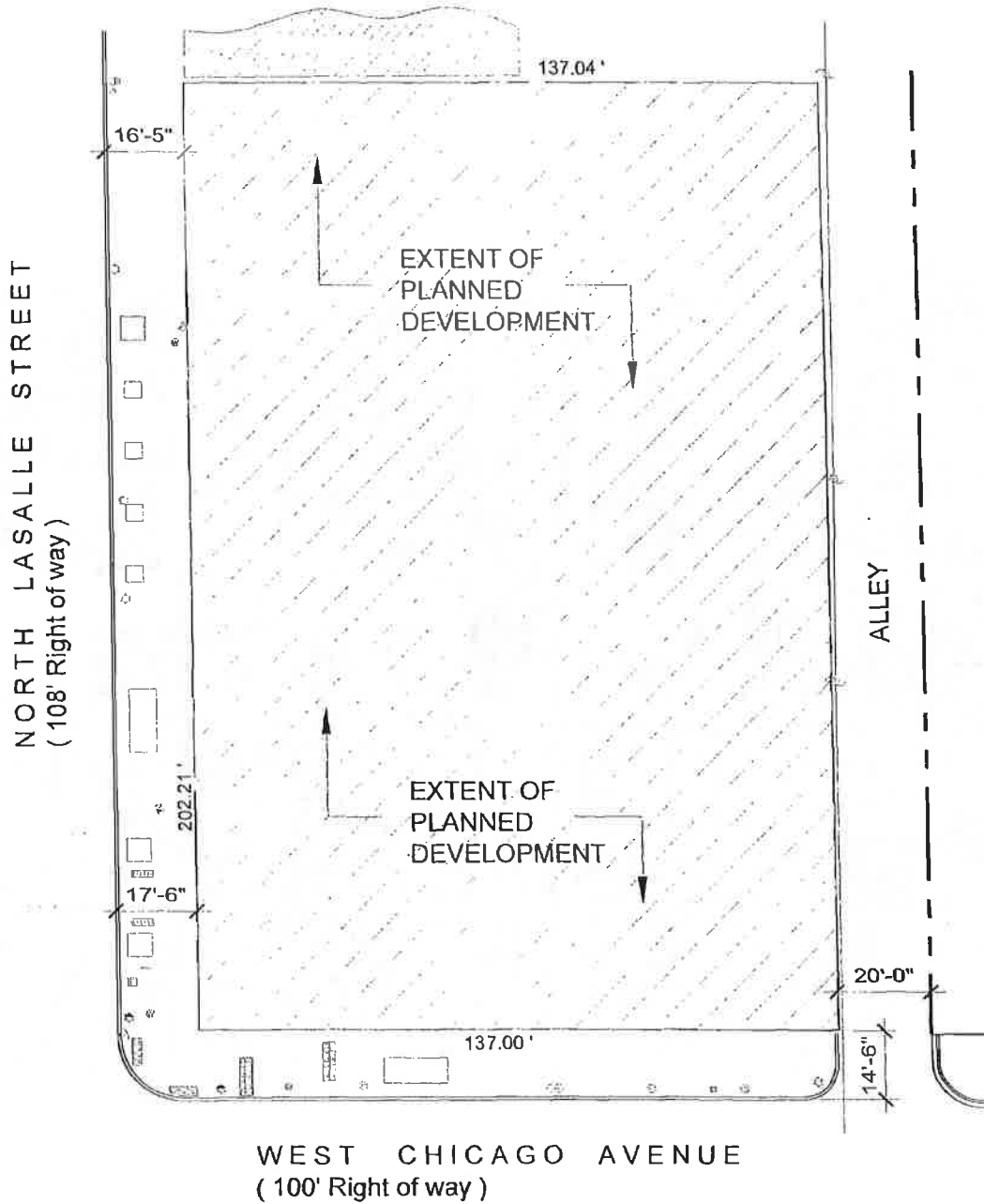


D. EXISTING ZONING MAP

CHICAGO + LASALLE - Planned Development Exhibits

Applicant: Smithfield Chicago LaSalle L.L.C.  
Address: 118-128 West Chicago Ave / 801-819 North LaSalle Street

City Council Introduction Date: December 11, 2013  
Chicago Plan Commission Date: January 16, 2014



E. PROPERTY LINE AND RIGHT OF WAY ADJUSTMENT MAP

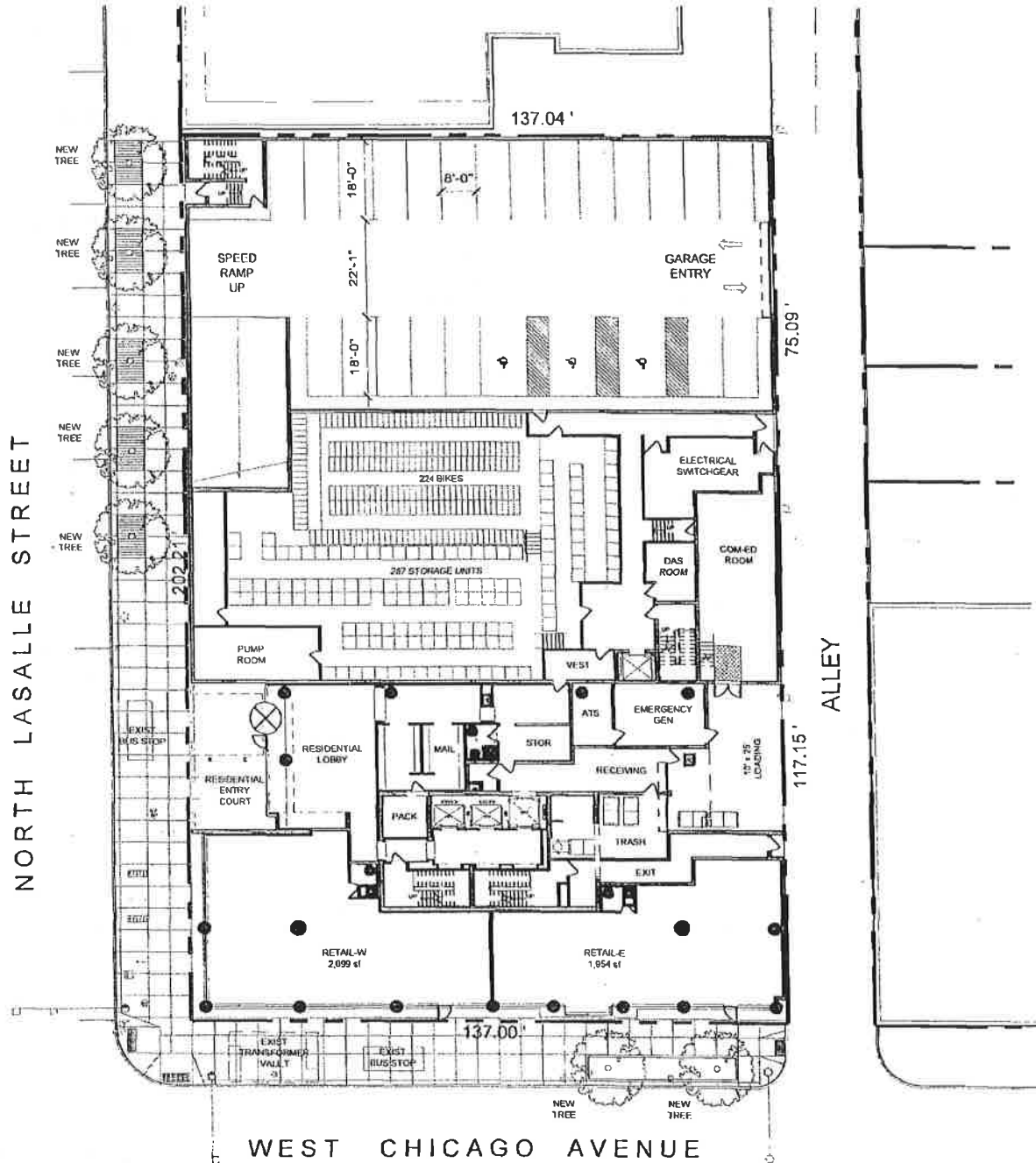
Scale: 0 5 10 20 40



CHICAGO + LASALLE - Planned Development Exhibits

Applicant: Smithfield Chicago LaSalle L.L.C.  
Address: 118-128 West Chicago Ave / 801-819 North LaSalle Street

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Chicago Plan Commission Date: January 16, 2014



\* ALL EXISTING TREES WILL BE REMOVED

F. SITE PLAN / FIRST FLOOR / LANDSCAPE PLAN

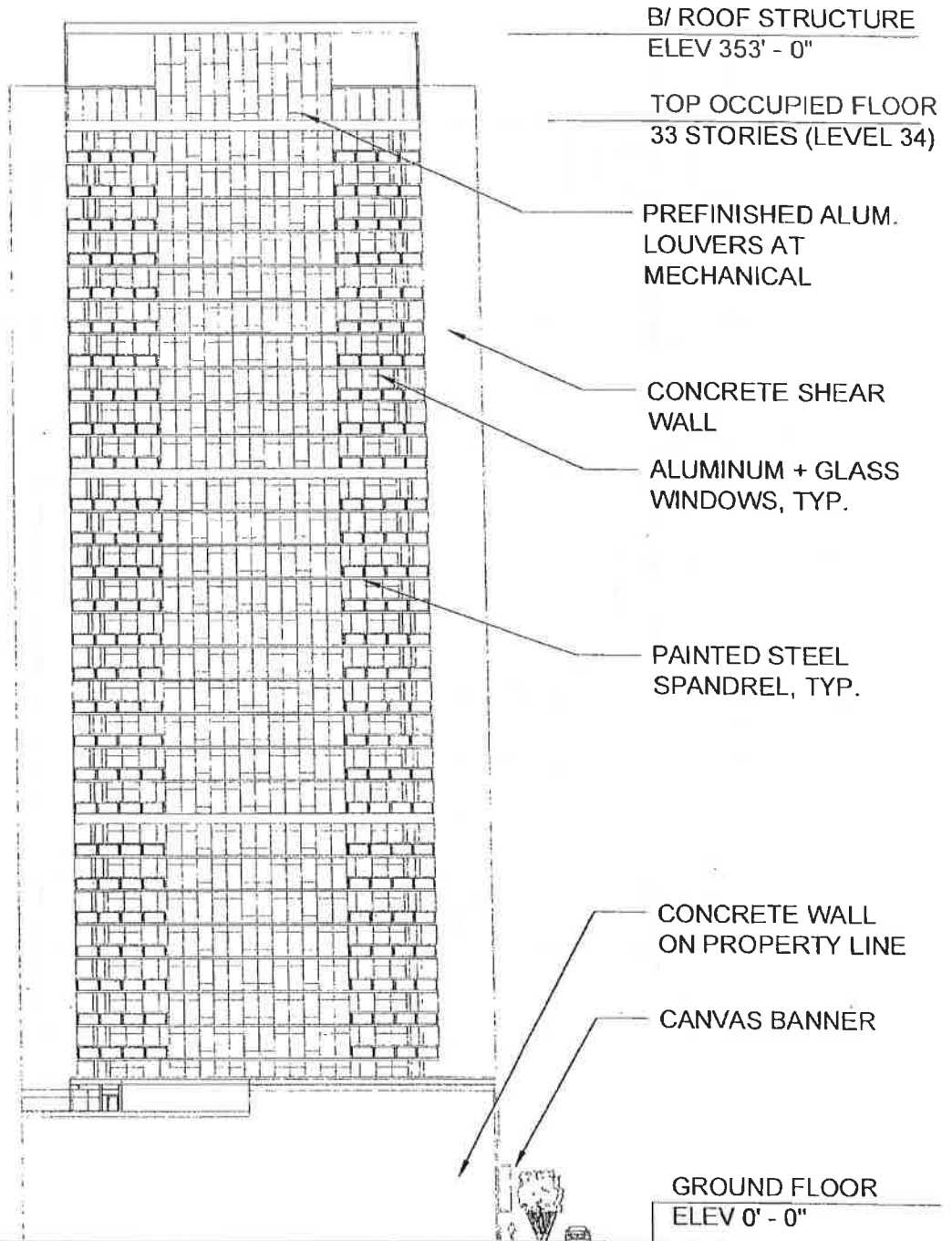
Scale: 0 6 10 20 40



CHICAGO + LASALLE - Planned Development Exhibits

Applicant: Smithfield Chicago LaSalle L.L.C.  
Address: 118-128 West Chicago Ave / 801-819 North LaSalle Street

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Chicago Plan Commission Date: January 16, 2014



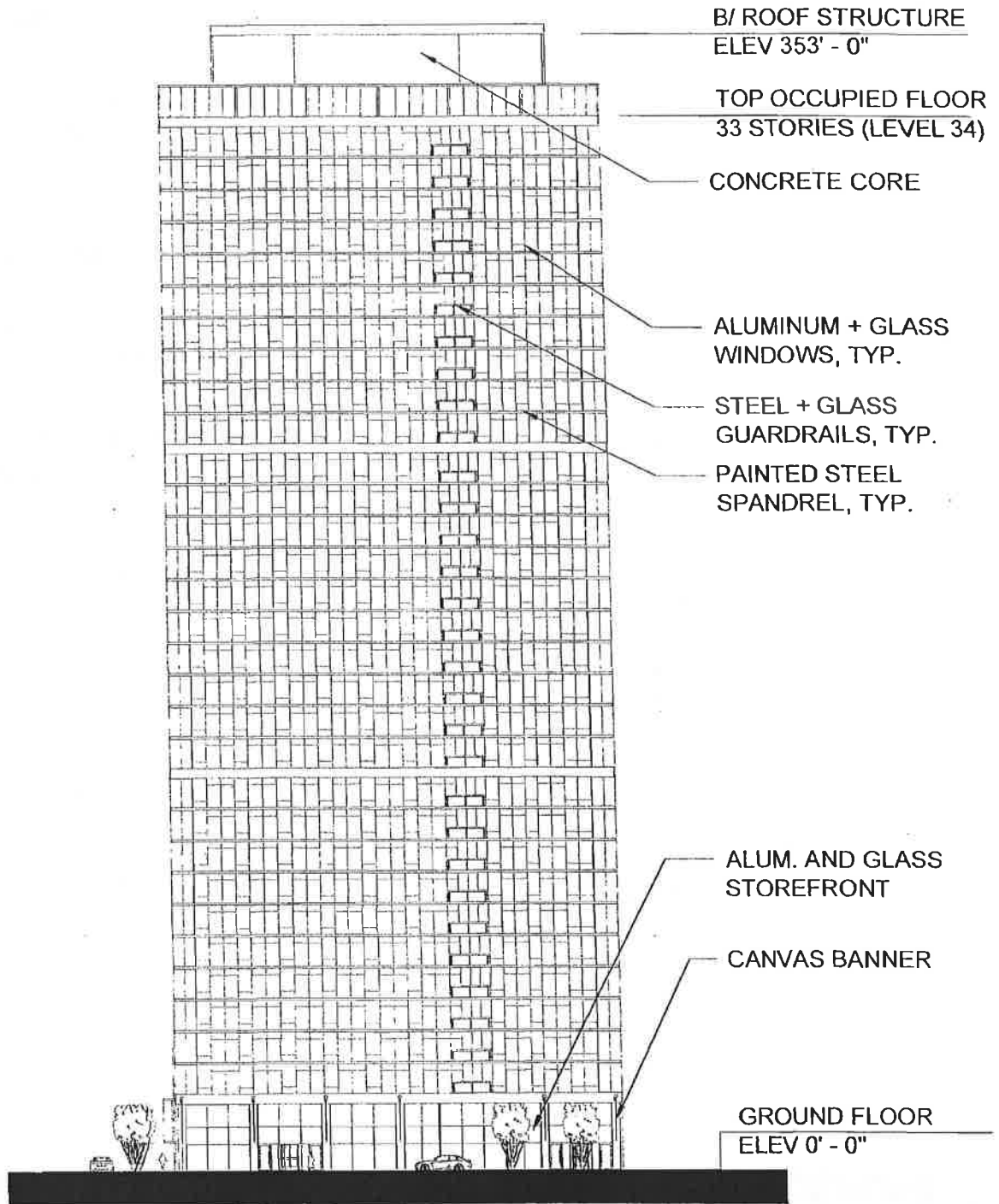
H4. NORTH ELEVATION

Scale: 0 5 10 30 50

CHICAGO + LASALLE - Planned Development Exhibits

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Address: 118-128 West Chicago Ave / 801-819 North LaSalle Street

City Council Introduction Date: December 11, 2013  
Chicago Plan Commission Date: January 16, 2014



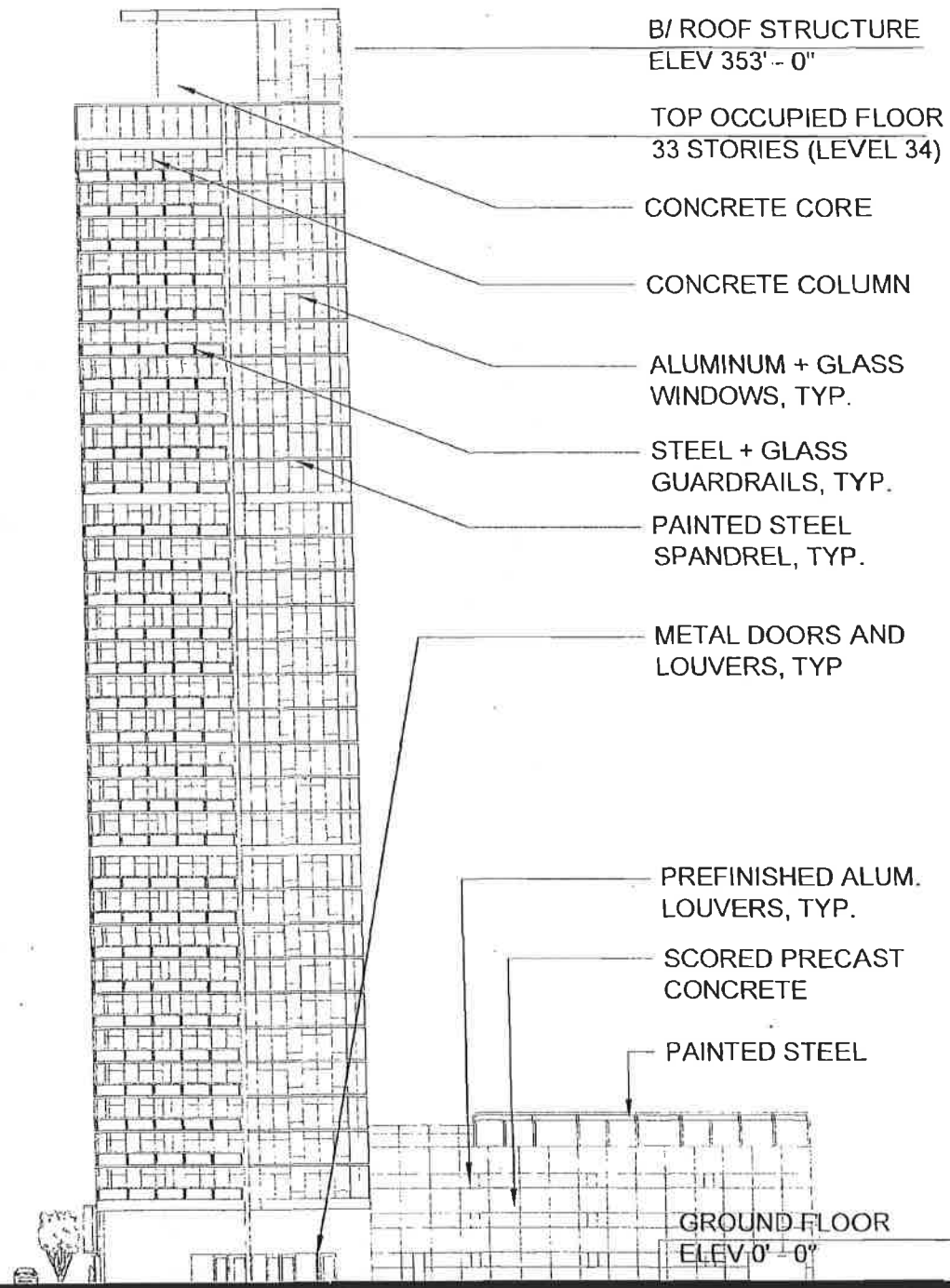
H1. SOUTH ELEVATION ALONG CHICAGO AVENUE

Scale: 0 5 10 30 50

CHICAGO + LASALLE - Planned Development Exhibits

Applicant: Smithfield Chicago LaSalle L.L.C.  
Address: 118-128 West Chicago Ave / 801-819 North LaSalle Street

City Council Introduction Date: December 11, 2013  
Chicago Plan Commission Date: January 16, 2014



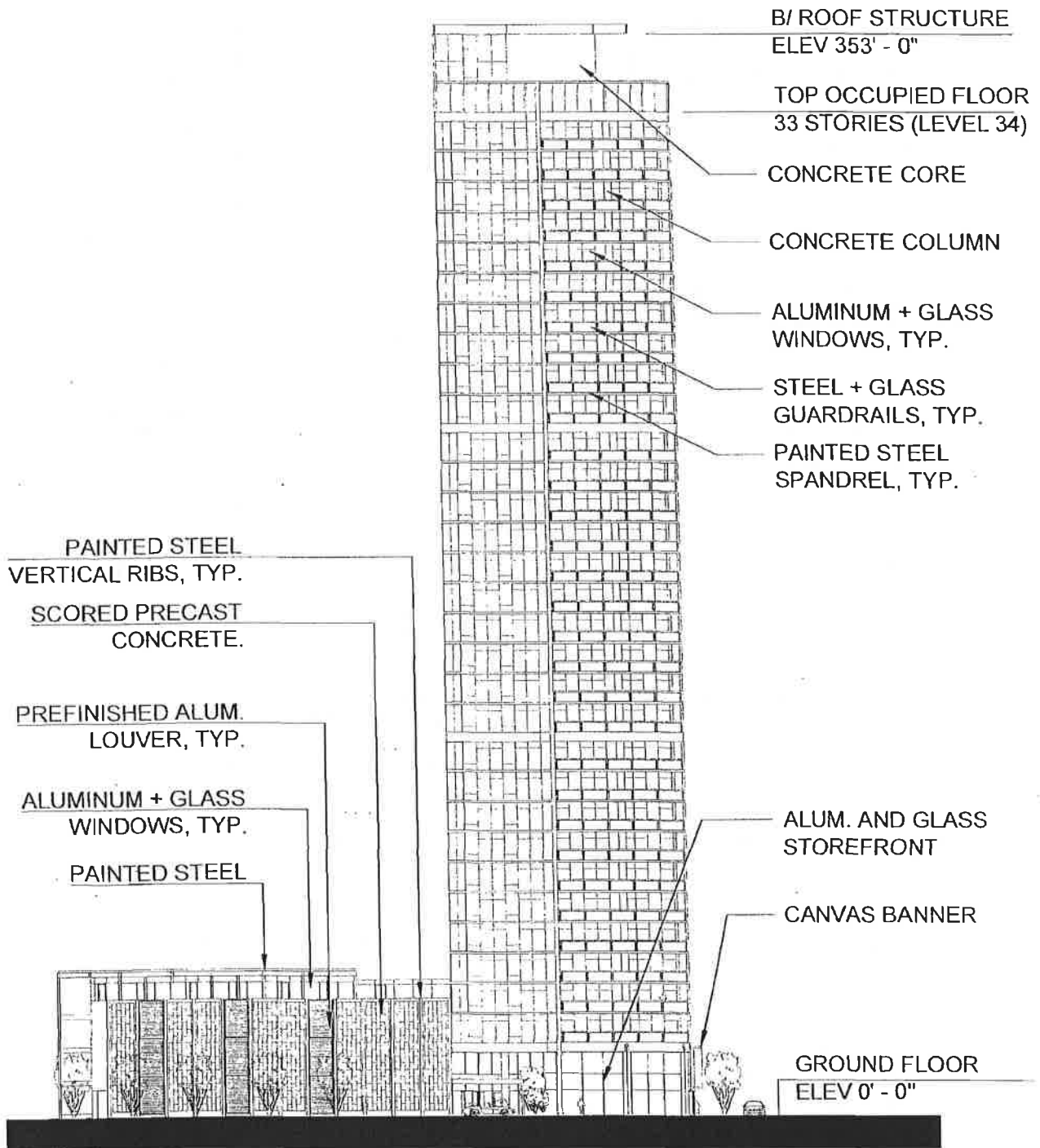
H3. EAST ELEVATION ALONG ALLEY

Scale: 0 5 10 30 50

CHICAGO + LASALLE - Planned Development Exhibits

Applicant: Smithfield Chicago LaSalle L.L.C.  
Address: 118-128 West Chicago Ave / 801-819 North LaSalle Street

City Council Introduction Date: December 11, 2013  
Chicago Plan Commission Date: January 16, 2014



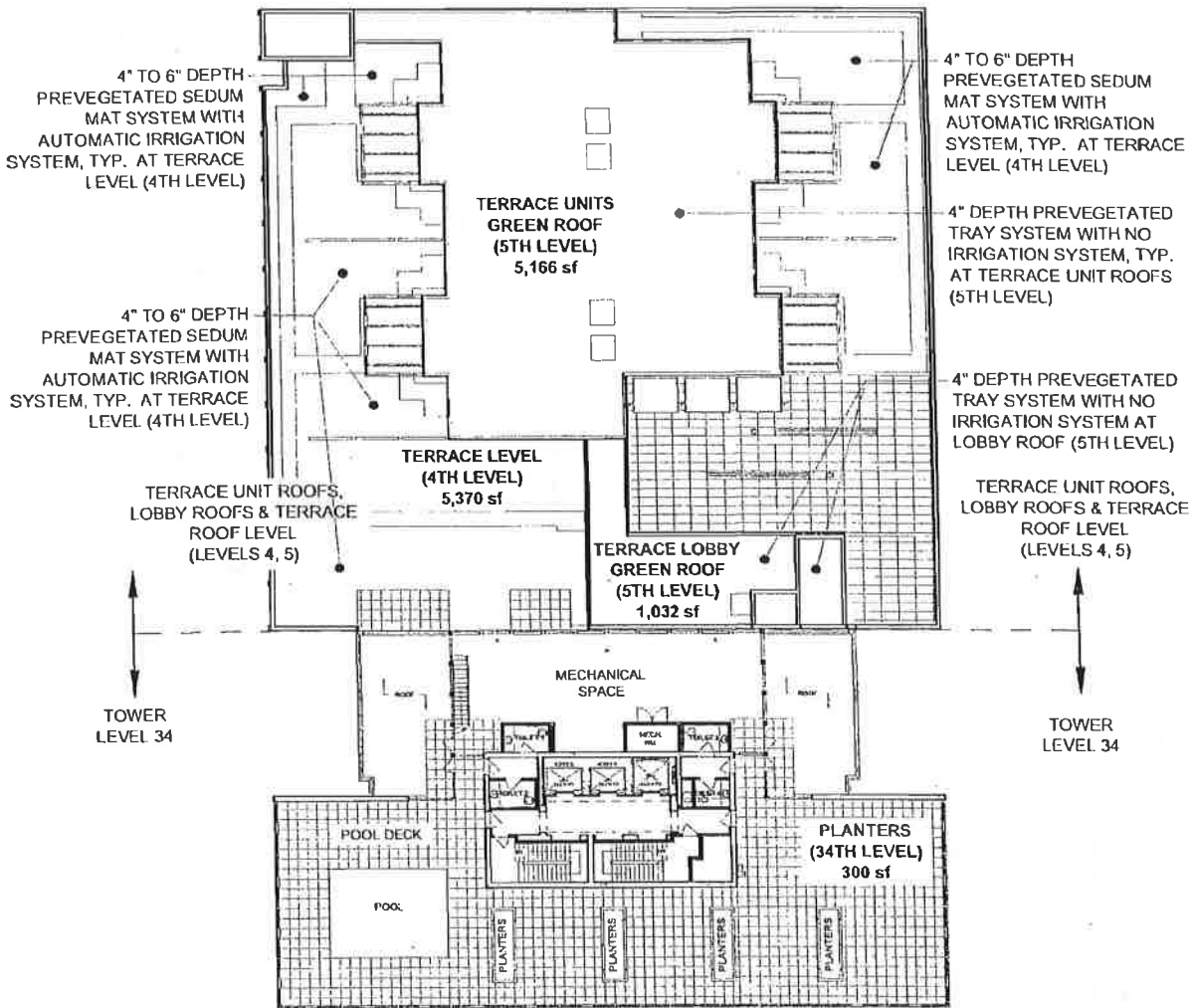
H2. WEST ELEVATION ALONG LASALLE STREET

Scale: 0 5 10 30 50

CHICAGO + LASALLE - Planned Development Exhibits

Applicant: Smithfield Chicago LaSalle L.L.C.  
Address: 118-128 West Chicago Ave / 801-819 North LaSalle Street

City Council Introduction Date: December 11, 2013  
Chicago Plan Commission Date: January 16, 2014



GREEN ROOF CALCULATIONS		GREEN ROOF AREA PROPOSED	
TOTAL ROOF AREA:	25,390 SF	LEVEL 34 (Planters):	300 SF
LESS MECHANICAL AREA:	2,760 SF	LEVEL 5 (Sedum Mats):	6,098 SF
TOTAL NET ROOF AREA:	22,630 SF	LEVEL 4 (Sedum Mats):	5,006 SF
<b>REQU IRED (50% NET):</b>		<b>TOTAL GREEN ROOF PROPOSED:</b>	
<b>11,315 SF</b>		<b>11,404 SF</b>	

G. GREEN ROOF DIAGRAM



CHICAGO + LASALLE - Planned Development Exhibits

Applicant: Smithfield Chicago LaSalle L.L.C.  
 Address: 118-128 West Chicago Ave / 801-819 North LaSalle Street

City Council Introduction Date: December 11, 2013  
 Chicago Plan Commission Date: January 16, 2014

*Reclassification Of Area Shown On Map No. 3-F.*

(As Amended)

(Application No. 17650)

(Common Address: 118 -- 128 W. Chicago Ave. And 801 -- 819 N. LaSalle St.)

[SO2013-30]

**RBPD 1219***Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all the DX-5 Downtown Mixed-Use District and DX-7 Downtown Mixed-Use District symbols and indications as shown on Map Number 3-F in an area bounded by:

a line 202.24 feet north of and parallel to West Chicago Avenue; the alley next east of and parallel to North LaSalle Street; West Chicago Avenue; and North LaSalle Street,

to the designation of a DX-7 Downtown Mixed-Use District and a corresponding use district is hereby established in the area above described.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all the DX-7 Downtown Mixed-Use District symbols and indications established in Section 1 above to the designation of Residential Business Planned Development Number 1219 which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

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

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

*Residential Business Planned Development No. 1219.*

*Plan Of Development Statements.*

1. The area delineated herein as Residential Business Planned Development No. 1219 consists of approximately 27,709 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, Smithfield Properties XVI, 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 applications for amendments, modifications or changes (administrative, legislative or otherwise) to this planned development are made, shall be under single ownership or under single 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 adjustments of right-of-way, shall require a separate submittal to the Department of Transportation on behalf of the applicant or its successors, assignees, 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 these seventeen (17) statements; a Bulk Regulations and Data Table; an Existing Land Use Map; Existing Zoning Map; a Property Line and Right-of-Way Adjustment Map; a Site Plan/First Floor/Landscape Plan; a Green Roof Diagram; and Building Elevations prepared by architect Adam Berkelhamer dated May 16, 2013. Full size 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 shall be allowed within the area herein delineated as Residential Business planned development: residential uses, retail/commercial uses, accessory parking, related facilities, and accessory 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.
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 and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of 27,709 square feet.

Base FAR: 7.0

The improvements to be constructed on the Property will utilize the following series of FAR Bonuses:

Upper Level Set Back Bonus: 1.0

Affordable Housing: 0.75

Adopt-a-Landmark: 1.4

Total FAR: 10.15

The calculation of the additional Floor Area Ratio obtained through the series of proposed Bonuses is as follows:

Upper-Level Setback

Bonus Floor Area Ratio = (0.3 by sum of setback area on each floor)/lot area  
 = (0.3 by 16 floors by 7,995 square feet)/27,709 square feet  
 = 1.0 FAR

Affordable Housing = Net site area by 0.75 FAR = 20,781.75 square feet of floor area as a result of Affordable Housing  
 = 20,781.75 square feet by 0.80 by \$43 = \$714,892.20

Adopt-a-Landmark = Net site area by 1.4 FAR = 38,792.60 square feet of additional buildable area  
 = 38,792.60 square feet by 0.80 by \$43  
 = \$1,334,465.40

9. The applicant acknowledges and agrees that the rezoning of the Property from DX-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 \$714,892.00 ("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. The applicant has identified the Adopt-a-Landmark Bonus for this planned development and involves a floor area bonus under the Chicago Zoning Ordinance pursuant to Section 17-4-1022 of the Municipal Code (the "Adopt-a-Landmark FAR Bonus") for "adopting" the Bush Temple of Music, at 100 West Chicago Avenue/800 North Clark Street (the "Landmark Building"), a designated Chicago landmark; and the Commissioner of the Department of Housing and Economic Development acting on behalf of the City of Chicago and the Commission on Chicago Landmarks, is authorized to: (a) enter into an agreement with the applicant, the owners of the Landmark Building or its successor regarding the manner in which the funds for the renovation work in the Landmark Project will be used; and (b) approve, as necessary, any minor modifications to the Landmark Project Scope of Work and Budget otherwise consistent with the purposes and requirements of the Adopt-a-Landmark FAR Bonus and Landmark Guidelines and be subject to the review and acceptance of the Department of Housing and Economic Development; and (c) On May 2, 2013, the Landmarks Commission approved a menu of items for Landmark Project and Budget, providing for the expenditure of \$1,334,465.40 in Landmark Project costs, which corresponds to a floor

area bonus of 1.4. The agreement shall be in a form approved by the Corporation Counsel and shall be executed and submitted to the Department of Housing and Economic Development as part of the Part II Submission. Upon completion of the work related to the Landmark Project, the applicant shall apply to the Landmarks Commission for the issuance of a Certificate of Completion of the Landmark Project. The applicant shall provide written notice of said application to the Landmarks Commission, the office of the Zoning Administrator, the Department of Law, and the Department of Housing and Economic Development. The work described on the Landmark Project Scope of Work and Budget must be completed and a Certificate of Completion of the Landmark Project must be obtained from the Commission on Chicago Landmarks prior to the issuance of any certificate of occupancy for the property.

11. 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.
12. 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.
13. The applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
14. 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.

Applicant shall seek administrative relief request and approval from the Department of Housing and Economic Development prior to any Part II Approval for the final scope of work of the historically significant improvements as related to the Adopt-a-Landmark Bonus referenced in statement Number 10. Such a change shall be considered a minor change in accordance with Section 7-13-0611-A of the Zoning Ordinance and file a site plan approval request with the Department of Housing and Economic Development. The applicant shall submit a site plan, landscape plan and building elevations for the specific area or project phase for review and approval by the Department of Housing and Economic Development. The applicant shall provide evidence of the final approval of the Commission on Chicago Landmarks for the menu of items for the

Landmark Project and Budget and the Final Landmark Project. Review and approval by the Department of Housing and Economic Development is intended to assure that specific development components substantially conform with the planned development and to assist the City in monitoring ongoing development. Site Plan Approval Submittals (per Section 17-13-0800) need only include that portion of the Property for which approval is being sought by the applicant. If the applicant is seeking approval for a portion of the Property that represents less than the entire site, the applicant shall also include a site plan for that area of the Property which is bounded on all sides by either public or private rights-of-way or the boundary of the nearest building pad.

15. The applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enable 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 accessibility.
16. 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. At the time of a hearing before the Chicago Plan Commission, all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Housing and Economic Development. The project will be LEED certified and will provide a 11,843 square foot green roof to cover at least 50 percent of the net roof area of the building. "Net roof area" is defined as total roof area minus any required perimeter setbacks, roof top structures, and roof-mounted equipment.
17. Unless construction of the new improvements contemplated in this planned development has commenced within six years following adoption of this planned development, and unless completion is thereafter diligently pursued, then this planned development shall expire and the zoning of the Property shall automatically revert to the DX-7 Downtown Mixed-Use District classification.

[Existing Zoning Map; Existing Land-Use Map; Property Line and Right-of-Way Adjustment Map; Site Plan/First Floor/Landscape Plan; Green Roof Diagram; North, South, East and West Building Elevations; Upper Level Setback Analysis; Developer's Letter of Agreement to Contribute to City's Affordable Housing Opportunity Fund; Bonus Calculation Worksheet; and Affordable Housing Profile Form referred to in these Plan of Development Statements printed on pages 56993 through 57007 of this *Journal*.]

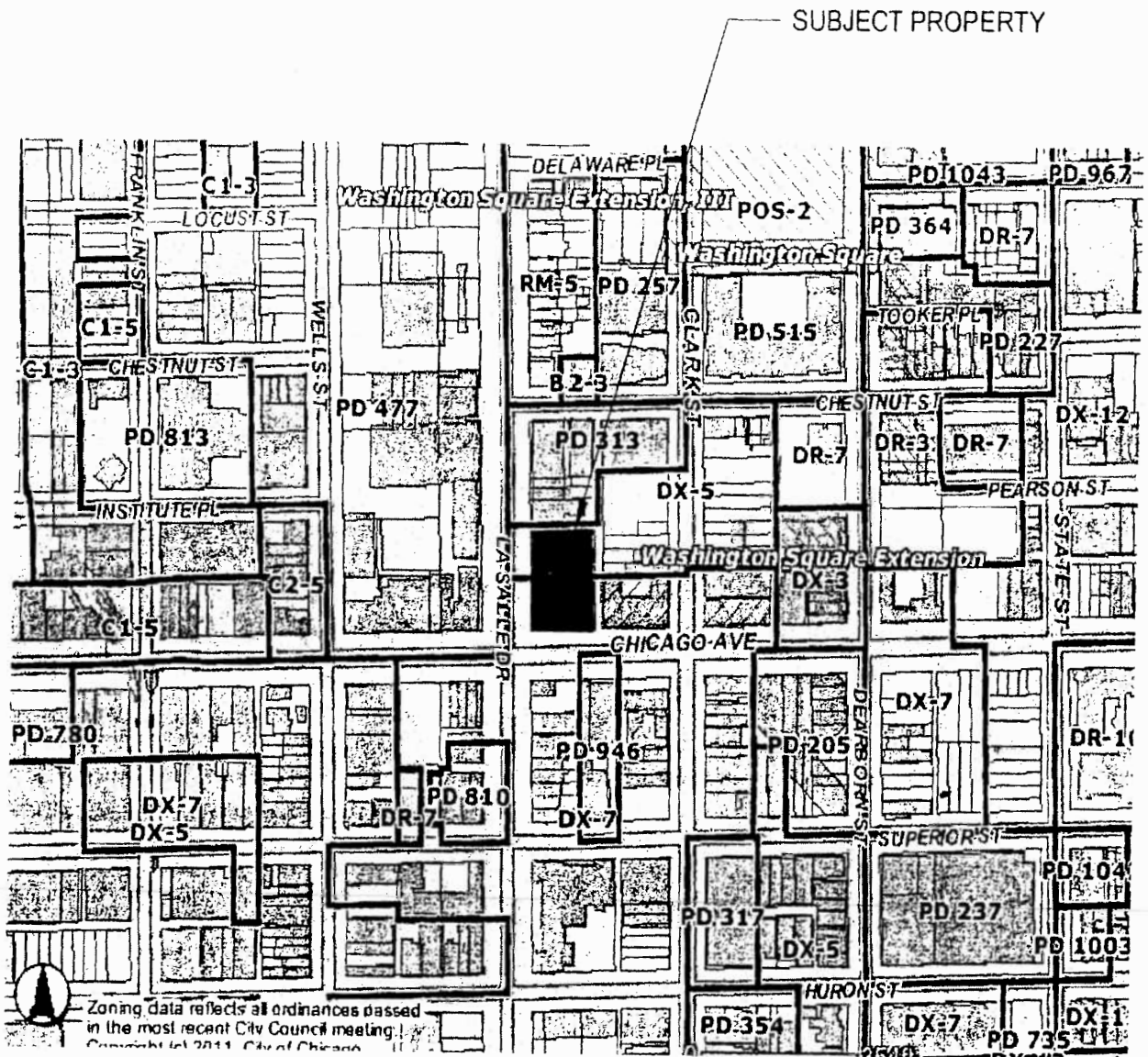
Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

*Residential Business Planned Development No. \_\_\_\_\_.*

*Bulk Regulations And Data Table.*

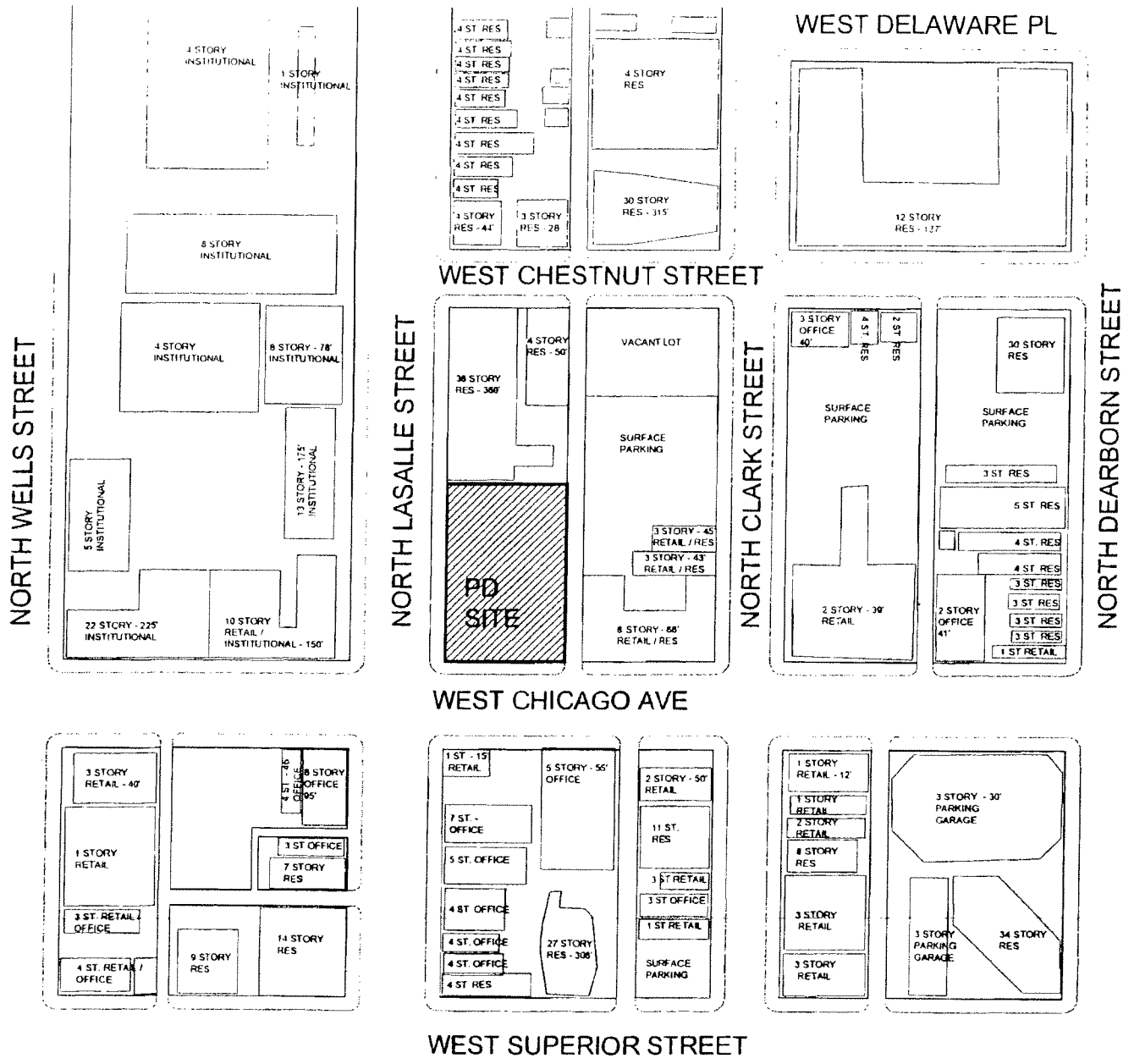
Gross Site Area:	48,214 square feet
Public Right-of-Way:	20,505 square feet
Net Site Area:	27,709 square feet
Allowable Uses:	Per Planned Development Statement Number 5
Base FAR:	7.0
Upper Level Set Back Bonus:	1.0
Affordable Housing:	0.75
Adopt-a-Landmark:	1.4
Maximum Floor Area Ratio:	10.15
Setbacks:	In substantial conformance with the Site Plan
Maximum Number of Residential Units:	295
Maximum Building Height:	353 feet
Minimum Number of Accessory Parking Spaces:	115
Number of Bicycle Parking Spaces:	58
Minimum Number of Loading Spaces:	1 (10 feet by 25 feet)
Maximum Percentage of Site Coverage:	As per Site Plan

Existing Zoning Map.

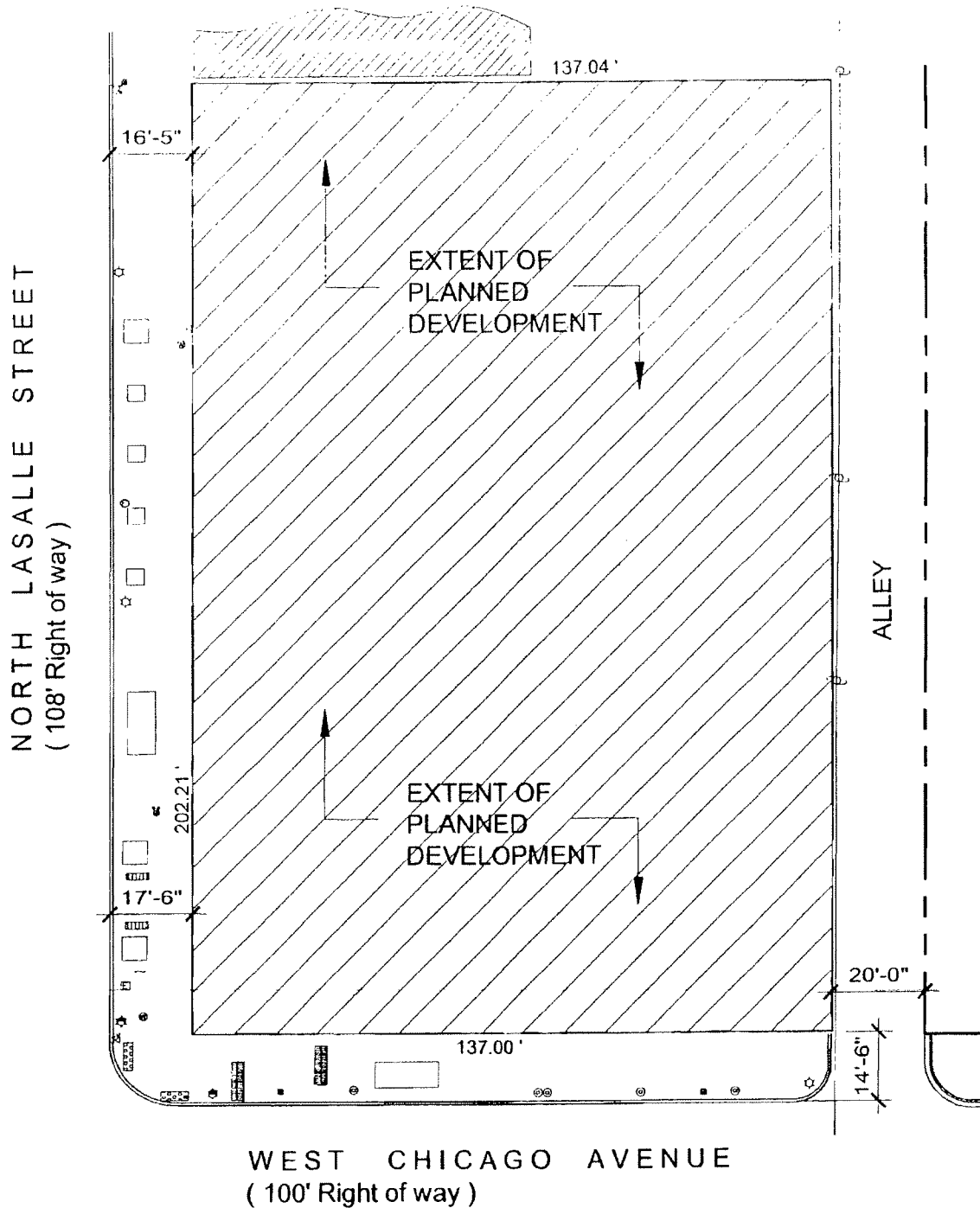


Zoning data reflects all ordinances passed in the most recent City Council meeting. Copyright © 2011, City of Chicago.

Existing Land-Use Map.

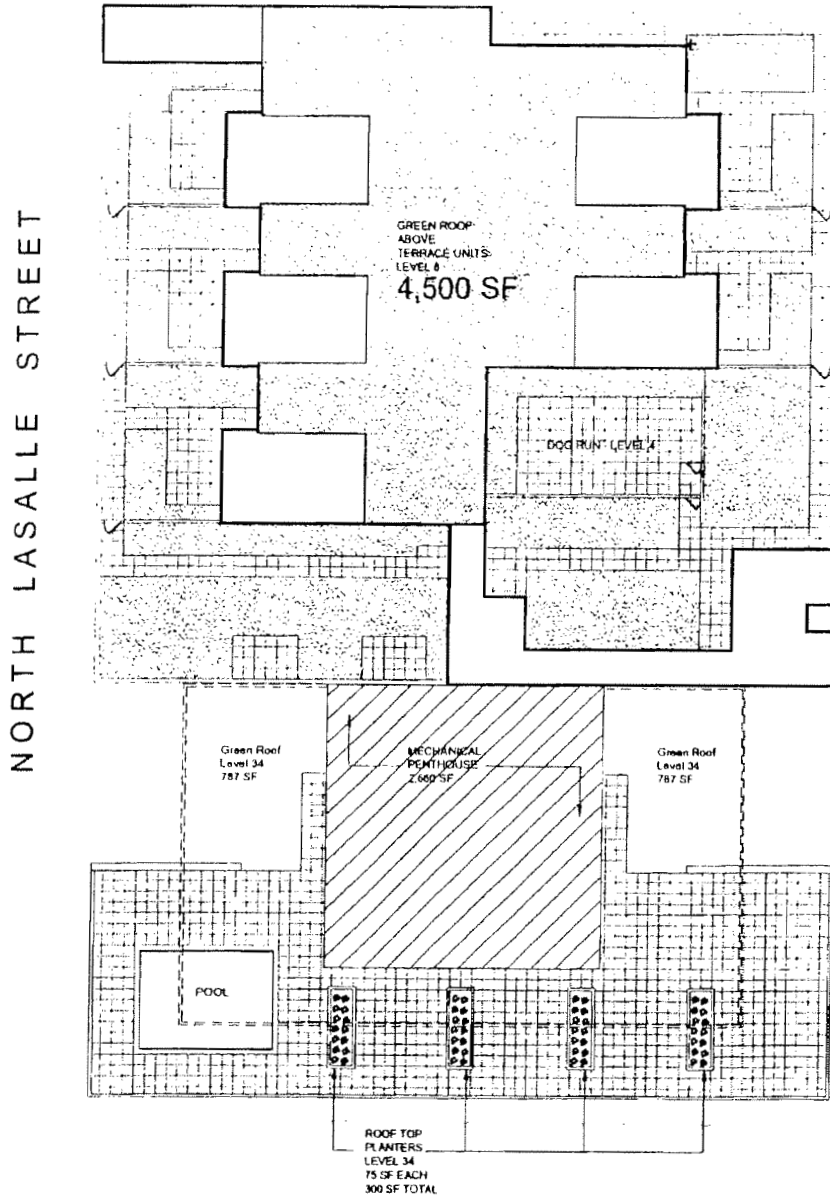


Property Line And Right-Of-Away  
Adjustment Map.





Green Roof Diagram



TOTAL LANDSCAPED AREA  
LEVEL 4  
5,469 SF

GREEN ROOF CALCULATIONS

TOTAL ROOF AREA:	26,242 SF
LESS MECHANICAL AREA:	2,660 SF
TOTAL NET ROOF AREA:	73,582 SF

REQUIRED (50% NET):  
11,791 SF

GREEN ROOF AREA  
PROPOSED

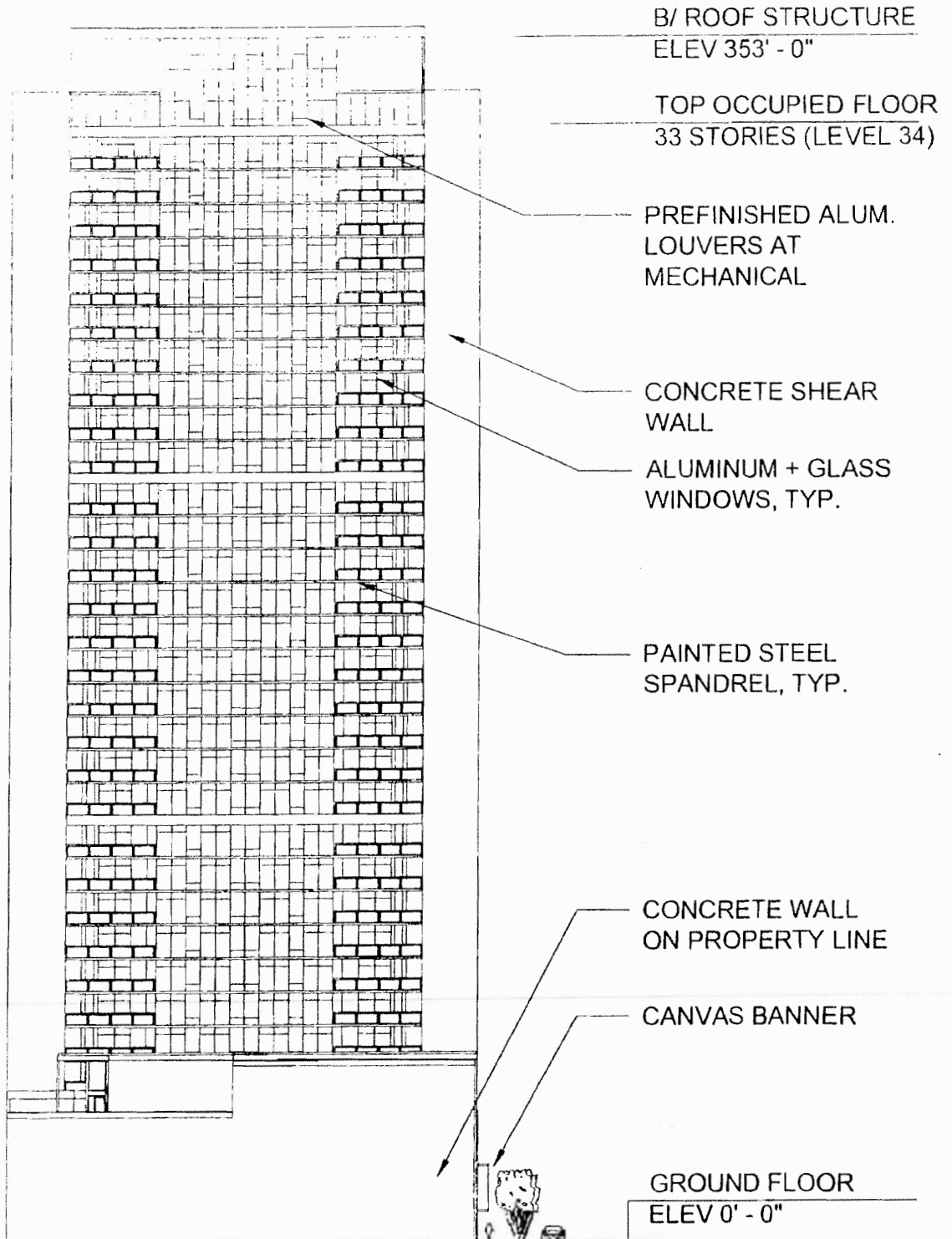
LEVEL 34:	1,874 SF
LEVEL 6:	4,500 SF
LEVEL 4:	5,469 SF

TOTAL GREEN ROOF  
PROPOSED:  
11,843 SF

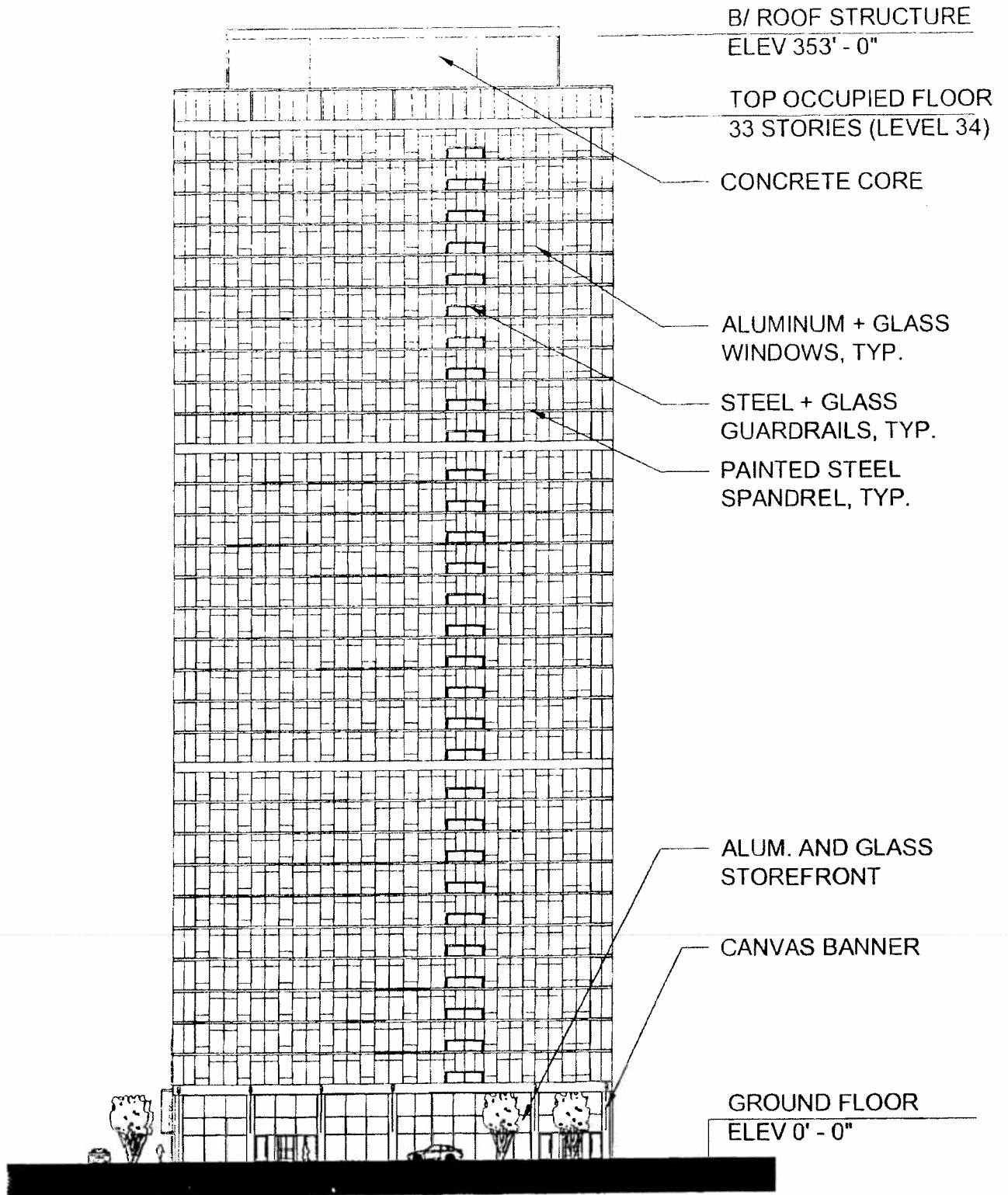
NORTH LASALLE STREET

WEST CHICAGO AVENUE

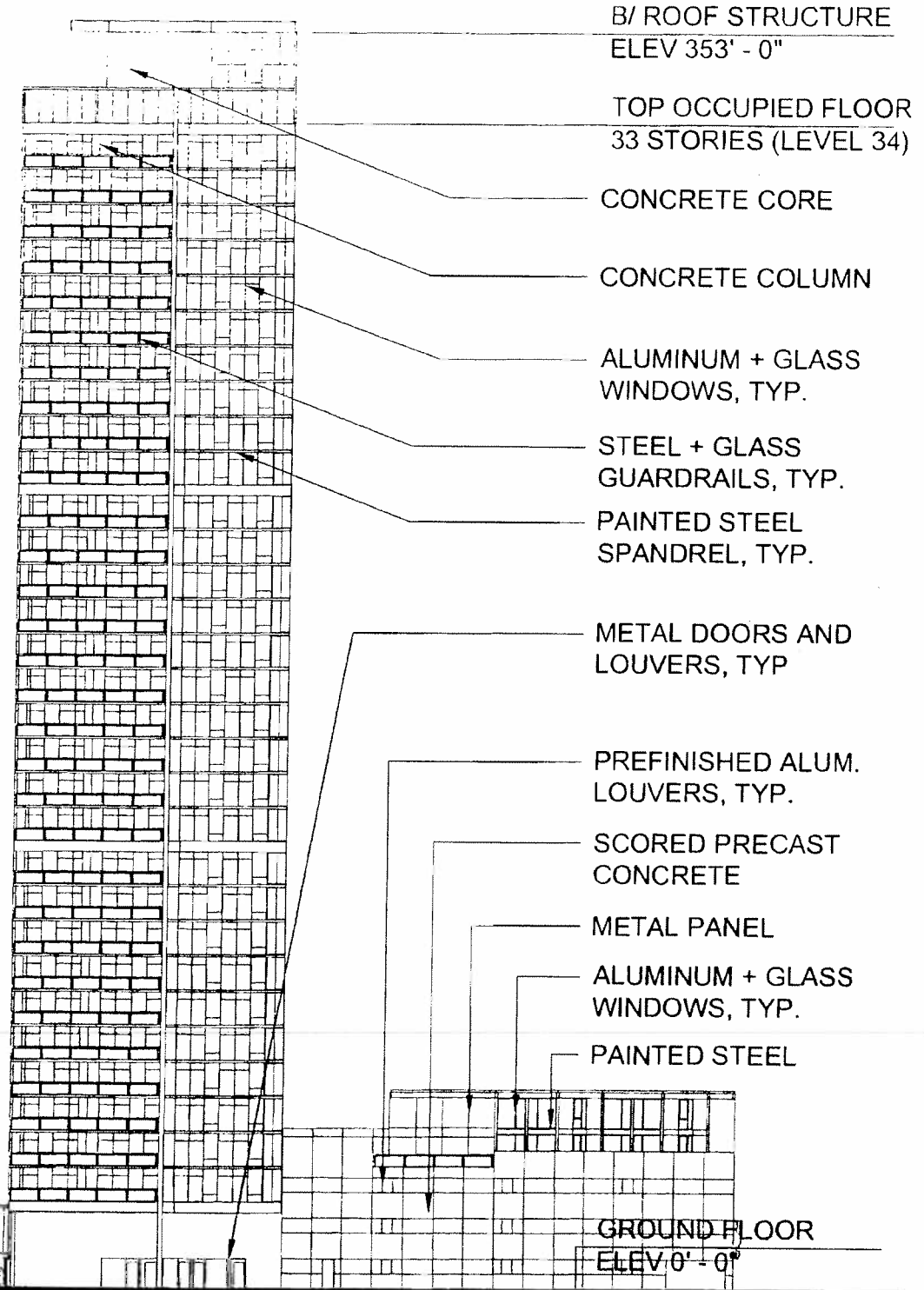
North Elevation.



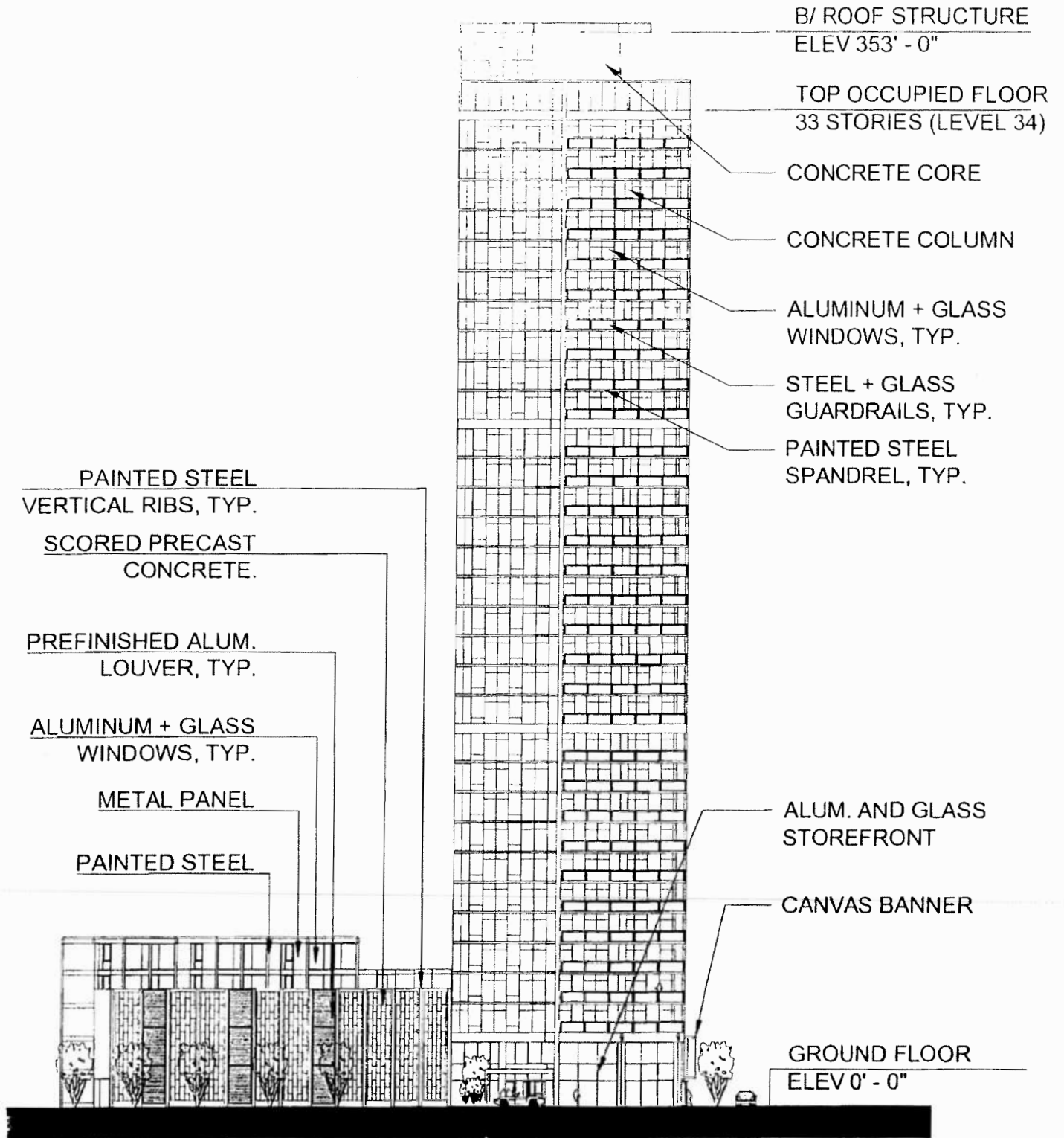
South Elevation Along Chicago Avenue.



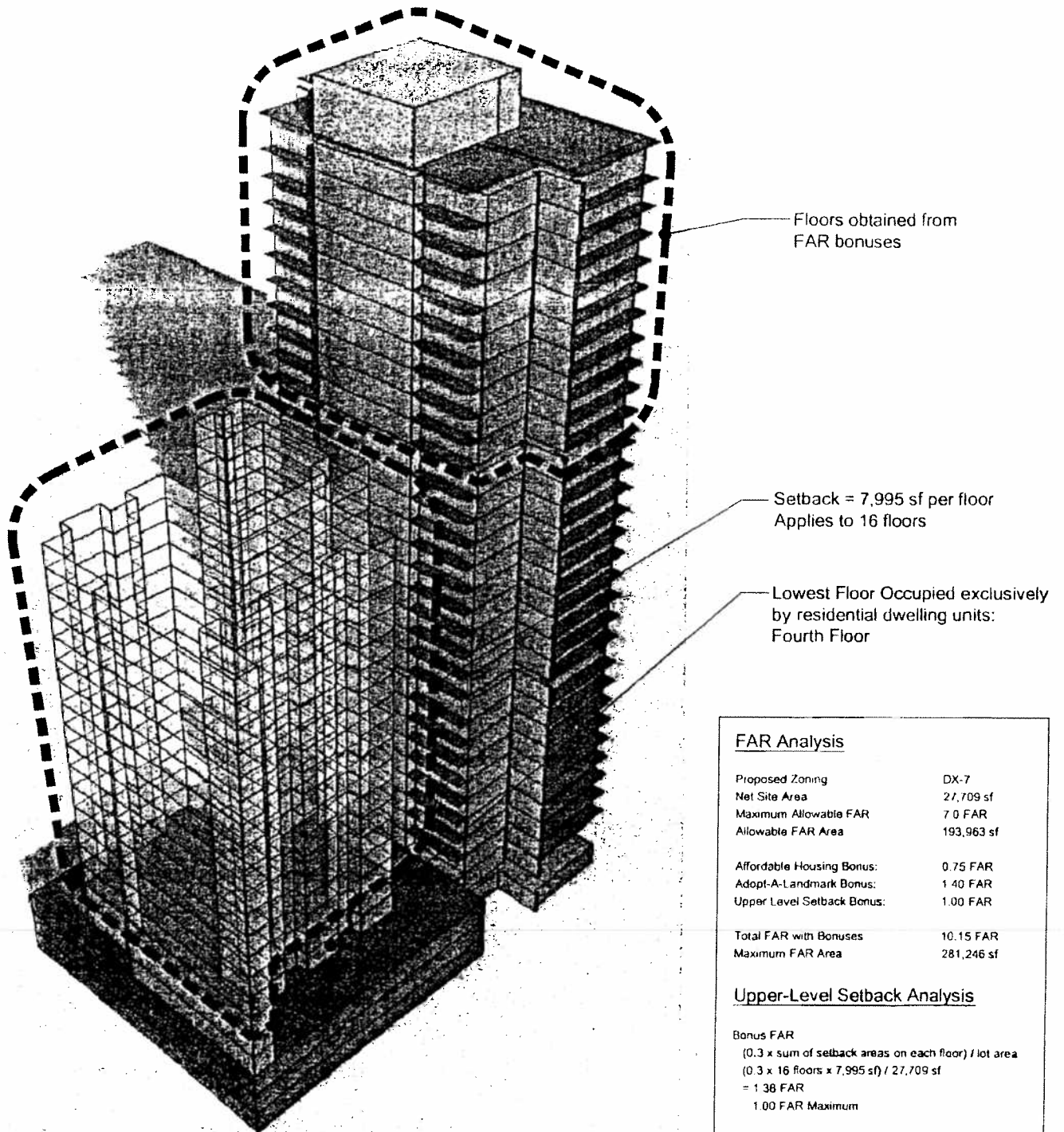
East Elevation Along Alley.



West Elevation Along LaSalle Street.



Upper Level Setback Analysis.



<u>FAR Analysis</u>	
Proposed Zoning	DX-7
Net Site Area	27,709 sf
Maximum Allowable FAR	7.0 FAR
Allowable FAR Area	193,963 sf
Affordable Housing Bonus:	0.75 FAR
Adopt-A-Landmark Bonus:	1.40 FAR
Upper Level Setback Bonus:	1.00 FAR
<b>Total FAR with Bonuses</b>	<b>10.15 FAR</b>
Maximum FAR Area	281,246 sf
<u>Upper-Level Setback Analysis</u>	
Bonus FAR	
$(0.3 \times \text{sum of setback areas on each floor}) / \text{lot area}$	
$(0.3 \times 16 \text{ floors} \times 7,995 \text{ sf}) / 27,709 \text{ sf}$	
= 1.38 FAR	
1.00 FAR Maximum	

Developer's Letter Of Agreement To Contribute To  
City's Affordable Housing Opportunity Fund.

**SMITHFIELD PROPERTIES XVI, L.L.C.**  
400 West Huron Street  
Chicago, IL 60654  
312.266.9800  
312.266.9530 (facsimile)

May 13, 2013

Chicago Department of Housing and Economic Development  
121 N LaSalle, Room 1006  
Chicago, IL 60602  
Attention: Kara Breems

Re: **Smithfield Properties XVI, L.L.C.**  
**Planned Development at 118-128 W. Chicago Ave., 801-819 N. LaSalle St.**  
**(the "Project")**

Dear Ms. Breems:

The undersigned (the "**Developer**") is seeking a higher base floor area ratio for the real property commonly known as 118-128 W. Chicago Ave., 801-819 N. LaSalle St., on which the above residential Project is to be located. The City of Chicago Zoning Ordinance, Title 17, Chapter 17-4-1000 et seq. (the "**Zoning Ordinance**") requires, the Developer to acknowledge and agree that if such higher base floor area ratio is approved and residential units are constructed as part of the Project, it shall be obligated to either provide affordable housing units or contribute to the City's Affordable Housing Opportunity Fund. The Developer has agreed to provide a cash payment to the City of Chicago Affordable Housing Opportunity Fund (via the Department of Housing and Economic Development) prior to the issuance of building permits for the project. Developer acknowledges and agrees that pursuant to Sec. 17-4-1004-C2, floor area bonuses will be based on a financial contribution that reflects the value of land within the surrounding area, based on the following formula: Cost of 1 square foot of floor area = 80% x the median cost of land per buildable square foot. The City has determined that for this Project, the Developer's contribution will be \$714,892.20. This letter constitutes the undersigned's written acknowledgment of such obligation and is being provided pursuant to Title 17, Chapter 17-4-1000 et seq. of the Zoning Ordinance.

Sincerely,



Smithfield Properties XVI, L.L.C.  
W. Harris Smith, President of Its Manager

Worksheet: FAR Bonus Calculation.  
(Page 1 of 2)

CITY OF CHICAGO  
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT  
BUREAU OF PLANNING AND ZONING  
APPLICATION FOR ZONING BONUS REVIEW

WORKSHEET: FAR BONUS CALCULATION

Property Address: 118-128 W. Chicago Ave.  
801-819 N. LaSalle St.

Zoning District: DX-7

ON-SITE BONUSES

Amenity	Amenity Area (in sq.ft.)	Lot Area (in sq.ft.)	Premium Factor	Base FAR	FAR Bonus Calculated $(\sqrt{AB}) \cdot C \cdot D$	FAR Bonus Cap compare with
Formula:	A	B	C	D		
Affordable Housing -- On-Site			4	(1)		1.00 (-5) 1.75 (-7) 2.50 (-10) 3.60 (-12) 4.80 (-16)
Public Plaza and Pocket Park			1			6
Chicago Riverwalk			1			-
Winter Garden			1			3
Through-Block Connection (Indoor)			0.66			-
Through-Block Connection (Outdoor)			1			-
Sidewalk Widening			2			-
Arcade			1.25			2
Water Feature			0.3			1
Upper-Level Setbacks (-7 & -10 Districts)	127,920	27,709	0.3	7	1.0	1.0 FAR
Upper-Level Setbacks (-12 District)			0.4			25% of D
Upper-Level Setbacks (-16 District)			0.4			25% of D
Lower-Level Planting Terrace			1			-
Green Roofs			0.3			2
Underground Parking (Levels -1 & -2)			0.15			30% of D
Underground Parking (Level -3 or lower)			0.2			30% of D
Underground Loading			0.15			30% of D
Parking Concealed by Occupiable Space			0.4			25% of D
<b>Total FAR Bonus On-Site Improvements</b>	<b>27,709</b>				<b>1.0</b>	

Worksheet: FAR Bonus Calculation.  
(Page 2 of 2)

**OFF-SITE BONUSES**

**Calculation of Financial Contribution**

Formula: Cash contribution for 1 sq. ft. of FAR bonus = 0.8 x median cost of 1 sq. ft. of buildable floor area

Amenity	Bonused Square Foot Desired	Discount Factor	Median cost of 1 sq. ft. of buildable floor area (in \$): See City Survey of Land Cost	Base FAR	Financial Contribution
	A	C	D	E	C x A x D x E
Off-Site Park or Riverwalk		0.8			
Street Lighting and Landscaping		0.8			
Transit Station Improvements		0.8			
Pedway Improvements		0.8			
Adopt-A-Landmark	38,792.6	0.8	43	7	\$1,334,465.40
Affordable Housing	20,781.75	0.8	43	7	\$714,892.20
Education		0.8			
<b>Totals</b>	<b>59,574.35</b>				<b>\$2,049,357.60</b>

**Comparison to FAR Bonus Cap**


Amenity	Total Bonused Square Feet Desired	Lot Area (in sq. ft.)	Base FAR	FAR Bonus calculated	FAR Bonus Cap:
	F	G	H	I = (F/G) * H	Compare with
Off-Site Park or Riverwalk					20% of H
Street Lighting and Landscaping					20% of H
Transit Station Improvements					20% of H
Pedway Improvements					20% of H
Adopt-A-Landmark	38,792.6	27,709	7	1.4	20% of H
Affordable Housing	20,781.75	27,709	7	0.75	20% of H (-5) 25% of H (-7, -10) 30% of H (-12, -16)
Education					25% of H (-10) 30% of H (-12, -16)

If FAR Bonus calculated exceeds FAR Bonus Cap, the effective FAR Bonus for Off-Site Improvements is equal to the FAR Bonus Cap

**Summary**

Base FAR	7
FAR Bonus for On-Site Improvements	1
FAR Bonus for Off-Site Improvements	2.15
<b>Total FAR</b>	<b>10.15</b>
<b>Total Financial Contribution</b>	<b>\$2,049,357.60</b>

Maximum Floor Area with Base FAR	193,983
Floor Area with FAR Bonus On-Site Improvements	27,709
Floor Area with FAR Bonus Off-Site Improvements	59,574
<b>Total Maximum Floor Area</b>	<b>281,246</b>


5/13/13  
 Signature of Applicant Date Received by (Department of Zoning) Date

**W. Harris Smith**, President of the  
 844822v1  
 084756-00001 *Manager of Smithfield Properties XVI, LLC, Applicant*

Affordable Housing Profile Form (Rental).  
(Page 1 of 2)

**Affordable Housing Profile Form (Rental)**

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Submit this form to the Department of Housing & Economic Development for each project that triggers an affordability requirement (including CPAN, ARO, and the Density Bonus).

This completed form should be returned (via e-mail, fax, postal service or interoffice mail), to: Kara Breems, Department of Housing & Economic Development, 121 N. LaSalle Street, Chicago, IL 60602. E-mail: [Kara.Breems@cityofchicago.org](mailto:Kara.Breems@cityofchicago.org); Telephone: (312) 744-6746.

For information on these programs/requirements, visit [www.cityofchicago.org/hed](http://www.cityofchicago.org/hed)

Date: May 2, 2013

**SECTION 1: DEVELOPMENT INFORMATION**

Development Name: Chicago & LaSalle  
 Development Address: 118-128 W. Chicago Ave., 801-819 N. LaSalle St.  
 Ward: 2  
 If you are working with a Planner at the City, what is his/her name? Heather Gleason, Fernando Espinoza  
 Type of City involvement:  Land write-down  
 (check all that apply)  Financial Assistance (If receiving TIF assistance, will TIF funds be used for housing construction? \*)  
 Zoning increase, PD, or City Land purchase  
 \*If yes, please provide copy of the TIF Eligible Expenses

**SECTION 2: DEVELOPER INFORMATION**

Developer Name: Smithfield Properties XVI, L.L.C.  
 Developer Contact (Project Coordinator): W. Harris Smith  
 Developer Address: 400 W. Huron St., Chicago, IL 60654  
 Email address: wsmith@smith-field.com May we use email to contact you? Yes No  
 Telephone Number: 312-218-4060

**SECTION 3: DEVELOPMENT INFORMATION**

a) Affordable units required

For ARO projects: \_\_\_\_\_ x 10%\* = \_\_\_\_\_ (always round up)  
 Total units total affordable units required  
 \*20% if TIF assistance is provided

For Density Bonus projects: \_\_\_\_\_ X 25% = \_\_\_\_\_  
 Bonus Square Footage\* Affordable sq. footage required  
 \*Note that the maximum allowed bonus is 20% of base FAR in dash-5; 25% in dash-7 or -10; and 30% of base FAR in dash-12 or -18 ([www.cityofchicago.org/zoning](http://www.cityofchicago.org/zoning) for zoning info).

b) building details

In addition to water, which of the following utilities will be included in the rent (circle applicable):

Cooking gas    electric    gas heat    electric heat    other (describe on back)

Is parking included in the rent for the: affordable units? yes no    market-rate units? yes no  
 If parking is not included, what is the monthly cost per space? \_\_\_\_\_

Affordable Housing Profile Form (Rental).  
(Page 2 of 2)

Estimated date for the commencement of marketing:

Estimated date for completion of construction of the affordable units:

For each unit configuration, fill out a separate row, as applicable (see example).

	Unit Type*	Number of Units	Number of Bedrooms/Unit	Total Square Footage/Unit	Expected Market Rent	Proposed Affordable Rent*	Proposed Level of Affordability (60% or less of AMI)	Unit Mix Or to proceed
<i>Example</i>	1 bed/1 bath	4	1	800	\$1000	759	60%	
Affordable Units								
Market Rate Units						N/A	N/A	
						N/A	N/A	
						N/A	N/A	

\*Rent amounts updated annually in the "City of Chicago's Maximum Affordable Monthly Rent Chart"

**SECTION 4: PAYMENT IN LIEU OF UNITS**

When do you expect to make the payment -in-lieu? Est. date 9/15/2013  
(typically corresponds with issuance of building permits) Month/Year

For ARO projects, use the following formula to calculate payment owed:

$$\frac{\text{Number of total units in development}}{\text{Number of total units in development}} \times 10\% = \frac{\text{Number of total units in development}}{\text{(round up to nearest whole number)}} \times \$100,000 = \$ \text{Amount owed}$$

For Density Bonus projects, use the following formula to calculate payment owed:

$$\frac{20,781.75}{\text{Bonus Floor Area (sq ft)}} \times 80\% \times \$43.00 = \$714,892.20$$

(from table below)

Submarket (Table for use with the Density Bonus fees-in-lieu calculations)	Median Land Price per Base FAR Foot
Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east	\$31
North: Division on north; Chicago River on south/west; Lake Shore Dr. on east	\$43
South: Congress on north; Stevenson on south; Chicago River on west; Lake Shore Dr. on east	\$22
West: Lake on north; Congress on south; Chicago River on east; Racine on west	\$29

**Authorization to Proceed (to be completed by Department of HED)**

Kara Breems,  
Department of Housing & Economic Development

5-13-13  
date