

# PD 1256

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**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**CITY OF CHICAGO**

July 10, 2015

Paul W. Shadle  
DLA Piper LLP  
203 N. LaSalle Street  
Suite 1900  
Chicago, IL 60601-1293

**Re: Administrative Relief request for Business Planned Development No. 1256  
360 N. Michigan Avenue and 83-87 E. Wacker Drive**

Dear Mr. Shadle:

Please be advised that your request for a minor change to Business Planned Development No. 1256 ("PD 1256"), as amended, has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 12 of the Planned Development.

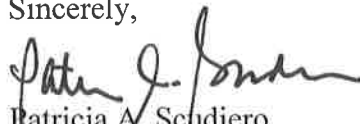
Your client, AG-OCG 360 North Michigan, L.L.C. (the "Owner"), is seeking administrative relief to allow a retractable enclosure on the open terrace space at the 21<sup>st</sup> floor. To accommodate the seasonal enclosure of approximately 2,297 square feet of floor area that was previously open space, they are eliminating two floors from the lower bustle of the proposed building addition. The building was granted an upper level setback floor area bonus, however, the proposed modifications will not eliminate or reduce the size of the upper level setbacks. Therefore, an amendment to the Planned Development is not required. The attached drawings, dated February 3, 2015, shall be inserted into the main file: FAR Upper Level Setback Bonus 3D Exhibit, FAR Bonus Plan Exhibit-Lower Bustle, Enlarged Partial West Elevation, and 22<sup>nd</sup> Floor Terrace Plan.

A portion of the property within PD 1256 is owned by the Owner and the remainder, generally consisting of the retail areas within the existing building, is owned by AG-OCG 360 North Michigan Retail Owner, L.L.C. (the "Retail Owner"). The Retail Owner has provided their consent to this request.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed modifications will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, 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 Business Planned Development No. 1256, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for twelve (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.

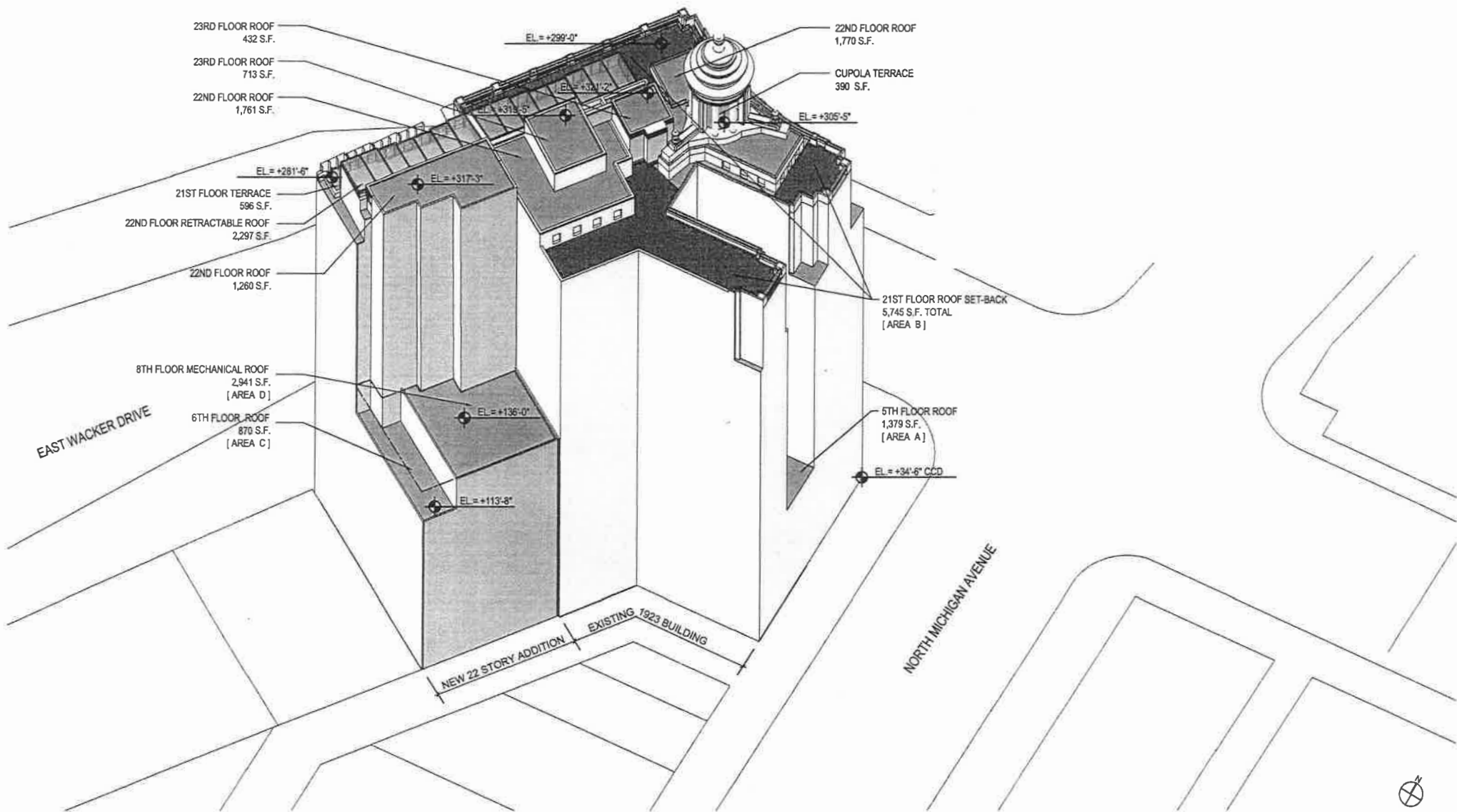
Sincerely,



Patricia A. Scudiero  
Zoning Administrator

PAS:HG:tm

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



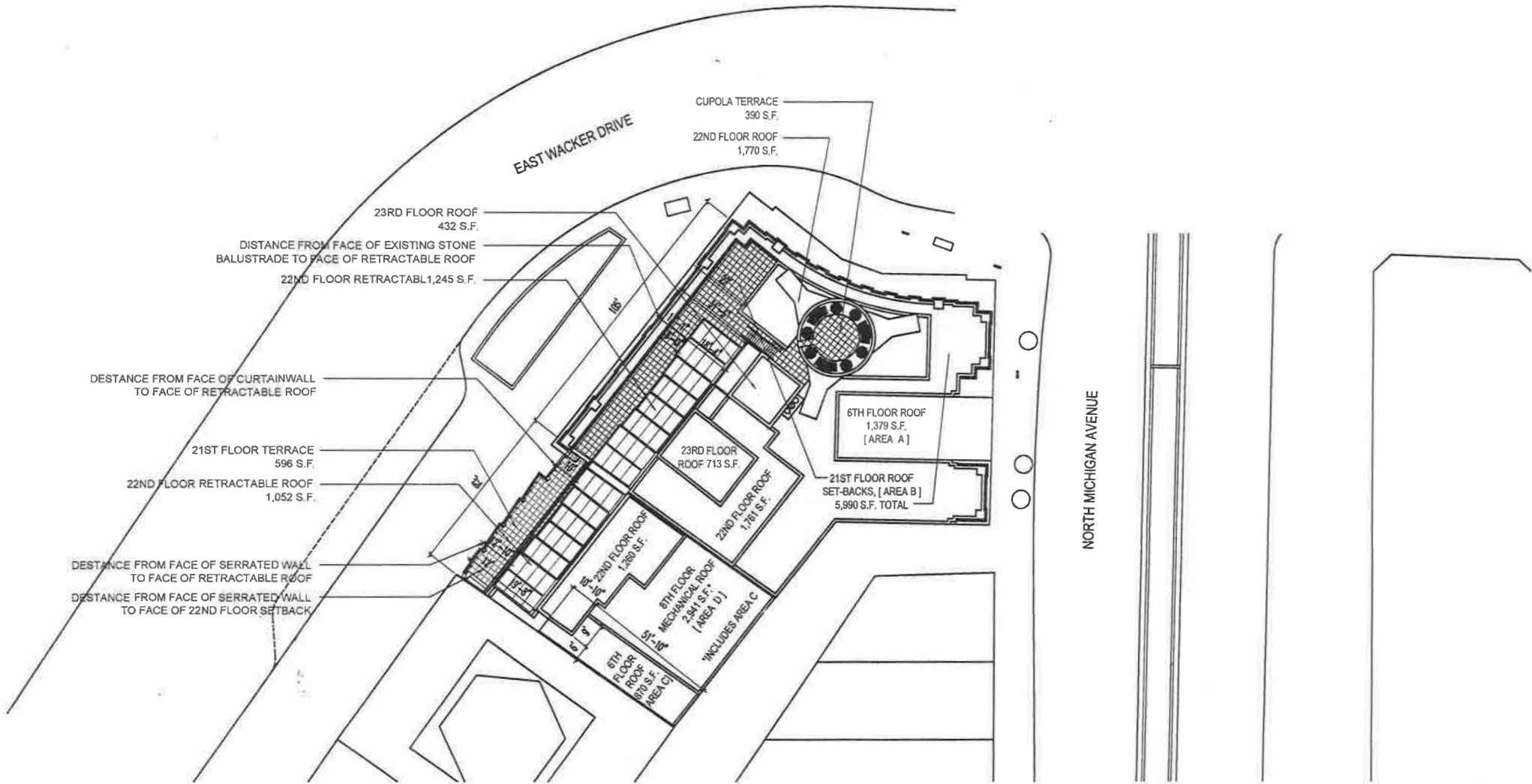
FAR UPPER LEVEL SETBACK BONUS 3D EXHIBIT

APPLICANT: AG-OCG 360 NORTH MICHIGAN L.L.C.  
 ADDRESS: 360 NORTH MICHIGAN AVENUE  
 83-87 EAST WACKER DRIVE  
 INTRODUCED: FEBRUARY 5, 2014  
 PLAN COMMISSION: SEPTEMBER 18, 2014

2/3/2015



CALCULATIONS BASED ON PROPOSED MINOR DESIGN ALTERATIONS



FAR BONUS PLAN EXHIBIT - LOWERED BUSTLE

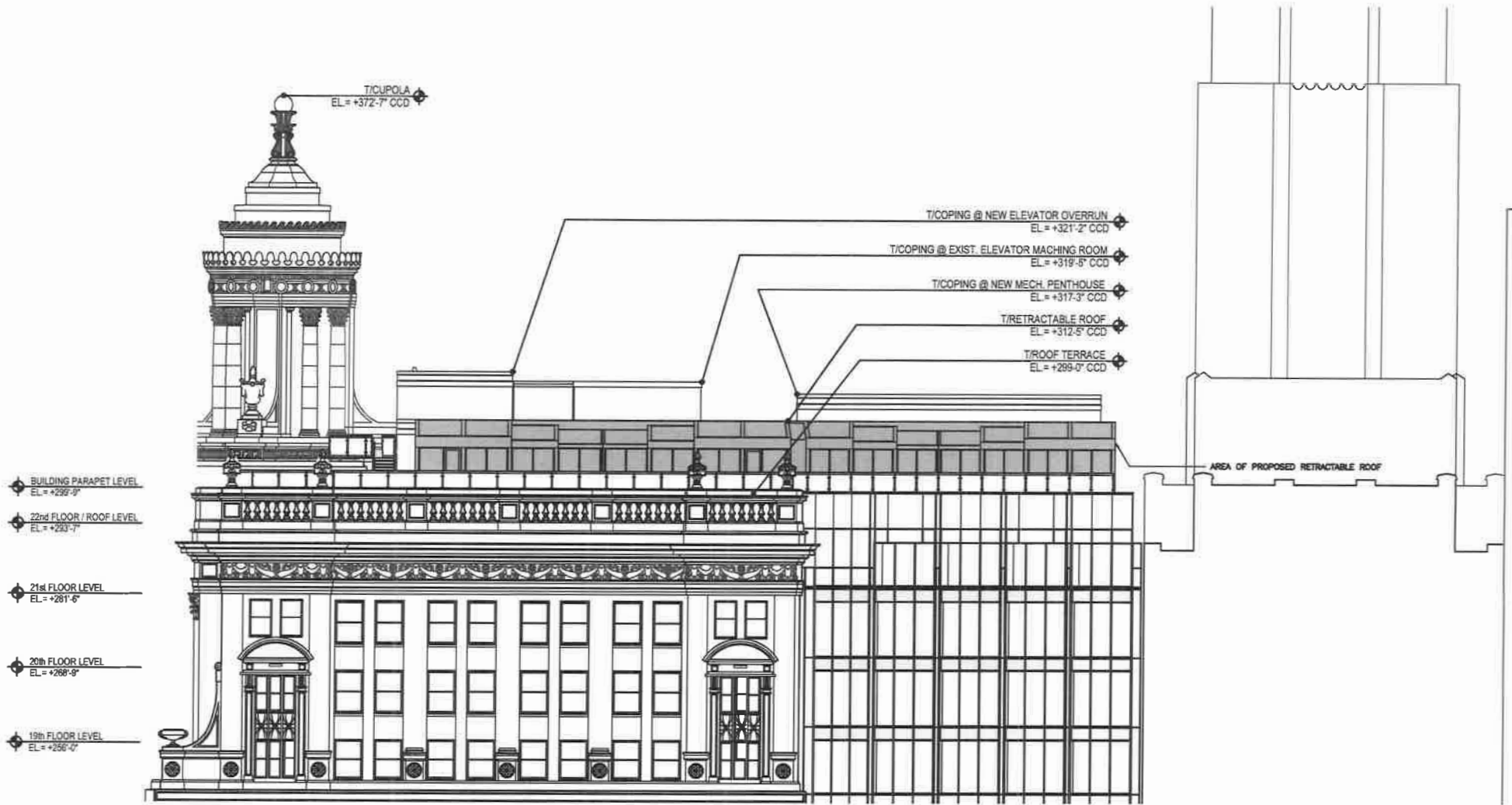
APPLICANT: AG-OCG 360 NORTH MICHIGAN L.L.C.  
 ADDRESS: 360 NORTH MICHIGAN AVENUE  
 83-87 EAST WACKER DRIVE  
 INTRODUCED: FEBRUARY 5, 2014  
 PLAN COMMISSION: SEPTEMBER 18, 2014



2/3/2015



CALCULATIONS BASED ON PROPOSED MINOR DESIGN ALTERATIONS



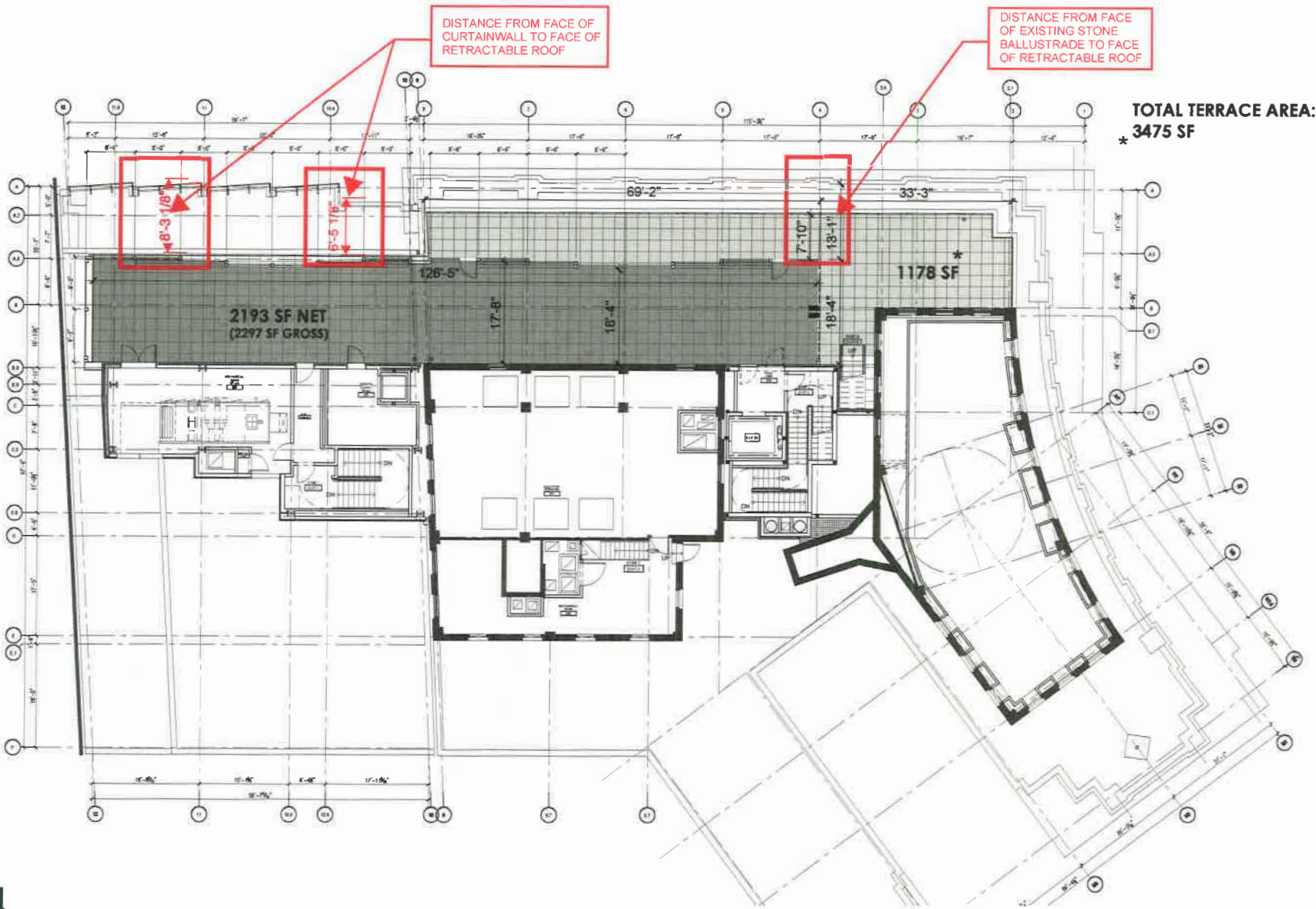
ENLARGED PARTIAL WEST ELEVATION

APPLICANT: AG-OCG 360 NORTH MICHIGAN L.L.C.  
 ADDRESS: 360 NORTH MICHIGAN AVENUE  
 83-87 EAST WACKER DRIVE  
 INTRODUCED: FEBRUARY 5, 2014  
 PLAN COMMISSION: SEPTEMBER 18, 2014

2/3/2015



CALCULATIONS BASED ON PROPOSED MINOR DESIGN ALTERATIONS



17940

10/8/2014

REPORTS OF COMMITTEES

93153

~~SECTION 2. This ordinance shall take effect upon its passage and due publication.~~

B PD 1256

AMENDMENT OF TITLE 17 OF MUNICIPAL CODE BY RECLASSIFICATION OF AREA SHOWN ON MAP NO. 1-E.

(As Amended)

(Application No. 17940)

(Common Address: 360 N. Michigan Ave. And 83 -- 87 E. Wacker Dr.)

[SO2014-832]

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

CHICAGO, October 8, 2014.

*To the President and Members of the City Council:*

Presenting a report for your Committee on Zoning, Landmarks and Building Standards which held a meeting on September 30, 2014:

Pages 1 through 4 contain various zoning amendments.

Page 5 contains various request for large signs, two landmark designations and landmark fee waivers.

I hereby 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, Reboyras, Suarez, Waguespack, Mell, Austin, Colón, Sposato, Mitts, Cullerton, Laurino, P. O'Connor, M. O'Connor, Reilly, Smith, Tunney, Arena, Cappleman, Pawar, Osterman, Moore, Silverstein -- 49.

*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 DX-16 Downtown Mixed-Use District symbols and indications as shown on Map Number 1-E in the area bounded by:

East Wacker Drive; North Michigan Avenue; North MacChesney Court; North MacChesney Court; a line approximately perpendicular to the southeasterly line of East Wacker Drive, extending from a point on the southeasterly line of East Wacker Drive located approximately 180.94 feet southwest of the intersection of the southeasterly line of East Wacker Drive and the south line of East Wacker Drive; and East Wacker Drive,

to those of Planned Development.

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

Plan of Development Statements attached to this ordinance read as follows:

*Planned Development No 1256.*

*Planned Development Statements.*

1. The area delineated herein as Planned Development Number 1256 ("Planned Development") consists of approximately 21,103 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). AG-OCG 360 North Michigan LLC is the "Applicant" for purposes of this Planned Development and is the owner of the Property.
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.

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 15 statements; the attached Bulk Regulations and Data Table, and the following exhibits and plans attached hereto (the "Plans") prepared by Goettsch Partners and dated September 18, 2014: an Existing Land-Use Map, an Existing Zoning Map, a Planned Development Boundary and Property Line Map, a Site Plan, a Landscape Plan, a Roof Plan, West Elevation, North Elevation and East Elevation. Full-sized copies of the Site Plan, Landscape Plan and 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 permitted in this Planned Development: Hotel/Motel, Eating and Drinking Establishments (including Taverns), Communication Service Establishments; Urban Farm (Rooftop Operation only); Personal Service; Repair or Laundry Service, Consumer; Food and Beverage Retail Sales; Retail Sales; Office; Financial Services, as permitted in the DX-16 District; Residential Dwelling Units located above the ground floor; and accessory parking 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. 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 21,103 square feet and a base FAR of 16. The improvements to be constructed on the Property will utilize the following series of FAR bonuses:

Base FAR:	16.00
Upper-Level Setbacks:	0.84
Affordable Housing:	<u>0.34</u>
Total FAR:	17.18

Pursuant to the Affordable Housing Bonus provisions of Section 17-4-1004 of the Zoning Ordinance, the Applicant has requested an increase in the floor area of the Property. Prior to the issuance of any building permits authorizing the construction of any improvements in the Planned Development utilizing such bonus floor area, the Applicant shall make a cash payment to the City's Affordable Housing Opportunity Fund for the Affordable Housing floor area bonus in the amount of \$177,940.

8. Pursuant to the Chicago Zoning Ordinance (Section 17-8-0911), planned developments are to give priority to the preservation and adaptive reuse of Chicago landmark buildings. The Planned Development includes the London Guarantee Building (the "Landmark Building"), which is designated as a Chicago landmark. Work to designated Chicago landmarks is subject to the review and approval of the Commission on Chicago Landmarks pursuant to the Chicago Landmarks Ordinance, Section 2-120-740.

The Applicant acknowledges that the Planned Development project includes excavation, new foundations or other work to construct the proposed building addition to the London Guarantee Building. Pursuant to the Zoning Ordinance, Section 17-8-0911, the Applicant acknowledges that it is in the public interest to promote the preservation of historic resources. The Applicant shall submit a report, stamped by an engineer, identifying any protective measures that may be required for the historic building and those measures that will be incorporated during construction as part of the project, if any. The report shall be submitted as part of the Part II Review application to the Historic Preservation Division and be subject to the review and acceptance of the Department of Planning and Development.

9. 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.

If the Applicant elects to establish or construct Residential Dwelling Units, and prior to any Part II Approval for Residential Dwelling Units (per Section 17-13-0610 of the Zoning Ordinance), the Applicant shall submit a site plan and building elevations for the proposed development plan for such dwelling units to the Department of Planning and Development (the "Department") for review and approval. Review and approval by the Department 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 need only include that portion of the Property for which approval is being sought by the Applicant.

No Part II Approval for residential dwelling units on any portion of the Property shall be granted until Site Plan approval has been granted. If the Site Plan Approval Submittals substantially conform to the provisions of this Planned Development, the Department shall approve the submittal in a prompt and timely manner. Following approval by the Department, the approved Site Plan Approval Submittals, including supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of this Planned Development.

After approval of the Site Plan for such dwelling units, changes or modifications may be made pursuant to the provisions of statement number 12 of this Planned Development. In the event of any inconsistency between approved plans and the terms of this Planned Development, the terms of this Planned Development shall govern. Any Site Plan Approval Submittals shall, at a minimum, provide the following information:

- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned building elevations and floor plans;
- fully-dimensioned landscape plan(s); and
- statistical information applicable to the subject site, including floor area, the applicable FAR, uses to be established, building heights and setbacks.

Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the Planned Development.

10. 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.
11. 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.

- 12. 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.
- 13. 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.
- 14. 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 building will exceed ASHRAE 90.1-2004 by approximately 14 percent and achieve LEED Certification.
- 15. This Planned Development shall lapse unless substantial rehabilitation of the Landmark Building and substantial construction of the proposed building addition have commenced within three years of the date of City Council approval of this Planned Development; provided that this three-year period may be extended by up to one additional year in accordance with Section 17-13-0612-B of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a zoning map amendment to rezone the Property to the DX-16 Downtown Mixed-Use District.

[Existing Zoning Map; Boundary and Property Line Map; Existing Land-Use Map; Upper and Lower Site Plans; FAR Bonus Plan Exhibit; FAR Upper Level Setback Bonus 3D Exhibit; Landscape Plan; and North, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 93160 through 93169 of this *Journal*.]

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

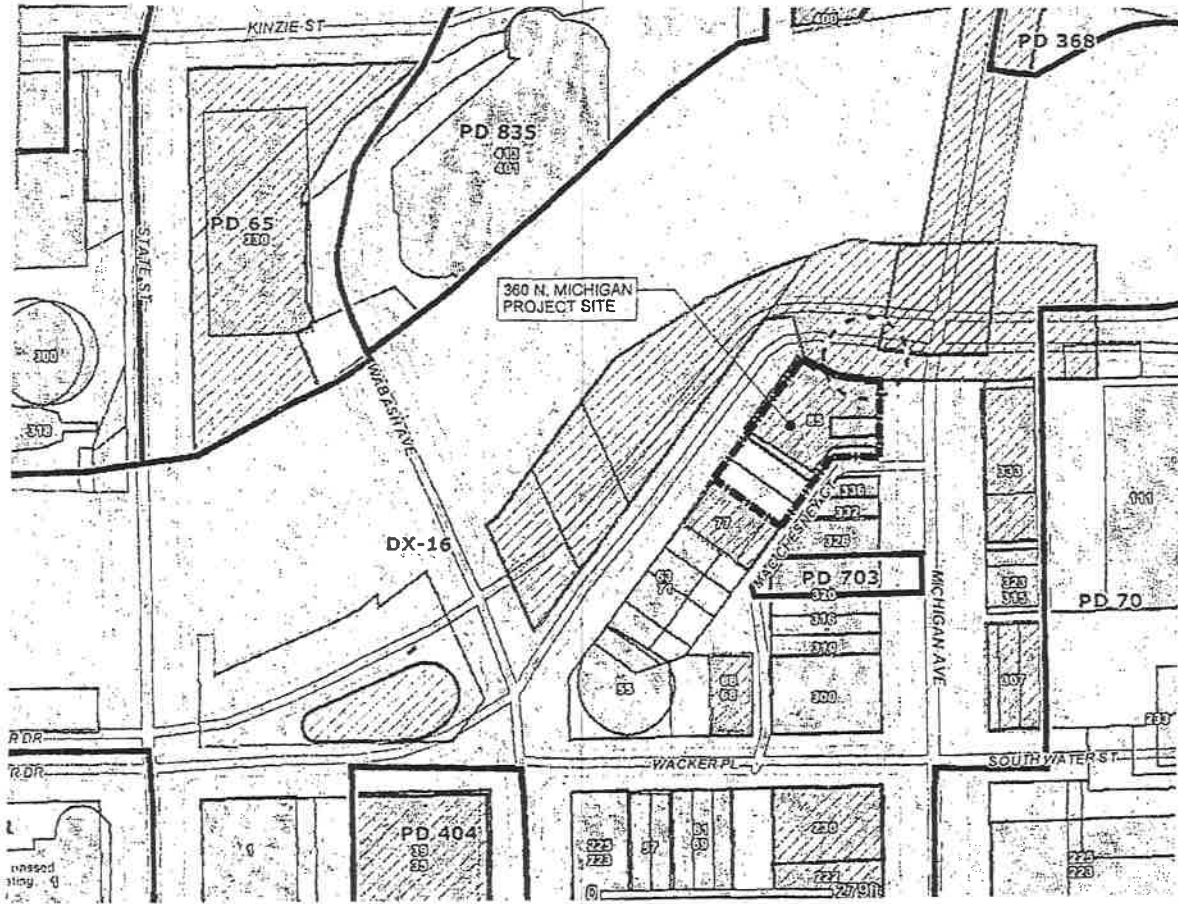
*Planned Development No. 1256.*  
*Plan Of Development*  
*Bulk Regulations And Data Table.*

Net Site Area: 21,103 square feet

Area Remaining in Public Way:	36,342 square feet
Gross Site Area:	57,445 square feet
Base FAR:	16.00
Upper Level Setbacks:	0.84
Affordable Housing:	<u>0.34</u>
Total FAR:	17.18
Maximum Site Coverage:	Per approved site plan
Minimum Number of Off-Street Parking Spaces:	0
Minimum Number of Off-Street Loading Berths:	0
Maximum Building Height:	375 feet
Maximum Number of Hotel Keys:	475
Maximum Number of Dwelling Units:	255*

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\* In conjunction with statement number 9 of this Planned Development any request to approve dwelling units or a mix of dwelling units and hotel keys shall require Site Plan Review and approval by the Department of Planning and Development. In no instance shall the number of hotel keys exceed 475 and no more than 255 total dwelling units shall be permitted. The number of efficiency units in this Planned Development shall not exceed 127.

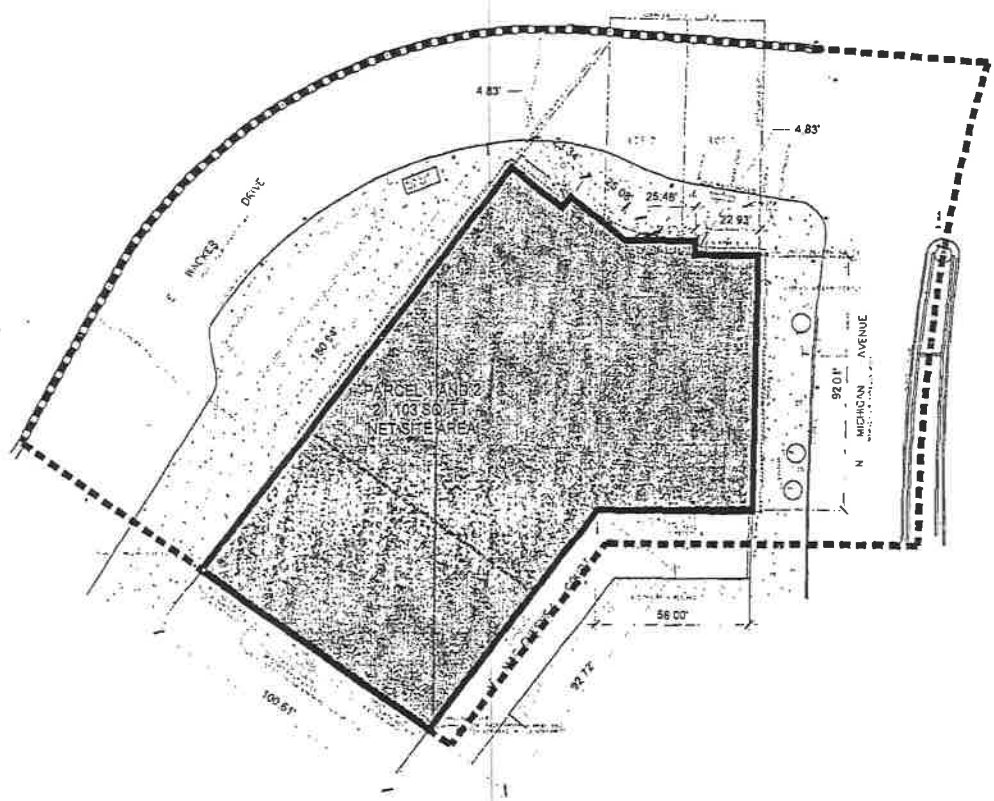


EXISTING CITY ZONING MAP

8/9/2014



CANT: AG-006 360 NORTH MICHIGAN L.L.C.  
 ISS: 360 NORTH MICHIGAN AVENUE  
 83-87 EAST WACKER DRIVE  
 DUCED: FEBRUARY 5, 2014  
 OMISSION: SEPTEMBER 18, 2014



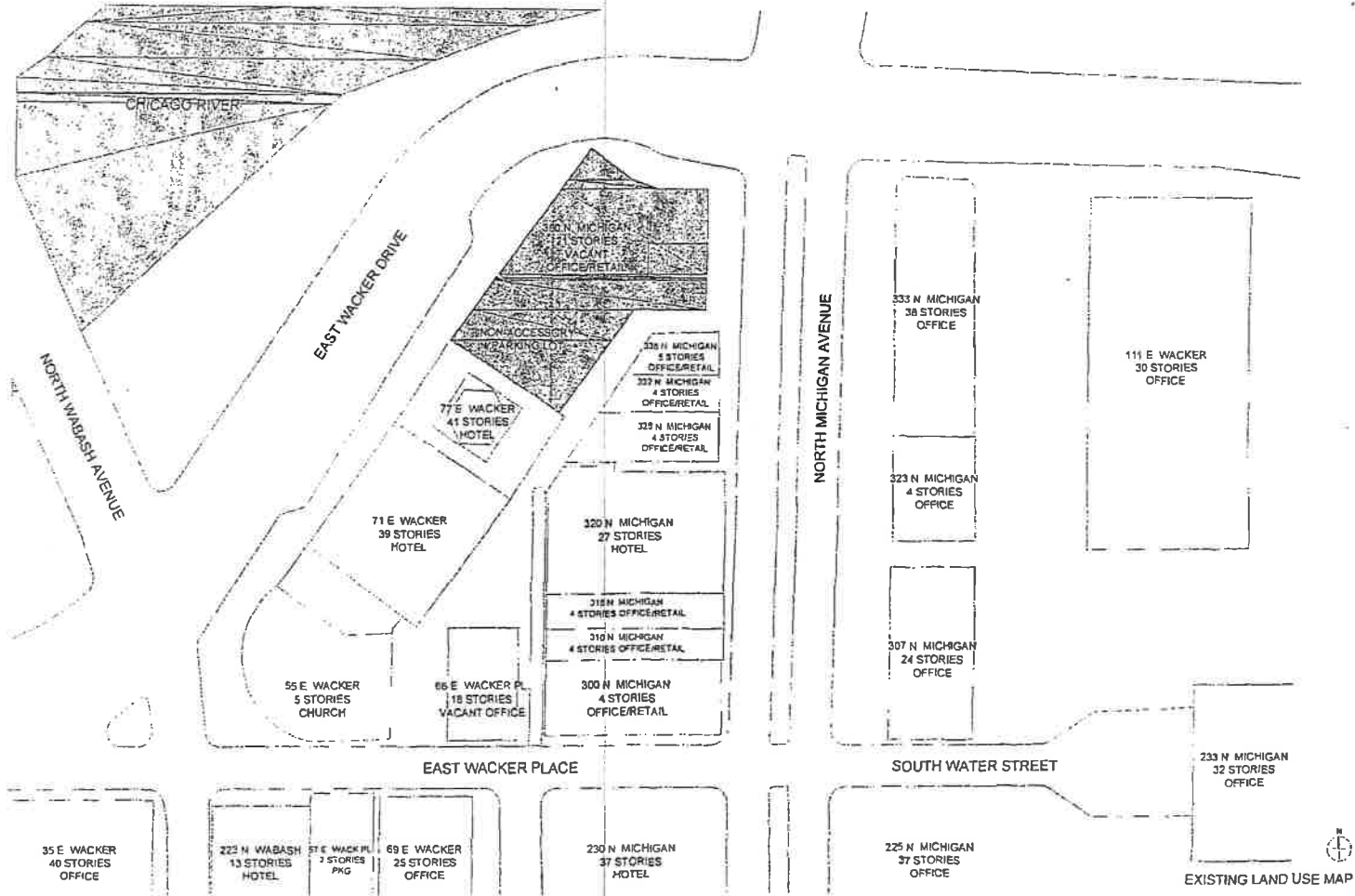
PLANNED DEVELOPMENT BOUNDARY AND PROPERTY LINE MAP



9/9/2014

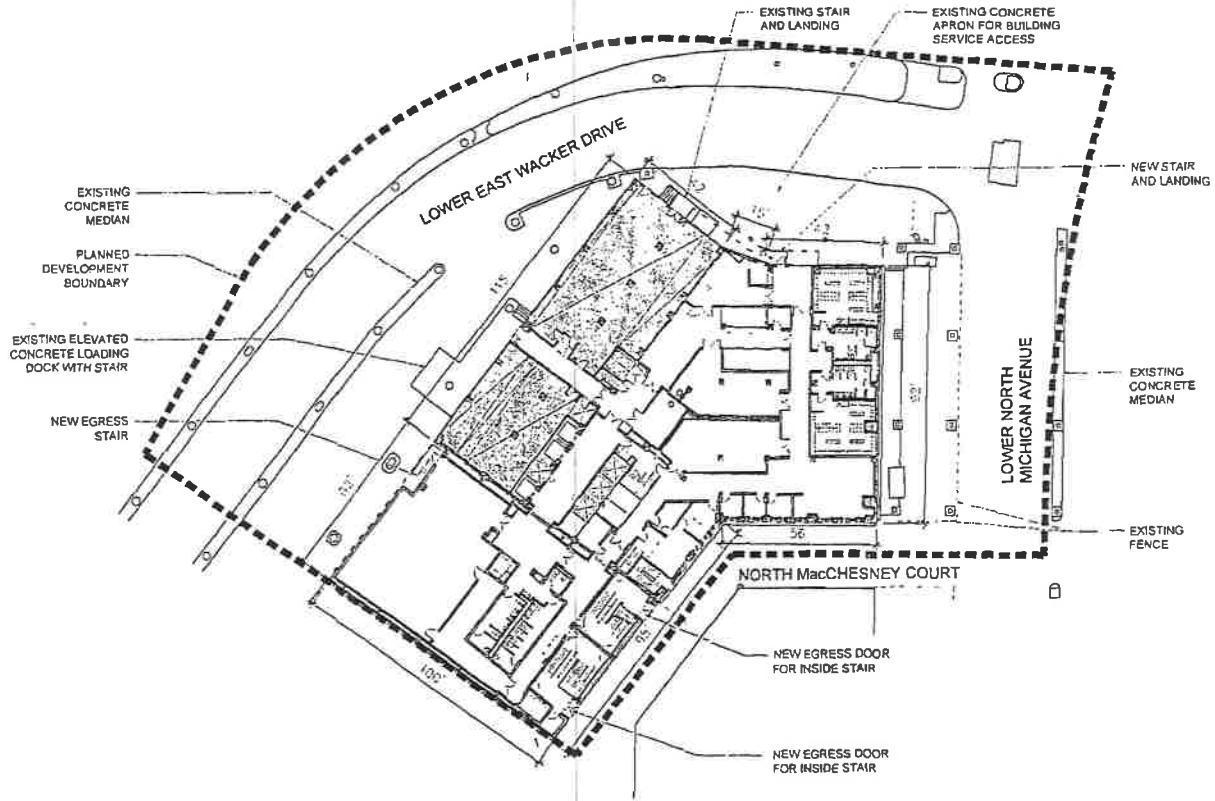


APPLICANT: AG-DCG 360 NORTH MICHIGAN L.L.C.  
 ADDRESS: 360 NORTH MICHIGAN AVENUE  
 83-87 EAST WACKER DRIVE  
 INTRODUCED: FEBRUARY 5, 2014  
 PLAN COMMISSION: SEPTEMBER 18, 2014



APPLICANT: AG-DCG 360 NORTH MICHIGAN L.L.C.  
 ADDRESS: 360 NORTH MICHIGAN AVENUE  
 63-87 EAST WACKER DRIVE  
 INTRODUCED: FEBRUARY 5, 2014  
 PLAN COMMISSION: SEPTEMBER 18, 2014

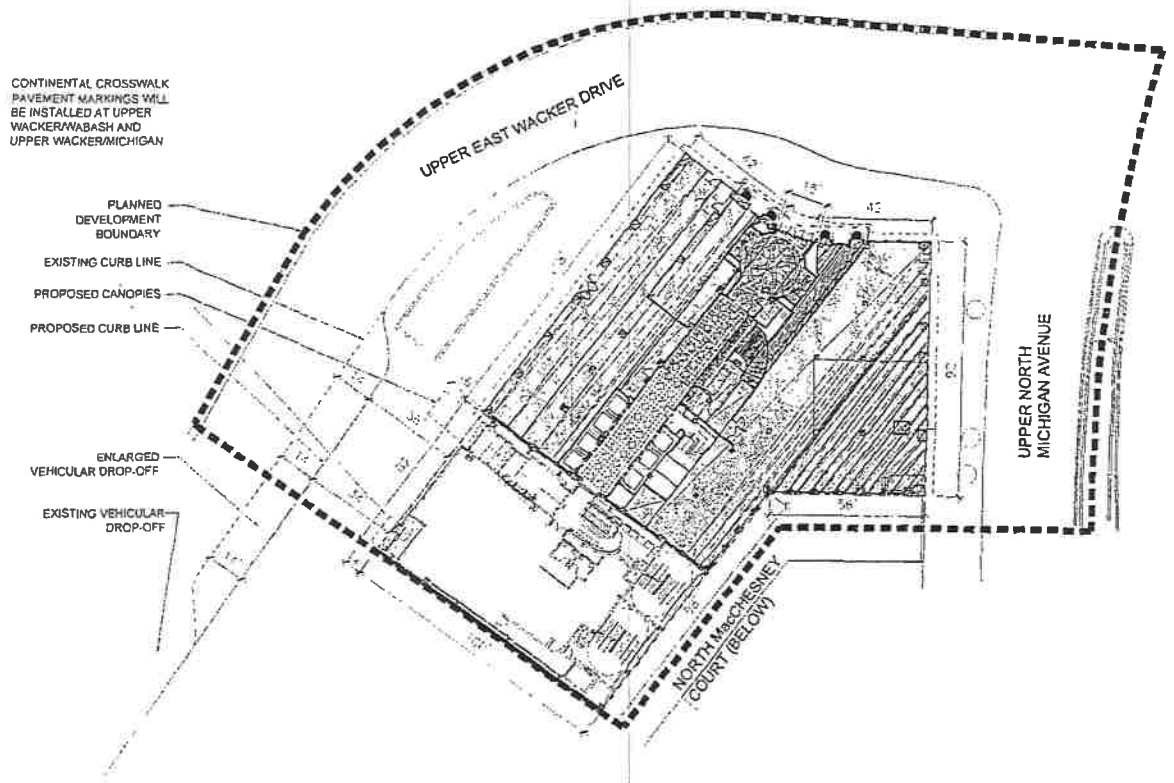
9/9/2014  
 GP



  
 LOWER LEVEL SITE PLAN

9/9/2014  


APPLICANT: AG-OCG 360 NORTH MICHIGAN L.L.C.  
 ADDRESS: 360 NORTH MICHIGAN AVENUE  
 83-87 EAST WACKER DRIVE  
 INTRODUCED FEBRUARY 5, 2014  
 PLAN COMMISSION SEPTEMBER 18, 2014



UPPER LEVEL SITE PLAN



9/9/2014

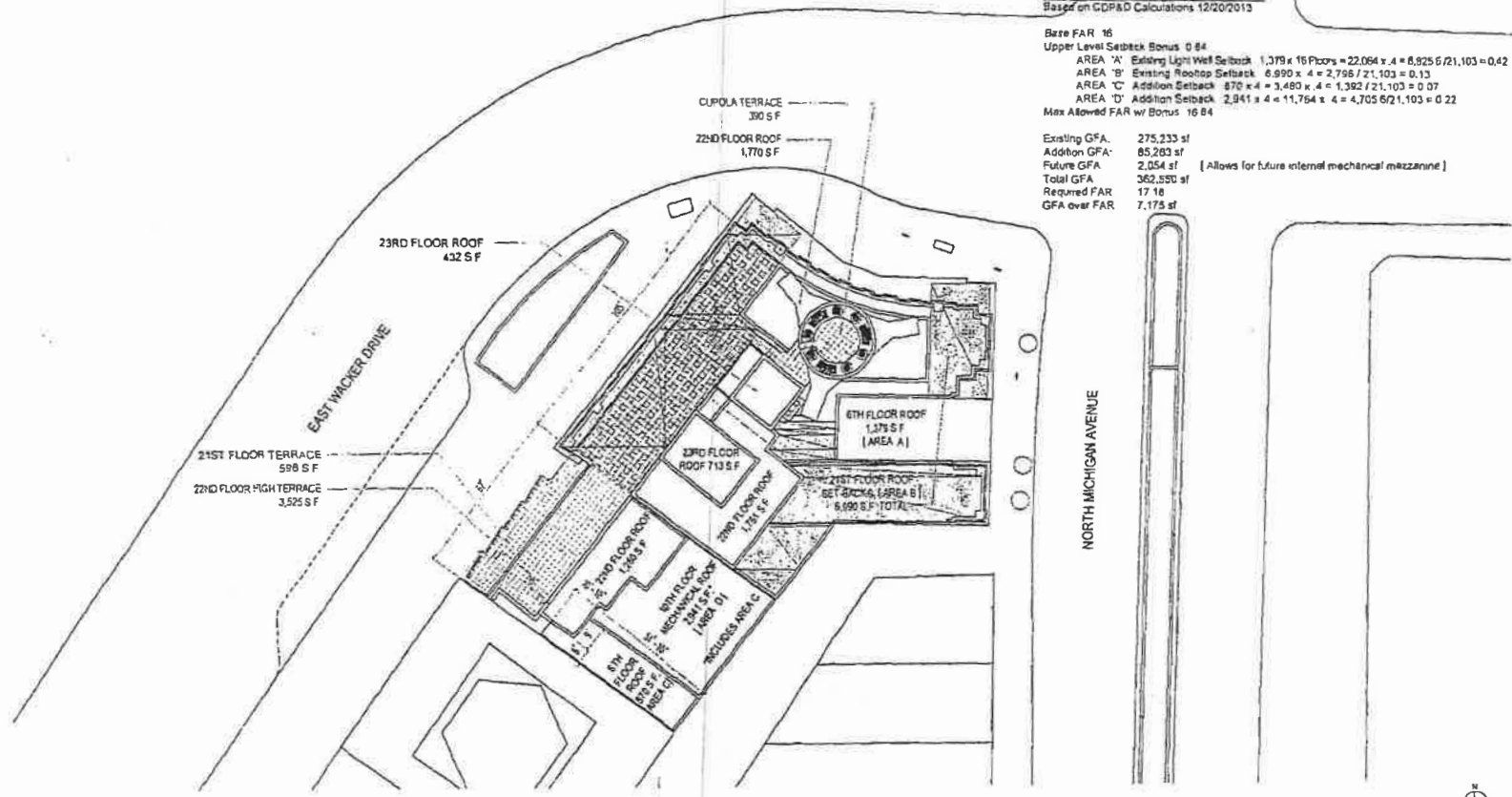


APPLICANT: AG-OCG 360 NORTH MICHIGAN L.L.C.  
 ADDRESS: 360 NORTH MICHIGAN AVENUE  
 83-87 EAST WACKER DRIVE  
 INTRODUCED: FEBRUARY 5, 2014  
 PLAN COMMISSION: SEPTEMBER 18, 2014

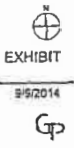
FAR CALCULATIONS  
Based on CDP&D Calculations 12/20/2013

Base FAR 16  
 Upper Level Setback Bonus 0.84  
 AREA 'A' Existing Light Well Setback  $1,375 \times 16 \text{ Floors} = 22,064 \times 4 = 8,825.6 / 21,103 = 0.42$   
 AREA 'B' Existing Rooftop Setback  $6,990 \times 4 = 2,796 / 21,103 = 0.13$   
 AREA 'C' Addition Setback  $876 \times 4 = 3,480 \times 4 = 1,392 / 21,103 = 0.07$   
 AREA 'D' Addition Setback  $2,941 \times 4 = 11,764 \times 4 = 4,705.6 / 21,103 = 0.22$   
 Max Allowed FAR w/ Bonus 16.84

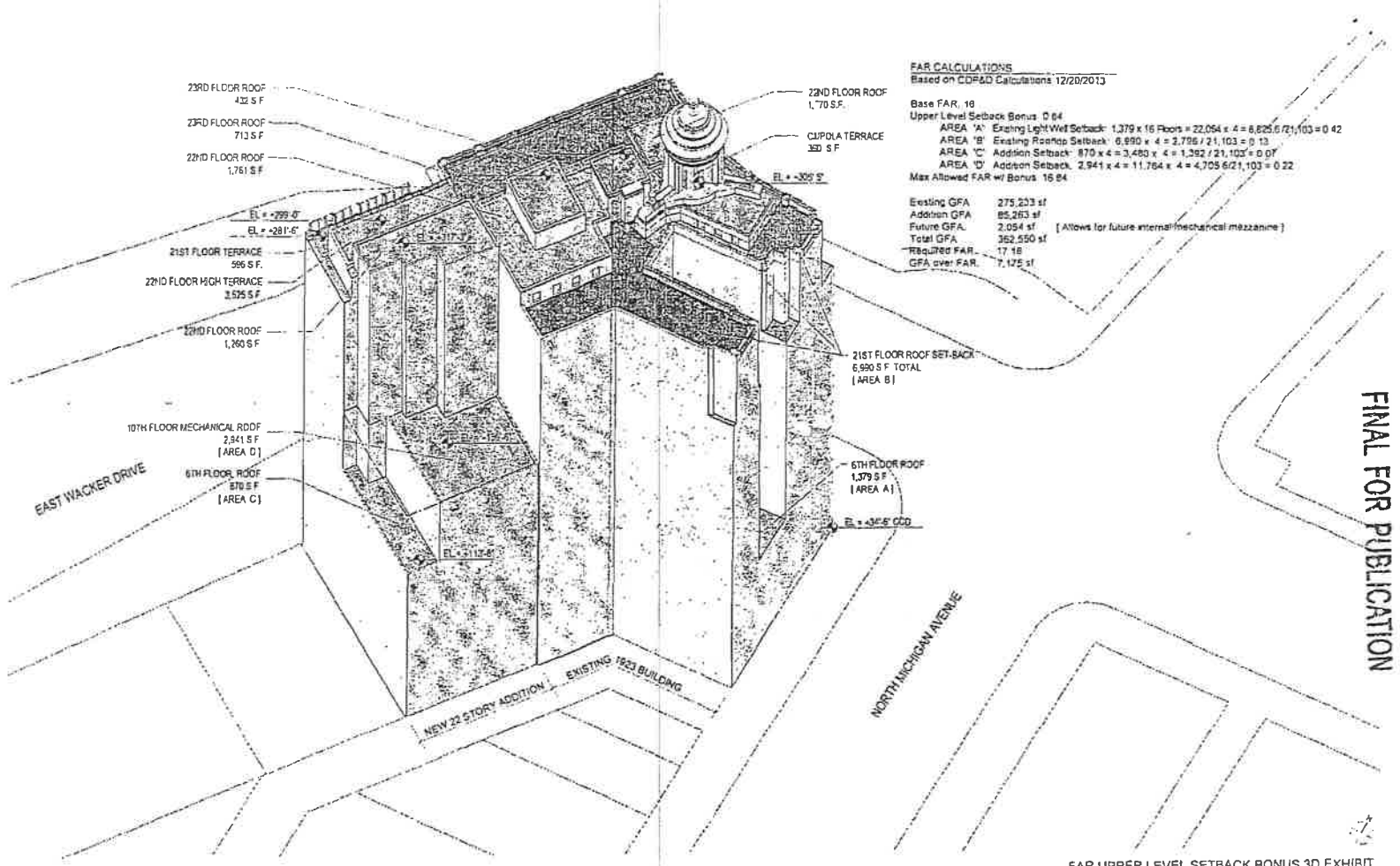
Existing GFA 275,233 sf  
 Addition GFA 85,263 sf  
 Future GFA 2,054 sf [Allows for future internal mechanical mezzanine]  
 Total GFA 362,550 sf  
 Returned FAR 17.18  
 GFA over FAR 7,175 sf



FAR BONUS PLAN EXHIBIT



APPLICANT: AG-OCG 360 NORTH MICHIGAN L.L.C.  
 ADDRESS: 360 NORTH MICHIGAN AVENUE  
 82-87 EAST WACKER DRIVE  
 INTRODUCED FEBRUARY 5, 2014  
 PLAN COMMISSION SEPTEMBER 16, 2014



**FAR CALCULATIONS**  
Based on CDPAD Calculations 12/20/2013

Base FAR, 16  
Upper Level Setback Bonus 0.64  
AREA 'A' Existing Light Well Setback:  $1,379 \times 16 \text{ Floors} = 22,064 \times 4 = 8,825.6 / 21,103 = 0.42$   
AREA 'B' Existing Rooftop Setback:  $6,990 \times 4 = 2,796 / 21,103 = 0.13$   
AREA 'C' Addition Setback:  $870 \times 4 = 3,480 \times 4 = 1,352 / 21,103 = 0.07$   
AREA 'D' Addition Setback:  $2,941 \times 4 = 11,764 \times 4 = 4,705.6 / 21,103 = 0.22$   
Max Allowed FAR w/ Bonus 16.84

Existing GFA	275,203 sf
Addition GFA	85,263 sf
Future GFA	2,054 sf
Total GFA	362,550 sf
Required FAR	17.16
GFA over FAR	7,125 sf

[ Allows for future internal mechanical mezzanine ]

FINAL FOR PUBLICATION

FAR UPPER LEVEL SETBACK BONUS 3D EXHIBIT

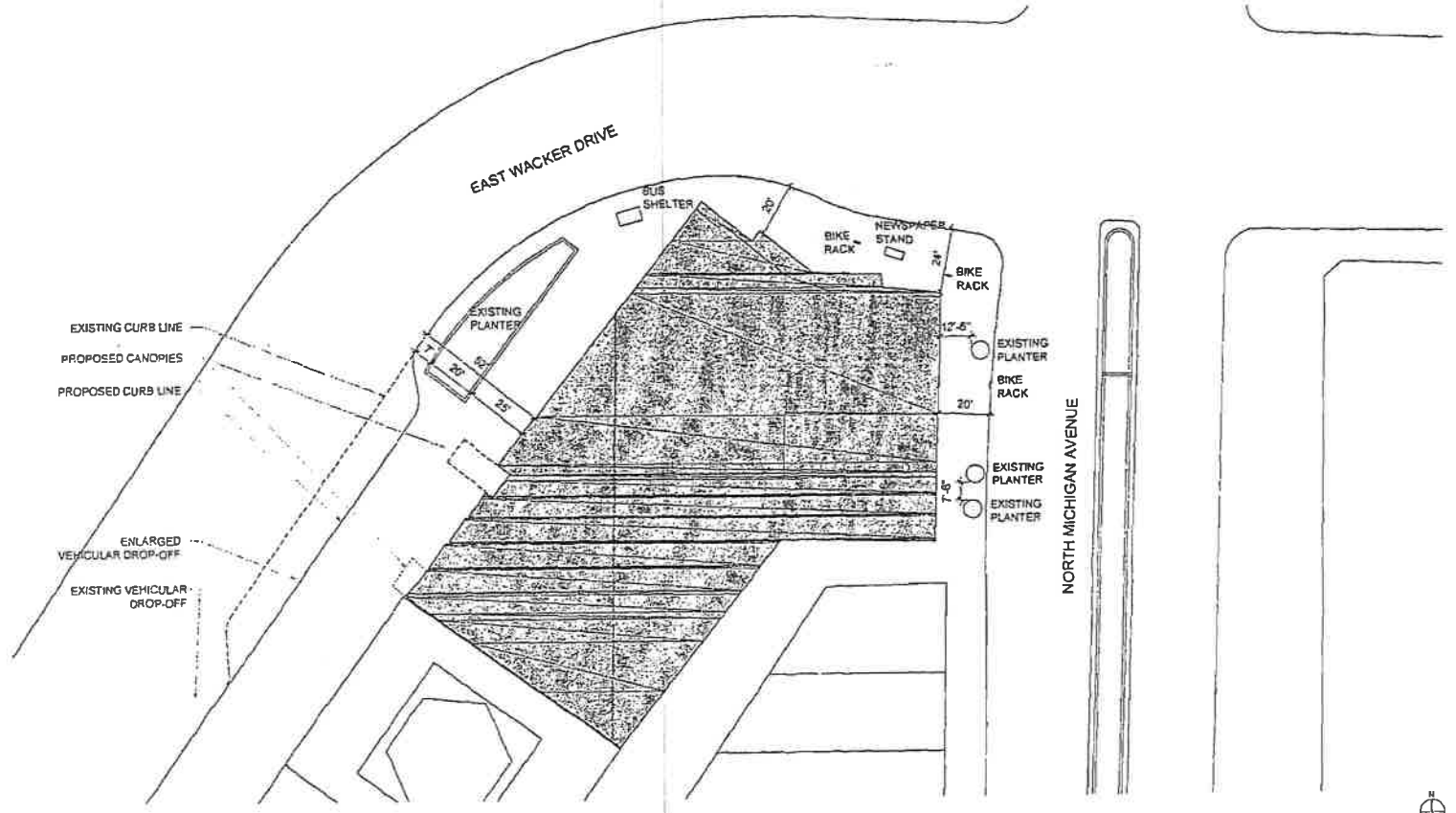
9/9/2014  
Gp

APPLICANT: AG-OCG 360 NORTH MICHIGAN L.L.C.  
ADDRESS: 350 NORTH MICHIGAN AVENUE  
33-87 EAST WACKER DRIVE  
INTRODUCED: FEBRUARY 5, 2014  
PLAN COMMISSION: SEPTEMBER 16, 2014

10/8/2014

REPORTS OF COMMITTEES

93167

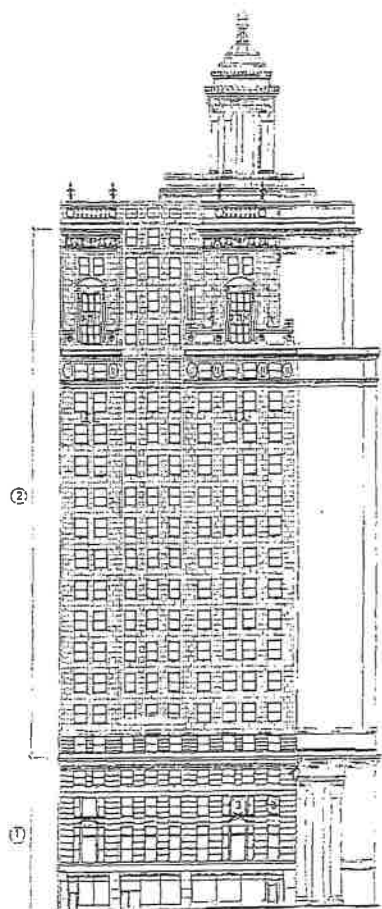


LANDSCAPE PLAN

9/9/2014

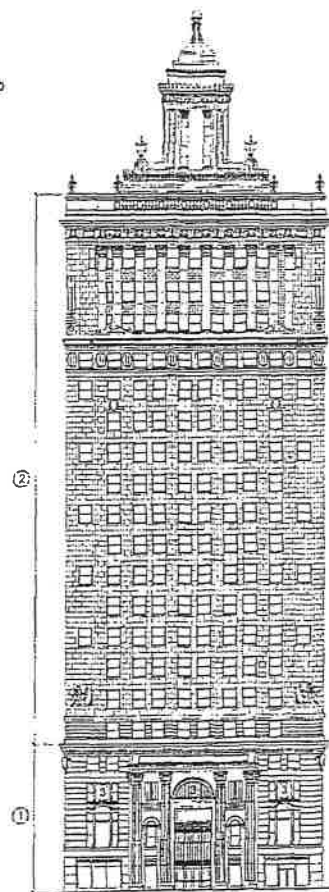


APPLICANT: AG-CCO 350 NORTH MICHIGAN L.L.C.  
ADDRESS: 360 NORTH MICHIGAN AVENUE  
83-87 EAST WACKER DRIVE  
INTRODUCED: FEBRUARY 5, 2014  
PLAN COMMISSION: SEPTEMBER 16, 2014



EAST ELEVATION

- KEY
- ① CAST IRON FRAMES AND WOOD WINDOWS RESTORED AND REPAINTED
  - ② NEW ALUMINUM WINDOWS WITHIN EXISTING OPENINGS
  - ③ WINDOWS RETURNED TO ORIGINAL CONFIGURATION AND ORNAMENTAL METALWORK RESTORED



NORTH ELEVATION

- KEY
- ① CAST IRON FRAMES AND WOOD WINDOWS RESTORED AND REPAINTED
  - ② NEW ALUMINUM WINDOWS WITHIN EXISTING OPENINGS
  - ③ WINDOWS RETURNED TO ORIGINAL CONFIGURATION AND ORNAMENTAL METALWORK RESTORED

ELEVATIONS

9/8/2014



APPLICANT AG-000 369 NORTH MICHIGAN L.L.C.  
 ADDRESS 360 NORTH MICHIGAN AVENUE  
 43-87 EAST WACKER DRIVE  
 INTRODUCED: FEBRUARY 9, 2014  
 PLAN COMMISSION SEPTEMBER 18, 2014

