



DEPARTMENT OF PLANNING AND DEVELOPMENT  
CITY OF CHICAGO

January 22, 2016

Bernard I. Citron  
Thompson Coburn LLP  
55 East Monroe St., 37<sup>th</sup> Floor  
Chicago, IL 60603

**Re: Pending request for minor change to PD 454, Sub-Area A, 181 N. Clark St. hotel**

Dear Mr. Citron:

We have reviewed your letter dated November 10, 2015, requesting a minor change to PD 454 in order to allow for a nine-story hotel addition atop the existing parking structure at 181 N. Clark St., on behalf of Beitler Real Estate Services, LLC ("Beitler"). Enclosed with your letter were plans depicting the hotel addition dated November 6, 2015 ("Plans") and prepared by Lothan, VanHook and DeStefano Architects.

As stated in this Department's letter dated November 9, 2015, the establishment of a hotel within Sub-Area A is a permitted use and the bulk of the proposed building is permitted.

A minor change is required as you have requested to substitute the Plans for the exhibits which accompanied the Planned Development. Further, you have requested a waiver of the required loading berth for the proposed hotel addition.

We recognize that Beitler has submitted and received approvals from the Mayor's Office for Persons with Disabilities, the Bureau of Fire Prevention, and the Chicago Department of Transportation, as required prior to issuing approval of a minor change.

In response to your letter requesting a minor change, the Department will consider the minor change so long as the Plans remain unchanged and once the property owner authorizes submission and approval of the minor change. Please keep the Department informed of the status of the project.

Sincerely,

Patricia A. Scudiero  
Zoning Administrator

PAS:tm

C: Main file



DEPARTMENT OF PLANNING AND DEVELOPMENT  
CITY OF CHICAGO

November 9, 2015

Bernard I. Citron  
Thompson Coburn LLP  
55 East Monroe St., 37<sup>th</sup> Floor  
Chicago, IL 60603

**Re: Advisory Opinion for Business Planned Development No. 454, Subarea A, Proposed hotel above existing parking garage located at 181 N. Clark Street**

Dear Mr. Citron:


In response to your recent request, please be advised that the property located at 181 N. Clark St., at the southeast corner of N. Clark and West Lake Streets, is located within Subarea A of Business Planned Development Number 454 ("PD 454"). The property consists of a 630 space parking garage above ground floor retail uses. PD 454 also includes Subarea B, an existing office building located at 161 N. Clark St. Your client, Beitler Real Estate Services LLC ("Beitler"), has entered into an agreement with Interpark, the owner of the parking garage, to construct a 177 key limited service hotel above the parking garage.

You are seeking confirmation that the use and bulk of the proposed building is permitted and that no further approvals from our Department are required other than Part II approval.

PD 454 was last amended in 1999, and pursuant to Statement No. 6, the uses allowed are the permitted and special uses in the B7-7 General Central Business District Classification. Hotels were a permitted use in the B7-7 District in 1999. PD 454 includes building elevations for two high-rise office buildings, the one which was constructed in Subarea B and one in Subarea A which was not built. In 2003, a minor change was approved for Subarea A to permit the substitution of revised building elevations and plans for the existing parking garage. This minor change also stated that the parking garage was designed to accommodate an eight-story, approximately 100,000 square foot second phase addition subject to design review and approval by our Department. According to the drawings submitted with your request letter, Beitler is proposing a nine-story hotel addition containing approximately 109,386 square feet.

In response to your first request, the use and bulk of the proposed building is permitted. However, pursuant to Statement No. 15 of the PD, any changes to the PD exhibits require administrative relief via a minor change. Further, approval from CDOT, Fire and MOPD is required prior to administrative relief approval.

Sincerely,

  
Patricia A. Scudiero  
Zoning Administrator

C: Vicki Lozano, Heather Gleason, Main file



City of Chicago  
Richard M. Daley, Mayor

Department of Planning  
and Development

Alicia Mazur Berg  
Commissioner

121 North LaSalle Street  
Chicago, Illinois 60602  
(312) 744-4190  
(312) 744-2271 (FAX)

<http://www.cityofchicago.org>

July 14, 2003

Mr. John J. George  
Attorney at Law  
Two First National Plaza  
Suite 400  
20 South Clark Street  
Chicago, IL 60603

RE: Request for minor changes to Business Planned Development  
No. 454 (Subarea A - 181 North Clark Street)

Dear Mr. George:

Please be advised that your request for minor changes to Business Planned Development No. 454, (Sub Area A) on behalf of 181 North Clark, LLC, has been considered by the Department of Planning and Development pursuant to Section 11.11-3(c) of Chicago Zoning Ordinance and Statement No.15 of the Planned Development.

Specifically, you requested to substitute revised Building Elevations and Site and Landscape plans to allow for the construction of a 630 space non-accessory parking garage with ground-level retail space in place of an office building with both accessory and non-accessory parking. In addition, you requested a reduction in the minimum number of required loading spaces from 3 to 0 with loading for the retail space to be provided from the existing loading area serving the Goodman Theater complex directly to the east.

You have provided the Department of Planning and Development a letter from the Goodman Theater stating their approval of the shared loading space arrangement for use by the retail tenants in the proposed building. You have also provided letters from the Goodman Theater and the adjoining 161 North Clark Street Building both indicating approval of plans to provide physical connections between the garage and both adjacent buildings. As part of the proposal, the developer would install and maintain a green roof system on the roof top of the garage. In addition, you indicated that the developer would shield from view the interior lights of the parking garage along a portion of Lake Street where the garage would be open air.

Furthermore, you have indicated that 181 North Clark LLC has designed the structure to accommodate an 8-story, approximately

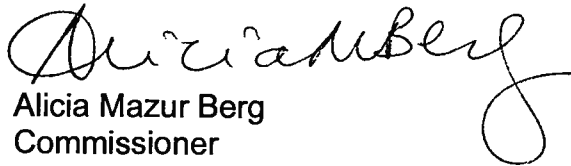


100,000 square foot second phase addition subject to design review and approval by the Department of Planning and Development.

The Department has reviewed the request and has determined that the proposed modifications would be appropriate. The Department of Transportation has reviewed the proposal and has indicated that the proposed number of parking spaces and the provided points of access and egress would be appropriate for this site.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance, I hereby approve the requested minor changes to allow for the construction of a parking garage with ground-level retail space, but no other changes to this Planned Development.

Very truly yours,

  
Alicia Mazur Berg  
Commissioner

CC: Jack Swenson, Philip Levin, Michael Marmo, Ed Kus, Terri Texley

9/29/99

REPORTS OF COMMITTEES

12729  
12651

~~the record reflect that I abstain from voting on Application Numbers 12712, 12728, 12759, 12786, 12788 and 12789 under the provisions of Rule 14 of the City Council's Rules of Order and Procedure.~~

~~Respectfully submitted,~~

~~(Signed) WILLIAM J. P. BANKS,  
Chairman.~~

On motion of Alderman Banks, the said proposed ordinances transmitted with the foregoing committee report were *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Granato, Tillman, Preckwinkle, Hairston, Lyle, Beavers, Dixon, Beale, Pope, Balcer, Frias, Olivo, Burke, Thomas, Coleman, Peterson, Murphy, Rugai, DeVille, Munoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Wojcik, Suarez, Matlak, Mell, Austin, Colom, Banks, Giles, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Hansen, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 48.

*Nays* -- None.

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

The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):

*Reclassification Of Area Shown On Map Number 1-F.*

(As Amended)

(Application Number 12729)

BPD No. 454AA

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

SECTION 1. The Chicago Zoning Ordinance be amended be changing all the Business Planned Development Number 454 District symbols and indications as shown on Map Number 1-F in the area bounded by:

West Lake Street; a line 202.44 feet next east of and parallel to North Clark Street; a line 181.71 feet south of and parallel to West Lake Street; a line 160.98 feet east of and parallel to North Clark Street; West Randolph Street;

and North Clark Street,

to the designation of a Business Planned Development Number 454, as amended, and a corresponding district is hereby established in the area above described.

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

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

*Business Planned Development Number 454, As Amended.*

*Plan Of Development Statements.*

1. The area delineated herein as Business Planned Development Number 454, as amended (the "Planned Development") consists of approximately sixty-eight thousand eight hundred fifty-seven (68,857) square feet or one and fifty-eight hundredths (1.58) acres of real property, as shown on the attached "Property Line and Planned Development Boundary Map". The property to which the changes proposed by this amendment pertain, is owned by EOP-161 Clark Street Limited Partnership and LaSalle National Trust, N.A., as trustee under Trust Number 115015, the Zoning Control Party under and subject to the terms and conditions of an Amendment to a Development, Operation and Cross-Easement Agreement dated December 15, 1994; the beneficiary of the LaSalle National Trust is 181 North Clark Street Limited Partnership, a Delaware limited partnership, is the Applicant for the amendment to Business Planned Development Number 454.
2. 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 easements, or adjustments of right-of-way, or consolidation or resubdivision of parcels, shall require a separate submittal on behalf of the Applicant or its successors, assignees or grantees and approval by the City Council.
3. 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

title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the Property shall be under single ownership or under single designated control at the time any applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made. "Single designated control" for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made by a zoning control party or authorized by all the owners of the Property and any ground lessors.

4. This Plan of Development consists of these eighteen (18) statements, a Bulk Regulations and Data Table, an Existing Zoning Map, a Property Line and Planned Development Boundary Map, a Generalized Land-Use Plan, an Existing Land-Use Map, a Block Plan, a Subarea A Ground Floor/Landscape Plan and Subarea A Building Elevations prepared by Kohn Pedersen Fox dated August 12, 1999. A full size set of the Ground Floor/Landscape Plan and Building Elevations are on file with the Department of Planning and Development. The Plan of Development and the North Loop Guidelines are applicable to the area delineated herein and these and no other controls shall apply to the delineated area. This Plan of Development conforms to the intent and purpose of the Chicago Zoning Ordinance, the North Loop Guidelines and the Central Loop Tax Increment Financing Redevelopment Program and Plan and all requirements thereof, and satisfies the established criteria for approval as a planned development.
5. The Applicant or its successors, assignees, grantees or such other person or entity as may then own or control the subject property shall obtain all required reviews, approvals, licenses and permits in connection with this Planned Development and the North Loop Guidelines and the Central Loop Tax Increment Financing Redevelopment Program and Plan.
6. The uses permitted in the Planned Development shall be those shown as Permitted and Special Uses in the B7-7 General Central Business District Classification. Earth station receiving dishes shall also be permitted. Non-accessory surface parking of private passenger automobiles shall be permitted as an interim use. All new interim uses shall be subject to the review and approval of the Commissioner of Planning and Development. Landscaping and barricades, where required for interim surface parking, shall be subject to the review and approval of the Department of Planning and Development and the

Department of Transportation. All other controls and regulations set forth herein apply within the general application of this statement.

7. Business and business identification signs shall be permitted within the Planned Development subject to the review and approval of the Department of Planning and Development. Temporary signs, such as construction and marketing signs, may be permitted subject to the approval of the Department of Planning and Development.
8. For purposes of floor area ratio (F.A.R.) calculations, the definitions in the Chicago Zoning Ordinance shall apply, provided, however, that floor area devoted to mechanical uses in excess of five thousand (5,000) square feet per floor shall not be included as floor area in the F.A.R. calculations.
9. In addition to the maximum height of the building and any appurtenance thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
10. Any service drives or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of the City of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such emergency areas. Ingress and egress shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic, and the Department of Planning and Development. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic. The Department of Transportation will study the impact upon traffic of the parking garage ingress and egress for Subarea A, which will be on Lake Street directly opposite Garvey Court. Should C.D.O.T. determine that a new traffic signal is necessary in order to mitigate traffic impacts at this location, the Applicant agrees to pay for all costs of the traffic signal's manufacture and installation.

11. All required loading facilities shall be provided below grade. The Applicant shall also make its Garvey Court tunnel under Lake Street available for service vehicles and limited parking access for the remainder of Block 35; provided, however, that all access, including a limited number of automobiles, shall be subject to the agreement of the owners of Subareas A and B and the adjacent owner, the City of Chicago, concerning access fees, or in the alternative, subject to the determination of an arbitration proceeding conducted by a three (3) person panel consisting of M.A.I. appraisers selected in accordance with the procedures of the American Arbitration Association which shall determine the terms and compensation based upon the value of the parking spaces and loading to the entire adjacent project to be paid to the owners of Subareas A and B in the absence of such agreement.
12. The owner of Subarea A shall be permitted to use the sub-surface area below the vacated alley east of Clark Street for caissons subject to the approval of the City Council in a separate submittal.
13. The ground floor shall contain a winter-garden that is open to the public between normal business hours, at a minimum. The winter-garden shall have a minimum ceiling height of twenty (20) feet with walls that are predominately glazed. Amenities within the winter-garden shall include: a reflecting pool; planters with trees, other landscaping, and seating; retail kiosks; retail space (preferably restaurant space) of approximately three thousand (3,000) square feet; and tables and chairs, in general conformance with the Ground Floor/Landscape Plan.
14. The two (2) to three (3) foot deep "art glass wall" depicted on the Lake Street elevation drawing at the level of the C.T.A. elevated tracks shall be presented in detail to the Department of Planning and Development at or before the time of a Part II submittal for the building. The art wall shall be of highest quality materials and execution in keeping with the quality of the building and with the downtown location, and shall not contain any elements that may be considered to be business identification or advertising, including but not limited to logos, signs or displays of goods for purchase. No moving electronic message boards will be allowed. The Department encourages a theater district theme in light of the project's location, but will consider other proposals at the Applicant's request. The Department retains the right to refuse approval of proposals which it determines do not meet the above standards, or to enlist the help of other City agencies in its review.

15. The terms, conditions and (sub)exhibits of this Planned Development Ordinance may be modified administratively by the Commissioner of the Department of Planning and Development upon the application for such a modification by the Applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated in this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of this Statement by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the Planned Development as contemplated by Section 11.11-3(c) of the Chicago Zoning Ordinance.
16. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which promotes and maximizes the conservation of energy resources. The Applicant shall use best and reasonable efforts to design, construct and maintain all buildings located within this Planned Development in an energy efficient manner, generally consistent with most current energy efficiency standards published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers ("A.S.H.R.A.E.") and the Illuminating Engineering Society ("I.E.S."). Copies of these standards may be obtained from the Department of Planning and Development.
17. 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 ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 11.11-3(b) of the Chicago Zoning Ordinance until the Director of M.O.P.D. has approved detailed construction drawings for each building or improvement.
18. Unless substantial construction on improvements in Subarea A 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 B7-7 District.

9/29/99

REPORTS OF COMMITTEES

12657

[Existing Zoning Map; Property Line and Planned Development Boundary Map; Generalized Land-Use Plan; Existing Land-Use Map; Block Plan; Subarea A Ground Floor/Landscape Plan; and Building Elevation Drawings referred to in these Plan of Development Statements printed on pages 12659 through 12670 of this Journal.]

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

*Business Planned Development Number 454, As Amended.*

*Bulk Regulations And Data Table.*

Business Planned Development for that certain property bounded by West Lake Street; a line 202.44 feet west of and parallel to North Clark Street; a line 181.71 feet south of and parallel to West Lake Street; a line 160.90 feet east of North Clark Street; West Randolph Street; and North Clark Street.

Gross Site Area (104,225 square feet) = Net Site Area (68,857 square feet) + Area Remaining in Public Right-of-Way.

Net Site Area	68,857 square feet.
Subarea A:	32,250 square feet.
Subarea B:	36,607 square feet.
Maximum Floor Area Ratio:	29.69 provided that the improvements on Subarea A and Subarea B shall not exceed 752 feet.
Subarea A:	28.77.

Subarea B: 30.65.\*

Maximum Percentage of Land Coverage:

In general conformance with Block Plan and Subarea A Ground Floor/Landscape Plan.

Minimum Number of Parking Spaces Required:

296.

Subarea A:

196.

Subarea B:

100.\*

Minimum Number of Loading Spaces Required:

8.

Subarea A:

3.

Subarea B:

5.\*

*Reclassification Of Area Shown On Map Number 1-F.  
(As Amended)  
(Application Number 12784)*

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

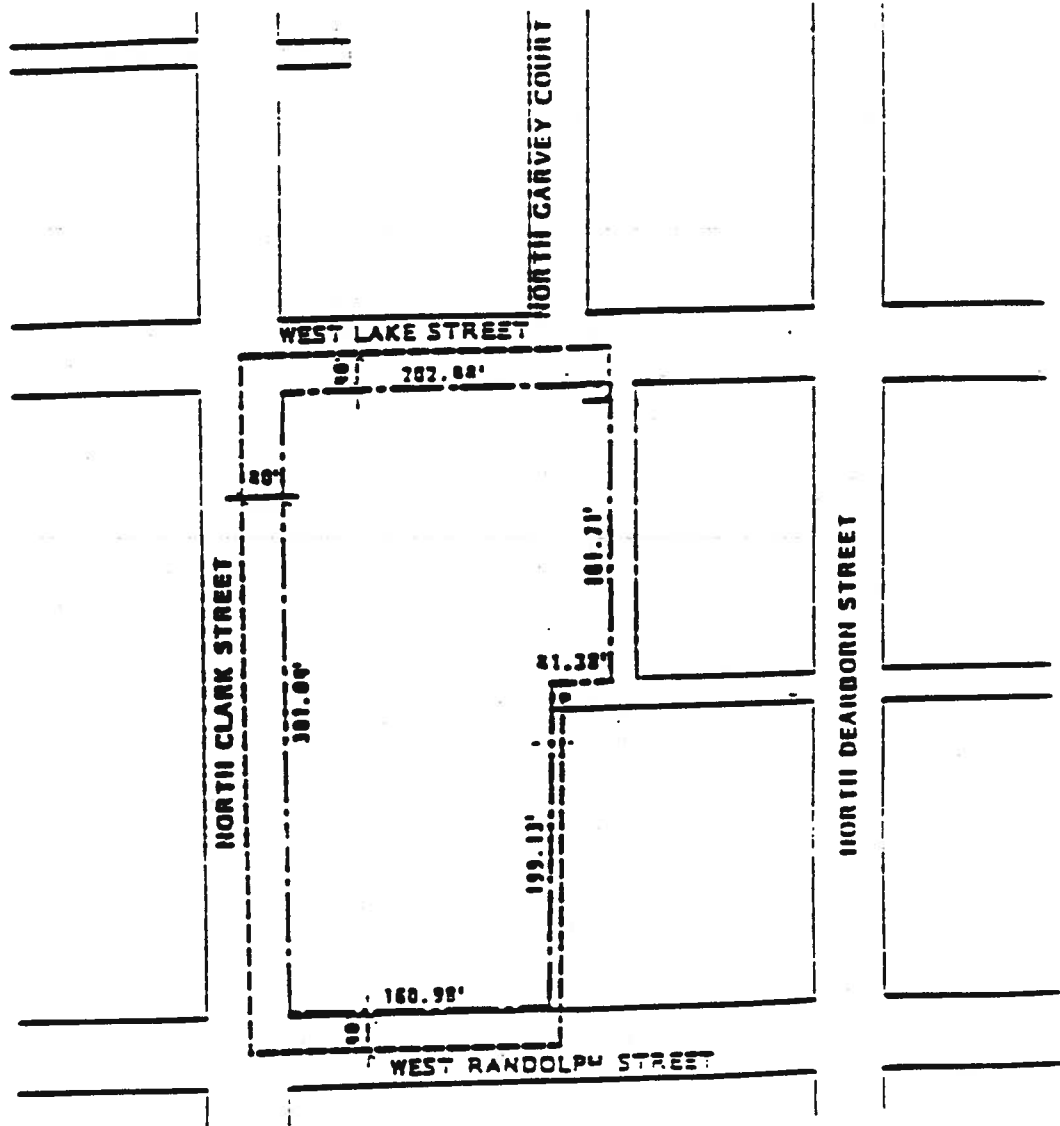
(Continued on page 12671)

\* Existing development within Subarea B on the date of this amendment conforms with these regulations.



Property Line And Planned Development  
Boundary Map.

BUSINESS PLANNED DEVELOPMENT NO. 454, as amended  
PROPERTY LINE AND PLANNED DEVELOPMENT  
BOUNDARY MAP



**AFFIDAVANT:** 181 North Clark Street  
 Limited Partnership  
 c/o LOR, Inc.  
 151 N. Clark Street  
 Suite 2240  
 Chicago, Illinois 60602

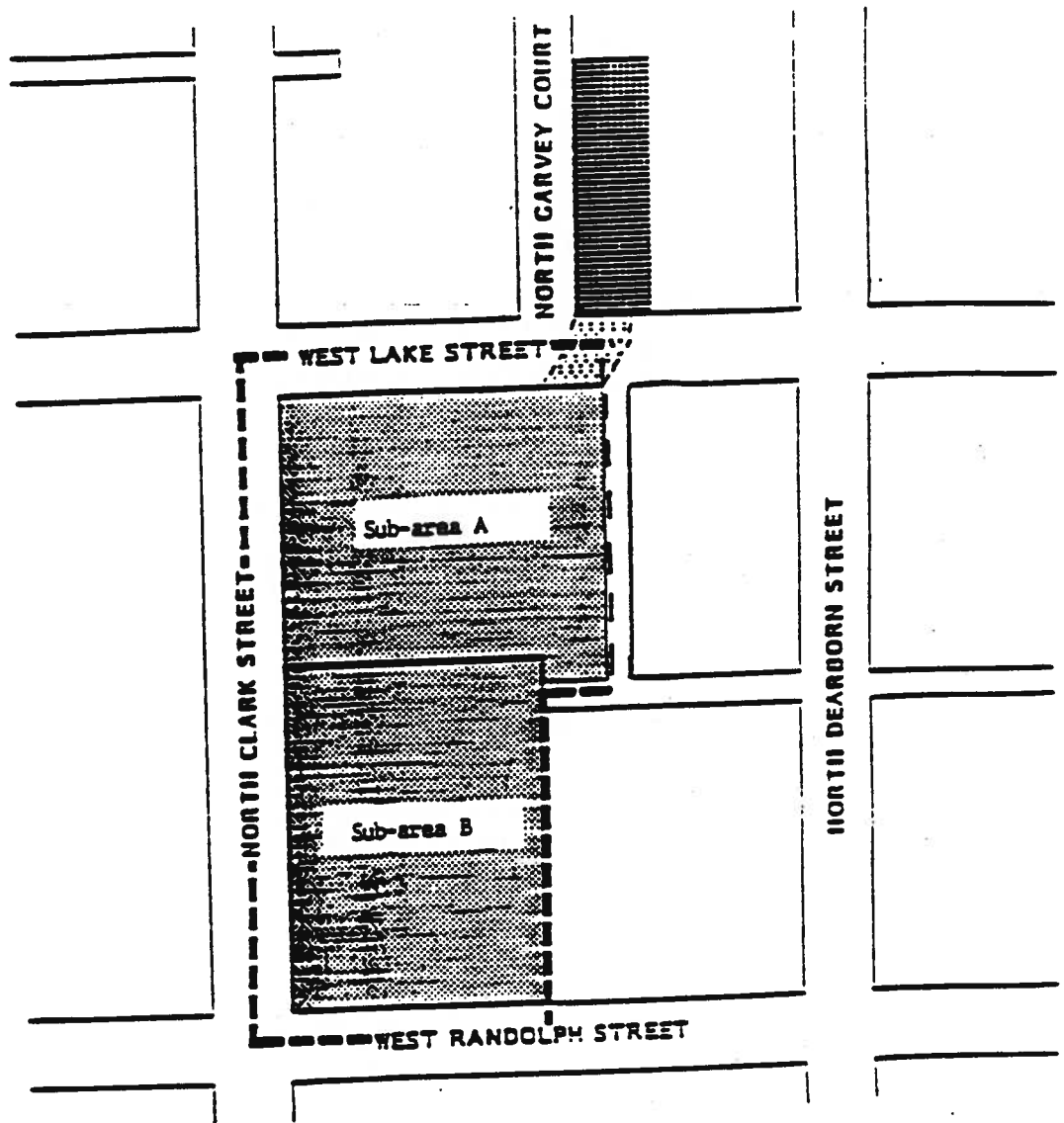
----- PROPERTY LINE  
 - - - - - PLANNED DEVELOP  
 BOUNDARY

**DATE:** May 10, 1999  
**REVISED:** August 10, 1999



Generalized Land-Use Plan.

GENERALIZED LAND USE PLAN



APPLICANT:

181 North Clark Street  
 Limited Partnership  
 a/o LOR, Inc.  
 161 N. Clark Street  
 Suite 2240  
 Chicago, Illinois 60602

DATE:

May 10, 1999

REVISED:

August 12, 1999

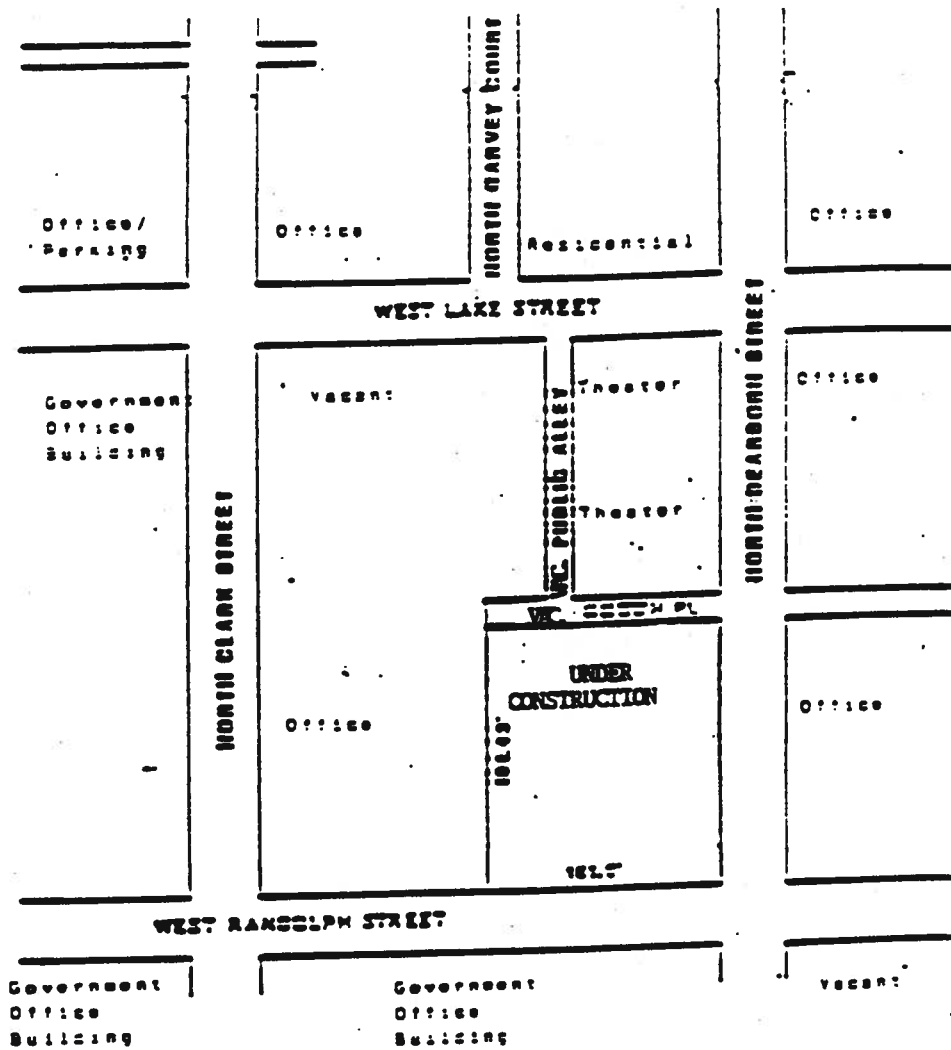
 OFFICE,  
AND RELATED USE

 SITE ACCESS

 TUNNEL ACCESS

 PLANNED DEVELOPMENT

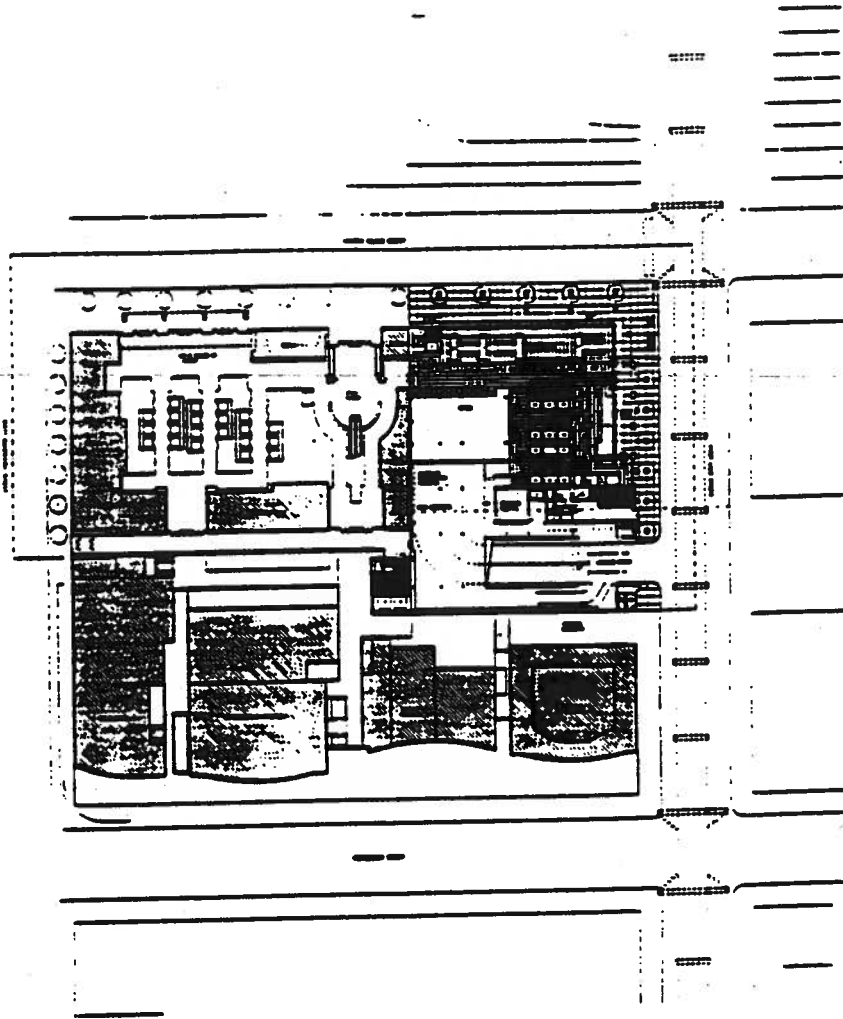
Existing Land-Use Map.



APPLICANT: 181 North Clark Street  
 Limited Partnership  
 c/o LOR, Inc.  
 161 N. Clark Street  
 Suite 2240  
 Chicago, Illinois 60602

DATE: May 10, 1999  
 REVISED: August 12, 1999

Block Plan.



PLANNED DEVELOPMENT BOUNDARY

APPLICANT  
 181 N. Clark Street  
 Lakeside Apartments  
 c/o LCOB Inc.  
 181 N. Clark Street  
 Suite 220C  
 Chicago, Illinois 60607  
 Date: 10/19/99  
 August 12, 1999

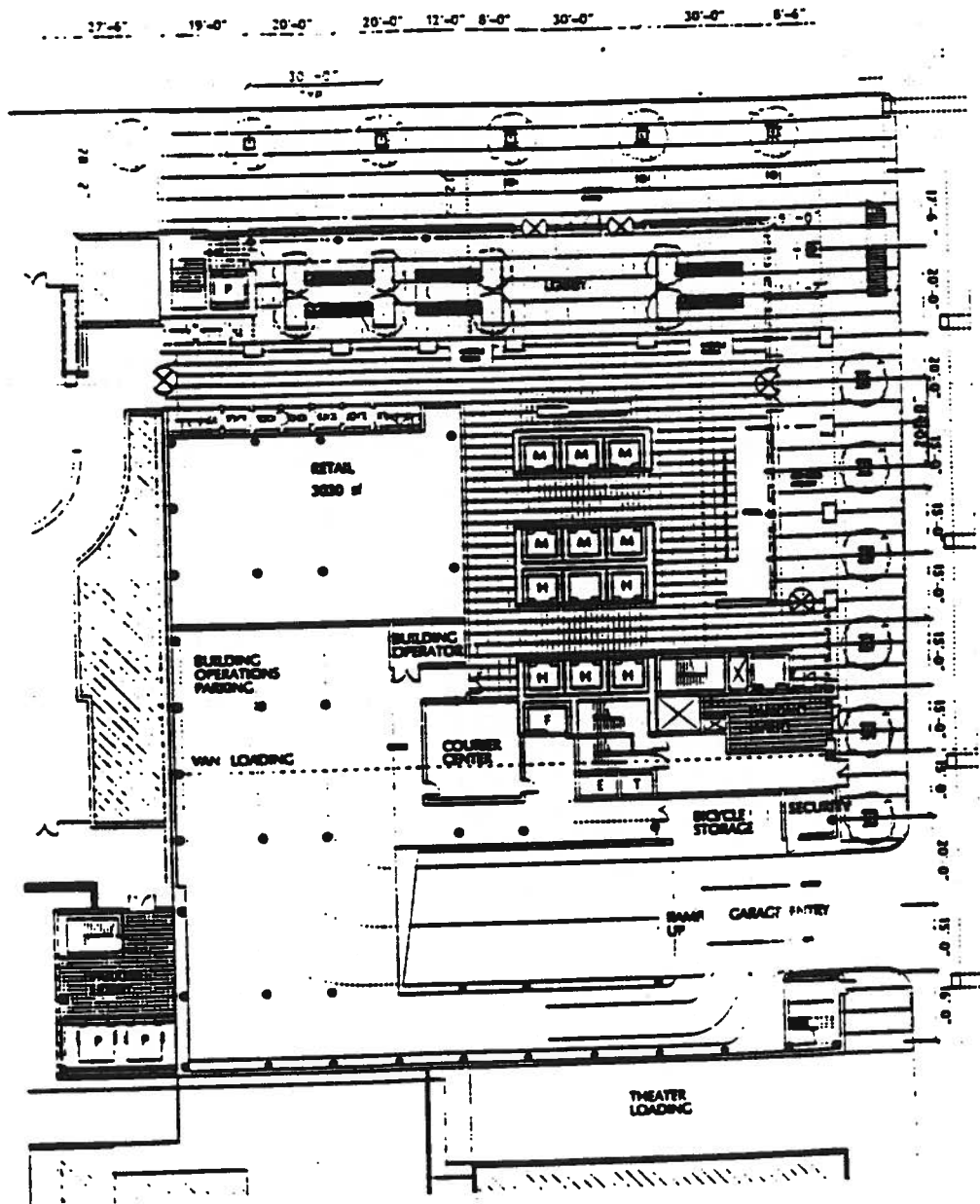
BLOCK PLAN

181 NORTH CLARK STREET  
 CHICAGO ILLINOIS

EPS  
 August 12, 1999  
 181 North Clark Street, L.P.  
 1" = 60'



Subarea A Ground Floor/Landscape Plan.



RETAIL 3030 GSF  
FLOOR PLATE 29.470 GSF

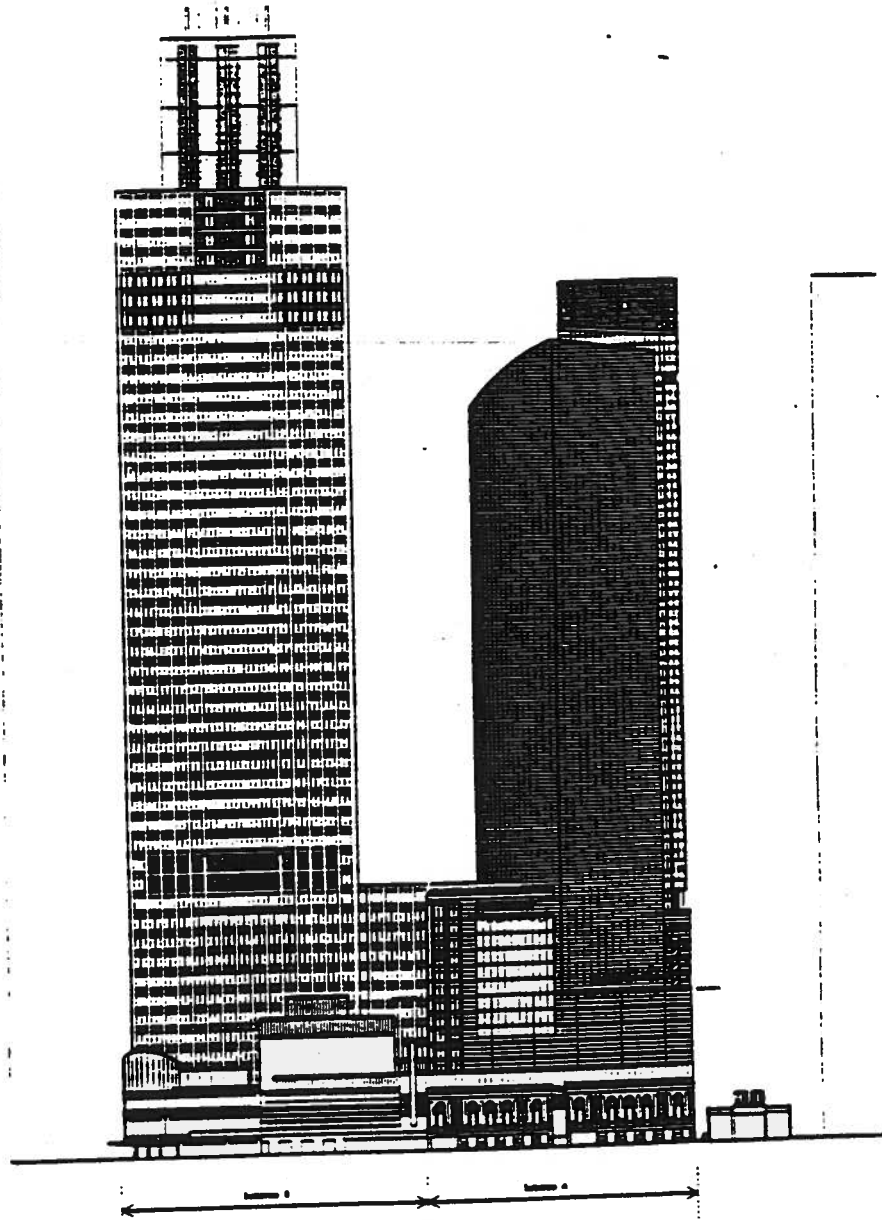
APPLICANT: 181 N. Clark Street  
LCOA Inc.  
181 N. Clark Street  
Chicago, Illinois 60607  
Date: 10/19/99  
Revised: August 12, 1999

SUBAREA A  
GROUND FLOOR/LANDSCAPE PLAN

181 NORTH CLARK STREET  
CHICAGO ILLINOIS

SPS  
August 12, 1999  
181 North Clark Street, L.P.  
1" = 20'

East Building Elevation.



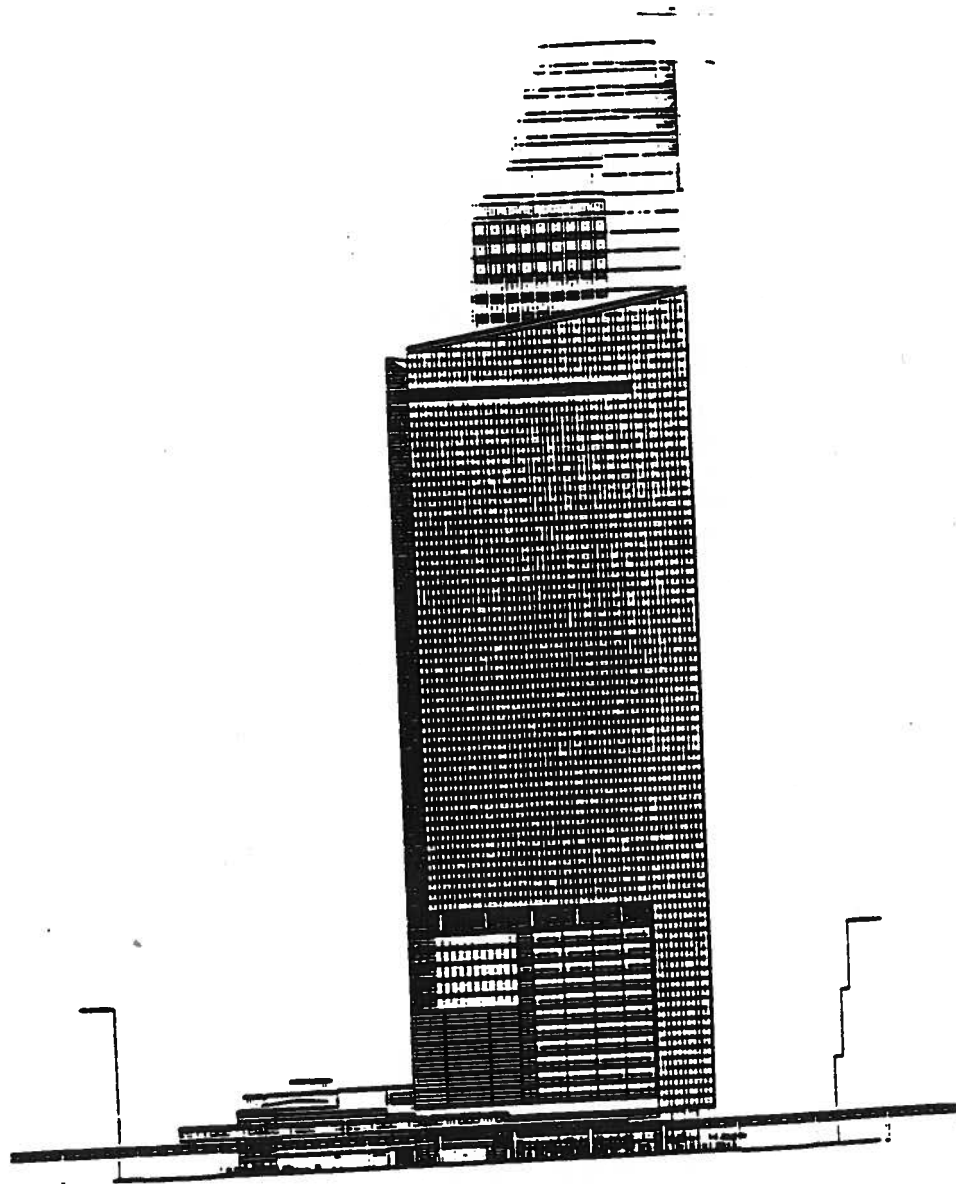
APPLICANT: 181 N. Clark Street  
 Learning Communities  
 and LCOIL Inc.  
 181 N. Clark Street  
 Suite 274C  
 Chicago, Illinois 60607  
 DATE: May 10, 1999  
 REVISED: August 12, 1999

EAST ELEVATION

181 NORTH CLARK STREET  
 CHICAGO ILLINOIS

EDP  
 August 12, 1999  
 181 North Clark Street, L.P.  
 1" = 60'

North Building Elevation.



APPLICANT  
 DATE  
 REVISED

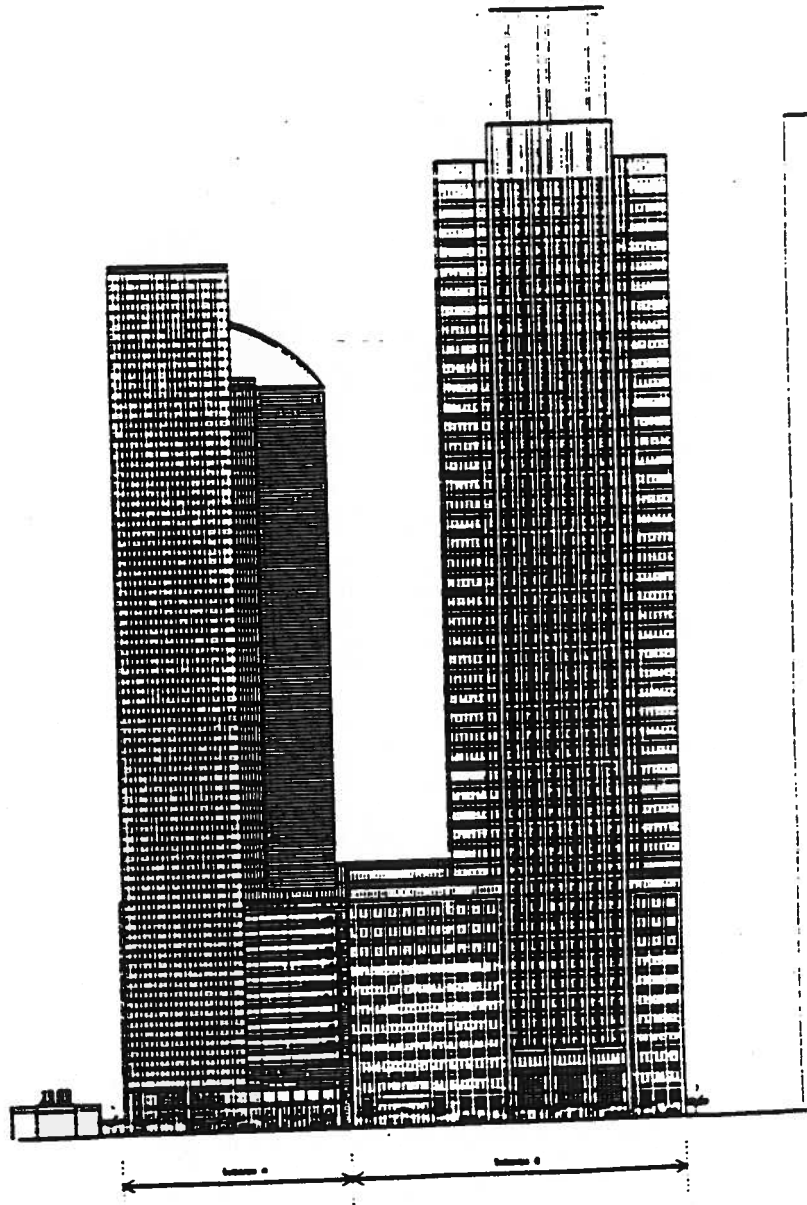
181 N. Clark Street  
 Limited Partnership  
 c/o CDB Inc.  
 121 N. LaSalle Street  
 Suite 2200  
 Chicago, Illinois 60602  
 Date 10/19/99  
 August 12 1999

NORTH ELEVATION

181 NORTH CLARK STREET  
 CHICAGO ILLINOIS

ESP  
 August 12 1999  
 181 North Clark Street, L.P.  
 1" = 60'

West Building Elevation.



APPLICANT: 181 N. Clark Street  
 January Apartments  
 Unit 1C09  
 181 N. Clark Street  
 Suite 2240  
 Chicago, Illinois 60607  
 Date: 08/12/99  
 Revised: August 12, 1999

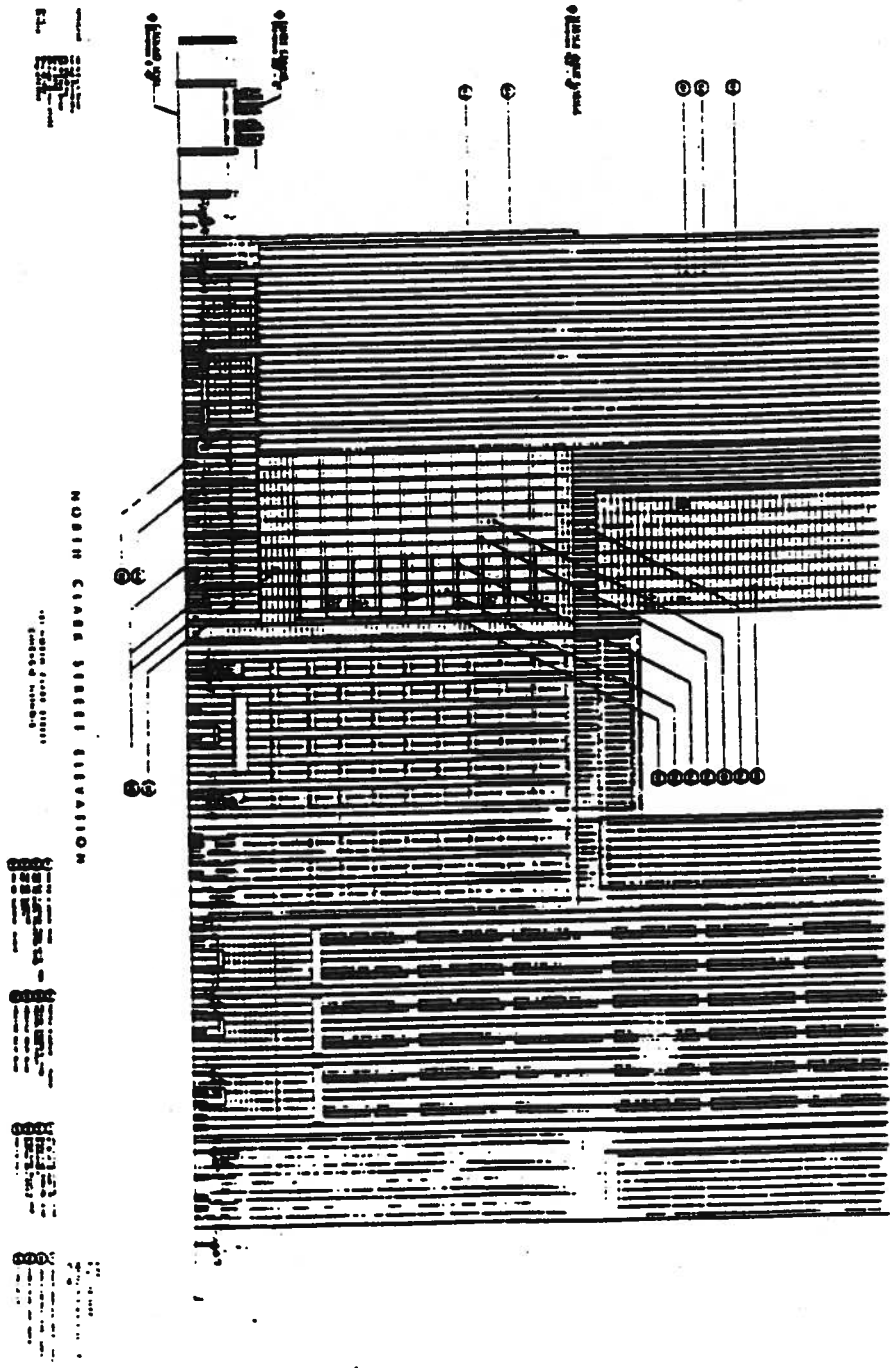
WEST ELEVATION

181 NORTH CLARK STREET  
 CHICAGO ILLINOIS

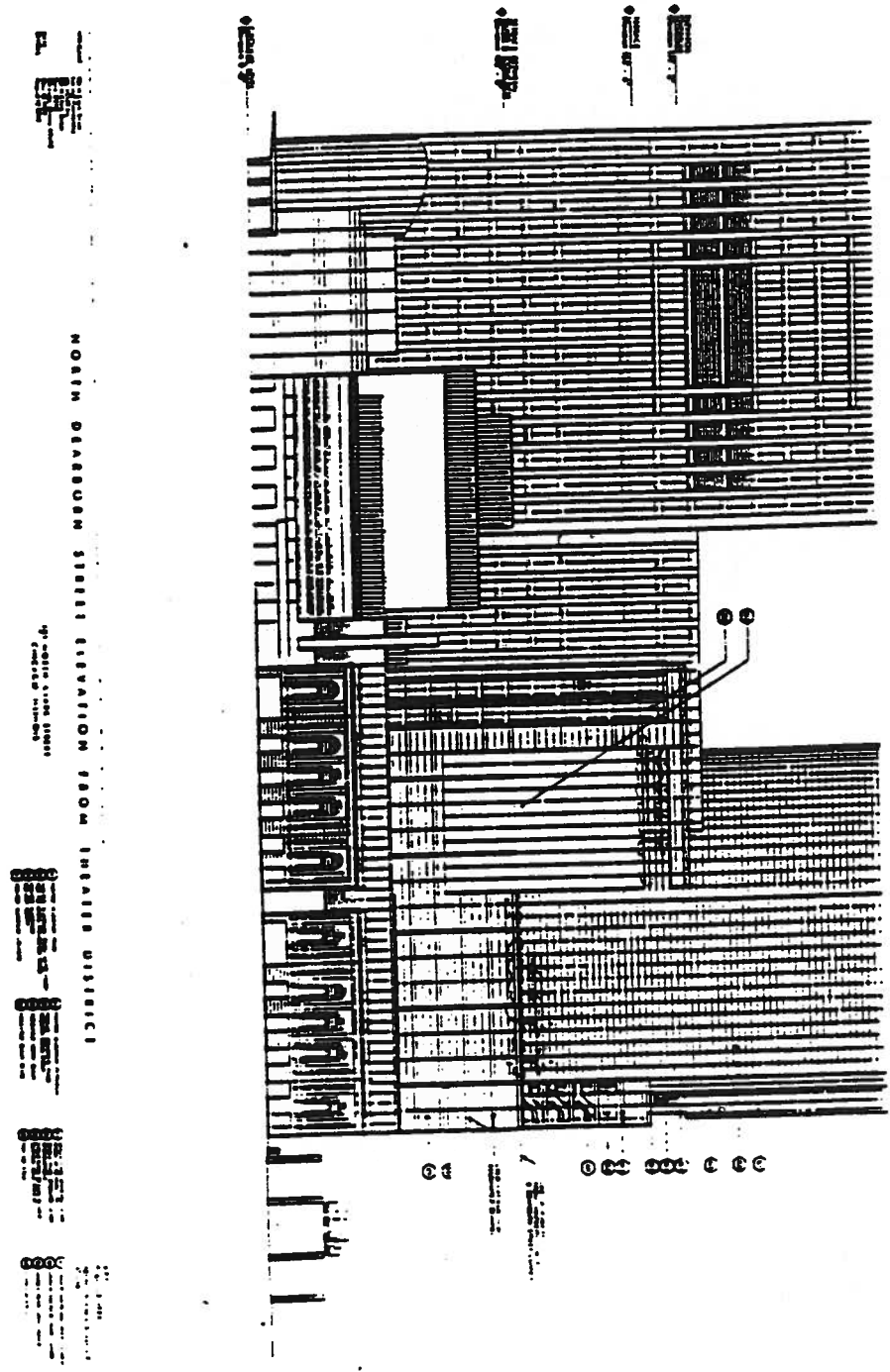
DATE: August 12, 1999  
 181 North Clark Street, L.P.  
 1" = 60'

North Clark Street Elevation.

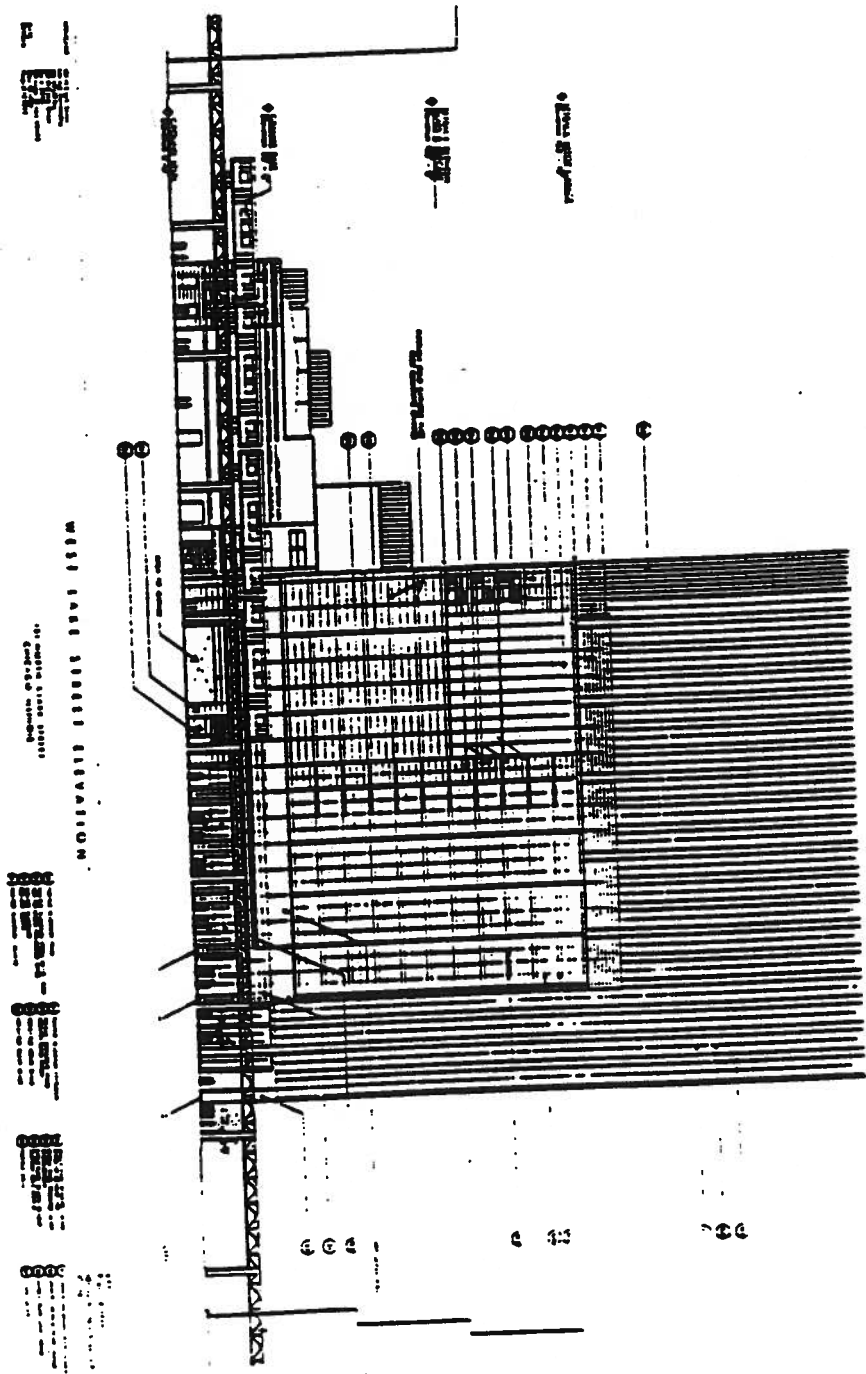
P. 0051



North Dearborn Street Elevation  
From Theater District.



West Lake Street Elevation.



*Reclassification Of Area Shown On Map Number 1-F.  
(As Amended)  
(Application Number 12365)*

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the Business Planned Development Number 454 District symbols and indications as shown on Map Number 1-F in the area bounded by:

West Lake Street; a line 202.44 feet next east of and parallel to North Clark Street; a line 181.71 feet south of and parallel to West Lake Street; a line 160.98 feet east of and parallel to North Clark Street; West Randolph Street; and North Clark Street,

to the designation of a Business Planned Development Number 454, as amended, and a corresponding district is hereby established in the area above described.

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

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

*Business Planned Development Number 454, As Amended.*

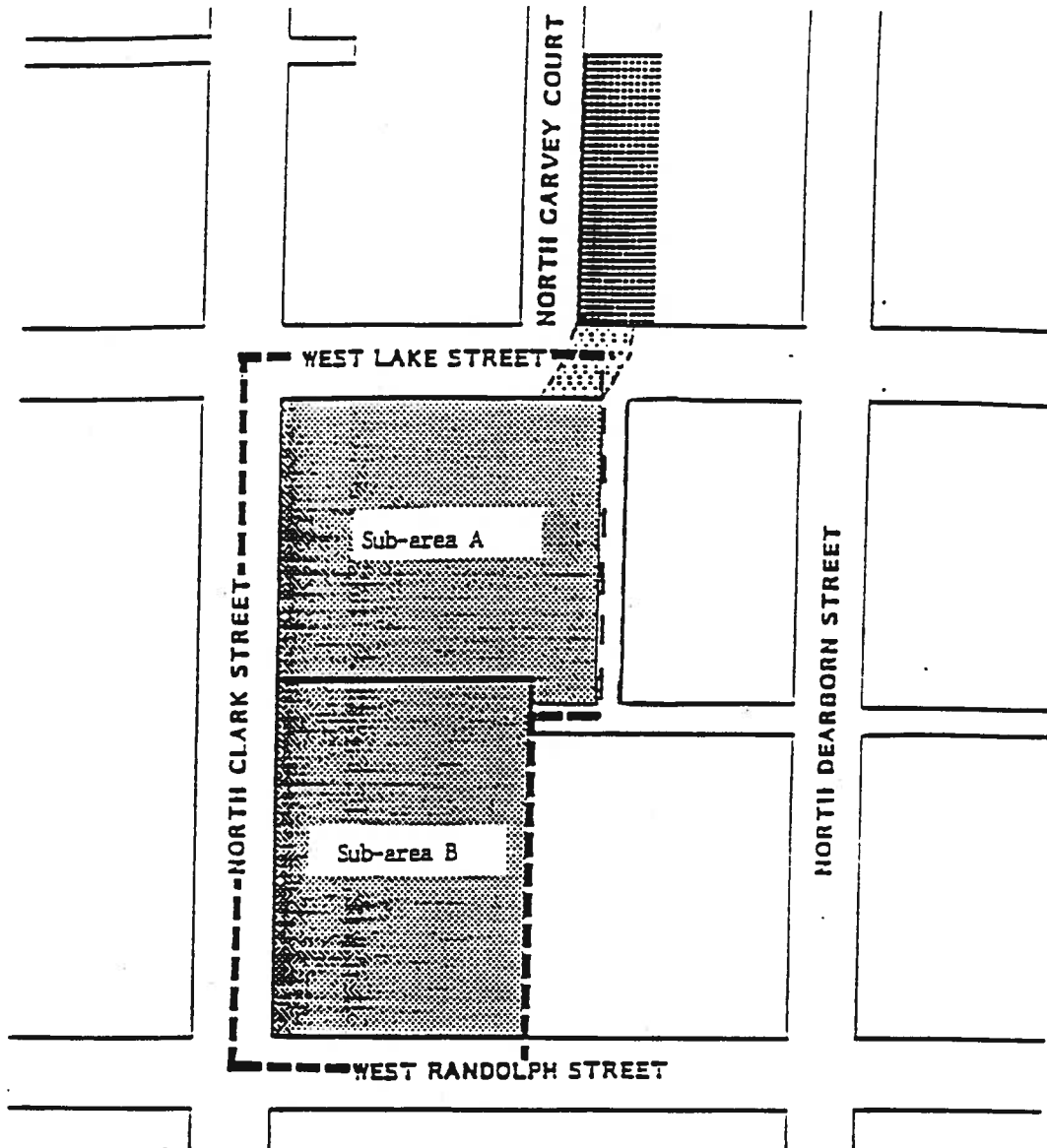
*Plan Of Development Statements.*

1. The area delineated herein as a phased Business Planned Development (the "Planned Development") consists of approximately sixty eight thousand eight hundred fifty-seven (68,857) square feet or one and fifty-eight tenths (1.58) acres or real property. It is bounded by West Lake Street; a line two hundred two and forty-four tenths (202.44) feet next east of and parallel to North Clark Street; a line one hundred eighty-one and seventy-one tenths (181.71) feet south of and parallel to West Lake Street; a line one hundred sixty and ninety-eight tenths (160.98) feet east of and parallel to North Clark Street; West Randolph Street; and

North Clark Street (the "Property"), as shown on the attached "Property Line and Planned Development Boundary Map". The property to which the changes proposed by this amendment pertain, is owned by F.O.P. -- 161 Clark Street Limited Partnership and LaSalle National Trust, N.A., as trustee under Trust Number 115015, the Zoning Control Party under and subject to the terms and conditions of an Amendment to a Development, Operation and Cross-Easement Agreement dated December 15, 1994; the beneficiary of the LaSalle National Trust is 181 North Clark Street Limited Partnership, a Delaware limited partnership, is the applicant for the amendment to Business Planned Development Number 454.




2. This Plan of Development consists of thirteen (13) statements, an existing Zoning Map, a Property Line and Planned Development Boundary Map, a Generalized Land-Use Map, an existing Land-Use Map and a Bulk Regulations and Data Table. The Plan of Development and the North Loop Guidelines are applicable to the area delineated herein and these and no other controls shall apply to the delineated area. This Plan of Development conforms to the intent and purpose of the Chicago Zoning Ordinance, the North Loop Guidelines and the Central Loop Tax Increment Financing Redevelopment Program and Plan and all requirements thereof and satisfies the established criteria for approval as a planned development.
3. The applicant or its successors, assignees, grantees or such other person or entity as may then own or control the subject property shall obtain all required reviews, approvals, licenses and permits in connection with this Planned Development and the North Loop Guidelines and the Central Loop Tax Increment Financing Redevelopment Program and Plan.
4. The uses permitted in the Planned Development shall be those shown as Permitted and Special Uses in the B7-7 General Central Business District Classification. Earth station receiving dishes shall also be permitted. Non-accessory surface parking of private passenger automobiles shall be permitted as an interim use. All new interim uses shall be subject to the review and approval of the Commissioner of Planning and Development. Landscaping and barricades, where required for interim surface parking, shall be subject to the review and approval of the Department of Planning and Development and the Department of Transportation. All other controls and regulations set forth herein apply within the general application of this statement.

Generalized Land-Use Plan.



APPLICANT: 181 North Clark Street  
 Limited Partnership  
 c/o LCOR, Inc.  
 161 N. Clark Street  
 Suite 2240  
 Chicago, Illinois 60602

DATE: March 31, 1998

-  OFFICE, AND RELATED USE
-  SITE ACCESS
-  TUNNEL ACCESS

PLANNED DEVELOPMENT

Said ordinances, as passed, read respectively as follows (the italic heading in each case not being a part of the ordinance):

*Reclassification Of Area Shown On Map No. 1-F  
(As Amended).*

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the B7-7; General Central Business District symbols and indications as shown on Map No. 1-F in the area bounded by

West Lake Street; a line 221.44 feet east of North Clark Street; West Couch Place; a line 160.98 feet east of North Clark Street; West Randolph Street; and North Clark Street,

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

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication and after execution of a redevelopment agreement between the City and Linpro Chicago Land, Limited Partnership.

Plan of Development attached to this ordinance reads as follows:

*Business Planned Development No. 454*

*Plan Of Development*

*Statements.*

1. The area delineated herein as a phased Business Planned Development (the "Planned Development") consists of approximately 69,038 square feet or 1.58 acres of real property. It is bounded on the north generally by West Lake Street; on the east by North Dearborn Street; on the south by West Randolph Street and on the west by North Clark Street (the "Property"), as shown on the attached "Property Line and Planned Development Boundary Map". The property is currently owned by the Linpro Chicago Land, Limited Partnership.

2. This Plan of Development expires 10 years from the effective date of City Council approval unless construction on Phase 1 has substantially commenced. This Plan of Development consists of thirteen (13) Statements: an Existing Zoning Map, a Property Line and Planned Development Boundary Map, a Generalized Land Use Map, and a Table of Use and Bulk Regulations and Related Controls. The Plan of Development and the North Loop Guidelines are applicable to the area delineated herein and these and no other controls shall apply to the delineated area. This Plan of Development conforms to the intent and purpose of the Chicago Zoning Ordinance and North Loop Guidelines and all requirements thereof, and satisfies the established criteria for approval as a planned development.
3. The applicant or its successors, assignees, grantees or such other person or entity as may then own or control the subject property shall obtain all required reviews, approvals, licenses and permits in connection with this Planned Development and the North Loop Guidelines.
4. The uses permitted in the Planned Development shall be those shown as Permitted and Special Uses in the B7-7 General Central Business District Classification. Earth station receiving dishes shall also be permitted. A bus terminal and non-accessory parking of private passenger automobiles shall be permitted as interim uses. All new interim uses shall be subject to the review and approval of the Commissioner of Planning. Landscaping and barricades, where required for interim uses, shall be subject to the review and approval of the Department of Planning and the Bureau of Traffic Engineering and Operations. All other controls and regulations set forth herein apply within the general application of this statement.
5. Any service drive or other ingress or egress for motor vehicles shall be adequately designed and paved in accordance with the now published regulations of the Bureau of Traffic Engineering and Operations and in compliance with the Municipal Code of the City of Chicago.
6. The height restrictions of any building or appurtenance attached thereto shall be subject to:
  - (a) Height limitations as certified on F.A.A. Form 7460-1 or successor forms involving the same subject matter and approved by the Federal Aviation Administration; and
  - (b) Airport zoning regulations now in effect as established by the Departments of Planning, Aviation, and Law, and approved by the City Council.
7. All required off-street parking and loading facilities, except interim uses, will be provided below grade. The applicant shall also make its Garvey Court tunnel under Lake Street available for service vehicles and limited parking access for the remainder of Block 35; provided, however, that all access including a limited

number of automobiles shall be subject to the agreement of the applicant and the adjacent owner concerning access fees, or in the alternative, subject to the determination of an arbitration proceeding conducted by a three person panel consisting of M.A.I. appraisers selected in accordance with the procedures of the American Arbitration Association which shall determine the terms and compensation based upon the value of the parking spaces and loading to the entire adjacent project to be paid to Developer in the absence of such agreements.

8. For purposes of floor area ratio (F.A.R.) calculations, the definitions in the Chicago Zoning Ordinance shall apply, provided, however, the floor area devoted to mechanical uses in excess of 5,000 square feet per floor shall not be included as floor area in the F.A.R. calculations.
9. Business and business identification signs shall be permitted within the Planned Development subject to the review and approval of the Departments of Planning, Zoning and Inspectional Services. If applicable, pursuant to the provisions of Chapter 86, Section 86.1-11 of the Municipal Code, City Council approval shall also be required. Temporary signs, such as construction and marketing signs, may be permitted subject to the approval of the Zoning Administrator.
10. This Business Planned Development shall not be effective until such time as the City and applicant have executed a redevelopment agreement.
11. The applicant and the City agree to participate in certain aspects of the preservation and reutilization program of the North Loop Redevelopment Plan. The applicant shall purchase the land and buildings comprising the Harris and Selwyn Theaters and shall thereafter convey title to the City of Chicago retaining a reversionary interest. The City of Chicago will lease back only the buildings to the applicant for the purpose of entering into a long term sublease at a nominal rental to a not-for-profit theater group. The City of Chicago will exercise its best efforts to accumulate up to \$6 Million Dollars to renovate these Chicago landmarks for theater use. In the event the City is successful in this effort, it will have a major role with the applicant in the selection of the not-for-profit operator. The inability of the City of Chicago to cause this accumulation by December 31, 1989 shall allow the applicant the option of developing a direct program with a not-for-profit theater group. If no not-for-profit theater operator is identified by the applicant or the City of Chicago after seven (7) years from the date of this ordinance, the applicant can exercise its reversion and develop a program with a for profit cultural and/or entertainment activity.

If the applicant cannot complete the acquisition of the theater buildings and land because of some act beyond its control, the applicant shall provide funds in the amount of its offer to purchase for a City of Chicago acquisition fund for the Harris and Selwyn. The funds could be drawn down at such time as the City of Chicago advises the applicant that acquisition monies are due and owing to the Harris and Selwyn owners. The City of Chicago and the applicant will thereafter proceed according to the provisions of paragraph 1 of this Section.

This Section shall be superseded by any redevelopment agreement between the City of Chicago and the applicant containing substantially the same terms upon its approval by the City Council. The City of Chicago and the applicant shall negotiate in good faith toward the preparation of a redevelopment agreement which substantially conforms to the provisions of this ordinance; provided however, the parties must execute a redevelopment agreement no later than September 30, 1988 or such extended date as agreed to in writing by the applicant and the Department of Planning.

12. The following program elements are specifically incorporated in these statements as evidence of compliance with the North Loop Redevelopment Guidelines:
- (a) Upgrade the north one-half of the Couch Place improvement program related to that portion west of North Dearborn Street, including contribution of one-half of the cost of installation of ground surfaces, lighting elements, retail knockout panel like those situated on Block 36 of Couch Place, if feasible, or alternative use or design as approved by the Commissioner of Planning, such costs to be offset by net income from the retail shops, and accessory street elements consistent with the elements generally found in similar high quality public spaces in the community. Such upgrade shall be coordinated with owners of property adjacent to south half of Couch Place. The design of these improvements are subject to the review and approval of the Commissioner of Planning;
  - (b) Construction of a north-south pedestrian arcade at grade level generally located at or near the eastern property line running from Lake Street to Randolph Street to accommodate double-loaded retail shops. The applicant, consistent with the planning objectives of the City of Chicago, will cooperate, without obligation, in efforts toward joint development of said arcade with the adjacent owner. Width of the open aisle shall be not less than 12 feet. An atrium entrance of not less than 1,500 square feet in floor area with opportunities for natural light at the intersection of Couch Place and the arcade shall be provided. Said atrium shall be consistent with the scale of surrounding retail uses and pedestrian corridors and shall provide a sense of arrival appropriate to the pedestrian terminus of Couch Place; however, said atrium shall not encroach into the adjacent tenant lobby space. Public accessibility shall be consistent with custom and practice of other North Loop privately owned pedways and arcades. Completion of the arcade shall be substantially consistent with each of the adjoining phases of office development;
  - (c) The applicant at its sole expense will construct a publicly accessible pedestrian tunnel under Clark Street to join the State of Illinois Center. Public accessibility from Couch Place and the north-south pedestrian arcade shall be consistent with the custom and practices of other North Loop privately owned pedways and arcades. The City of Chicago will waive any fees in connection therewith; and

- (d) Retail opportunities at the property lines will be maximized along Clark, Lake and Randolph Streets.
13. The Plan of Development hereby attached shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Development Amendments" as promulgated by the Commissioner of the Department of Planning and in force on the date of this application.

Planned Development Use and Bulk Regulations and Data attached to this Plan of Development reads as follows:

*Business Planned Development No. 464*

*Planned Development Use And Bulk*

*Regulations And Data.*

Business Planned Development for that certain property located between West Lake Street; a line 221.44 feet east of North Clark Street; West Couch Place; a line 160.98 feet east of North Clark Street; West Randolph Street; and North Clark Street.

Net Site Area: Approximately 69,038 square feet.

General Description of Land Use: Office and retail uses, on-site parking, and such other special uses and permitted uses as are currently included within the B7-7 zoning districts; the operation of earth station receiving dishes, and the operation of a bus station and non-accessory parking of private passenger automobiles as interim uses.

Maximum Floor Area Ratio: 29.69.

Maximum Percentage of Land Coverage: 100%.

Minimum Number of Parking Spaces Required: 200.

Minimum Number of Loading Spaces Required: 8.

Total Maximum Building Area: 2,050,000 square feet (excluding mechanical and below grade floors).

**Gross Site Area Calculations:**

Net Site Area: 69,038 square feet.

Approximate area to remain in Public Right-Of-Way; 35,922 square feet.

Approximate Gross Site Area: 104,960 square feet.

**Setbacks:**

From East Property Line: 15-foot setback above the  $\pm$  50-foot level above grade from Randolph Street to the North line of Couch Place, and 60 foot setback above the  $\pm$  100 foot level above grade from the North line of Couch Place to Lake Street.

[Existing Zoning and Preferential Street Map, Boundary Map and Generalized Land Use Map printed on pages 18063 through 18065 of this Journal.]

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*Reclassification Of Area Shown On Map No. 1-F.*

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the M1-5 Restricted Manufacturing District symbols and indications as shown on Map No. 1-F in area bounded by

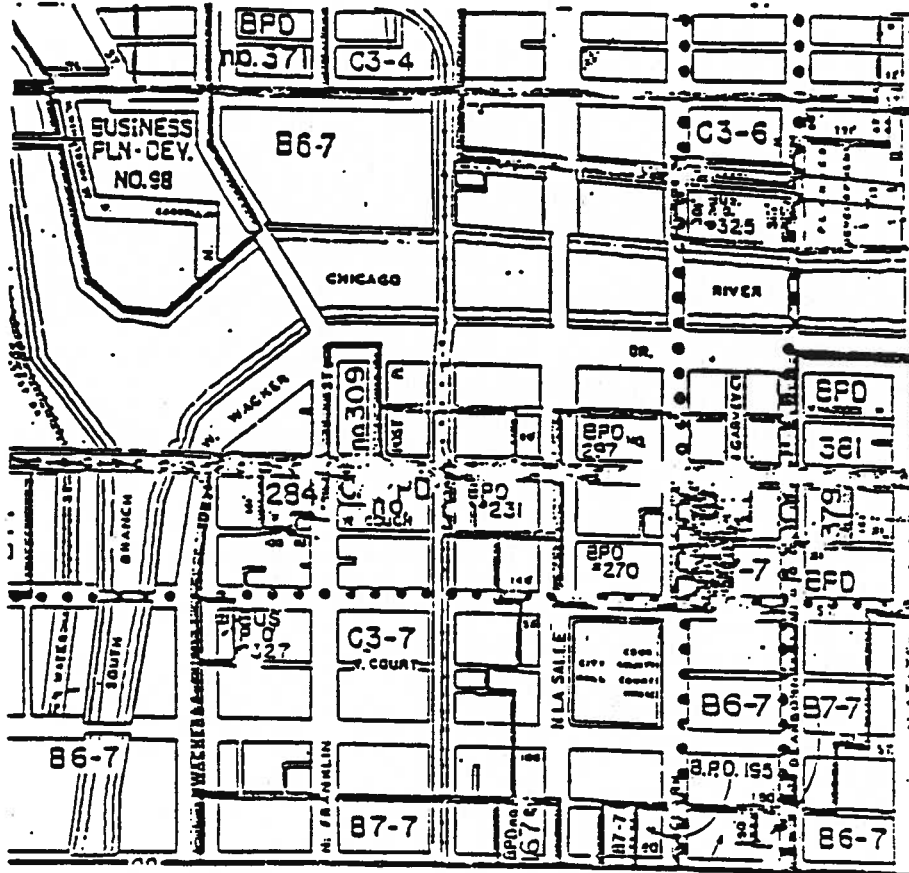
West Erie Street; North Franklin Street; the alley next south of and parallel to West Erie Street; and a line 150 feet west of and approximately parallel to North Franklin Street,

to those of a C2-5 General Commercial District, and a corresponding use district is hereby established in the area above described.

(Continued on page 18066)

BUSINESS PLANNED DEVELOPMENT




EXISTING ZONING AND PREFERENTIAL STREET MAP



APPLICANT: LINPRO CHICAGO LAND  
 LIMITED PARTNERSHIP  
 200 BERWYN PARK, SUITE 300  
 BERWYN PARK, PA 19312

DATE: SEPTEMBER 22, 1987

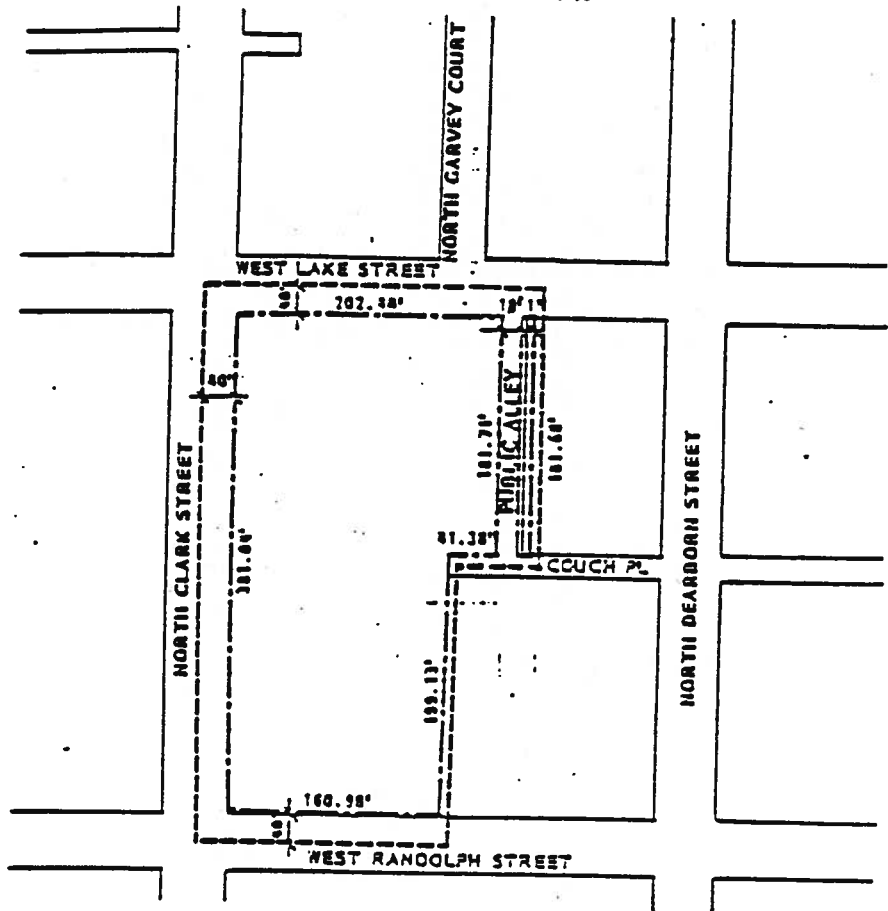
AMENDED: June 3, 1988

-  ZONING DISTRICT
-  PLANNED DEVELOPMENT BOUNDARY
-  PREFERENTIAL STREETS



Page 2 of 3

BUSINESS PLANNED DEVELOPMENT  
BUSINESS PLANNED DEVELOPMENT  
BOUNDARY MAP



APPLICANT: LINPRO CHICAGO LAND  
LIMITED PARTNERSHIP  
200 BERWYN PARK, SUITE 300  
BERWYN PARK, PA 19312

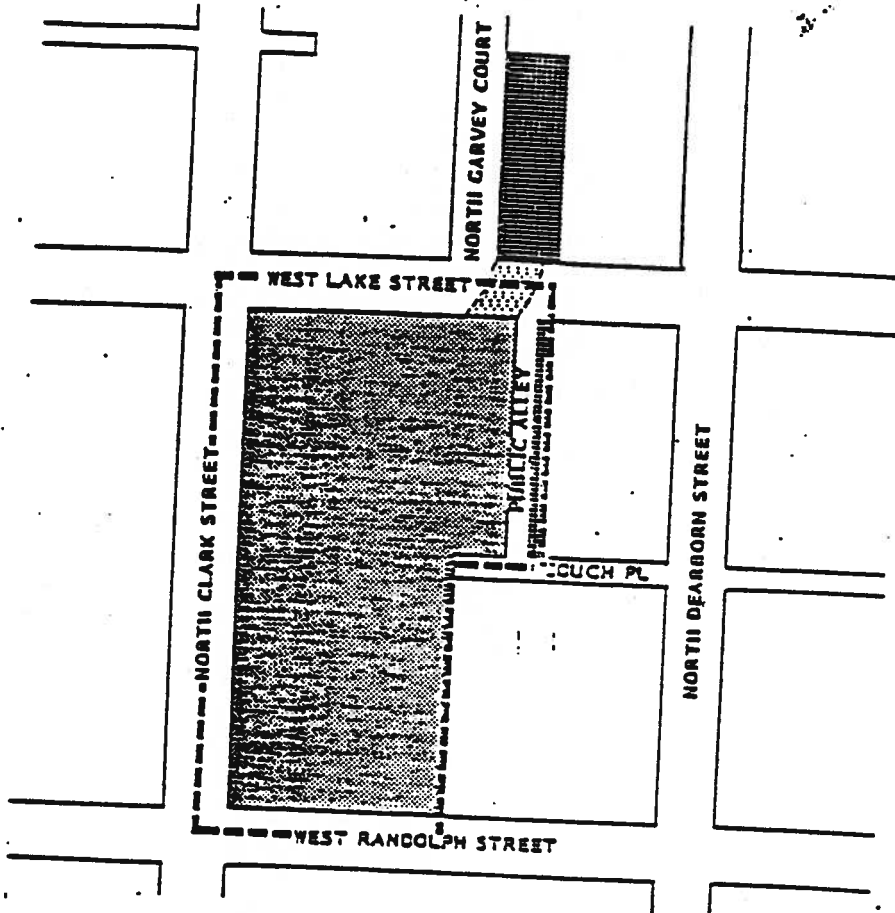
DATE: SEPTEMBER 22, 1987

RECEIVED: June 9, 1988

----- PROPERTY LINE  
----- PLANNED DEVELOPMENT  
BOUNDARY






BUSINESS PLANNED DEVELOPMENT  
GENERALIZED LAND USE PLAN



APPLICANT: LINPRO CHICAGO LAND  
 LIMITED PARTNERSHIP  
 200 BERWYN PARK, SUITE 300  
 BERWYN PARK, PA 19312

DATE: SEPTEMBER 22, 1987

REVISED: June 9, 1988

-  OFFICES, AND RELATED USE
-  SITE ACCESS
-  TUNNEL ACCESS

 PLANNED DEVELOPMENT

(Continued from page 18062)

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

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*Reclassification Of Area Shown On Map No. 1-G.*

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the B4-2 Restricted Service District symbols and indications as shown on Map No. 1-G in area bounded by

a line 42 feet north of and parallel to the north line of the vacated West Race Avenue; a line 61 feet east of and parallel to North Ashland Avenue; a line 52 feet north of and parallel to the north line of the vacated West Race Avenue; the alley next east of and parallel to North Ashland Avenue; the alley next south of and parallel to the vacated West Race Avenue; North Ashland Avenue,

to those of a C2-1 General Commercial District, and a corresponding use district is hereby established in the area above described.

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

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*Reclassification Of Area Shown On Map No. 1-G.*

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the M1-3 Restricted Manufacturing District symbols and indications as shown on Map No. 1-G in area bounded by

West Ancona Street; North Peoria Street; West Erie Street; a line 40 feet west of and parallel to North Peoria Street,