

CHICAGO ZONING ORDINANCE AMENDED TO RECLASSIFY
PARTICULAR AREAS.

On motion of Alderman Natarus, the City Council took up for consideration the report of the Committee on Zoning, deferred and published in the Journal of the Proceedings of March 8, 1989, pages 25584 through 25621, recommending that the City Council pass said proposed ordinances amending the Chicago Zoning Ordinance by reclassifying particular areas.

On motion of Alderman Caldwell, the said proposed ordinances were *Passed* by yeas and nays as follows:

Yeas -- Aldermen Roti, T. Evans, Bloom, Robinson, Beavers, Caldwell, Shaw, Huels, Fary, Burke, Langford, Streeter, Kellam, Sheahan, Jones, Garcia, Soliz, Smith, Davis, Hagopian, Figueroa, Gabinski, Mell, Austin, Kotlarz, Banks, Giles, Cullerton, Laurino, O'Connor, Pucinski, Natarus, Eisendrath, Hansen, Levar, Shiller, Osterman, Orr, Stone -- 39.

Nays -- None.

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

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 B6-7 Restricted Central Business District symbols and indications as shown on Map No. 1-F in the area bounded by

a line 3 feet south of and parallel with the center line of vacated West Carroll Street; a line drawn South 02 degrees, 55 minutes, 40 seconds west, a distance of 3.68 feet from a point which is 64.36 feet east of the east line of North Canal Street; a line 6.68 feet south of and parallel with the center line of vacated West Carroll Street; the North Branch of the Chicago River; the joint right-of-way of the Pittsburg-Fort Wayne and Chicago Railroad Company, the Pittsburg-Cincinnati-Chicago and St. Louis Railroad Company and the Chicago, Milwaukee, St. Paul and Pacific Railroad; the east line of North Canal Street for a distance of 95.05 feet from the intersection of the east line of North Canal Street with the aforesaid joint right-of-way; a line drawn North 90 degrees, 00 minutes, 00 seconds east, a distance of 16.10 feet to a point of curve; a line drawn southeastwardly along the arc of a circle, convex to the northeast, tangent to the last described line and making a radius of 11.00 feet for a distance of 15.94 feet; a line drawn North 07 degrees, 04 minutes, 28 seconds west, to a point on a line which is

Plan Of Development. 471

1. That certain real property (the "Property") which is delineated herein as Residential-Business Planned Development and is subject to the use and bulk restrictions of this Residential-Business Planned Development is owned or controlled by LaSalle National Bank, not personally, but as Trustee under a Trust Agreement known as Trust No. 100819 and dated June 1, 1979 ("LaSalle").

The Property will be held under single ownership or control or under single designated control by LaSalle or by any of its beneficiaries or by the affiliates, successors, assigns or lessees of LaSalle or any of its beneficiaries or their affiliates or nominees.

2. Multi-family dwelling units, other residential uses, business and professional offices, retail uses and all other uses described as permitted and special uses by the B6-7 Zoning District provisions of the current Chicago Zoning Ordinance (Sections 8.3-6(B) and 8.4-6 and associated sections referred to therein), shall be permitted upon the Property (including, without limitation, parking spaces required or voluntarily established to serve the Fulton House Parcel in accordance with Section 7 hereof). The following, without limiting any use heretofore described as permitted, shall also be permitted upon the Property: radio and television towers, earth station receiving dishes and marina and other water-oriented recreational uses.
3. The applicant, its affiliates, successors, assigns or grantees shall obtain all official reviews, approvals and permits necessary to implement the development of the Property.
4. Any dedication or vacation of streets or alleys or easements or any adjustment of rights-of-way necessary to implement development of the Property shall require a separate submittal on behalf of the applicant, its successors, assigns or grantees, and approval by the City Council.
5. The use and development of the Property shall be in accordance with this Plan of Development, which consists of the statements made herein, an existing zoning and preferential street map, a property line map, a generalized land use map, a River Bank Transit Line Easement Map, and the Bulk Regulations Table. These and no other controls shall apply to the Property.
6. Off-street parking and off-street loading upon the Property shall comply with the Bulk Regulations Table.
7. 62 of the total minimum number of off-street parking spaces required by this Planned Development shall be dedicated to fulfill the accessory off-street parking requirements for an existing condominium development (the "Fulton House Parcel") which is located north and adjacent to the Property between North Canal Street and the Chicago River. During the period of construction and development

of the Property, if and to the extent that said 62 parking spaces cannot reasonably be located upon the Property, then during said period the applicant shall provide said 62 parking spaces on other property which is located within 1,000 feet walking distance of the Fulton House Parcel.

8. Any fire lane, service drive or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Streets and Sanitation and in compliance with the Municipal Code of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas.
9. The height of each building located upon the Property and any appurtenances attached thereto shall be subject to:
 - (a) Height limitations as certified on Form FAA-177 (or on successor forms involving the same subject matter) and approved by the Federal Aviation Administration pursuant to Part 77 of the Regulations of the Administrator, Federal Aviation Administration; and
 - (b) Airport Zoning Regulations as established by the Department of Development and Planning, Department of Aviation, and Department of Law and approved by the City Council.
10. Business and business identification signs may be permitted upon the Property subject to the review and approval of the Department of Planning and of the Department of Inspectional Services. Temporary signs, such as construction and marketing signs may be permitted subject to the aforesaid approvals. Signs advertising products or services which products or services are not located upon the Property, shall not be permitted. Signs described by Chapter 86.1, Section 86.1-11 of the Chicago Municipal Code shall require City Council approval in the manner described therein.
11. For purposes of maximum floor area calculations, the definition contained within the current Chicago Zoning Ordinance shall apply; provided, however, that (i) space devoted to mechanical equipment which exceeds 5,000 square feet in any single location shall not be counted as floor area, and (ii) non-accessory parking areas shall not be counted as floor area.
12. This Plan of Development and the development of the Property is and shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Developments" promulgated by the Commissioner of the Department of Planning; provided that the same are published, in effect and generally available at the time of approval of this Residential-Business Planned Development.
13. The applicant, which for the purposes of this Plan of Development shall include successors in interest to the applicant and successors in interest to the aforesaid Trust, shall provide a continuous pedestrian passage within the eight (8) foot wide

building setback from the Property's eastern (Chicago River) boundary, as said setback is identified on the Bulk Regulation Table (the "River Walk"). Construction of any improvements necessary to provide said continuous pedestrian passage shall be substantially complete within one year following issuance of any occupancy certificate for the principal structure upon the Property. Said completion may be delayed and the River Walk may be closed to pedestrian use to the extent and for such period of time as may be necessary or appropriate to accommodate the construction, repair or maintenance of the River Walk or the building or buildings on the Property. The River Walk shall be kept substantially free and clear of obstructions (including, without limitation, cafe tables and chairs) in order to permit reasonably continuous pedestrian passage along the River Walk. The applicant shall permit access by the public to and from the River Walk through the main entrance lobby of the building to be constructed upon the Property; provided, however, that the use and configuration of said entrance lobby shall remain within the control of the applicant and nothing herein shall be construed as authorizing any public use which interferes with the operation and private use of said building.

In addition to the eight-foot wide River Walk setback described above, a setback shall also be provided to create a building arcade which is adjacent and contiguous to the western boundary of said River Walk setback. Said building arcade (i) shall have a minimum clear height of 13.50 feet, (ii) shall be eight feet in depth measured from the western boundary of the River Walk setback, and (iii) shall be unobstructed by permanent structures, other than columns, piers and other building supports.

14. Subject to the following provisions, the applicant shall grant to the City an easement (or cause the grant to the City of an easement) over a portion of the Property, which easement shall benefit the City of Chicago and shall allow for the use of said portion of the Property for the purposes of the development and operation of the proposed River Bank Transit Line and may be subject to such conditions as are reasonable and appropriate. The dimensions of said easement shall not exceed those set forth on the River Bank Transit Line Easement Map attached hereto. Said easement shall be granted within sixty (60) days following the City's written request therefor. Notwithstanding said grant, however, applicant may at any time construct improvements within the aforesaid River Bank Transit Line easement area. Said improvements shall be removed or adjusted by the applicant prior to the construction of the River Bank Transit Line improvements, but only after the City delivers written notice of the expected date of construction. Such removal or adjustment need not occur prior to ninety (90) days following delivery of said written notice. Said easement, if granted, shall expire and, if not granted, the obligation to grant said easement shall terminate, on the eighth anniversary of the approval and passage of this. Planned Development by the Chicago City Council, unless prior to that date, the City Council has, by ordinance properly adopted, committed the City to the design and the construction of the River Bank Transit Line and the City provides appropriate evidence thereof to the applicant.

15. The applicant shall provide an open space located within the building setback from the Property's southern boundary, as said setback is identified on the Bulk Regulation Table. Said open space shall be substantially maintained with ground paving or landscaping materials or any combination of either such material. The applicant shall permit the use of said open space by the public (in addition to applicant's private use thereof). The provision of said ground paving or landscaping materials within said open space shall be substantially complete within one (1) year following issuance of any occupancy certificate for the principal structure upon the Property. Said open space may be closed to public use to the extent and for such period of time as may be necessary or appropriate to accommodate the construction, repair or maintenance of said open space or of the building or buildings located upon the Property. The use, configuration and operation of said open space shall remain within the applicant's control. The applicant's agreement herein to permit the public use of said open space shall not be construed as permitting any public use which interferes with the reasonable operation of the building or buildings upon the Property or of any private use of the Property.
16. The applicant shall provide an open space located within the building setback from the Property's northern boundary, as said setback is identified on the Bulk Regulation Table. Said open space shall be substantially maintained with ground paving or landscaping materials or any combination of either such material. The applicant shall permit the use of said open space by the public (in addition to applicant's private use thereof). The provision of said ground paving or landscaping materials shall be substantially complete within one (1) year following issuance of any occupancy certificate for the principal structure upon the Property. Said open space may be closed to public use to the extent and for such period of time as may be necessary or appropriate to accommodate the construction, repair or maintenance of said open space or of the building or buildings located upon the Property. The use, configuration and operation of said open space shall remain within the applicant's control. The applicant's agreement herein to permit the public use of said open space shall not be construed as permitting any use which interferes with the reasonable operation of the building or buildings upon the Property or of any private use of the Property.

Nothing in this Paragraph 16 shall be construed as prohibiting anywhere within said open space (i) vehicular or pedestrian ingress and egress to and from the Property or to and from any other property or (ii) the installation or maintenance of sidewalks, driveways, curbs, lighting, traffic control devices, informational and directional signs or other materials, structures or appurtenances related to vehicular or pedestrian ingress and egress. Nothing in this Paragraph 16 shall be construed as imposing upon or granting to the applicant, the Property's owner or their successors in interest any obligation, duty, license or liability which may be in conflict with the lawful provisions of any existing agreement, covenant or easement affecting the Property or any other property or in conflict with any other existing obligation of the applicant or the Property's owner. To the extent of any such conflict, the provisions of any such agreement, covenant, easement or other existing obligation shall control. To the extent of applicant's inability to comply with the provisions of this Paragraph 16 due to the compliance with or

enforcement of any such agreement, covenant, easement or other existing obligation or for any other reason in connection with such agreement, covenant, easement or existing obligations, the applicant shall be deemed to have satisfied the provisions of this Paragraph 16.

17. The applicant and the City acknowledge that substantial public benefits may be derived from assuring that developments along the Chicago River are designed and constructed in a manner which reflects a sensitivity to the beauty, amenity, economic potential, recreational value and environmental quality of Chicago's waterways. Accordingly, the applicant has agreed to the following restrictions:

Any structure constructed upon the Property shall be constructed in a manner such that automobiles parked on any parking garage floors within said structure will not be visible from the exterior of the structure. The applicant shall design and construct the exterior, east-facing facade of those walls which enclose parking garage floors and are approximately parallel to the eastern (Chicago River) boundary of the Property in a manner which utilizes architectural elements to articulate the surface and texture of said walls so as to lessen the potential for undesirable impact arising from the appearance of large expanses of windowless portions of walls along the Chicago River. The design of said exterior, east-facing facade shall be subject to the reasonable approval of the City's Commissioner of Planning for the sole purpose of assuring that said potential undesirable impact will be lessened to a reasonable extent considering the factors relevant to the applicant's proposal; said approval shall not be unreasonably withheld. The principal building setback from the eastern (Chicago River) boundary of the Property, as identified on the Bulk Regulation Table, shall not prohibit the projection of architectural details or facade elements from the eastern facade of the structure; provided, however, that said elements shall not project into said setback more than a distance of twelve inches and shall not be located below 13.50 feet above the first floor level.

[Generalized Land Use Map, Property Line Map, Existing Zoning
and Preferential Street Map and River Bank Line
Easement Map printed on pages 26614
through 26617 of this Journal.]

Bulk Regulation Table attached to this Plan of Development reads as follows:

Bulk Regulation Table.

Net Site Area:	30,945 Square Feet*
Permitted Uses:	Multi-family dwellings and other residential uses, business and professional offices, retail uses, other permitted and special uses authorized by the B6-7 provisions of the current Chicago Zoning Ordinance (including, without limitation, parking spaces required or voluntarily established to serve the Fulton House Parcel), radio and television towers, earth station receiving dishes and marina and other water-oriented recreational uses.
Maximum Floor Area Ratio:	12.0**
Maximum Number of Dwelling Units:	357
Maximum Percentage of Building Site Coverage:	70 percent
Minimum Number of Parking Spaces:	216
Minimum Number of Loading Berths:	1
Minimum Setbacks of Principal Building from the:	

* Net Site Area includes that portion of the subject property which is located below certain adjacent air rights which air rights have not been made part of this Planned Development.

** For purposes of maximum Floor Area Ratio calculations, see Statement No. 11 of the Plan of Development Statements.

-- eastern (Chicago River) boundary:	8 feet***
-- western boundary:	None
-- northern boundary:	55 feet 0 inches (measured from that portion of the northern boundary which is 6.68 feet south of and approximately parallel to the center line of vacated West Carroll Street).
-- southern boundary (south line of vacated West Fulton Street):	136 feet 0 inches (measured along a line drawn perpendicular to the south line of vacated West Fulton Street).
Minimum Ground Level Floor Area which is limited to Retail, Restaurant and Business Uses:	6,000 square feet (including mechanical and other uses accessory to said retail, restaurant and business uses).
Maximum Floor Area (excluding ground level uses) which may be devoted to Business and Professional Office Uses:	45,000 square feet (including mechanical and other uses accessory to said business and professional office uses)****
Gross Site Calculations:	
-- net site area:	30,945 square feet
-- approximate area to remain in public right-of-way:	<u>3,802</u> square feet
-- approximate gross site area:	34,747 square feet

*** An additional setback to create a building arcade shall also be provided as described by the second paragraph of Statement No. 13 of the Plan of Development Statements.

**** Said floor area devoted to business and professional office uses (excluding ground level uses) shall be limited to operation within either (i) the top four (4) floors of the building, or (ii) the first three (3) floors of the building located above the parking floors.

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 M2-5 General Manufacturing District symbols and indications as shown on Map No. 1-F in area bounded by

a line 271.85 feet south of West Erie Street as measured along the westerly line of North Kingsbury Street; North Kingsbury Street; a line 453.9 feet south of West Erie Street as measured along the westerly line of North Kingsbury Street; a line from a point 453.9 feet south of West Erie Street as measured along the westerly line of North Kingsbury Street and 142 feet west of North Kingsbury Street, to a point 440.9 feet south of West Erie Street as measured along the westerly line of North Kingsbury Street and 134 feet west of North Kingsbury Street; a line 440.9 feet south of West Erie Street as measured from the westerly line of North Kingsbury Street; the easterly dock line of the North Branch of the Chicago River; and a line from a point 439.15 feet south of West Erie Street as measured along the easterly dock line of the North Branch of the Chicago River, to a point 271.85 feet south of West Erie Street as measured along the westerly line of North Kingsbury Street and 163 feet west of North Kingsbury Street,

to those of a C3-5 General Commercial District and a corresponding use district is hereby established in the area above described.

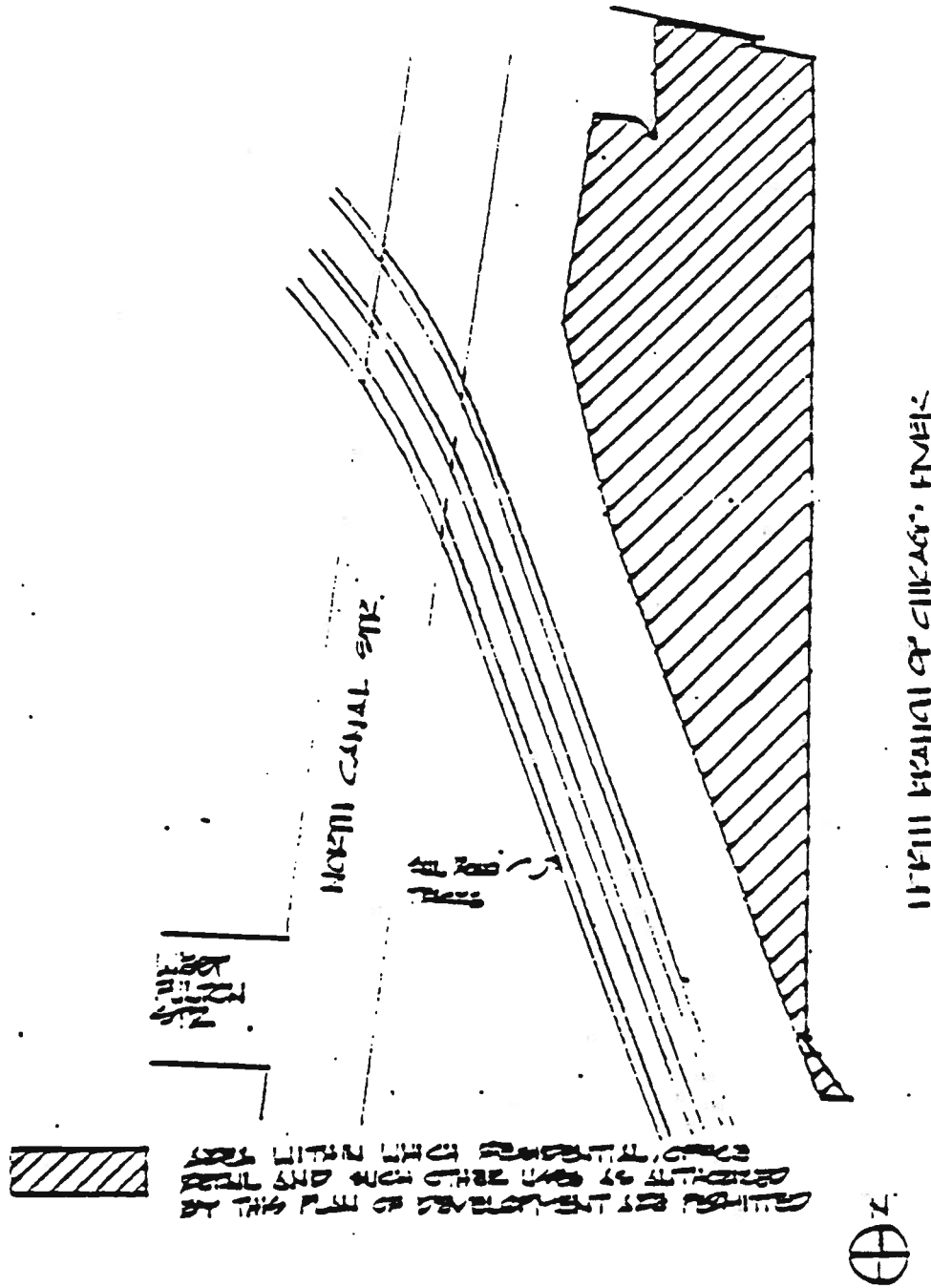
SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

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

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

(Continued on page 26618)

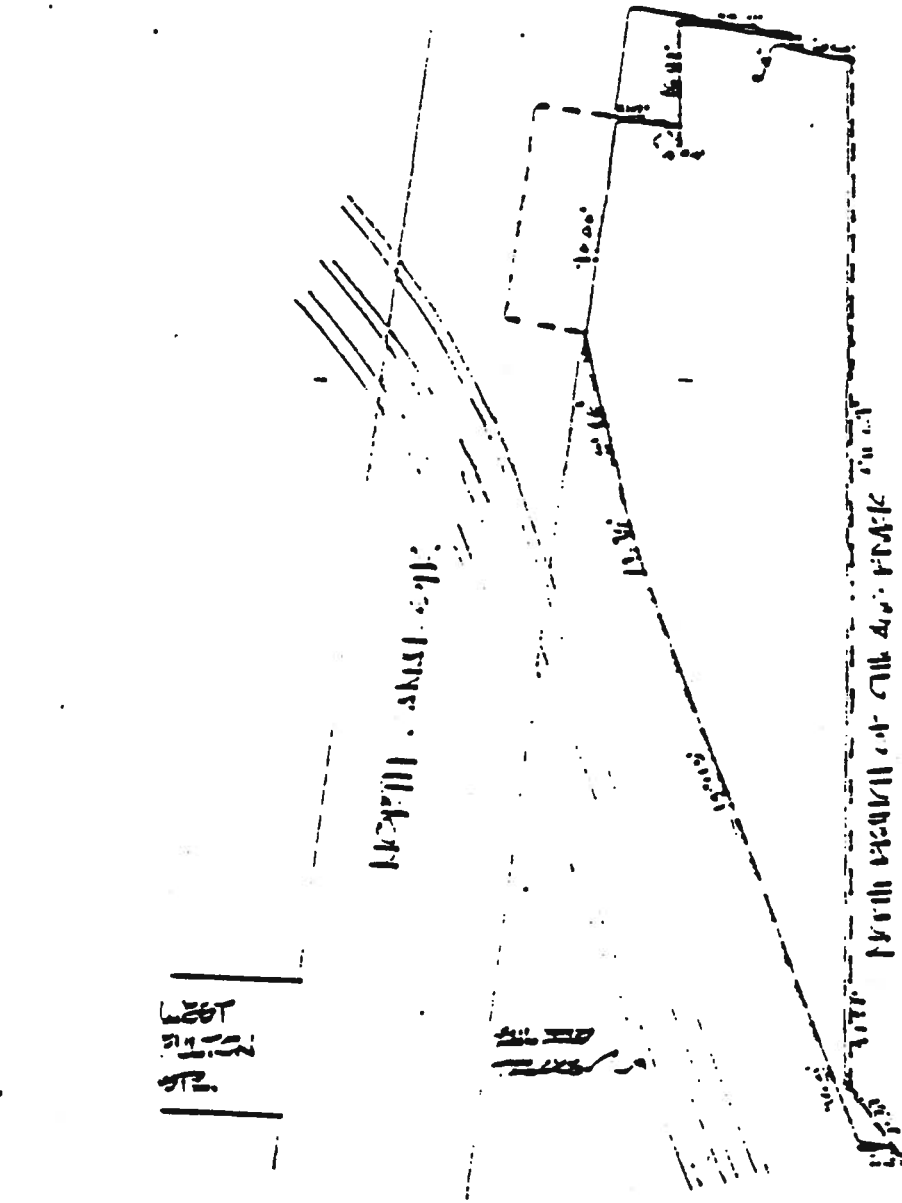
GENERALIZED LAND USE PLAN.



APPLICANT: WOLF POINT DEVELOPMENT CORPORATION
 BY ITS ATTORNEYS, RUDNICK & WOLFE (per Brandon J. Wolfe
 203 NORTH LASALLE STREET and Richard Wolfe)
 CHICAGO, ILLINOIS

DATE: September 10, 1988
 REVISED: February 3, 1989

PROPERTY LINE MAP.



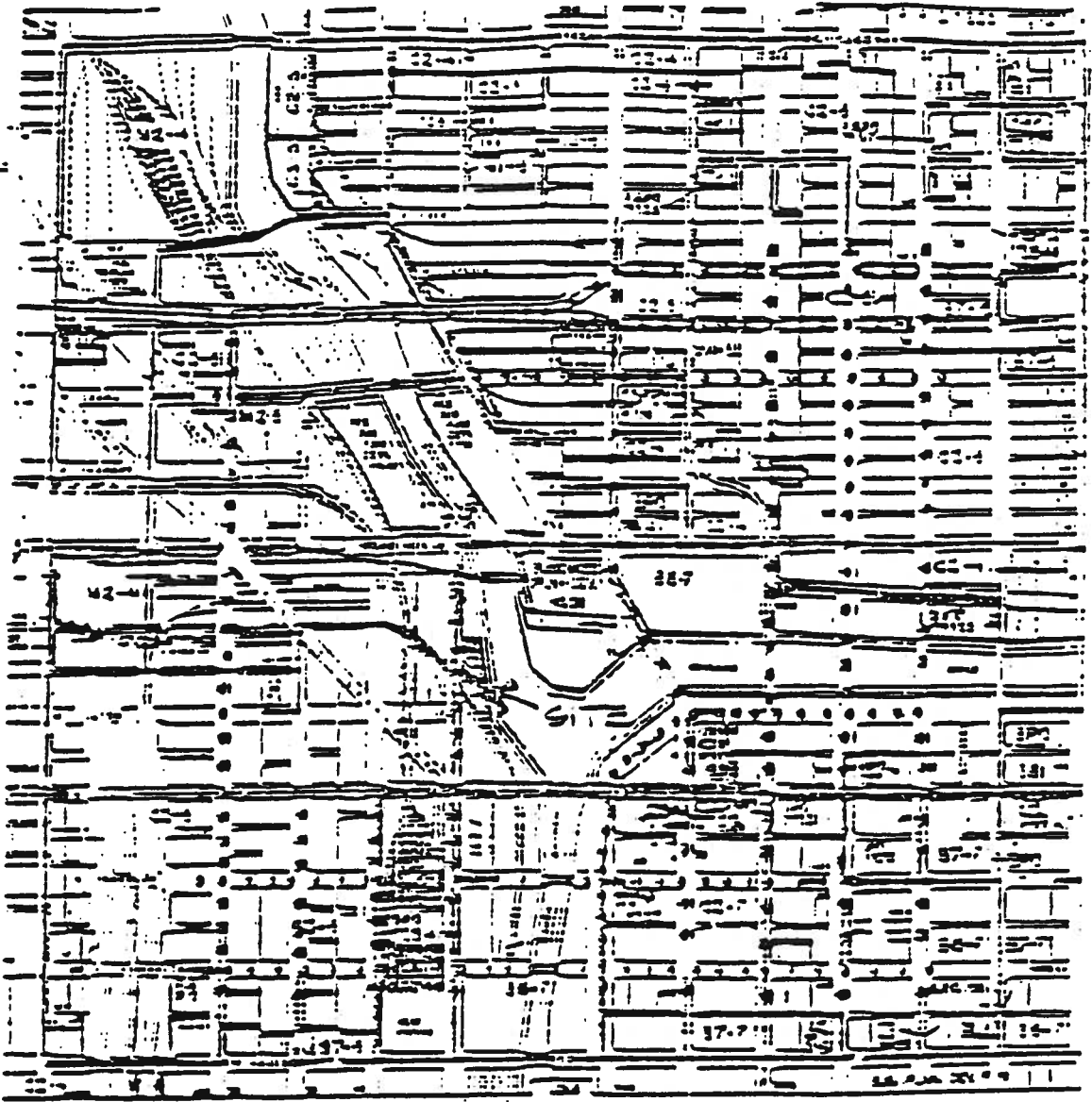
——— PROPERTY LINE
 - - - PLANNED DEVELOPMENT BOUNDARY
 (INCLUDING PART OF WEST SIDE STATION ST.)






APPLICANT: WOLF POINT DEVELOPMENT CORPORATION
 BY ITS ATTORNEYS, RUDNICK & WOLFE AND RICHARD J. WOLF
 201 NORTH LASALLE STREET
 CHICAGO, ILLINOIS

DATE: December 12, 1988
 REVISION: February 1, 1989

EXISTING ZONING AND PREFERENTIAL STREET MAP.

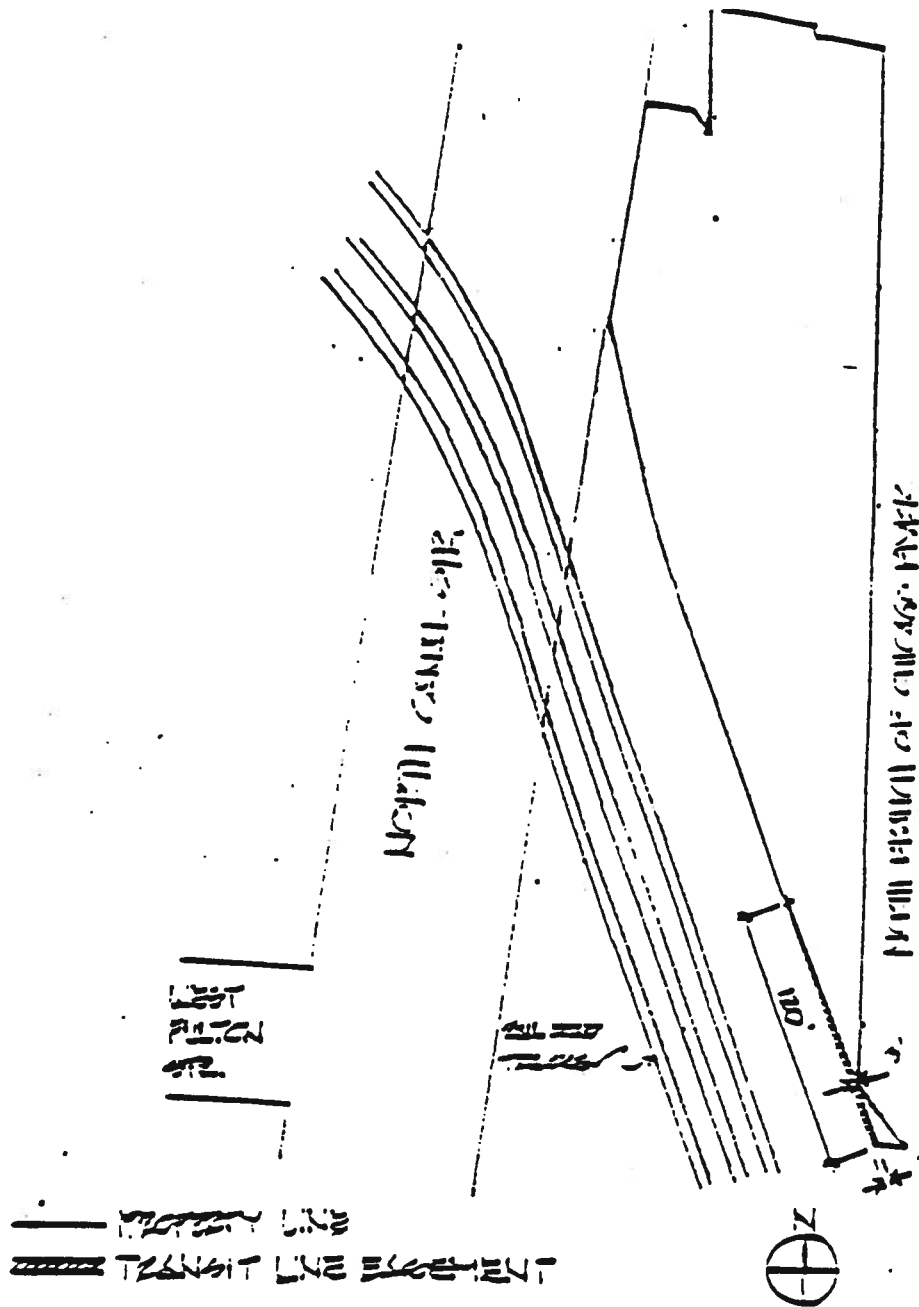


-  PROPERTY
-  ZONING DISTRICT
-  PREFERENTIAL STREETS

APPLICANT: WOLF POINT DEVELOPMENT CORPORATION
 BY ITS ATTORNEYS, RUSHOCK & WOLFE (per Theodore C. Hertz and
 203 NORTH LASALLE STREET Richard Hertz)
 CHICAGO, ILLINOIS

DATE: September 11, 1988
 PREPARED BY: [illegible]

RIVER BANK TRANSIT LINE EASEMENT MAP.



APPLICANT: WOLF POINT DEVELOPMENT CORPORATION
 BY ITS ATTORNEYS, RUDNICK & WOLFE (PER RESOLUTION :
 200 NORTH LA SALLE STREET
 CHICAGO, ILLINOIS
 ROYAL and
 Richard Henry

DATE: September 12, 1988
 Revised: February 9, 1989

(Continued from page 26613)

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 Calhoun Place; a line 121.28 feet east of and parallel to North Franklin Street; West Madison Street; and North Franklin Street,

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

SECTION 2. If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid application or provisions, and to this end each such invalid provision or invalid application of this ordinance is severable. It is hereby declared to be the legislative intent of the City Council that this ordinance would have been adopted had any such unconstitutional or otherwise invalid provision or application not been included.

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

Plan of Development attached to this ordinance reads as follows:

Business Planned Development No. _____

Plan Of Development

Statements.

1. The area delineated herein as Business Planned Development No. _____ (the "Planned Development") consists of approximately 22,226 square feet (.51 acres) of real property bounded by West Calhoun Place; a line 121.28 feet east of and parallel to North Franklin Street; West Madison Street; and North Franklin Street (the "Property"), as identified in the drawing attached hereto entitled