



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

March 22, 2017

Richard F. Klawiter
DLA Piper LLP
203 N. LaSalle St., Suite 1900
Chicago, IL 60601-1293

**Re: Administrative Relief request for Planned Development No. 743
Green roof bonus and FAR reduction for 131 S. Dearborn St.**

Dear Mr. Klawiter:

Please be advised that your request for a minor change to Business Planned Development No. 743 ("PD 743"), has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 and Section 17-4-1007-B of the Chicago Zoning Ordinance and Statement No. 13 of PD 743.

Your client and the owner of all of the property within PD 743, 131 South Dearborn LLC, is seeking administrative relief to allow for a reduction in the maximum permitted floor area ratio ("FAR") from 23.89 to 23.28 pursuant to a reduction in the green roof bonus by 0.61 (from 1.28 to 0.67). This proposed reduction will allow for the development of a rooftop patio for use by building tenants at 131 S. Dearborn St.

The PD was approved in 2000 with a maximum permitted FAR of 23.89 and a net site area of 66,768 square feet ("SF"). Of the total permitted FAR, 1.28 was approved due to the provision of 17,200 SF of green roof on the building, or 5 SF of floor area per square foot of green roof area. Pursuant to the most recent Part II letter issued on February 13, 2001, the building contains 1,552,766 SF of floor area or a FAR of 23.25. As shown on the attached, revised Green Roof Plan, you are proposing to reduce the green roof by 8,128 SF (from 17,200 SF to 9,072 SF) to allow for a rooftop patio. This translates to an FAR reduction of .605 or 40,395 SF of building floor area.

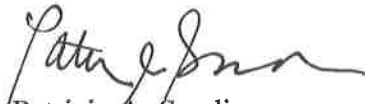
With regard to your request, the Department of Planning and Development has determined that allowing the proposed reduction in the maximum permitted FAR from 23.89 to 23.28 pursuant to a reduction in the green roof bonus from 1.28 to 0.67, will not create an adverse impact on the Planned Development 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. There was no minimum green roof requirement when the PD was passed in 2000 and the building will still maintain a minimum 50% green roof.

Lastly, this reduction will result in 1,593 SF of available floor area remaining. As you are aware, if in the future the applicant wants to add additional floor area, an amendment to PD 743 is required in order to purchase floor area pursuant to the bonus requirements of Section 17-4-1003 of the Chicago Zoning Ordinance.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 743, 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.

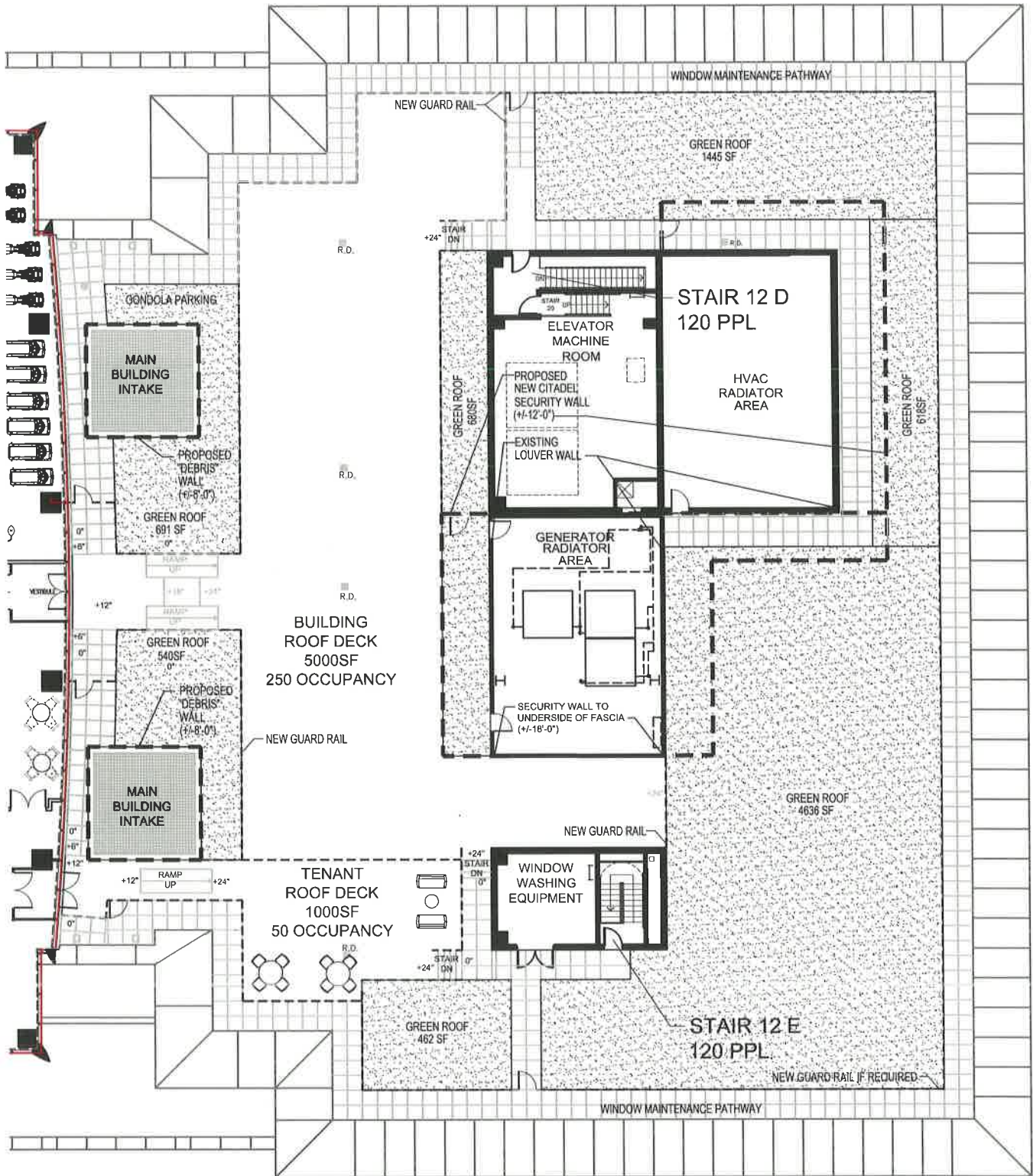
Sincerely,



Patricia A. Scudiero
Zoning Administrator

PAS:PM:tm

C: Mike Marmo, Erik Glass, Main file



TOTAL GREEN ROOF = 9,072 SF



COPY
PD 743

12949

33848

JOURNAL--CITY COUNCIL--CHICAGO

5/17/2000

Application number 12986 failed to meet the committee's approval and was voted "do not pass".

Respectfully submitted,

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

BPD 743

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

Yeas -- Aldermen Granato, Haithcock, Tillman, Preckwinkle, Hairston, Lyle, Beavers, Dixon, Beale, Pope, Balcer, Frias, Olivo, Thomas, Coleman, Peterson, Murphy, Troutman, DeVille, Munoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Suarez, Matlak, Mell, Austin, Colom, Banks, Mitts, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Hansen, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 47.

Nays -- None.

Alderman Beavers 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 the current B6-7 Restricted Central Business District symbols and indications as shown on Map Number 2-F in the area bounded by:

West Marble Place; South State Street; West Adams Street; and South Dearborn Street,

to those of a Business Planned Development which is hereby established in the area described above and subject to such use and bulk regulations as are set forth in the Plan of Development attached hereto and to no others.

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

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

Business Planned Development Number 743

Plan Of Development Statements.

1. The area delineated herein as a Business Planned Development (the "Planned Development") consists of approximately sixty-six thousand seven hundred sixty-eight (66,768) square feet (one and fifty-three hundredths (1.53) acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property") and is owned or controlled by Prime/Beitler Development Company, L.L.C. (the "Applicant").
2. The Applicant shall obtain all necessary official reviews, approvals or permits. Any dedication or vacation of streets, alleys or easements or any adjustment of right-of-way shall require a separate submittal on behalf of the Applicant 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 holders 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 title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control 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) is made or authorized by all landowners of the Property.
4. This Plan of Development consists of seventeen (17) statements; a Bulk Regulations and Data Table; a Public Amenity Table; an Existing Zoning

Map; a Planned Development Boundary and Property Line Map; an Existing Land-Use Map; a Ground Level Plan, a Landscape Plan, a Green Roof Schematic Plan and Building Elevations, which were prepared by DeStefano & Partners, dated April 13, 2000. These and no other zoning controls shall apply to the Property. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a planned development.

5. The uses permitted within the area delineated herein as this Planned Development shall be business and professional offices; retail and service uses including, but not limited to, restaurants which may serve liquor in conjunction with the service of food as the principal activity and may include live entertainment and dancing, taverns, day care centers, banks and financial institutions, and health clubs; roof top antennae, telecommunications and broadcast equipment, structures and installations (subject to appropriate screen reviewed and approved by the Department of Planning and Development); uses permitted in the B6-7 Restricted Central Business District; and accessory uses, including parking.
6. Business identification signs shall be permitted within the Planned Development subject to the review and approval of the Department of Planning and Development. The Department shall review the design, materials, size, illumination level and location of proposed signs to ensure their compatibility with the building design and with the neighborhood character prior to the issuance of Part II approval for said signs. The Department encourages signs with individually lit or back-lit letters, logos or other three-dimensional effects and strongly discourages box-signs and painted or applied murals. Electronic message boards are prohibited. Retail tenant identification signs shall be located along a sign band within the first (1st) level of the building adjacent to the floor area occupied by the tenant, unless (i) the tenant is located solely in below grade space, then such signage can be located within the first (1st) floor level sign band; or (ii) the tenant is located solely in second (2nd) floor space, then such signage may be located adjacent to that tenant's space. Temporary signs, such as construction and marketing signs shall be permitted subject to the review and approval of the Department of Planning and Development. No advertising signs as defined in the Chicago Zoning Ordinance shall be permitted.
7. Off-street parking shall be provided in compliance with this Planned Development subject to the review and approval of the Departments of Transportation and Planning and Development.

8. Any service drive 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 paved areas. Ingress and egress shall be subject to the review and approval of the Departments of Transportation and Planning and Development.
9. In addition to the maximum heights of the buildings and any appurtenance attached thereto prescribed in this Planned Development, the height of any improvements shall also be subject to height limitations as approved by the Federal Aviation Administration.
10. The improvements on the Property, the landscaping along adjacent rights-of-way and all entrances and exits to and from the parking and loading areas, shall be designed, constructed and maintained in substantial conformance with the Landscape/Site Plan and Building Elevations.
11. The permitted F.A.R. identified in the Bulk Regulation and Data Table has been determined using a base F.A.R. of sixteen and zero-tenths (16.0) and additional F.A.R. for a series of proposed public amenities, as follows:
 - a) parking spaces that are fully underground and whose entrances and exits are consistent in design with the rest of the street elevation;
 - b) ground and second (2nd) floor retail space facing street frontages with entrances from the public sidewalk and clear glazing as per exhibits;
 - c) building setbacks above the ground floor as per exhibits;
 - d) a planted area (including walkways for maintenance) on the roof of the eleven (11) story portion of the building facing State Street, as per exhibits, to be reviewed during the Site Plan review process;
 - e) an arcade which is open and accessible to the public at all hours on Dearborn Street and designed per the attached exhibits; and
 - f) streetscape improvements, consisting of installation and maintenance on the public right-of-way adjacent to the proposed development of landscaping in excess of that required under the Chicago Landscape Ordinance, installation on the right-of-way of

district appropriate street lights, and a payment to the City of Chicago toward the installation by the City of landscaping and/or district appropriate street lights along the public right-of-way within the vicinity of the project.

The F.A.R. value based on the current design of the improvements and the ratio at which these values were determined are identified in the Public Amenity Table exhibit. With the submittal of its request for a determination pursuant to Section 11.11-3(b) of the Chicago Zoning Ordinance ("Part II Approval") for construction of the building contemplated by this Planned Development, the Applicant shall submit a statement and supporting documentation indicating the actual requested and attainable F.A.R. based on the Public Amenity Table. An amenity or a combination of amenities may be decreased if less than the maximum F.A.R. is requested at the time of Part II approval, so long as the requested F.A.R. is attainable based on the formulas in the Public Amenity Table. The Department may permit the provision of a lesser amount of one (1) amenity as long as another amenity is increased in size, the requested F.A.R. is attainable based on the formulas, and the character of the development is maintained. In no event shall the F.A.R. exceed that stated in the Bulk Regulations and Data Table. The public amenities which form the basis of the F.A.R. approved during the Part II approval process shall be constructed within six (6) months of the issuance of the certificate of occupancy for the building, with the exception of the cash payment to the City for landscaping and/or district appropriate street lights, which shall be paid at the time of Part II approval.

12. For purposes of Floor Area Ratio (F.A.R.) calculations, the definitions in the Chicago Zoning Ordinance shall apply; provided, however, that floor area for these purposes shall not include (i) floor area devoted to mechanical equipment in excess of five thousand (5,000) square feet in any single location, regardless of placement in the building, and (ii) floor area devoted to accessory off-street parking.
13. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department of Planning and Development upon the request of the Applicant and after a determination by the Commissioner that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated herein and will not result in increasing the maximum floor area ratio for the total net site area established in this Planned Development. Any such modification shall be deemed a minor change in the Planned Development as contemplated by Section 11.11-3(c)

of the Chicago Zoning Ordinance.

14. 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 the most current energy efficiency standards published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers and the Illuminating Engineering Society.
15. 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 on the Property.
16. Unless substantial construction of the improvements contemplated by this Planned Development has commenced within six (6) years of the date of City Council approval of this Planned Development Ordinance, then the zoning of the Property shall automatically revert to the underlying B6-7 Restricted Central Business District.
17. The Applicant and the City of Chicago have met to discuss proposed plans for additional rail service which may make it advantageous to construct passenger and parcel connections between the Red Line on State Street and the Blue Line on Dearborn Street through the lower level of the development contemplated by this Planned Development. The Applicant shall make reasonable efforts to anticipate these needs and not design the building to preclude the contemplated connections, provided that such design modifications or review can occur during the proposed construction schedule. The Applicant shall not be required to assume financial responsibility for any increases in costs resulting from such modifications or review.

[Existing Zoning Map; Planned Development Boundary and Property Line Map; Existing Land-Use Map; Ground Level Plan; Landscape Plan; Green Roof Schematic Plan; and Building Elevation Drawings referred to in these Plan of Development Statements printed on pages 33856 through 33864 of this Journal.]

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

Business Planned Development Number 743.

Plan Of Development

Bulk Regulations And Data Table.

Gross Site Area, 102,600 square feet (2.35 acres) equals Net Site Area, 66,768 square feet (1.53 acres) plus Area Remaining in Public Right-of-Way, 35,832 square feet (0.82 acres).

Maximum Permitted Floor Area Ratio:

23.89 (subject to the following F.A.R. amenity Table and Statement 11).

Minimum Setbacks:

In accordance with the Landscape/Site Plan.

Maximum Site Coverage:

In accordance with Landscape/Site Plan.

Minimum Number of Off-Street Parking Spaces:

200.

5/17/2000

REPORTS OF COMMITTEES

33855

Minimum Number of Off-
Street Loading Spaces:

7.

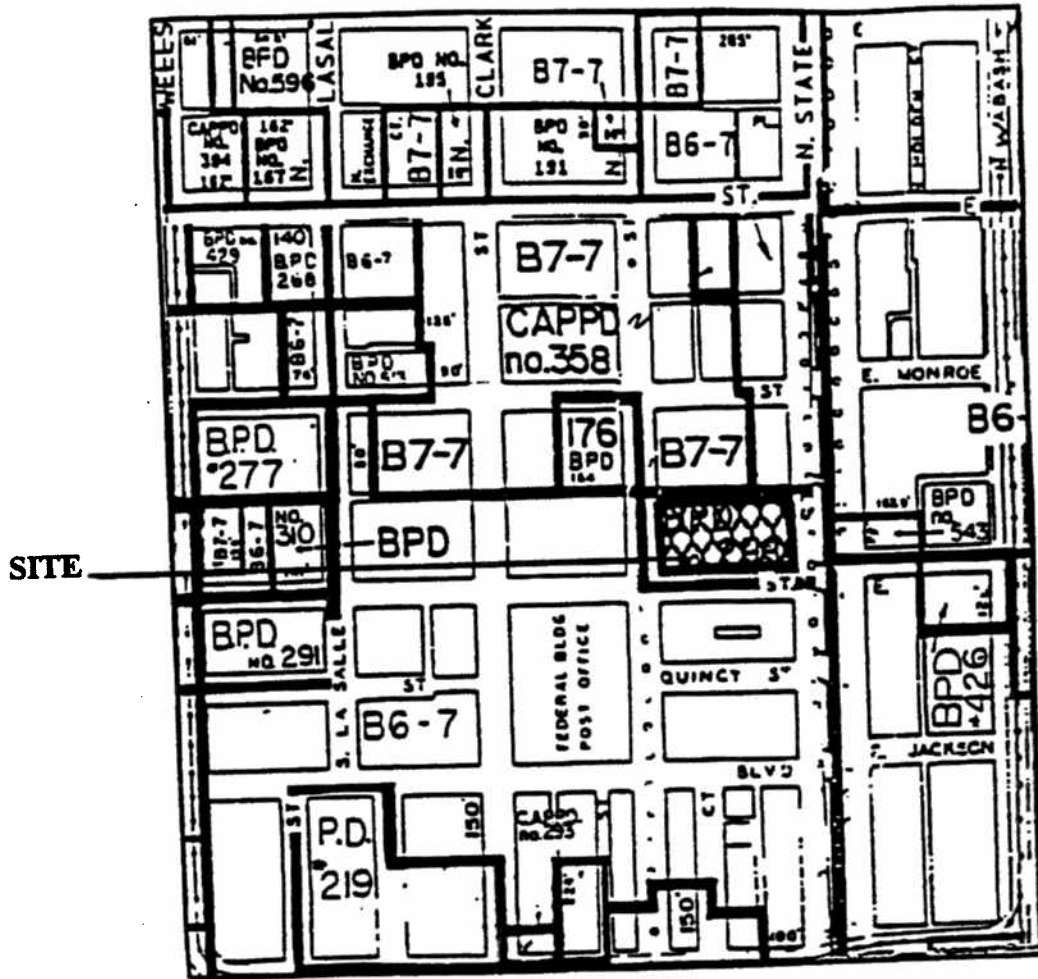
Maximum Building Height:

In accordance with the Building Elevations.

Public Amenity Table.

Public Amenity	Total Value (Based On Current Design)	Ratio
Underground parking (210 spaces)	1.89	600 square feet of floor area per space.
Street level and mezzanine retail (63,138 square feet)	1.42	1.5 square feet of floor area of retail.
Upper Level Setbacks	1.05	0.2 x setback area/Net Site Area.
Roof Top Greening (17,200 square feet)	1.28	5 square feet of floor area per square foot of green area.
Streetscape Improvements (\$1,000,000)	1.25	1 square foot of floor area per \$12.00 of expenditures on qualifying items.
Dearborn Street Arcade	1.0	At 1.0 per street frontage/ block face.
TOTAL:	7.89	

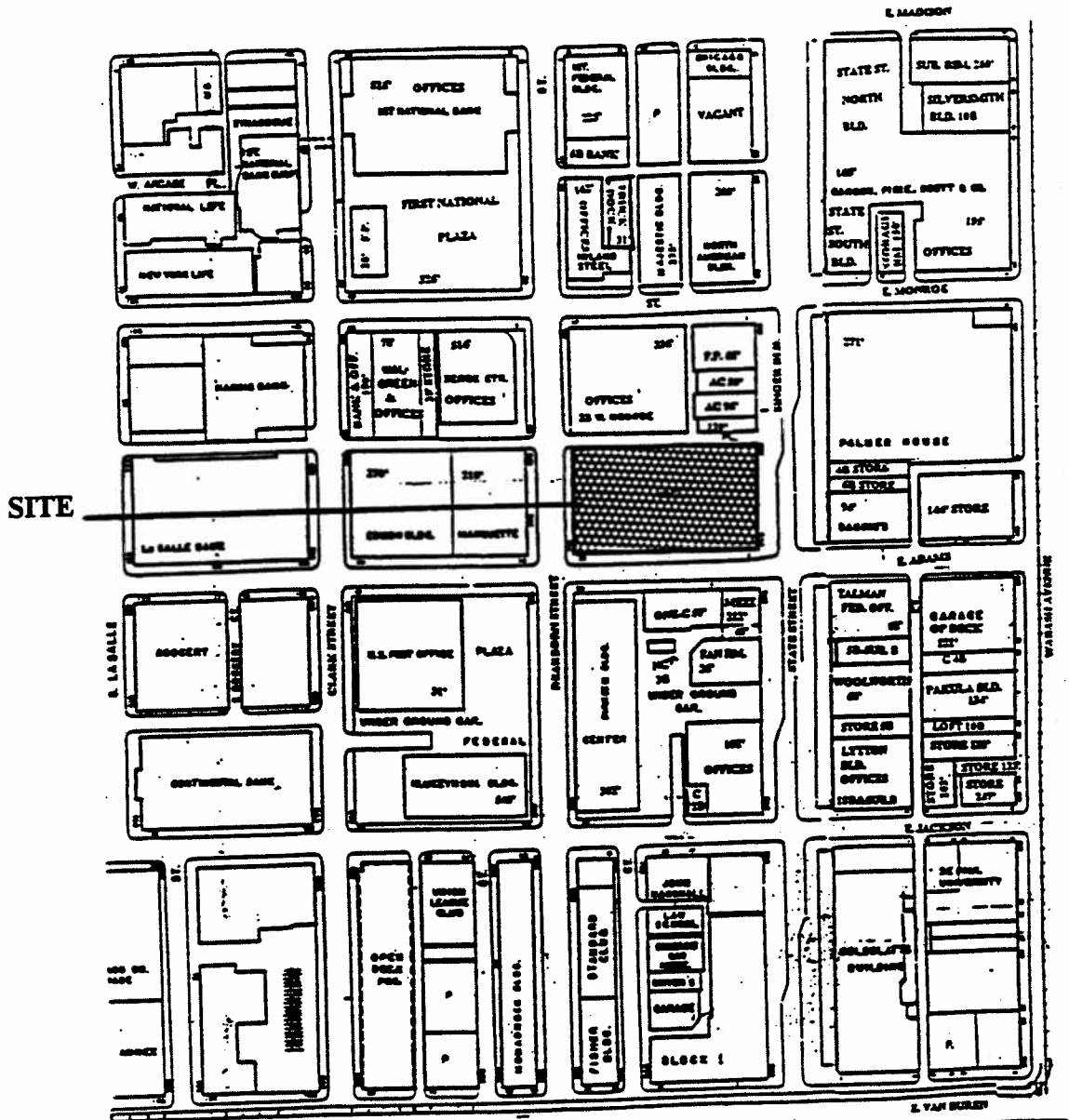
Existing Zoning Map.



SUBJECT PROPERTY



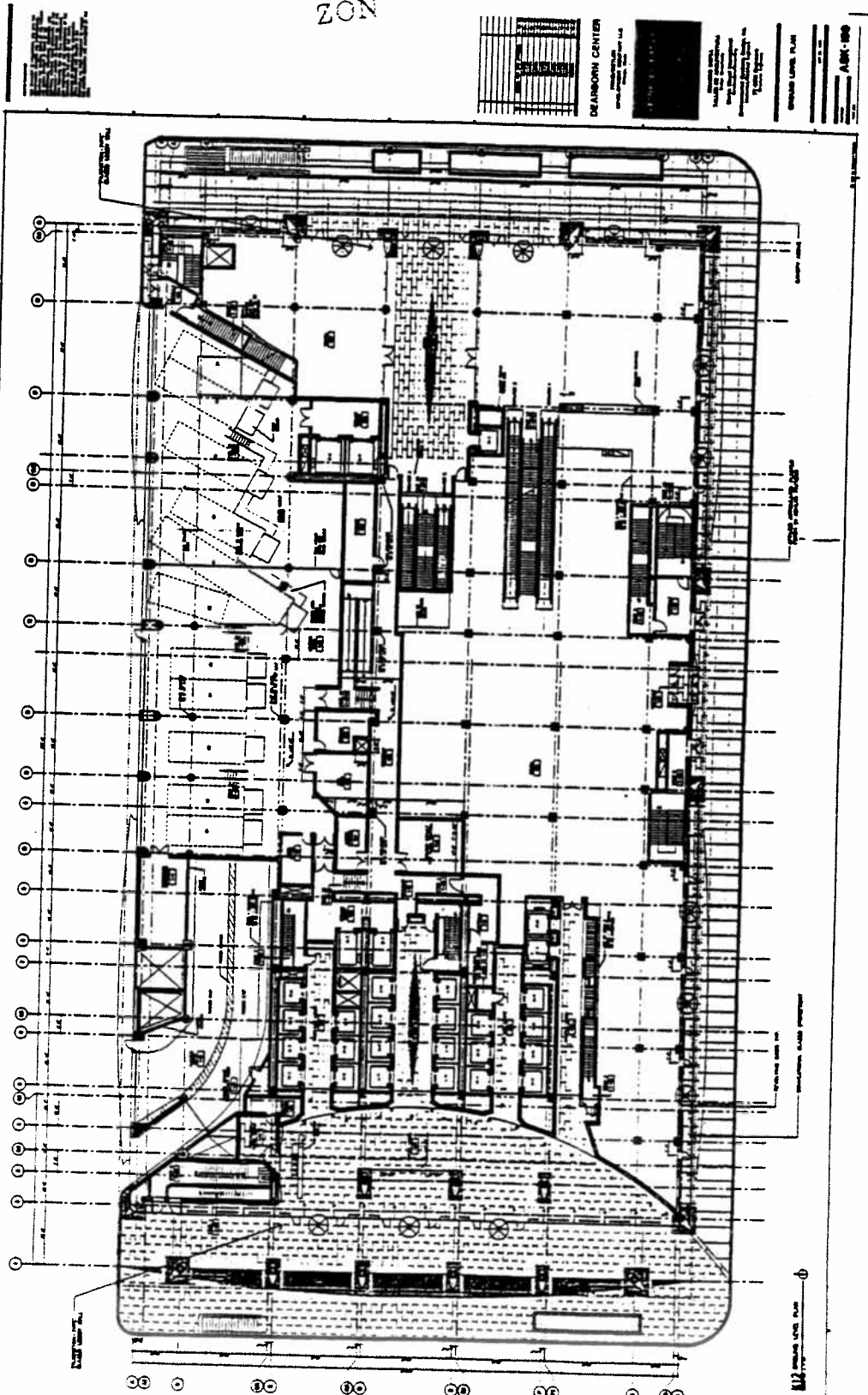
Existing Land-Use Map.



SUBJECT PROPERTY



ZON



DEARBORN CENTER
 ARCHITECT: [Redacted]
 ENGINEER: [Redacted]
 DATE: [Redacted]

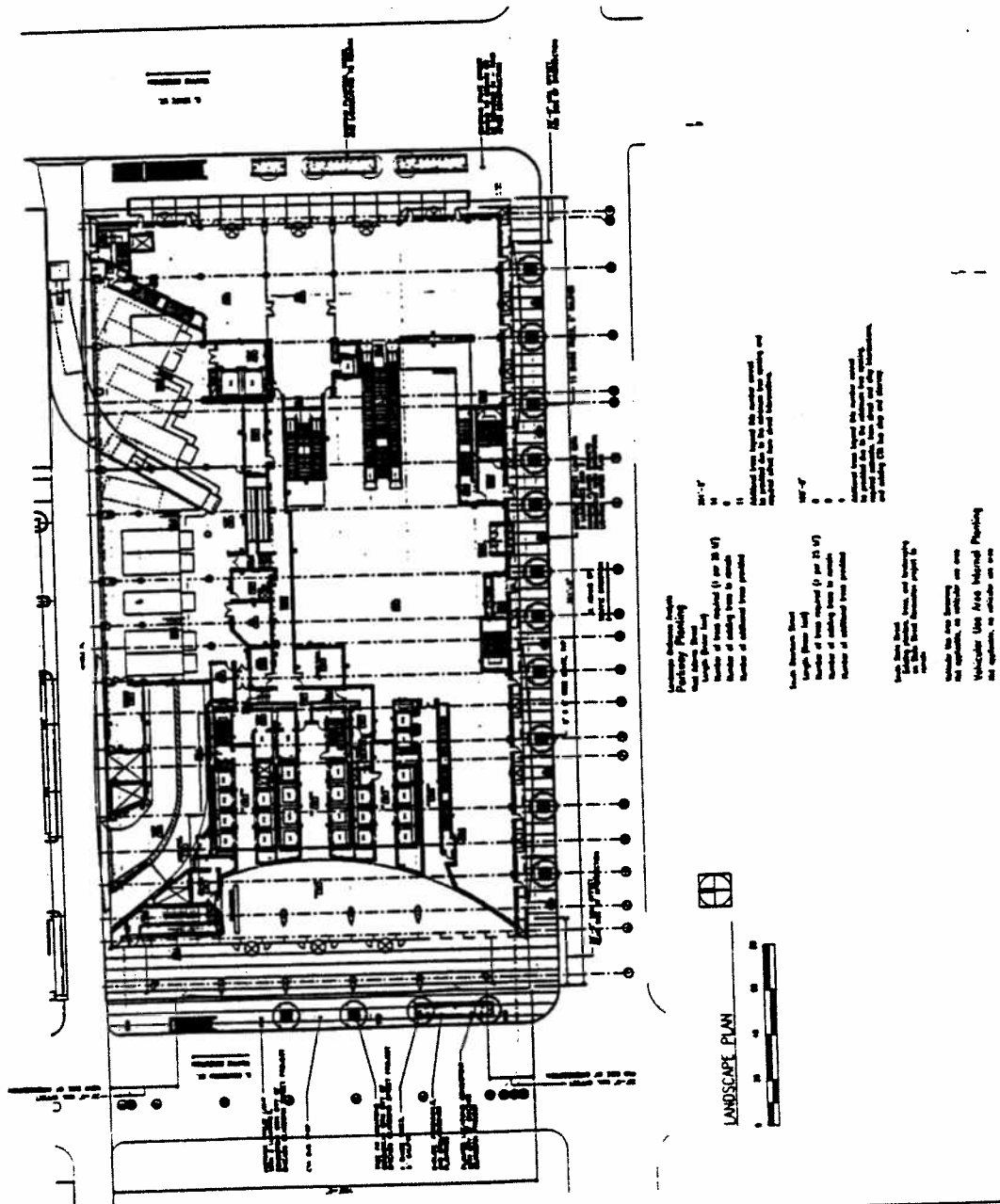
REVISED LAYOUT PLAN

ASB-100

APPLICANT: PRIME/BEITLER DEVELOPMENT COMPANY L.L.C.
 81 WEST MADISON STREET
 SUITE 2000
 CHICAGO, ILLINOIS 60602

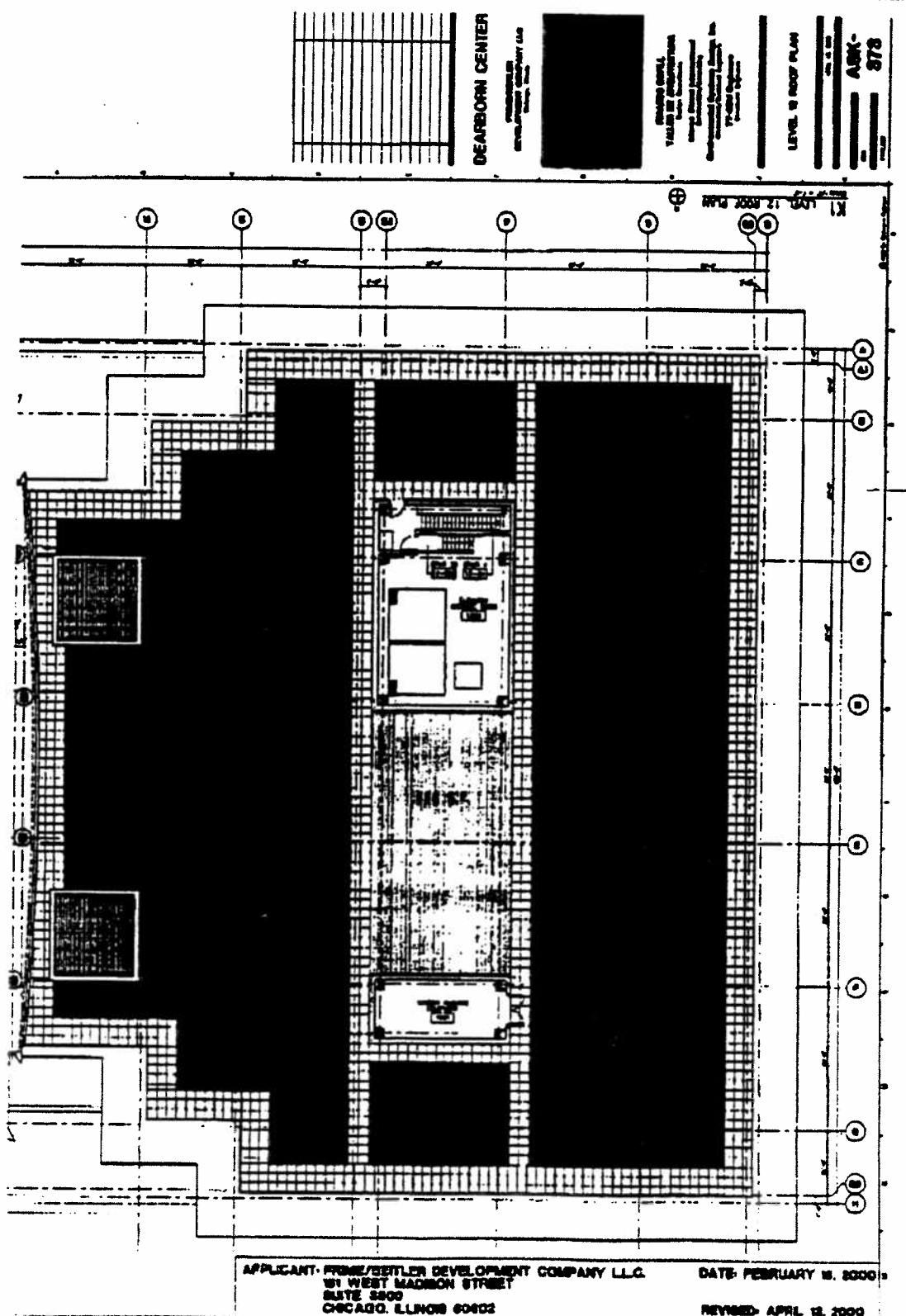
DATE: FEBRUARY 14, 2000

Landscape Plan.

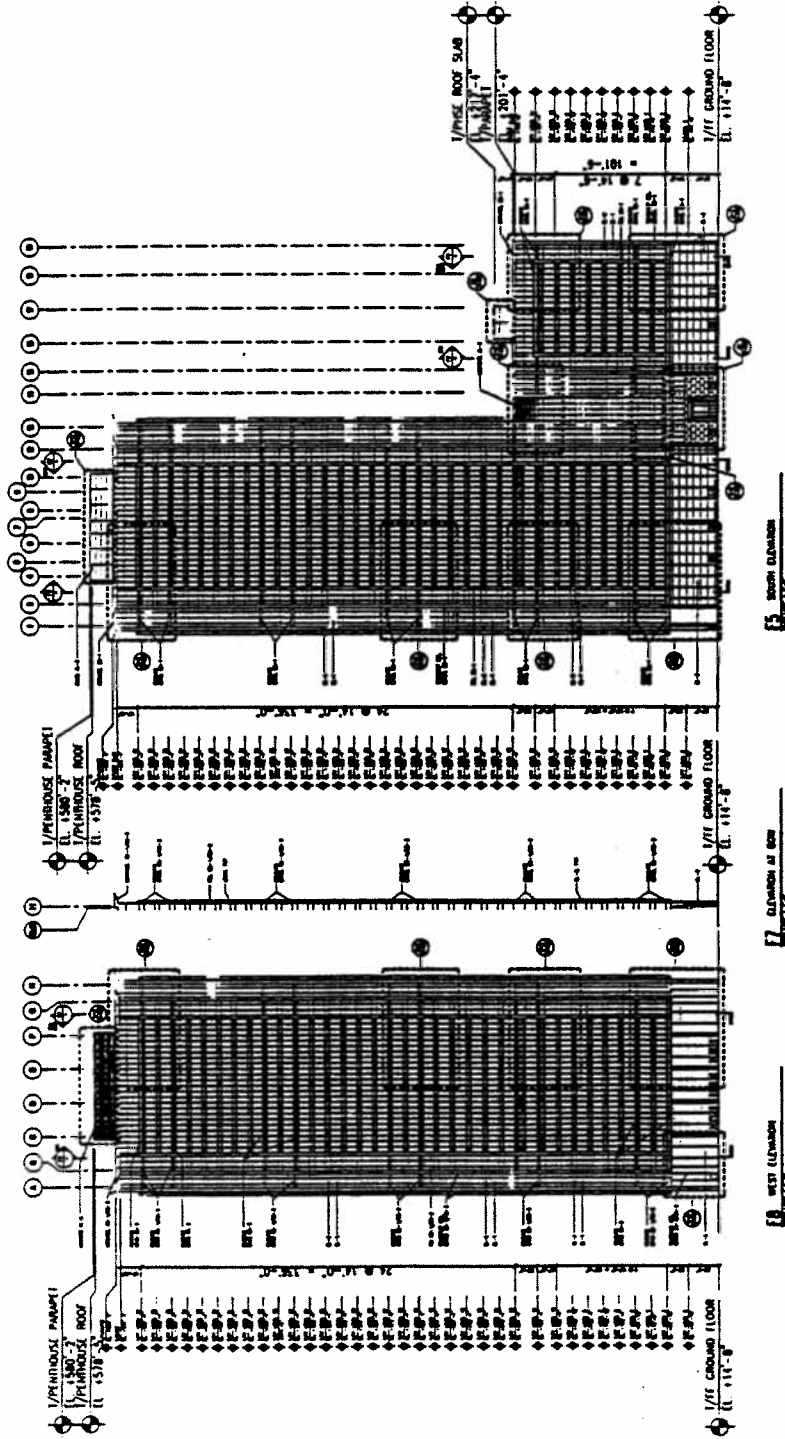


APPLICANT: PRIME/BEITLER DEVELOPMENT COMPANY L.L.C. DATE: FEBRUARY 18, 2000
 121 WEST MADISON STREET
 SUITE 3000
 CHICAGO, ILLINOIS 60602 REVISED: APRIL 13, 2000

Green Roof Schematic Plan.

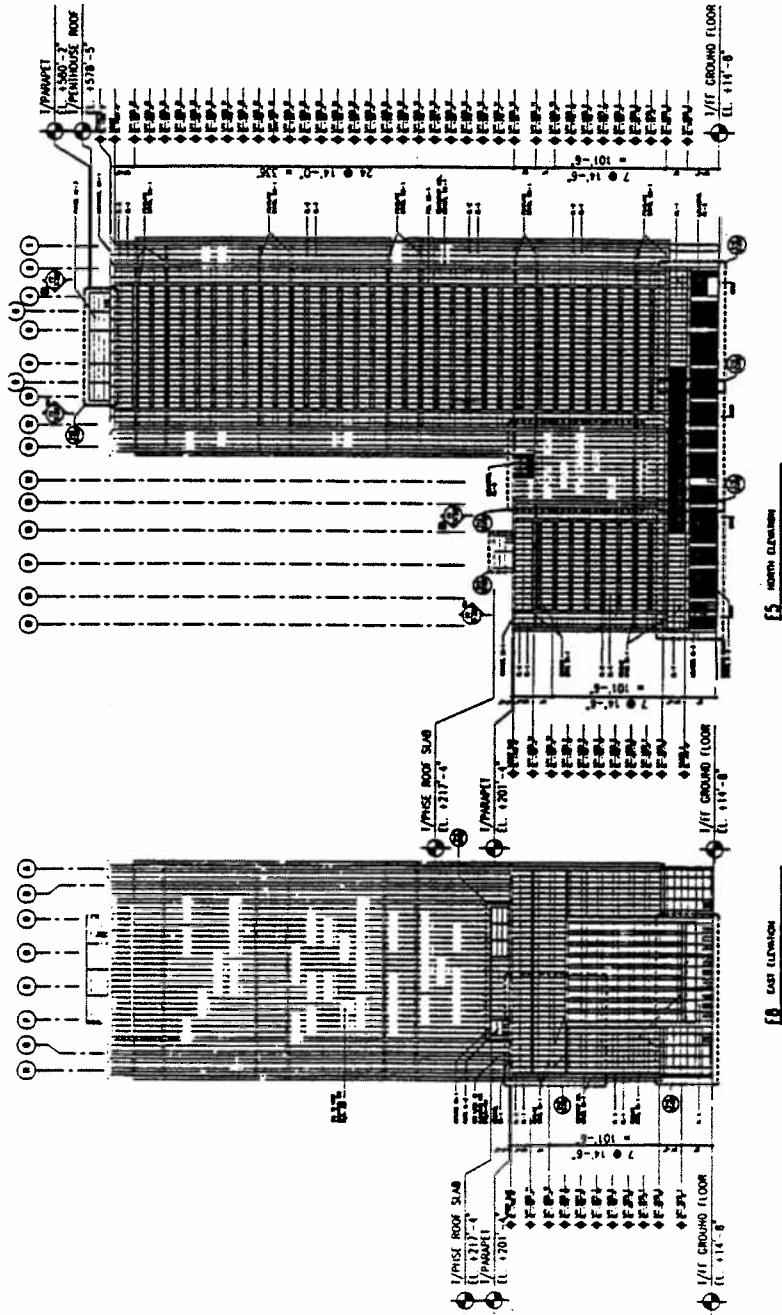


Building Elevation.
(Page 1 of 3)

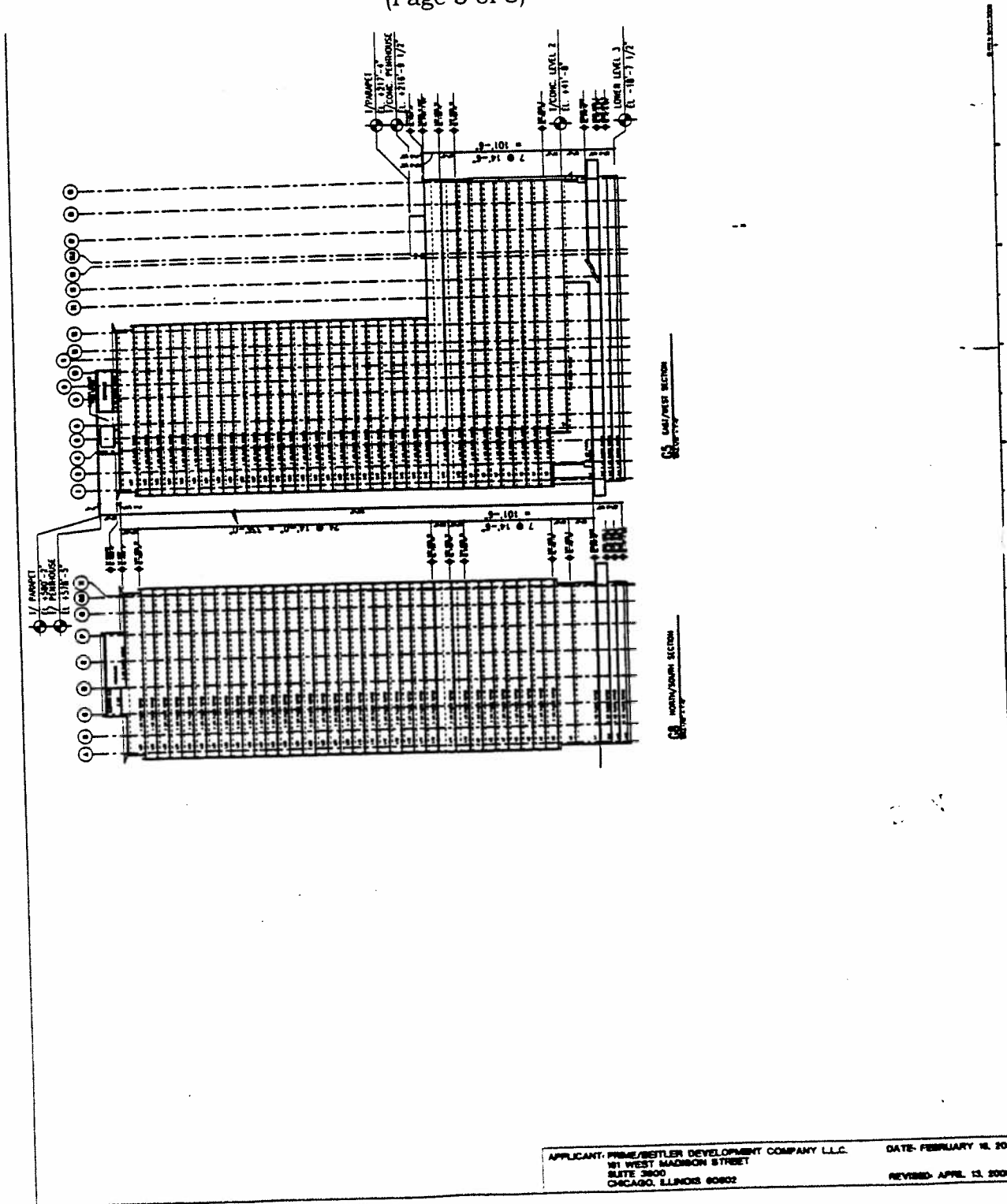


APPLICANT: PRIME/BETTLER DEVELOPMENT COMPANY L.L.C. DATE: FEBRUARY 18,
 81 WEST MADISON STREET
 SUITE 2800
 CHICAGO, ILLINOIS 60602 REVISED: APRIL 13, 2000

Building Elevation.
(Page 2 of 3)



Building Elevation.
(Page 3 of 3)



APPLICANT: PRIME/BETLER DEVELOPMENT COMPANY L.L.C. DATE: FEBRUARY 18, 2000
181 WEST MADISON STREET
SUITE 2800
CHICAGO, ILLINOIS 60602
REVISED: APRIL 13, 2000

12949

Application number 12986 failed to meet the committee's approval and was voted "do not pass".

Respectfully submitted,

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

BPD 743

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

Yeas -- Aldermen Granato, Haithcock, Tillman, Preckwinkle, Hairston, Lyle, Beavers, Dixon, Beale, Pope, Balcer, Frias, Olivo, Thomas, Coleman, Peterson, Murphy, Troutman, DeVille, Munoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Suarez, Matlak, Mell, Austin, Colom, Banks, Mitts, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Hansen, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 47.

Nays -- None.

Alderman Beavers 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 the current B6-7 Restricted Central Business District symbols and indications as shown on Map Number 2-F in the area bounded by:

West Marble Place; South State Street; West Adams Street; and South Dearborn Street,

to those of a Business Planned Development which is hereby established in the area described above and subject to such use and bulk regulations as are set forth in the Plan of Development attached hereto and to no others.

Be It Further Resolved, That the granting of this exception shall run only with the applicant, Chase Tavern, Inc., doing business as Gallagher Grill & Tavern, Sean J. Conlon, President, as licensee, and that a change of license shall terminate the exception granted herein; and

Be It Further Resolved, That the tavern in the subject building is, and shall continue to be, subject to all applicable provisions of Article 6 of the Zoning Ordinance.

AMENDMENT OF TITLE 17 OF MUNICIPAL CODE OF CHICAGO
(CHICAGO ZONING ORDINANCE) BY RECLASSIFICATION
OF AREA SHOWN ON MAP NUMBER 2-F.
(Application Number 12949)

(Committee Meeting Held April 25, 2000).

The Committee on Zoning submitted the following report:

CHICAGO, May 17, 2000.

To the President and Members of the City Council:

Reporting for your Committee on Zoning, for which a meeting was held on April 25, 2000, I beg leave to recommend that Your Honorable Body *Pass* various ordinances transmitted herewith for the purpose of reclassifying particular areas.

I beg leave to recommend the passage of two zoning exceptions for the following locations: 832 North Greenview Avenue and 2426 North Racine Avenue.

I beg leave to recommend the passage of three ordinances which were corrected and amended in their amended form. They are Application Numbers 12950, 12890 and 12949.

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

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

Business Planned Development Number 743

Plan Of Development Statements.

1. The area delineated herein as a Business Planned Development (the "Planned Development") consists of approximately sixty-six thousand seven hundred sixty-eight (66,768) square feet (one and fifty-three hundredths (1.53) acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property") and is owned or controlled by Prime/Beitler Development Company, L.L.C. (the "Applicant").
2. The Applicant shall obtain all necessary official reviews, approvals or permits. Any dedication or vacation of streets, alleys or easements or any adjustment of right-of-way shall require a separate submittal on behalf of the Applicant 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 holders 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 title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control 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) is made or authorized by all landowners of the Property.
4. This Plan of Development consists of seventeen (17) statements; a Bulk Regulations and Data Table; a Public Amenity Table; an Existing Zoning

Map; a Planned Development Boundary and Property Line Map; an Existing Land-Use Map; a Ground Level Plan, a Landscape Plan, a Green Roof Schematic Plan and Building Elevations, which were prepared by DeStefano & Partners, dated April 13, 2000. These and no other zoning controls shall apply to the Property. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a planned development.

5. The uses permitted within the area delineated herein as this Planned Development shall be business and professional offices; retail and service uses including, but not limited to, restaurants which may serve liquor in conjunction with the service of food as the principal activity and may include live entertainment and dancing, taverns, day care centers, banks and financial institutions, and health clubs; roof top antennae, telecommunications and broadcast equipment, structures and installations (subject to appropriate screen reviewed and approved by the Department of Planning and Development); uses permitted in the B6-7 Restricted Central Business District; and accessory uses, including parking.
6. Business identification signs shall be permitted within the Planned Development subject to the review and approval of the Department of Planning and Development. The Department shall review the design, materials, size, illumination level and location of proposed signs to ensure their compatibility with the building design and with the neighborhood character prior to the issuance of Part II approval for said signs. The Department encourages signs with individually lit or back-lit letters, logos or other three-dimensional effects and strongly discourages box-signs and painted or applied murals. Electronic message boards are prohibited. Retail tenant identification signs shall be located along a sign band within the first (1st) level of the building adjacent to the floor area occupied by the tenant, unless (i) the tenant is located solely in below grade space, then such signage can be located within the first (1st) floor level sign band; or (ii) the tenant is located solely in second (2nd) floor space, then such signage may be located adjacent to that tenant's space. Temporary signs, such as construction and marketing signs shall be permitted subject to the review and approval of the Department of Planning and Development. No advertising signs as defined in the Chicago Zoning Ordinance shall be permitted.
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8. Any service drive 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 paved areas. Ingress and egress shall be subject to the review and approval of the Departments of Transportation and Planning and Development.
9. In addition to the maximum heights of the buildings and any appurtenance attached thereto prescribed in this Planned Development, the height of any improvements shall also be subject to height limitations as approved by the Federal Aviation Administration.
10. The improvements on the Property, the landscaping along adjacent rights-of-way and all entrances and exits to and from the parking and loading areas, shall be designed, constructed and maintained in substantial conformance with the Landscape/Site Plan and Building Elevations.
11. The permitted F.A.R. identified in the Bulk Regulation and Data Table has been determined using a base F.A.R. of sixteen and zero-tenths (16.0) and additional F.A.R. for a series of proposed public amenities, as follows:
 - a) parking spaces that are fully underground and whose entrances and exits are consistent in design with the rest of the street elevation;
 - b) ground and second (2nd) floor retail space facing street frontages with entrances from the public sidewalk and clear glazing as per exhibits;
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 - d) a planted area (including walkways for maintenance) on the roof of the eleven (11) story portion of the building facing State Street, as per exhibits, to be reviewed during the Site Plan review process;
 - e) an arcade which is open and accessible to the public at all hours on Dearborn Street and designed per the attached exhibits; and
 - f) streetscape improvements, consisting of installation and maintenance on the public right-of-way adjacent to the proposed development of landscaping in excess of that required under the Chicago Landscape Ordinance, installation on the right-of-way of

district appropriate street lights, and a payment to the City of Chicago toward the installation by the City of landscaping and/or district appropriate street lights along the public right-of-way within the vicinity of the project.

The F.A.R. value based on the current design of the improvements and the ratio at which these values were determined are identified in the Public Amenity Table exhibit. With the submittal of its request for a determination pursuant to Section 11.11-3(b) of the Chicago Zoning Ordinance ("Part II Approval") for construction of the building contemplated by this Planned Development, the Applicant shall submit a statement and supporting documentation indicating the actual requested and attainable F.A.R. based on the Public Amenity Table. An amenity or a combination of amenities may be decreased if less than the maximum F.A.R. is requested at the time of Part II approval, so long as the requested F.A.R. is attainable based on the formulas in the Public Amenity Table. The Department may permit the provision of a lesser amount of one (1) amenity as long as another amenity is increased in size, the requested F.A.R. is attainable based on the formulas, and the character of the development is maintained. In no event shall the F.A.R. exceed that stated in the Bulk Regulations and Data Table. The public amenities which form the basis of the F.A.R. approved during the Part II approval process shall be constructed within six (6) months of the issuance of the certificate of occupancy for the building, with the exception of the cash payment to the City for landscaping and/or district appropriate street lights, which shall be paid at the time of Part II approval.

12. For purposes of Floor Area Ratio (F.A.R.) calculations, the definitions in the Chicago Zoning Ordinance shall apply; provided, however, that floor area for these purposes shall not include (i) floor area devoted to mechanical equipment in excess of five thousand (5,000) square feet in any single location, regardless of placement in the building, and (ii) floor area devoted to accessory off-street parking.
13. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department of Planning and Development upon the request of the Applicant and after a determination by the Commissioner that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated herein and will not result in increasing the maximum floor area ratio for the total net site area established in this Planned Development. Any such modification shall be deemed a minor change in the Planned Development as contemplated by Section 11.11-3(c)

of the Chicago Zoning Ordinance.

14. 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 the most current energy efficiency standards published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers and the Illuminating Engineering Society.
15. 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 on the Property.
16. Unless substantial construction of the improvements contemplated by this Planned Development has commenced within six (6) years of the date of City Council approval of this Planned Development Ordinance, then the zoning of the Property shall automatically revert to the underlying B6-7 Restricted Central Business District.
17. The Applicant and the City of Chicago have met to discuss proposed plans for additional rail service which may make it advantageous to construct passenger and parcel connections between the Red Line on State Street and the Blue Line on Dearborn Street through the lower level of the development contemplated by this Planned Development. The Applicant shall make reasonable efforts to anticipate these needs and not design the building to preclude the contemplated connections, provided that such design modifications or review can occur during the proposed construction schedule. The Applicant shall not be required to assume financial responsibility for any increases in costs resulting from such modifications or review.

[Existing Zoning Map; Planned Development Boundary and Property Line Map; Existing Land-Use Map; Ground Level Plan; Landscape Plan; Green Roof Schematic Plan; and Building Elevation Drawings referred to in these Plan of Development Statements printed on pages 33856 through 33864 of this Journal.]

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

Business Planned Development Number 743

Plan Of Development

Bulk Regulations And Data Table.

Gross Site Area, 102,600 square feet (2.35 acres) equals Net Site Area, 66,768 square feet (1.53 acres) plus Area Remaining in Public Right-of-Way, 35,832 square feet (0.82 acres).

Maximum Permitted Floor Area Ratio:	23.89 (subject to the following F.A.R. amenity Table and Statement 11).
Minimum Setbacks:	In accordance with the Landscape/Site Plan.
Maximum Site Coverage:	In accordance with Landscape/Site Plan.
Minimum Number of Off-Street Parking Spaces:	200.

5/17/2000

REPORTS OF COMMITTEES

33855

Minimum Number of Off-
Street Loading Spaces:

7.

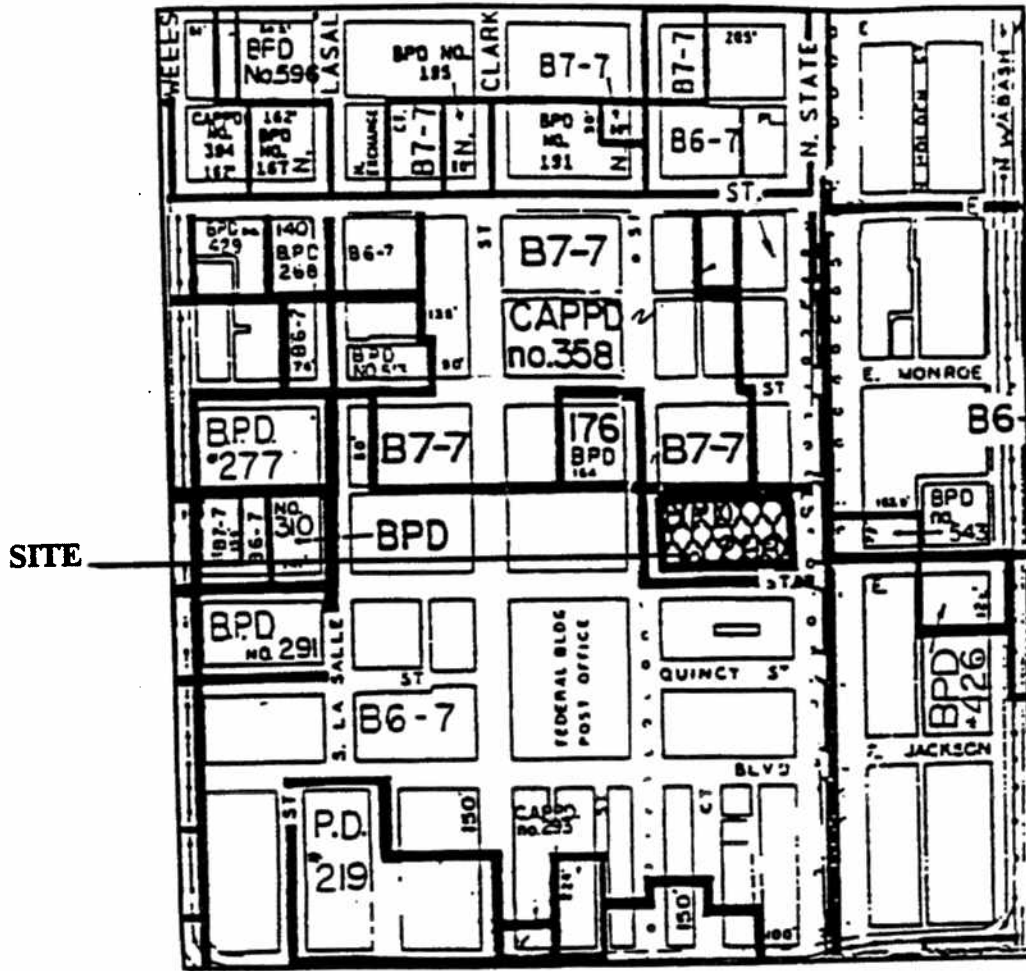
Maximum Building Height:

In accordance with the Building Elevations.

Public Amenity Table.

Public Amenity	Total Value (Based On Current Design)	Ratio
Underground parking (210 spaces)	1.89	600 square feet of floor area per space.
Street level and mezzanine retail (63,138 square feet)	1.42	1.5 square feet of floor area of retail.
Upper Level Setbacks	1.05	0.2 x setback area/Net Site Area.
Roof Top Greening (17,200 square feet)	1.28	5 square feet of floor area per square foot of green area.
Streetscape Improvements (\$1,000,000)	1.25	1 square foot of floor area per \$12.00 of expenditures on qualifying items.
Dearborn Street Arcade	1.0	At 1.0 per street frontage/ block face.
TOTAL:	7.89	

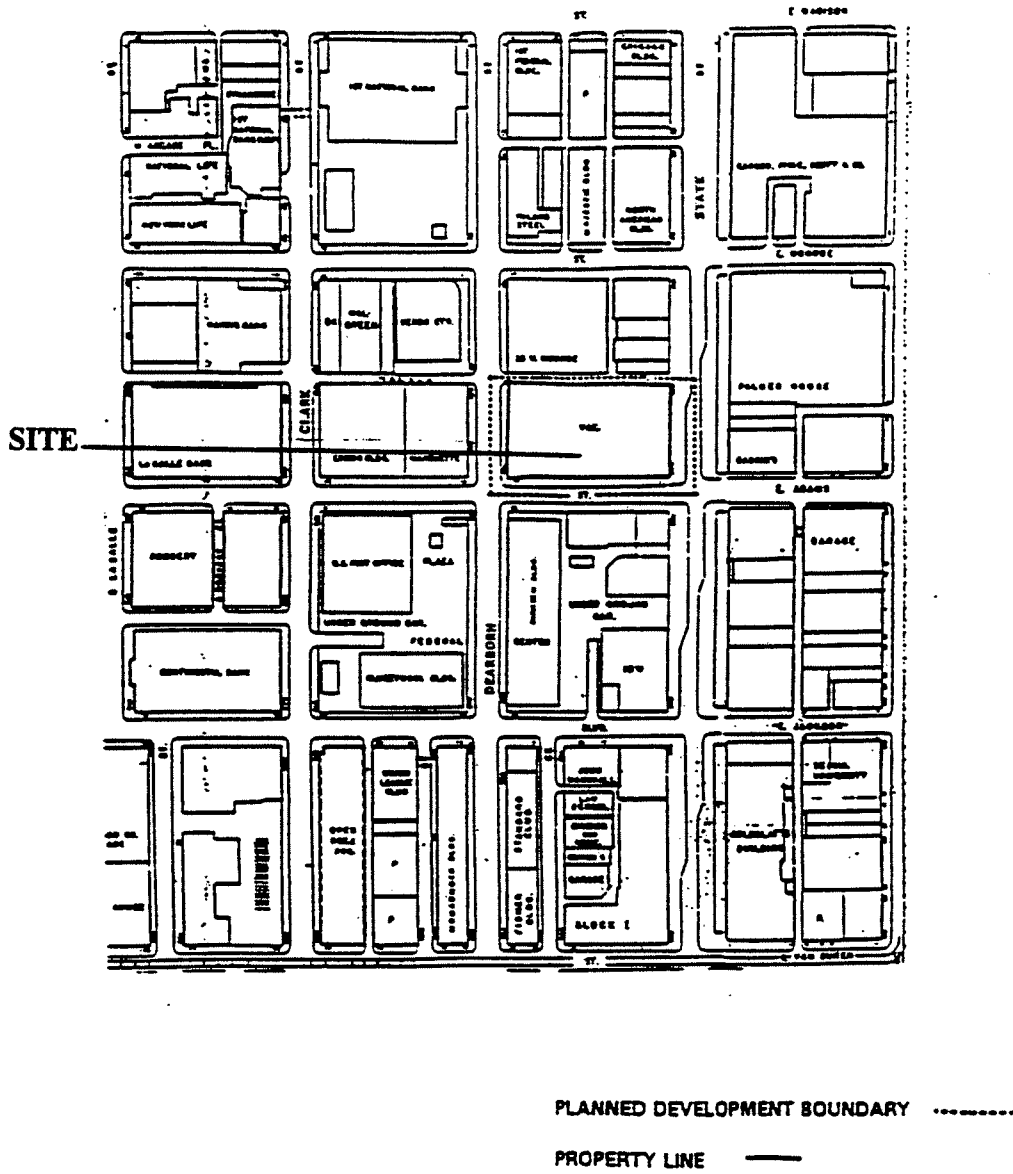
Existing Zoning Map.



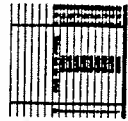
SUBJECT PROPERTY



Planned Development Boundary
And Property Line Map.



ZON

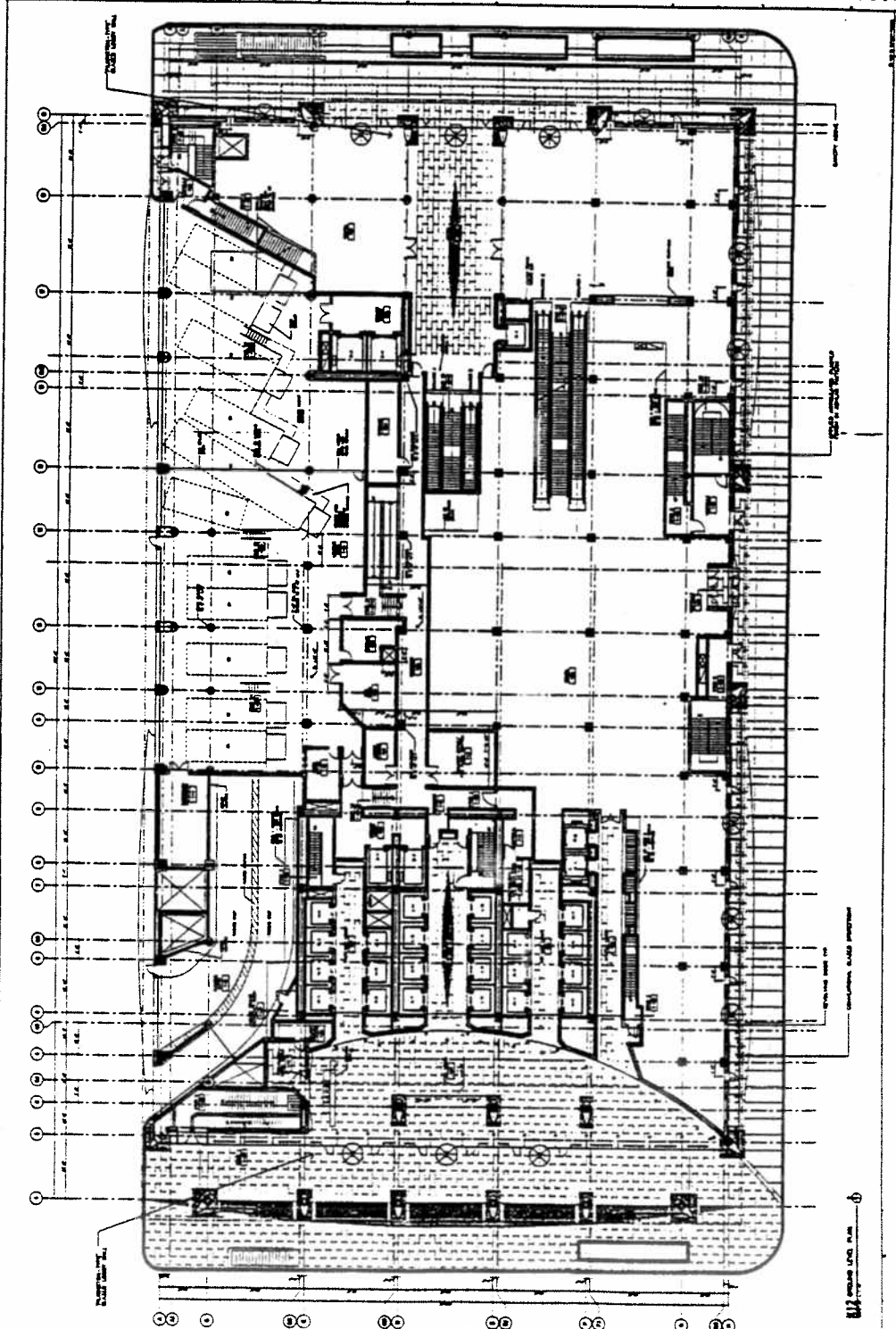


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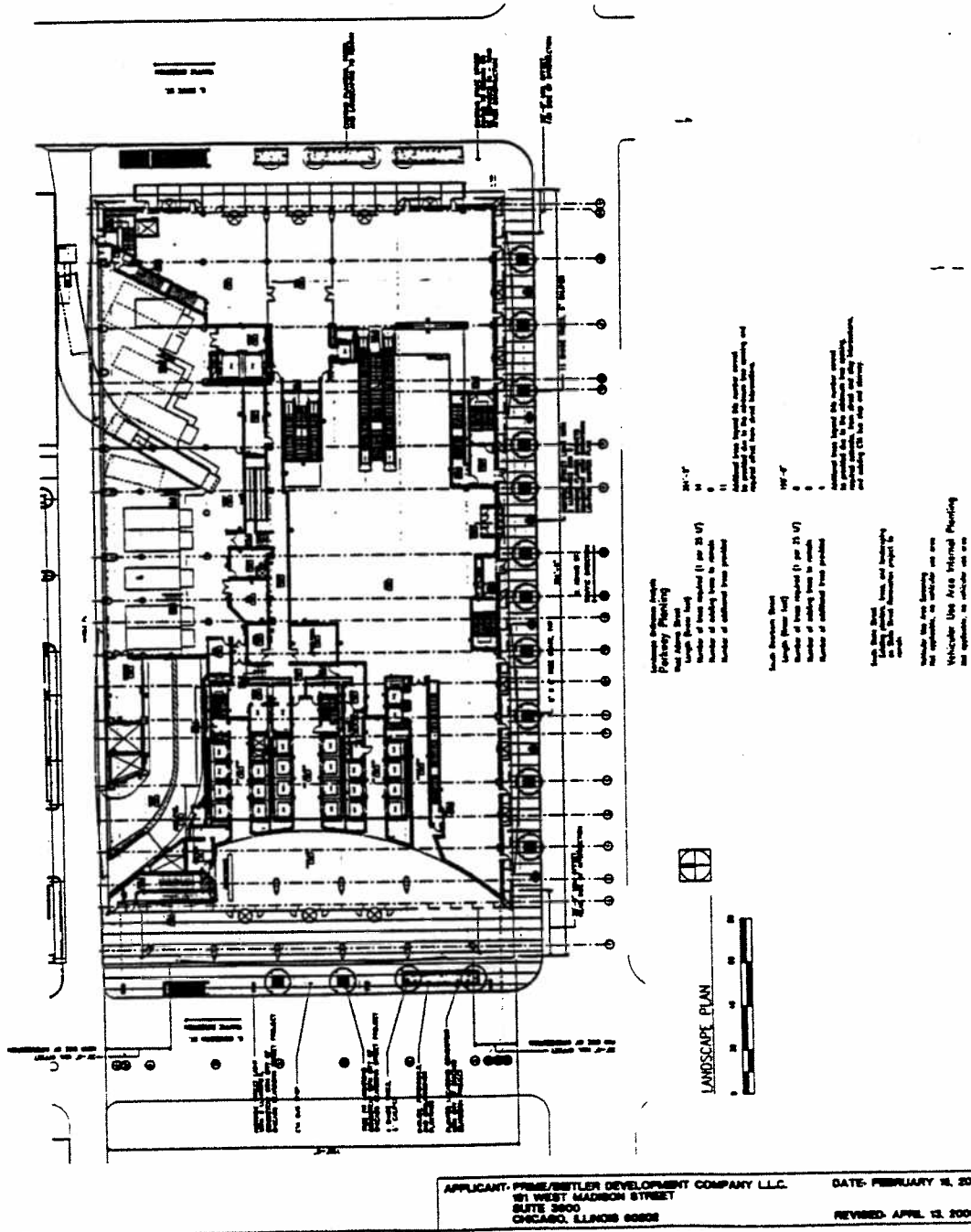
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APPLICANT: PRIME/BETLER DEVELOPMENT COMPANY LLC
81 WEST MADISON STREET
SUITE 3000
CHICAGO, ILLINOIS 60602

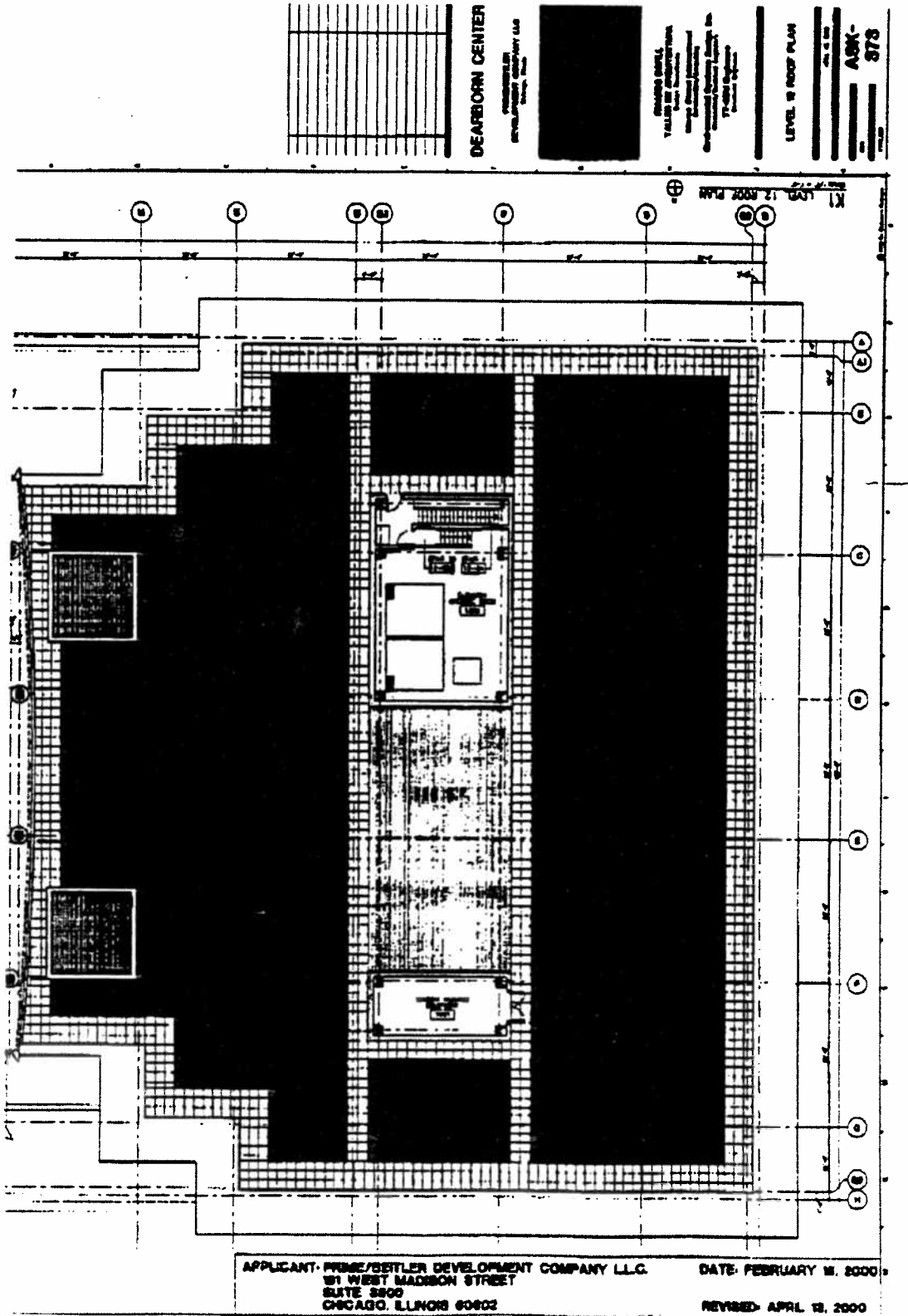
DATE: FEBRUARY 18, 2000
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Landscape Plan.

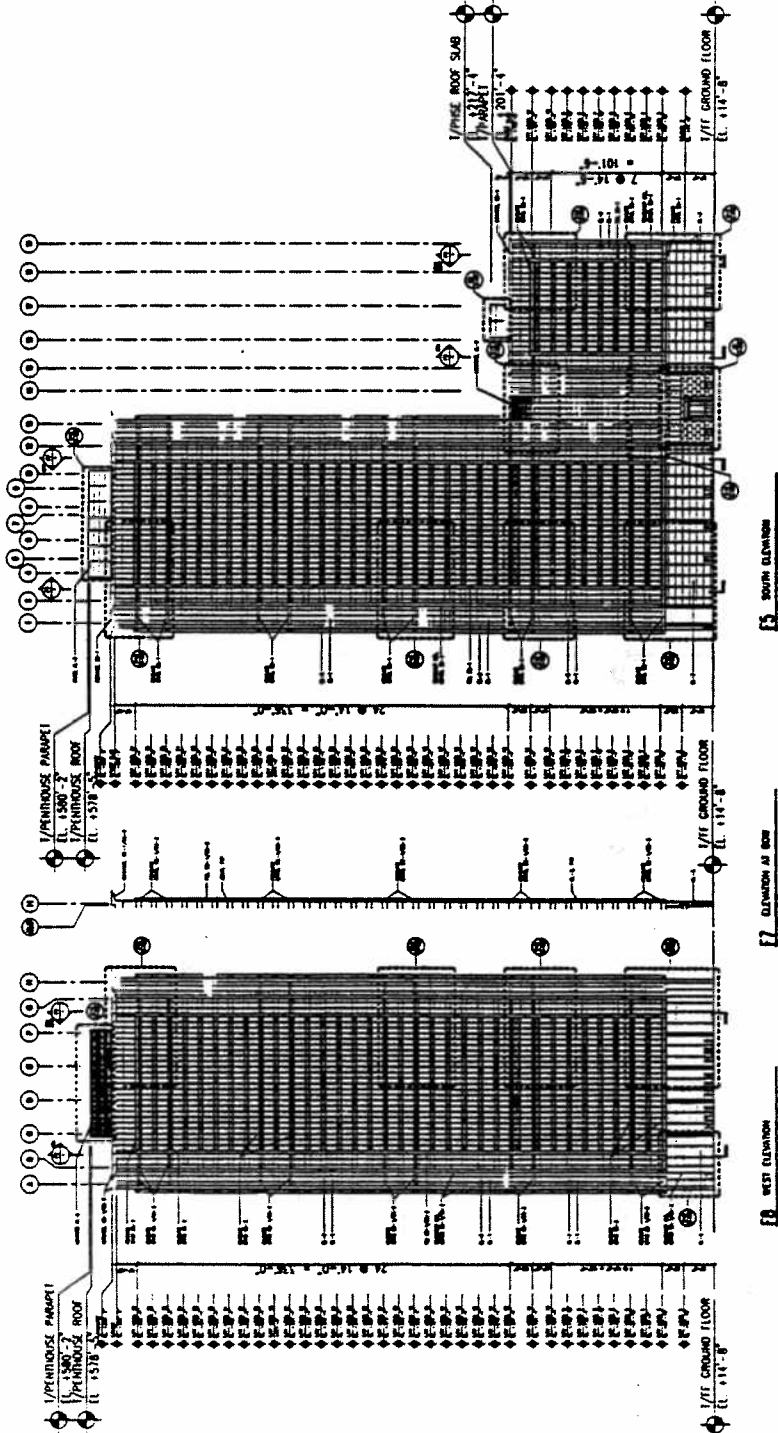


APPLICANT: PRIME/BETTLER DEVELOPMENT COMPANY LLC. DATE: FEBRUARY 18, 2000
 101 WEST MADISON STREET
 SUITE 3600
 CHICAGO, ILLINOIS 60602 REVISED: APRIL 13, 2000

Green Roof Schematic Plan.

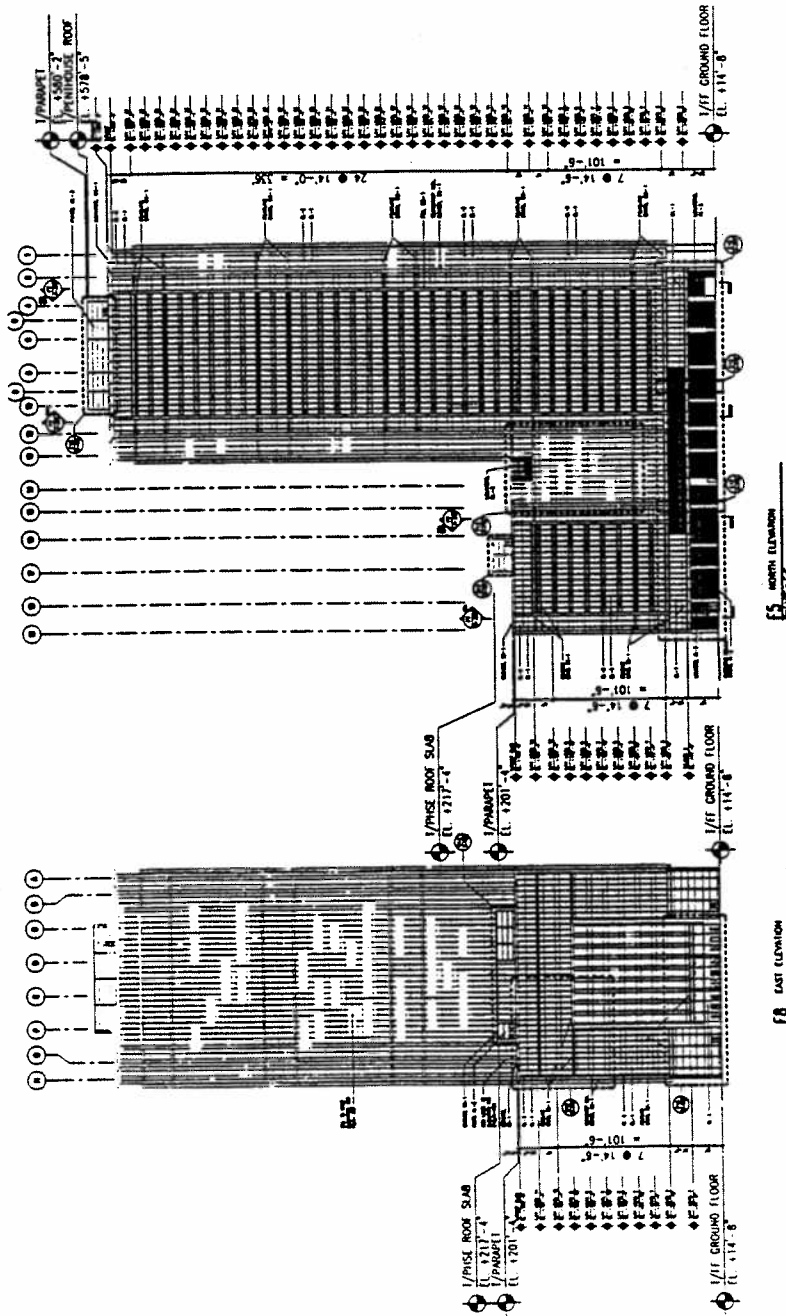


Building Elevation.
(Page 1 of 3)

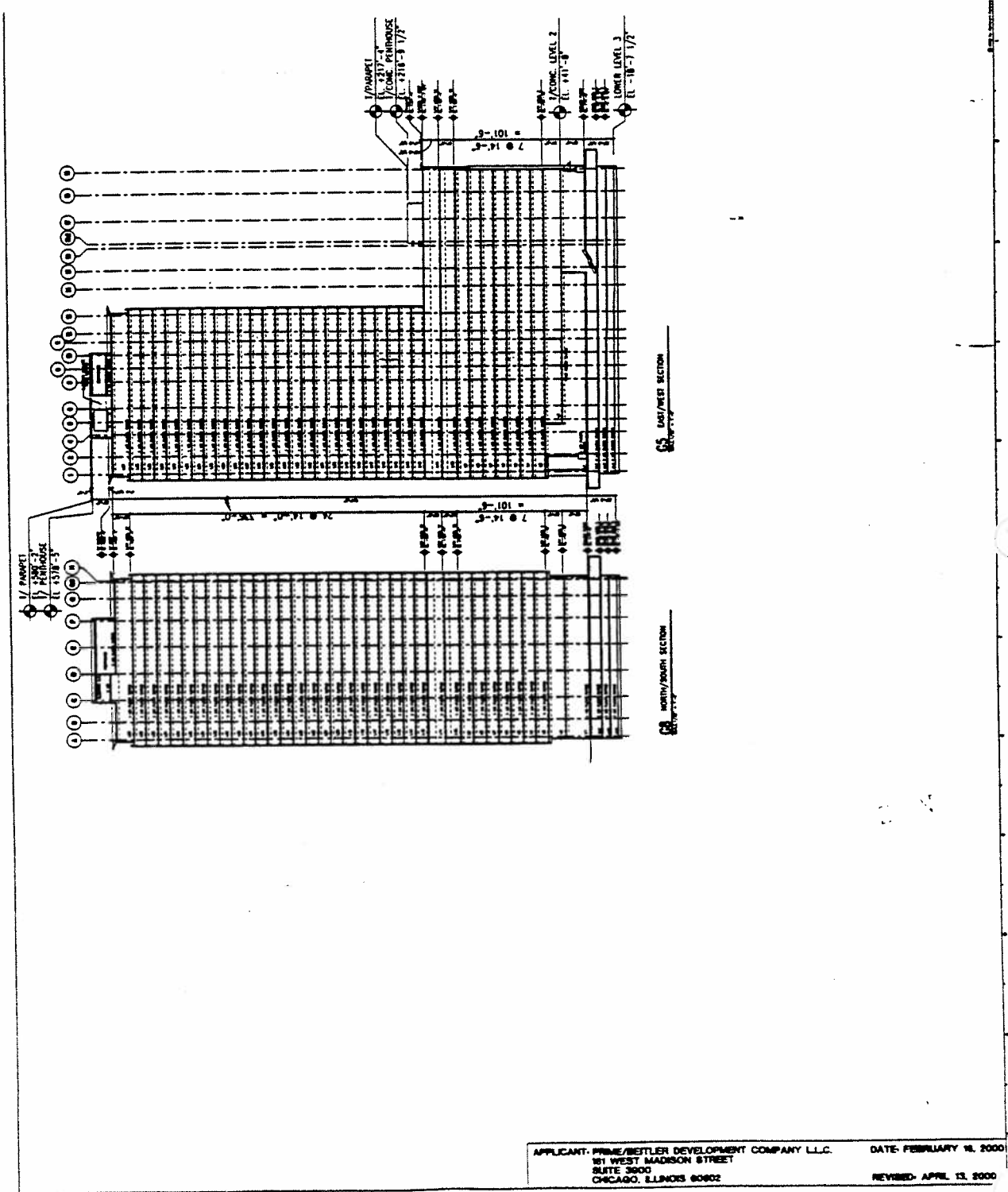


APPLICANT: PRIME/BETTLER DEVELOPMENT COMPANY L.L.C. 81 WEST MADISON STREET SUITE 2800 CHICAGO, ILLINOIS 60602	DATE: FEBRUARY 16, 2000 REVISION: APRIL 13, 2000
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Building Elevation.
(Page 2 of 3)



Building Elevation.
(Page 3 of 3)



APPLICANT: PRIME/BETTLER DEVELOPMENT COMPANY L.L.C. DATE: FEBRUARY 18, 2000
 181 WEST MADISON STREET
 SUITE 3000
 CHICAGO, ILLINOIS 60602 REVISED: APRIL 13, 2000