

PD 931

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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

June 30, 2015

Carol Stubblefield
Neal & Leroy, LLC
120 North LaSalle Street
Suite 2600
Chicago, IL 60602

Re: Zoning Advisory Opinion for 1168 West Madison Street, Residential Business Planned Development Number 931


Dear Ms. Stubblefield:

In response to your recent request, please be advised that the property located at 1168 W. Madison Street is zoned Residential Business Planned Development No. 931 ("PD 931"), as amended. Pursuant to Statement No. 5 of PD 931, the following uses are permitted: multi-unit residential, animal services (sales and grooming), eating and drinking establishments (restaurant limited and outdoor patio if located at grade level), financial services (bank, savings bank, loan association and automated teller machine facility), food and beverage retail sales (liquor sales as accessory use), medical service, office, repair or laundry service (dry cleaning drop-off or pick-up, no on-premises plant), retail sales (general), sports and recreation, participant (indoor and children's activities facility); accessory parking; and accessory and related uses.

Your client, 1200 Madison Racine, LLC is proposing to lease 958 square feet at 1168 W. Madison St. to Snippets Mini Cuts, a hair-cutting service exclusively for children ages 1 to 8 years old. Snippets Mini Cuts would also include retail sales, child play activities, and birthday parties.

You are requesting a determination that the proposed use is permitted as an accessory use within PD 931. However, since hair salons and barber shops are personal services, and personal services are not specifically identified as permitted uses, they are not allowed as permitted or accessory uses. A technical amendment is required in order to add personal services as a permitted use within the Planned Development. If you need additional information or would like to discuss further, please contact Teresa McLaughlin of my staff at (312) 744-3509.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

PAS: HG: tm
C: Vicki Lozano, Main file

17381

4/24/2012

REPORTS OF COMMITTEES

25175

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Institutional/Transportation Planned Development Number 677 symbols and designation as shown on Map Numbers 1-E and 2-E in the area bounded by:

East Randolph Street; a line 725.3 feet east of Columbus Drive (as measured along the south line of East Randolph Street and perpendicular thereto); East Monroe Drive; South Lake Shore Drive; the centerline of East Van Buren Street as extended east where no street exists; South Michigan Avenue; East Jackson Drive; South Columbus Drive; East Monroe Drive; and North/South Michigan Avenue,

to those of amended Institutional Planned Development Number 677, as approved by the Chicago City Council on November 1, 2006.

SECTION 2. This ordinance takes effect after its passage and approval.

Reclassification Of Area Shown On Map No. 1-G.
(As Amended)
(Application No. 17381)
(Common Address: 2 -- 20 N. Racine Ave., 1164 -- 1170
And 1200 -- 1212 W. Madison St.)

RBPD 931,09

[SO2011-9711]

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, be amended by changing all the C2-3 Motor Vehicle-Related Commercial District symbols and indications as shown on Map Number 1-G in the area bounded by:

North Racine Avenue; a line parallel to West Madison Street 99.91 feet north of West Madison Street; a line parallel to North Racine Avenue 89.78 feet west of North Racine Avenue; and West Madison Street,

to those of a B1-5 Neighborhood Shopping District and a corresponding use district is hereby established in the area above described.

SECTION 2. Title 17 of the Municipal Code, the Chicago Zoning Ordinance, be amended by changing all the B1-5 Neighborhood Shopping District and Residential-Business Planned Development Number 931 symbols and indications as shown on Map Number 1-G in the area bounded by:

North Racine Avenue; the east/west public alley next north of and parallel to West Madison Street; a line 239.78 feet west of and parallel to North Racine Avenue; and West Madison Street,

to the designation of Residential-Business Planned Development Number 931 which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the plan of development attached and made a part thereto and to no others.

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

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

Residential Planned Development No. 931, As Amended.

Plan Of Development Statements.

1. The area delineated herein as Planned Development Number 931, as amended ("Planned Development") consists of approximately 48,000 square feet (1.10 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is controlled by the Applicant, 1200 Madison Racine LLC (the "Applicant") for purposes of this Planned Development.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assign or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the plans.

Ingress or egress shall be pursuant to the plans and may be subject to the review and approval of the Departments of Housing and Economic Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This plan of development consists of sixteen (16) statements; a Bulk Regulations Table; the following plans pertaining to the Applicant's residential and commercial retail project (the "Project") prepared by Fitzgerald Associates Architects March 15, 2012: an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; a Green Roof Plan; Building Elevations (North, South, East and West) and Chicago Builds Green Form, submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Housing and Economic Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development ordinance and the Zoning Ordinance, this Planned Development ordinance shall control.
5. The following uses shall be permitted on the Property: Multi-Unit Residential, Animal Services (sales and grooming), Eating and Drinking Establishments (restaurant limited and outdoor patio if located at grade level), Financial Services (bank, savings bank, loan association and automated teller machine facility), Food and Beverage Retail Sales (liquor sales as accessory use), Medical Service, Office, Repair or Laundry Service (dry cleaning drop-off or pick-up, no on-premises plant), Retail Sales (general), Sports and Recreation, Participant (indoor and children's activities facility); Accessory Parking; and Accessory and Related Uses.
6. On-Premises signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Housing and Economic Development. Off-Premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations established by the Federal Aviation Administration.

8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 48,000 square feet.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Housing and Economic Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. The Site and Landscape plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Housing and Economic Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. At the time of a hearing before the Chicago Plan Commission, all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Housing and Economic Development. The Applicant agrees to a minimum of LEED (Leadership in Energy and Environmental Design) basic certification. Copies of these standards may be obtained from DHED. The Applicant also agrees to provide a vegetative ("green") roof system on a minimum of 50 percent of the net flat roof area of which 19,067 square feet will be vegetative and 1,906 square feet will be hardscape.

15. The Applicant acknowledges and agrees that this Project including 216 residential units is subject to the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance must: (i) develop affordable housing units as part of the residential housing project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). In accordance with these requirements and the Affordable Housing Profile Form attached hereto as Exhibit A, the Applicant has agreed to make a cash payment to the Affordable Housing Opportunity Fund in the amount of \$2.2 Million ("Cash Payment"), or \$100,000 per unit in lieu of providing 22 affordable housing units. At the time of each Part II review for the Project, Applicant shall update and resubmit the Affordable Housing Profile Form to HED for review and approval. If the Applicant subsequently reduces the number of dwelling units in the Project, HED may reduce the amount of the Cash Payment accordingly without amending this Planned Development. Prior to the issuance of a building permit for the Project, the Applicant must make the required Cash Payment.
16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Unless substantial construction of the proposed improvements as contemplated in this Planned Development has commenced within six (6) years following the adoption of this Planned Development, and is diligently pursued, then this Planned Development shall expire. If this Planned Development expires under the provision of this section, then the Commissioner of the Department of Housing and Economic Development shall initiate a Zoning Map amendment to rezone the Property to B1-5 Neighborhood Shopping District.

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

[Existing Zoning and Street System Map; Existing Land-Use Area Map; Planned
Development Boundary, Property Line and Right-of-Way Adjustment Map;
Generalized Site Plan; Basement Plan; Ground Floor Plan; 2nd Floor
Plan; 3rd -- 7th Floor Plan; 8th Floor Plan; 9th Floor Plan/Amenity
Plan; Landscape Plan; Green Roof Plan; Building Elevations;
and Chicago Builds Green Form referred to in these
Plan of Development Statements printed on pages
25181 through 25199 of this *Journal*.]

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

Planned Development.

Bulk Regulations And Data Table.

Site Area:

Gross Site Area:	67,840 square feet (1.56 acres)
Net Site Area:	48,000 square feet (1.10 acres)
Public Right-of-Way:	19,840 square feet

Maximum Height:

Highest Residential Floor (8 th floor):	93 feet
Highest Partial Rooftop Floor (9 th floor):	105 feet
Highest Portion of the Elevator Penthouse:	118 feet

Floor Area Ratio Maximum FAR: 4.76

Maximum Number of Residential Units: 216

Setbacks:

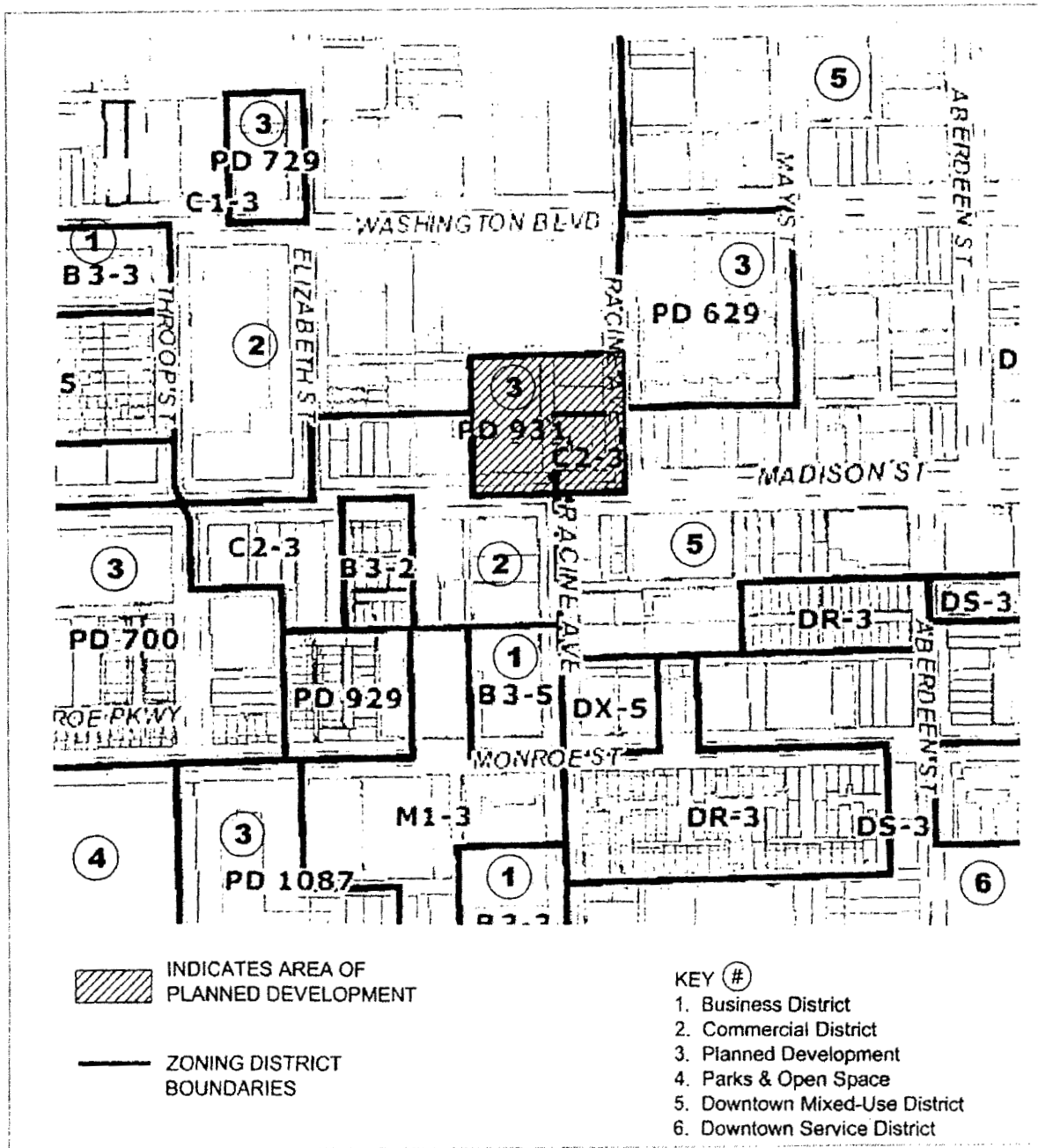
Front:	0 feet, 0 inches
Side:	1 feet, 6 inches (west)/0 feet, 0 inches (east)
Rear:	0 feet, 0 inches/21 feet, 6 inches Residential Floor Setback

Bicycle Spaces: 114

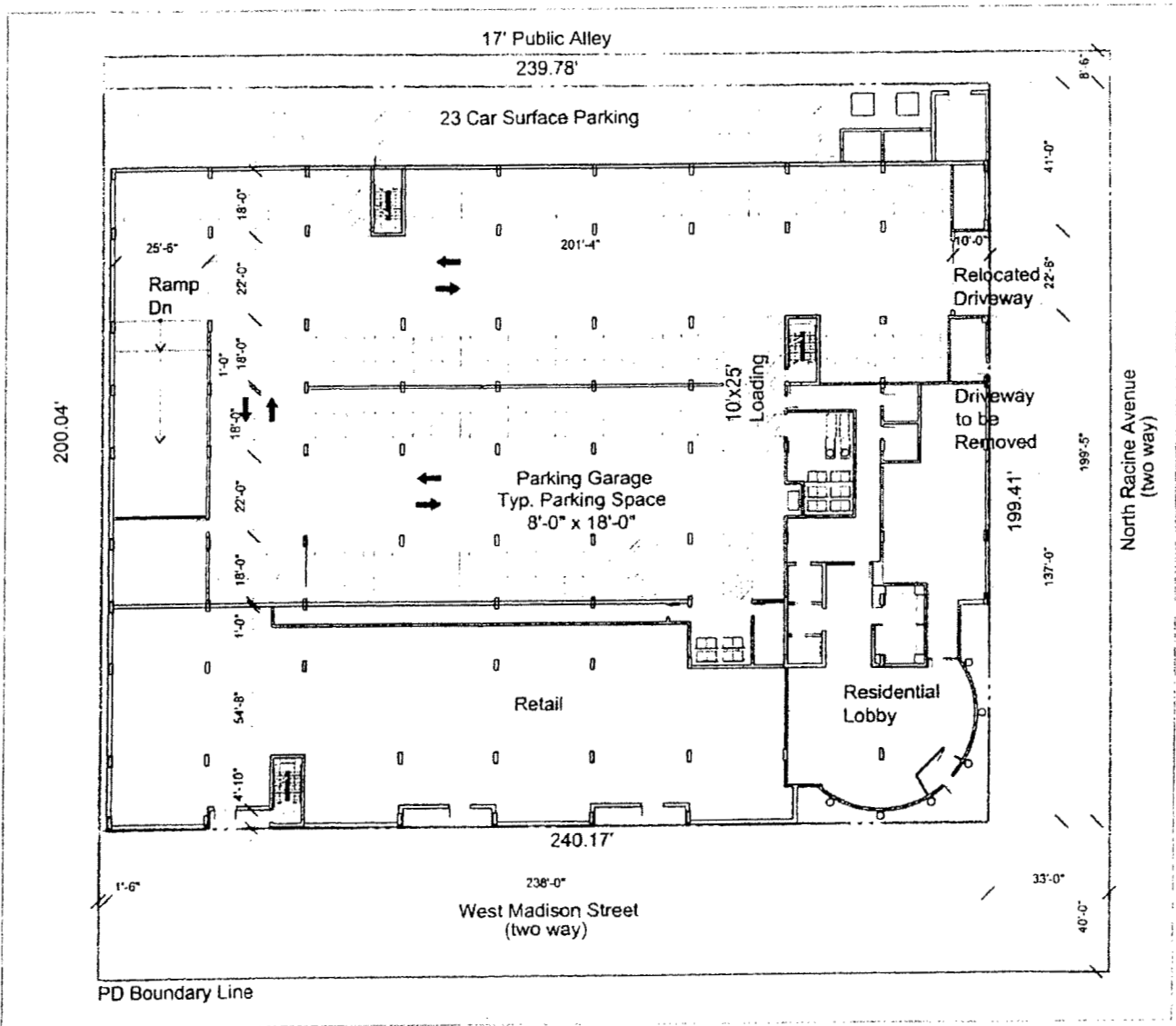
Vehicle Parking Spaces: 227

Loading Spaces: 1

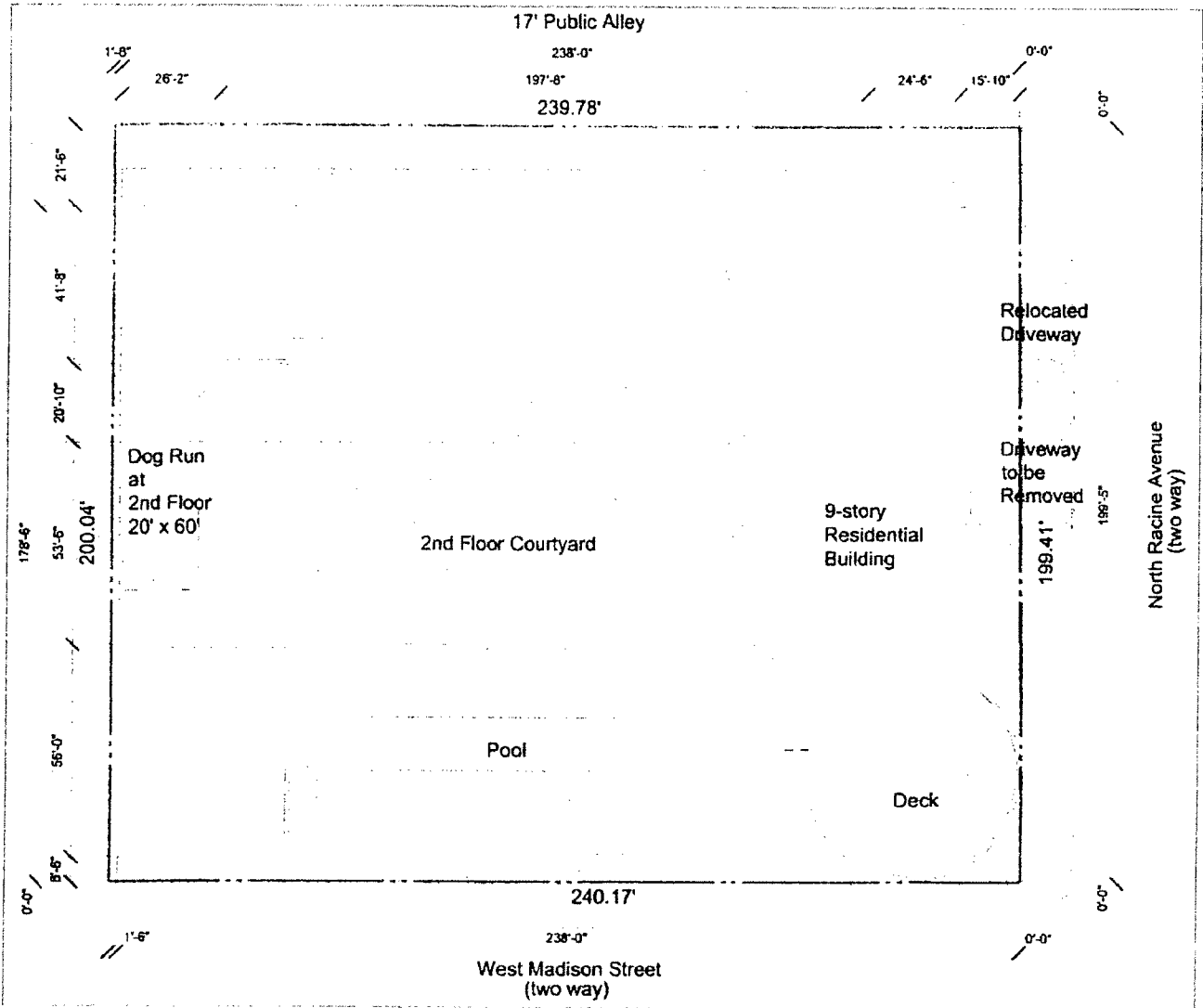
Existing Zoning And Street System Map.



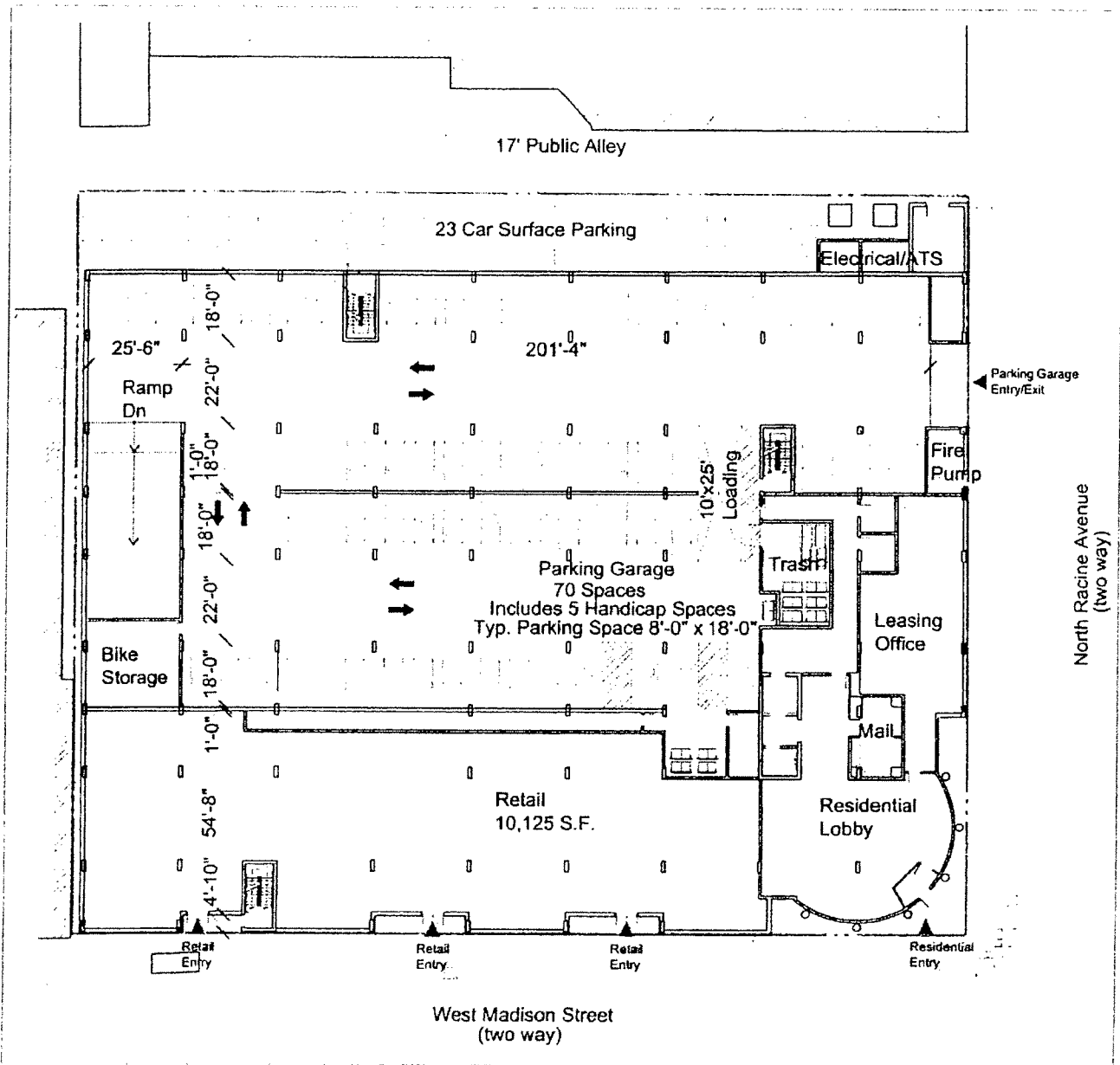
Planned Development Boundary, Property Line
And Right-Of-Way Adjustment Map.



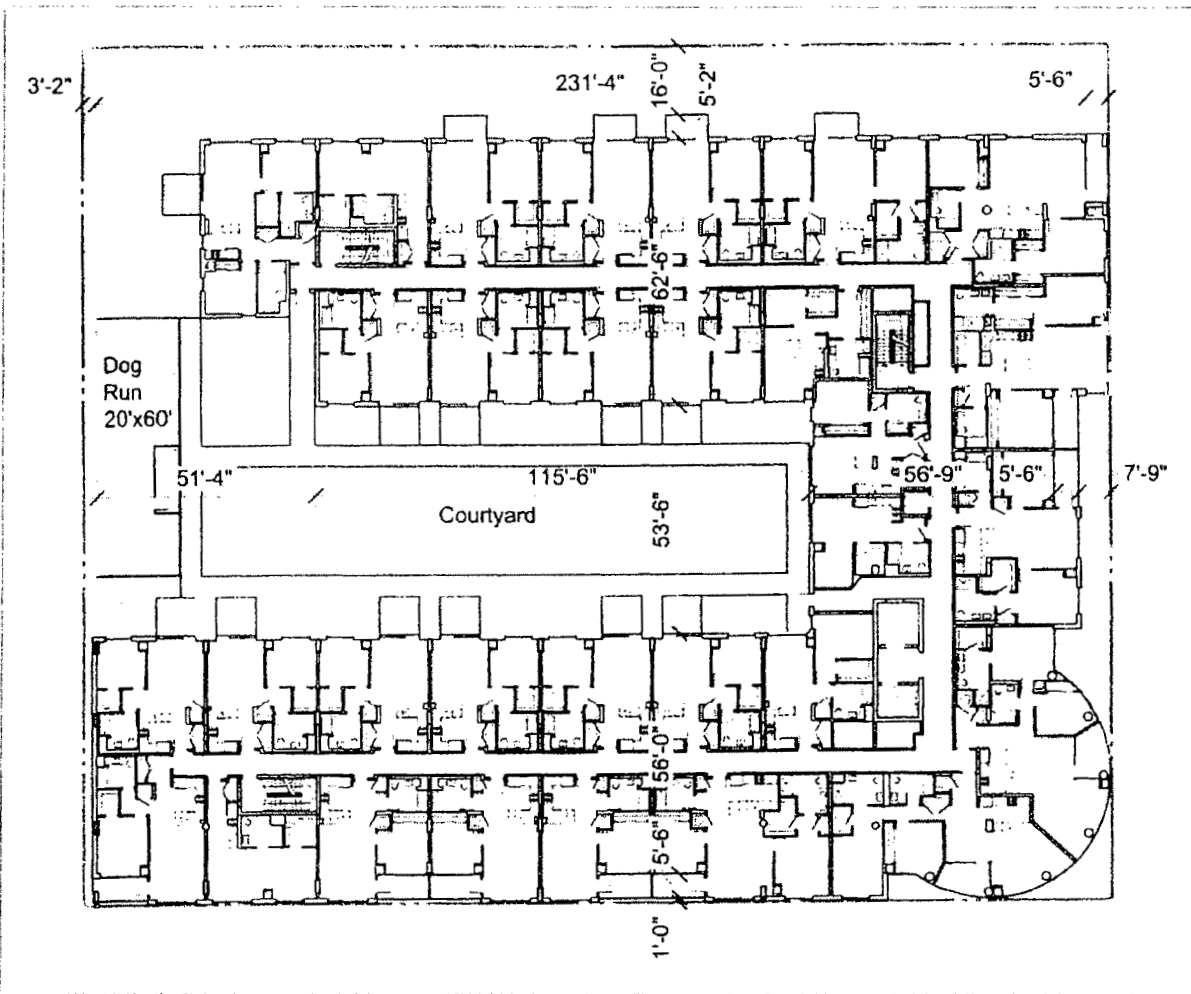
Generalized Site Plan.



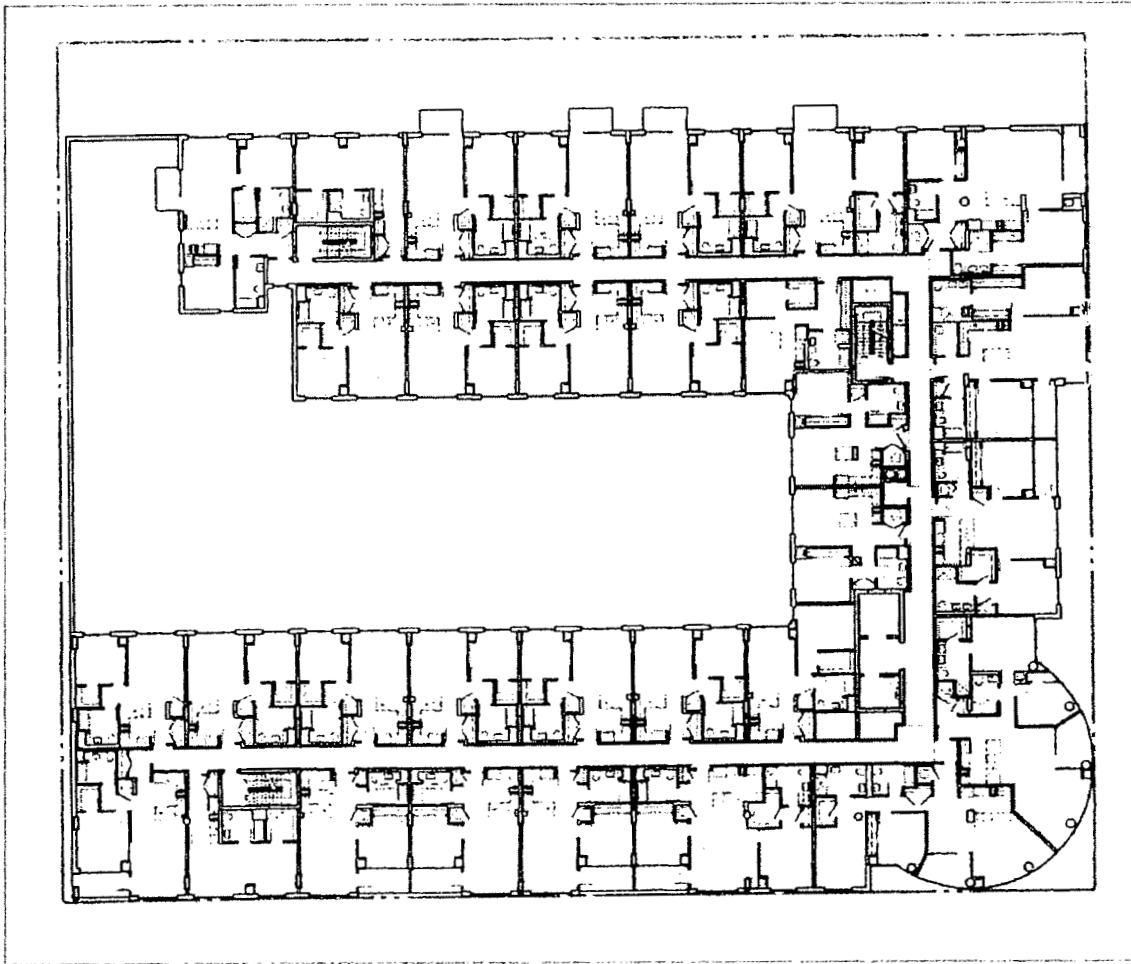
Ground Floor Plan.



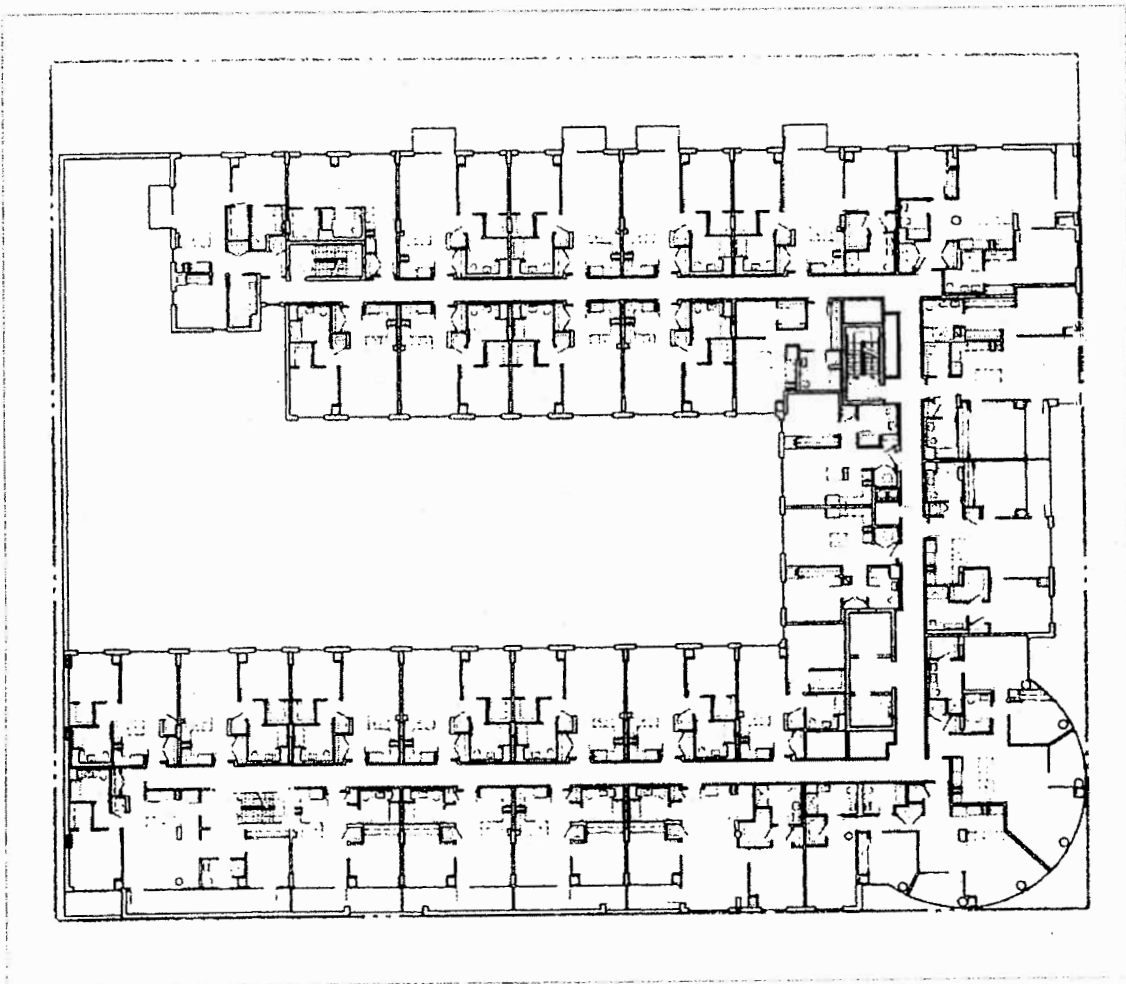
2nd Floor Plan.



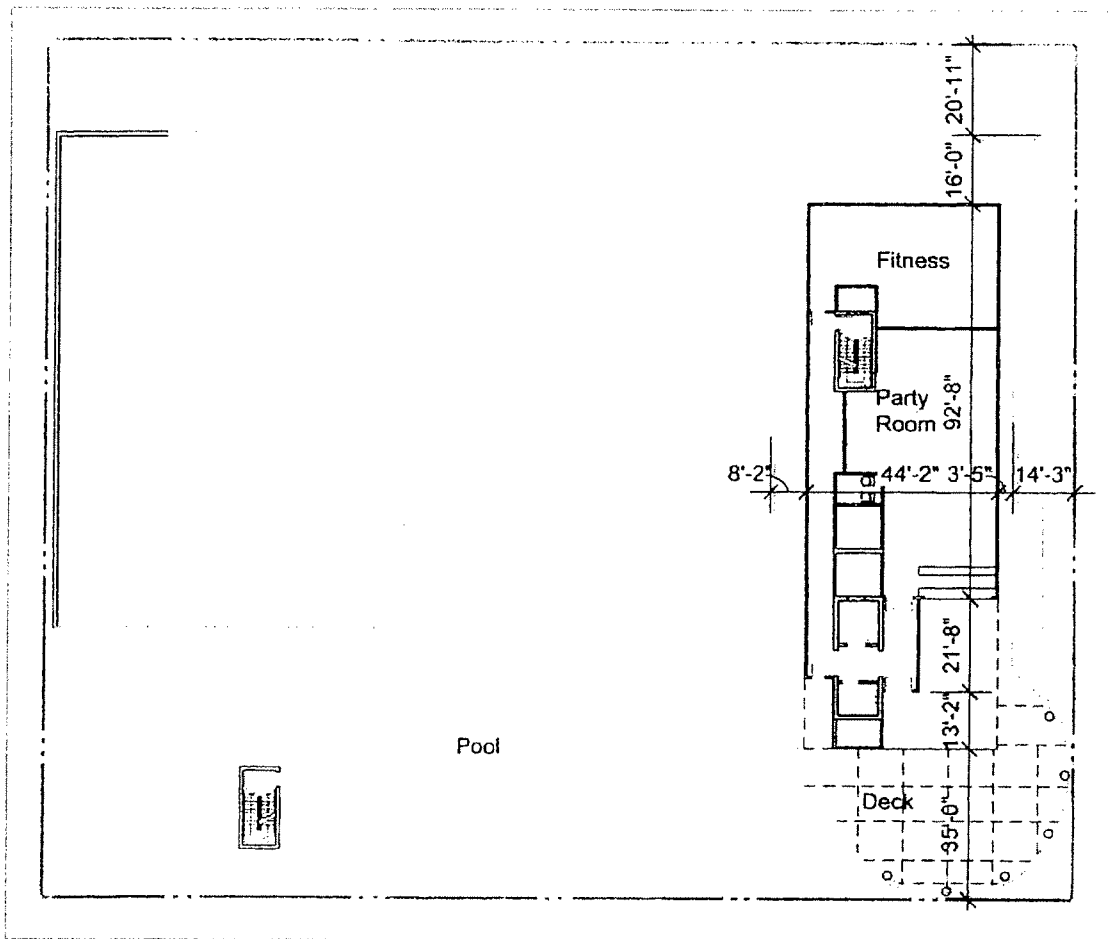
3rd -- 7th Floor Plan.



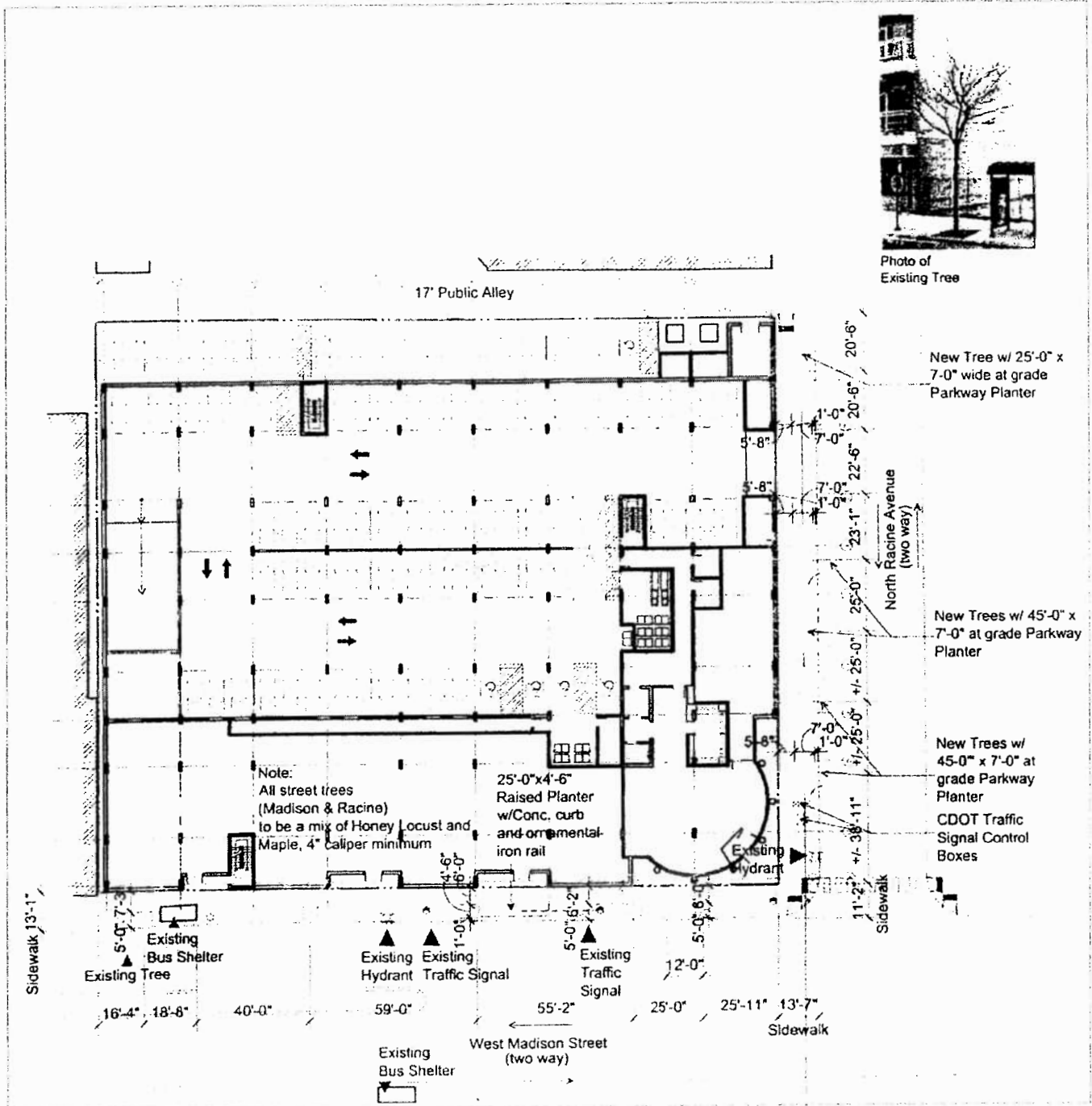
8th Floor Plan.



9th Floor/Amenity Plan.



Landscape Plan.



Green Roof Plan.

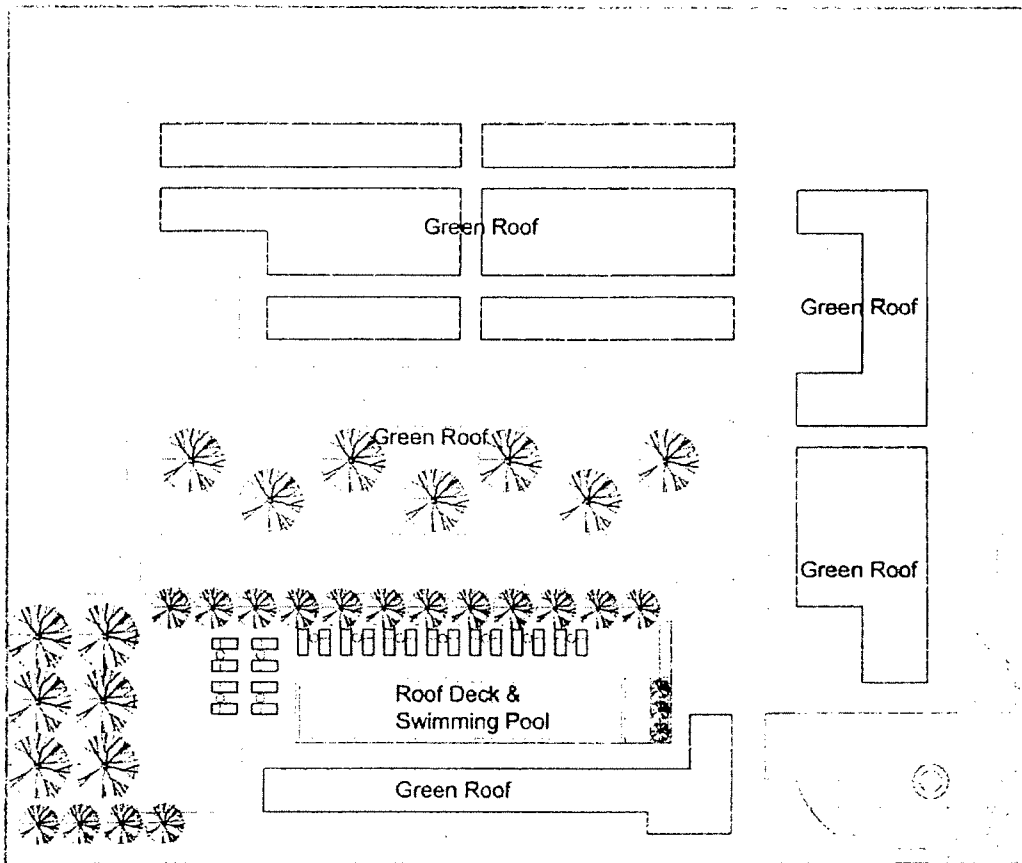
Total Roof Area = 39,666 SF Roof - 1,532 SF Mech Equip = 38,134 NSF

Total Green Roof Area = 50% NSF =

Green Roof = 19,067 SF

Hardscape = 10% Green Roof SF = 1,906 SF

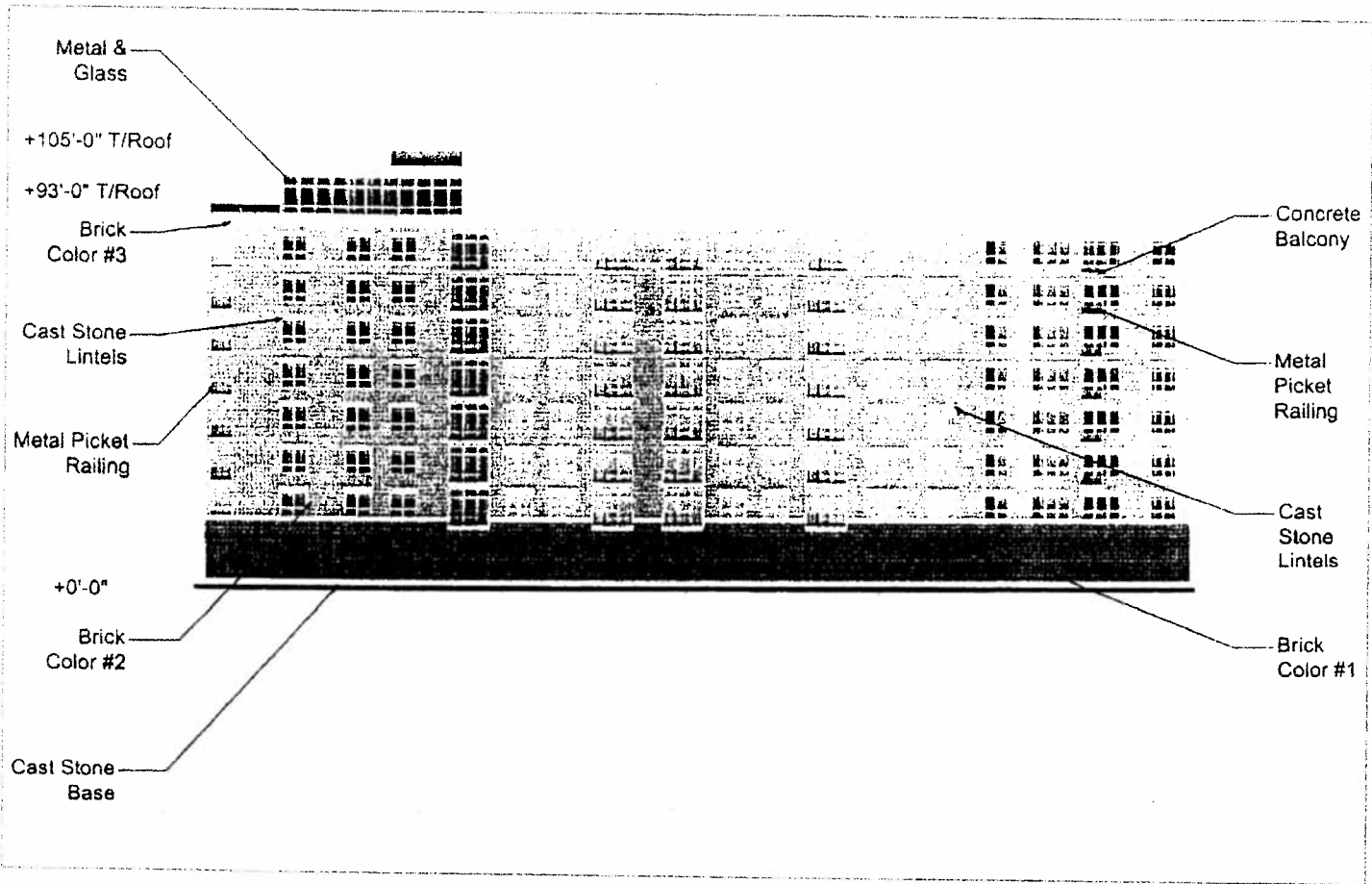
17' Public Alley



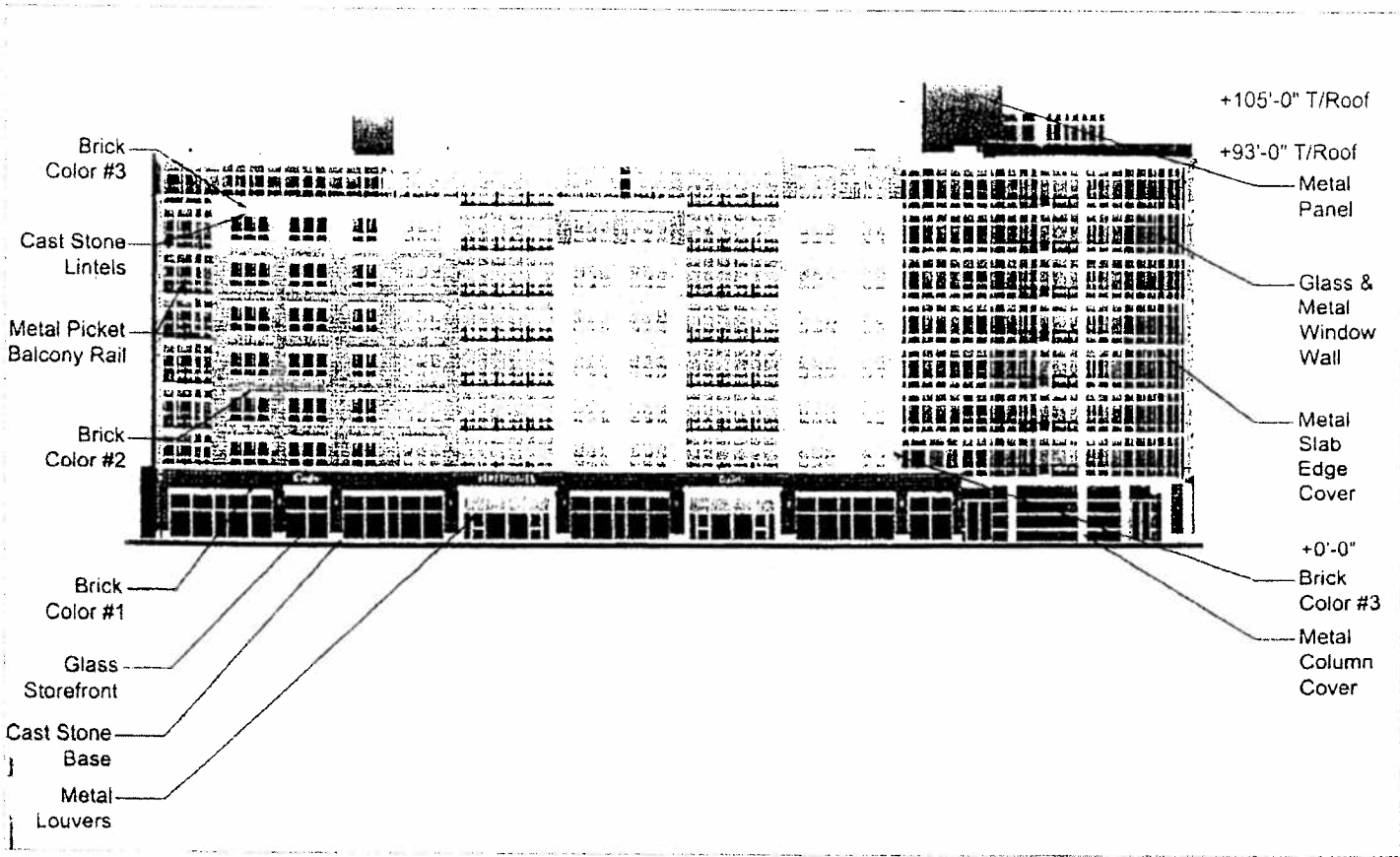
West Madison Street
(two way)

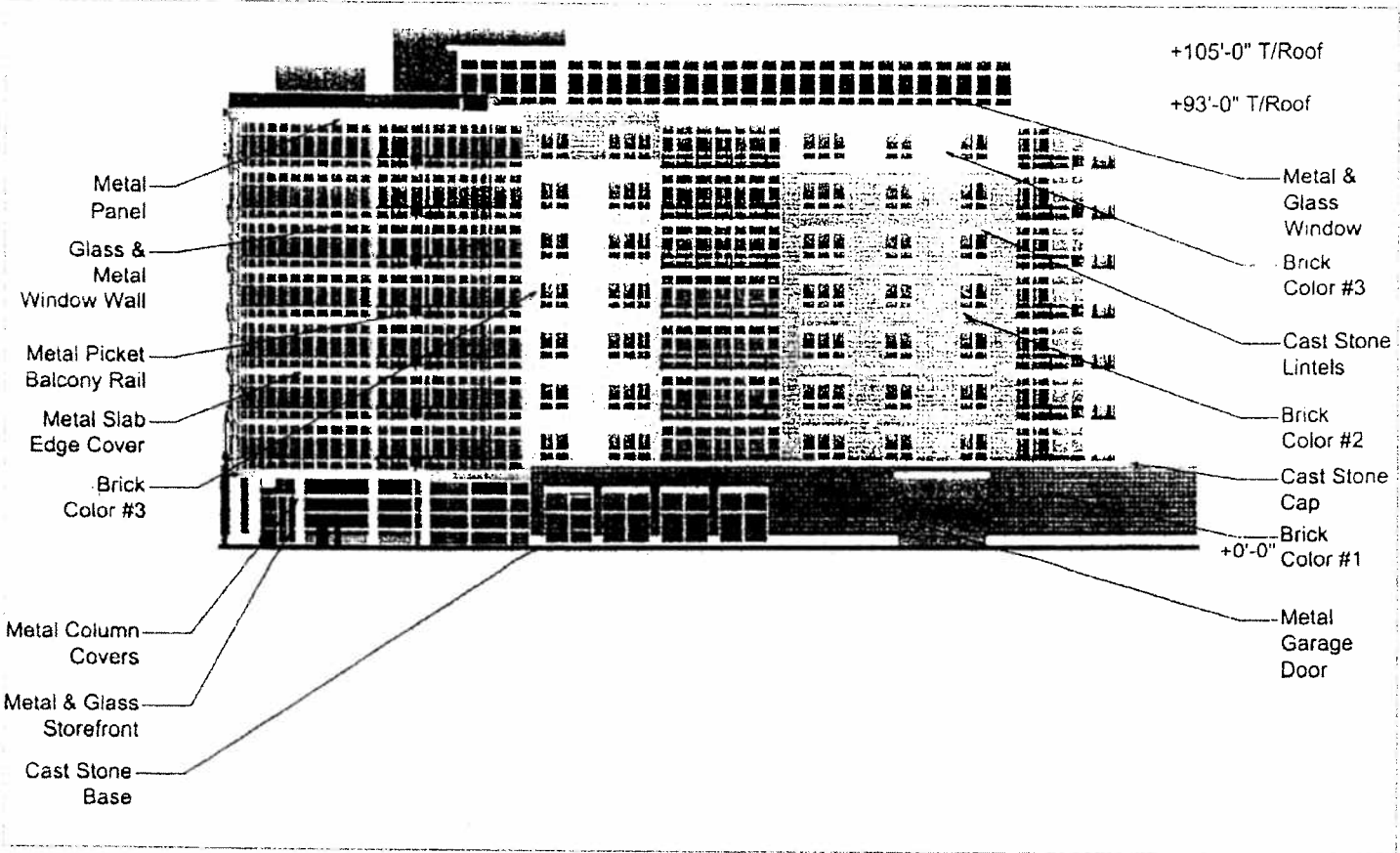
North Racine Avenue
(two way)

North Elevation.



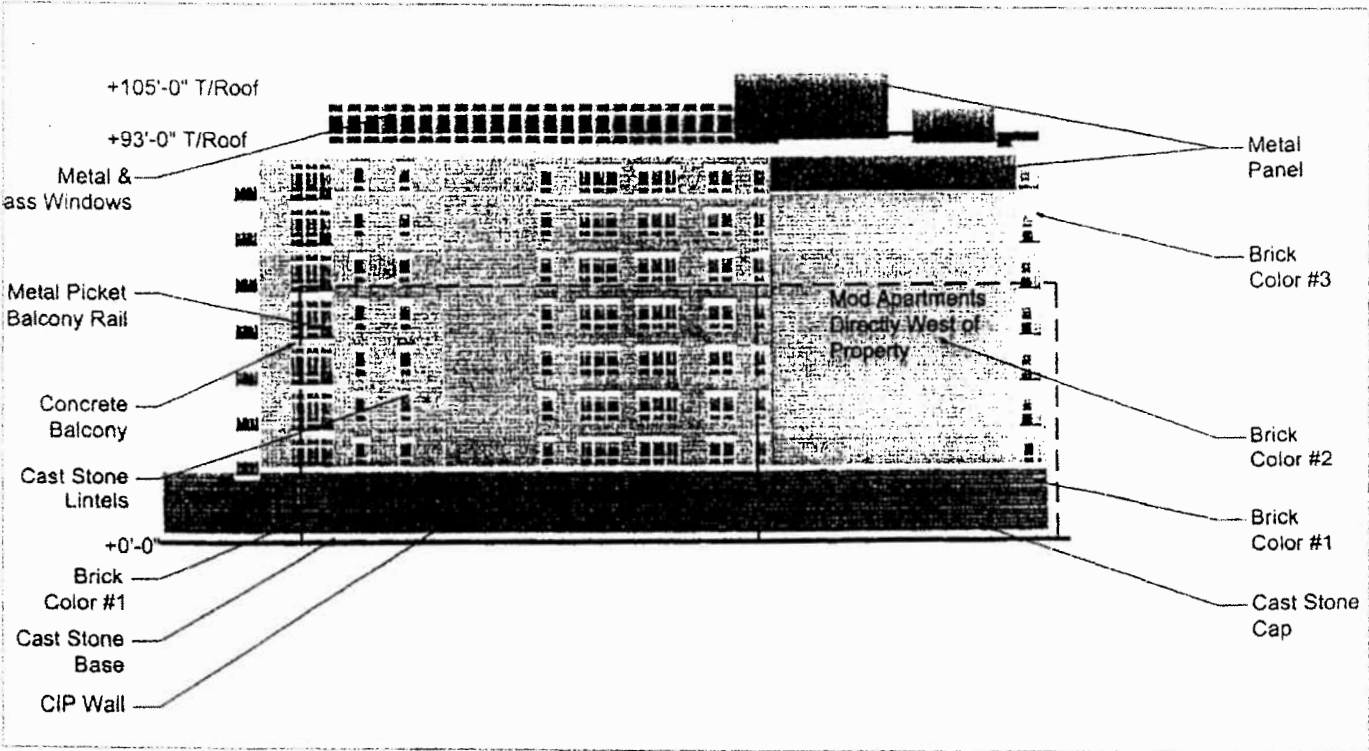
South Elevation.





East Elevation.

West Elevation.



Chicago Builds Green.
(Page 1 of 3)

GREEN

Project Name:

Madison & Racine

Project Location:

* Street Number (if the address only includes one street number, please fill only the cell "From"):

<small>From*</small>	<small>To*</small>	<small>Direction:</small>	<small>Street Name:</small>	<small>Select Street Type:</small>
1200		W	Madison	St

Ward No. Community Area No:

27	28
----	----

Project Type:

Check applicable:

Planned Development
 Redevelopment Agreement
 Zoning Change

PD No: 931
 RDA No:
 From: To:

Public project
 Landmark

Project Size:

<small>Total land area in sq.ft.:</small>	<small>Total building(s) footprint in sq.ft.:</small>	<small>Total vehicular use area in sq.ft.:</small>
48,000	41,544	4,844

DPD Project Manager:

Enter First Name Last Name

Patrick Murphy

BG/GR Matrix:

Select project category:

Res. < 4 units (Market rate)

Financial Incentives:

Check applicable:

TIF
 Empowerment Zone Grant
 Class L
 GRIF
 Ind. Dev. Revenue Bonds
 Class 6b
 SBIF
 Bank Participation Loan
 DOH
 Land Sale Write Down

Density Bonus:

Check applicable:

<input type="checkbox"/> Public plaza & pocket park	<input type="checkbox"/> Water features in a plaza or pocket park
<input type="checkbox"/> Chicago Riverwalk improvements	<input checked="" type="checkbox"/> Setbacks above the ground floor
<input type="checkbox"/> Winter gardens	<input checked="" type="checkbox"/> Lower level planting terrace
<input type="checkbox"/> Indoor through-block connection	<input checked="" type="checkbox"/> Green roof
<input type="checkbox"/> Sidewalk widening	<input checked="" type="checkbox"/> Underground parking and loading
<input type="checkbox"/> Arcades	<input checked="" type="checkbox"/> Concealed above-ground parking

Chicago Builds Green.
(Page 2 of 3)

Required Landscaping
Code or Green
Roof/Siting Green
Matrix

To be Provided by
the development:

Please fill, if applicable

Landscaping:

7' Landscape Setback	Square footage:	0	0
Interior Landscape Area	Square footage:	0	0
No. of Interior Trees		0	0
No. of Parkway Trees		8	8

Open Space:

River Setback	Square footage:	0	0
Private Open Space	Square footage:	0	0
Privately developed Public Open Space	Square footage:	0	19,800

Stormwater Management (At-grade volume control):

Permeable paving	Square footage:	0
Raingarden	Check applicable:	<input type="checkbox"/>
Filter strip		<input type="checkbox"/>
Bioswale		<input type="checkbox"/>
Detention pond		<input type="checkbox"/>
Native landscaping	Square footage:	900
Rain-water collection cistern/barrel	Gallons:	0
Total impervious area reduction	Square footage:	48,000

Other sustainable surface treatments:

Green roof	Square footage:	19,067	19,067
Energy Star roof	Square footage:	19,067	19,067
High-albedo pavement	Square footage:	0	

Transportation:

No. of accessory parking spaces		227	227
Total no. of parking spaces (Accessory + Non- Acc.)			227
No. of parking spaces dedicated to car sharing services (E.g.: I-Go, Zip-Car)		0	0
No. of bicycle parking		114	114
Within 600 ft of CTA or Metra station entrance	Check if applicable.	<input type="checkbox"/>	



Chicago Builds Green.
(Page 3 of 3)

Building Certification:

Energy Star building	<input type="checkbox"/>	<input type="checkbox"/>
LEED certification	<input checked="" type="checkbox"/>	
LEED Certified		<input checked="" type="checkbox"/>
LEED Silver		<input type="checkbox"/>
LEED Gold		<input type="checkbox"/>
LEED Platinum		<input type="checkbox"/>
Chicago Green Homes	<input type="checkbox"/>	
Chicago Green Homes [one-star]		<input type="checkbox"/>
Chicago Green Homes [two-star]		<input type="checkbox"/>
Chicago Green Homes [three-star]		<input type="checkbox"/>

Energy efficiency strategies not captured above:

-IE: Other than Energy Star Roof - or Energy Star Building Certification-

Low-e spectrally selective insulated glass in thermally broken frames;
 High efficiency mechanical and plumbing systems;
 Low wattage lighting;
 Water Conserving Appliances and Fixtures;
 Energy Star Appliances;

Other sustainable strategies and/or Project Notes:

Erosion and Sedimental Control will be protected during construction;
 Low/No VOC Paints and Primers;
 Low/No VOC Adhesives and Sealants;
 20'x 60' Dog Run on 2nd Floor Courtyard



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Lori T. Healey
Commissioner

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190
(312) 744-2271 (FAX)
(312) 744-2578 (TTY)

<http://www.cityofchicago.org>

November 15, 2006

Mr. Paul E. Bennett, II
Attorney at Law
NEAL & LEROY, LLC
203 North LaSalle Street
Suite 2300
Chicago, Illinois 60601-1243

**Re: Administrative Relief request for Residential Business Planned
Development No. 931, 1200-1212 W. Madison St./14-16 N. Racine
Ave.**

Dear Mr. Bennett:

Please be advised that your request for a minor change to Residential Business Planned Development No. 931 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 11 of the Planned Development.

Specifically, you requested a temporary increase in the allowable Floor Area Ratio (FAR) for the construction of a temporary sales center/model. The proposed eight-story building which will occupy the site contains 195,375 square feet, the maximum floor area allowed. Therefore, a temporary increase in allowable FAR is required, in order to construct a sales center/model for marketing of the development. The sales center/model will be the standard 3,600 square foot unit used throughout the real estate industry. It will be located on the southwest corner of the site and will be removed once all of the pre-construction activities have been completed.

With regard to your request, the Department of Planning and Development has reviewed the request and has determined that a temporary increase in allowable FAR for the temporary construction of a sales center/model would not create an adverse impact on the Planned Development or surrounding neighborhood and would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 931, I hereby approve the foregoing minor change, but no other changes to Residential Business Planned Development No. 931.

Sincerely,

Lori T. Healey
Commissioner
Department of Planning and Development

LTH:MRD:tm
cc: Kathleen Nelson, Terri Haymaker, Mike Marmo, DPD files





City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Lori T. Healey
Commissioner

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190
(312) 744-2271 (FAX)
(312) 744-2578 (TTY)

<http://www.cityofchicago.org>

September 7, 2006

Mr. Paul E. Bennett, II
Attorney at Law
NEAL & LEROY, LLC
203 North LaSalle Street
Suite 2300
Chicago, Illinois 60601-1243

Re: Administrative Relief request for Residential Business Planned Development No. 931, 1200-1212 W. Madison St./14-16 N. Racine Ave.

Dear Mr. Bennett:

Please be advised that your request for a minor change to Residential Business Planned Development No. 931 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 11 of the Planned Development.

Specifically, you requested the following changes:

- A reduction in the number of dwelling units from 164 to 155
- A proportional reduction in the number of affordable housing units from 32 to 31
- An increase in the number of parking spaces from 167 (plus 7 tandem spaces) to 172 (plus 8 tandem spaces)
- An increase in the building height from 92'-9" to 95'-7" due to the requirements of the first floor structural system. (The allowable maximum height pursuant to the Planned Development is 95'-0").

With regard to your request, the Department of Planning and Development has reviewed the request and has determined that these proposed changes would not create an adverse impact on the Planned Development or surrounding neighborhood and would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 931, I hereby approve the foregoing minor change, but no other changes to Residential Business Planned Development No. 931.

Sincerely,

Lori T. Healey
Commissioner
Department of Planning and Development

LTH:MRD:tm
cc: Terri Haymaker, Mike Marmo, DPD files



NEAL & LEROY, LLC

203 North LaSalle Street, Suite 2300 | Chicago, Illinois 60601-1243 | telephone 312.641.7144 | facsimile 312.641.5137 | www.nealandleroy.com

Paul E. Bennett, II
Attorney at Law

September 5, 2006

VIA HAND DELIVERY

Lori T. Healey, Commissioner
Department of Planning and Development
City Hall - Room 1000
121 North LaSalle Street
Chicago, Illinois 60602

**Re: Letter of Clarification to Residential Business Planned Development Number 931
Mixed Use Development by Madison Racine, LLC, 27th Ward
1200-1212 West Madison Street; 14-16 North Racine Avenue, Chicago, IL**

Dear Commissioner Healey:

On Tuesday, August 22, 2006, members of your staff and my client convened a meeting to discuss several matters concerning the above referenced project.

Specifically, my client presented several details regarding certain minor modifications to the planned development approved in September 2004. Your staff considered the modifications to be minimal and recommended recording them in a letter. The modifications are as follows:

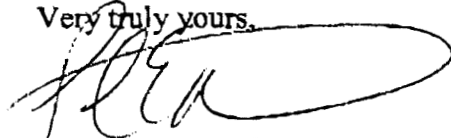
1. Reducing the Unit Count from 164 to 155
2. Proportionally reducing the number of affordable units from 32 to 31, while maintaining the overall twenty percent (20%) Affordable Unit Requirement pursuant to the Planned Development Ordinance and the Redevelopment Agreement.
3. Increasing the number of parking spaces from 167 (plus 7 tandem spaces) to 172 (plus 8 tandem spaces)
4. Increasing the building height to 95' 7" (feet) from 92' 9" (feet) because of structural system located on the first floor that is required for the project. The maximum height pursuant to the Redevelopment Agreement is 95' (feet).

The above referenced modifications are minimal, consistent and within the nature of the improvements contemplated within this planned development. As a result of the benign nature of our modifications, we have drafted this correspondence in order to place them on record.

Lori T. Healey, Commissioner
September 5, 2006
Page 2

We will be following up with your department in order to discuss the other aspects of this development. In the meantime, please contact me if you have any questions and/or comments.

Very truly yours,



Paul E. Bennett, II

PEB/cm

cc: Terri Haymaker (*via facsimile*)
Madeline Doering (*via facsimile*)
Lori Bush (*via facsimile*)
Elizabeth Whittaker (*via facsimile*)
David Chase (*via facsimile*)
Yoav Yakoby (*via facsimile*)
Langdon Neal

9/29/2004

REPORTS OF COMMITTEES

13896
32389

Please let the record reflect that I, William J. P. Banks, abstained from voting and recused myself on Application Numbers 14346, 14459 and 14460 under the provisions of Rule 14 of the City Council's Rules of Order and Procedure.

At this time, I move for passage of the ordinance transmitted herewith.

Again, please let the record reflect that I abstain from voting on Application Numbers 14346, 14459 and 14460 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 amended ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Flores, Haithcock, Tillman, Preckwinkle, Hairston, Lyle, Beavers, Stroger, Beale, Pope, Balcer, Cárdenas, Olivo, T. Thomas, Coleman, L. Thomas, Murphy, Rugai, Troutman, Brookins, Muñoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Reboyras, Suarez, Matlak, Mell, Colón, Banks, Mitts, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Tunney, Shiller, Schulter, M. Smith, Moore, Stone -- 47.

LBPD 931

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 C3-3 Commercial Manufacturing District and C2-3 General Commercial District symbols and indications as shown on Map Number 1-G in the area bounded by:

North Racine Avenue; the 17 foot east/west alley parallel to West Madison Street; a line parallel to North Racine Avenue and 239.98 feet west of North Racine Avenue running for a distance of 200.30 feet; West Madison Street; a line parallel to North Racine Avenue and 89.78 feet west of North Racine Avenue; and a line parallel to West Madison Street and 99.91 feet north of West Madison Street,

to those of a B2-4 Restricted Retail District and a corresponding use district is hereby established in the area above described.

SECTION 2. In the area above described, the City Zoning Ordinance be amended by changing all of the B2-4 Restricted Retail District symbols to those of a Residential-Business Planned Development and a corresponding use is hereby established.

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

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

Residential-Business Planned Development Number 931.

Plan Of Development Statements.

1. The area delineated herein as a Residential-Business Planned Development consists of a net site area of approximately eighty-nine hundredths (.89) acres which is controlled by Madison-Racine, L.L.C. ("Applicant") for purposes of this Residential-Business Planned Development.
2. The Applicant shall obtain all applicable official reviews, approvals or permits which are necessary to implement this plan of development. Any dedication or vacation of streets or alleys or easements or adjustments of rights-of-way or consolidation or resubdivision of parcels shall require 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 applicable within this planned development shall be binding upon the Applicant, its successors and assigns and if different than the Applicant, the owners of all the property within the planned development or any homeowners association(s) formed to succeed the Applicant for purposes of control and management of any portion of the planned development, the legal

titleholder and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant, successors and assigns and, if different than the Applicant, the legal titleholder 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 modification or change thereto (administrative, legislative or otherwise) shall be made by the Applicant, the owners of all the property within the planned development or any homeowners association(s) formed to succeed the Applicant for purposes of control and management of any portion of the planned development. No amendment may be sought without written approval by the homeowners association unless the right to do so has been retained by Applicant and its successors in title documents.

4. This planned of development consists of these fourteen (14) statements; a Bulk and Data Table; an Existing Zoning Map; an Existing Land-Use/Planned Development Boundary Map; a First Floor/Site Plan; a Second Floor/Green Roof Plan; and Building Elevations for the South, East, North and West Elevations of the building all dated March 11, 2004, prepared by Brininstool Lynch, Ltd. Architects, which are all incorporated herein. Full size sets of the Site Plan and Landscape Plan and Building Elevations are on file with the Department of Planning and Development. This plan of development is in conformity with the intent and purposes of the Chicago Zoning Ordinance (Title 17 of the Municipal Code of Chicago) and all requirements thereof and satisfies the established criteria for approval of a planned development. These and no other zoning controls shall apply to the area delineated herein.
5. The following uses shall be permitted within the areas delineated herein: multi-family dwelling units; uses as permitted in the B2-4 zoning district; accessory parking; accessory uses; and related uses.
6. Identification and business 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 shall be permitted within the planned development subject to review and approval of the Department of Planning and Development.
7. Any service drives or other ingress or egress including emergency vehicle access shall be adequately designed, constructed and paved in accordance with the Municipal Code of Chicago and the regulations of the Department of Transportation in effect at the time of construction. Ingress and egress

shall be subject to the review and approval of the Department of Transportation and the Department of Planning and Development. All work in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in accordance with the Municipal Code of the City of Chicago. Off-street parking and off-street loading facilities shall be provided in compliance with this plan of development subject to review of the Departments of Transportation and Planning and Development

8. In addition to the maximum height of any building or any appurtenance attached thereto, the height of any improvement shall also be subject to height limitations as approved by the Federal Aviation Administration.
9. The maximum permitted floor area ratio shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of floor area ratio calculations and floor area measurements, the definition in the City of Chicago Zoning Ordinance shall apply.
10. Improvements of the property, including landscaping and all entrances and exits shall be designed, installed and maintained in substantial conformance with the Bulk Regulations and Data Table and the Site and Landscape Plan attached hereto and made a part hereof. As shown on the attached Landscape/Green Roof Plan, the Applicant will provide for development of the subject property such that fourteen thousand (14,000) square feet of the subject property shall be covered with landscaping or a so-called green roof. Twenty percent (20%) of the residential units will be affordable units through an agreement between the Applicant and the City of Chicago Department of Housing. Ten percent (10%) will be for families making between eighty percent (80%) and ninety percent (90%) of the Area Median Income ("A.M.I."). The remaining ten percent (10%) of the affordable units will be for families making between ninety percent (90%) of A.M.I. and one hundred twenty percent (120%) of A.M.I.. In acknowledgment of the significant affordable component and significant green roof/landscaping component, the City of Chicago shall grant the Applicant open space fee waivers or permit fee waivers. Landscaping shall be installed and maintained at all times in accordance with the Site Plan and the Parkway Tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.
11. The terms, conditions and exhibits of this planned development ordinance may be modified, administratively, by the Commissioner of the Department of Planning and Development upon the written request for such 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 is consistent with the nature of the improvements contemplated in this planned development. 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.

12. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings 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.
13. 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 commercially reasonable efforts to design, construct and maintain all buildings located within this planned development in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating. Applicant shall also work with the City of Chicago, Department of Planning and Development to satisfy the City of Chicago's Green Building Standards and the Energy Star Guidelines.
14. Unless substantial construction of the building has not yet begun within the planned development within six (6) years of the date of passage of the planned development, the zoning of that property shall revert to the C2-3 General Commercial District. The six (6) year period may be extended for one (1) additional year if, before expiration, the Commissioner of the Department of Planning and Development determines that there is good cause for such an extension.

[Existing Zoning Map; Land-Use/Planned Development Boundary Map; First Floor/Site Plan; Second Floor/Green Roof Plan; Third through Seventh Floor Plan; Penthouse Floor Plan; and Building Elevations referred to in these Plan and Development Statements printed on pages 32395 through 32404 of this *Journal*.]

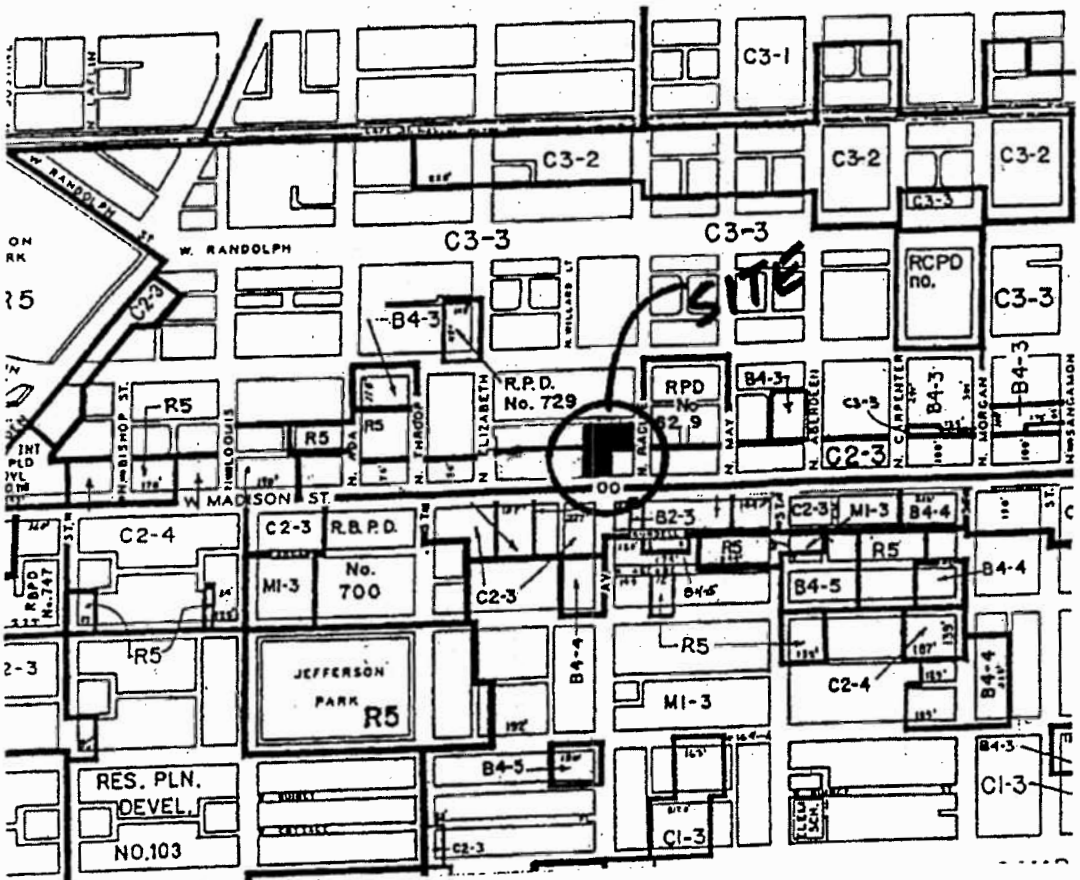
Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

Residential-Business Planned Development Number 931.

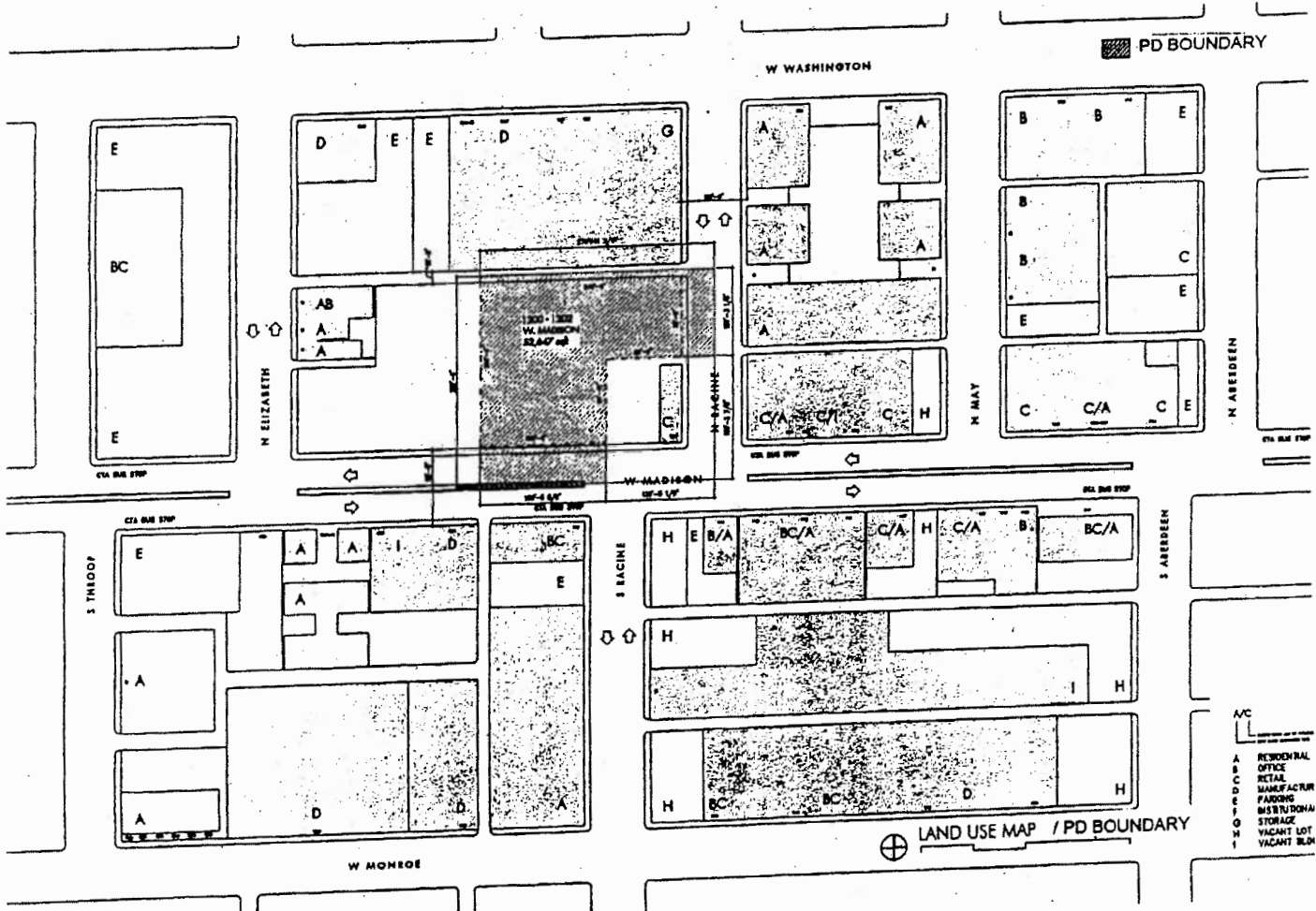
Bulk Regulations And Data Table.

Gross Site Area:	52,647 square feet (1.2 acres)
Net Site Area:	Total = Gross Site Area (52,647 square feet) - Area in Public Streets and Alleys (13,572 square feet) = Net Site Area of 39,075 square feet (.89 acres)
Maximum Floor Area Ratio:	5.0 Non-accessory parking in the building shall not count against floor area ratio
Maximum Number of Residential Units:	164
Maximum Site Coverage:	In accordance with the Site Plan
Minimum Number of Accessory Off-Street Parking Spaces:	167 (plus 7 tandem spaces) In the event fewer units are constructed at the time of Part II approval, fewer parking spaces may also be constructed, so long as the 1:1 parking ratio of residential units to parking spaces is maintained. Except that if revisions are required by another City agency at the time of building permit applications, the number of parking spaces may be reduced, so long as a minimum ratio of 1:1 space per dwelling unit is maintained.
Minimum Number of Off-Street Loading Docks:	2
Minimum Building Setbacks:	In accordance with the Site Plan
Maximum Building Height:	In accordance with the Building Elevations

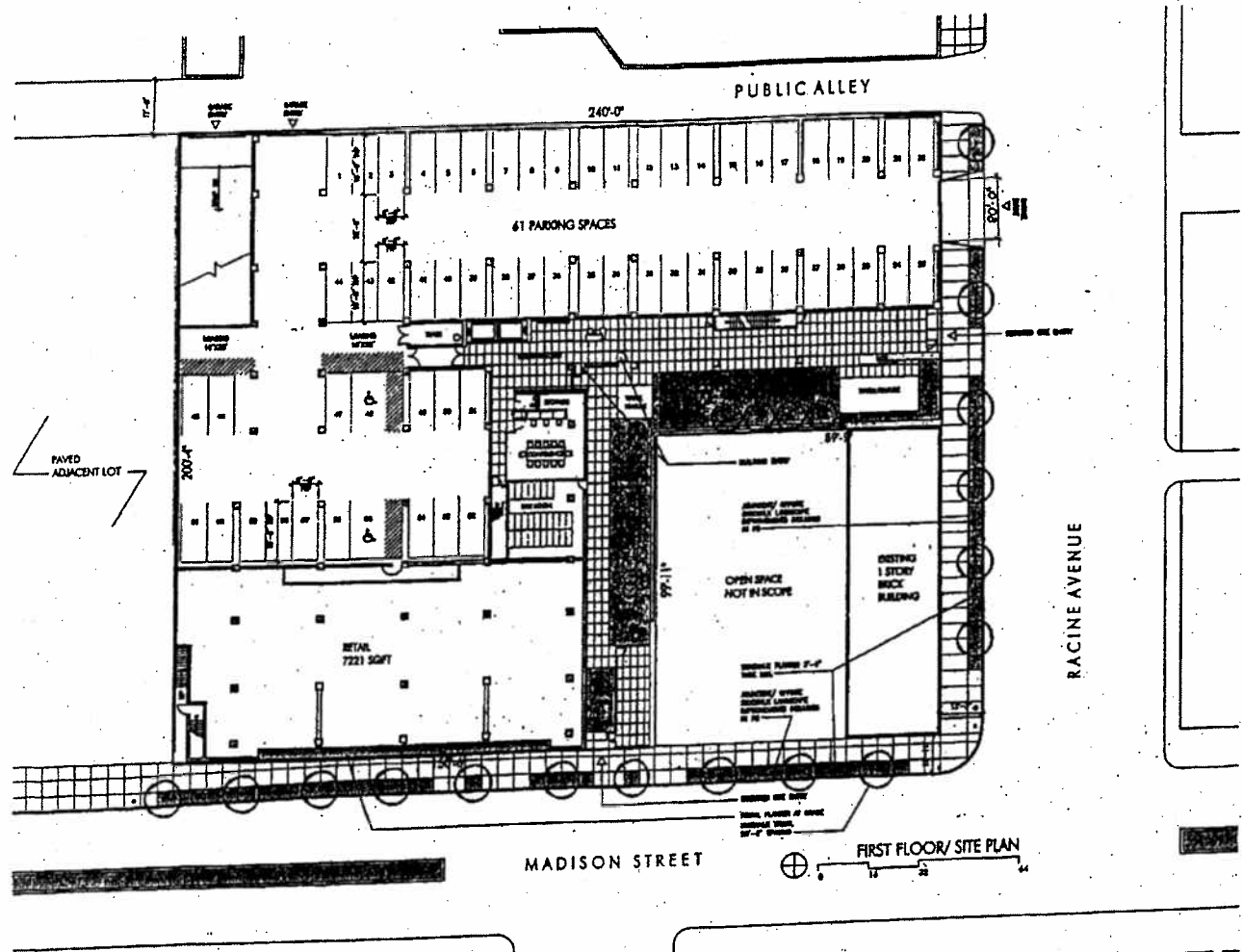
Existing Zoning Map.



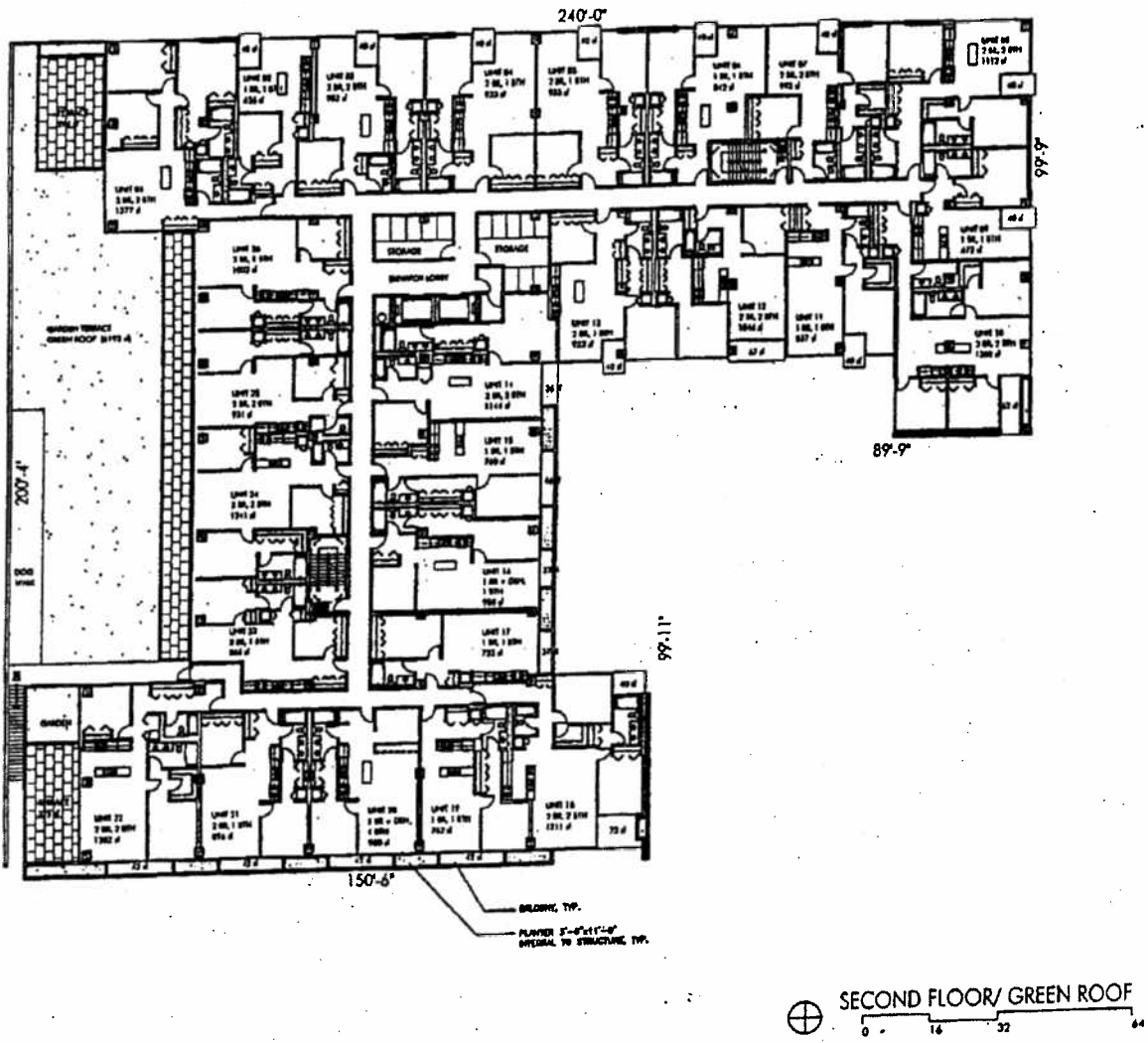
Land-Use Map/Planned Development
Boundary Map.



First Floor/Site Plan.



Second Floor/Green Roof Plan.

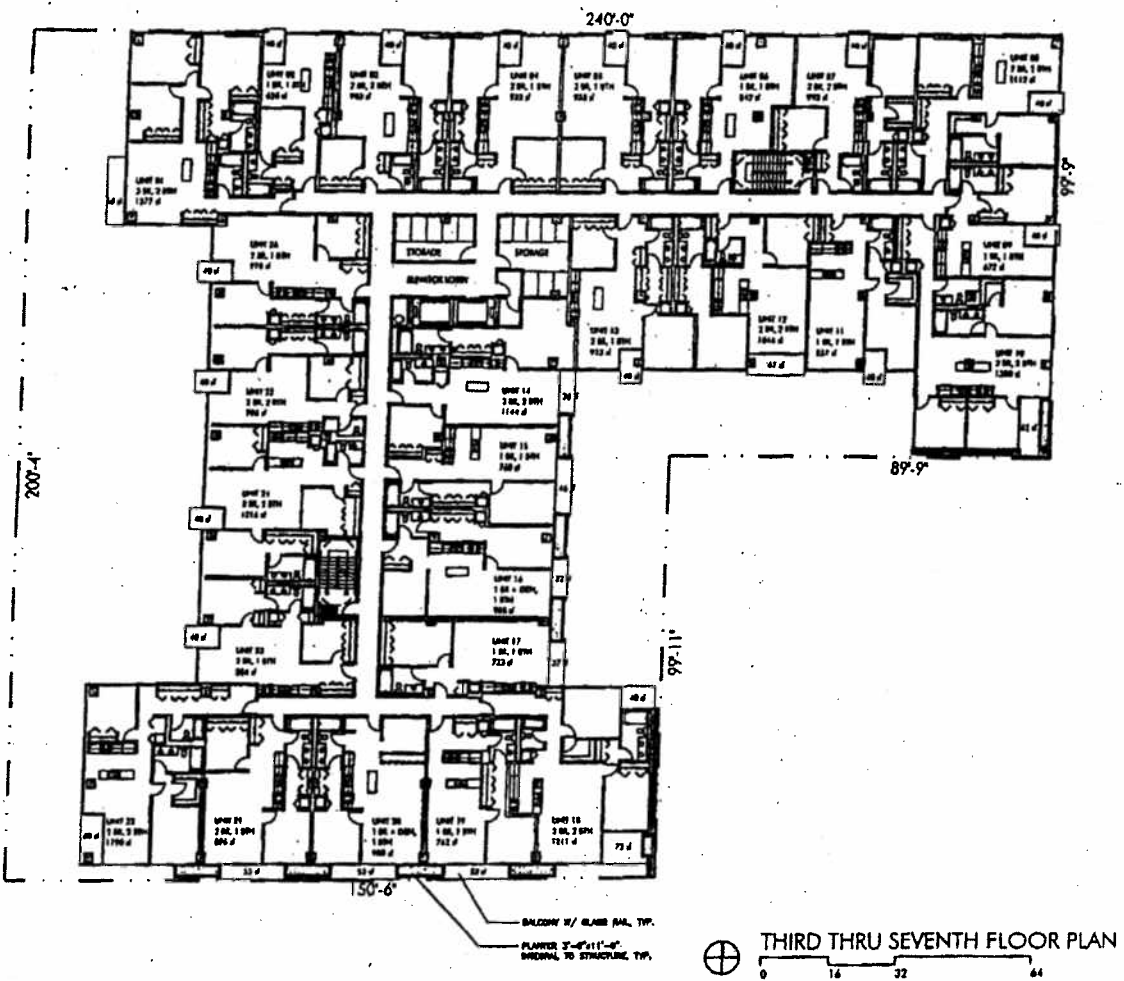


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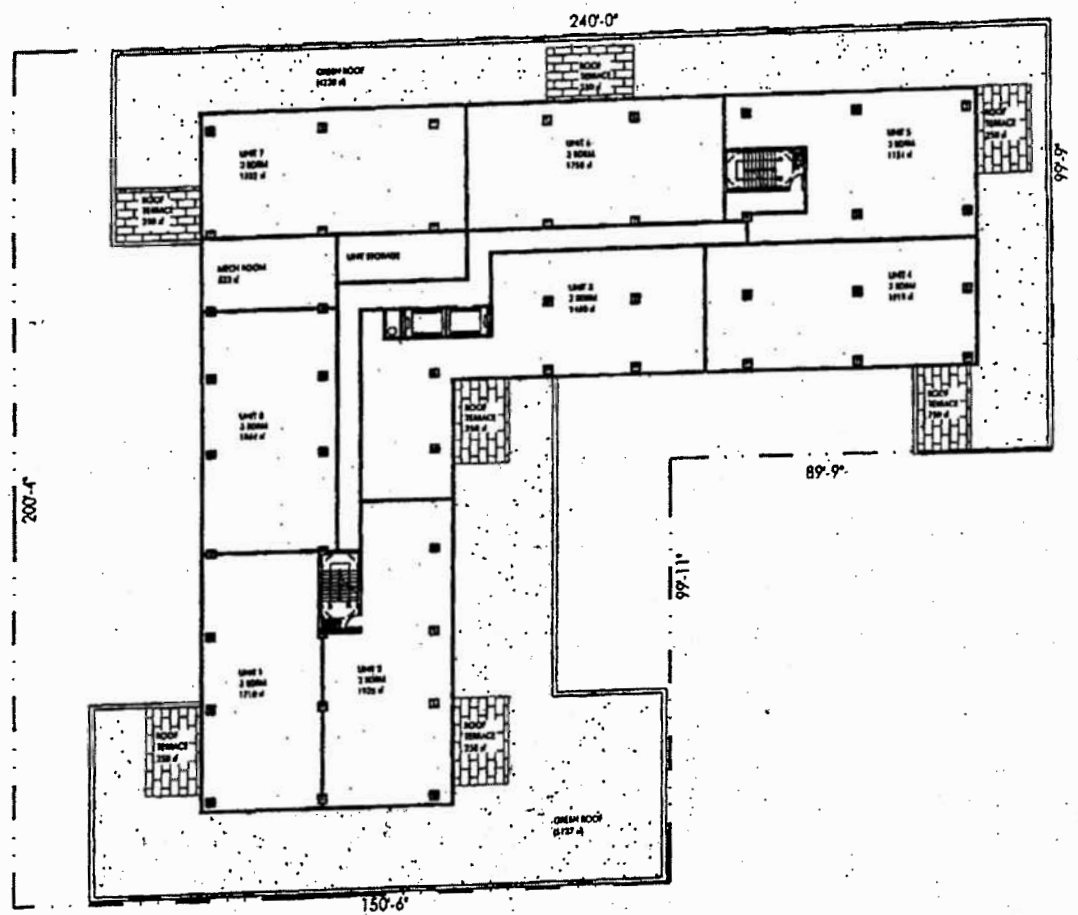
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32399

Third Through Seventh Floor Plan.



Penthouse Floor Plan.



PENTHOUSE FLOOR PLAN

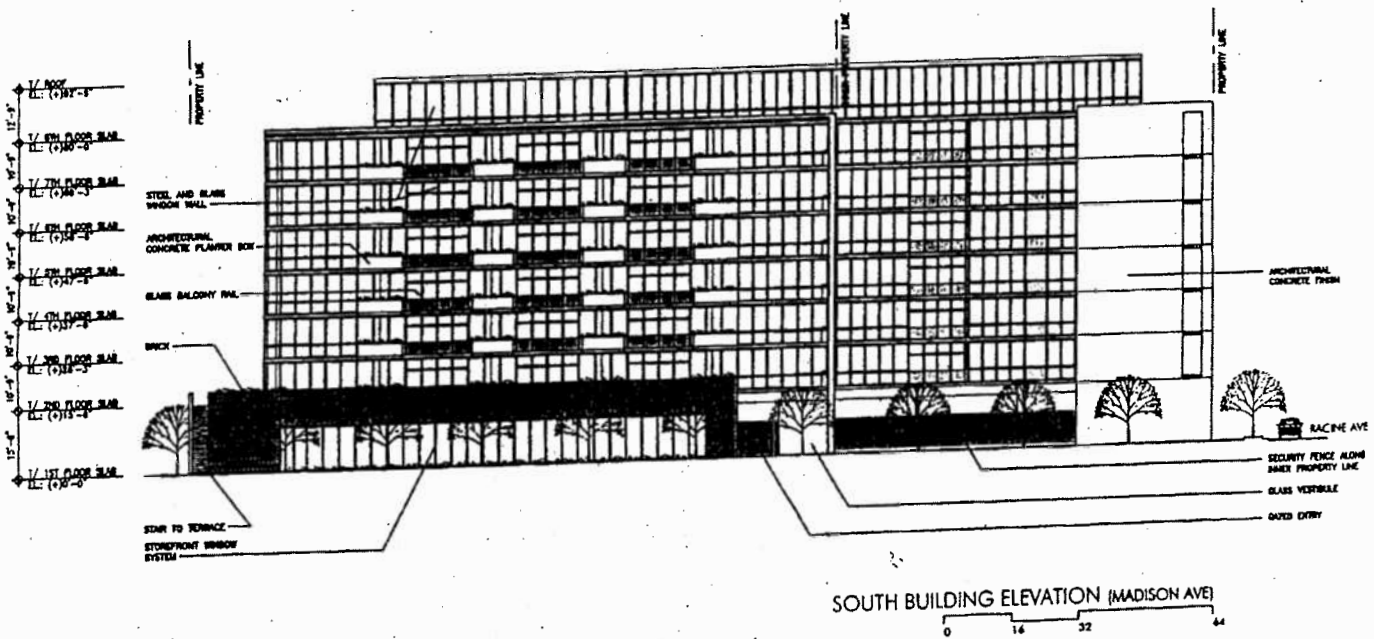
J-002

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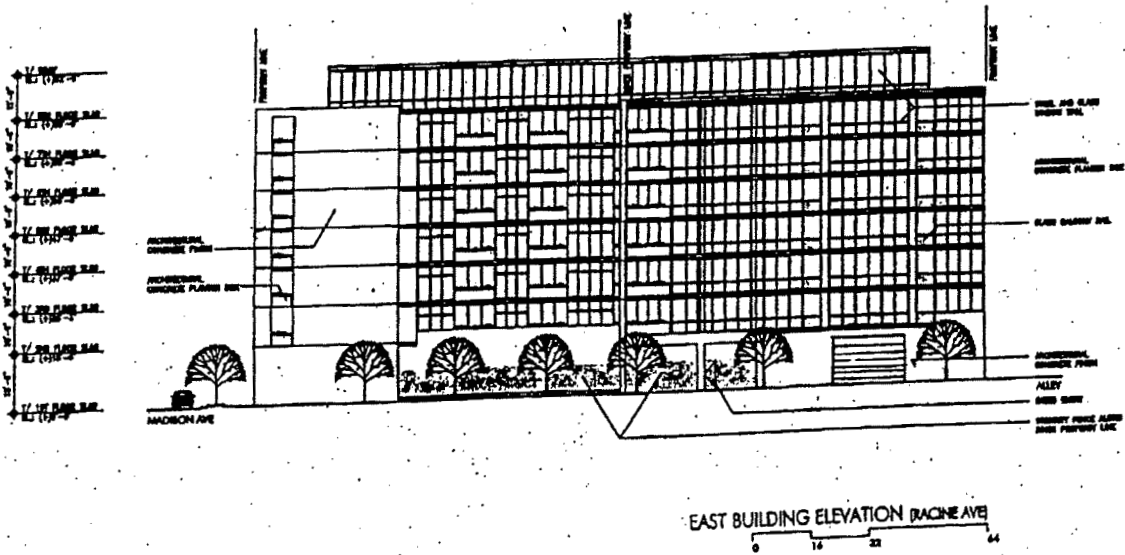
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32401

South Building Elevation.
(Madison Street)



East Building Elevation.
(Racine Avenue)

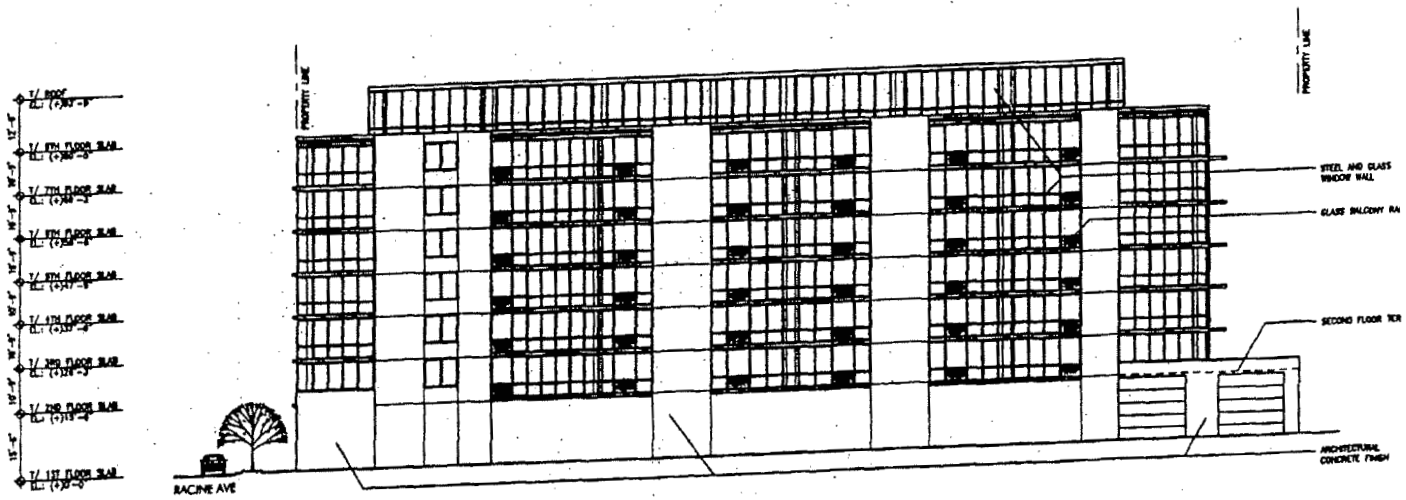


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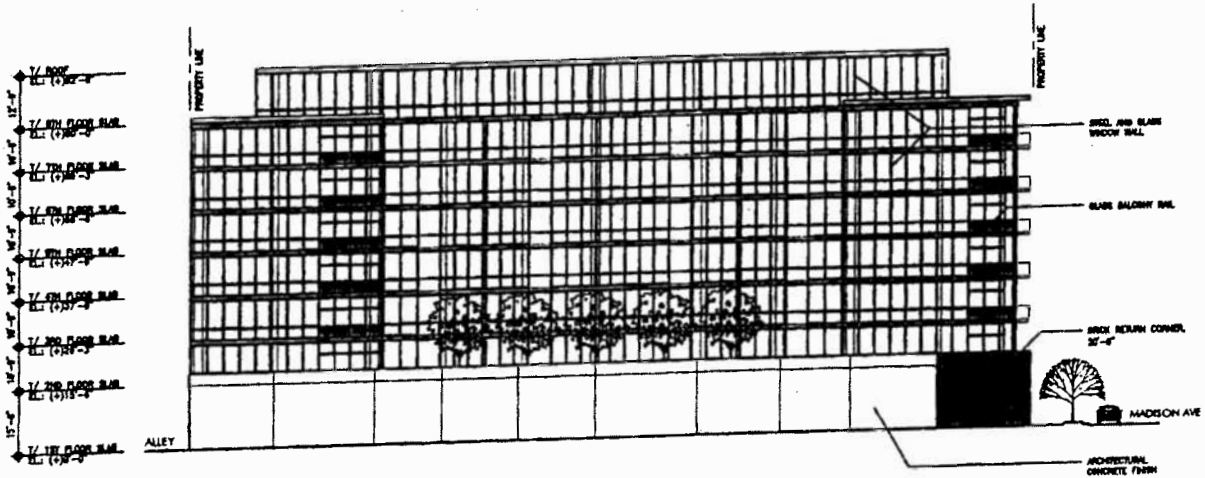
32403

North Building Elevation.
(Alley)



NORTH BUILDING ELEVATION (ALLEY)

West Building Elevation.



WEST BUILDING ELEVATION
0 16 32 64