



City of Chicago
Richard M. Daley, Mayor

Department of Zoning and
Land Use Planning

Patricia A. Scudiero
Commissioner

City Hall, Room 905
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-5777 (Voice)
(312) 744-6552 (FAX)
(312) 744-2950 (TTY)

<http://www.cityofchicago.org>

September 17, 2010

Mr. John J. George
Attorney At Law
Two First National Plaza
20 South Clark Street
Suite 400
Chicago, Illinois 60603-1903

Re: **One-year sunset extension for Residential Business Planned
Development No. 932, 1000 South Michigan Avenue**


Dear Mr. George:

Please be advised that your request for a one-year sunset extension to the six-year construction period for Residential Business Planned Development No. 932 has been considered by the Department of Zoning and Land Use Planning pursuant to Section 17-13-0612-B of the Chicago Zoning Ordinance and Statement No. 15 of the Planned Development.

Residential Business Planned Development No. 932 was passed by the Chicago City Council on September 29, 2004. Statement No. 15 of the Planned Development contains the sunset provisions, which requires commencement of substantial construction of the improvements on the "B6-7 Parcel" within six years of the effective date of the ordinance. As a result of economic conditions, Renaissance 1000 South Michigan I, L.P., owner of the "B6-7 Parcel", is requesting a one-year extension of the sunset provisions.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Business Planned Development No. 932, I hereby approve a one-year sunset extension from September 29, 2010 to September 29, 2011.

Sincerely,


Patricia A. Scudiero
Commissioner

PAS: HG: tm
C: Mike Marmo, Erik Glass, Main file

NEIGHBORHOODS



9/29/2004

REPORTS OF COMMITTEES

13233
32407

Reclassification Of Area Shown On Map Number 2-E.

(As Amended)

(Application Number 13233) *RBPD 932*

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 C3-6 Commercial Manufacturing District symbols and indications as shown on Map Number 2-E in the area bounded by:

East 9th Street; a line 121 feet east of the east line of South Wabash Avenue; a line 134.16 feet south of the south line of East 9th Street; a line 161 feet east of the east line of South Wabash Avenue; the alley next north of East 11th Street; the alley next east of South Wabash Avenue; a line 302.96 feet south of the south line of East 9th Street; and South Wabash Avenue,

to those of a Residential-Business Planned Development 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 herewith attached and made a part thereof and to no others.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the B6-7 Restricted Central Business District symbols and indications as shown on Map Number 2-E in the area bounded by:

a line 134.21 feet south of the south line of East 9th Street; South Michigan Avenue; a line 268.55 feet south of the south line of East 9th Street; and a line 251.84 feet west of the west line of South Michigan Avenue,

And

East 9th Street; a line 151 feet east of the east line of South Wabash Avenue; a line 134.16 feet south of the south line of East 9th Street; and a line 121 feet east of the east line of South Wabash Avenue,

to those of a Residential-Business Planned Development 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 herewith attached and made a part thereof 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-Business Planned Development Number 932.

Plan Of Development Statements.

1. The area delineated herein as a Residential-Business Planned Development consists of approximately sixty-eight thousand six hundred fourteen (68,614) square feet (one and fifty-seven hundredths (1.57) acres) (the "Property") and is owned or controlled by the applicant, 1000 South Michigan, L.L.C., an Illinois limited liability company (the "Applicant"). These plan of development statements, together with the exhibits hereto, and this ordinance, may hereafter be referred to as the "Planned Development".
2. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees, or grantees. Any dedication or vacation of streets or alleys, or easements, or adjustments of right-of-way, or consolidation or resubdivision of parcels, shall require a separate submittal on behalf of the Applicant or its successors, assignees, or grantees and approval by the City Council.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders. 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 titleholders. 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, such applications shall be made under single ownership or under single designated control. Single designated control for purposes of this statement shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property subject to the following exceptions and conditions: (a) any changes or modifications to this Planned Development applicable to one or more subarea need only be made or authorized by the owners of such subarea; provided, however, that for so long as the Applicant or any affiliate thereof owns or controls any part of the Property, any application to the City for any such changes or modifications (administrative, legislative or otherwise) must in all cases be authorized by the Applicant and (b) where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" shall be deemed to refer solely to the condominium

association of the owners of such portions of the improvements and not to the individual unit owners therein. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term the Applicant shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder; provided, however, that the Applicant's right to approve changes or modifications to this Planned Development set forth in clause (a) of this Statement Number 4 above shall not be deemed amended or transferred to apply to a transferee (or its beneficiaries as aforesaid) unless expressly assigned in a written instrument executed by the original Applicant hereunder, and the original Applicant hereunder shall retain all such rights for so long as it owns all or any portion of the Property.

4. The plan of development consists of fifteen (15) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Property Line, Boundary and Right-of-Way Adjustment Map; an Existing Land-Use Map; a Site/Landscape Plan, Roof Level Site Plan, Setback Plans and Building Elevations, prepared by DeStefano & Partners and dated August 12, 2004. Full size sets of the Site/Landscape Plan, Roof Level Site Plan and Building Elevations are on file with the Department of Planning and Development. The Planned Development is applicable to the area delineated hereto and these and no other zoning controls shall apply.
5. The following uses shall be permitted within the area delineated herein as "Residential-Business Planned Development": residential units, all uses permitted in a B6-7 Restricted Central Business District including but not limited to retail stores, health clubs, art galleries, restaurants, taverns, outdoor cafes, business and professional offices including dental and medical, child care, drug stores, grocery stores, banks, and accessory and non-accessory 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. 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 pylon or rooftop signs shall be permitted.

7. Any service drive or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Chicago Department of Transportation ("C.D.O.T.") 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 reasonable review and approval of C.D.O.T. and of the Department. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. All work proposed 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 compliance with the Municipal Code of the City of Chicago. Off-street parking and loading facilities shall be provided in compliance with this Planned Development. A minimum of two percent (2%) of all parking spaces provided pursuant to this Planned Development shall be designated and designed for parking for the handicapped.
8. In addition to the maximum height of any building or any appurtenance thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
9. For purposes of Floor Area and Floor Area Ratio calculations, the definitions of the Chicago Zoning Ordinance in effect as of the date hereof shall apply; provided, however, that in addition to the other exclusions from floor area for purposes of determining Floor Area Ratio permitted by the Chicago Zoning Ordinance, floor area devoted to mechanical equipment which exceeds five thousand (5,000) square feet in any single location within the improvements and all rooftop mechanical equipment shall be excluded.
10. The Applicant may designate subareas within the Planned Development from time to time in order to promote orderly development, to facilitate financing, acquisition, leasing or disposition of the Property or relevant portions thereof, to designate zoning control or to otherwise administer this Planned Development. Any designation or re-definition of subareas shall not require an amendment or minor change to this Planned Development. In furtherance of the foregoing, the Applicant may allocate or assign the development rights under this Planned Development to and among the designated subareas, including, but not limited to, floor area and floor area ratio, dwelling units, and parking; provided, however, that the limitations set forth in the Bulk Regulations and Data Table applicable to the entirety of the Planned Development shall not be exceeded or increased as a result of any such designation(s).

11. The improvements on the Property shall be designed, installed and maintained in substantial conformance with the Site/Landscape Plan, the Roof Level Site Plan and Building Elevations, and in accordance with the parkway and parking lot landscaping provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. Applicant acknowledges that it shall not be permitted to construct any improvements between twenty-three (23) feet above grade to two hundred sixty-nine (269) feet above grade in the area bounded by the following: the existing south face of the 910 South Michigan Avenue building; the west line of South Michigan Avenue; a line twelve (12) feet south of the existing south face of the 910 South Michigan Avenue building; and a line forty-six (46) feet west of the west line of South Michigan Avenue (the "Clear Zone"). It is acknowledged that the intent of this limitation is to ensure that no improvements will be made immediately adjacent to windows of residential units in the 910 South Michigan Avenue causing such windows not to function in any capacity. This limitation shall not apply to windows of accessory uses in the 910 South Michigan Avenue building. Applicant may modify the dimensions of the Clear Zone, without amendment (administrative or otherwise), to this Planned Development, so long as such modification is consistent with the intent of this Statement 11.
12. The requirements of the Planned Development may be modified administratively by the Commissioner of the Department (the "Commissioner") upon application and a determination by the Commissioner that such modification is minor, appropriate and consistent with the nature of the improvements contemplated by this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of the Planned Development by the Commissioner 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. Notwithstanding the provisions of Section 11.11-3(c) of the Chicago Zoning Ordinance, such minor changes may also include but are not limited to a reduction in the minimum required distance between structures, a reduction in periphery setbacks and an increase of the maximum percent of land covered.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. The Applicant shall use commercially reasonable efforts to design, construct and maintain all buildings located within the Property in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System.

14. 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 new 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 new building or improvement.
15. The Existing Zoning Map shows that a portion of the Property has an underlying zoning of C3-6 (the "C3-6 Parcel") and that a portion has an underlying zoning of B6-7 (the "B6-7 Parcel"). Unless substantial construction of the improvements on the B6-7 Parcel, as contemplated by this Planned Development, has commenced within six (6) years of the effective date hereof and unless completion of those improvements is thereafter diligently pursued, then this Planned Development shall expire as to the B6-7 Parcel and the zoning of the Property shall automatically revert to the underlying B6-7 Restricted Central Business District classification. In addition, unless substantial construction of the improvements on the C3-6 Parcel, as contemplated by this Planned Development, has commenced within nine (9) years of the effective date hereof and unless completion of those improvements is thereafter diligently pursued, then this Planned Development shall expire as to the C3-6 Parcel and the zoning of the Property shall automatically revert to the underlying C3-6 Commercial Manufacturing District classification. The six (6) year and nine (9) year periods may be extended for up to one (1) additional year if, before expiration, the Commissioner of the Department determines that good cause for an extension is shown.

[Zoning Map; Planned Development Boundary and Property Line Map; Land-Use Plan; Ground Level Site/Landscape Plan; Ground Level Site/Landscape Plan Phase I; Landscape Plan; Roof Level Site/Landscape Plan Phase I; and Building Elevations referred to in these Plan of Development Statements printed on pages 32414 through 32425 of this *Journal*.]

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

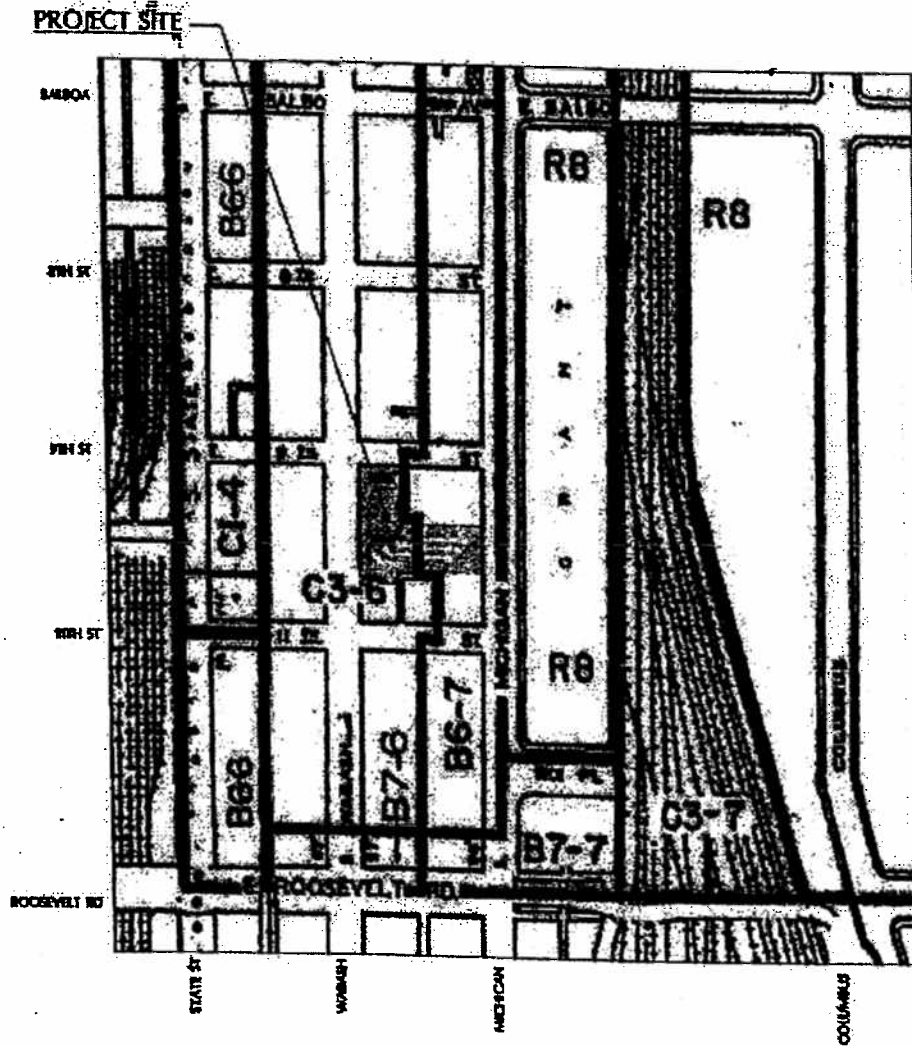
Residential-Business Planned Development Number 932.

Bulk Regulations And Data Table.

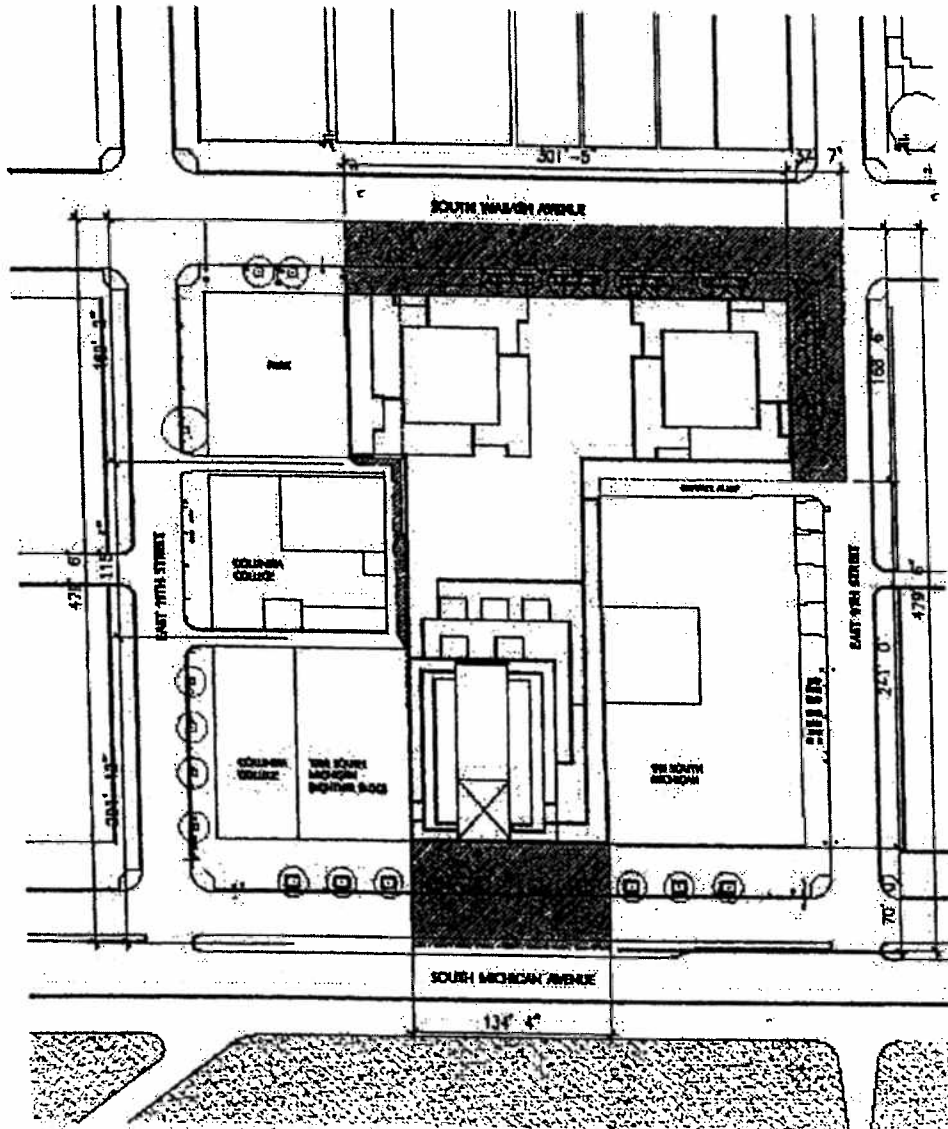
Gross Site Area (98,514 square feet) = Net Site Area (68,614 square feet) + Area Remaining in the Right-of-Way (29,900 square feet)

Maximum Floor Area Ratio:	16.56
Maximum Number of Dwelling Units:	656
Minimum Off-Street Loading Spaces:	8
Minimum Off-Street Parking Spaces:	700
Minimum Required Setbacks:	In accordance with the Site Plan
Maximum Building Height:	Phase I -- 425 feet (Michigan Avenue Building) Phase II -- 360 feet (building south of the building at the southeast corner of South Wabash Avenue and East 9 th Street) Phase III -- 375 feet (building at the southeast corner of South Wabash Avenue and East 9 th Street)
Maximum Percentage of Site Coverage:	In accordance with the Site Plan

Zoning Map.



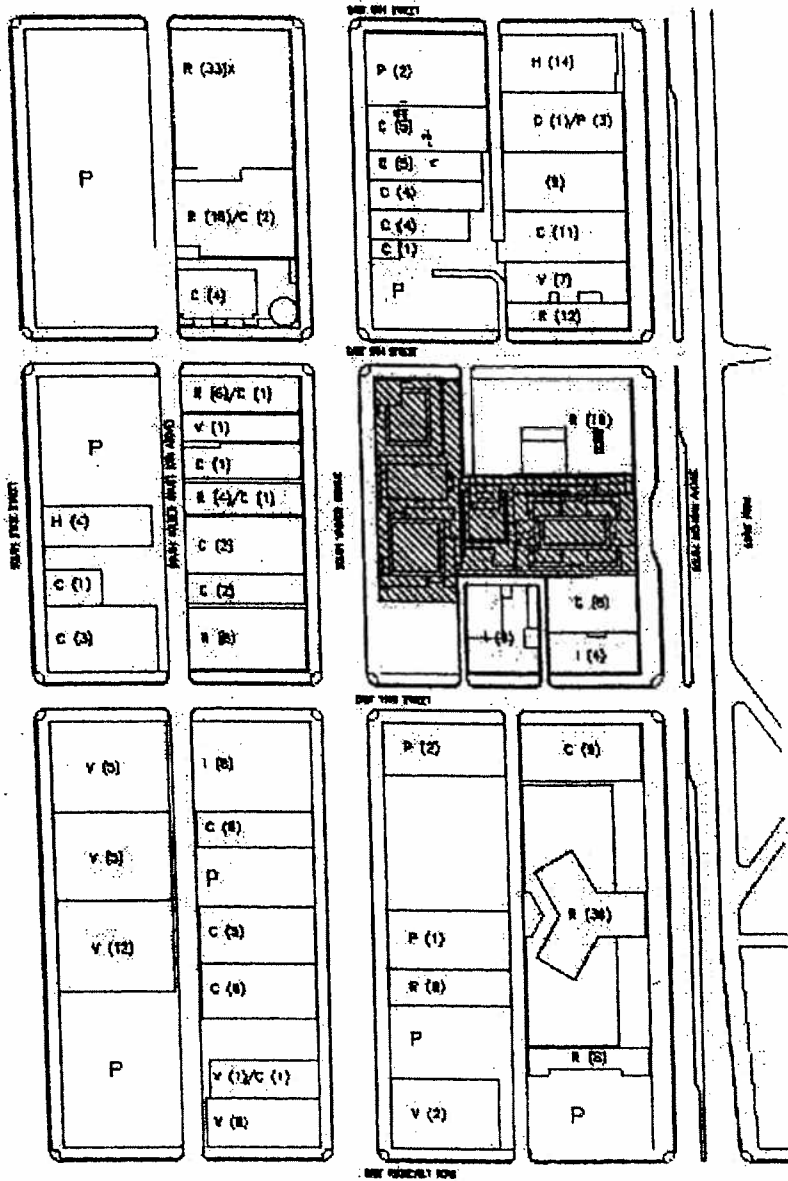
Planned Development Boundary
And Property Line Map.



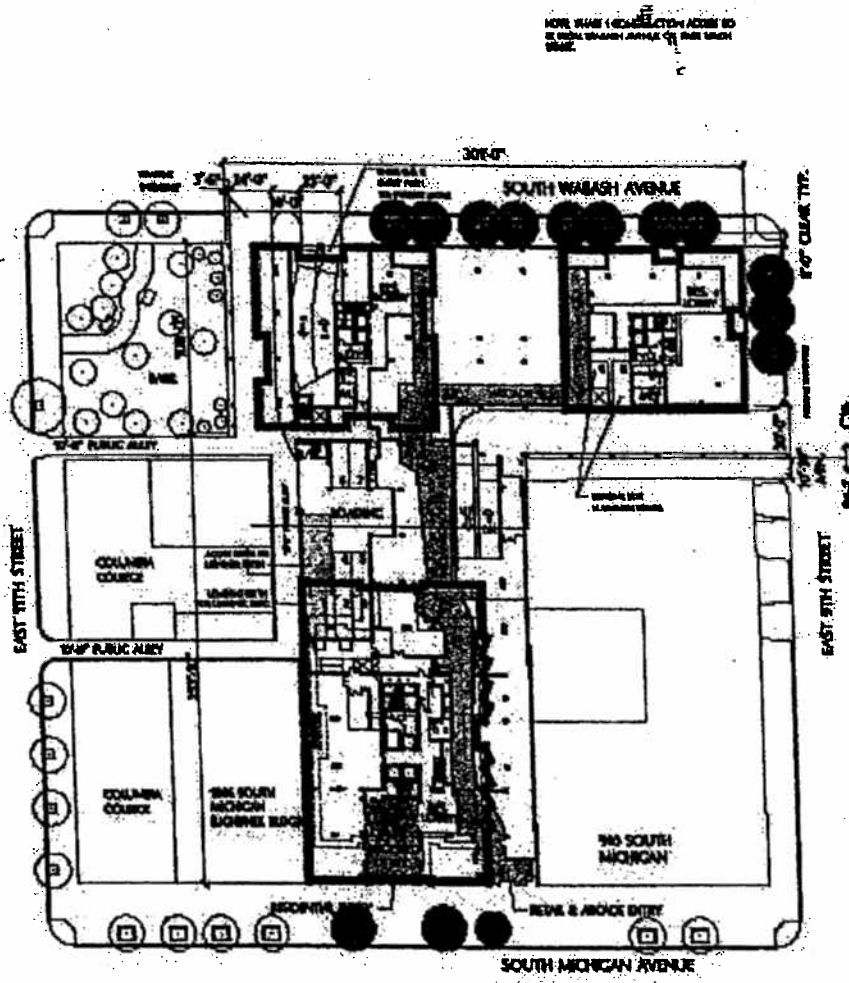
GROSS SITE AREA: 95,420 SF
NET SITE AREA: 68,674 SF

---	SOUTH MORGAN AVENUE
---	SOUTH MORGAN AVENUE
---	SOUTH MORGAN AVENUE
---	SOUTH MORGAN AVENUE

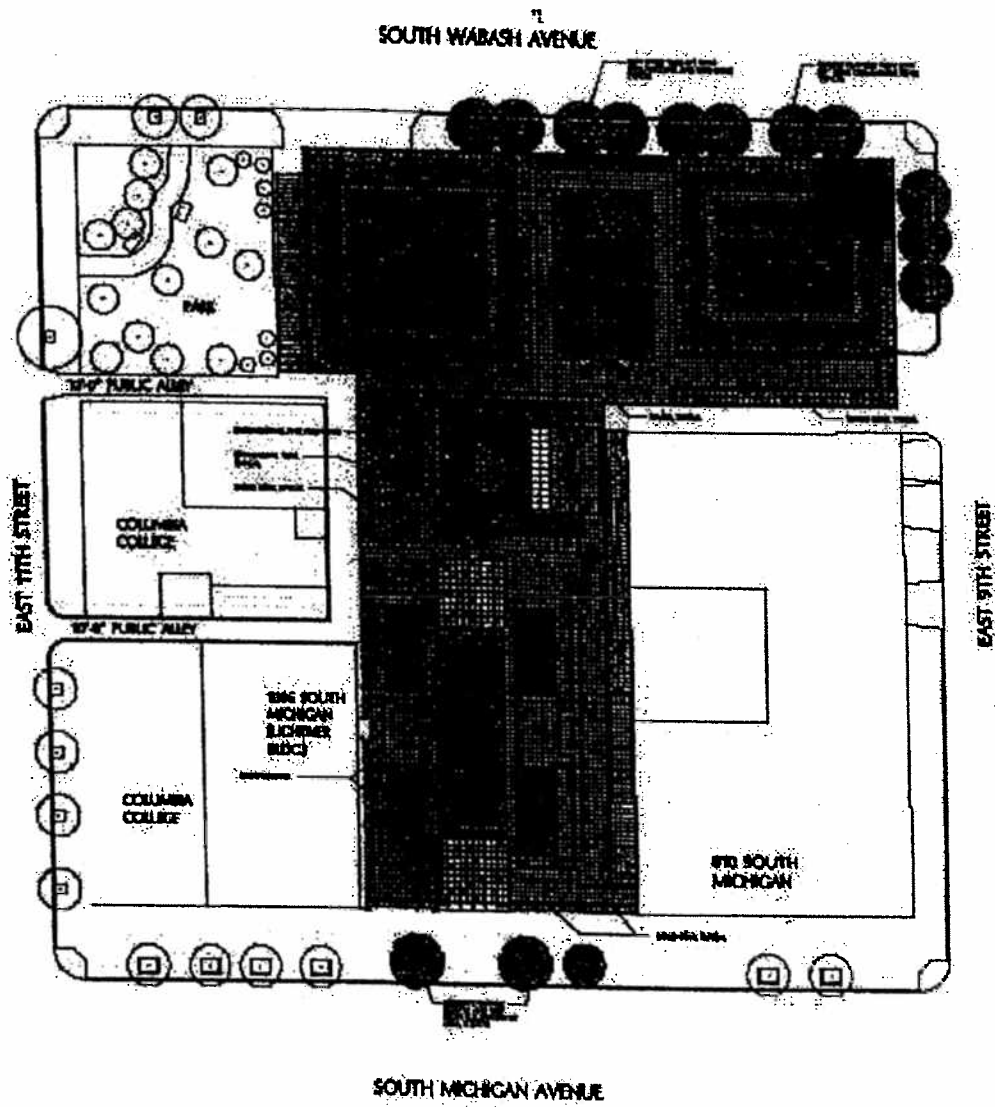
Land-Use Plan.



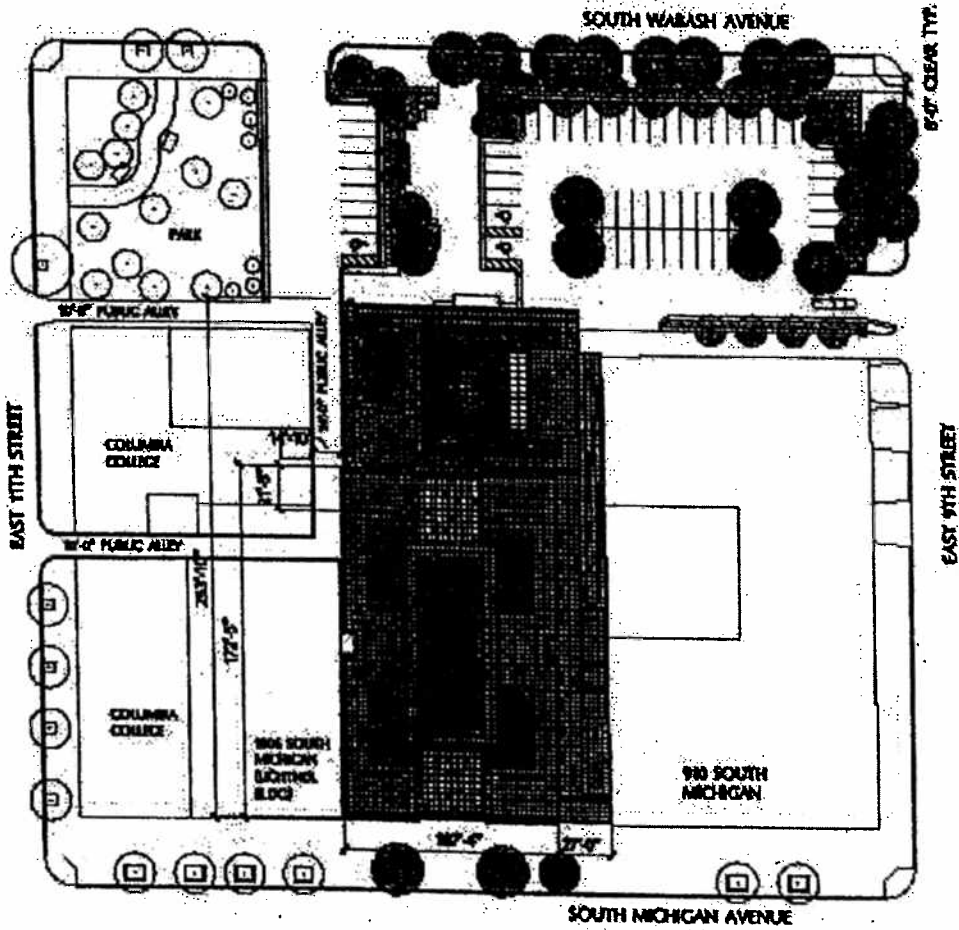
Ground Level Site/Landscape Plan.



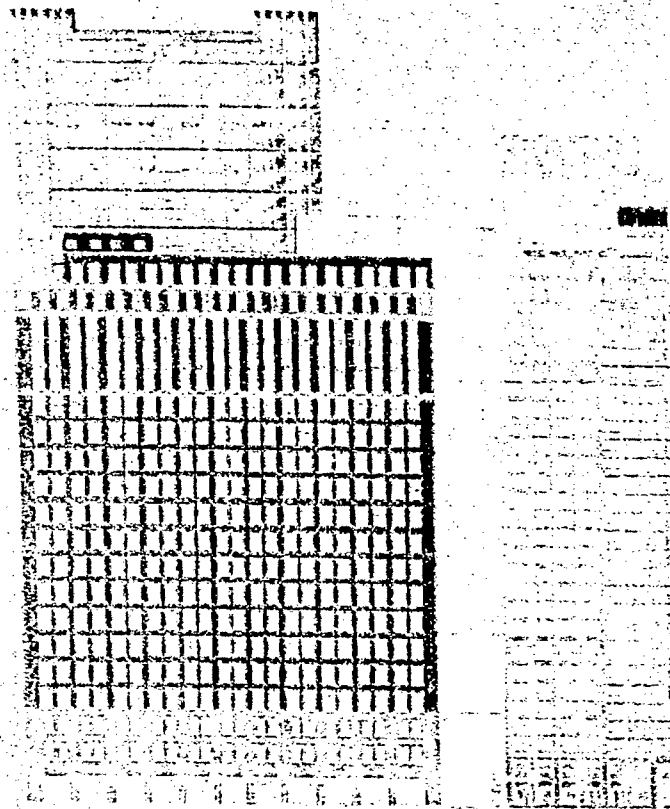
Landscape Plan.



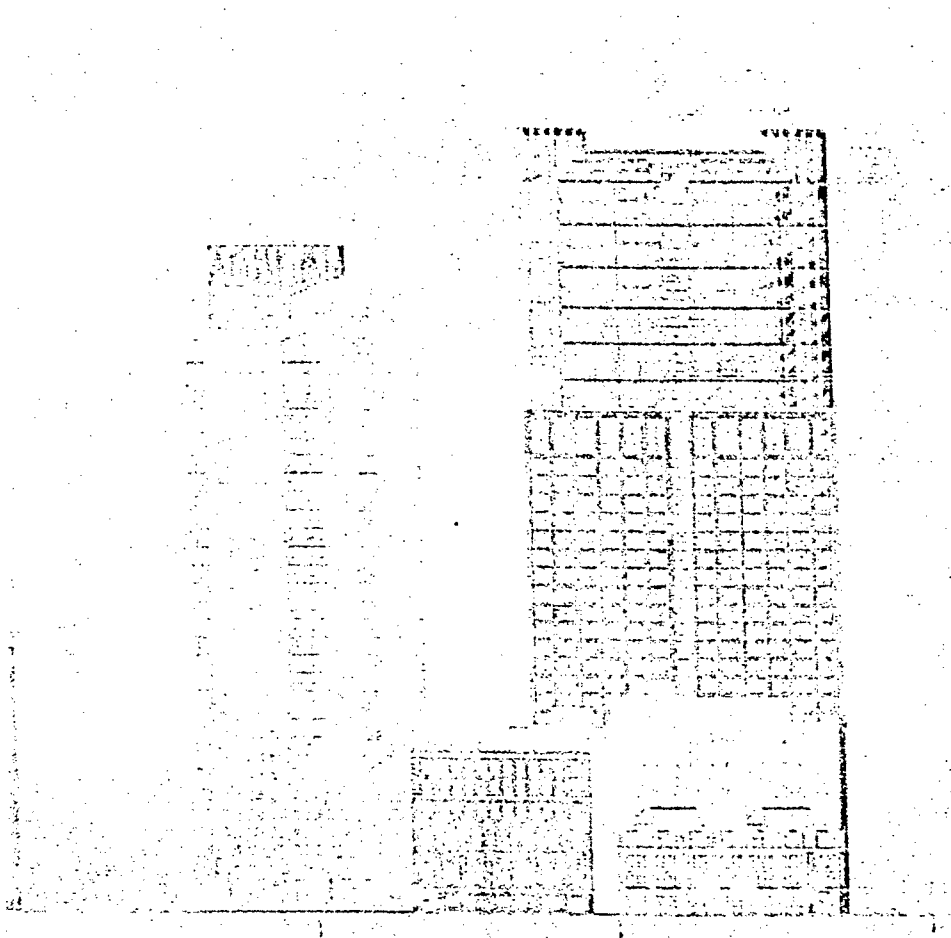
Roof Level Site/Landscape Plan Phase I.



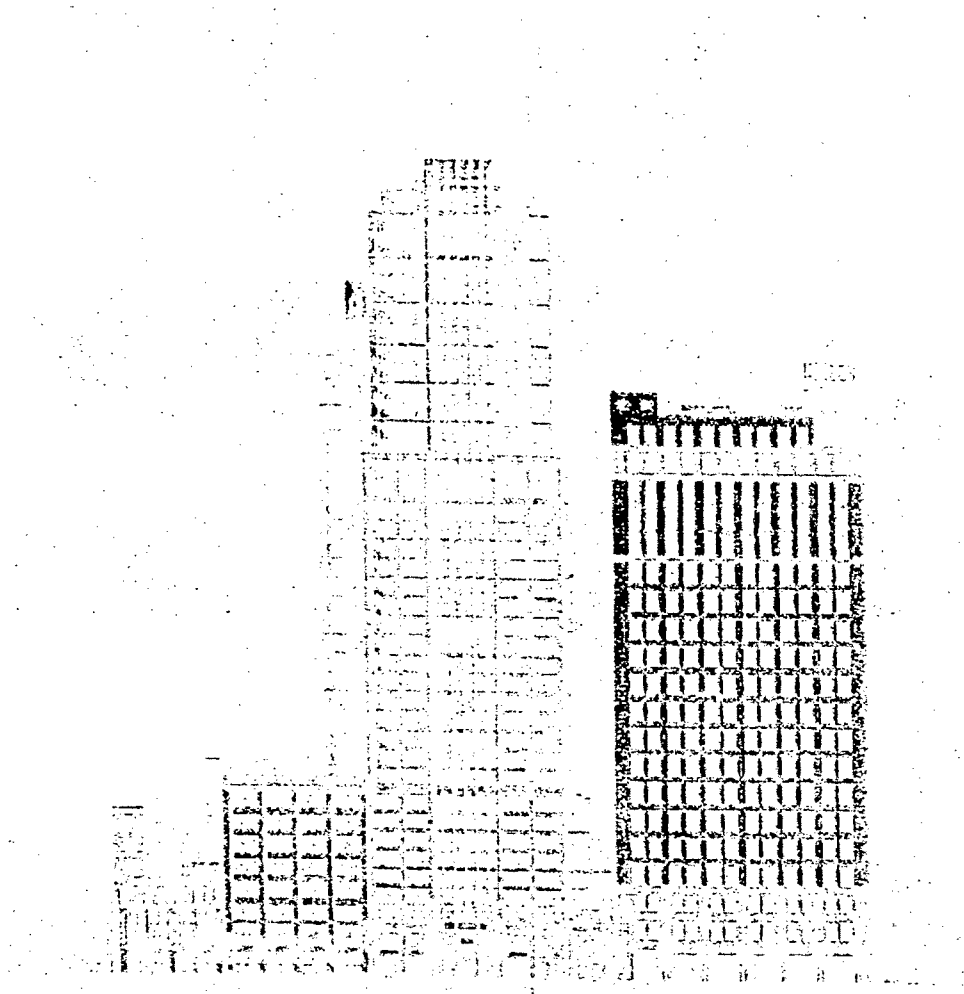
North Elevation.



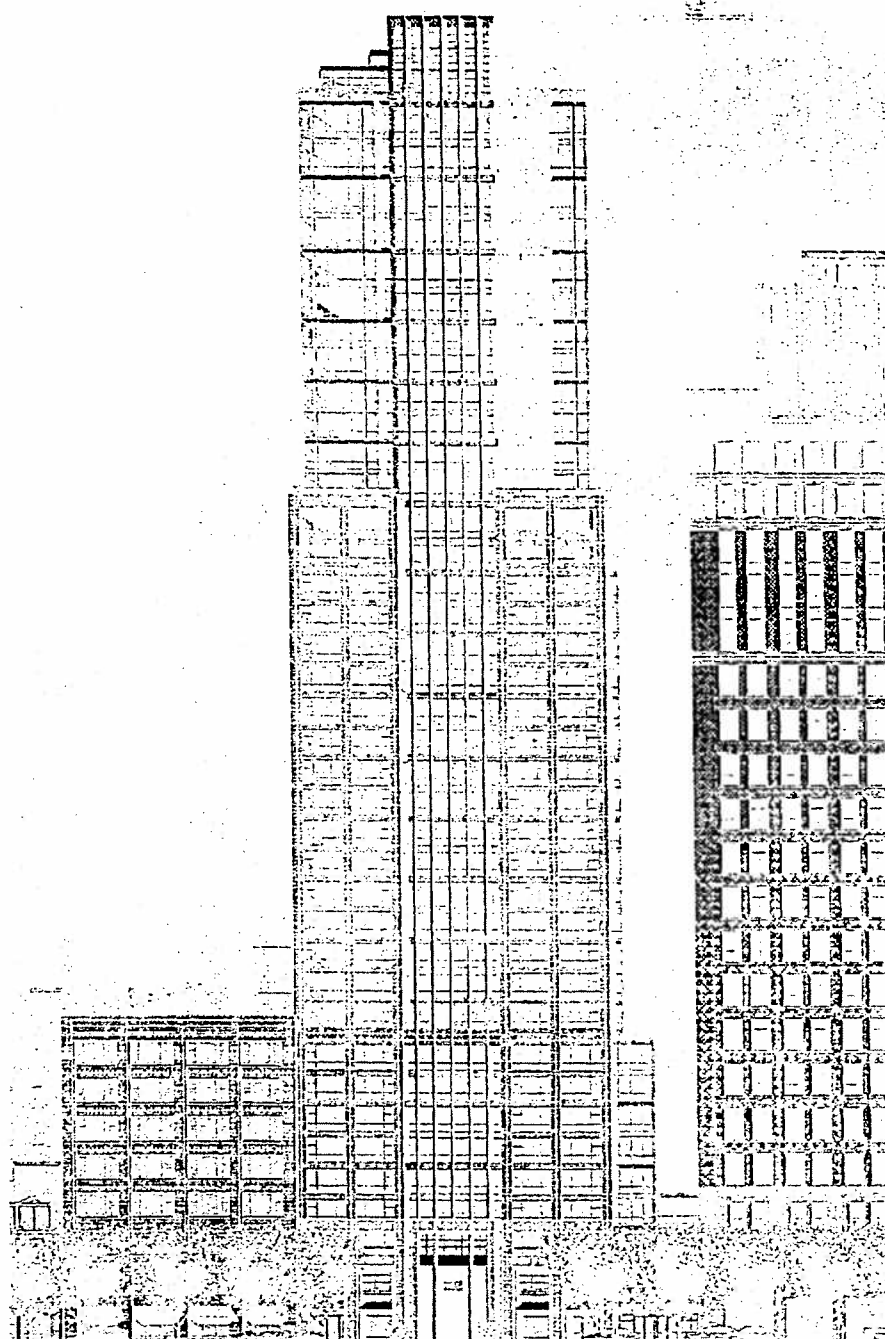
South Elevation.



East Elevation.



Enlarged East Elevation.



West Elevation.

