

# PD 967

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DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT  
CITY OF CHICAGO

June 6, 2011

Donald H. Faloon  
Ten East Delaware LLC  
c/o The Prime Group, Inc.  
321 North Clark Street  
Suite 2500  
Chicago, IL 60610

**Re: Administrative Relief request for Residential-Business Planned Development No. 967,  
Sub-Area 2, 10 East Delaware Place**

Dear Mr. Faloon:

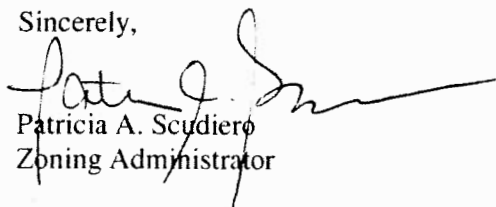
Please be advised that your request for a minor change to Residential-Business Planned Development No. 967 has been considered by the Department of Housing and Economic Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 12 of the Planned Development.

Ten East Delaware LLC is requesting to replace the 9<sup>th</sup> floor terraces approved plantings with grass and to omit the seven proposed planter boxes at the 3<sup>rd</sup> floor along the West Elevation. The 9<sup>th</sup> floor terraces were completed as approved, however, several of the property owners have replaced some of the planting material with grass instead. In regards to the proposed planter boxes, the location of these would result in maintenance difficulties if installed.

With regard to your request, the Department of Housing and Economic Development has determined that allowing these modifications will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential-Business Planned Development No. 967, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

Sincerely,



Patricia A. Scudiero  
Zoning Administrator

PAS: HG: tm

C: Mike Marmo, Erik Glass, Noah Szafraniec, Main file



City of Chicago  
Richard M. Daley, Mayor

Department of Planning and  
Development

Arnold I. Randall  
Commissioner

City Hall, Room 1000  
121 North LaSalle Street  
Chicago, Illinois 60602  
312 744-4190  
312 744-2211 (FAX)  
312 744-2578 (TTY)

<http://www.cityofchicago.org>

August 20, 2008

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

Re: **Administrative Relief request for Residential-Business Planned Development No. 967, Sub-Area 1, Elysian Hotel and Private Residences, 11 East Walton Street**

Dear Mr. George:

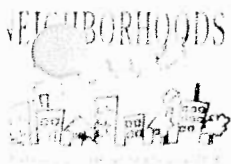
Please be advised that your request for a minor change to Residential-Business Planned Development No. 967 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 12 of the Planned Development.

Specifically, you are requesting to:

- Eliminate the 6<sup>th</sup> floor (hotel amenities) and approximately 11,795 square feet of allowable square footage.
- Add a second penthouse floor (and dwelling unit) of approximately 8,402 square feet and add 18" in height to the two penthouses floors. The number of units will increase from 51 to 52, less than the allowable maximum of 59. Also, the highest habitable floor will increase by two floors due to the elimination of the 6<sup>th</sup> floor and the addition of the proposed penthouse floor. The overall building height increase cannot exceed the approved maximum building height of 720'-0".
- Add a second floor deck of approximately 1,600 square feet along N. State St. The original concept was to have two levels of retail in the courtyard building along N. State St., however, additional back-of-house offices are now required, so the "future" retail second floor slab is being constructed now as offices.
- Add a deck of approximately 1,900 square feet above the deck to accommodate larger than planned mechanical equipment.

The following drawings, prepared by Lucien LaGrange Architects and dated July 14, 2008 shall be inserted into the main file in anticipation of a revised Part II request:

	Title Sheet
G-1.1	Index of Drawings
G-1.2	Project Data, Building Code Summation, Site Location Map
A21-1.4	Floor Plan Level 2, Hotel Office, Bar, BOH

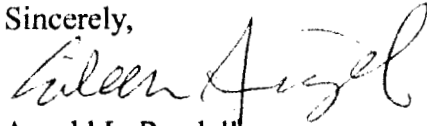


A2-2.8 Floor Plan Level 52, 53, Type A Unit Condominium Floor  
A5-1.1 Exterior Building Elevations  
A5-2.1 Building Sections  
A5-3.1 Partial Building Section East-West  
A5-3.3 Partial Building Section North-South at Motor Court Wing

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

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential-Business Planned Development No. 967, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

Sincerely,



*for* Arnold L. Randall  
Commissioner

ALR:SA:HG:tm

cc: Mike Jasso, Benet Haller, Mike Marmo, Pat Haynes, Erik Glass, DPD files

7/26/2006

REPORTS OF COMMITTEES

15511  
82661

AMENDMENT OF TITLE 17 OF MUNICIPAL CODE OF CHICAGO  
(CHICAGO ZONING ORDINANCE) BY RECLASSIFICATION OF  
AREA SHOWN ON MAP NUMBER 3-E.

(As Amended)  
(Application Number 15511)

(Committee Meeting Held July 13, 2006)

The Committee on Zoning submitted the following report:

CHICAGO, July 26, 2006.

To the President and Members of the City Council: *RBPD 967, 99*

Reporting for your Committee on Zoning, for which a meeting was held on July 13, 2006 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 twenty-four (24) ordinances which were corrected and amended in their amended form. They are Application Numbers A-5933, A-5950, TAD-366, TAD-364, A-5921, A-5901, A-5907, A-5938, A-5939, A-5942, A-5953, 14796, 15502, 15561, 15380, 15608, 14995, 15511, 15534, 15552, 15437, 15312 and A-5783.

Please let the record reflect that I, William J. P. Banks, abstained from voting and recused myself on Application Numbers 14796, 15502, 15564, 15496, 15572, 15588 and 15501 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 amended ordinance transmitted herewith.

Again, please let the record reflect that I abstain from voting on Application Numbers 14796, 15502, 15564, 15496, 15572, 15588 and 15501 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, Austin, Colón, Banks, Mitts, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Tunney, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 49.

*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 Residential-Business Planned Development Number 967 symbols and indications as shown on Map Number 3-E in the area bounded by:

East Walton Street; North Rush Street; the alley next south of and parallel to East Walton Street; a line 137.55 feet east of and parallel to North State Street; East Delaware Place; and North State Street,

to the designation of Residential-Business Planned Development Number 967, as amended, 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. 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 967*

*Plan of Development Statements.*

1. The area delineated herein as a Residential-Business Planned Development consists of approximately forty-one thousand three hundred seventy-two (41,372) square feet (ninety-five hundredths (0.95) acre) and is owned or controlled by the applicants, Ten East Delaware, L.L.C. and First Elysian Properties, L.L.C.

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 rights-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 applicants, their successors and assigns and, if different than the applicants, the legal titleholder and any ground lessors. All rights granted hereunder to the applicants shall inure to the benefit of the applicants' successors and assigns and if different than the applicants, then to the owners of record title to all of the property and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the property, at the time any 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) shall be made or authorized by all the owners of the property and any ground lessors. An agreement among property owners, the board of directors or any property owners association, or a covenant binding property owners, may designate the authorized party for any future amendment, modification or change.
4. This plan of development consists of these fifteen (15) Statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary, Property Line and Right-of-Way Adjustment Map; a Site Plan; a Landscape Plan; Building Elevations (North, South, East and West); Motor Court Elevations (North, West, State Street); a Motor Court Plan; and a Lower Level Planting Terraces Plan dated March 24, 2006 prepared by Lucien Lagrange Architects (the "Plans"). Full size sets of the Site/Landscape 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": uses permitted in the DX-12 Downtown Mixed-Use District including, but not limited to, multi-family dwelling units, hotel, senior (elderly persons) housing, delicatessens, retail, restaurants, offices, accessory parking and related uses.

6. 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.
7. Ingress and egress shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic, and the Department of Planning and Development. 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. 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.
8. In addition to the maximum height of each of the buildings and any appurtenances 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 ratio ("F.A.R.") calculations, the definitions in the Chicago Zoning Ordinance shall apply; provided, however, that, in addition to the other exclusions from floor area for purposes of determining F.A.R. permitted by the Chicago Zoning Ordinance, all floor area devoted to mechanical equipment in excess of one thousand (1,000) square feet in a single location regardless of placement in each of the buildings, and all rooftop floor area devoted to mechanical equipment, irrespective of square footage, shall be excluded.
10. Pursuant to the Affordable Housing provision of the City of Chicago Zoning Ordinance, Title 17 Chapter 17-4-1004, et seq. ("Zoning Ordinance"), Ten East Delaware, L.L.C. has asked for an increase in the maximum permitted F.A.R. in Subarea II of the property. Ten East Delaware, L.L.C. hereby acknowledges that according to Section 17-4-1004D of the Zoning Ordinance, the total floor area devoted to affordable housing units must equal at least twenty-five percent (25%) of the total increase in floor area allowed under the Affordable Housing Bonus or a cash payment must be made to the City of Chicago Affordable Housing Opportunity Fund based on the increase in allowable floor area multiplied by eighty percent (80%) of the median cost of land per buildable square foot. Based on Section 17-4-1004D, Ten East Delaware, L.L.C. has agreed to provide a cash payment to the City of Chicago Affordable Housing Opportunity Fund in the amount of Two Million Three Hundred Seventy-six Thousand Four Hundred Twenty and no/Dollars (\$2,376,420.00) (the "Contribution Amount"). To the extent that Ten East Delaware, L.L.C. or First Elysian

Properties, L.L.C. uses the Affordable Housing Bonus, such entity must comply with all of the applicable sections of the Affordable Housing provision of the Zoning Ordinance which sections are hereby incorporated into this planned development. The Affordable Housing Agreement required by Section 17-4-1004-E9 is also incorporated into this planned development. The cash payment by Ten East Delaware, L.L.C. must be delivered upon issuance of the building permit for the Subarea II property and proof of payment must be confirmed by the Chicago Department of Housing.

11. The improvements on the property shall be designed, installed and maintained in substantial conformance with the Site Plan, Landscape Plan and Building Elevations and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. In the event the property's maximum permitted F.A.R. is reduced below twenty and three hundred sixty-two thousandths (20.362) for any reason other than as a result of a change in the plans applicable to Subarea I initiated by, or any other action by, the owner of Subarea I, then any such reduction in permitted F.A.R. will impact only the Subarea II Property, not the Subarea I Property, and the improvements on the Subarea I Property may still be designed, installed and maintained in substantial conformance with the Site Plan, Landscape Plan and Building Elevations included in the plans.
12. 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 application for such a modification by the applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated in this planned development and the purposes underlying the provisions hereof. Any such modification of the requirements of this statement by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the planned development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance. In the event of a conflict between the planned development and the Chicago Building Code, the Building Code shall control.
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 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 Leadership in Energy and Environmental Design Green Building ("L.E.E.D.") Rating System. Copies of these

standards may be obtained from the Department of Planning and Development. Ten East Delaware, L.L.C. shall provide a green roof equal to twenty-five percent (25%) of the flat net roof area, an approximately three thousand three hundred twenty-two and ninety-five hundredths (3,322.95) square foot green roof area in Subarea II.

- 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 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 permits shall be granted by the Department of Construction and Permits until the Director of M.O.P.D. has approved detailed construction drawings for each building or improvement.
- 15. Unless substantial construction has commenced within six (6) years following adoption of this planned development, and unless completion is thereafter diligently pursued, then this planned development shall expire. If this planned development expires under the provisions of this section, then the zoning of the property shall automatically revert to the DX-12 Downtown Mixed-Use District.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary, Property Line and Right-of-Way Map; Site Plan; Landscape Plan; Building Elevations; Motor Court Plan and Elevation; and Planting Terraces referred to in these Plan of Development Statements printed on pages 82668 through 82679 of this *Journal*.]

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

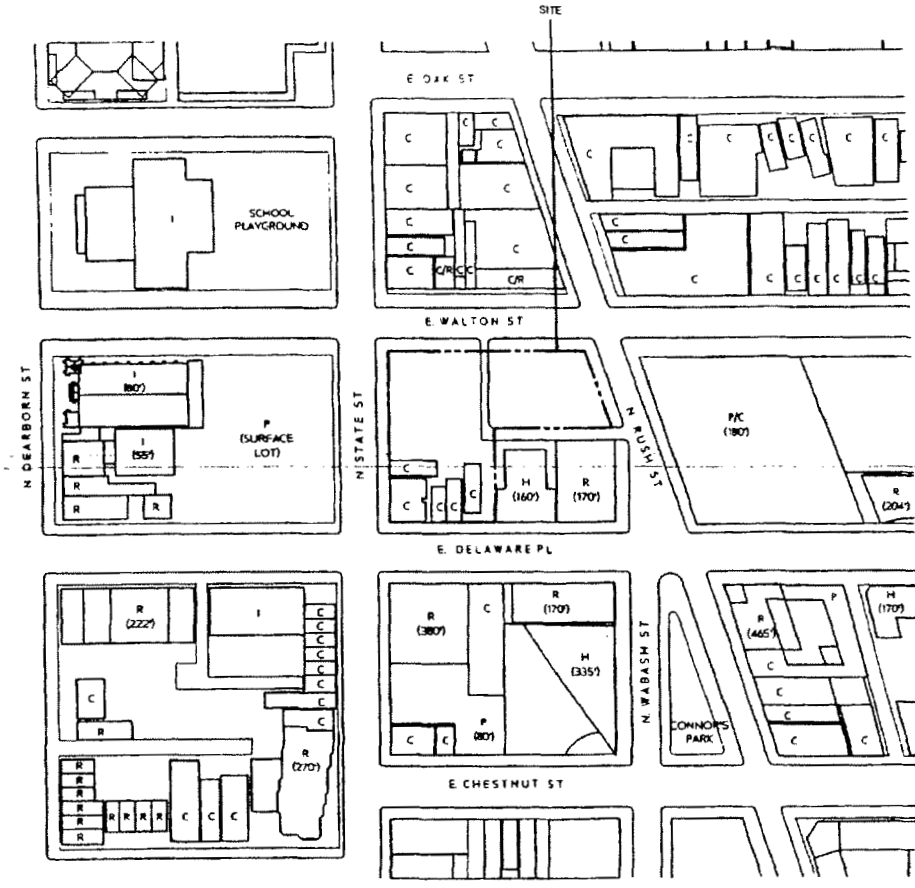
*Bulk Regulations And Data Table.*

Base Floor Area Ratio:	12.00
Bonus Floor Area Ratio: Setbacks above the Ground Floor:	2.79

Lower Level Planting Terrace:	0.35
Underground Parking And Loading -- Levels 1 and 2:	2.35
Affordable Housing:	2.872
Maximum Floor Area Ratio:	20.362
Net Site Area:	41,372 square feet
Area in Public Right-of-Way:	34,314 square feet
Gross Site Area:	75,686 square feet
Setbacks From Property Line:	In substantial conformance with Site Plan
Maximum Percentage of Site Coverage:	In substantial conformance with Site Plan
Maximum Number of Dwelling Units:	
Subarea I:	59
Subarea II:	144
Minimum Number of Parking Spaces:	
Subarea I:	110
Subarea II:	188 total (44 below grade; 144 above grade)
Minimum Number of Loading Berths:	
Subarea I:	3 at 10 feet in width by 25 feet in length by 14 feet in height
Subarea II:	2 at 10 feet in width by 25 feet in length by 14 feet in height
Maximum Building Heights:	In substantial conformance with Building Elevations



Existing Land-Use Map.



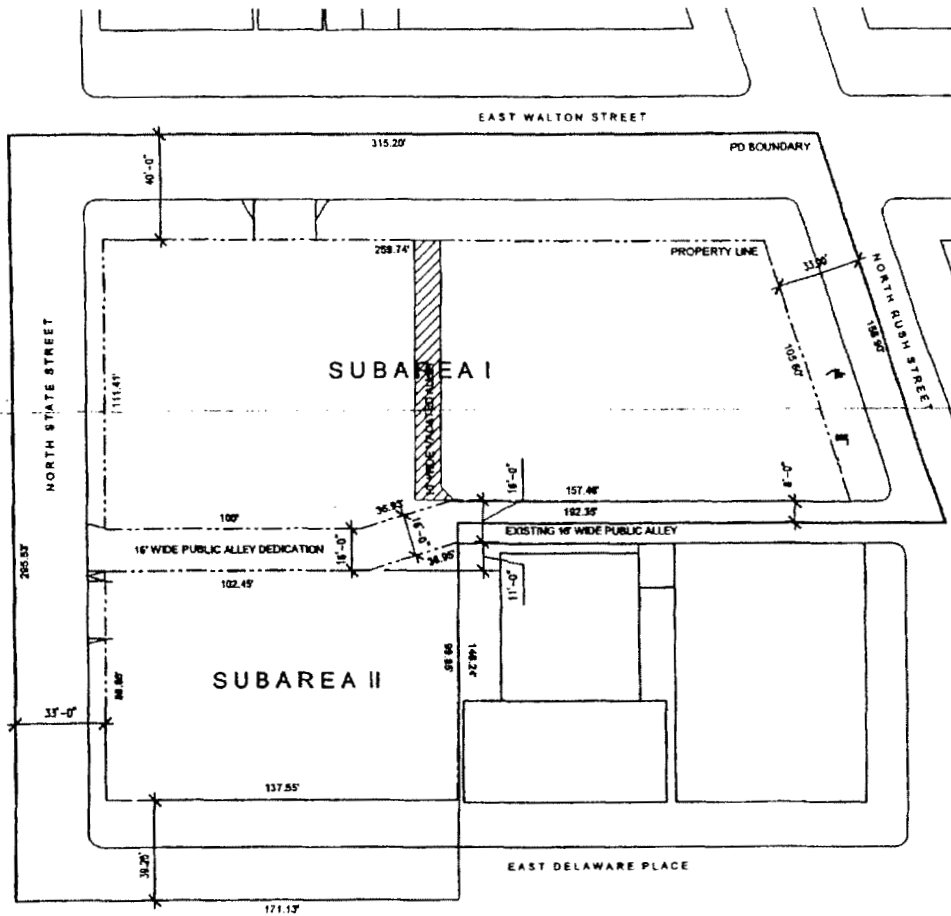
R = RESIDENTIAL I = INSTITUTIONAL C = COMMERCIAL P = PARKING O = OFFICE H = HOTEL  
 (X') = APPROXIMATE HEIGHT OF BUILDING

- NOTES:
- 1) ALL BUILDINGS WITHOUT HEIGHT DESIGNATIONS ARE LESS THAN 55' IN HEIGHT
  - 2) BUILDING HEIGHTS MEASURES TO THE PRIMARY ROOF. HEIGHTS DO NOT INCLUDE ELEVATOR MACHINE ROOMS AND MECHANICAL ENCLOSURES

SUBAREA I FIRST ELYSIAN PROPERTIES LLC  
 SUBAREA II TEN EAST DELAWARE LLC  
 DEVELOPER

Existing Land Use Map  
 DEVELOPER: SUBAREA I FIRST ELYSIAN PROPERTIES LLC  
 SUBAREA II TEN EAST DELAWARE LLC  
 10001.13 110' TO NORTH HURON STREET  
 11' TO EAST WALTON STREET  
 12' TO EAST DELAWARE PLACE  
 10' TO NORTH STATE STREET  
 DATE: 11/06/04 09:26A  
 REVISION: 10/16/06  
 PO 02 - EXISTING LAND USE MAP

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



PROPERTY LINE - - - - -  
 PD BOUNDARY - - - - -

PROJECT: SUBAREA I FIRST ELYSIAN PROPERTIES LLC  
 SUBAREA II TEN EAST DELAWARE LLC  
 ADDRESS: 410-420 NORTH RUSH STREET  
 67-22 EAST WALTON STREET  
 67-4 EAST DELAWARE PLACE  
 67-42 NORTH STATE STREET  
 DATE: MARCH 24, 2006  
 REVISION: JUNE 8, 2006

LUCIEN LAGRANGE  
 ARCHITECTS  
 444 North Michigan Street, Suite 800, Chicago, IL 60611

SUBAREA I FIRST ELYSIAN PROPERTIES LLC  
 SUBAREA II TEN EAST DELAWARE LLC  
 CIVIL ENGINEER

PD 03, PLANNED DEVELOPMENT BOUNDARY, PROPERTY LINE AND RIGHT OF WAY ADJUSTMENT MAP

**COMMITTEE ON ZONING.**

AMENDMENT OF TITLE 17 OF MUNICIPAL CODE OF CHICAGO  
(CHICAGO ZONING ORDINANCE) BY RECLASSIFICATION  
OF AREA SHOWN ON MAP NUMBER 3-E.

(As Amended)  
(Application Number 14161)

(Committee Meeting Held May 19, 2004)

The Committee on Zoning submitted the following report:

CHICAGO, June 8, 2005.

*To the President and Members of the City Council:*

Reporting for your Committee on Zoning, for which a meeting was held on May 19, 2004, I beg leave to recommend that Your Honorable Body *Pass* one ordinance transmitted herewith for the purpose of reclassifying a particular area. It is referred to as Application Number 14161, having the common address of 912 -- 920 North Rush Street, 1 -- 25 East Walton Street, 2 -- 14 East Delaware Place and 901 -- 921 North State Street.

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

Respectfully submitted,

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

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 Flores, Haithcock, Tillman, Preckwinkle, Hairston, Lyle, Beavers, Stroger, Beale, Pope, Balcer, Cárdenas, Olivo, Burke, T. Thomas, Coleman, L. Thomas, Murphy, Rugai, Troutman, Brookins, Muñoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Reboyras, Suarez, Matlak, Mell, Austin, Colón, Banks, Mitts, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Tunney, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 50.

*Nays* -- None.

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

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 B7-6 General Central Business District symbols and indications as shown on Map Number 3-E in the area bounded by:

East Walton Street; North Rush Street; the alley next south of and parallel to East Walton Street; a line 137.23 feet east of and parallel to North State Street; East Delaware Place; and North State Street,

to the designation 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 and Development herewith attached and made a part thereof 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:

*Residential-Business Planned Development Number \_\_\_\_.*

*Plan Of Development Statements.*

1. The area delineated herein as a Residential-Business Planned Development consists of approximately forty-one thousand three hundred seventy-two (41,372) square feet (zero and ninety-five hundredths (0.95) acres) and is owned or controlled by the applicant, Elysian Development Group, L.L.C.
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 titleholder 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, then to the owners of record title to all of the property and any ground lessors. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the property, at the time any 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) shall be made or authorized by all the owners of the property and any ground lessors. An agreement among property owners, the board of directors or any property owners association or a covenant binding property owners, may designate the authorized party for any future amendment, modification or change.
4. This plan of development consists of these sixteen (16) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary, Property Line and Right-of-Way Adjustment Map; a Site Plan; a Landscape Plan and Phase I Building Elevations (north, south, east and west); Motor Court Elevations (north, west, State Street); a Motor Court Plan; and a Lower Level Planting Terraces Plan dated April 22, 2004 prepared by Lucien Lagrange Architects. Full size sets of the Site/Landscape 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": the following uses permitted in the B7-6 General Central Business District including, but not limited to, multi-family dwelling units, hotel, senior (elderly persons) housing, delicatessens, retail, restaurants, accessory parking and related uses.
6. 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.

7. Ingress and egress shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic and the Department of Planning and Development. 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. 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.
8. In addition to the maximum height of each of the buildings and any appurtenances 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 ratio ("F.A.R.") calculations, the definitions in the Chicago Zoning Ordinance shall apply; provided, however, that in addition to the other exclusions from floor area for purposes of determining F.A.R. permitted by the Chicago Zoning Ordinance, all floor area devoted to mechanical equipment in excess of one thousand (1,000) square feet in a single location regardless of placement in each of the buildings and all rooftop floor area devoted to mechanical equipment irrespective of square footage, shall be excluded.
10. The improvements on the property shall be designed, installed and maintained in substantial conformance with the Site Plan, Landscape Plan and Building Elevations and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.
11. The applicant shall not apply for a demolition permit to demolish the buildings located at 8 East Delaware Place and 12 East Delaware Place until the applicant is in possession of Part II approval for the construction of the Subarea 2 property unless the City of Chicago should determine that either or both of the buildings should be demolished as the result of public health and/or safety concerns.
12. The Subarea 2 property identified on the Site Plan (the "Subarea 2 Property") shall be developed with a building that, at a minimum, shall contain an enclosed (mechanically ventilated) garage, facade articulation and will include a primary lobby entrance and an activated two (2) story facade on East Delaware Place. An expression line above the second (2<sup>nd</sup>) story will wrap the North State Street and East Delaware Place facades and will relate to the cornice line of the retail wing on North State Street north

of the alley. The base of the building below this line will be clad. A horizontal expression will occur at plus or minus one hundred eighty ( $\pm 180$ ) feet to reflect the roofline of the existing buildings to the east. With respect to the Subarea 2 Property, the applicant shall submit a site plan, landscape plan and building elevations (collectively, a "site plan") to the Department of Planning and Development for site plan and Part II approval pursuant to Section 11.11-3(b) of the Chicago Zoning Ordinance. Site plan approval is intended to assure that the development proposal for the Phase 2 building is architecturally integrated and otherwise consistent with the remainder of the planned development ordinance and to assist the City in monitoring ongoing development. If a site plan substantially conforms with the provisions of this planned development ordinance, the Commissioner shall approve the site plan and shall issue written approval thereof to the applicant within thirty (30) days of submission of the completed application. If the Commissioner determines within said thirty (30) day period that the site plan does not substantially conform with the provisions of the planned development ordinance, the Commissioner shall advise the applicant in writing regarding the specific reasons for such adverse determination and the specific areas in which the site plan does not conform to the provisions of this planned development ordinance within fourteen (14) days from the expiration of said thirty (30) day period. In the event of an adverse determination by the Commissioner, the applicant shall have the right to submit a supplemental or revised site plan for approval. The Commissioner shall thereafter review any resubmission within fourteen (14) days and make a final written determination within said period. The failure of the Commissioner to so advise the applicant in writing within the time period herein specified shall be deemed the Commissioner's approval of the submitted site plan. Following approval of the site plan by the Commissioner, the site plan shall be kept on permanent file with the Commissioner and shall be deemed to be an integral part of this planned development ordinance. After the Commissioner approves the site plan, the approved site plan may be changed or modified pursuant to the provisions of this planned development ordinance. In the event of any inconsistency between an approved site plan and the terms of the planned development ordinance in effect at the time of approval of such site plan or of the modifications thereto, the terms of the planned development ordinance shall govern. The site plan for any new building to be constructed within the Subarea 2 Property shall, at a minimum, provide the following information:

- building footprint;
- dimensions of all setbacks;
- location and depiction of all driveway (including relevant dimensions);

- location and depiction of all signage;
  - all building elevations; and
  - statistics regarding the new building to be constructed, including:
    - (1) floor area and F.A.R. as presented on submitted drawings;
    - (2) number of parking spaces provided;
    - (3) number of loading berths provided;
    - (4) the uses to occur in the buildings;
    - (5) maximum building height;
    - (6) setbacks and vertical setbacks, required and provided; and
    - (7) traffic generation data to update and supplement previously submitted traffic impact studies, if the Chicago Department of Transportation deems it necessary.
13. 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 application for such a modification by the applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated in this planned development and the purposes underlying the provisions hereof. Any such modification of the requirements of this statement by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the planned development as contemplated by Section 11.11-3(c) of the Chicago Zoning Ordinance.
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 Leadership in Energy and Environmental Design Green Building ("L.E.E.D") Rating System. Copies of these standards may be obtained from the Department of Planning and Development.
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.

16. Unless substantial construction of the improvements contemplated in this planned development has commenced within six (6) years following adoption of this planned development, and unless completion is thereafter diligently pursued, then this planned development shall expire and the zoning of the property shall automatically revert to the B7-6 General Central Business District.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary, Property Line and Right-of-Way Adjustment Map; Site Plan; Landscape Plan; Building Elevations (north, south, east and west); Motor Court Plan; Motor Court Elevations; and Lower Level Planting Terraces referred to in these Plan of Development Statements printed on 50682 through 50693 of this *Journal*.]

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

*Bulk Regulations And Data Table.*

Maximum Floor Area Ratio:	18.73
Net Site Area:	41,372 square feet
Area in Public Right-of-Way:	34,314 square feet
Gross Site Area:	75,686 square feet
Setbacks from Property Line:	In substantial conformance with Site Plan

Maximum Percentage of Site Coverage:	In substantial conformance with Site Plan
Maximum Number of Dwelling Units:	
Subarea I:	59
Subarea II:	229 dwelling units or* 275 senior residences
Minimum Number of Parking Spaces:	
Subarea I:	110
Subarea II:	55% for dwelling units; parking for senior residential to be determined by the Department of Planning and Development
Minimum Number of Loading Berths:	
Subarea I:	Three at 10 feet wide by 25 feet long by 14 feet high
Subarea II:	Two at 10 feet wide by 25 feet long by 14 feet high
Maximum Building Heights:	In substantial conformance with Building Elevations

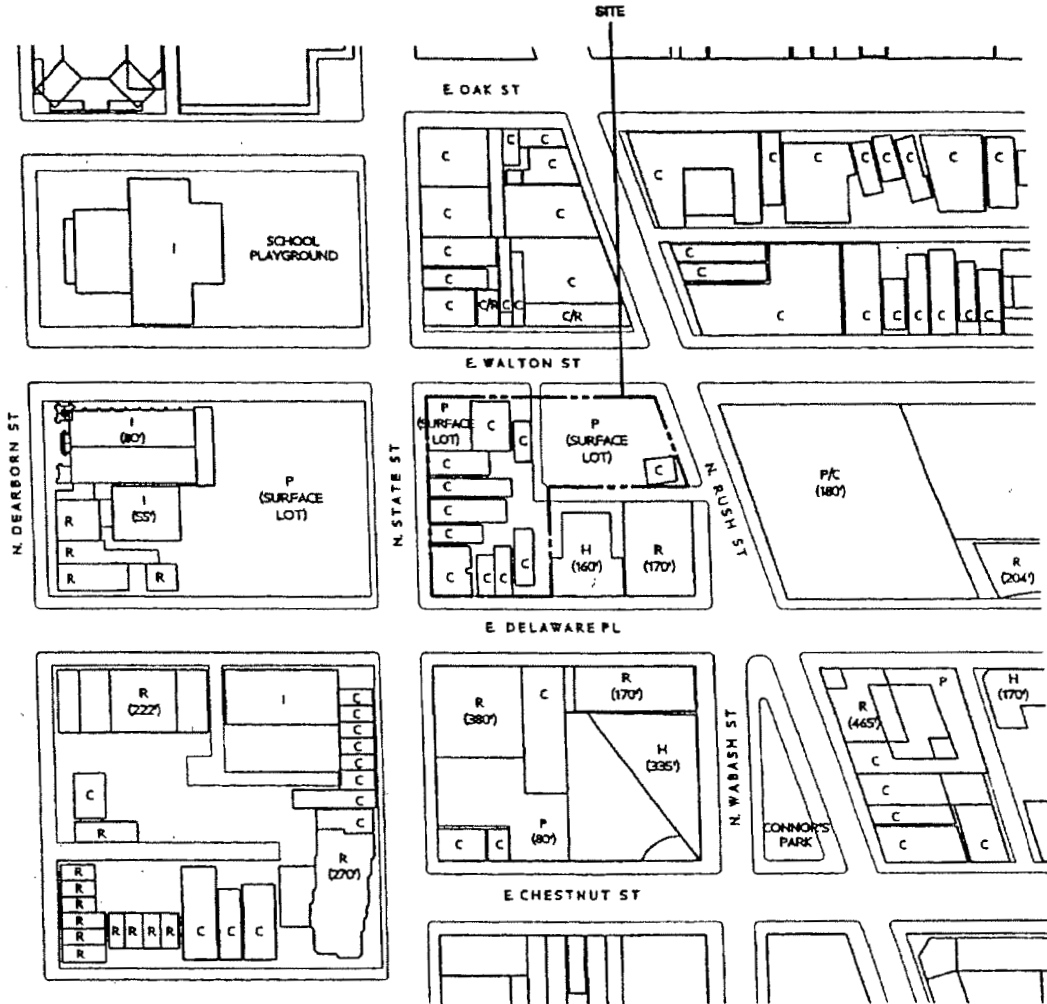
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\* One thousand two hundred (1,200) building gross square feet/dwelling unit.

One thousand (1,000) building gross square feet/senior residence.

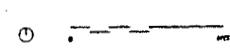


Existing Land-Use Map.

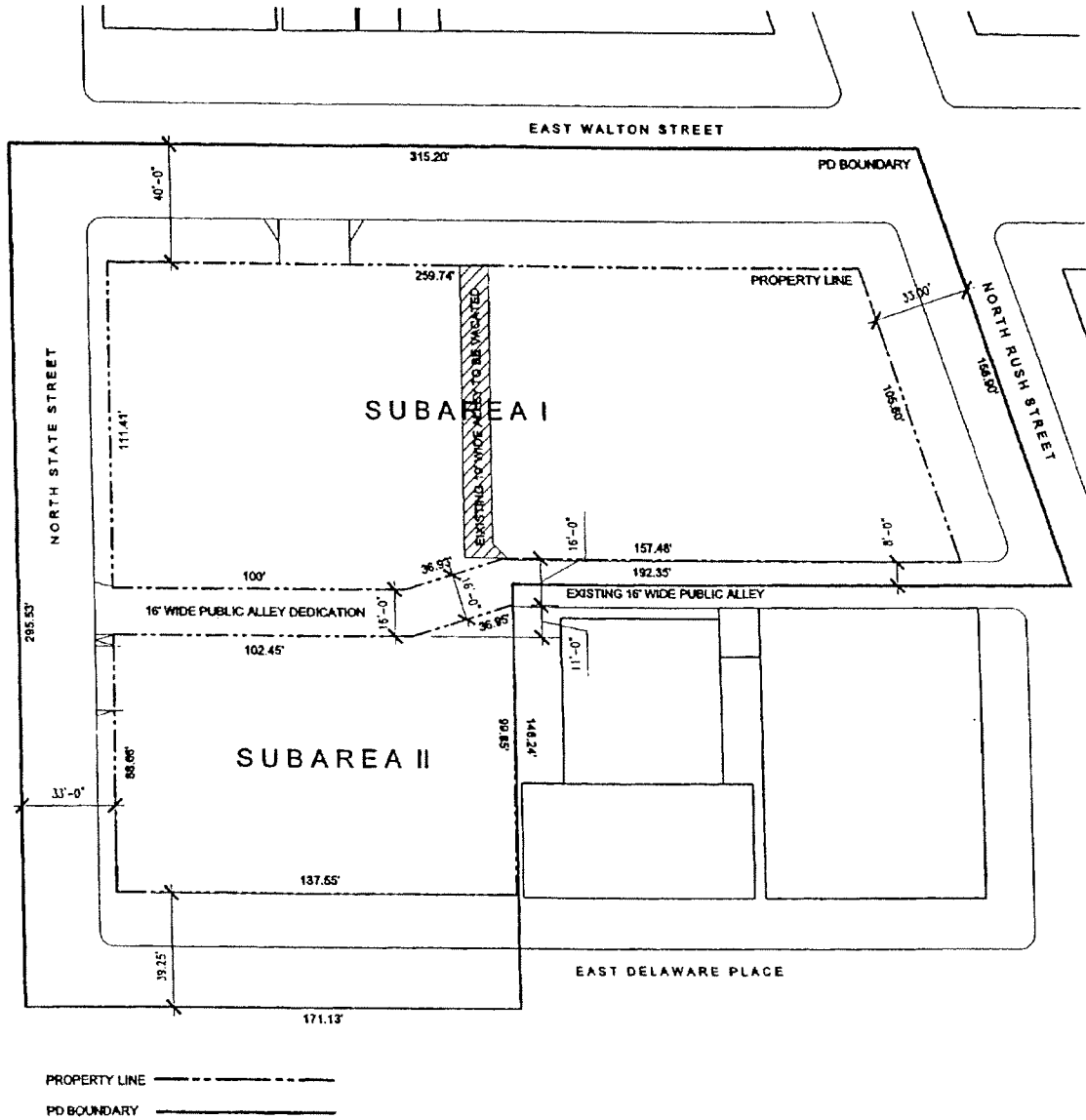


R = RESIDENTIAL I = INSTITUTIONAL C = COMMERCIAL P = PARKING O = OFFICE H = HOTEL  
 (C) = APPROXIMATE HEIGHT OF BUILDING

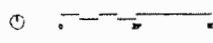
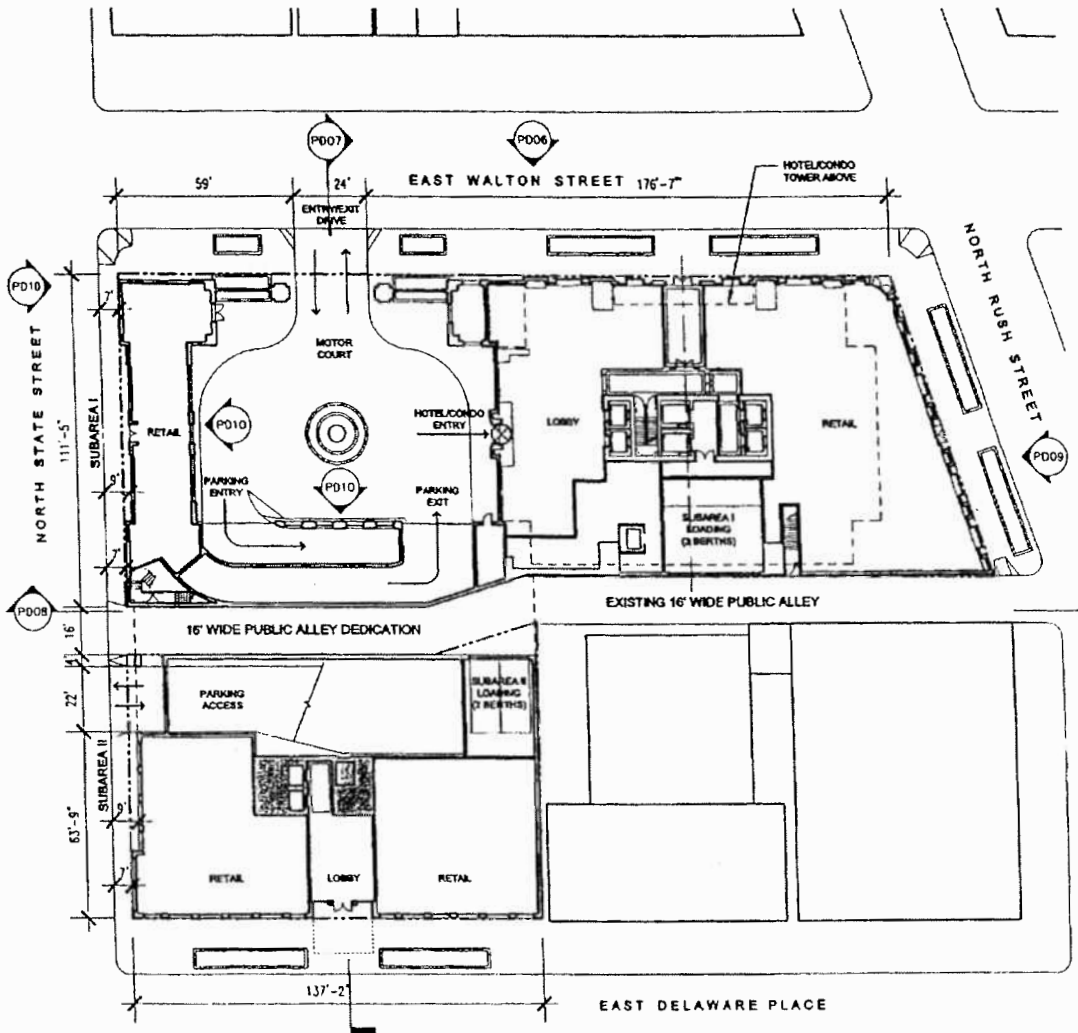
- NOTES:
- 1) ALL BUILDINGS WITHOUT HEIGHT DESIGNATIONS ARE LESS THAN 65' IN HEIGHT
  - 2) BUILDING HEIGHTS MEASURES TO THE PRIMARY ROOF, HEIGHTS DO NOT INCLUDE ELEVATOR, MACHINE ROOMS AND MECHANICAL ENCLOSURES.



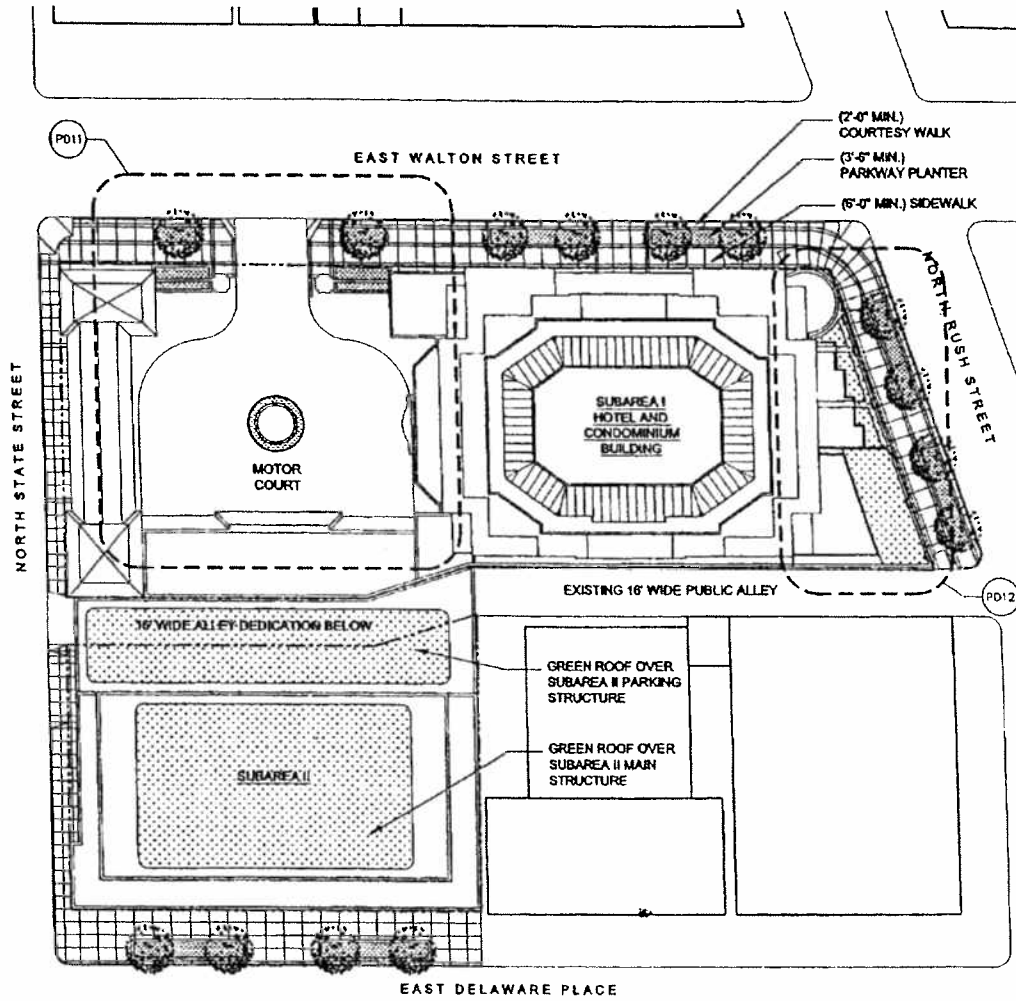
Planned Development Boundary, Property Line  
And Right-Of-Way Adjustment Map.






Site Plan.

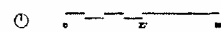


Landscape Plan.

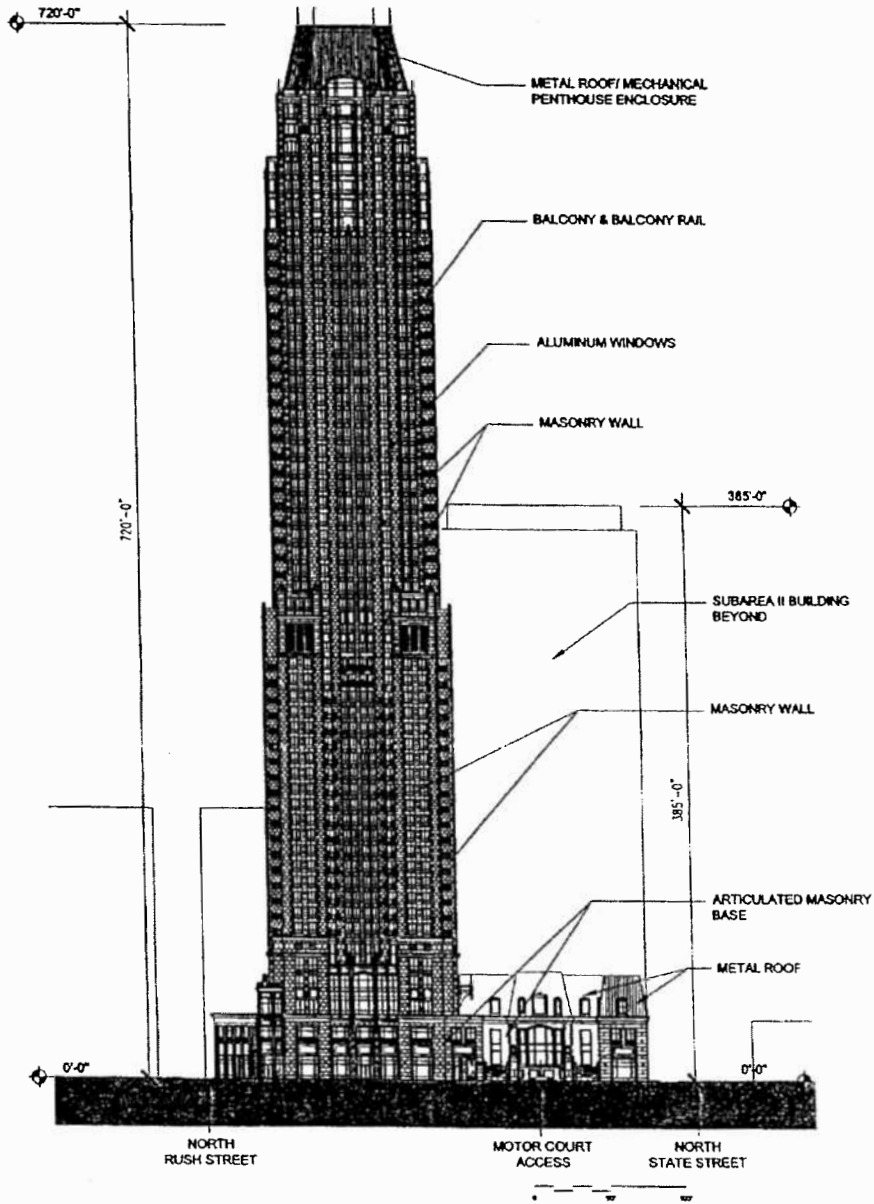


-  PARKWAY PLANTERS & STREET LEVEL PLANTING
-  TREES IN PARKWAY PLANTERS & PERIMETER LANDSCAPE AREA
-  LOWER LEVEL PLANTING TERRACE AND/OR GREEN ROOF

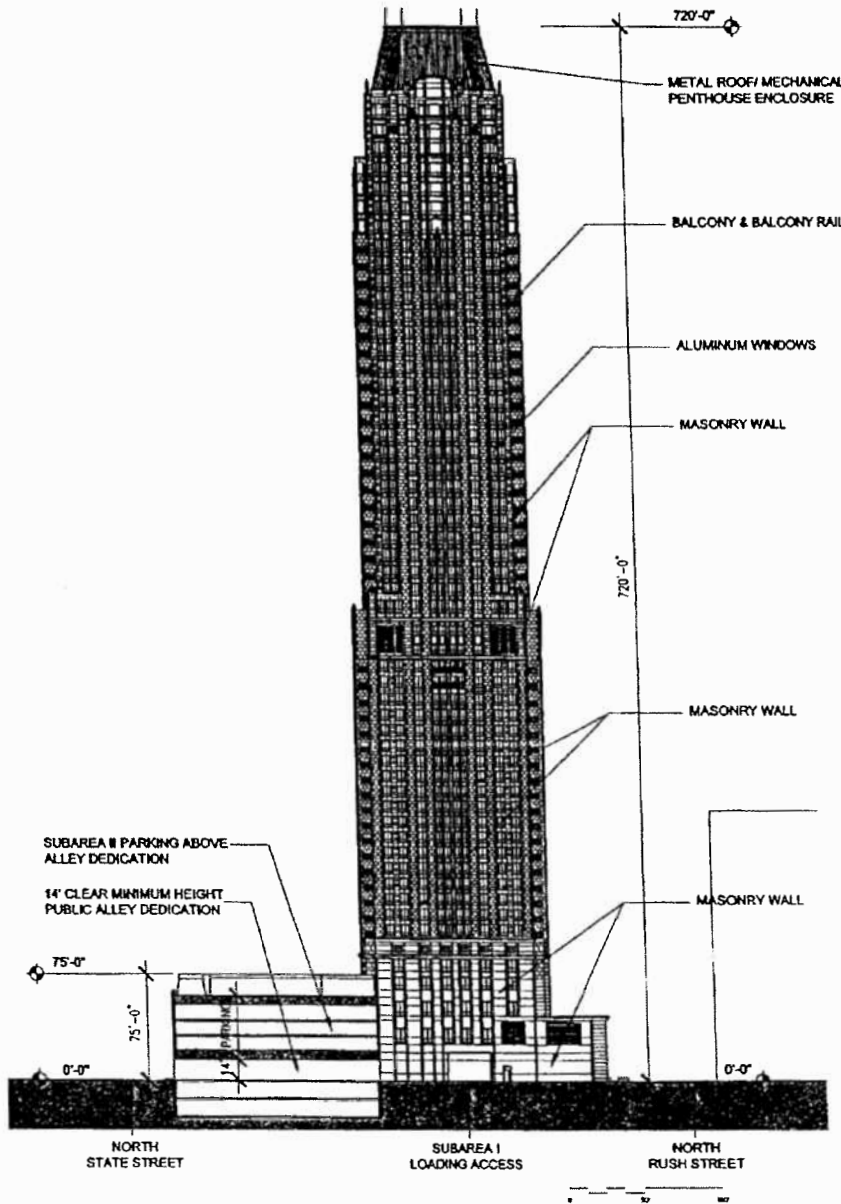
NOTE: ALL PLANT MATERIALS, PLANTING REQUIREMENTS & GROWING MEDIUM SPECIFICATIONS ARE PER CITY OF CHICAGO LANDSCAPE ORDINANCE.



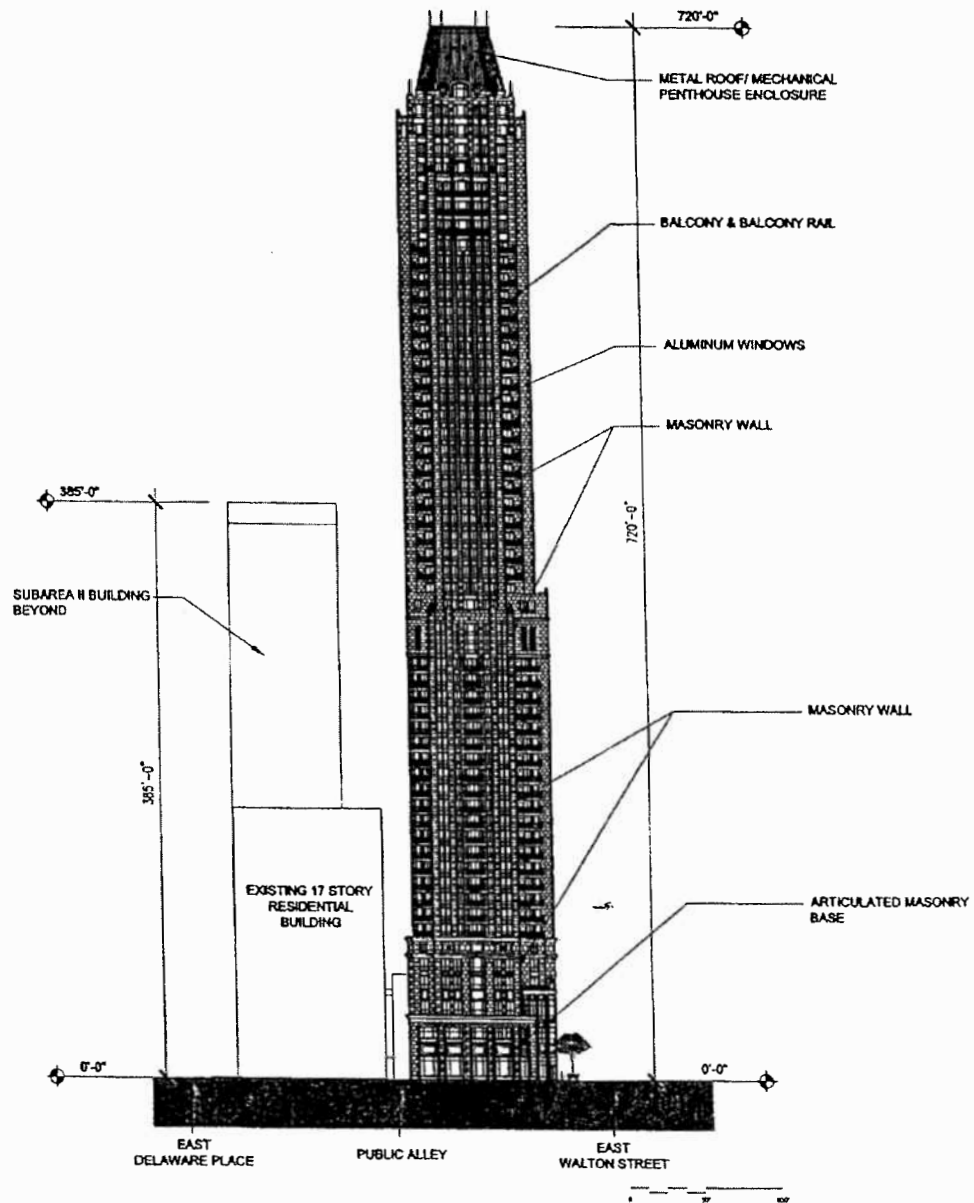
North Elevation.



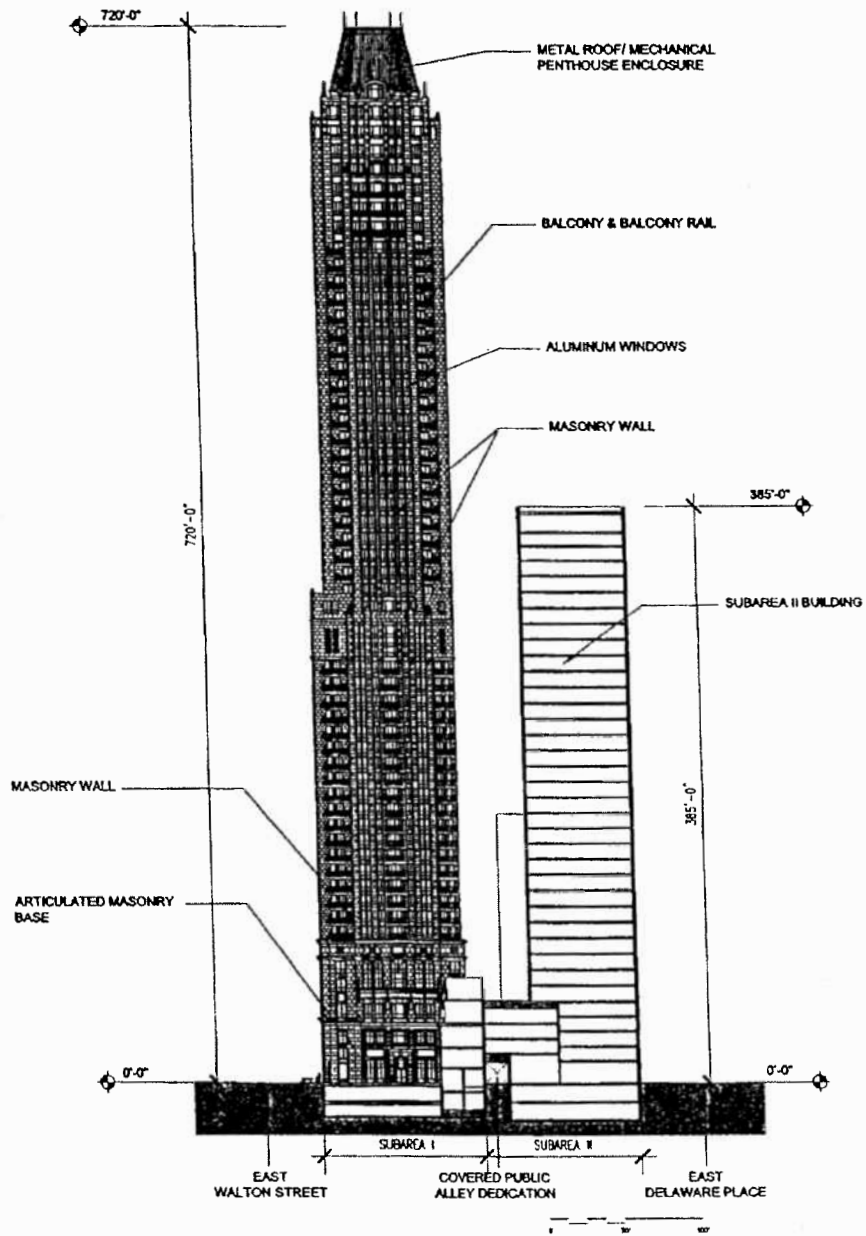
South Elevation.



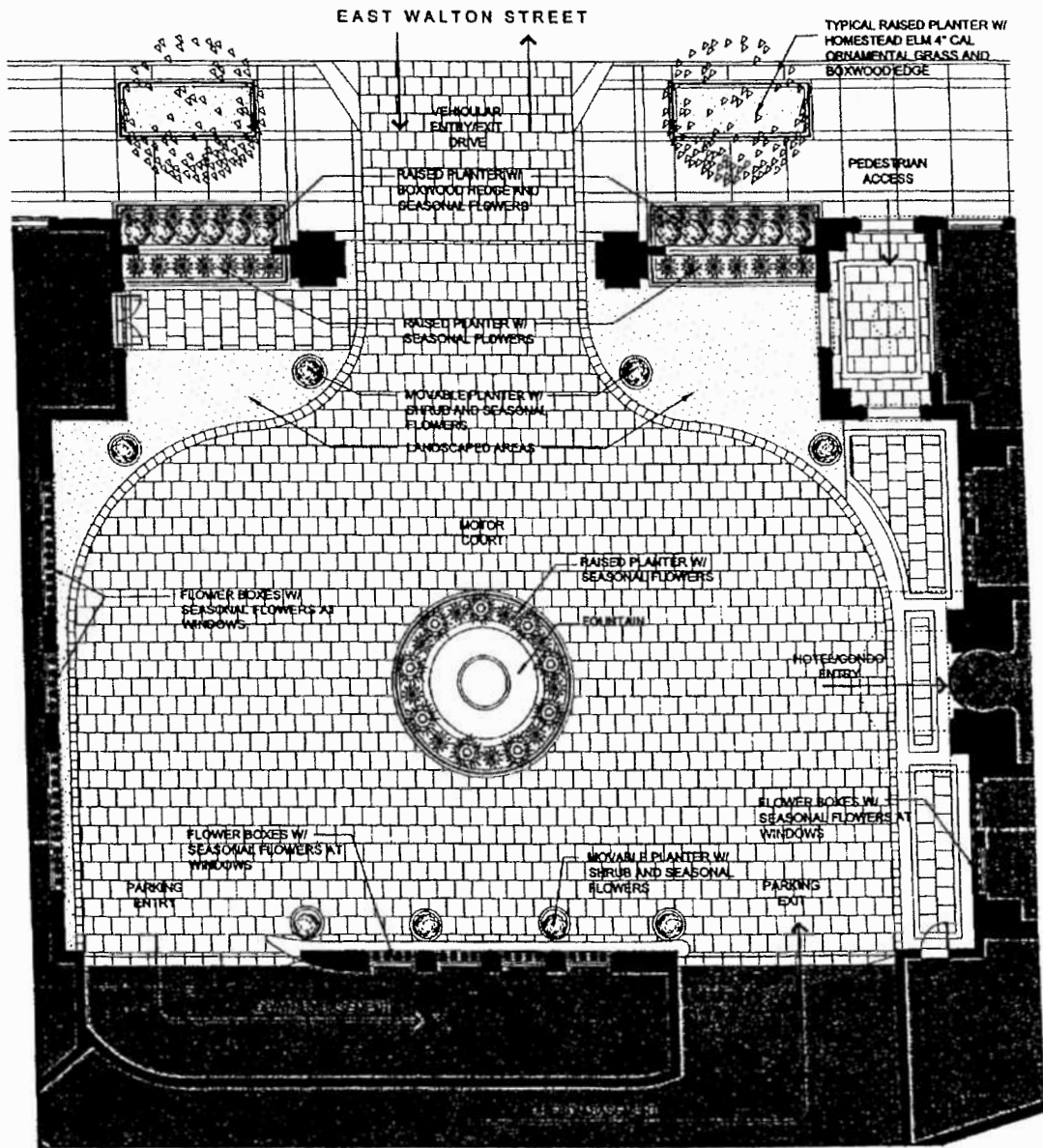
East Elevation.



West Elevation.

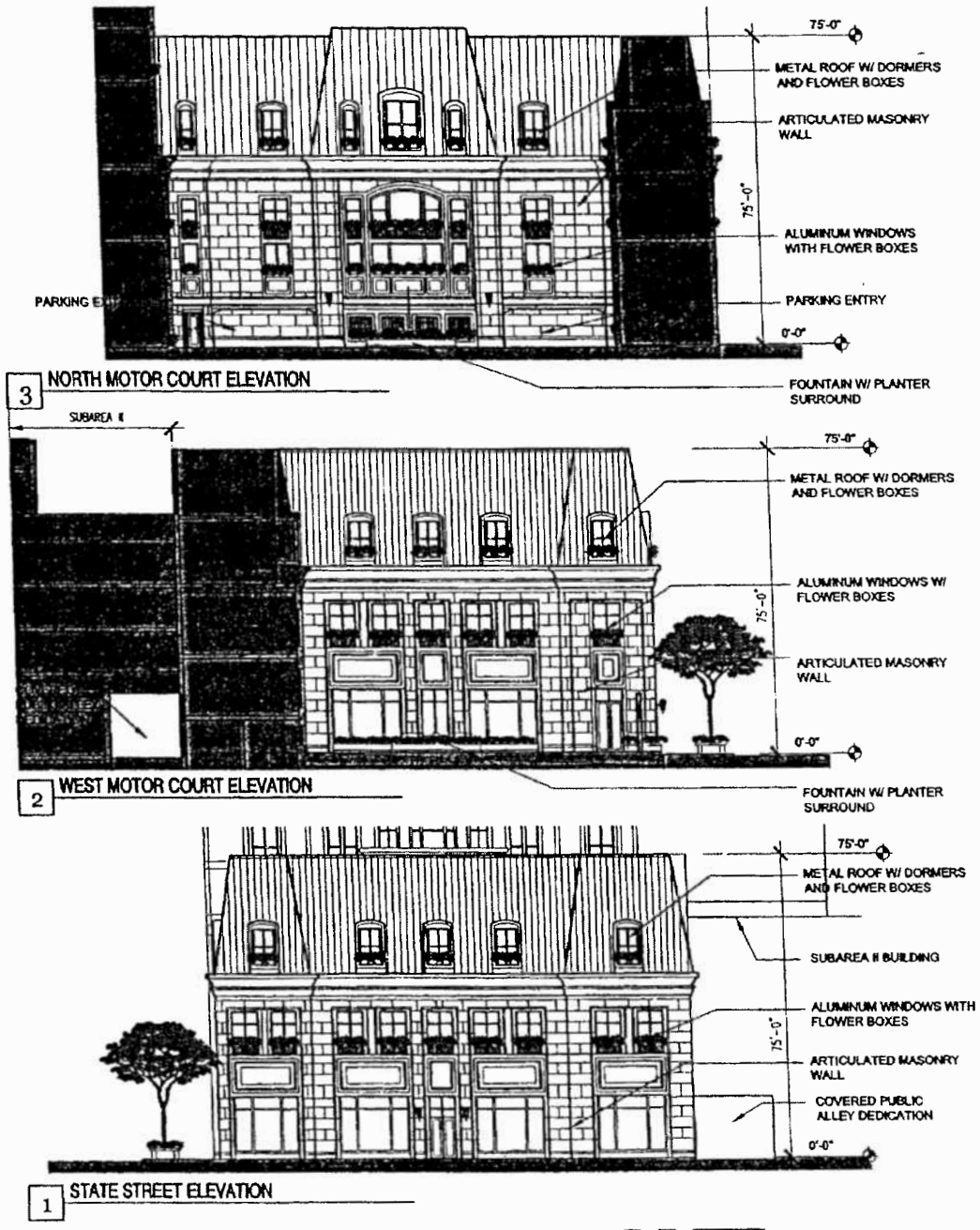


Motor Court Plan.

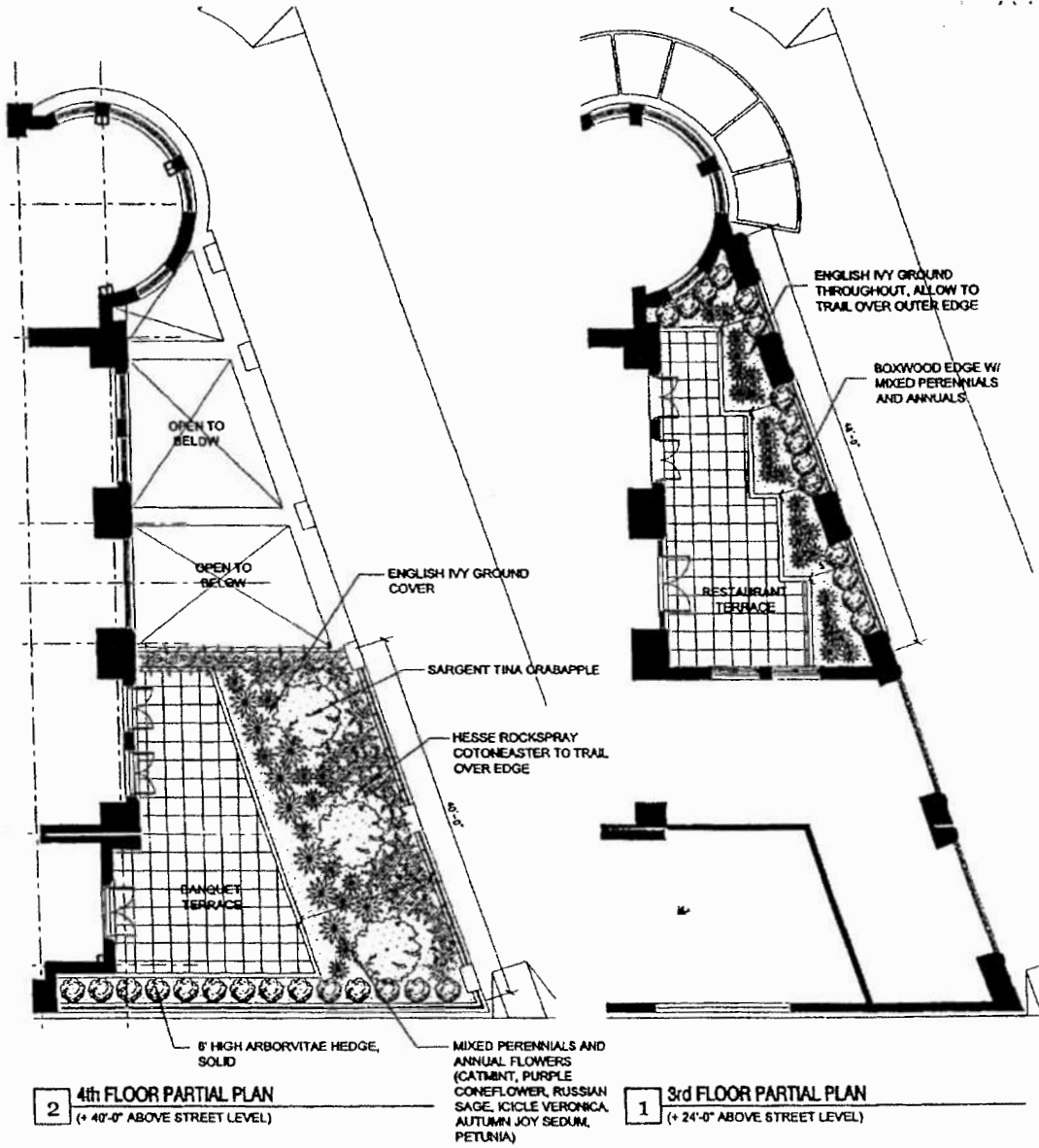


SEASONAL FLOWERS:  
 SPRING - TULIPS, HYACINTH  
 SUMMER - ANNUAL FLOWERS  
 FALL - MUMS, KALE  
 WINTER - JUNIPER

Motor Court Elevations.



Lower Level Planting Terraces.



NOTE:  
 ALL PLANT MATERIALS, PLANTING REQUIREMENTS & GROWING MEDIUM SPECIFICATIONS ARE PER CITY OF CHICAGO LANDSCAPE ORDINANCE.  
 PLANTED MATERIAL TO INCLUDE SHRUBS AND FLOWERS WITH A MINIMUM SOIL DEPTH OF 18".  
 TERRACE AND PLANTED MATERIAL TO BE PROPERLY IRRIGATED AND MAINTAINED.

