

PD 971

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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

April 6, 2022

Robert W. Kirk
Group A Architecture
1100 Landmeier Road, Suite 202
Elk Grove Village, IL 60007

Re: PD 971, Subarea A, 3333 W. Arthington

Dear Mr. Kirk:

In response to your recent request, please be advised that the subject property is currently zoned Planned Development Number 971 ("PD 971"), Subarea A. The existing building is both a Chicago Landmark and on the National Register of Historic Places.

The 2005 amendment to PD 971 required a minimum of one off-street parking space to be provided for each multifamily unit, while allowing for required parking in Subareas A, B-1 and B-2 to be located in an existing multi-story parking garage within Subarea C. On Dec. 3, 2008, a minor change was granted to reduce the amount of off-street parking for the proposed 400 dwelling units at both 3301 and 3315-3333 W. Arthington from 400 to 176 parking spaces. Of the total 176 parking spaces approved, 78 were to be located within the basement of the subject building and 32 were to be located within 600 feet of Subarea A.

The renovation of the 3301 W. Arthington building with 181 dwelling units has been completed, pursuant to permit no. 100482528, issued on Sept. 19, 2013. Pursuant to a minor change, dated February 8, 2013, the vehicular parking for the 3301 building is set at 55 spaces. Based on the aforementioned 2008 minor change, 219 dwelling units and 121 parking spaces are available for use at the subject site.

Pursuant to your request letter and a discussion with staff, Group A Architecture is proposing the redevelopment of the existing building into 215 dwelling units with 121 parking spaces. All the units will be either one- or two-bedroom units, over 600 SF in area. Of the 121 parking spaces proposed, 79 will be located within the interior of the building and the remaining 42 will be outside, within the property line, and within Subarea A. Based on only the information submitted, it is our opinion that the proposed redevelopment of the subject building with 215 dwelling units and 121 parking spaces complies with the Planned Development. Additional information and drawings will be required upon submittal of a building permit application and other comments and issues may arise upon our complete review.

Sincerely


Patrick Murphy
Zoning Administrator

C: Noah Szafraniec, Main file



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

May 4, 2020

Robert W. Kirk
Group A Architecture
1100 Landmeier Road, Suite 202
Elk Grove Village, IL 60007

Re: Opinion response for parking within PD 971, Subarea A, 3333 W. Arthington

Dear Mr. Kirk:

In response to your recent request, please be advised that the subject property is currently zoned Planned Development Number 971 ("PD 971"), Subarea A. You are proposing the redevelopment of the existing building into 206 residential units and are seeking confirmation that since the building is a registered national historical building, only 50% or 103 parking spaces are required.

The 2005 amendment to PD 971 requires a minimum of 1 off-street parking space to be provided for each multifamily unit, while allowing for required parking in Subareas A, B-1 and B-2 to be located in an existing multi-story parking garage within Subarea C. On Dec. 3, 2008, a minor change was granted to reduce the amount of off-street parking for the proposed 400 dwelling units at both 3301 and 3315-3333 W. Arthington from 400 to 176 parking spaces. Additional minor changes for parking reductions to 3301 W. Arthington were granted in 2012 and 2103.

Pursuant to Section 17-10-0102-A(3) of the Zoning Ordinance ("Ordinance"), minimum off-street parking ratios for all uses may be reduced by up to 50% from the otherwise applicable standards for the rehabilitation of existing buildings which are 1) designated a National Historic Landmark; or 2) listed individually on the National Register of Historic Places; or 3) listed as a "contributing building" to a Historic District that is listed on the National Register of Historic Places.

The exiting building at 3333 W. Arthington is both a Chicago Landmark and on the National Register of Historic Places. Any reduction to the required parking of PD 971 requires a minor change, pursuant to Section 17-13-0611 of the Ordinance. If you would like to seek a minor change for your proposed parking reduction, please contact Teresa McLaughlin of my staff at teresa.mclaughlin@cityofchicago.org or (312) 744-3509 for information on the process.

Sincerely,


Patrick Murphy
Zoning Administrator
Bureau of Zoning

C: Teresa McLaughlin, Main file



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

CITY OF CHICAGO

February 8, 2013

Mordecai Tessler
Sterling Park Development LLC
900 W. Jackson Blvd., 8th Floor
Chicago, IL 60607

Re: Administrative Relief request for Residential Planned Development No. 971, Sub area A, Merchandise Development and Laboratory (MDL) Building, 3301 West Arthington Street

Dear Mr. Tessler:

Please be advised that your request for a minor change to Residential Planned Development No. 971 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 ("PD").

You are requesting, on behalf of the property owner, to reduce the parking from 59 spaces to 55 spaces as a result of converting four standard spaces to accessible spaces. On May 4, 2012, an administrative relief was granted to allow a parking reduction from 66 spaces to 59 spaces for the MDL Building at 3301 W. Arthington St. Previously, only five of the 59 spaces were accessible. However, the Chicago Building Code requires one-to-one accessible parking spaces pursuant to Section 18-11-1106.2. The revised parking plan, dated January 8, 2013, identifies a total of 55 spaces (45 standard spaces and 10 accessible spaces). It should be noted that the total number of required parking spaces within this Sub area will not change. The required parking spaces that are not able to be accommodated on this site will be provided elsewhere within the PD as it is developed.

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

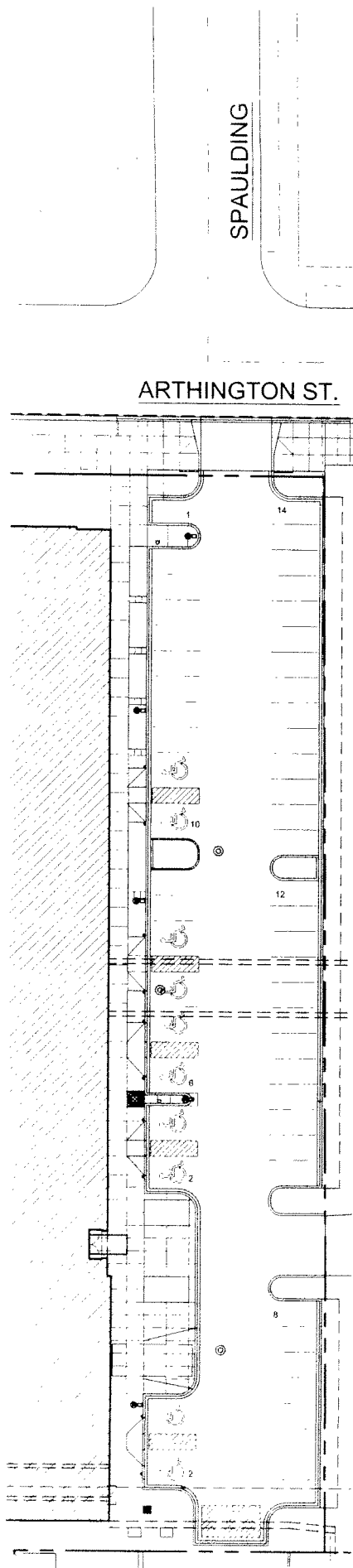
Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Planned Development No. 971, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for 12 months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,

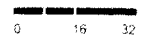

Patricia A. Scudiero
Zoning Administrator

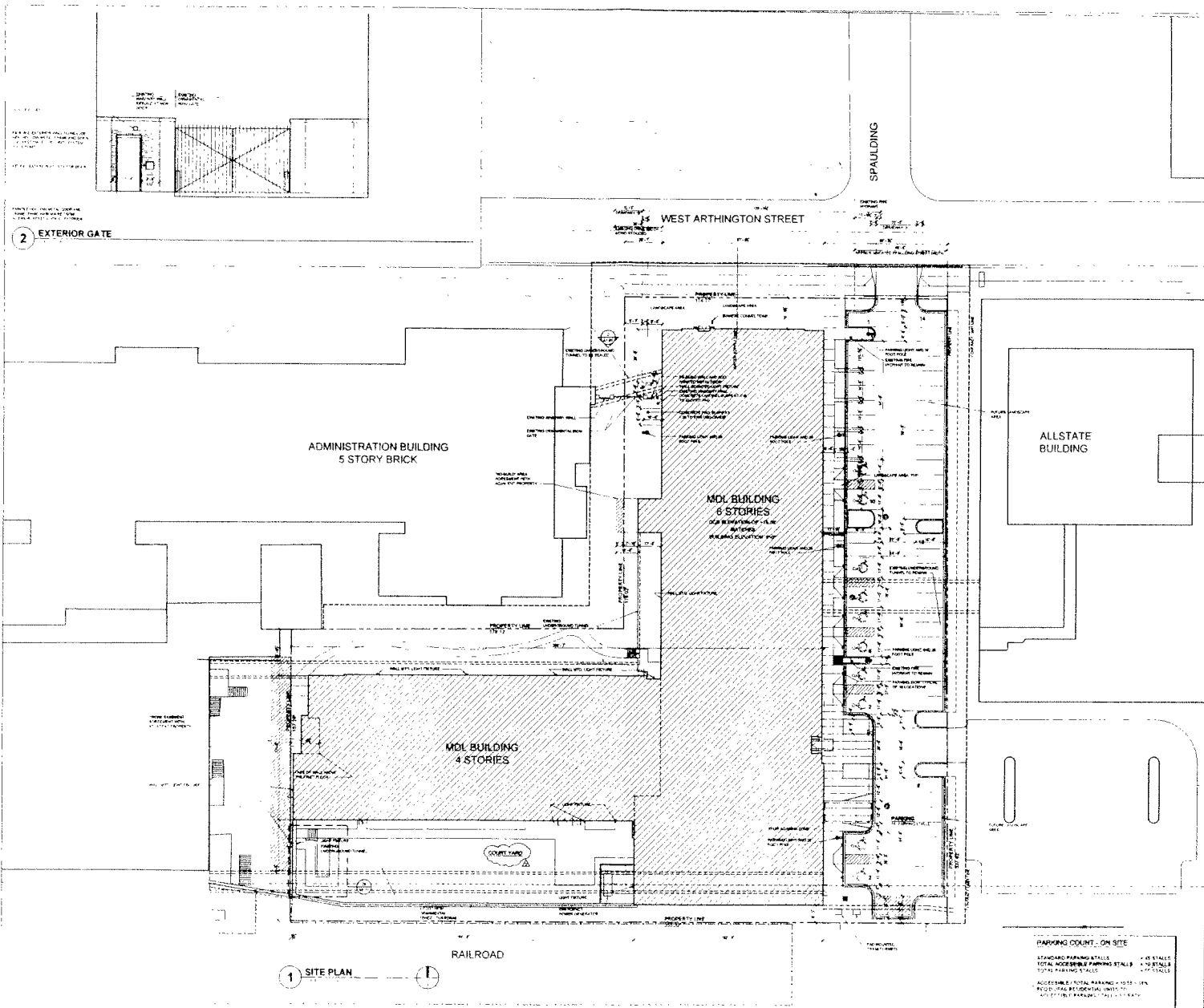
PAS:HG:tm

C: Eleanor Gorski, Mike Marmo, Erik Glass, Fernando Espinoza, Main file



PARKING COUNT - ON SITE	
STANDARD PARKING STALLS	= 45 STALLS
TOTAL ACCESSIBLE PARKING STALLS	= 10 STALLS
TOTAL PARKING STALLS	= 55 STALLS
ACCESSIBLE / TOTAL PARKING = 10/55 = 18%	
REQ'D UFAS RESIDENTIAL UNITS TO ACCESSIBLE PARKING STALL = 1:1 RATIO	





NO.	DESCRIPTION	AREA (SQ. FT.)	STORIES	STALLS
1	STANDARD PARKING STALLS	10,000	1	100
2	ACCESSIBLE PARKING STALLS	1,000	1	10
3	TOTAL ACCESSIBLE PARKING STALLS	1,000	1	10
4	TOTAL PARKING STALLS	11,000	1	110
5	ACCESSIBLE TOTAL PARKING STALLS	1,000	1	10
6	REGULAR TOTAL PARKING STALLS	10,000	1	100
7	TOTAL PARKING STALLS	11,000	1	110

STERLING PARK DEVELOPMENT APARTMENTS
 3301 W. ARTHINGTON ST
 CHICAGO, IL
 © The Owner/Architect
SITE PLAN
 Drawn By: [Name]
 Checked By: [Name]
 Project Number: **A1.01**
 2010012



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

May 4, 2012

Mark A. Angelini
Regional Vice President-Real Estate Development
Mercy Housing Lakefront
120 South LaSalle Street, Suite 1850
Chicago, IL 60603

**Re: Administrative Relief request for Residential Planned Development No. 971, Sub area A,
Merchandise Development and Laboratory (MDL) Building, 3301 West Arthington Street**

Dear Mr. Angelini:

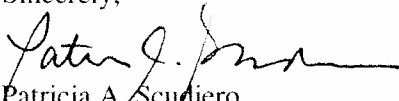
Please be advised that your request for a minor change to Residential Planned Development No. 971 has been considered by the Department of Housing and Economic Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 12 of the Planned Development.

You are requesting, on behalf of the property owner, Royal Imperial Group, to reduce the parking from 66 spaces to 59 spaces for the MDL Building at 3301 W. Arthington St. On December 3, 2008, an administrative relief was granted to reduce the parking from 400 spaces to 176 spaces for both 3301 W. Arthington St. and 3315-3333 W. Arthington St. (the Sears Administration Building). Of the total 176 spaces, the MDL building was to provide 66 spaces (31 spaces at grade in proximity to the MDL building and 35 spaces within the vacated Spaulding Avenue right-of-way). You are now proposing to reduce these 66 spaces to 59 spaces which will be provided on the former site of Spaulding Ave.

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

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Planned Development No. 971, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for 12 months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

PAS: HG: tm

C: Mordecai Tessler, Mike Marmo, Erik Glass, Fernando Espinoza, Main file



May 11, 2011

City of Chicago
Richard M. Daley, Mayor
Department of Housing
and Economic Development

Mr. Nicholas Ftikas
Law Offices of Samuel V.P. Banks
Thirty-Eighth Floor
221 North LaSalle Street
Chicago, IL 60601

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190 (Voice)
(312) 744-2271 (FAX)
(312) 744-2578 (TTY)
<http://www.cityofchicago.org>

Re: **One-year sunset extension for Residential Planned Development No. 971, Homan Square, West Arthington Street and South Spaulding Avenue**

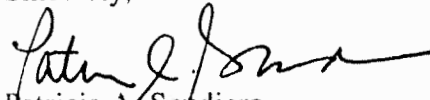
Dear Mr. Ftikas:

Please be advised that your request for a one-year sunset extension to the six-year construction period for Residential Planned Development No. 971 has been considered by the Department of Housing and Economic Development pursuant to Section 17-13-0612-B of the Chicago Zoning Ordinance and Statement No. 16 of the Planned Development.

Residential Planned Development No. 971 was passed by the City Council on June 8, 2005, and pursuant to Statement No. 16, unless any construction of the improvements contemplated by the Planned Development has commenced within six (6) years following adoption of the Planned Development, and unless completion thereof is diligently pursued, then the Planned Development shall expire. You have indicated that as a result of challenges with the economy, funding has been difficult to obtain. However, the owner, Sterling Park Development, LLC, expects financing to be in place within the next four to six months and permitting of the project would begin shortly thereafter.

Please be advised that pursuant to the authority granted by the Chicago Zoning Ordinance and Residential Planned Development No. 971, I hereby approve a one-year sunset extension from June 8, 2011 to June 8, 2012.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm
C: Main file





City of Chicago
Richard M. Daley, Mayor

Department of Planning and
Development

Arnold L. Randall
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>

December 3, 2008

James J. Banks
Law Offices of Samuel V.P. Banks
221 North LaSalle Street
Thirty-Eighth Floor
Chicago, Illinois 60601

**Re: Administrative Relief request for Residential Planned Development
No. 971, as amended, Subarea A, Sterling Park Development LLC,
3301 and 3315-3333 West Arthington Street**

Dear Mr. Banks:

Please be advised that your request for a minor change to Residential Planned Development No. 971, as amended, 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.

You are proposing to establish a total of 400 dwelling units in the existing buildings located at 3315-3333 West Arthington (Sears Administration Building) and 3301 West Arthington (Merchandise Development and Laboratory "MDL" Building) and reduce the amount of accessory off-street parking from 400 spaces to 176 spaces. The Planned Development, amended by the City Council on June 8, 2005, requires a minimum of 1 parking space for each multi-family dwelling unit while allowing for required parking in Subareas A, B-1 and B-2 to be located in an existing multi-story parking garage within Subarea C. However, at this time, the feasibility of using the Subarea C existing parking garage is unknown. Therefore, you are proposing to locate 78 parking spaces within the basement of the Administration Building, 31 spaces at grade in proximity to the MDL Building and 35 spaces within the vacated Spaulding Avenue right-of-way. The remaining 32 spaces will be located within the Planned Development boundaries and within 600 feet of Subarea A.

The Sears Administration Building is a designated Chicago Landmark, therefore, we have the authority to reduce the 1 space per unit parking requirement from 200 spaces to 0 spaces. Of the remaining 200 dwelling units to be located within the MDL Building, a minimum of 80 units will be government subsidized units between 800-900 square feet. Pursuant to Section 17-10-0200 Off-street Parking Ratios of the Chicago Zoning Ordinance, a reduction in the minimum parking ratio for multi-unit government subsidized units between 600-1,200 square feet of 0.70 spaces per unit or 56 spaces (0.70 x 80 units) is allowed. Maintaining the 1 space per unit ratio for the remaining 120 units results in a maximum allowable parking reduction of 176 spaces (56 + 120).


NEIGHBORHOODS



With regard to your request, the Department of Planning and Development has determined that reducing the amount of accessory off-street parking from 400 spaces to 176 spaces for the 400 proposed dwelling units at 3301 and 3315-3333 West Arthington Street will not create an adverse impact on the Planned Development or surrounding neighborhood, 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 Planned Development No. 971, 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

c: Mary Bonome, Mike Marmo, Pat Haynes, Erik Glass, DPD files

Reclassification Of Area Shown On Map Number 2-J.
(As Amended)
(Application Number 14759)

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 B2-3 Neighborhood Mixed-Use District symbols and indications as shown on Map Number 2-J in the area bounded by:

West Polk Street; a line 370.19 feet east of and parallel to South Spaulding Avenue; West Arthington Street; South Kedzie Avenue; the north right-of-way line of the B. & O.C.T. Railroad; a line 307.82 feet east of and parallel to South Homan Avenue; a line 179.02 feet south of and parallel to West Arthington Street; a line 291.57 feet east of and parallel to South Homan Avenue; a line 164.7 feet south of and parallel to West Arthington Street; a line 242.07 feet east of and parallel to South Homan Avenue; a line 184.94 feet south of and parallel to West Arthington Street; a line 101.98 feet east of and parallel to South Homan Avenue; a line 175.81 feet south of and parallel to West Arthington Street; South Homan Avenue; a line 124.89 feet north of and parallel to West Arthington Street; and South Spaulding Avenue,

to the designation of Residential Planned Development Number 971 which is hereby established in the area described above subject to such use and bulk regulations as are set forth in the Plan of Development herein attached and made a part hereof and to no other.

SECTION 2. This ordinance shall be in full 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 Of Development Number 971.

Plan Of Development Statements.

1. The area delineated as a Residential Planned Development (the "Planned Development") consists of approximately five hundred forty-nine thousand three hundred ten (549,310) square foot (twelve and sixty hundredths (12.60) acre) site area (the "Property"), which is depicted on the attached Planned Development Boundary and Property Line Map. (The net site area includes thirty-four thousand two hundred fifty-four (34,254) square feet

of lot area proposed to be vacated, which includes South Spaulding Avenue, from West Arthington Street to the north right-of-way line of the B. & O.C.T. Railroad and the twenty (20) foot east/west alley next south of and parallel to West Arthington Street). The Property is owned and controlled by the applicant, Sterling Park Development, L.L.C. (the "Applicant"). The Property is divided into four (4) subareas as shown on the Subarea Map.

2. All applicable official reviews, approvals or permits that are necessary to construct improvements in accordance with this Planned Development are required to be obtained by the Applicant or its successors, assigns or grantees. The intended dedication and vacation of streets and alleys within (or adjacent to and affecting) the properties are identified on Right-of-Way Adjustment Map. 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, assigns or grantees and approved by the City Council.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors, assigns, grantees and lessees, and if different than the Applicant, the legal titleholder(s) or any ground lessor(s). All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant, its successors, assigns, grantees and lessees and, if different than the Applicant, the legal titleholder(s) or any ground lessor(s). Furthermore, pursuant to the requirement of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time any application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made shall be under single ownership or under unified control. An agreement among property owners, the board of directors of 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 and the following described exhibits, dated May 19, 2005 (collectively, the "Plans"), all of which are incorporated herein and made a part hereof by reference:
 - Exhibit 1 -- Bulk Regulations and Data Table;
 - Exhibit 2 -- Existing Zoning Map;
 - Exhibit 3 -- Existing Land-Use Map;
 - Exhibit 4 -- Planned Development Boundary and Property Line Map;

- Exhibit 5 -- Subarea Map;
- Exhibit 6 -- Right-of-Way Adjustment Map;
- Exhibit 7 -- Conceptual Site Plan;
- Exhibit 8 -- Conceptual Landscape Plan and Green Roof Plan for both existing and new construction;
- Exhibit 9 -- Building Heights Plan;
- Exhibit 10 -- Sterling Park Development Design Guidelines; and
- Exhibit 11 -- Memorandum of Agreement, dated December 14, 1993, among the City of Chicago, the Illinois State Historic Preservation Officer, the United States Department of Housing and Urban Development -- Region V, the Advisory Council on Historic Preservation and Westside Affordable Housing Limited Partnership with Regard to the Homan Square Project.

A full-size set of the Plans are on file with the Department of Planning and Development ("D.P.D."). This Planned Development is applicable to the Property and these and no other controls shall apply. This plan of development is in conformity with the intent and purposes of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of the City of Chicago (the "City") and all requirements thereof, and satisfies the established criteria for approval as a Planned Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control.

5. The following uses shall be permitted within the area delineated herein as a residential planned development:

For Subareas A, B-1 and B-2: single-family residences, attached residences, housing for elderly persons, assisted living facilities, nursing home and multiple dwelling unit buildings; accessory parking; home occupations; parks and recreational uses; and residential support facilities. The following are considered residential support facilities and are provided primarily to serve the needs of residents in large multi-unit residential buildings or residents within the immediate area: medical service offices, personal service uses, dry cleaners, tailors, drug stores, and video rentals. Individual businesses, services or offices are limited to a maximum of seven thousand five hundred (7,500) square feet in area per use in the existing buildings and are limited to the ground floor.

The Commissioner of the Department of Planning and Development (the "Commissioner") shall have the right and authority to modify these restrictions administratively; similarly, the Commissioner shall have the authority to make minor changes to these restrictions.

For Subarea C: multi-story parking structure with related and accessory support facilities and uses necessary for the operation of the uses in this subarea. Required parking for any residential use located within Subareas A, B-1 and B-2 may be located within the garage structure. The existing pedestrian walkway at the second (2nd) level over West Arthington Street shall remain.

For Subarea D: private green space/open space and passive recreational space.

For all subareas except Subarea D: temporary and interim uses shall include construction, construction staging and surfaces parking lots. All temporary and interim uses shall be subject to the review and approval of the Commissioner of the Department of Planning and Development.

6. On-premises signs (including accessory business signage) and temporary signs are permitted upon the subject property subject to the review and approval of the Department of Planning and Development, consistent with the provisions of the Chicago Zoning Ordinance. Off-premises signage is prohibited.
7. Any service drives or any other means of ingress or egress, including for emergency vehicles, shall be adequately designed and paved in accordance with the provisions of the Municipal Code and the regulations of the Chicago Department of Transportation ("C.D.O.T.") in effect at the time of review and permitted by the City. There shall be no parking or storage of garbage receptacles within such paved areas or within fire lanes. Off-street parking and ingress and egress shall be subject to the review and approval of C.D.O.T. and D.P.D.. Compact parking spaces may be provided within a garage once the Applicant has satisfied the minimum off-street parking requirements, subject to the review and approval of C.D.O.T.. For the purposes of this Planned Development, a "compact parking space" shall be a minimum of eight (8) feet by sixteen (16) feet. All work proposed in the public way must be designed and constructed in accordance with the C.D.O.T. Construction Standards for Work in the Public Way and be in compliance with the Municipal Code of the City. Closure of all or any part of any public way during construction shall be subject to the review and approval of C.D.O.T.

8. In addition to the maximum height of any building or any appurtenance thereto, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
9. The maximum permitted floor area ratio ("F.A.R.") shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of F.A.R. calculations and floor area measurements, the definitions in the Chicago Zoning Ordinance shall apply.
10. The improvements on the Property shall be designed, installed and maintained in substantial conformance with the Conceptual Site Plan, Conceptual Landscape Plan, the Sterling Park Development Design Guidelines, all Development Parcel Site Plans approved in accord with Statement Number 11 of this Planned Development, and in accord with the landscape provisions of the Chicago Zoning Ordinance and corresponding regulations. The Applicant shall screen the underpass at the terminus of South Spaulding Avenue. The pedestrian bridges which extend into the public way or are visible from the public way shall be renovated and reclad with a minimum of sixty percent (60%) transparency in the exterior cladding facade materials.

The Applicant or its successors shall provide ongoing maintenance to the existing one and seventy-one hundredths (1.71) acres (seventy-four thousand seven hundred four (74,704) square feet) of private green space as indicated in Subarea D of the Planned Development located on the southern portion of the block bounded by West Polk Street on the north, South Spaulding Avenue on the east, West Arthington Street on the south, and South Homan Avenue on the west. The Subarea D green space shall not be totally fenced. The square footage of this green space (which shall be maintained in its existing condition or improved in an upgraded condition) shall be counted toward providing any open space requirement within this Planned Development and shall be included in the determination of the required Open Space Impact Fee for this Planned Development only to the extent that it has not already been counted toward the Open Space Impact Fee of other development.

11. Prior to the issuance by the Department of Planning and Development of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance ("Part II Approval") for development or redevelopment of any development parcels within the Planned Development, whether new construction or alterations to existing buildings, a development parcel site plan for the proposed development, including parking areas, shall be submitted to the Commissioner for approval. All future proposals for development shall be subject to the provisions of this Planned Development and all relevant ordinances and City policies in effect at the

time of submittal. No Part II Approval shall be granted until the development parcel site plan has been approved by the Commissioner. Following approval of a development parcel site plan by the Commissioner, the approved plan shall be kept on permanent file with the Department of Planning and Development and shall be deemed to be an integral part of this Planned Development. The approved development parcel site plan may be changed by the provisions of section 17-13-0611-A of the Chicago Zoning Ordinance and Statement Number 12 of this plan of development. A development parcel site plan shall, at a minimum, provide the following information with respect to the proposed improvements:

- a. boundaries of development parcel or parcels;
- b. building footprint or footprints;
- c. dimensions of all setbacks;
- d. location and depiction of all parking spaces (including relevant dimensions);
- e. location and depiction of all loading berths (including relevant dimensions);
- f. all drives, roadways and vehicular routes;
- g. all landscaping (including species and size);
- h. all pedestrian circulation routes and points of ingress/egress (including sidewalks);
- i. all site statistics applicable to the development parcel or parcels, including:
 - (1) floor area and floor area ratio as represented on submitted drawings;
 - (2) number of parking spaces provided;
 - (3) number of loading berths provided;
 - (4) uses of development of parcel;

- j. parameters of the building envelope, including:
 - (1) maximum building height; and
 - (2) setbacks and vertical setbacks, required and provided;
- k. preliminary building sections and elevations of the improvements with a preliminary building materials list for all new construction or substantial renovation of existing structures;
- l. storm water management requirements, if applicable; and
- m. a plan for construction staging and restoration, if applicable.

A Site Plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of this Planned Development and any City ordinances or policies in effect at the time of submission of the Site Plan.

- 12. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner upon the application for such modification by the Applicant and after a determination by the Commissioner that such a modification is minor in nature, appropriate and consistent with the nature of the improvement contemplated in this Planned Development and the purposes underlying the provisions hereof. Any modification of the requirements of this Planned Development by the Commissioner shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13-0611-A of the Chicago Zoning Ordinance. Such minor changes may include: changes to the Conceptual Site Plan; a relocation of dwelling units and/or floor area from one (1) subarea to another subarea, or from one (1) development parcel to another development parcel within a subarea, so long as the maximum dwelling unit count and F.A.R., as applicable, for the Planned Development are not exceeded. Additional floor area requirements per use may be approved by the Commissioner as a minor change or administrative modification to the Planned Development uses.
- 13. 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 new buildings and improvements to existing buildings 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.

14. 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 best and 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. Copies of these standards may be obtained from the Department of Planning and Development. The Applicant shall provide vegetated ("green") roofs totaling twenty-five percent (25%) of the net roof area for both the existing and new buildings, except townhouse structures, to be constructed within the Planned Development excluding any additions to the parking garage structure. ("Net roof area" shall be defined as the total area of the roof minus any required perimeter setbacks, rooftop structures and roof-mounted equipment.) If City financial assistance is sought in connection with development within this Planned Development, then relevant City policy in effect at the time such assistance is sought regarding vegetated ("green") roofs and other environmental requirements shall apply. The Applicant agrees to provide one (1) dog walk for each building which is classified as high-rise construction pursuant to the Chicago Building Code.
15. Two (2) existing buildings located within the boundary of the Residential Planned Development (the Sears Administration Building at 3333 West Arthington Street and the Merchandise Development and Laboratory Building at 3301 West Arthington Street) are part of a Historic District listed on the National Register of Historic Places. The Applicant acknowledges that it is a successor to Westside Affordable Housing Limited Partnership and is a party to the Memorandum of Agreement with the City, the State of Illinois and appropriate federal agencies, dated December 14, 1993. The Memorandum of Agreement shall control certain actions which may be taken with respect to the Administration Building, the Merchandise Development and Laboratory Building and in their immediate vicinity. The Applicant shall take no action to demolish or alter significant historic features identified by the Illinois Preservation Agency of the buildings which appear on the National Register of Historic Places, nor undertake any new construction within the "Historic Impact Area" designated by the Memorandum of Agreement until such time as the Applicant has fulfilled its obligations under the Memorandum of

Agreement resulting from such consultation process which obligations are required to be fulfilled before demolition, alteration or new construction may occur.

Also, the Administration Building (3333 West Arthington Street) is a Chicago landmark. The Applicant shall undertake no repairs, alterations or additions to the Administration Building without the approval of the Chicago Commission on Landmarks.

16. Unless any construction of the improvements contemplated by the Planned Development has commenced within six (6) years following adoption of this Planned Development and unless completion thereof is diligently pursued, then this Planned Development shall expire and the Property shall automatically revert to that of a B2-3 Neighborhood Mixed-Use District classification.

[Exhibit 2 -- Existing Zoning Map; Exhibit 3 -- Existing Land-Use Map; Exhibit 4 -- Planned Development Boundary and Property Line Map; Exhibit 5 -- Subarea Map; Exhibit 6 -- Right-of-Way Adjustment Map; Exhibit 7 -- Conceptual Site Plan; Exhibit 8 -- Conceptual Landscape Plan and Green Roof Plan; Exhibit 9 -- Building Heights Plan; and Exhibit 10 -- Sterling Park Development Design Guidelines referred to in these Plan of Development Statements printed on pages 50854 through 50874 of this *Journal*.]

Exhibit 1 -- Bulk Regulations and Data Table and Exhibit 11 -- Memorandum of Agreement referred to in these Plan of Development Statements read as follows:

Exhibit 1.

Residential Planned Development Number 971.

Bulk Regulations And Data Table.

Gross Site Area:

676,344 square feet (15.52 acres)

- Area in Existing Public Right-of-Way:	161,288 square feet (3.70 acres)
+ Area in Public Right-of-Way To Be Vacated*:	34,254 square feet (0.79 acres)
= Net Site Area:	549,310 square feet (12.61 acres)

Net Site Area (by subarea):

Subarea A:	227,557 square feet (5.22 acres)
Subarea B:	175,309 square feet (4.02 acres)
Subarea C:	71,740 square feet (1.65 acres)
Subarea D:	74,704 square feet (1.72 acres)

Maximum Overall Floor Area Ratio:

Subarea A:	3.00
Subarea B:	3.40
Subarea C:	3.69
Subarea D:	0.00 (accessory parking only)
Subarea E:	0.00 (private green space)

Permitted Uses: As listed in Statement Number 5

* (Includes South Spaulding Avenue, from West Arthington Street to the north right-of-way line of the B. & O.C.T. Railroad and the 20 foot east/west alley next south of and parallel to West Arthington Street).

**Maximum Number of Residential
Units:**

	1,200 units
Subarea A:	636 units
Subarea B:	564 units
Subarea C:	0 units
Subarea D:	0 units

**Minimum Number of Off-Street
Parking Spaces to be provided:**

Townhouse Units:	2 spaces for each unit
Multi-Family Units:	1 space for each unit
Elderly Housing Units:	30% of total such units

Assisted Living Units: As approved per 17-10-0207-Q of
the Chicago Zoning Ordinance
requirements

Minimum Bicycle Parking: One per 2 auto spaces in all buildings
except townhouse, elderly and assisted
living buildings

**Minimum Number of Off-Street
Loading Spaces:**

	7 spaces
Subarea A:	3 spaces at 10 feet by 25 feet
Subarea B-1:	1 space at 10 feet by 25 feet
Subarea B-2:	3 spaces at 10 feet by 25 feet
Subarea C:	0 spaces
Subarea D:	0 spaces

Maximum Building Height: 140 feet for all multi-unit residential buildings and 45 feet for townhouse structures as measured pursuant to Section 17-17-0311 of the Chicago Zoning Ordinance

Maximum Site Coverage: 65% for the Total Net Site Area

Minimum Setbacks
For Existing Buildings: As existing at the time of approval of this Planned Development

For New Construction: 10 feet on the south side of West Arthington Street

15 feet on the north side of West Arthington Street

15 feet on the west side of South Kedzie Avenue

5 feet on the east side of South Spaulding Avenue

Exhibit 11.

Memorandum Of Agreement

Dated December 14, 1993

Among

The City Of Chicago, Illinois

The Illinois State Historic Preservation Officer,

*The United States Department Of Housing And Urban
Development, Region V,*

*The Advisory
Council On Historic Preservation*

And

Westside Affordable Housing Limited Partnership

With Regard To

The Homan Square Project

Chicago, Illinois.

Whereas, The City of Chicago, Illinois (hereinafter referred to as the "City"), has determined that the construction of the Homan Square development on the site of the former Sears, Roebuck and Co. (hereinafter referred to as "Sears") headquarters, a development (as further described in Attachment A attached hereto and made a part hereof) located on approximately fifty-five (55) acres of property on Chicago's west side within the area depicted on the Site Plan reflected on Exhibit A and made a part hereof (hereinafter referred to as the "Project" or "Homan Square"), with proposed financial assistance from the HOME and C.D.B.G. programs of the Department of Housing and Urban Development (hereinafter referred to as "H.U.D.") and potential other federal or state funds for infrastructure and other Project improvements, will or may have an adverse effect on historic properties (hereinafter defined) listed on the National Register of Historic Places and designated as a National Historic Landmark and, therefore, has consulted with the Illinois State Historic Preservation Officer (hereinafter referred to as the "S.H.P.O.") and the Advisory Council on Historic Preservation (hereinafter referred to as the "Council") pursuant to 36 C.F.R. Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

Whereas, The four (4) historic properties that will or may be affected by the Project (hereinafter referred to collectively as the "Historic Properties" and individually as an "Historic Property") are the Sears Catalog Building (hereinafter referred to as the "Catalog Building"), the Sears Administration Building (hereinafter referred to as the "Administration Building"), the Sears Merchandise Development and Laboratory Building (hereinafter referred to as the "Merchandise Building") and the Sears Power Plant (hereinafter referred to as the "Power Plant") (all of which are identified on Exhibit B attached hereto and made a part hereof); and

Whereas, The City has determined, and the other parties to this Agreement concur, that the Sears Spaulding Building, the Sears Alistate Building, the Sears

Parking Structure, the Sears Shipping and Receiving Building and the Sears Exhibit and Display Building located within Homan Square, and the existing residential area surrounding Homan Square bounded by Harrison Street, Kedzie Avenue, Polk Street and Independence Boulevard (all of which are identified on Exhibit C attached hereto and made a part hereof) are neither included in nor eligible for inclusion in the National Register of Historic Places; and

Whereas, The City has determined and Westside concurs, that the Chicago Park District Natatorium and the Chicago Water Pumping Station both located outside of the boundaries of Homan Square on Fillmore Street (which structures are identified on Exhibit B) will not be adversely affected by or incorporated in the Project; and

Whereas, Westside Affordable Housing Limited Partnership, through its not-for-profit general partner, Westside Affordable Housing, Inc. (hereinafter referred to as "Westside"), the developer of the Project, participated in the consultation and has been invited to concur in this Memorandum of Agreement (hereinafter referred to as the "Agreement"); and

Whereas, The Region V Office of H.U.D. (hereinafter referred to as "H.U.D.-V") has been invited to concur in this Agreement solely with respect to Stipulation XIV.C.;

Now, Therefore, The City, the S.H.P.O. and the Council agree, and Westside concurs, that the Project shall be implemented in accordance with the following stipulations and foregoing clauses in order to take into account the effect of the Project on the Historic Properties and to satisfy the City's Section 106 responsibilities for all aspects of the Project.

Stipulations.

The City, in consultation with Westside, will ensure that the following stipulations are implemented:

I. Demolition And Recordation Of The Catalog Building.

A. Pursuant to the Case Report to the Advisory Council on Historic Preservation regarding the Homan Square Project dated September 15, 1993 submitted by the City's Department of Planning and Development and the supporting consultant reports attached thereto, it is determined that the Catalog Building is functionally obsolete and economically unfeasible for reuse for industrial, retailing, office, residential or institutional uses and Westside may proceed with the demolition of Catalog Building consistent with the provisions of this Agreement.

B. Westside may proceed to demolish the Catalog Building except for the

thirteen (13) story tower section of the Catalog Building (hereinafter referred to as the "Tower"). Westside agrees to preserve the Tower in accordance with Stipulation IV. Within thirty (30) days of the execution of this Agreement, Westside shall provide the S.H.P.O. with preliminary plans for the protection and stabilization of the Tower during the demolition of the Catalog Building. Westside shall consult with the S.H.P.O. in the finalization and implementation of such plans. To the extent the Tower is damaged during the demolition of the Catalog Building, such damage shall be repaired promptly upon the completion of the Catalog Building demolition.

C. Prior to the demolition of the Catalog Building pursuant to Stipulation I.B, Westside in consultation with the City shall ensure that documentation in accordance with National Park Service (N.P.S.), Historic American Buildings Survey (H.A.B.S.)/Historic American Engineering Record (H.A.E.R.) standards is completed and provided to the Denver regional office of the National Park Service and such documentation is accepted in writing by said regional office. Copies of the documentation that is submitted to the National Park Service, including original photographs, shall be made available to the S.H.P.O.

II. Interpretative Exhibit.

Westside shall prepare and implement plans for an interpretative exhibit of the Sears Roebuck & Co. National Historic Landmark. The plans shall be subject to the review and comment process established by Stipulation III.B and the dispute resolution process established by Stipulation VIII. In conjunction with the preparation of such plans, the public shall be provided an opportunity to submit comments and recommendations at a public meeting as set forth in Stipulation VII.

III. Rehabilitation Of Historic Properties.

A. Plans And Specifications. Any renovation or rehabilitation activities and the plans and specifications associated therewith which may be proposed for any Historic Property and which would impact either (a) the exteriors of such Historic Property, or (b) material features of internal common areas of the Administration Building (as hereinafter described) (hereinafter referred to as "Rehabilitation"), shall be developed to be sensitive to the historic and architectural characteristics of the Historic Property and to be consistent with the recommended approaches in The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (hereinafter referred to as the "Standards"). The material features of internal common areas of the Administration Building are the main lobby and the first (1st) and second (2nd) floor main corridors as set forth in the letter dated May 27, 1993, from Theodore W. Hild, Deputy State Historic Preservation Officer to Henry L. Henderson, City of Chicago Commissioner of Environment.

B. S.H.P.O. And City Comment. Plans and specifications for any Rehabilitation shall be concurrently submitted by Westside to the S.H.P.O. and the staff of the City's Chicago Landmark Commission for their review and comment. In performing their reviews of the plans and specifications, the City and the S.H.P.O. shall solicit public comment in accordance with their respective established practices and procedures. If the S.H.P.O. determines that the plans and specifications do not adhere in all material respects to the Standards, the S.H.P.O. shall provide written comments to Westside within thirty (30) days following its receipt of such plans and specifications, detailing the manner in which such plans and specifications do not adhere in all material respects to the Standards. If Westside determines that it can modify such plans and specifications in accordance with the S.H.P.O.'s comments, Westside shall so modify such plans and specifications and forward a copy of the modified plans and specifications to the S.H.P.O.. Upon providing the S.H.P.O. with the modified plans and specifications and provided such modified plans and specifications incorporate the S.H.P.O.'s comments, Westside may proceed with the Rehabilitation. If Westside determines that it cannot modify such plans and specifications, the dispute shall be resolved in accordance with Stipulation VIII, unless Westside determines not to proceed with such Rehabilitation. Westside shall provide the S.H.P.O. as soon as practicable preliminary plans and specifications for any Rehabilitation which Westside believes will be undertaken.

IV. Preservation Of The Tower.

A. Notwithstanding the provisions of Stipulation I.B., during the thirty (30) day period following the execution of this Agreement, the City and Westside shall consult regarding the feasibility of retaining the first (1st) bay of the Catalog Building on either side of the Tower. During this thirty (30) day consultation period, Westside shall not commence demolition activity with respect to the first (1st) bay, but Westside may proceed with demolition activity with respect to the balance of the Catalog Building. In consulting with Westside, the City shall seek the comments of other parties including the S.H.P.O., Landmark Preservation Council of Illinois, The National Trust Midwest Regional Office, community organizations and The Blue Ribbon Committee. If at the end of the thirty (30) day consultation period, the City and Westside elect to retain the first (1st) bay, this Agreement shall be amended pursuant to Stipulation X to reflect the terms and conditions under which the first (1st) bay shall be retained. If at the end of the thirty (30) day consultation period, the City and Westside decide not to retain the first (1st) bay of the Catalog Building, the City shall notify the S.H.P.O. and Council accordingly and Westside shall proceed with the demolition of the Catalog Building (except for the Tower) as provided in Stipulation I.B. In such event, the City shall provide the S.H.P.O. and Council with written documentation supporting the decision not to retain the first (1st) bay. If the first (1st) bay of the Catalog Building is demolished in accordance with this Agreement, any new construction within the area previously occupied by the first (1st) bay shall be undertaken in accordance with Stipulation V.A.

B. Westside shall prepare plans and specifications for the preservation of the exterior of the Tower and undertake such preservation consistent with such plans and specifications. The plans and specifications shall be subject to the review and comment process established by Stipulation III and the dispute resolution process established by Stipulation VIII. In conjunction with the preparation of such plans and specifications, the public shall be provided an opportunity to submit comments and recommendations at a public meeting as set forth in Stipulation VII.

V. New Construction.

A. New Construction Within Historic Impact Areas. If new construction is proposed within the area shown cross-hatched on Exhibit D attached hereto and made a part hereof (hereinafter referred to as the "Historic Impact Areas"), Westside shall prepare plans and specifications for such new construction consistent with the recommended approaches set forth in the Standards as they relate to new construction. Westside shall concurrently submit such plans and specifications to the S.H.P.O. and the staff of the City's Chicago Landmark Commission for their review and comment; provided, however, that Westside shall consult with the S.H.P.O. as soon as reasonably practicable in the development of preliminary plans and specifications. In performing their review of the plans and specifications, the City and the S.H.P.O. shall solicit public comment in accordance with their respective established practices and procedures. If the S.H.P.O. determines that the plans and specifications do not adhere in all material respects to the Standards, the S.H.P.O. shall provide written comments to Westside within thirty (30) days following its receipt of such plans and specifications, detailing its objection to such plans and specifications. If Westside determines that it can modify such plans and specifications in accordance with the S.H.P.O.'s comments, Westside shall so modify such plans and specifications and forward a copy of the modified plans and specifications to the S.H.P.O.. Upon providing the S.H.P.O. with the modified plans and specifications and provided such modified plans and specifications incorporate the S.H.P.O.'s comments, Westside may proceed with such new construction. If Westside determines that it cannot modify such plans and specifications, the dispute shall be resolved in accordance with Stipulation VIII, unless Westside determines not to proceed with such new construction.

B. New Construction Within The Project. Any new construction within the Project that is not located within the Historic Impact Areas shall be reviewed by the City in accordance with the City's planned development Part II Approval process (Chicago Zoning Ordinance, Section 11.11-3(b)) to ensure compliance with the provisions of the Residential-Business Planned Development covering the Project adopted by the City on August 4, 1993.

VI. Site Preparation, Construction And Infrastructure Activities.

Westside may initiate site preparation activities within the Project, including, but not limited to, remediation of hazardous materials in Historic Properties, demolition of non-historic structures, and infrastructure development, and may begin new construction within the Project, except for new construction within Historic Impact Areas, upon execution of this Agreement, provided that such activities are consistent with the provisions of this Agreement.

VII. Public Coordination.

As soon as practicable, but in no event later than six (6) months of the execution of the Agreement, the City and Westside shall schedule a meeting or meetings as may be necessary for the purpose of soliciting the comments and recommendations of the public with respect to the preparation of plans and specifications for the preservation of the exterior of the Tower as required by Stipulation IV and the preparation of plans for an interpretative exhibit of the Historic Properties as required by Stipulation II. The City shall provide prior written notice of such public meeting or meetings.

VIII. Dispute Resolution.

If Westside and the S.H.P.O. determine that a dispute cannot be resolved under the provisions of Stipulations II, III.B, IV.B, or V.A, they shall notify the City and send the City all documentation relevant to the dispute. The City shall then forward all such documentation to the Council. Within thirty (30) days after receipt of all such documentation, the Council shall provide recommendations to the City which the City shall take into account in reaching a final decision regarding the dispute. The City shall then, as the party responsible for compliance with Section 106 under the HOME and C.D.B.G. programs of H.U.D., within thirty (30) days after receipt of the Council's recommendations, render a decision and notify, in writing, all of the parties hereto of its final decision.

IX. Monitoring.

The City shall provide an annual report to the signatories to this Agreement which summarizes Project activities carried out under the terms of this Agreement. The first (1st) report shall be submitted by December 31, 1994 and subsequent reports every December 31 thereafter until the Project is completed. Upon written request from the Council or the S.H.P.O., the City will make arrangements for an on-site visit to Homan Square by the requesting entity with the City and Westside to review activities carried out under the terms of this Agreement.

X. Amendments.

If either the City or Westside determines that it cannot fulfill the terms of the Agreement or otherwise deems it necessary to seek an amendment to this Agreement, Westside and/or the City shall notify the Council and the S.H.P.O. and request an amendment to the Agreement as set forth in 36 C.F.R.- Section 800.5(e)(5).

XI. Sale Or Lease Of Historic Properties.

In the event that Westside enters into a lease agreement with or a contract for sale to another entity for the reuse of all or substantially all of any Historic Property (but not including a space lease for a portion of any Historic Property), Westside shall include appropriate covenants to ensure that the lessee or purchaser complies with Stipulations III.A and B.

XII. Additional Assistance.

In the event that Westside receives additional federal or state assistance for the Project, the federal or state agency(ies) as the case may be, shall fulfill their Section 106 compliance responsibilities by accepting, in writing, the terms of this Agreement (and any amendments thereto), and any modifications to this Agreement required by such additional federal or state assistance, and conditioning such assistance upon Westside's satisfactory fulfillment of the terms of this Agreement. Prior to becoming a signatory to this Agreement, a federal agency shall comply with any statutory or regulatory publication requirement applicable to such federal agency. Westside and/or the City shall notify the S.H.P.O. and the Council, in writing, upon receipt of any such additional federal or state assistance.

XIII. Dededesignation As National Historic Landmark.

If the Department of Interior causes the dedesignation of the Sears, Roebuck and Company, National Historic Landmark, under the applicable provisions of the National Historic Preservation Act, the parties hereto agree that this Agreement shall remain in full force and effect.

XIV. Miscellaneous Provisions.

A. The parties agree to perform their respective obligations, including the execution and delivery of any documents or approvals as may be necessary or

appropriate, in a timely fashion consistent with the terms and provisions of this Agreement.

B. The terms of this Agreement shall be binding upon the City, the S.H.P.O., the Council, Westside and any other federal or state agency that shall become a party to this Agreement (in accordance with Stipulation XII) and their respective successors and assigns.

C. H.U.D.-V's concurrence in this Agreement is solely for the purpose of indicating its approval of this Agreement as it relates to H.U.D. providing financial assistance to the Project under H.U.D.'s HOME and C.D.B.G. programs and is not intended to limit in any way any discretion which H.U.D.-V may have with respect to its approval of the City's request for funds pursuant to regulations under 24 CFR Part 58.

D. This Agreement may be executed in multiple original counterparts, each of which shall be deemed an original, and which together shall constitute one and the same Agreement.

Execution and implementation of this Agreement evidences that the City has afforded the Council a reasonable opportunity to comment on the Homan Square Project and its effects on the Historic Properties, and any other properties adjacent to or in close proximity to the Project which may be eligible for inclusion in the National Register of Historic Places, and that the City has taken into account any such effects.

Advisory Council on Historic Preservation

By: (Signed) Joan W. Stein
Vice Chairman

Date: December 20, 1993

City of Chicago, Illinois

By: (Signed) Richard M. Daley
Mayor

Date: December 16, 1993

Illinois State Historic
Preservation Officer

By: (Signed) William L. Wheeler Date: December 16, 1993
State Historic Preservation
Officer

Concur:

United States Department of Housing
and Urban Development, Region V

By: _____ Date: _____
Edwin W. Eisendrath,
Acting Regional Administrator

Westside Affordable Housing
Limited Partnership,
by Westside Affordable Housing, Inc.,
its General Partner

By: (Signed) Charles H. Shaw Date: December 14, 1993
President

[Exhibits "A", "B", "C" and "D" referred to in this
Memorandum of Agreement for Homan Square
Project printed on pages 50850 through
50853 of this *Journal*.]

Attachment "A" referred to in this Memorandum of Agreement for Homan Square
Project reads as follows:

Attachment "A".
(To Memorandum Of Agreement
For Homan Square Project)

The Project.

Westside proposes to create a new neighborhood of homes and businesses known

as Homan Square on the fifty-five (55) acre site of the former Sears, Roebuck & Co. (hereinafter referred to as "Sears") headquarters on Chicago's west side, in the North Lawndale community. The vision behind Homan Square is a revitalized North Lawndale stimulated by the creation of diverse, affordable housing for the community, renovated commercial space to provide employment opportunities and the facilitation of needed community services.

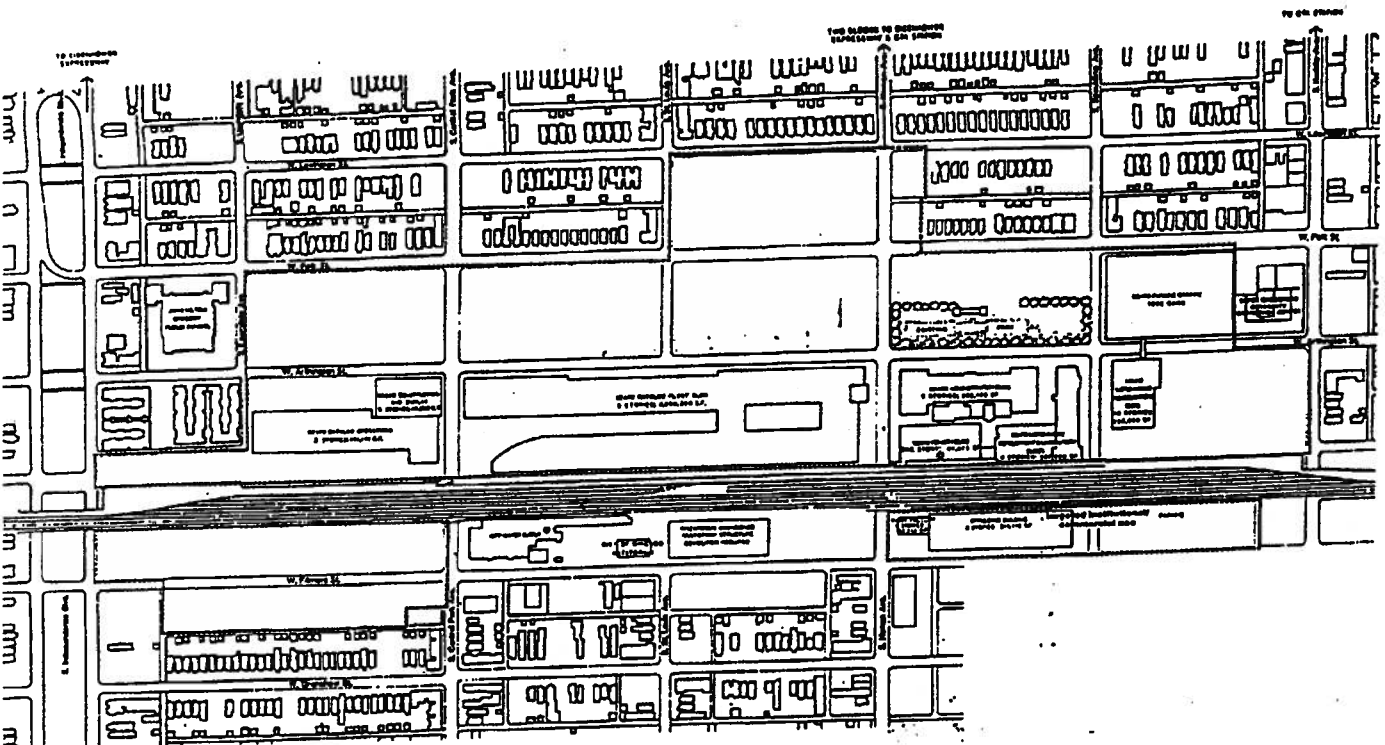
Since 1960, North Lawndale has lost more than sixty percent (60%) of its population and over half its housing stock. A key to its revitalization is creating new housing, improving existing housing stock and raising the level of home ownership. To that end, the first (1st) phase of Homan Square will create new housing, both for rent and for sale. Groundbreaking for the first (1st) approximately eighty (80) units (hereinafter referred to as "Phase I, Section 1") is scheduled to occur in 1993. Plans for Phase I, Section 1 call for a mixture of single-family homes, townhomes, duplexes and six (6) flats built around landscaped common grounds, with fifty-six (56) of the initial eighty (80) units to be rental units. Each unit will have views of open spaces and gardens. Almost one-quarter ($\frac{1}{4}$) of each block will be devoted to play areas and common greens, which is unusual in urban areas. In addition, good lighting, fencing and other security measures will help to make Homan Square a secure, safe, pleasant neighborhood in which to reside. A priority for Homan Square is to encourage and enable home ownership.

Homan Square will also contain more than one million (1,000,000) square feet of institutional and commercial space, upgraded and converted for office and industrial use. The space is well suited to both public- and private-sector organizations and corporations and may prove particularly attractive to such industries as health care, construction, biomedical, technology, light industry and child care. A major focus will be the location of not-for-profit job training and employment centers. As redevelopment at Homan Square progresses, the area's economy will improve, attracting additional businesses and services and increasing employment opportunities for neighborhood residents. The goal over time is for neighborhood residents to hold many of the new jobs brought to Homan Square. Construction jobs will be available to qualified local residents, particularly those who are experienced tradespeople. Hiring preference will be given to qualified local residents and members of minority groups.

The plan of development for Homan Square has been approved by the City in accordance with the City's planned development process pursuant to the Chicago Zoning Ordinance. This process included presenting plans of the proposed development at several public meetings and in numerous other meetings with community organizations including a "Blue Ribbon" Committee and individuals from the community. Community review and input was encouraged throughout the planned development process. The process culminated with the adoption by the City on August 4, 1993 of a Residential-Business Planned Development which controls the future development of the Project by requiring all development plans to be reviewed by the City Department of Planning and Development to ensure compliance with the provisions of such Residential-Business Planned Development.

(Sub)Exhibit "A".
(To Memorandum Of Agreement
For Homan Square Project)

Site Plan.



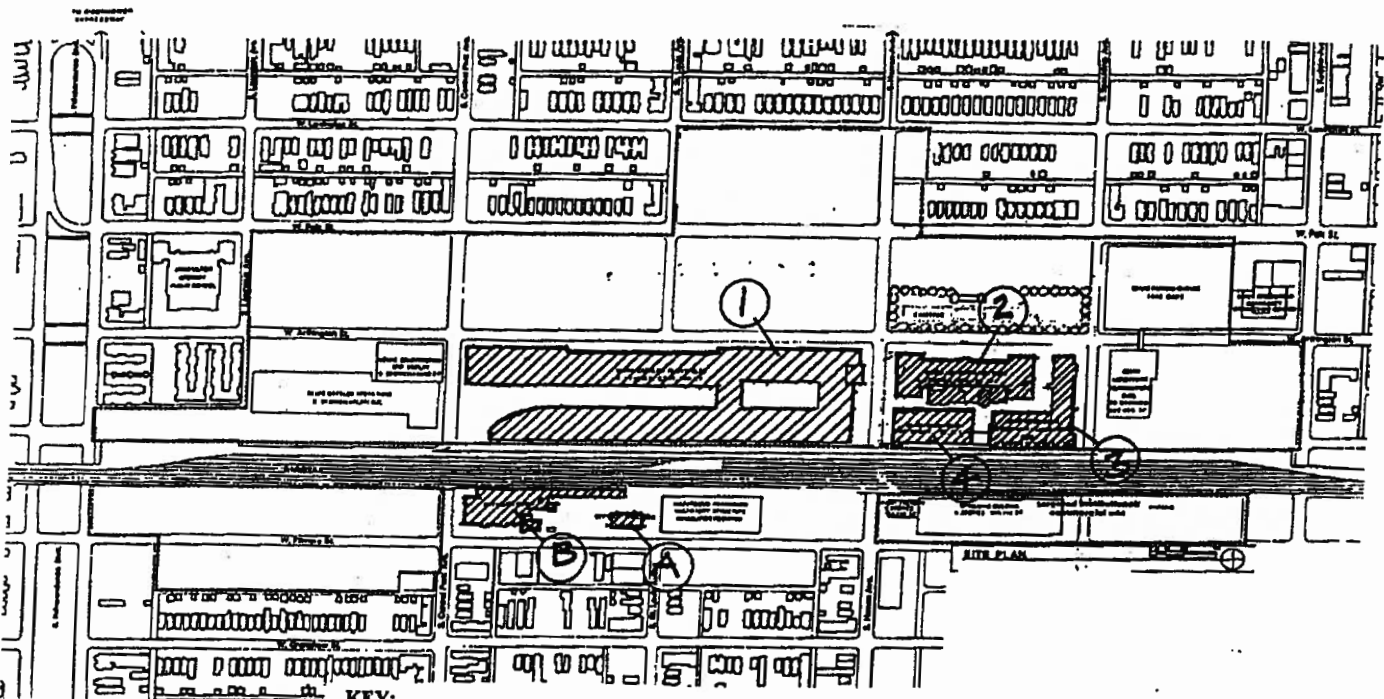
6/8/2005

REPORTS OF COMMITTEES

50851

(Sub)Exhibit "B".
To Memorandum Of Agreement
For Homan Square Project)

Historic Properties.



KEY:

HISTORIC PROPERTIES:

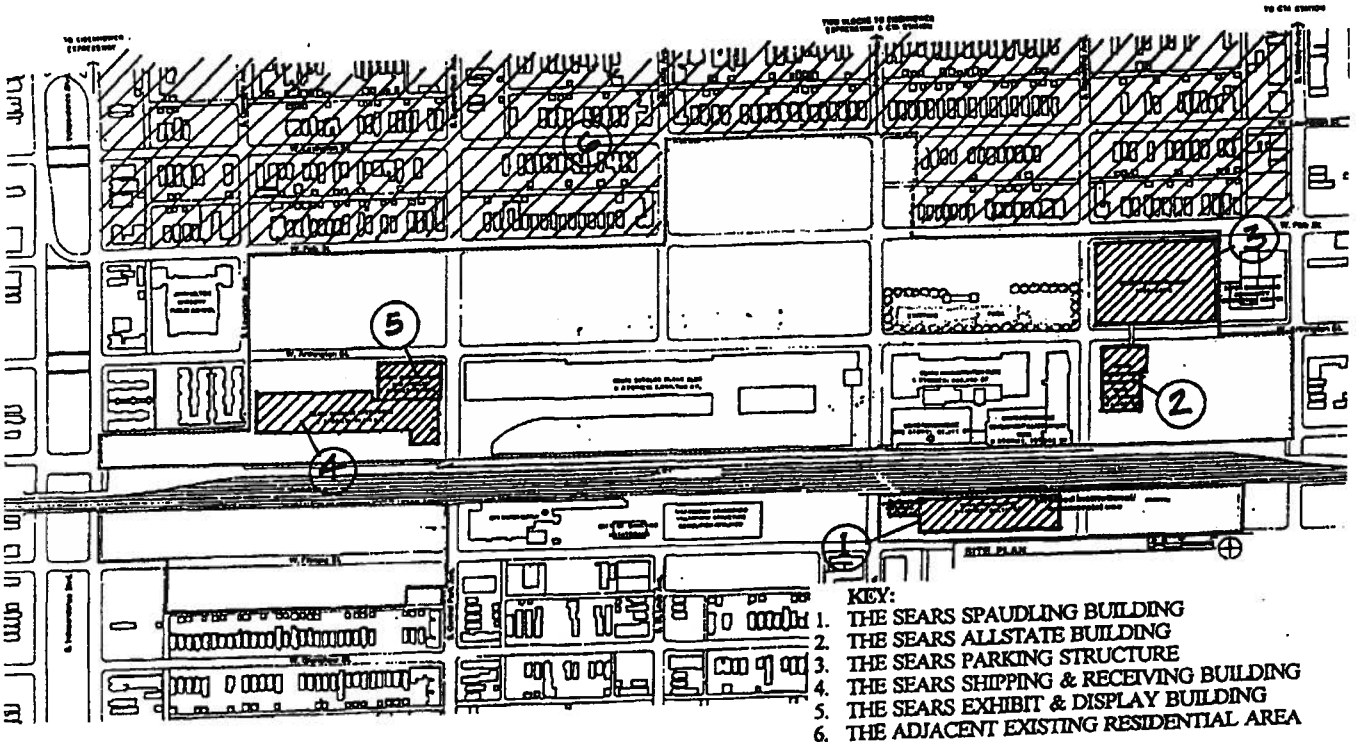
- 1. CATALOG BUILDING
- 2. ADMINISTRATION BUILDING
- 3. MERCHANDISE BUILDING
- 4. POWER PLANT

PROPERTIES OUTSIDE OF THE PROJECT:

- A. CHICAGO PARK DISTRICT NATATORIUM
- B. CHICAGO WATER PUMPING STATION

(Sub)Exhibit "C".
(To Memorandum Of Agreement
For Homan Square Project)

Location Of Properties Not Eligible For Inclusion
In National Register Of Historic Places.



- KEY:
1. THE SEARS SPAUDLING BUILDING
 2. THE SEARS ALLSTATE BUILDING
 3. THE SEARS PARKING STRUCTURE
 4. THE SEARS SHIPPING & RECEIVING BUILDING
 5. THE SEARS EXHIBIT & DISPLAY BUILDING
 6. THE ADJACENT EXISTING RESIDENTIAL AREA

6/8/2005

REPORTS OF COMMITTEES

50853

(Sub)Exhibit "D".
(To Memorandum Of Agreement
For Homan Square Project)
Historic Impact Area.

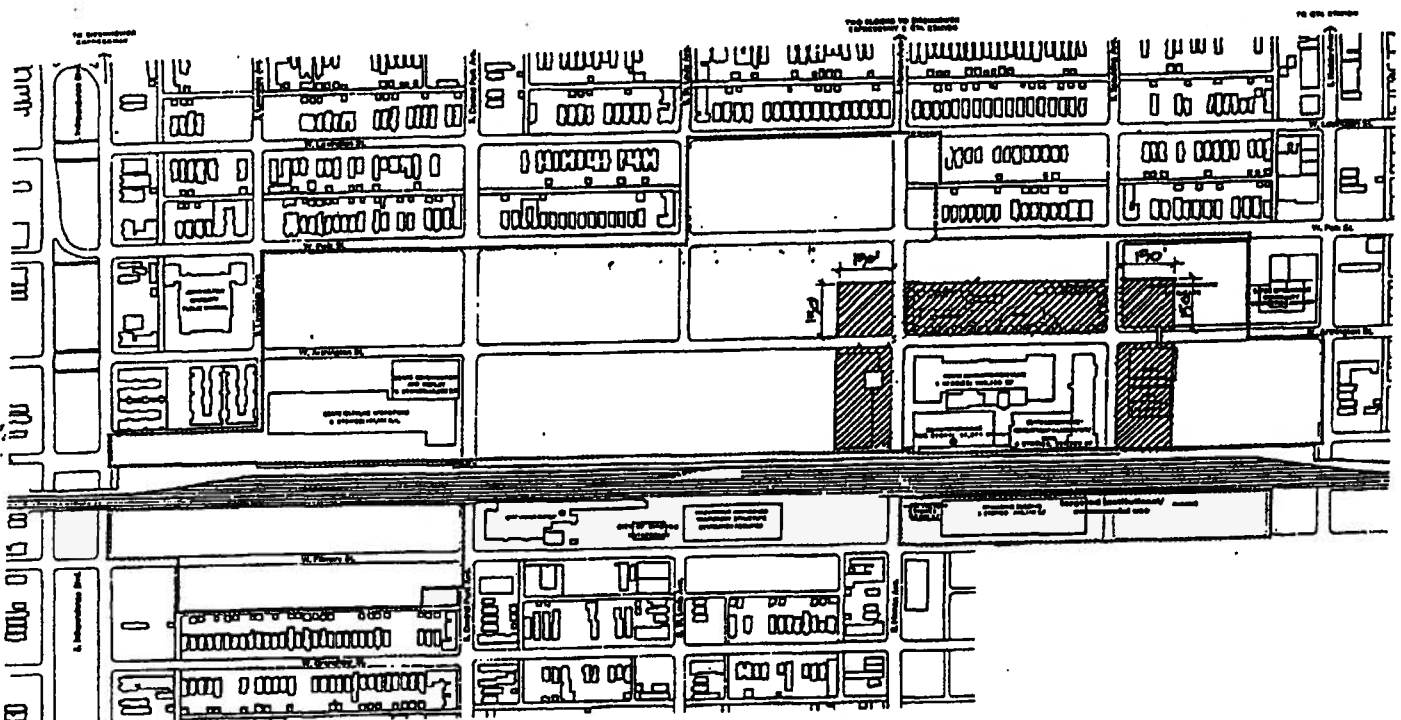
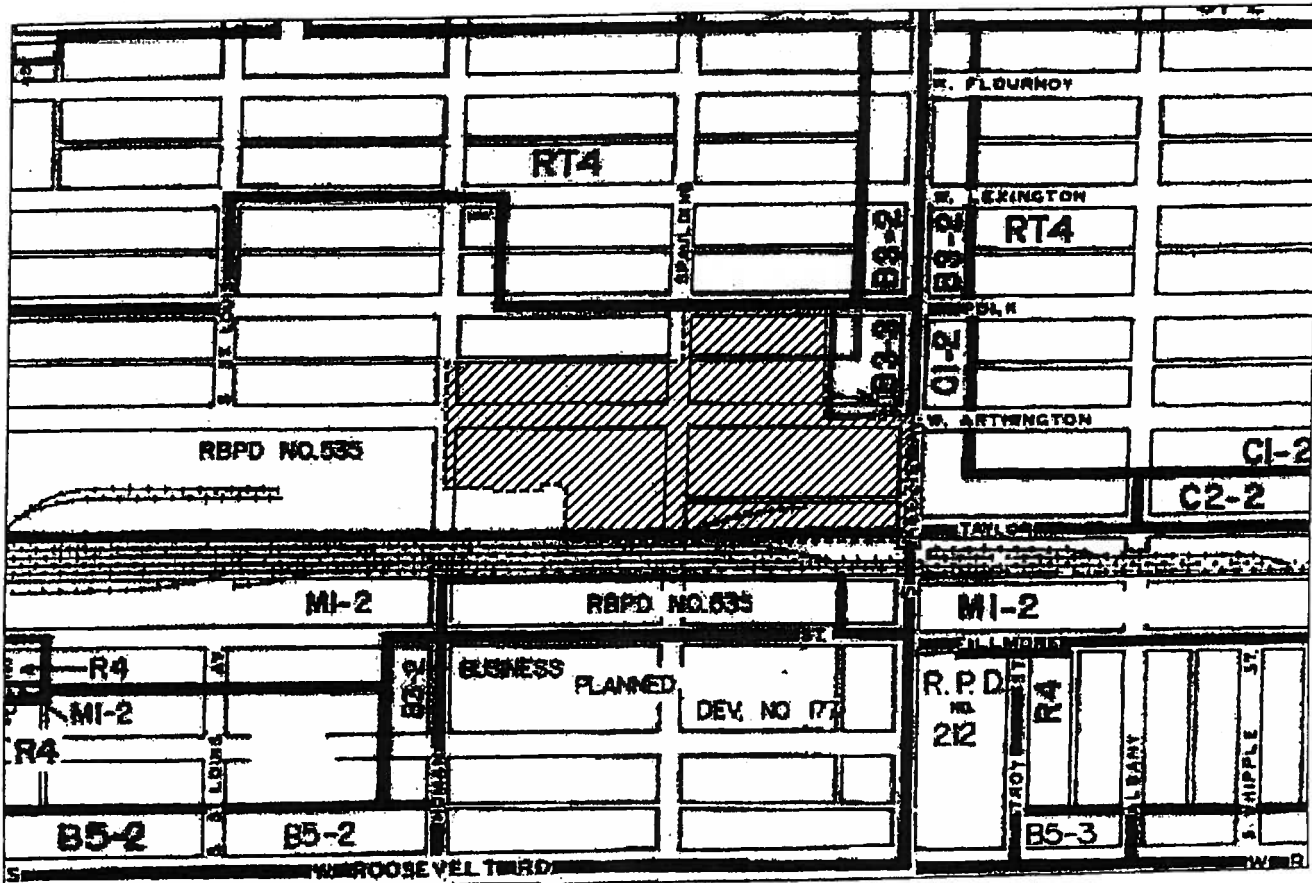




Exhibit 2.

Existing Zoning Map.



LEGEND
 Planned Development Boundary 
 Subject PD Property 

6/8/2005

REPORTS OF COMMITTEES

50855

Exhibit 3.

Existing Land-Use Map.

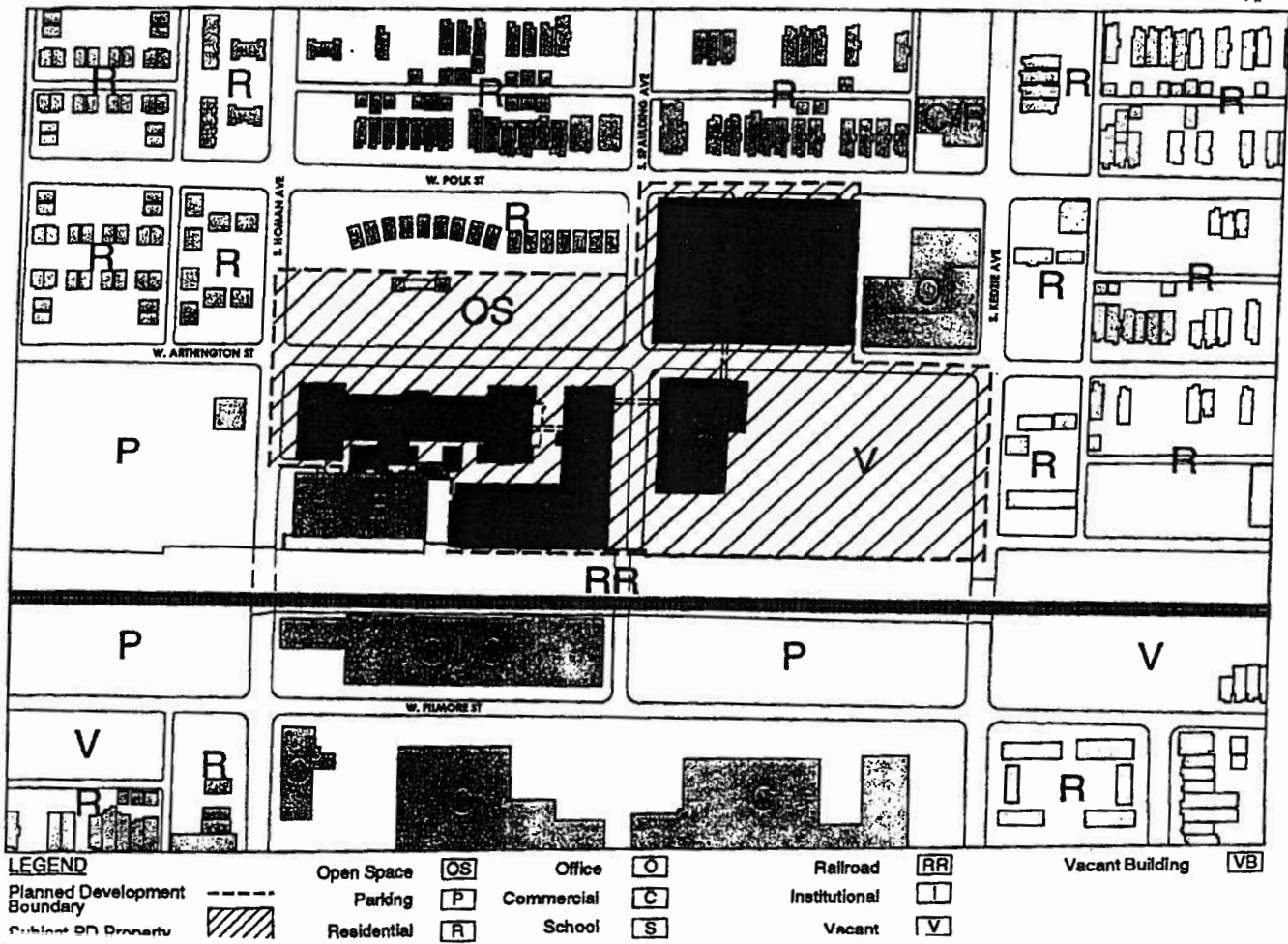
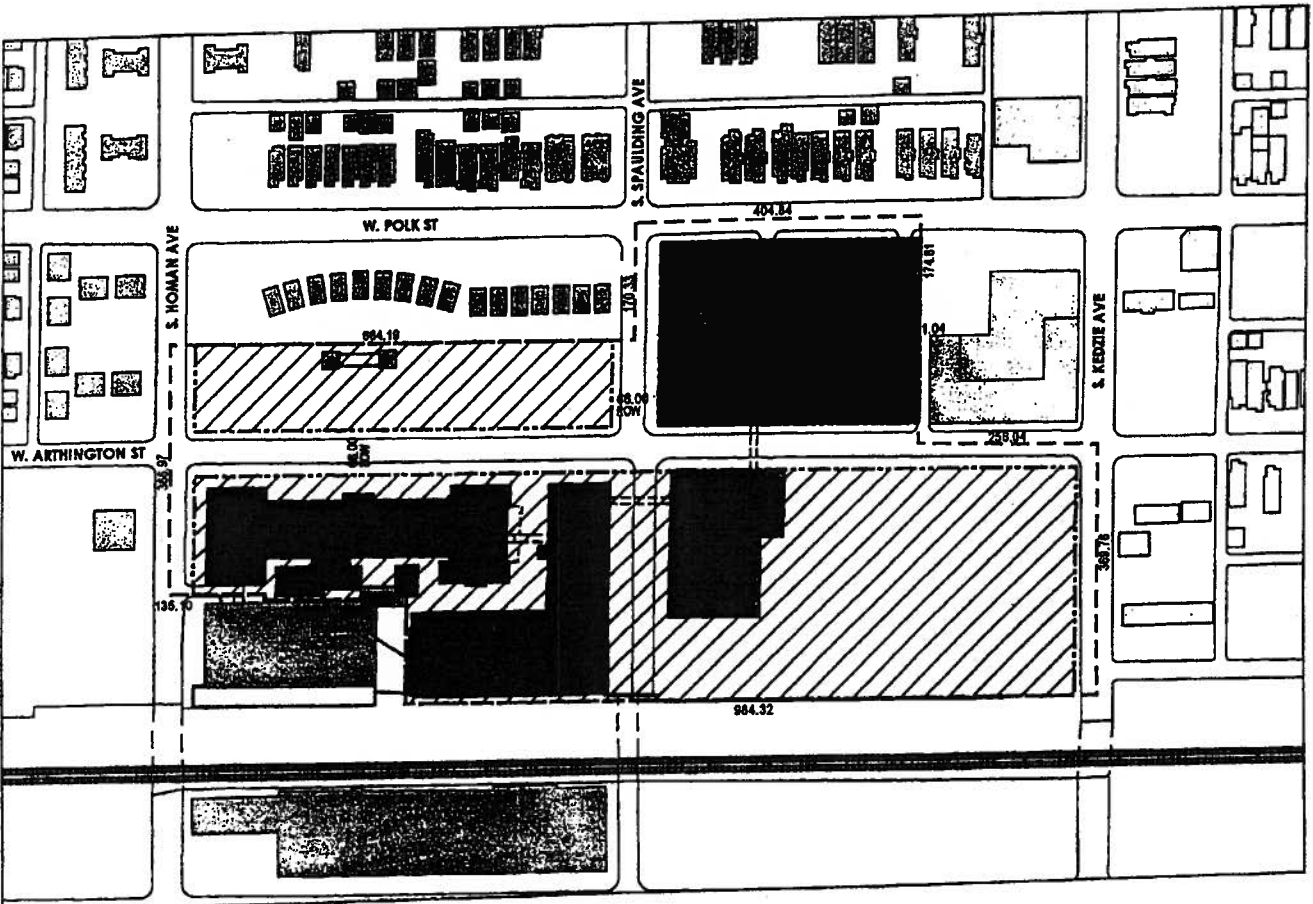


Exhibit 4.

Planned Development Boundary And Property Line Map.



LEGEND


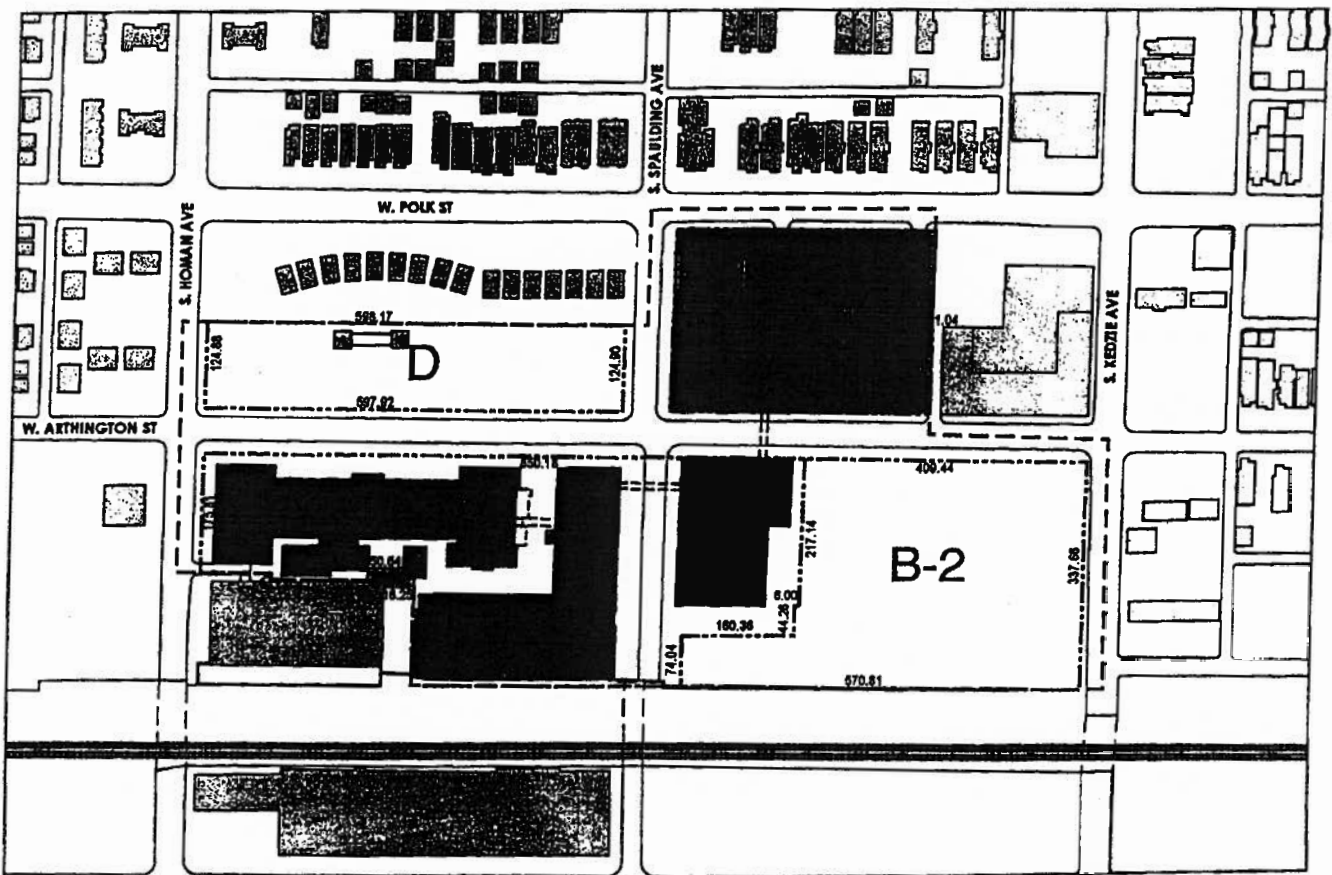
Planned Development Boundary - - - - - Subject Property 

Exhibit 5.

Subarea Map.

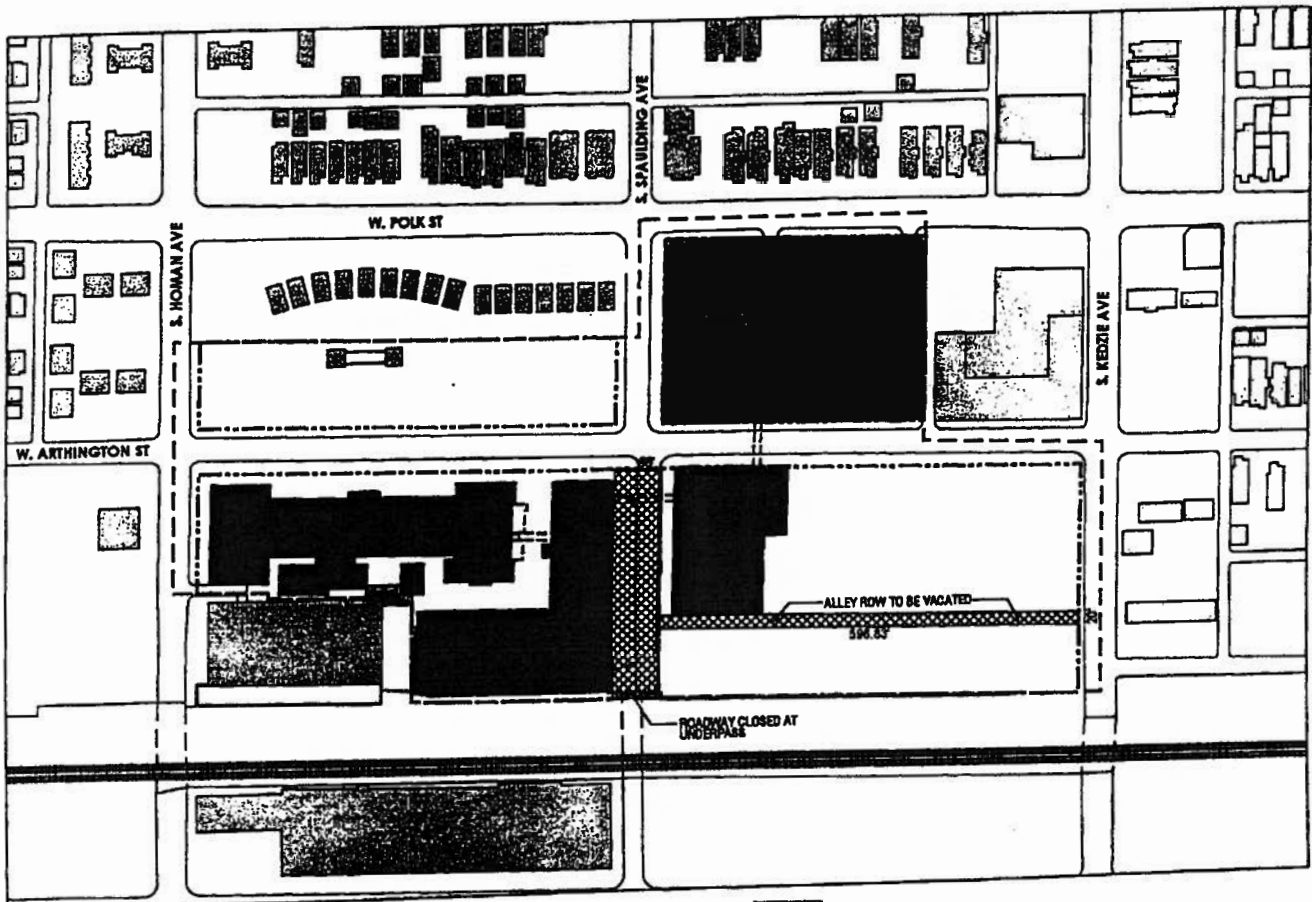


LEGEND
 Planned Development Boundary ————
 Property Lines ······



Exhibit 6.

Right-Of-Way Adjustment Map.



LEGEND

Planned Development
Boundary

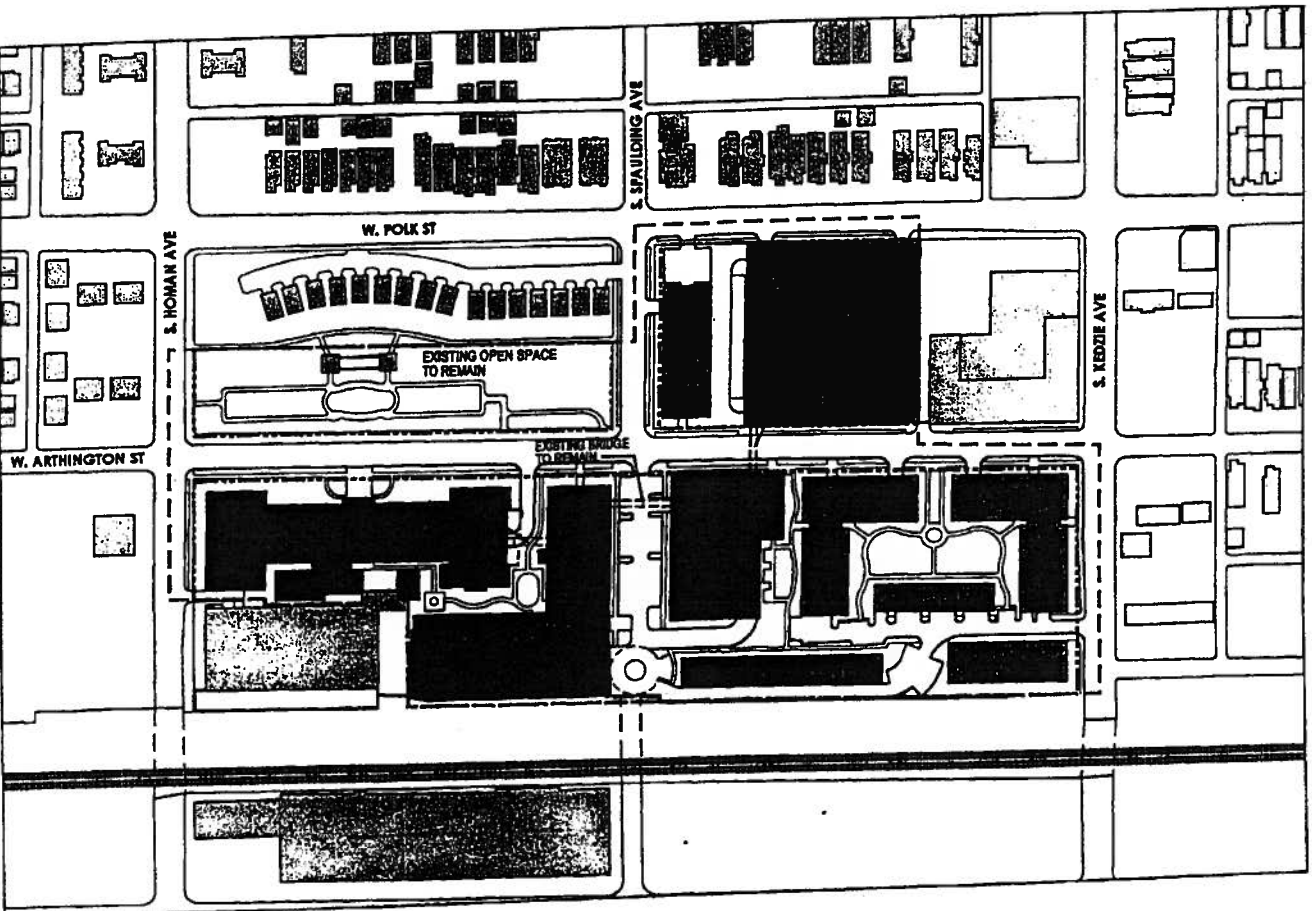


Right-of-way (ROW) to be vacated



Exhibit 7.

Conceptual Site Plan.



LEGEND

Planned Development Boundary

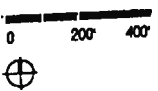


Exhibit 9.

Building Height Plan.

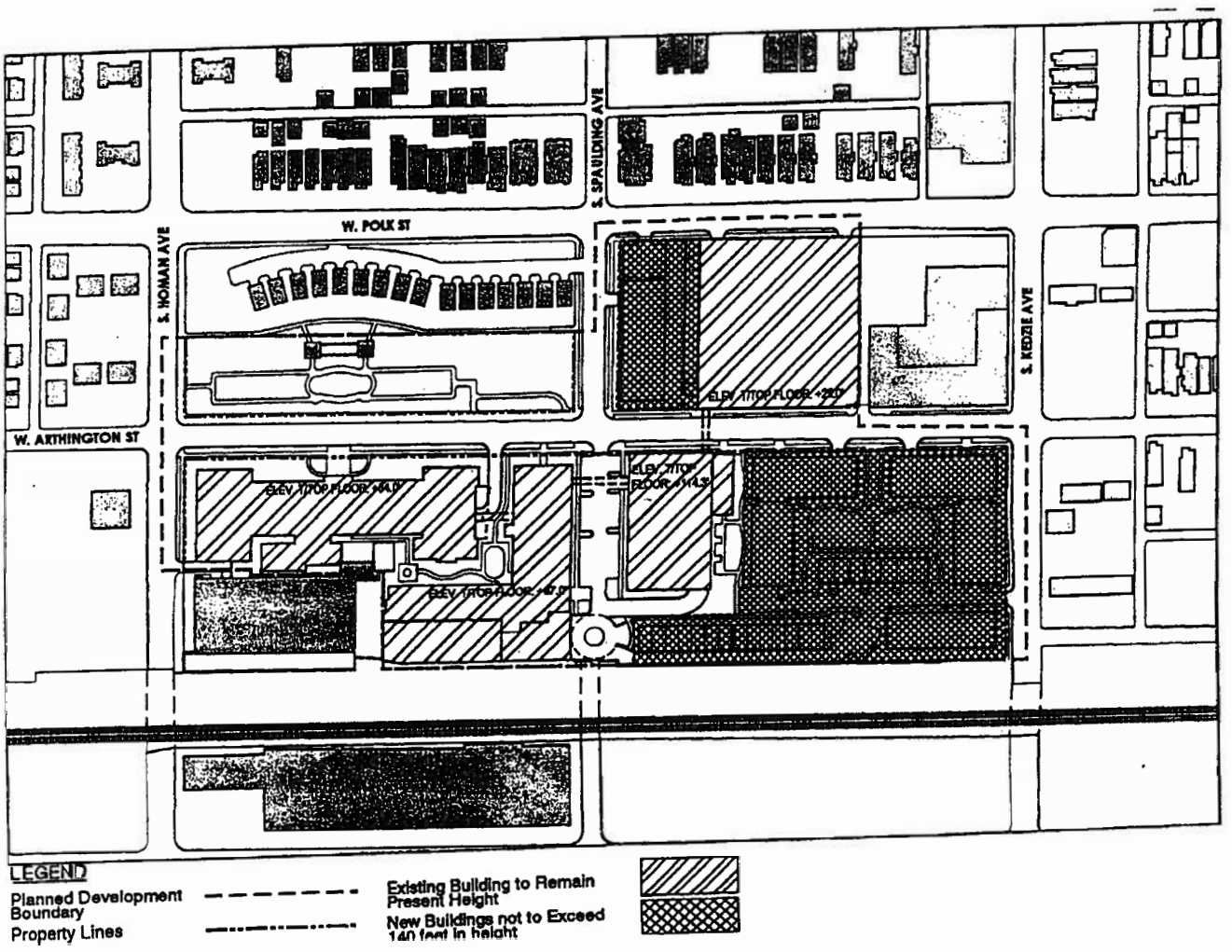


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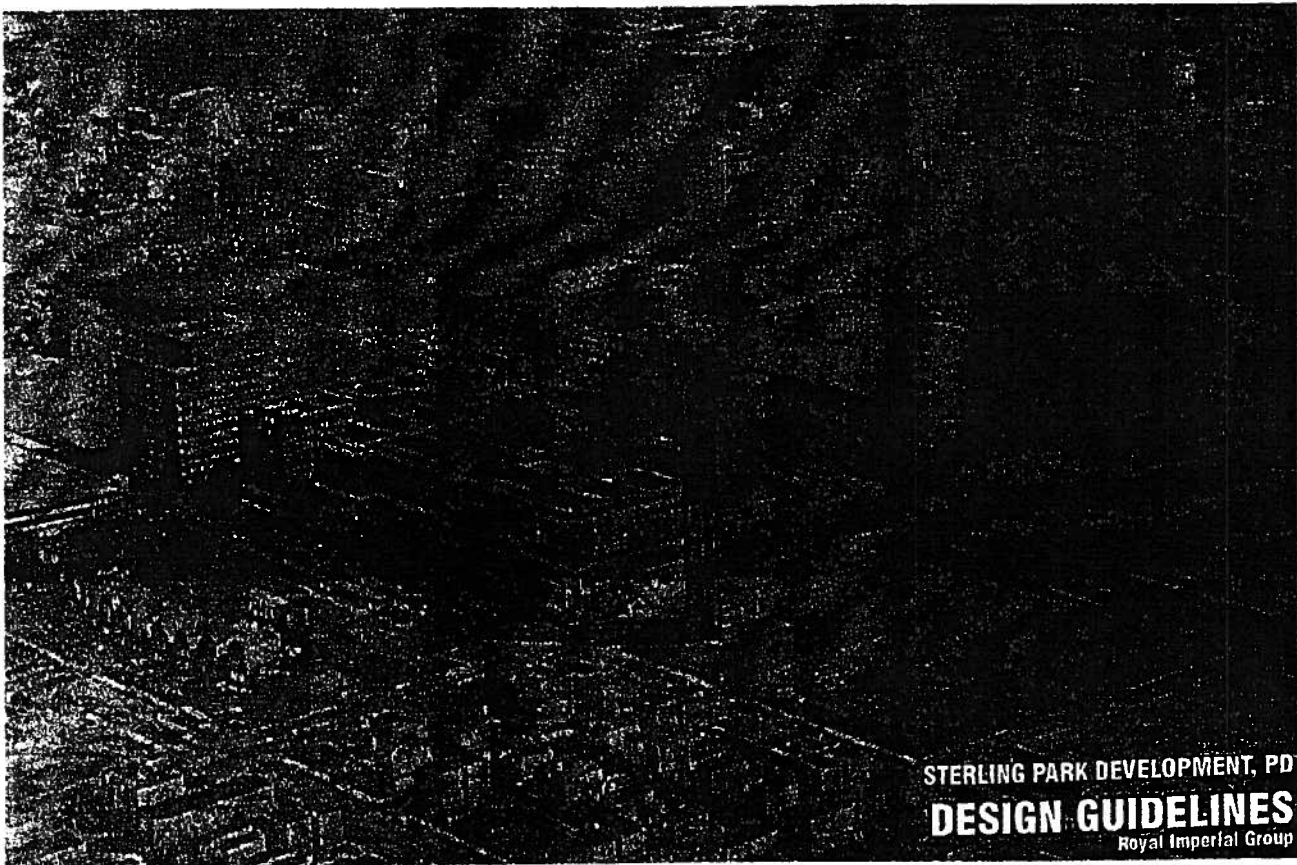


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PD Applicant: Sterling Park Development LCC

Contact:

Mr. Mordecai Tessler, President
Royal Imperial Group
900 W. Jackson Blvd.
8th Floor
Chicago, IL 60607

(312) 738-1717

Firm Overview:

The Royal Imperial Group is a Chicago based, family run and owned, full service, real estate firm company, with over thirty years of experience. The Royal Imperial Group has successfully developed numerous projects, including office, residential, senior housing, health care and mixed use. Royal Imperial Group handles all aspects of development from site selection, acquisition, building design, pricing, construction oversight, marketing, tenant negotiations, management and property sale. Royal Imperial Group has been involved in over \$1.2 billion of real estate transactions. We have a long term view of the market and have held properties for over thirty years.

Royal Imperial Group is in the forefront of the redevelopment of under utilized buildings, recognizing the potential of buildings and entire neighborhoods.

The Royal Imperial Group is committed to creating high quality buildings and is very excited about the proposed development of the former Sears Complex and new Sterling Park Development.

The following information is contained in this report.

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INTRODUCTION

Sterling Park is located three blocks south of the Eisenhower Expressway (Interstate 290) and the Homan Kedzie CTA Blue Line Rapid Transit Station.

The proposed Sterling Park PD was originally included in the Homan Square PD for "Residential--Business Planned Development Number 535".

The Sterling Park Residential District centers around the residential conversion of the former Sears Headquarters a multi-building complex located in the City of Chicago between Homan, Kedzie and Polk Streets and the B & O CT railroad embankment.

The Sterling Park property contains three existing buildings in addition to the parking structure from the former Sears Complex; the Administration Building, MDL Building, Allstate Building. These buildings are collectively 836,000 square feet and the parking garage is an additional 200,000 square feet.

In addition to the renovation of the existing structures, new residential buildings and townhouses are being planned in the 3.5 acre parking lot on the southeast corner of the site.

The existing structures are being rehabilitated from office uses to residential uses. The Administration Building is the only building currently in use, with



Figure 1.01 Location Map

office and educational tenants. The MDL and Allstate Buildings as well as the parking structure are currently vacant.

Some parking for the residents will be located in building basements or first floor. The remaining spaces will be located in the parking garage.

Addresses for the existing buildings are follows:

Administration Building:	3333 W. Arthington Street.
MDL Building:	3301 W. Arthington Street.
Allstate Building:	3245 W. Arthington Street.

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6/8/2005

REPORTS OF COMMITTEES

50865

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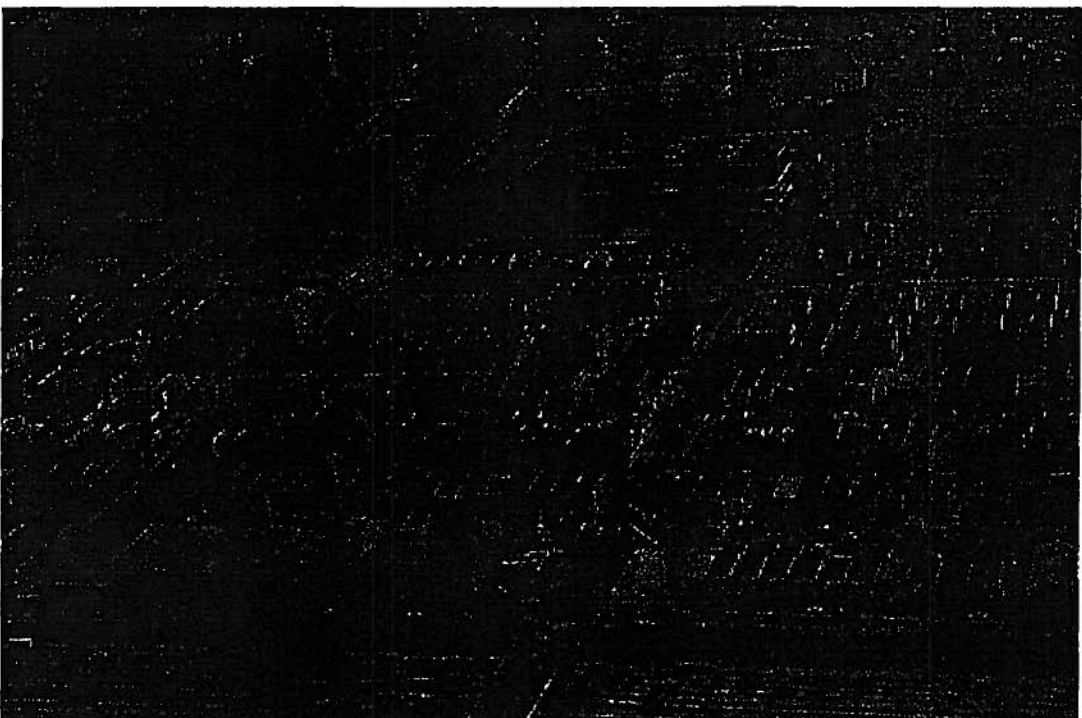


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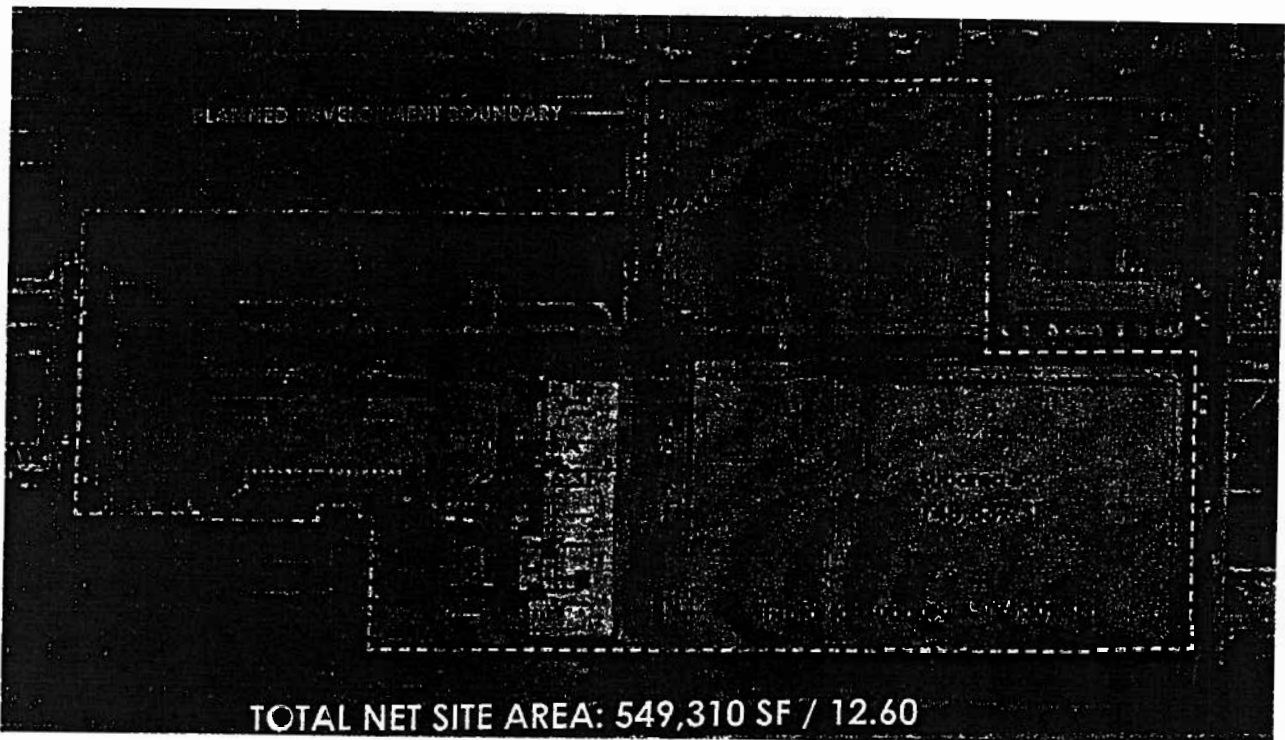


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Figure 1.04 Aerial view of the former Sears Complex



Figure 1.05 View of the Administration Building

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The Surrounding Context

The northern boundary of Sterling Park is established by Polk Street, a neighborhood street with primarily single family housing. The eastern edge is Kedzie Avenue, which has a number of vacant parcels and a residential neighborhood further east. The western boundary is Homan Avenue which has the Sears Tower across the street. The elevated B & O railroad embankment defines the southern boundary of the site.

Significant new additions to the neighborhood include the YMCA, a 300 unit residential development in Homan Square, the Lawndale Plaza Retail Center, the Homan Square Township Community Center and new City of Chicago Police / Detective Headquarters.

The open space located along Arthington Street and fronting the Administration Building is a significant neighborhood amenity, with an attractive landscape, pavilion, flowering gardens and mature trees. In general Sterling Park will be a great place to live with a wide variety of housing types and price points.

Land Area

The proposed PD site area has been subdivided from the original PD 535 (Figure 1.03) the land area of the new PD is 548, 310 square feet (or 12.6 acres). Within the PD the plan has identified 3.6 acres is open space for the recreational uses by the residents and surrounding community.

PD Sub Areas

The PD is subdivided into subareas as shown on the aerial (Figure 1.03) and site plan (Figure 2.01) on the proceeding page.

Land Ownership

The Sterling Park Development LCC is in control of the property and currently vacating Spaulding Avenue.

Historic Resources:

The Sears Administration Building was built in 1905 and is a designated National Historic Landmark. The Allstate Building was built in 1949 and served as the insurance company's national headquarters for many decades. The third building on the property is the Manufacturers Development Laboratory Building or MDL. The MDL Building was the site of all Sears product testing as well as the original location where the famous Sears catalogues were printed. At one time, Sears was the largest company in the world and these facilities, operation until 1984, were the largest of their kind in the world.

The proposed adaptive reuse and renovation of these structures will preserve the cultural and architectural heritage of this district and substantially add to the economic vitality of this neighborhood. The following buildings have been evaluated as part of the Chicago Historic Resources Survey (CHRS).

- The Administration Building is rated "orange".
- The MDL is rated "green".
- Allstate Building and parking structure are not historically significant and not rated.

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THE PROJECT

Planning Approach

The Sterling Park planning approach takes advantage of the existing site assets, including the historic structures, open space and parking structures.

Landscape plays an important part of creating a great neighborhood, with opportunities for recreation, play areas, pleasant walks and great views. All the buildings are designed around courtyards with building shapes and unit layouts designed to maximize the views of the street and landscape. Creating urban buildings that address the street in the front and landscaped courtyards in the back, naturally defines the public and private areas of the development. This definition of space encourages a sense of ownership and community as well as provides for a secure and safe environment for the residents.

Project Description

Sterling Park is a new residential neighborhood centered around the renovation of the former Sears Headquarters Complex. Additional buildings are being planned for the rest of the site including three 14 level condo buildings, one senior housing building and 21 townhouses.

Materials for Existing Buildings:

The MDL Building has a masonry exterior, the structural system is partially concrete frame and heavy timber construction.

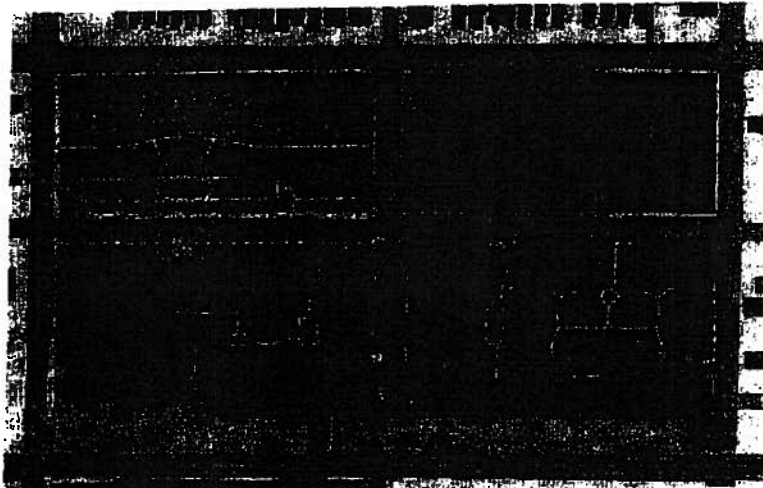


Figure 2.17: Conceptual Site Plan

The Allstate Building has a masonry exterior with a concrete structure. The Administration Building has a masonry exterior with a tile arch floor, steel beams and columns. The parking structure is a concrete frame and floor system.

New Buildings:

The exterior facade design of the new buildings will be compatible with the building scale, color and materials of the existing buildings. The

structural systems for the new buildings will be determined during the schematic design of the buildings.

Land Uses:

All buildings except the parking structure will be residential with a limited number of residential support functions / uses as identified in Paragraph 5 of the Planned Development statements.

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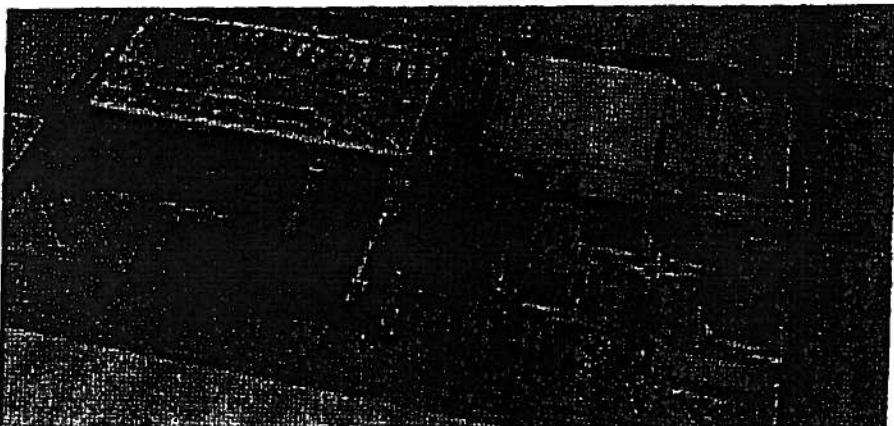


Figure 2.02: Conceptual Site Model

Building Name	Units	Stair	W.C.	Area (sq. ft.)	Cost (\$)
Existing Administration Building	200	5	92	47,850	78
Existing AllState Building	238	10	140	27,469	50
Proposed Building # 4	173	14	140	19,400	48
Proposed Building # 5	121	14	140	12,231	38
Townhouses	21	3	45	800	42

Figure 2.03: Conceptual Site Plan

Building Statistics

Building Heights:

All buildings will be below 140 feet which was the height restriction from the original PD for Homan Square. That height was established by the cornice line of the AllState Building.

Facades:

All building facades will be designed to be compatible with the existing structures.

Housing Issues

Affordable Units:

Affordable units to be determined.

Adaptable Units:

A minimum of 20% of the units will be "Adaptable Units" and distributed proportionally among the types of units for each building or as required by Mayors Office of Persons with Disabilities (MOPD).

Visitable Units:

A minimum of 10% of the units will be "Visitable Units" and distributed proportionally among types of units for each building or as required by Mayors Office of Persons with Disabilities (MOPD).

City Incentives

The project is in a designated Tax Increment Finance (TIF) District. At this time, the applicant is not seeking any city assistance.

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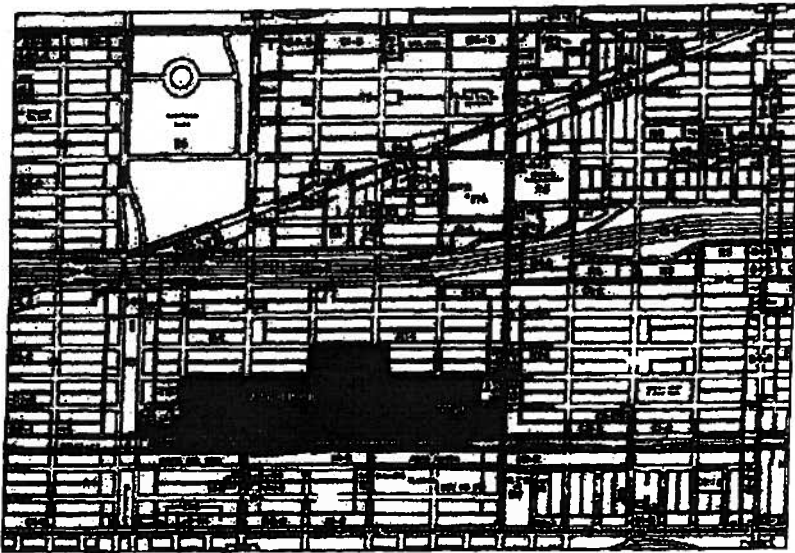


Figure 2.04: Existing Zoning

ZONING

Current Zoning:
Planned Development (PD) with underlying zoning of B-2-3 Neighborhood Mixed Use District.

Proposed Zoning:
Proposed zoning is for a "Residential Planned Development". This is a mandatory Planned Development based on section 17-8-0500 of the Chicago Zoning Ordinance.

Zoning Analysis

The proposed PD was originally included in the larger Homan Square PD (See Figure 2.04)

F.A.R.	3.0	3.0
Minimum lot area (For residential)	400 SF	400 SF
Loading Berths	CZO / Use	7

Bonuses

No bonuses are being requested. The original 3.0 FAR for the site is sufficient.

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DESIGN GUIDELINES

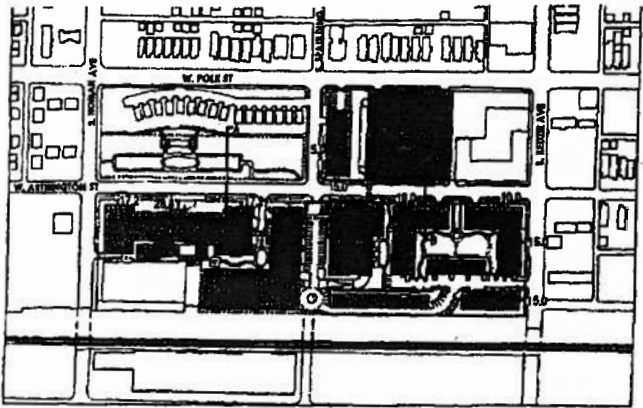


Figure 2.88: Setbacks from Property Line along the Public Right of Way

Setbacks:

• Provide a 10 feet minimum setback along the southside of Arthington Street; a 15 feet minimum setback along the northside of Arthington Street; and a 15 feet minimum setback along the westside South Kedzie Avenue; to ensure adequate space for trees and foundation planting. The setback can allow for a variety of streetscape and building amenities including patios, fencing and exterior balconies.

Building Orientation:

• Locate taller structures along the two major thoroughfares; W. Arthington and S. Kedzie Streets, allowing the southern portions of the site to be lower in height for the purpose of reducing shadows. At these major thoroughfares, position the buildings to address the street and define the corners of the block similar to the original Sears Complex. Openings between buildings should be encouraged to allow light and visibility into residential units.

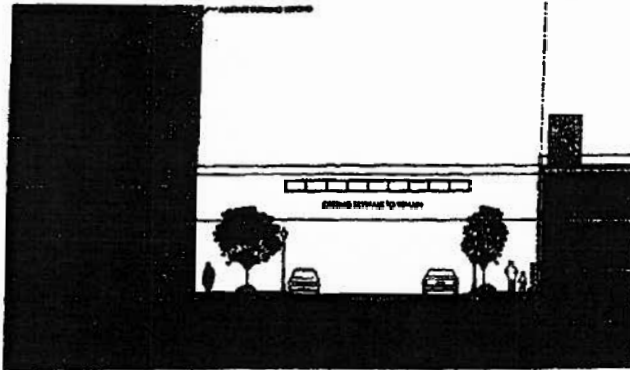
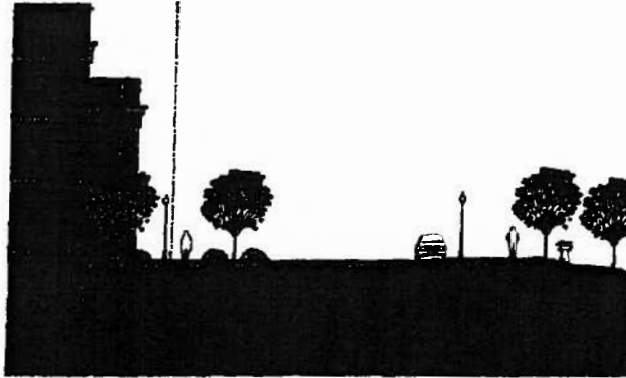


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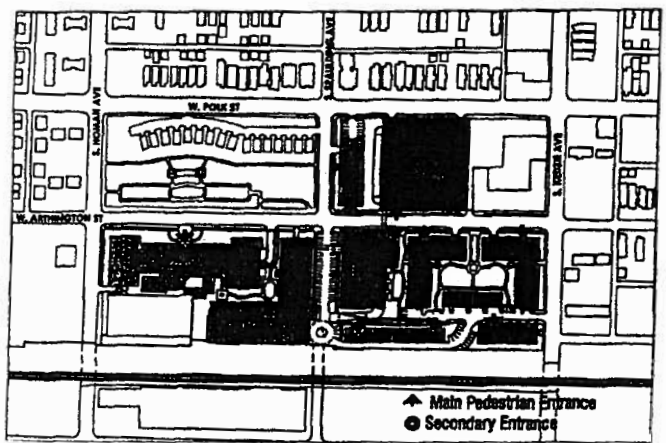


Figure 2.06: Conceptual Location of Main and Secondary Pedestrian Entrances

Building Entrances:

- Figure 2.06 shows the conceptual primary and secondary building entrances. Primary entrances will remain at the current locations for all the existing buildings to take advantage of existing lobby and elevator core locations.

Parking and Vehicular Access:

- Figure 2.07 shows the conceptual parking and vehicular access into the site. Ramps down into the basement are strategically placed to be the least disruptive to pedestrian activity. Existing pedestrian bridges will remain to provide access to the remote garage parking spaces. Pedestrian bridges will be re-clad to improve their appearance.

Building Loading Zones and Drop Off Spaces:

- There will be one loading space per building for MDL, Allstate, Administration, and Buildings 4,5,6,7. Figure 2.08 shows the proposed loading areas, drop off zones and truck berths for each building.

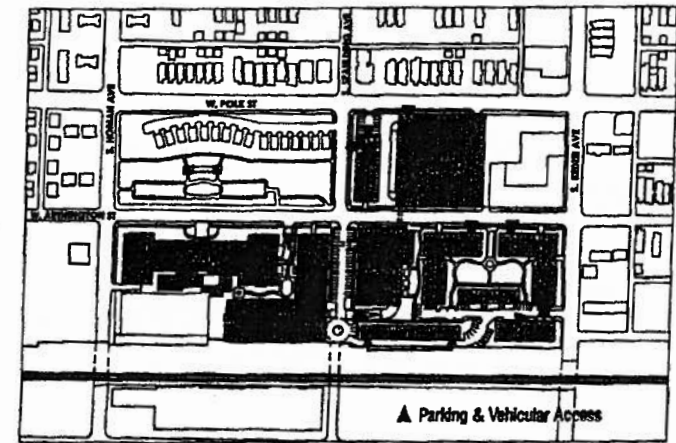


Figure 2.07: Conceptual Location of Parking and Vehicular Access

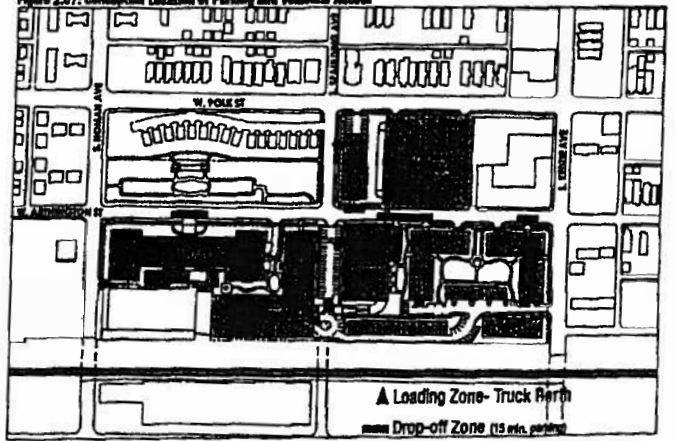


Figure 2.08: Conceptual Location of Loading Zones and Drop-off Spaces

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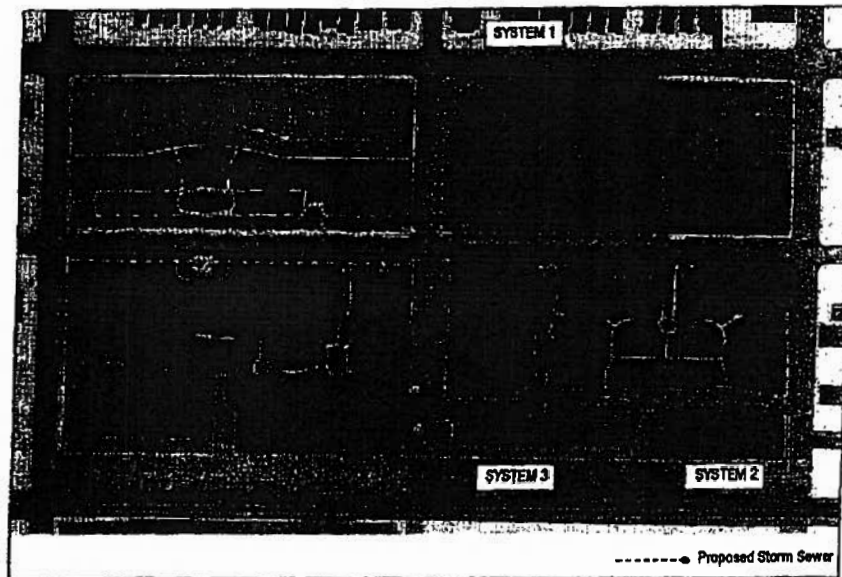


Figure 2.11: Conceptual Storm Water Management Plan

ENVIRONMENTAL

Sustainability:

Creating a sustainable environment is a major goal of the Sterling Park Development through the construction of green roofs, storm water management, terris wall systems for the garage and conservation of energy resources, where possible.

Environmental Conditions of the Site:

The site has been tested and there are no significant environmental issues on the site.

Green Roof Provision:

A green roof "net roof area" of 25% will be provided for all residential buildings, excluding townhouse structures.

LEED, Energy Star Provision:

The Alistate Building will comply with City of Chicago Energy Code. The landmark status exempts the MDL Building and the Administration Building from complying with this requirement.

Storm Water:

Soodan Associates prepared a conceptual storm water management plan for the site to be in compliance with the city water and sewer requirements. The conceptual storm water plan (Figure 2.11) outlines three systems for managing storm water run off and on-site detention of storm water.