

PD 973

Table of Contents

06/08/2005 PD Adoption **2**
 Ordinance 2
 Statements 2
 Bulk Table 6
 Exhibits 8

The following are said ordinances as passed (the italic heading in each not being a part of the ordinance):

Reclassification Of Area Shown On Map Number 4-E.
(Application Number 14820)

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, be amended by changing all the DX-7 Downtown Mixed-Use District symbols and indications as shown on Map Number 4-E in the area bounded by:

a line 245.29 feet north of and parallel to East 13th Street; the alley next east of and parallel to South State Street; East 13th Street; and South State Street,

to those of Residential-Business Planned Development Number 973, which is hereby established in the area described above and subject to such use and bulk regulations as are set forth in the Plan of Development 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 973.

Plan Of Development Statements.

1. The area delineated herein as Residential-Business Plan Development Number 973 consists of a total lot area of approximately thirty-five thousand three hundred twenty-two (35,322) square feet (eighty-one hundredths (0.81) of an acre) of property and is owned or controlled by the ("Applicant") 13th and State, L.L.C.
2. The Applicant shall obtain all applicable official reviews, approval or permits which are necessary to implement this plan of development. Any dedication or vacation of streets or alleys or easements or adjustments of

rights-of-way or consolidation or re-subdivision of parcels shall require separate submittal on behalf of the Applicant or its successors, assignees or grantees and approval by the City Council.

3. The requirements, obligations and conditions applicable within this planned development shall be binding upon the Applicant, its successors and assigns, and if different than the Applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns, and if different than the Applicant, the legal titleholder and any ground lessors. Further, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this planned development are made, shall be under single ownership or under unified control. Unified control for the purposes of this planned development or any other modification or change thereto, (administrative, legislative or otherwise) shall be made by the Applicant, the owners of all property within the planned development, or any homeowners association(s) formed to succeed the Applicant for purpose of control and management of any portion of the planned development.
4. This plan of development consists of fifteen (15) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Property Line and Boundary Map; Site/Landscape Plan; Street Elevation; an Alley Elevation; a North Elevation; and Roof Plan; dated May 19, 2005 prepared by Pappageorge/Haymes Ltd. Architects. Full size sets of the Site/Landscape Plan, Building Elevations and Roof Plan are on file with the Department of Planning and Development. This plan of development is in conformity with the intent and purposes of the Chicago Zoning Ordinance (Title 17 of the Municipal Code of Chicago) and all requirements thereof and satisfies the established criteria for approval of a planned development. These and no other zoning controls shall apply. In any instance where a provision of this planned development conflicts with the Chicago Building Code, the Building Code shall apply.
5. The following uses shall be permitted within the areas delineated herein: dwelling units totaling two hundred fifty three (253) units with residential support services restaurants, with or without service of alcohol; financial services (except pawnshops, consumer loan agencies and payday loan stores); food and beverage retail sales, sales as accessory use only; no package liquor stores; medical service; offices; personal service and retail sales, general; with accessory uses and accessory and non-accessory parking and loading.

6. On-premises identification signs shall be permitted within the planned development subject to the review and approval of the Department of Planning and Development. Temporary signs and banners, such as construction and marketing signs shall be permitted within the planned development subject to the review and approval of the Department of Planning and Development. Temporary sales offices shall be allowed.
 7. Any service drives or other ingress or egress including emergency vehicles access shall be adequately designed, constructed and paved in accordance with the Municipal Code of Chicago and the regulations of the Department of Transportation in effect at the time of construction. There shall be no parking or storage of garbage receptacles within such paved areas, except as noted on the Site Plan, or within fire lanes. Ingress and egress shall be subject to the review and approval of the Department of Transportation and the Department of Planning and Development.

Off-street parking and off-street loading facilities shall be provided in compliance with this plan of development subject to the review of the Department of Transportation and the Department of Planning and Development. Closure of all or part of any public street or alley during demolition or construction shall be subject to the review of the Chicago Department of Transportation. All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago.
 8. The height of any building or any appurtenance attached hereto shall not exceed the heights established in the Bulk Regulations and Data Table and Building Elevations and shall also be subject to heights limitations established by the Federal Aviation Administration.
 9. The maximum permitted floor area ratio shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of floor area ratio calculations and floor area measurements, the terminology defined in Section 17-17-0300 of the City of Chicago Zoning Ordinance shall apply.
 10. The improvements of the property shall be designed, installed and maintained in substantial conformance with the Site/Landscape Plan; Building Elevations and the Roof Plan and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. Specifically, the Applicant will provide a minimum of fourteen thousand (14,000) square feet of retail/commercial spaces at the ground floor as indicated on the First Floor/Site Plan.
-

11. The terms, conditions and exhibits of this planned development ordinance may be modified administratively by the Commissioner of the Department of Planning and Development upon written request for such modification by the Applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and is consistent with the nature of the improvement contemplated in this planned development. Any such modification of the requirements of this statement by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the planned development as contemplated by Section 17-13-0611-A of the Chicago Zoning Ordinance.
 12. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which promote, 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 17-13-0610 of the Chicago Zoning Ordinance until the Director of M.O.P.D. has approved detailed construction drawing for each building or improvement.
 13. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. The Applicant shall use commercially reasonable efforts to design, construct and maintain all buildings located within the property in a manner generally consistent 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 vegetative ("green") roof totaling twenty-five percent (25%) of the net roof area of the building to be constructed within the planned development. ("Net roof area") shall be defined as the total area of the roof minus any perimeter setbacks, rooftop structures and roof-mounted equipment.
 14. Pursuant to the Affordable Housing provision of the City of Chicago Zoning Ordinance, Title 17 Chapter 17-4-1004, et seq. ("Zoning Ordinance"), the Applicant has asked for an increase in the floor area ratio of the Property. The Applicant hereby acknowledges that according to Section 17-4-1004-D 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 by eighty percent (80%) of the median cost of the land per buildable square feet. Based on Section 17-4-1004-D, the Applicant has agreed to provide a cash payment to the City of Chicago Affordable Housing Opportunity Fund in the amount of Two Hundred Forty-seven Thousand Two Hundred Fifty-four Dollars (\$247,254). Prior to the issuance of permits, the Applicant will enter into an Affordable Housing agreement with the Chicago Department of Housing or provide a letter of credit or other security device in an amount equal to the cash contribution. The Applicant 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-E(9) is also incorporated into this planned development.

15. 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 thereof is diligently pursued, then this planned development shall expire and the property shall automatically revert to that of a DX-7 Downtown Mixed-Use District.

[Zoning Maps; Boundary Map; Site Plan; Landscape Plan; Land-Use Map; Roof Plan; and Building Elevations referred to in these Plan of Development Statements printed on pages 50926 through 50936 of this Journal.]

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

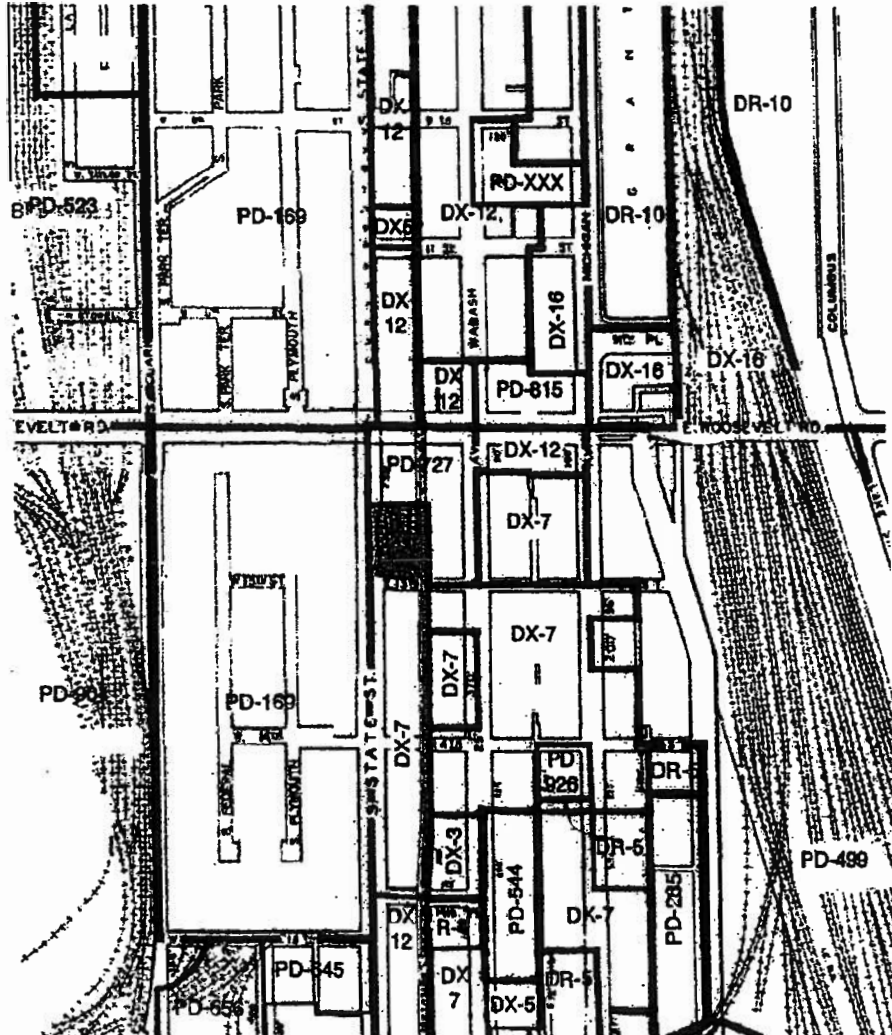
Residential-Business Planned Development Number 973.

Bulk Regulations And Data Table.

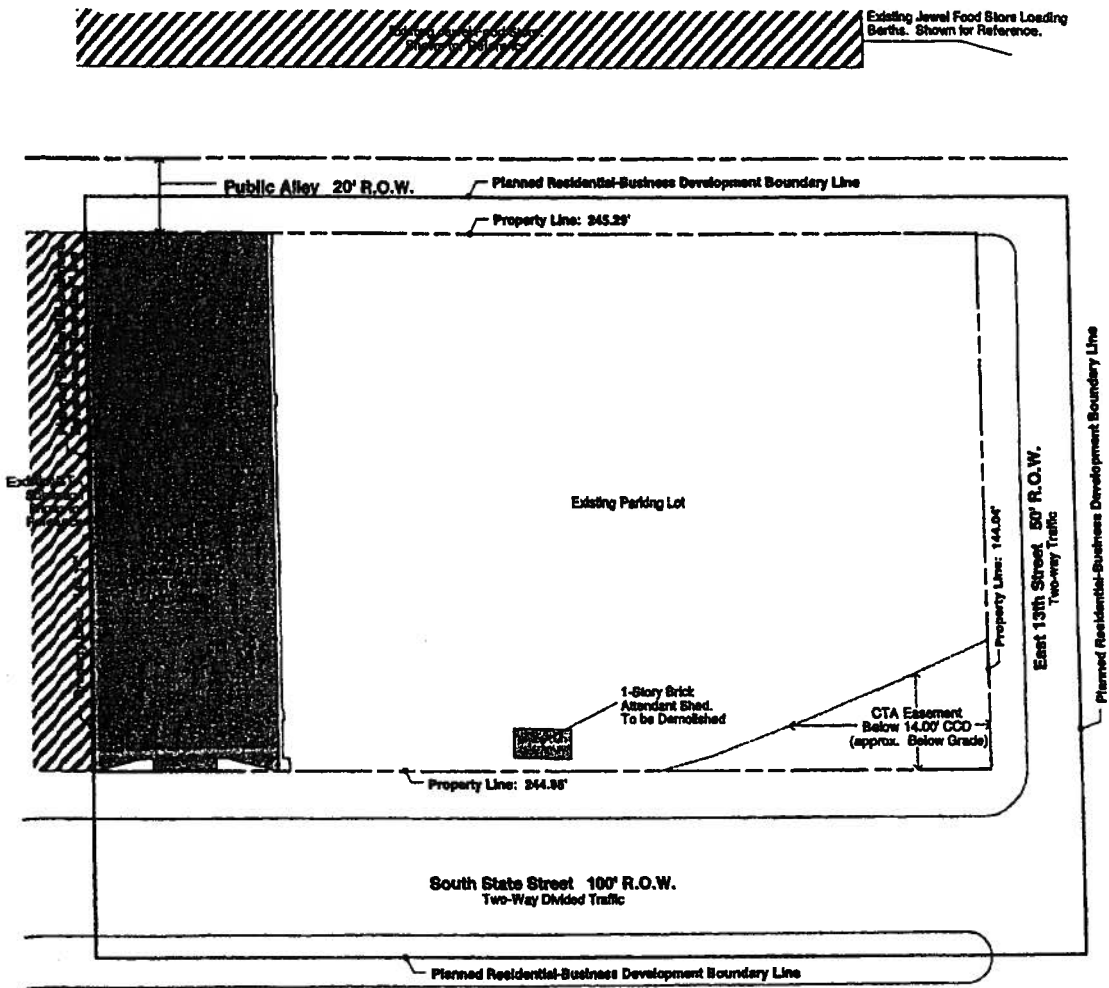
Gross Site Area:	53,156 square feet (1.22 acres)
Net Site Area:	35,322 square feet (0.81 of an acre)
Area in Public Right-of-Way	17,834 square feet (0.41 of an acre)

Maximum Floor Area Ratio:	8.0 (1.0 of floor area ratio acquired through the Affordable Housing Bonus)
Permitted Uses:	Residential, business uses and related uses as listed in Statement Number 5
Maximum Number of Residential Units:	253 dwelling units
Minimum Number of Off-Street Parking Spaces to be provided:	Total: 326 spaces
Residential Uses:	255 spaces
Business Uses:	71 spaces (including non-accessory parking)
Minimum Number of Off-Street Loading Spaces:	Total 3 spaces at 10 feet by 25 feet
Minimum Set Backs:	
North Property Line:	0 feet
East Property Line:	0 feet
South Property Line:	0 feet
East Property Line:	0 feet
Maximum Building Height:	210 feet (as measured in the Chicago Zoning Ordinance)
Business/Retail Space:	14,000 square feet to be located on the ground floor

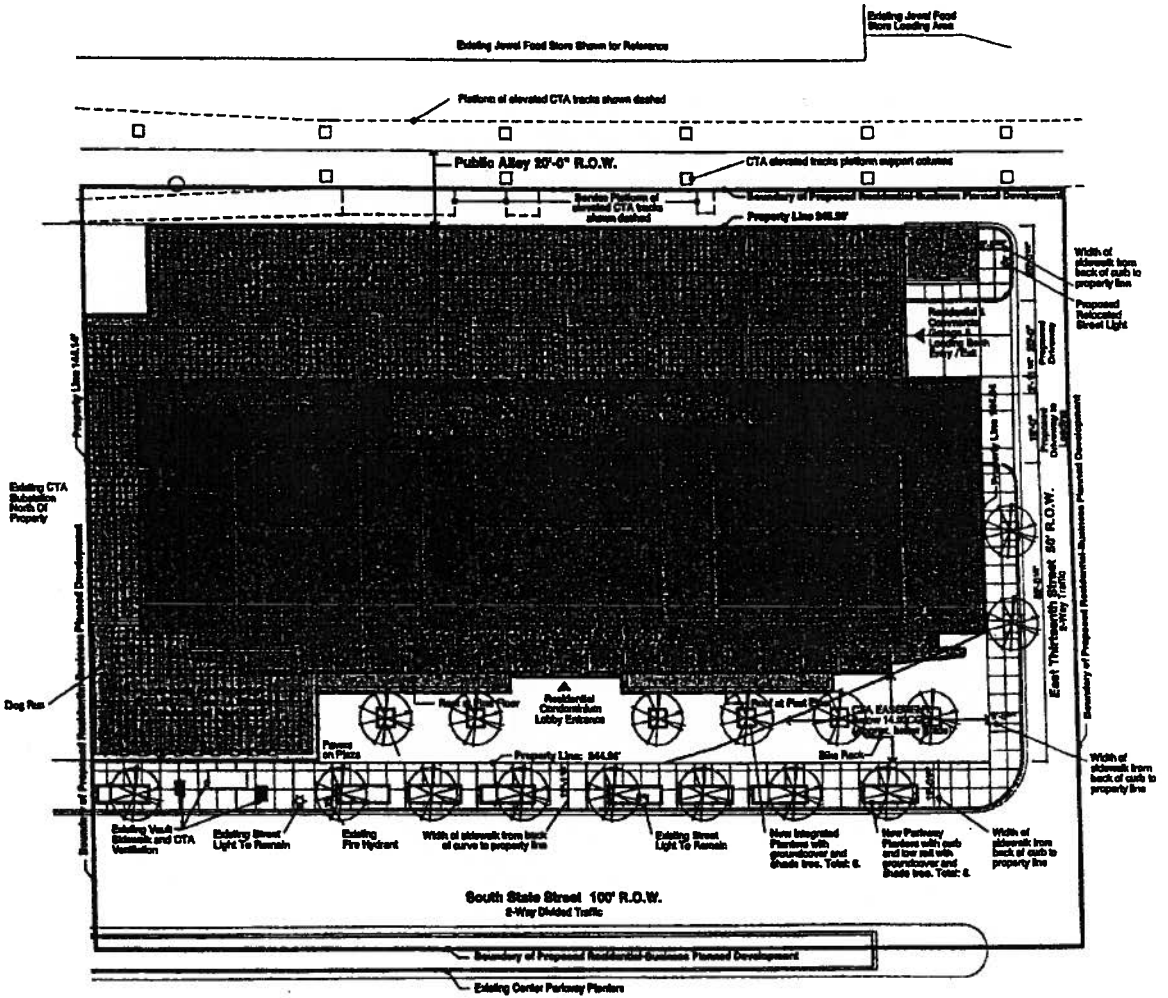
Zoning Map.



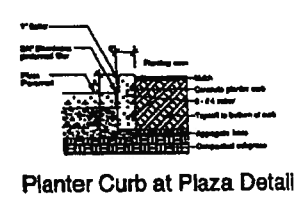
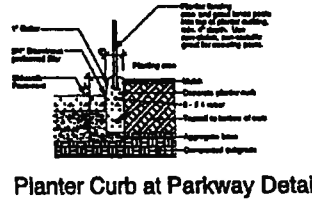
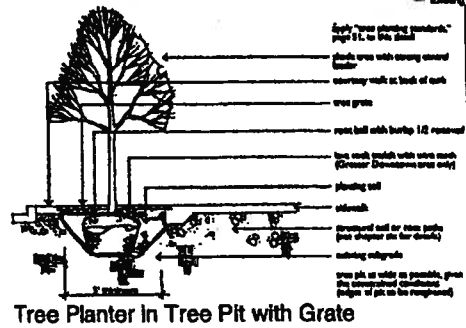
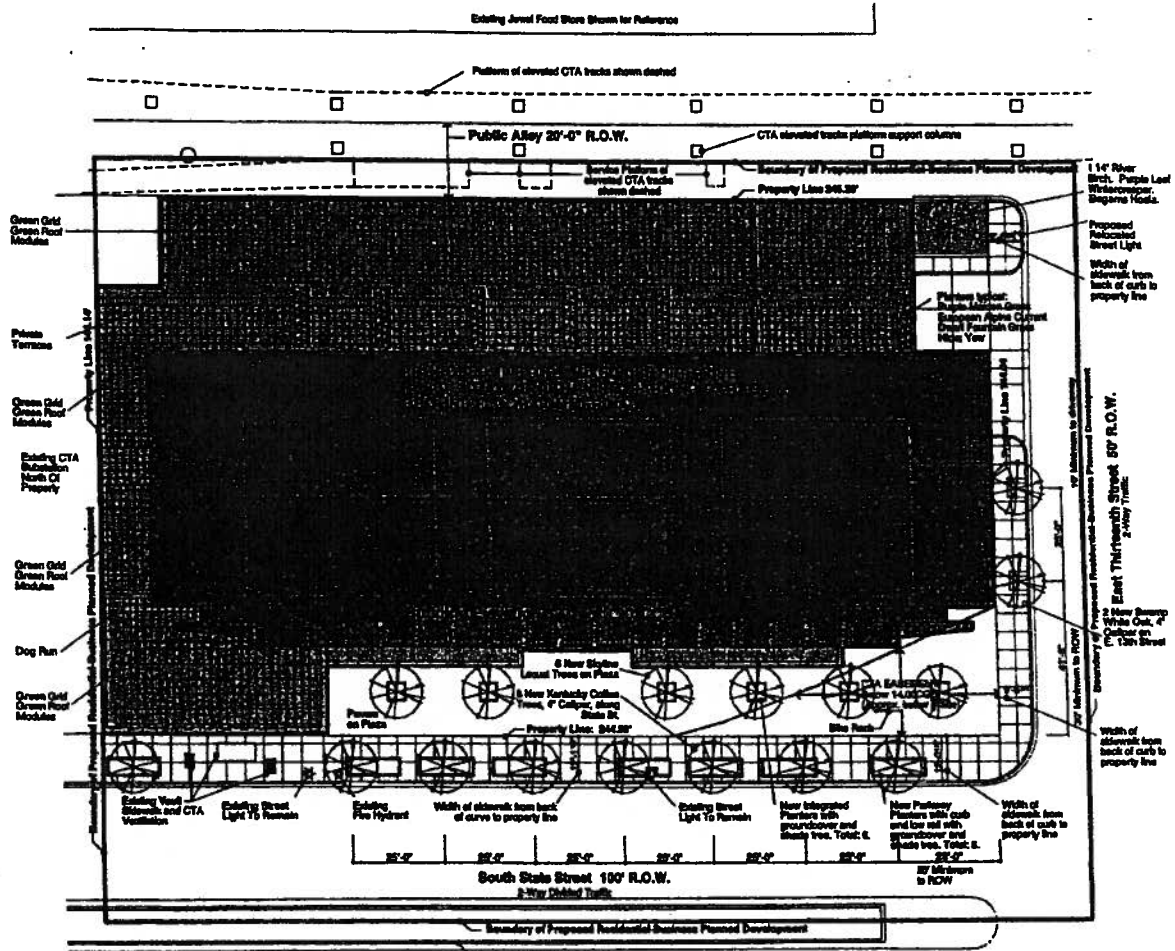
Boundary Map.



Site Plan.



Landscape Plan.



Land-Use Map.



Existing Residential



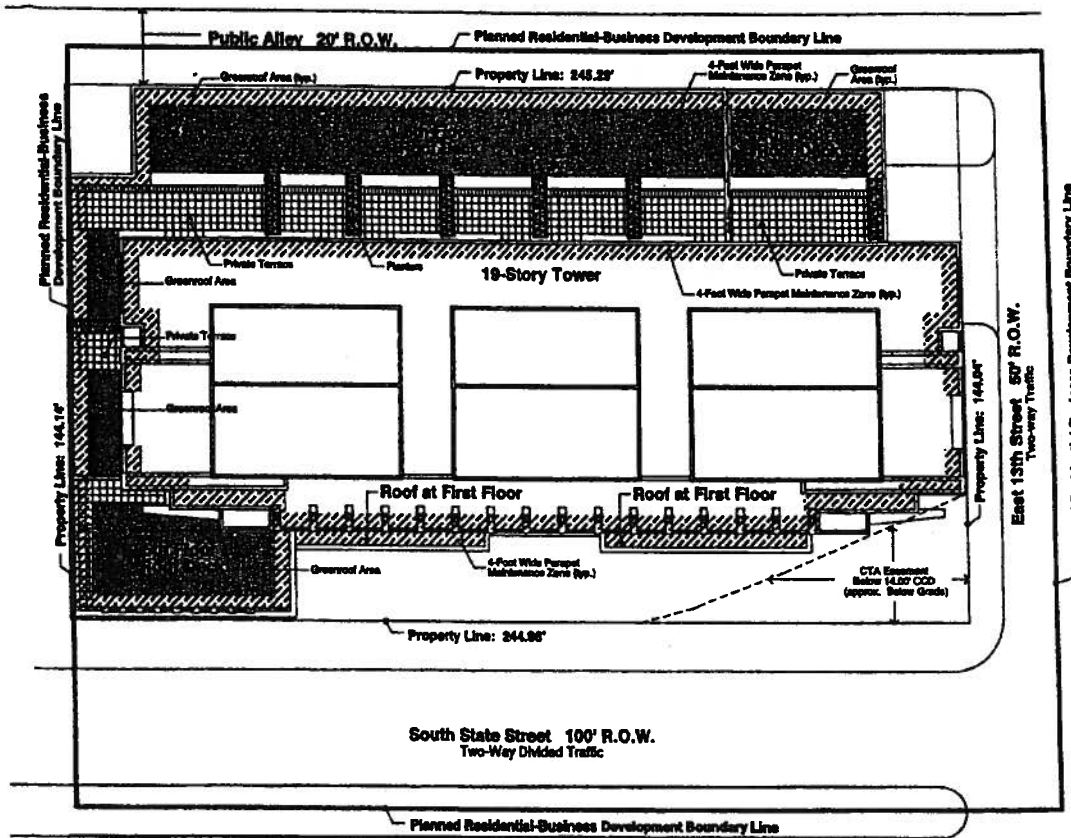
Existing Mixed Residential and Commercial



Existing Commercial



Green Roof Plan.



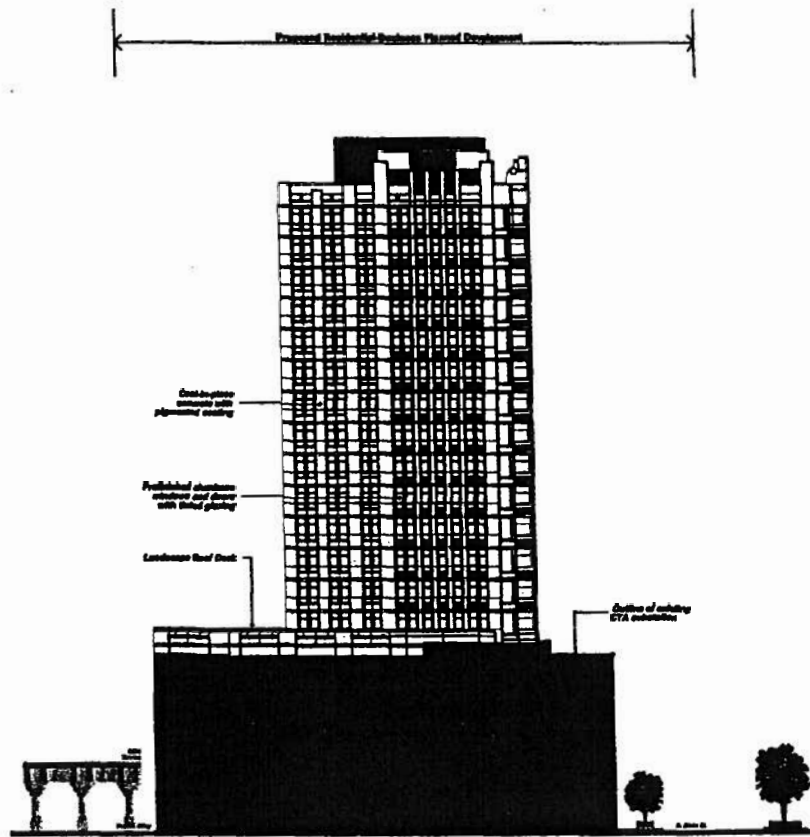
Total Roof Area: 22,340 sq. ft. Note: Not including 4 ft. wide continuous parapet maintenance zone and major mechanical equipment with related maintenance areas.

5th & 6th Floor Landscape Roofs: 6,784 sq. ft. 30.37% of applicable roof area.

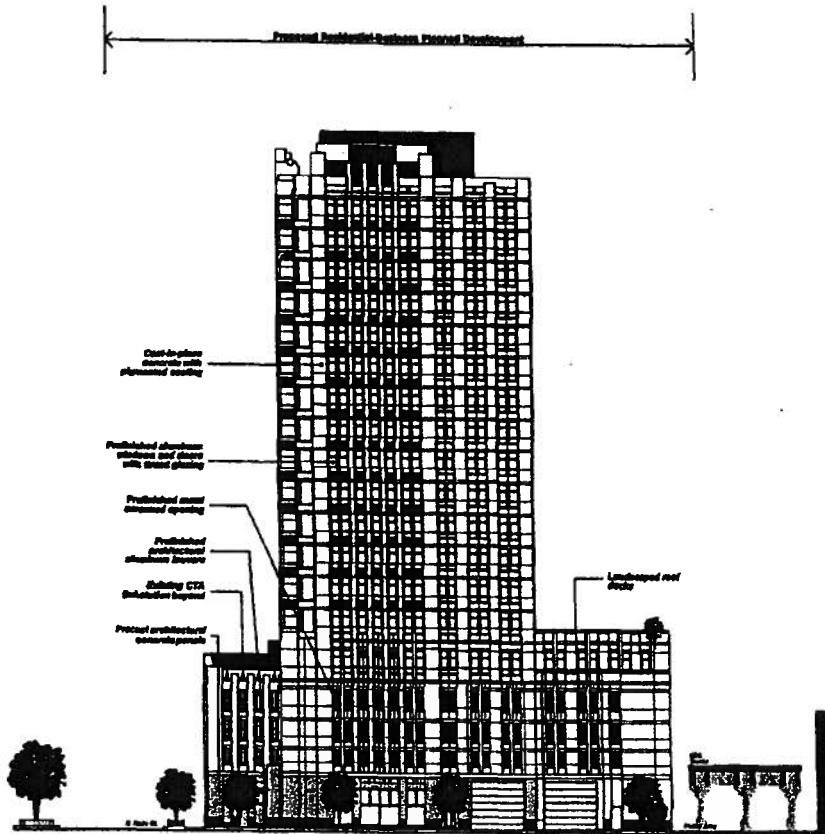
Specific configuration of the Green Roof Area may be modified in the final design



North Building Elevation.



South Building Elevation.

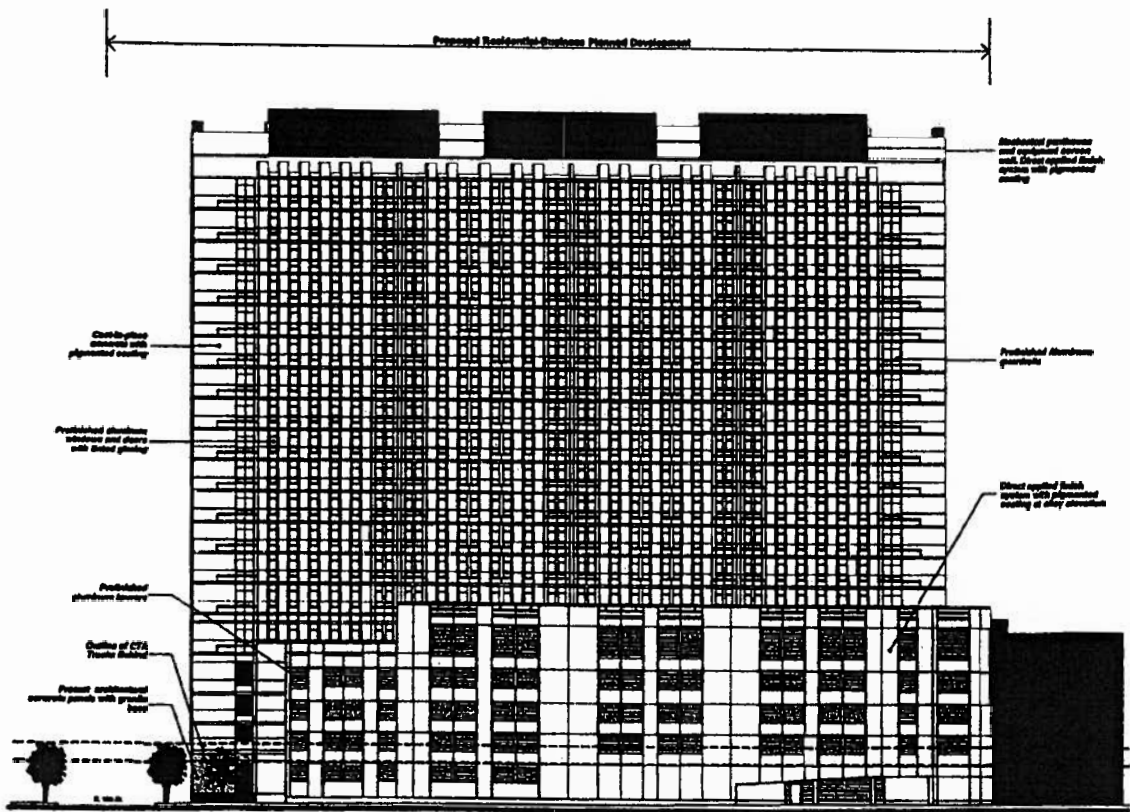


6/8/2005

REPORTS OF COMMITTEES

50935

East Building Elevation.



West Building Elevation.

