

PD 974

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City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Lori T. Healey
Commissioner

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September 27, 2006

Jessica Marie Boudreau
Schain, Burney, Ross & Citron, Ltd.
Suite 1910
222 North LaSalle Street
Chicago, Illinois 60601-1102

**Re: Administrative Relief request for Residential Planned Development
No. 974, Opera Lofts, 2559 S. Dearborn Street**

Dear Ms. Boudreau:

Please be advised that your request for a minor change to Residential Planned Development No. 974 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 13 of the Planned Development.

Specifically, you requested:

- To incorporate a revised window design as shown on drawings prepared by Worn Jerabek Architects and dated September 8, 2006.
- To incorporate a design change to the new construction above the roof line of the existing building. This design change is needed to accommodate a structural concern and will not result in any change to the approved building square footage.
- To allow for the addition of up to 3,000 square feet of floor area within the interior of the existing building to accommodate additional mechanicals and proposed mezzanine areas. This increase in additional floor area will bring the total building area to 194,970 square feet, which is within the 3.70 maximum FAR permitted within the bulk perimeters as approved in the original Planned Development. However, based on the addition of up to 3,000 square feet, a revised Part II request will need to be submitted.

The following attachments shall be substituted in place of the previously approved drawings and inserted into the main file in anticipation of Part II:

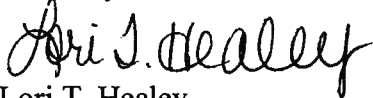
- Proposed Exterior Elevations
- A4.1 West Building Elevation
- A4.2 West Building Elevation
- A4.3 East Building Elevation
- A4.4 East Building Elevation
- A4.5 South and North Building Elevations
- A3.1 Schedules and Notes



With regard to your request, the Department of Planning and Development has determined that these changes: do not create an adverse impact on the Planned Development or surrounding neighborhood, do not result in an increase in the bulk or density, do 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. 974, I hereby approve the foregoing minor change, but no other changes to Residential Planned Development No. 974.

Sincerely,



Lori T. Healey
Commissioner

LTH:MRD:tm

cc: Kathleen Nelson, Judy Minor Jackson, Mike Marmo, DPD files

6/8/2005

REPORTS OF COMMITTEES

14809
50945

the public alley next north of and parallel to West Dickens Avenue; the public alley next west of and parallel to North Oakley Avenue; West Dickens Avenue; the public alley next east of and parallel to North Western Avenue,

to those of an RT4 Residential Two-Flat, Townhouse and Multi-Unit District.

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

Reclassification Of Area Shown On Map Number 6-F.

(As Amended)

(Application Number 14809)

RPD 974

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 M1-3 District symbols and indications as shown on Map Number 6-F in the area bounded by:

a line north of and generally parallel to West 26th Street which runs in a generally east/west direction from a point on South Dearborn Street 366.40 feet north of West 26th Street to a point on the north/south public alley which is 369.66 feet north of West 26th Street; the north/south public alley east of and parallel to South Dearborn Street; West 26th Street; and South Dearborn Street,

to those of a B2-5 Neighborhood Mixed-Use District and a corresponding use district is hereby established in the area above described.

SECTION 2. In the area above described, the City Zoning Ordinance be amended by changing all of the B2-5 Neighborhood Mixed-Use District symbols to those of Residential Planned Development and a corresponding use is hereby established.

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

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

Residential Planned Development Number 974.

Plan Of Development Statements.

1. The area delineated herein as a Residential Planned Development Number 974 ("Planned Development") consists of a site area of approximately of thirty-eight thousand seven hundred sixty-two (38,762) square feet of real property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"), and is owned or controlled by the applicant, LOACQ, L.L.C. ("Applicant") for purposes of this Residential Planned Development.
2. The Applicant shall obtain all applicable official reviews, approvals or permits which are necessary to implement this Plan of Development. Any dedication or vacation of streets or alleys or easements or adjustments of right-of-ways or consolidation or resubdivision of parcels shall require separate submittal on behalf of the Applicant or its successors, assigns or grantees and approval by the City Council.
3. The requirements, obligations and conditions applicable within this Planned Development shall be binding upon the Applicant, its successors and assigns and if different than the Applicant, the owners of all the property within the Planned Development or any homeowners association(s) formed to succeed the Applicant for purposes of control and management of any portion of the Planned Development, the legal title holder and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant, successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors.

Furthermore, pursuant to the requirements of Section 17-13-0600 of the Chicago Zoning Ordinance, the property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any modification or change thereto (administrative, legislative or otherwise) shall be made by the Applicant, the owners of all the property within the Planned Development or any homeowners association(s) formed to succeed the Applicant for purposes of control and management of any portion of the

Planned Development. No amendment may be sought without written approval by the homeowners association unless the right to do so has been retained by applicant and its successors in title documents. Notwithstanding the foregoing, nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interest or obligation therein.

4. This plan of development consists of these sixteen (16) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Property Line and Boundary Map; an Existing Land-Use Area Map; a Site Plan/Landscape Plan; a Rooftop Plan; Building Elevations, all dated May 18, 2005, prepared by Worn Jerabeck Architects, P.C., which are all incorporated herein. Full size sets of the Site Plan, Landscape Plan, and Building Elevations are on file with the Department of Planning and Development. This Plan of Development is in conformity with the intent and purposes of the Chicago Zoning Ordinance (Title 17 of the Municipal Code in Chicago) and all requirements thereof and satisfies the established criteria for approval of a Planned Development. These and no other zoning controls shall apply to the area delineated herein.
5. The following uses shall be permitted within the areas delineated herein: Multi-Unit (3+ units) Residential uses as permitted in the B2-5, Neighborhood Mixed-Use District; accessory parking; accessory uses; and related uses.
6. Identification and business signs shall be permitted within the Planned Development subject to the review and approval of the Department of Planning and Development. Temporary signs, such as construction and marketing signs shall be permitted within the Planned Development subject to review and approval of the Department of Planning and Development.
7. Off-street parking and loading facilities shall be in compliance with this Planned Development, subject to the review and approval of the Department of Transportation and Planning and Development.
8. Any service drives or other ingress or egress including emergency vehicle access shall be adequately designed, constructed and paved in accordance with the Municipal Code of Chicago and the regulations of the Department of Transportation in effect at the time of construction. Ingress and egress shall be subject to the review and approval of the Department of Transportation and the Department of Planning and Development.

Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. All work in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in accordance with the Municipal Code of the City of Chicago.

9. In addition to the maximum height of any building or any appurtenance attached thereto the height of any improvement shall also be subject to height limitations as approved by the Federal Aviation Administration.
10. 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 definition in the City of Chicago Zoning Ordinance shall apply.
11. Improvements of the property, including on-site exterior landscaping and the landscaping along the adjacent rights-of-way, and all entrances and exits shall be designed, installed, and maintained in substantial conformance with the Site, Landscape Plan, and the Bulk Regulations and Data Table attached hereto and made a part hereof. Landscaping shall be installed and maintained at all times in accordance with the Site Plan and the Parkway Tree Provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.
12. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner that promotes, enables and maximizes universal access throughout the Property. Therefore, at the time when building permits are sought, the 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.
13. The terms, conditions and exhibits of this Planned Development ordinance may be modified, administratively, by the Commissioner of the Department of Planning and Development upon the written request for such modification by the Applicant and after a determination by the Commissioner of the Department of Planning and Development, that such a modification is minor, appropriate and is consistent with the nature of the improvements contemplated in this Planned Development. Any such modification of the requirements of this statement by the Commissioner of the Department of Planning and Development shall be deemed to be a

minor change in the Planned Development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance.

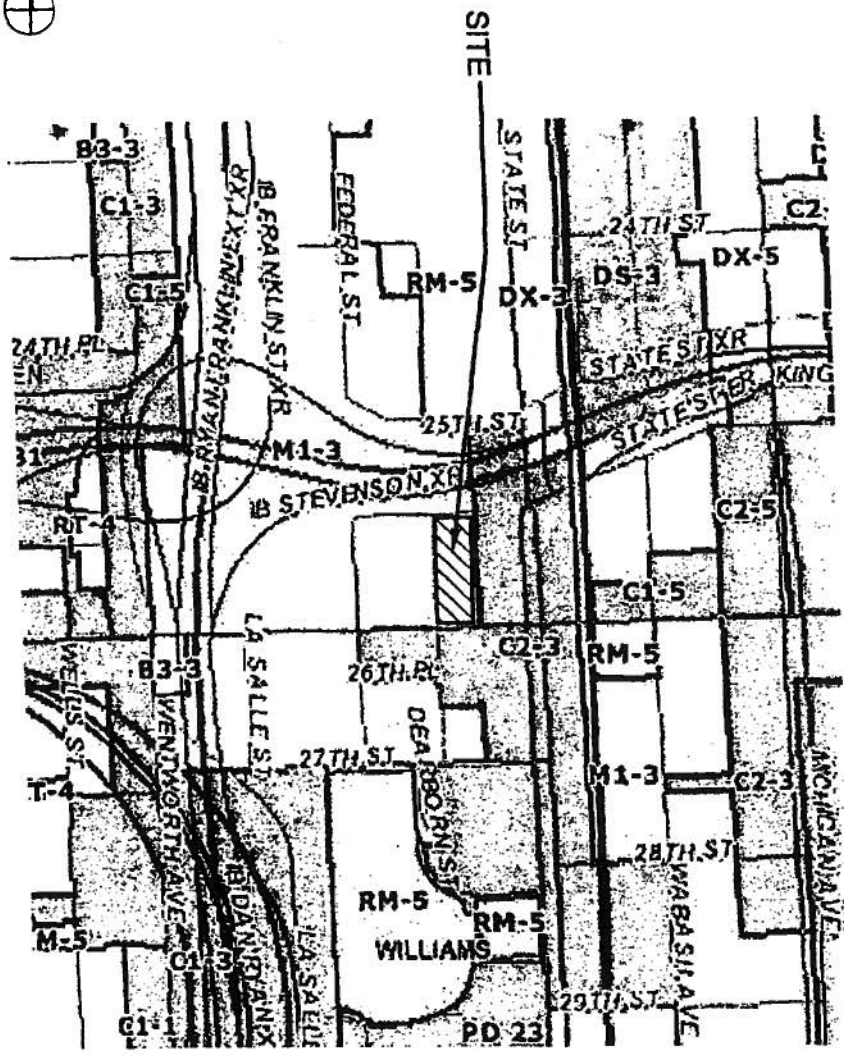
14. The Applicant is voluntarily providing five (5) one (1) bedroom affordable units and eighty-eight (88) market rate units, which are a mix of one (1), two (2) and three (3) bedroom units. The sales price of the five (5) affordable units will be One Hundred Sixty-five Thousand Dollars (\$165,000) without parking. Parking spaces will be available at the same price as for the market rate units.
15. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner, which promotes and maximizes the conservation of natural resources. The Applicant shall use commercially reasonable efforts to design, construct and maintain all buildings located within this Planned Development in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating. Copies of these standards may be obtained from the Department of Planning and Development. The Applicant shall provide a vegetative roof ("Green Roof") totaling twenty-five percent (25%) of the net roof area of the building to be constructed within the Planned Development. The net roof area shall be defined as the gross roof area minus the sloped roof area and the mechanical area.
16. Unless substantial construction has commenced within the Planned Development within six (6) years of the passage of the Planned Development, the zoning of that property shall revert to the B2-5 Neighborhood Mixed-Use District. The six (6) year period may be extended for one (1) additional year if, before expiration, the Commissioner of the Department of Planning and Development determines that there is good cause for such an extension.

[Existing Zoning Map; Planned Development Property Line and Boundary Map; Existing Land-Use Area Map; Landscape Plan; Site and Roof Plan; and Building Elevations referred to in these Plan of Development Statements printed on pages 50951 through 50956 of this *Journal*.]

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

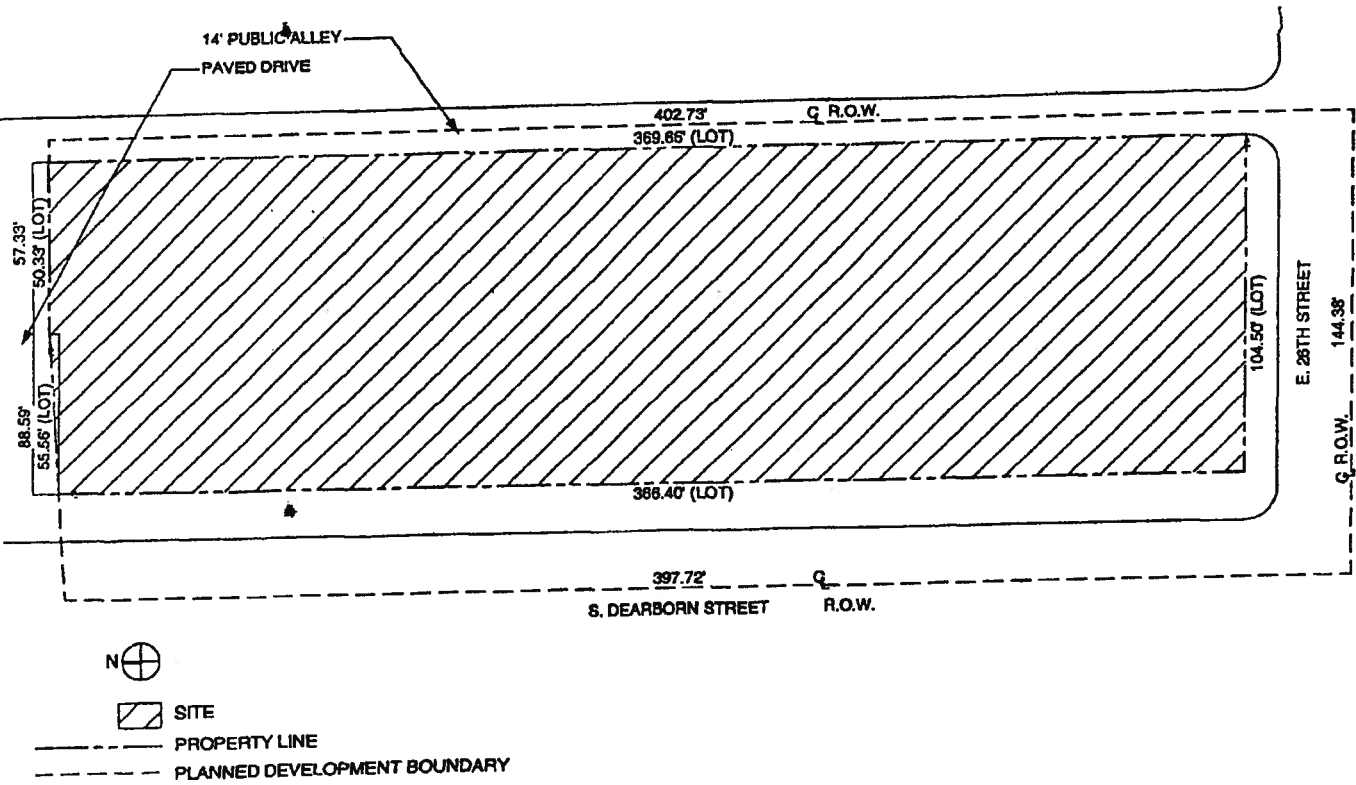
*Residential Planned Development Number 974.**Bulk Regulations And Data Table.*

| | |
|---|--|
| Gross Site Area: | 58,180 square feet (1.34 acres) |
| Net Site Area: | 38,782 square feet |
| Maximum Floor Area Ratio: | 3.7 |
| Building Area: | |
| Existing: | 113,000 |
| Proposed: | 79,000 |
| Total: | 192,000 |
| Maximum Number of Residential Units: | 93, including 5 affordable units |
| Maximum Site Coverage: | 100% |
| Number of Accessory Off-Street Spaces: | 93 |
| | In the event that fewer than 93 residential units are constructed, the number of parking spaces may be reduced as well, as long as the 1:1 ratio is maintained |
| Minimum Number of Off-Street Loading Docks: | 1 |
| Building Setbacks: | 0 feet all sides (existing building) |
| Building Height: | 130 feet, 0 inches |

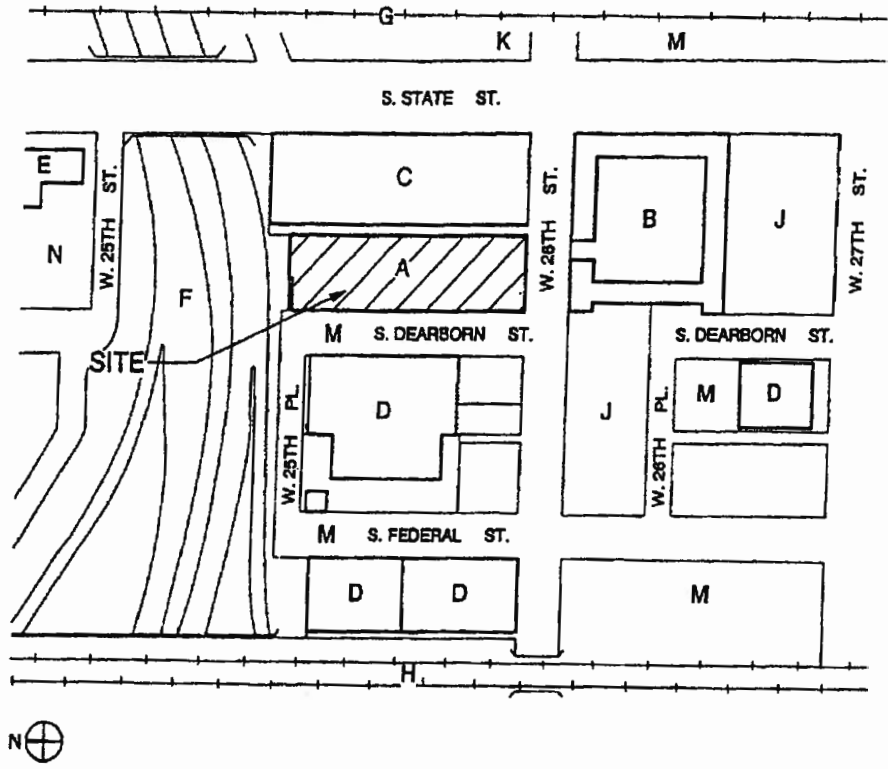


Existing Zoning Map.

Planned Development Property Line
And Boundary Map.

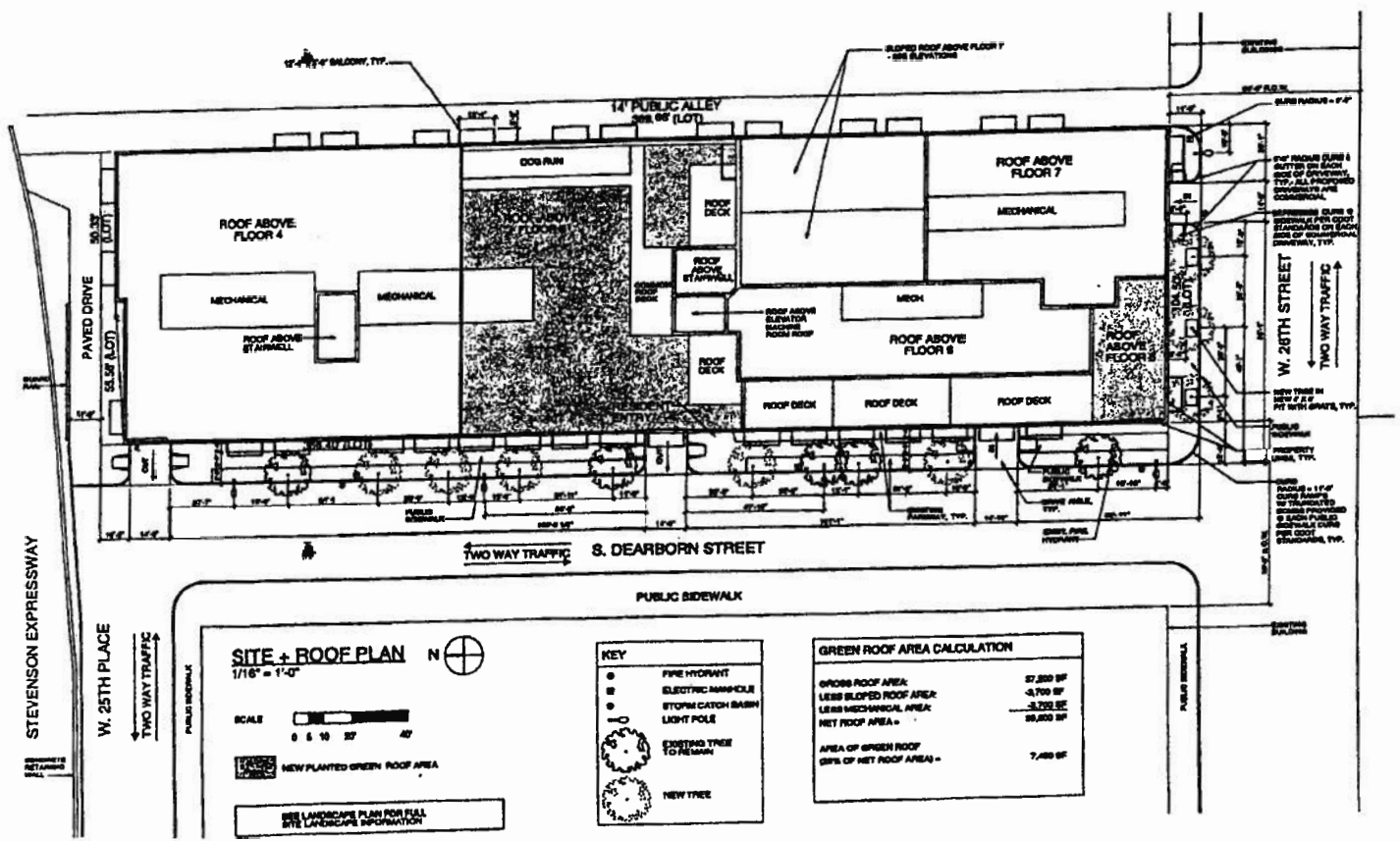


Existing Land-Use Area Map.



- KEY:**
- A PROJECT SITE
 - B 2 STORY HOTEL
 - C 1 STORY COMMERCIAL
 - D 2-4 STORY COMMERCIAL
 - E 7 STORY RESIDENTIAL
 - F STEVENSON EXPRESSWAY
 - G CTA ELEVATED STRUCTURE
 - H METRA RAIL LINE
 - J C2-3 COMMERCIAL DISTRICT
 - K C1-5 COMMERCIAL DISTRICT
 - M M1-3 MANUFACTURING DISTRICT
 - N RM-5 RESIDENTIAL DISTRICT

Site And Roof Plan.



Building Elevations.

