

PD 980

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City of Chicago
Richard M. Daley, Mayor

Department of Zoning

Patricia A. Scudiero
Zoning Administrator

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January 6, 2009

Mr. Robert Buono
Principal
Smithfield Properties LLC
400 West Huron Street
Chicago, IL 60610-2234

Re: **Administrative Relief request for Residential Business Planned Development No. 980, Proposed landscape planter reduction at 151 North State Street/8 East Randolph Street**

Dear Mr. Buono:

Please be advised that your request for a minor change to Residential Business Planned Development No. 980 has been considered by the Department of Zoning and Land Use Planning pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No.11 of the Planned Development.

Specifically, you are requesting to eliminate two landscape planters along East Randolph Street. Installation of the planters is not feasible because the entire sidewalk area is vaulted and a large Commonwealth Edison electrical vault is located below the sidewalk.

With regard to your request, the Department of Zoning and Land Use Planning has reviewed the request and has determined that the elimination of two landscape planters along East Randolph 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 Business Planned Development No. 980, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

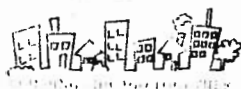
Sincerely,

Patricia A. Scudiero
Commissioner

PAS:HG:tm

cc: Mike Marmo, Pay Haynes, Erik Glass, Ron Day, DPD files

NEIGHBORHOODS



*Reclassification Of Area Shown On Map Number 1-E.
(As Amended)
(Application Number 14780)*

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 current DX-16 Downtown Mixed-Used District symbols and indications as shown on Map Number 1-E in the area bounded by:

East Benton Place; the alley next east of North State Street; East Randolph Street; and North State Street,

to those of Residential-Business Planned Development Number 980 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 attached hereto 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 980.

Plan Of Development Statements.

1. The area delineated herein as Residential-Business Planned Development Number 980 (the "Planned Development") consists of approximately nineteen thousand two hundred fourteen (19,214) square feet (zero and forty-four hundredths (0.44) acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property") and is owned by the City of Chicago which has duly authorized Smithfield Properties XX, L.L.C. (the "Applicant") to file this Planned Development. The City of Chicago and the Applicant have entered into that certain Redevelopment Agreement dated December 9, 2004 (the "Redevelopment Agreement") which provides for the sale of the Property to the Applicant and sets forth the terms and conditions for redevelopment of the Property.
2. The Applicant shall obtain all necessary official reviews, approvals or permits. Any dedication or vacation of streets, alleys or easements or any adjustment of right-of-way shall require a separate submittal on behalf of the Applicant and approval by the City Council.

3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders 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. Furthermore, 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 single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) is made or authorized by the Applicant, its successors and assigns or any property owners' association which is formed.
4. This Plan of Development consists of fifteen (15) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site Plan; and a West Elevation, a South Elevation, an East Elevation, and a North Elevation prepared by Booth Hansen and dated July 21, 2005. Full-size copies of Site Plan and the Elevations are on file with the Department of Planning and Development. These and no other zoning controls shall apply to the Property. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a planned development. In any instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Building Code shall control.
5. The property within the Planned Development is indicated on the Planned Development Boundary and Property Line Map. Subject to the Bulk Regulations and Data Table, the following uses are permitted on the Property: Residential dwelling units; retail and service uses permitted by Section 5A and Exhibit D of the Redevelopment Agreement, but excluding those uses prohibited by Section 5A and Exhibit C of the Redevelopment Agreement; and accessory uses including parking and loading.
6. Temporary signs such as construction and marketing signs shall be permitted subject to the review and approval of the Department of Planning and Development. Business identification signs shall be permitted within the Planned Development pursuant to Section 5A of the Redevelopment Agreement. Advertising signs shall not be permitted within the Planned Development.
7. The maximum permitted floor area ratio ("F.A.R.") in this Planned Development shall be twenty and thirty-six tenths (20.36) including four and thirty-six hundredths (4.36) F.A.R. in floor area bonuses. These floor area bonuses shall consist of zero and eighty-eight hundredths (0.88)

F.A.R. for a contribution of Two Hundred Ninety-nine Thousand and no/100 Dollars (\$299,000.00) to the Affordable Housing Fund two and ninety-seven hundredths (2.97) F.A.R. for placing all parking sixty-eight (68) spaces underground, and zero and fifty-one hundredths (0.51) F.A.R. for upper level setbacks above the lowest entirely residential floor. For purposes of F.A.R. calculations and floor area measurements, the definition in the City of Chicago Zoning Ordinance shall apply.

8. Off-street parking shall be provided in compliance with this Planned Development subject to the review and approval of the Department of Transportation. Any service drive or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of the City of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas. Ingress and egress shall be subject to the review and approval of the Department of Transportation.
9. In addition to the maximum heights of the buildings and any appurtenance attached thereto prescribed in this Planned Development, the height of any improvements shall also be subject to height limitations as approved by the Federal Aviation Administration.
10. The improvements depicted on the Site Plan and Elevation, the landscaping along adjacent rights-of-way and all entrances and exits to and from the parking and loading areas shall be designed, constructed and maintained in substantial conformance with the Site Plan and Elevation. Furthermore, the improvements on the Property shall be designed, constructed and maintained in compliance with the Redevelopment Agreement.
11. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department of Planning and Development, upon the application for such a modification by the Applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor in nature, appropriate and consistent with the nature of the improvements contemplated in this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of this Planned Development 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 17-13-06 11-A of the Chicago Zoning Ordinance.
12. The terms, conditions and exhibits of this Planned Development shall be interpreted and administered based on the regulations applicable in the underlying DX-16 Downtown Mixed-Use District in effect on the effective date of this Planned Development and the Redevelopment Agreement. In the event of a conflict between this Planned Development and the

Redevelopment Agreement, the terms and conditions of the Redevelopment Agreement, to the extent more restrictive, shall apply.

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 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 a vegetated ("green") roof on at least fifty percent (50%) of the net roof area of each building to be constructed within this Planned Development. "Net roof area" is defined as total roof area minus any required perimeter setbacks, roof top 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.

14. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables, and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
15. Unless substantial construction of the improvements contemplated by this Planned Development has commenced within six (6) years of the effective date hereof and unless completion of those improvements is thereafter diligently pursued, then this Planned Development shall expire and the zoning of the Property shall automatically revert to the DX-16 Downtown Mixed-Use District classification. The six (6) year period may be extended for up to one (1) additional year if, before expiration, the Commissioner of the Department of Planning and Development determines that good cause for an extension is shown.

[Existing Zoning Map; Planned Development Boundary
and Property Line Map; Site Plan/First Floor Plan;
and Building Elevations referred to in these
Plan of Development Statements
printed on pages 56052
through 56058 of
this *Journal*.]

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

Residential-Business Planned Development Number 980.

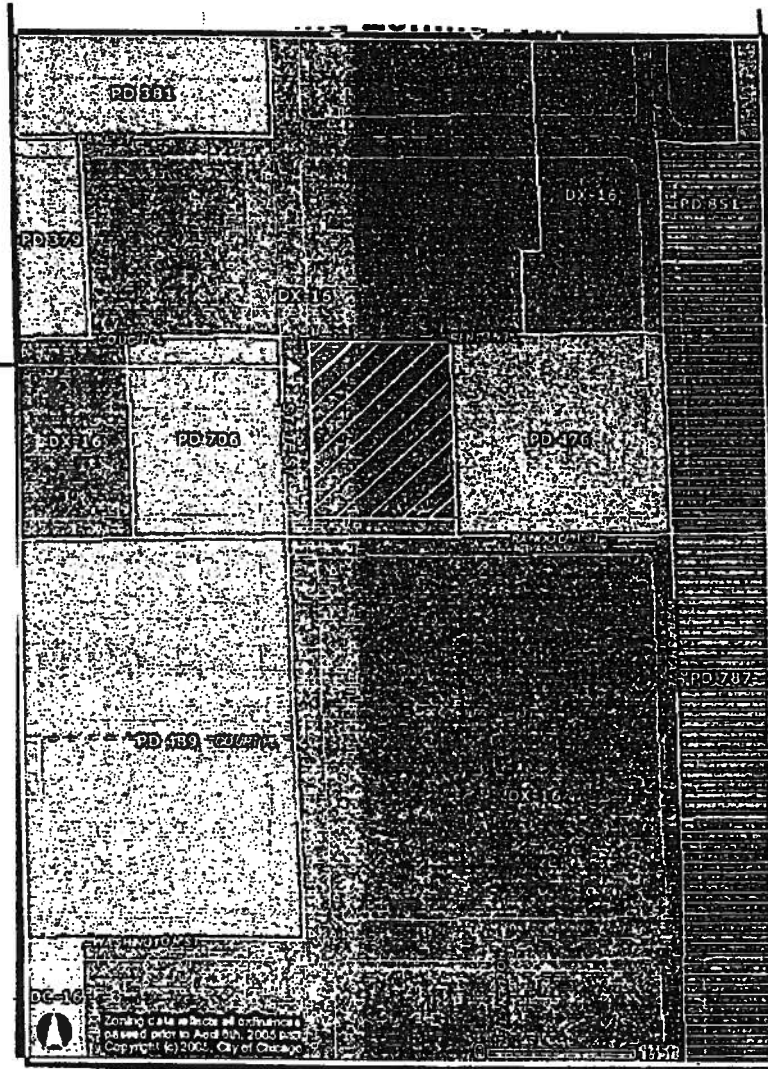
Plan Of Development

Bulk Regulations And Data Table.

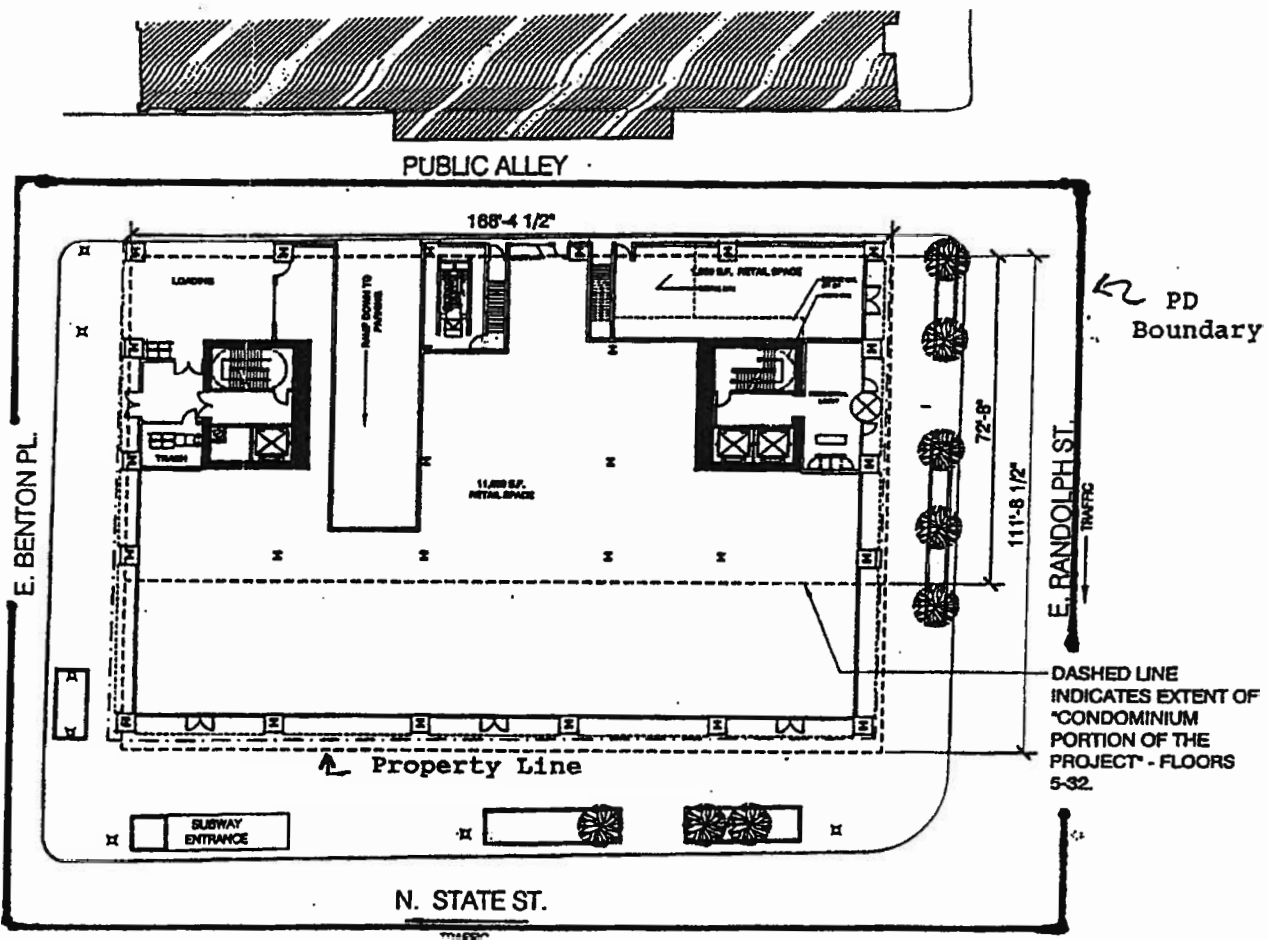
Gross Site Area:	(38,080.84 square feet; 0.87 acres) = Net Site Area (19,214 square feet; 0.44 acres) + Area Remaining in Public Right-of-Way (18,866.84 square feet; 0.43 acres)
Maximum Permitted Floor Area Ratio:	20.36, see Statement Number 7 of this Planned Development
Permitted Uses:	See Statement Number 5 of this Planned Development
Setbacks from Property Line:	In substantial accordance with the Site Plan
Maximum Percentage of Site Coverage:	In substantial accordance with the Site Plan
Maximum Number of Dwelling Units:	208, subject to the terms and conditions of the Redevelopment Agreement
Minimum Number of Off-Street Parking Spaces:	68
Minimum Number of Off-Street Loading Berths:	1
Maximum Building Height:	400 feet, in conformance with the attached Elevations

Existing Zoning Map.

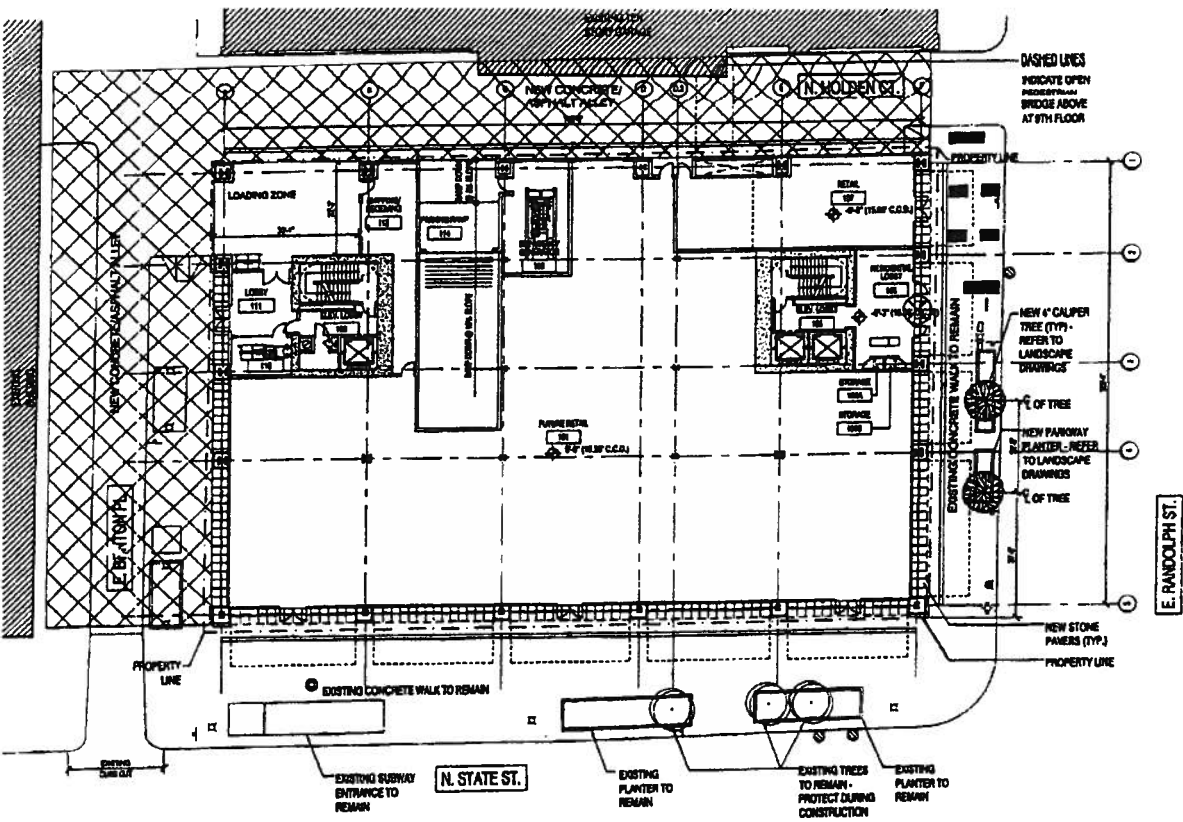
Subject site



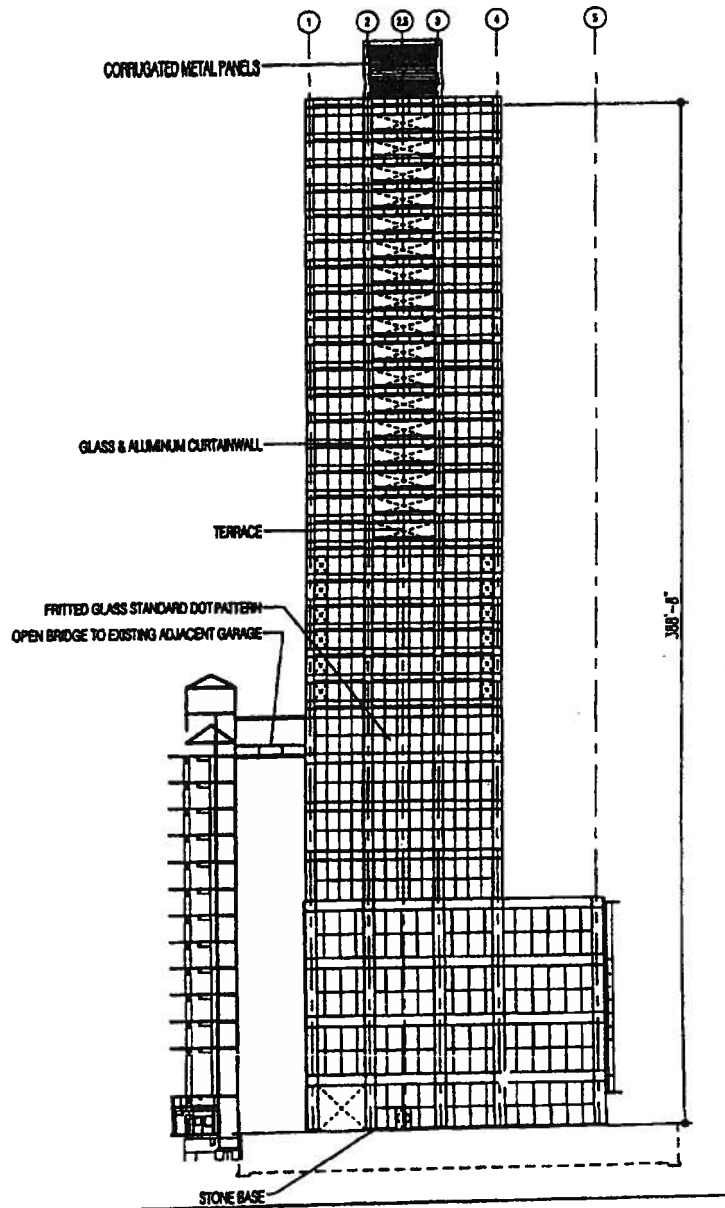
Planned Development Boundary
And Property Line Map.



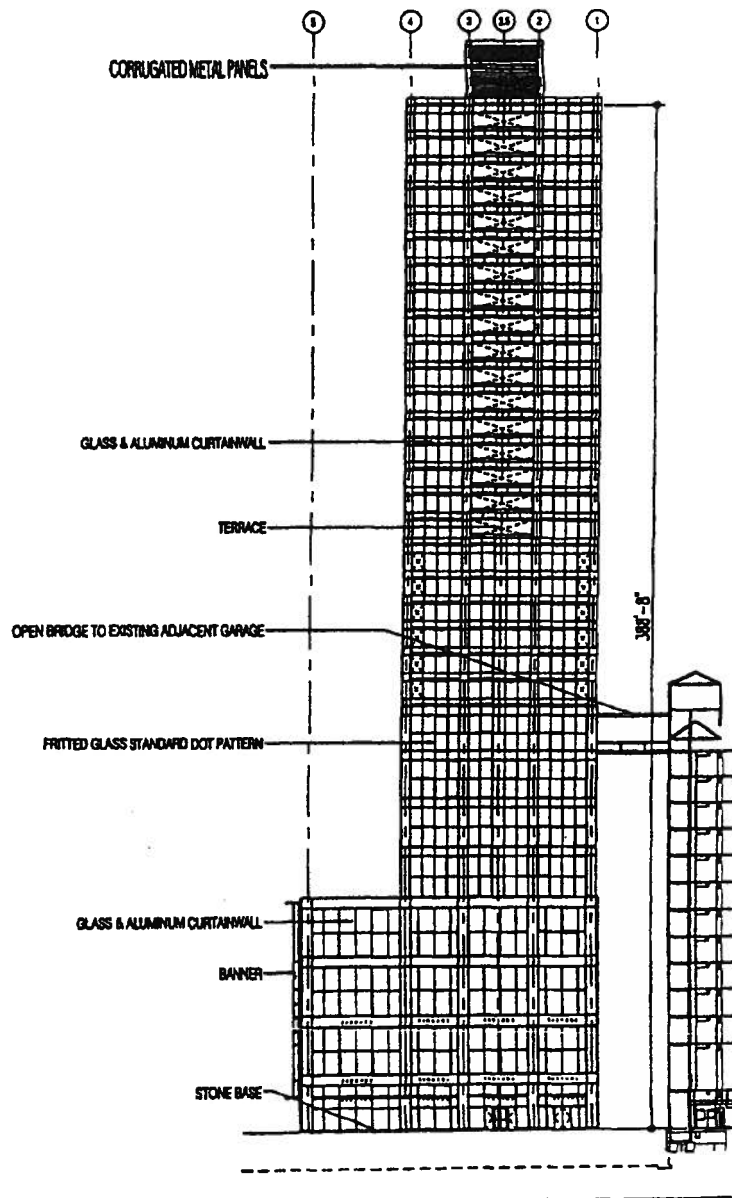
Site Plan/First Floor Plan.



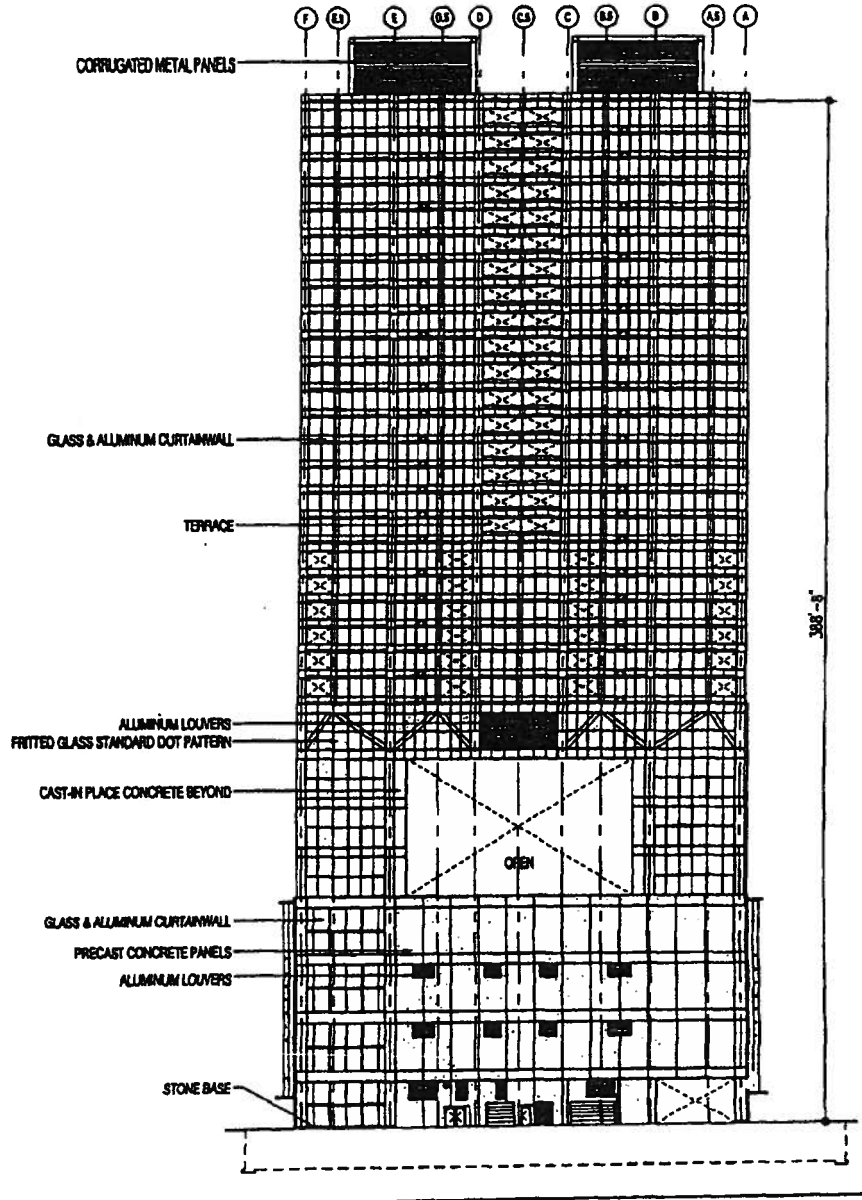
North Elevation.



South Elevation.



East Elevation.



West Elevation.

