

PD 981

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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

September 6, 2022

Sara K. Barnes
Law Offices of Samuel V. P. Banks
221 N. LaSalle St., 38th Floor
Chicago, IL 60601

Re: **610 N. Fairbanks Court**

Dear Ms. Barnes:

We have reviewed the permit records you submitted for 600 and 610 N. Fairbanks Ct. in response to our letter dated August 1, 2022. As you are aware, the subject property is zoned Residential-Business Planned Development No. 981 ("PD 981"). Guaranteed Pharma is seeking to establish an adult use cannabis dispensary on the first floor of 610 N. Fairbanks Ct., with the consent of the property owner, Lincoln K. A. Schatz, on behalf of Schatz Building LLC. Your request states that the subject 3-story commercial building at 610 N. Fairbanks Ct. is independent and separate from the parcel at 600 N. Fairbanks Ct. which contains a residential high-rise building. The property at 600 N. Fairbanks Ct. is located within the Cannabis Downtown Exclusion Zone.

Based on the permit records you submitted, it is our opinion that 600 and 610 N. Fairbanks Ct. are independent and separate parcels of land. The abutting but separate buildings were developed independently of one another by different owners. Therefore, while the parcel at 600 N. Fairbanks Ct. is located within the Cannabis Downtown Exclusion Zone, the parcel at 610 N. Fairbanks Ct. is not located within the Cannabis Downtown Exclusion Zone, pursuant to Section 17-7-0562 of the Zoning Ordinance ("Ordinance").

Statement no. 5 of PD 981 states any use allowed in the DX district is permitted in the Planned Development. Pursuant to Section 17-4-0207-AAA.1 of the Ordinance, an adult use cannabis dispensary requires special use approval from the Zoning Board of Appeals. Additionally, an adult use cannabis dispensary shall be located no closer than 500 feet from any school, pursuant to Section 17-9-0129(3) of the Ordinance. According to our records and the information provided with your request, there are no schools within 500 feet of 610 N. Fairbanks Ct.

Before a public hearing is held by the Zoning Board of Appeals to consider the special use application, the applicant must hold at least one community meeting in the ward in which the use is proposed. Please refer to Section 17-13-0905-G of the Ordinance for more information about the community meeting process. This letter may be used as your official denial to file for the required special use with the Zoning Board of Appeals.

Sincerely,

Patrick Murphey
Zoning Administrator
Bureau of Zoning

C: Eliza Solowiej, Victor Resa, Susan Perry



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

August 1, 2022

Sara K. Barnes
Law Offices of Samuel V. P. Banks
221 N. LaSalle St., 38th Floor
Chicago, IL 60601

Re: **610 N. Fairbanks Court**

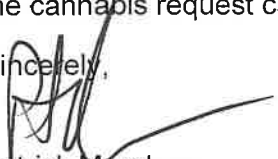
Dear Ms. Barnes:

In response to your recent request, please be advised that the subject property is zoned Residential-Business Planned Development No. 981 ("PD 981"). Guaranteed Pharma is seeking to establish an adult use cannabis dispensary at the subject site. Your request states that the subject 3-story commercial building at 610 N. Fairbanks Ct. is independent and separate from the lot at 600 N. Fairbanks Ct. which consists of residential high-rise building, and which is located within the cannabis Downtown Exclusion Zone.

In 2005, PD 981 established both 600 and 610 N. Fairbanks as one property, without separate sub-areas or zoning lots. Recently we received a similar cannabis dispensary request from Eliza Solowiej for the same building which she referenced as 620 N. Fairbanks Ct. Without proof that 600 and 610-620 were separate and independent zoning lots of record, on May 6, 2022, we stated that it was our opinion that the property at 600-620 was one zoning lot, and therefore, an adult use cannabis dispensary could not be established at this location.

In order to proceed with either Ms. Solowiej's request or your client's request, proof (i.e., building permit records, including site plans, etc.) needs to be submitted showing these as separate and independent zoning lots of record. If they are separate, independent zoning lots of record, then while 600 N. Fairbanks Ct. remains within the Downtown Exclusion Zone, pursuant to Section 17-7-0560 of the Zoning Ordinance, 610-620 N. Fairbanks Ct. does not, and the cannabis request can proceed.

Sincerely,


Patrick Murphey
Zoning Administrator
Bureau of Zoning

C: Eliza Solowiej, Victor Resa



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

May 6, 2022

Eliza Solowiej
ElizaSolowiej@yahoo.com

Re: **620 N. Fairbanks Court**

Dear Ms. Solowiej:

In response to your recent request, please be advised that the subject property is zoned Residential-Business Planned Development No. 981 ("PD 981"). It is our opinion that the property at 600-620 N. Fairbanks Ct. is one zoning lot.

The property is within the Downtown Exclusion Zone, as defined in Section 17-7-0560 of the Zoning Ordinance, and therefore, an adult use cannabis dispensary cannot be established at this location.

Sincerely,

Patrick Murphey
Zoning Administrator
Bureau of Zoning

C: Victor Resa



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Lori T. Healey
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>

June 8, 2006

Mr. Edward J. Kus
Shefsky & Froelich
111 E. Wacker Drive
Suite 2800
Chicago, IL 60601-3713

Re: **Administrative Relief request for Residential-Business Planned Development No. 981**

Dear Mr. Kus:

Please be advised that your request for a minor change to Residential-Business Planned Development No. 981 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No.11 of the Planned Development.

Specifically, you requested the following changes:

Replace exterior glass panels with concrete at two parking garage locations: 1. along the alley (west elevation) and 2. three floors along the north elevation above the adjacent building.

Replace the recessed balconies' metal decking with concrete.

With regard to your request, the Department of Planning and Development has reviewed the request and has determined that the proposed substitution of glass panels with concrete would be inappropriate. Chapter 17-13-0611-A (1) of the Chicago Zoning Ordinance states that minor changes may be approved if they will not result in a change in the character of the development. The proposed substitution of exterior glass panels with concrete, would result in a change to the character and appearance of the building.

However, in regards to your second request, the replacement of the recessed balconies' metal decking with concrete, the Department of Planning and Development has reviewed this request and determined that this would constitute a minor change and would not result in a change to the character and appearance of the building.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Residential-Business Planned Development No. 981, I hereby deny the proposed replacement of exterior glass panels with concrete, and, I approve the replacement of the recessed balconies' metal decking with concrete, but no other changes to Residential-Business Planned Development No. 981.

Sincerely,

Lori T. Healey
Commissioner

LTH:MRD:tm
cc: Terri Haymaker, Mike Marmo, DPD files



9/14/2005

REPORTS OF COMMITTEES

14977
55945

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

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

Reclassification Of Area Shown On Map Number 1-E.
(As Amended)
(Application Number 14977)

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, is hereby amended by changing all of the DX12 Downtown Mixed-Use District symbols as shown on Map Number 1-E in the area bounded by:

East Ontario Street; North Fairbanks Court; East Ohio Street; and the alley next west of and parallel to North Fairbanks Court,

to those of a Residential-Business Planned Development.

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

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

Residential-Business Planned Development Number 981.

Plan Of Development Statements.

1. The area delineated herein as a Residential-Business Planned Development ("Planned Development") consists of approximately twenty-nine thousand forty-four (29,044) square feet (approximately zero and sixty-six hundredths (0.66) acres) of property located in the area generally bounded by East Ontario Street; North Fairbanks Court; East Ohio Street; and the alley next west of and parallel to North Fairbanks Court as more fully depicted on the attached Planned Development Boundary and Property Line Map ("Property"). The Property is under the unified control of the applicant, 600 North Fairbanks, L.L.C.

2. All applicable official reviews, approvals or permits that are required in connection with the Planned Development shall be obtained or authorized to be obtained by the applicant. Any dedication or vacation of streets, alleys or easements, or adjustments of right-of-way, or consolidation or resubdivision of parcels, shall require a separate submittal and approval by the City Council.
3. The requirements, obligations and conditions contained within the 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 of the Property. Any applications for amendments, modifications or changes (administrative, legislative or otherwise) to the Planned Development shall be made or authorized by all the owners of the Property and any ground lessors of the Property. For purposes of this Planned Development, where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" shall be deemed to refer solely to the condominium association of the owners of such portions of the improvements and not to the individual unit owners therein.

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, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term "Applicant" shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder.

4. The plan of development consists of these fifteen (15) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land Use Map; a Planned Development Boundary, Property Line and Right-of-Way Adjustment Map; a Site Plan; a Landscape Plan, a Green Roof Plan and Building Elevations prepared by Murphy/Jahn dated July 21, 2005. Full-sized copies of the Site Plan and the Building Elevations are on file with the Department of Planning Development. These and no other zoning controls shall apply to the Property. The 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.
5. The following uses shall be permitted in the area delineated herein as

Residential-Business Planned Development Number 981: residential dwelling units; any Allowed Use (as defined in § 17-17-0211 of the Chicago Zoning Ordinance) in the DX Downtown Zoning District; parking; and accessory and related uses.

Portions of the Property may be used on an interim basis for construction staging and the storage of construction materials for the various phases of development of the Property.

6. Identification signs, on-premise signs and temporary signs 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.
7. Any service drive or other ingress and egress shall be adequately designed and paved in accordance with the regulations of the Chicago Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of Chicago. Driveway access for ingress and egress to the parking garage is expressly permitted on North Fairbanks Court. Closure of all or part of any public street or alley during demolition or construction shall be subject to review and approval of the Chicago Department of Transportation.
8. In addition to the maximum height of each of the buildings and any appurtenances thereto set forth in the Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
9. For purposes of floor area and floor area ratio ("F.A.R.") calculations, the definitions of the Chicago Zoning Ordinance shall apply, except that in addition to the other exclusions from floor area for purposes of determining F.A.R. permitted by the Chicago Zoning Ordinance, floor area devoted to mechanical equipment located on the roof and mechanical equipment within the building that occupies a contiguous area of one thousand (1,000) square feet or more shall be excluded.
10. The improvements on the Property shall be designed, installed and maintained in substantial conformance with the Site Plan and Building Elevations attached hereto and made a part of the Planned Development.
11. The terms, conditions and exhibits of the Planned Development may be modified administratively by the Commissioner of the Department of Planning and Development upon written application a determination by the Commissioner of the Department of Planning and Development that such modification is minor, appropriate and consistent with the nature of the improvements contemplated by the Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of the 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 17-13-0611-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 promotes and maximizes the conservation of natural resources. The Applicant shall use its best and reasonable efforts to design, construct and maintain all new buildings located within the Planned Development in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System. The Applicant agrees to install a minimum of twenty-five percent (25%) of the roof area as a green roof as indicated on the attached exhibit.
13. 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 new 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 promote the highest standard of accessibility.
14. Pursuant to the Affordable Housing provision of the City of Chicago Zoning Ordinance, Title 17, Chapter 17-4-1 004, 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 multiplied by eighty percent (80%) of the median cost of land per building square foot. 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 Five Hundred Eighty Thousand Eight Hundred Eighty and no/100 Dollars (\$580,880.00). Prior to the issuance of permits, the Applicant will enter into an Affordable Housing Agreement with the City of Chicago or provide a letter of credit or other security device in an amount equal to the cash contribution. The Applicant must comply with all applicable sections of the Affordable Housing Provisions of the Zoning Ordinance which sections are hereby incorporated into this Planned Development.
15. Unless substantial construction of the residential development contemplated by this Planned Development has commenced within six (6) years following adoption of the Planned Development, and unless completion of such building is diligently pursued thereafter, the Planned Development shall expire and the zoning of the Property shall revert to the pre-existing classification of DX12 Downtown Mixed-Use District.

9/14/2005

REPORTS OF COMMITTEES

55949

[Existing Land-Use Plan and Planned Development Boundary,
Property Line and Right-of-Way Adjustment Map
referred to in these Plan of Development
Statements unavailable at time
of printing.]

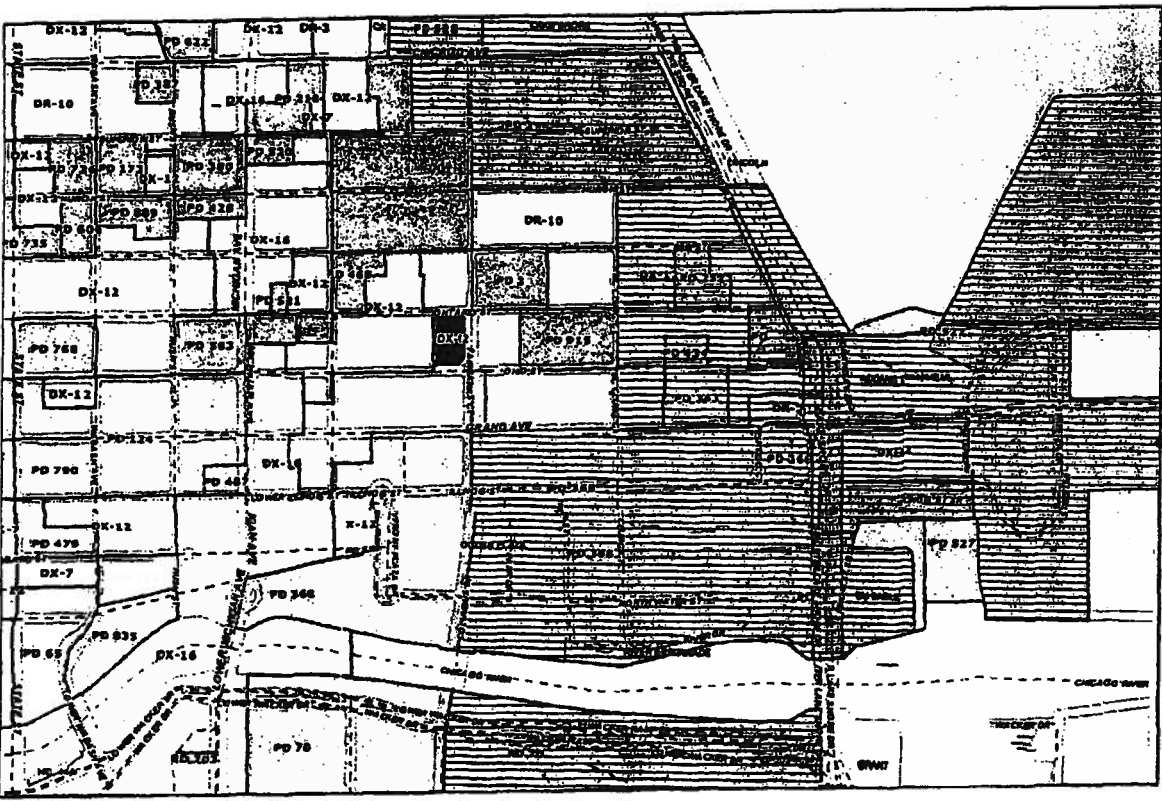
[Zoning Map; Area Plan; Site Plan; Landscape Plan; Green Roof/
Landscape Plan; Ground Floor Plan; Amenities Floor
Plan; and Building Elevations referred to in these
Plan of Development Statements printed
on pages 55950 through 55962
of this *Journal*.]

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

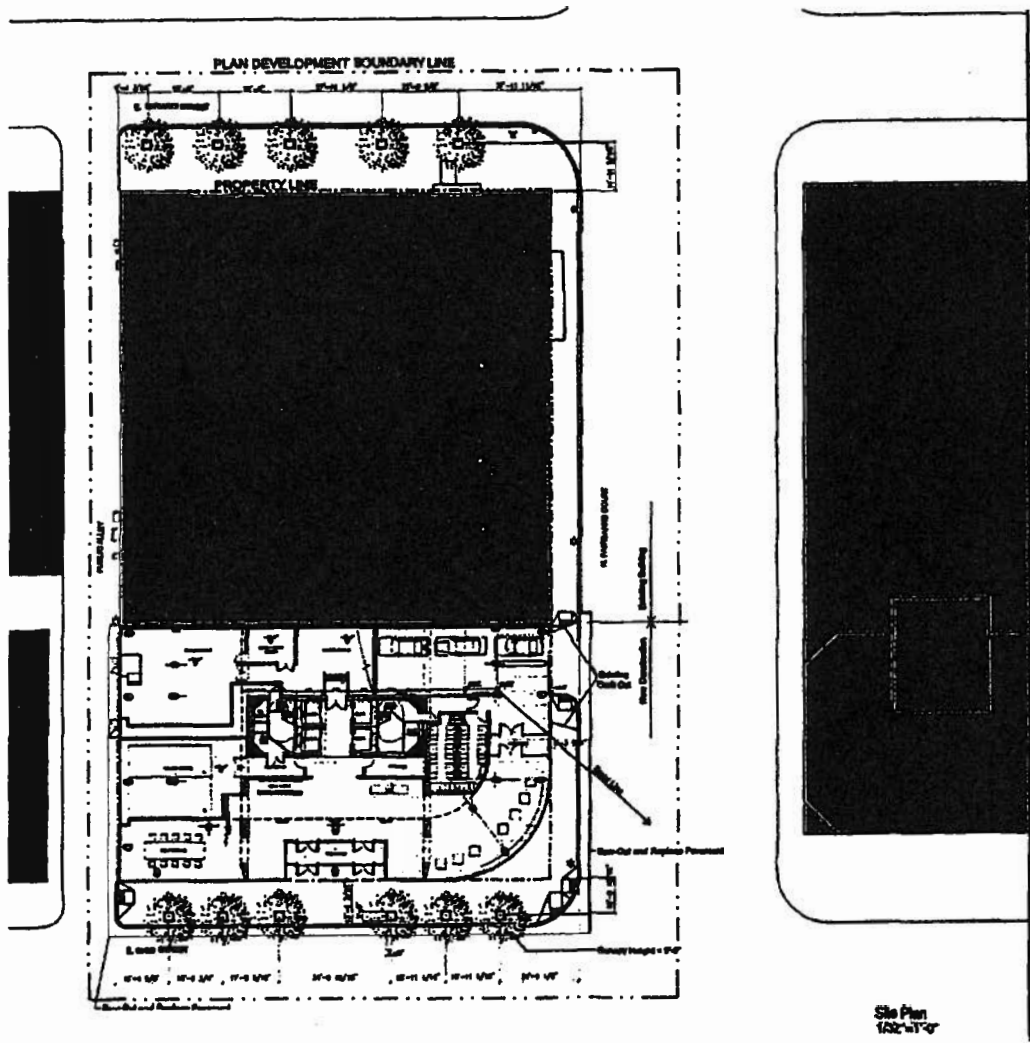
Bulk Regulations And Data Table.

Maximum Floor Area Ratio:	13.0
Base Floor Area Ratio:	12.0
Floor Area Ratio Acquired by the Affordable Housing Bonus:	1.0
Net Site Area:	29,044 square feet
Area in Public Right-of-Way:	24,111 square feet
Gross Site Area:	53,155 square feet
Setbacks from Property Line:	0 feet on all sides
Maximum Percentage of Site Coverage:	100%
Maximum Number of Dwelling Units:	227
Minimum Number of Parking Spaces:	0.55 spaces per dwelling unit
Maximum Number of Parking Spaces:	256
Minimum Number of Off-Street Loading Berths:	2 at 10 feet by 25 feet
Maximum Building Height:	In substantial conformance with the Building Elevations

Zoning Map.



Site Plan.

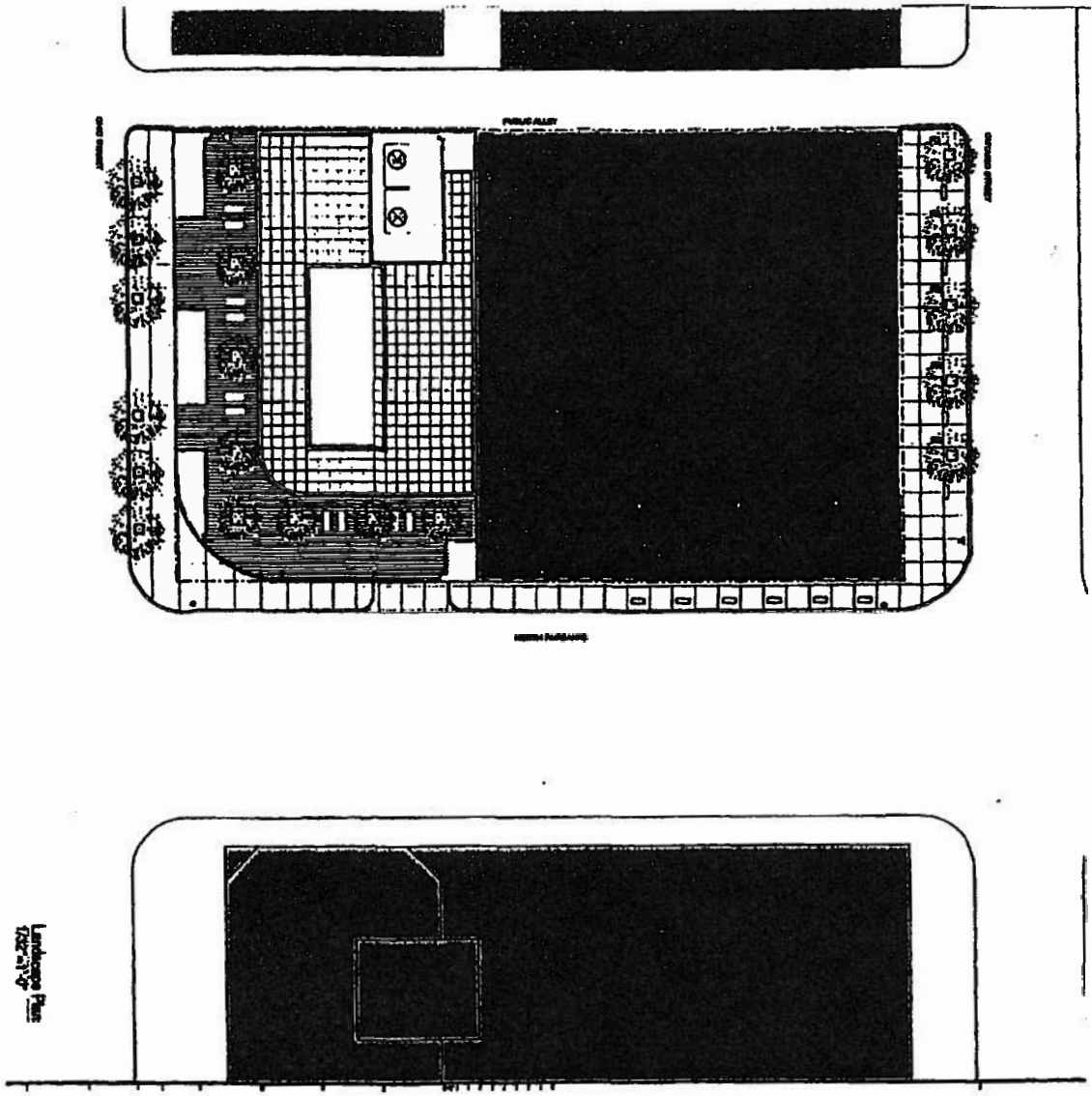


9/14/2005

REPORTS OF COMMITTEES

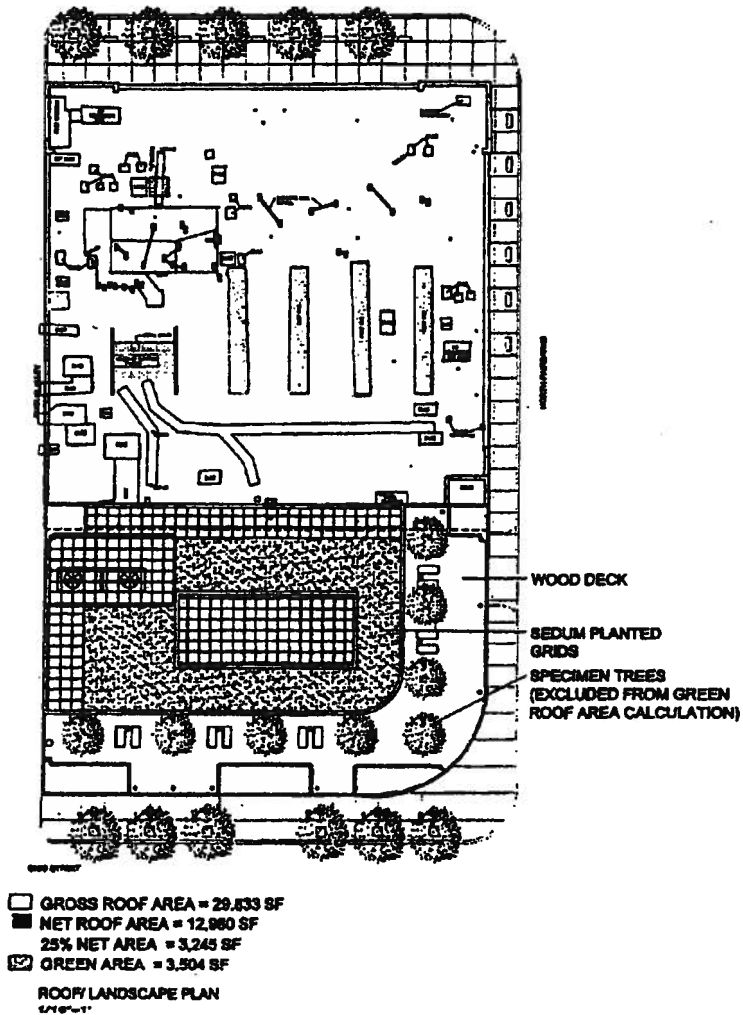
55953

Landscape Plan.

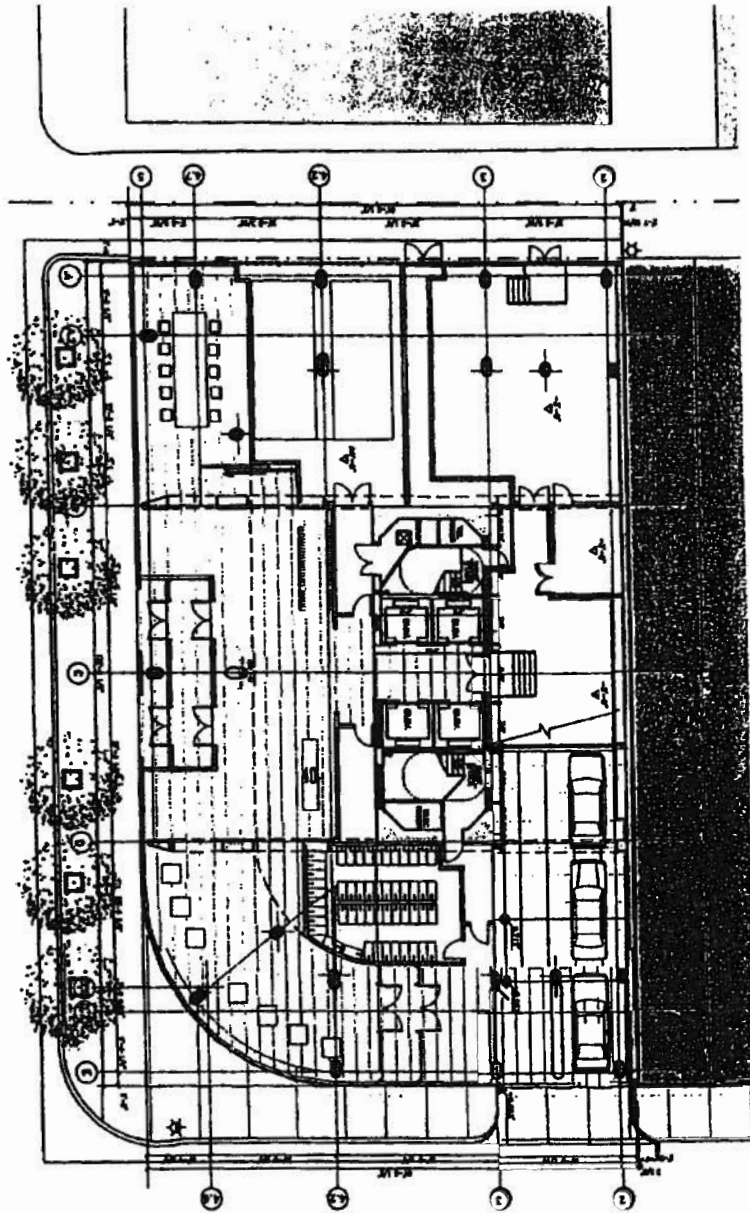


Landscape Plan
7/27/05

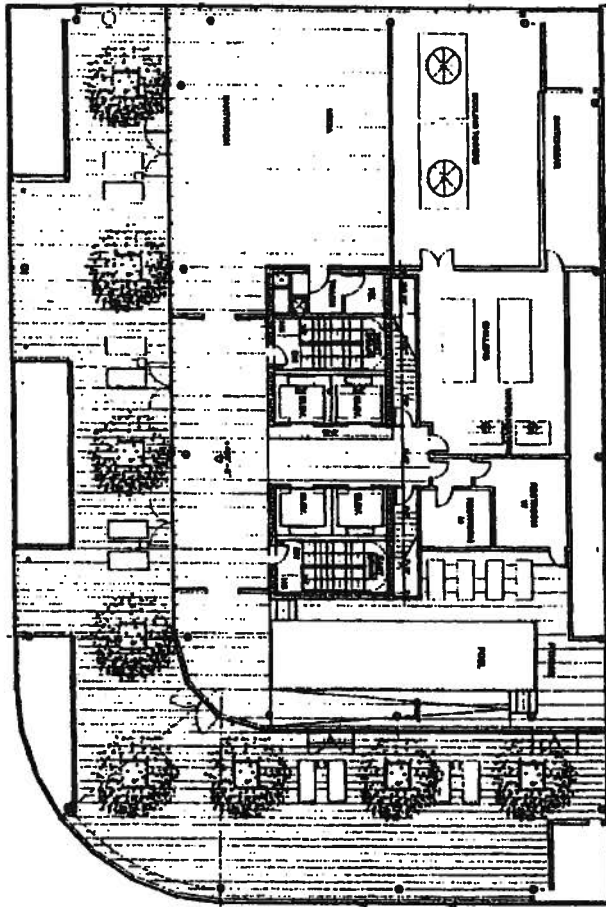
Green Roof/Landscape Plan.



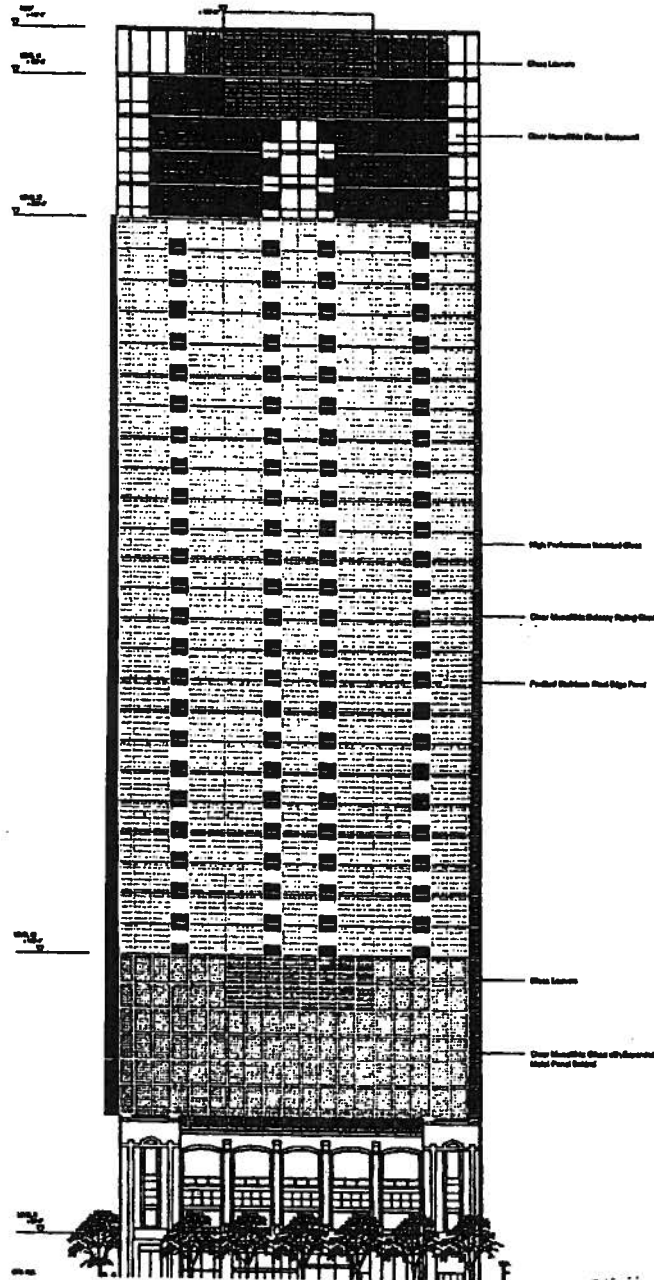
Ground Floor Plan.



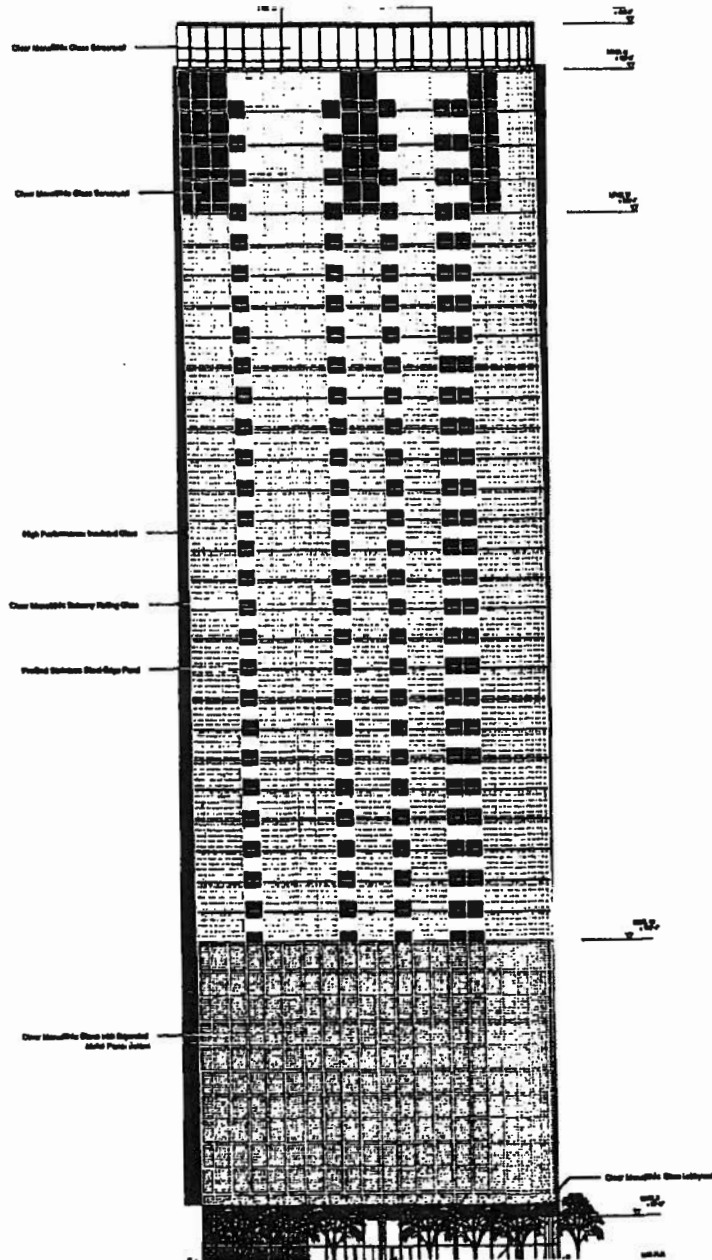
Amenities Floor Plan.



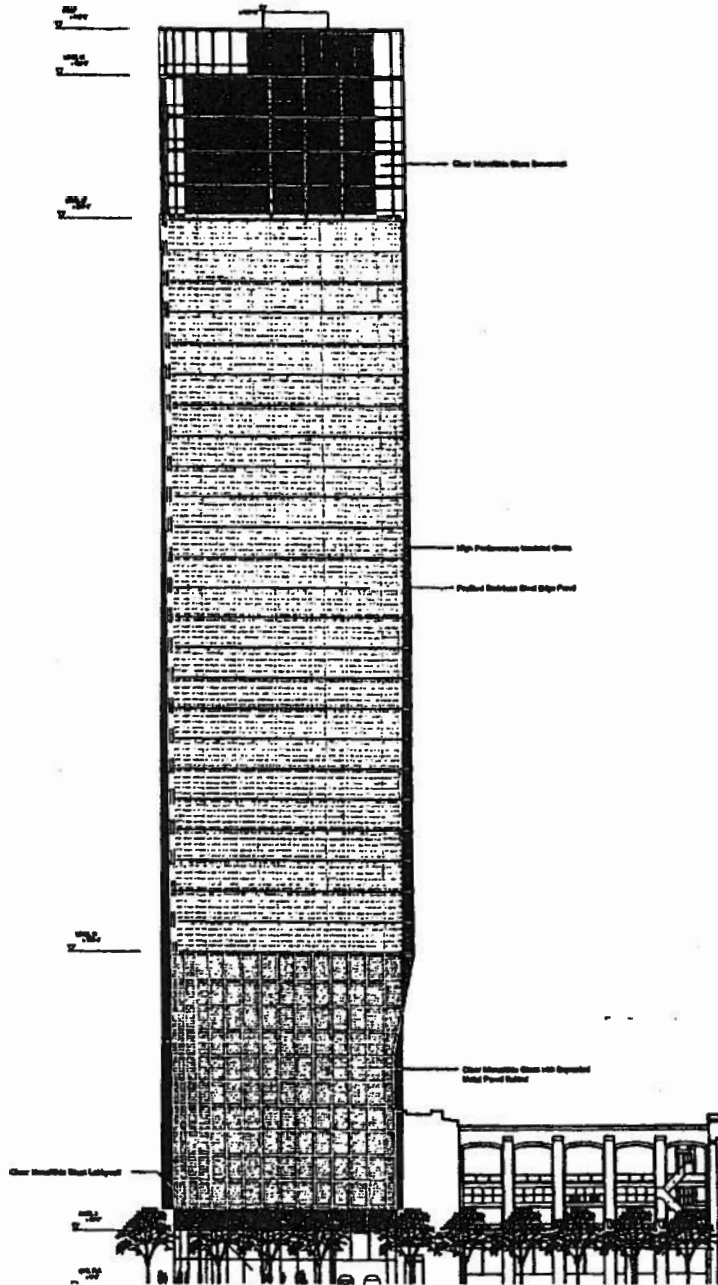
Building Elevation -- North.



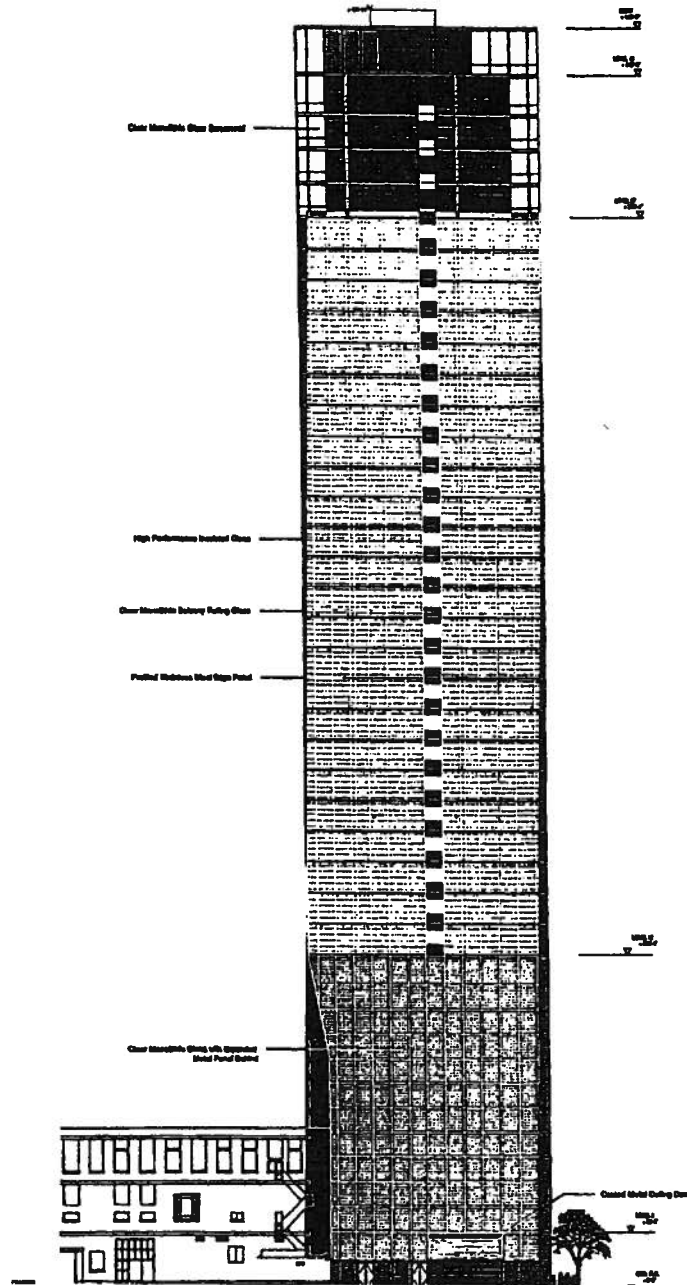
Building Elevation -- South.



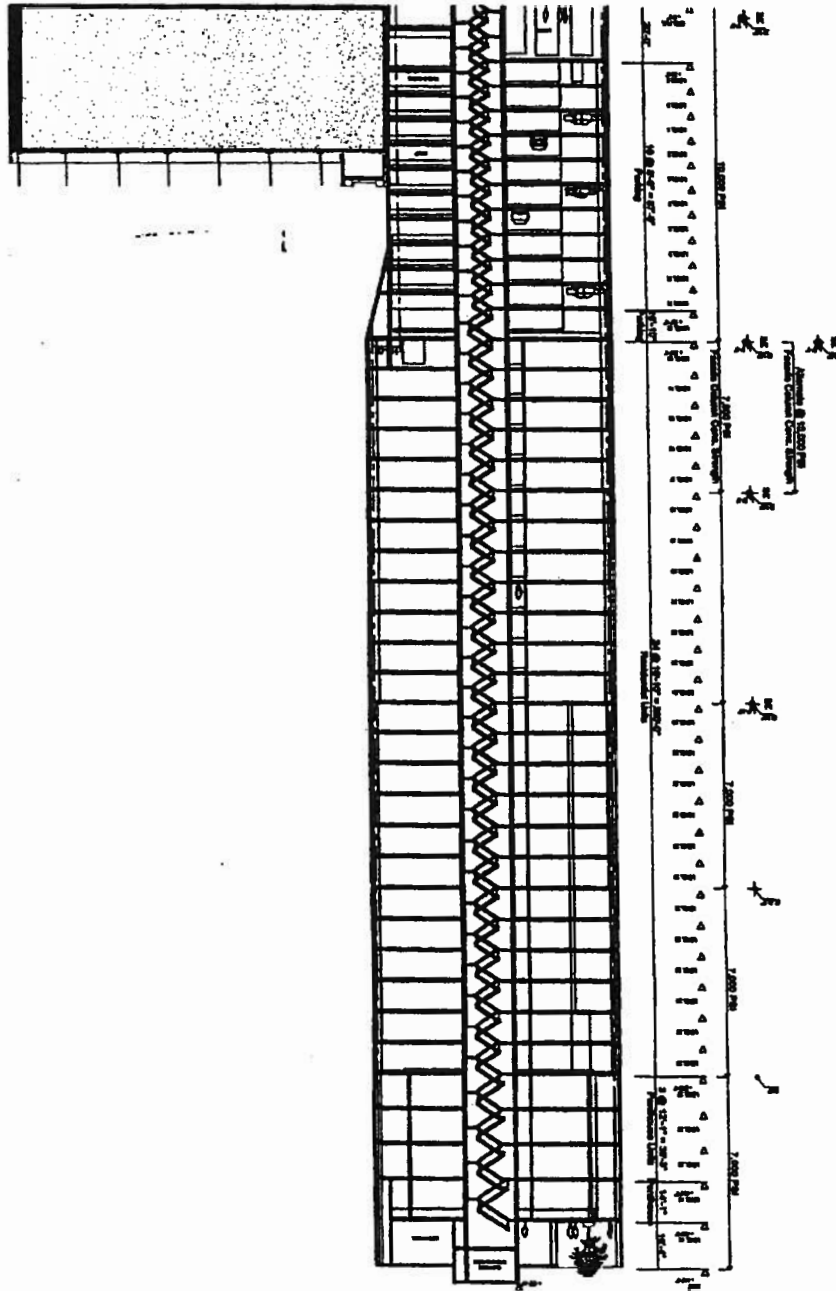
Building Elevation -- East.



Building Elevation -- West.



North/South Section -- 01.



East/West Section -- 01.

