



City of Chicago



SO2018-9260

Office of the City Clerk

Document Tracking Sheet

| | |
|---------------------------------|---|
| Meeting Date: | 12/12/2018 |
| Sponsor(s): | Misc. Transmittal |
| Type: | Ordinance |
| Title: | Zoning Reclassification Map No. 13-I at 5700 N Ashland Ave - App No. 19879 |
| Committee(s) Assignment: | Committee on Zoning, Landmarks and Building Standards |

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#19879

SUBSTITUTE ORDINANCE

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

Section 1. That Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, be amended by changing all of the Residential Planned Development No. 1312 symbols and indications as shown on Map Number 13-I in the area bounded by:

West Edgewater Avenue; North Ashland Avenue; West Hollywood Avenue; a line 288.00 feet west of and parallel to North Ashland Avenue; the alley next north of and parallel to West Hollywood Avenue; and a line 306.03 feet west of and parallel to North Ashland Avenue,

To those of Residential Planned Development No. 1312, as Amended, and a corresponding use district is hereby established in the area above described.

Section 2. That the Chicago Zoning Ordinance be amended by changing all the Residential Planned Development No. 1312 symbols and indications within the area hereinabove described to the designation of Residential Planned Development No. 1312, as Amended, which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part therefore and to no others.

Section 3. This Ordinance shall be in force and effect from and after its passage and due publication.

Common Property Address: 5700 N. Ashland Ave., Chicago, IL

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STANDARD PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development No. 1312 as Amended (Planned Development), consists of approximately 106,251 square feet or approximately 2.44 acres of land which is depicted on the attached Planned Development Boundary and Property Line Map (Property) and is owned or controlled by the Applicant, MCZ Edgewater, LLC.
2. 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 title holders 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 title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assignees or grantees. Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Planned Development.

Ingress or egress shall be pursuant to the Planned Development and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall

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reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation.

4. This Plan of Development consists of seventeen (17) Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Sub-Area Map; Landscape Plan; and, Building Elevations (North, South, East and West) prepared by 2RZ Architecture and dated April 18, 2019, submitted herein. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Chicago Zoning Ordinance, this Planned Development shall control.
5. The following uses are permitted in the area delineated herein as a Residential Planned Development No. 1312, as Amended:
 - Sub-Area A: multi-family residential with accessory uses and off-street parking and loading; and
 - Sub-Area B: public open space (neighborhood park) use.
6. 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. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a net site area of 65,627 square feet; Subarea A Net Site Area of 26,820.33 square feet; Subarea B Net Site Area of 38,806.67 square feet. This Planned Development transfers 128,293 square feet of floor area development rights from Subarea B to Subarea A, resulting in a subarea maximum FAR of 7.62 in Subarea A and 0.10 FAR in Subarea B.

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9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
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 buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities 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, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
15. The Applicant acknowledges and agrees that the rezoning of the Property from Residential Planned Development No. 1312 to Residential Planned Development No. 1312, as Amended, triggers the requirements of Section 2-44-080 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project ("ARO Units") as affordable units, or with the approval of the commissioner of the Department of Housing (subject to the transition provisions of Section 2-44-040(c)), in consultation with the commissioner of the Department of Planning and Development ("DPD") as appropriate; (ii) pay a fee in lieu of the development of the ARO Units (Cash Payment); or (iii) any combination of (i) and (ii); provided, however, that residential housing

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projects with 20 or more units must provide at least 25% of the ARO Units on-site or off-site (Required Units). If the developer elects to provide ARO Units off-site, the off-site ARO Units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a higher income area within the meaning of the ARO, and the project has a total of 141 units as obligated by the 2007 ARO and 14 units as obligated by the 2015 ARO, for a total of 155 units. As a result, the Applicant's affordable housing obligation is 16 ARO Units (10% of 141, rounded up; and 10% of 14, rounded down). Applicant has agreed to satisfy its affordable housing obligation by providing 16 ARO Units in the rental building to be constructed in the Planned Development to be approved by the Department of Housing in consultation with DPD as appropriate, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit [____]. The Applicant agrees that the ARO rental Units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of ARO Units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required ARO Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must execute and record an affordable housing agreement in accordance with Section 2-44-080(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement [____], including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

16. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the city in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the city approval process. First, the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of city residents in the construction work. The city encourages goals of 26% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% city resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the Applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II permit review for the project or any phase thereof,

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the Applicant must submit to DPD (a) updates (if any) to the Applicant's preliminary outreach plan, (b) a description of the Applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof; (c) responses to the Applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and city resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

17. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the subject property to PD No. 1312 (3/16/2016), which was the underlying zoning prior to the establishment of the Planned Development.

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Residential Planned Development No. 1312, as Amended

Amended Bulk Regulations and Data Table

| | |
|--|---|
| Gross Site Area: | 108,387 square feet (2.49 acres) |
| Area of Public Right of Way: | 35,167 square feet (0.81 acres) |
| Net Site Area: | 65,627 square feet (1.51 acres) |
| Permitted Floor Area Ratio: | 3.0 |
| Maximum Number of Residential (both dwelling and efficiency) Units: | 155 dwelling units |
| Number of Off-Street Parking Spaces To be Provided: | 74 total parking spaces |
| Minimum Number of Loading Spaces: | One (1) loading space measuring 10 feet wide by 25 feet deep. |
| Minimum Number of Bicycle Parking Spaces: | 50 bicycle parking spaces |
| Setbacks from Property Lines: | In substantial compliance with the attached Site Plan. |
| Maximum Building Height: | 115.5 feet, as measured by the Chicago Zoning Ordinance. |

ARO Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 ARO (all projects submitted to City Council after October 13, 2015). More information is online at www.cityofchicago.org/ARO.

This completed form should be returned to the Department of Housing (DOH), 121 N LaSalle Street, 10th Floor, Chicago, IL 60602. E-mail: ARO@cityofchicago.org

Date: 4/3/19

DEVELOPMENT INFORMATION

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Development Name:

Development Address: 5700 N Ashland Ave

Zoning Application Number, if applicable:

Ward: 40

If you are working with a Planner at the City, what is his/her name?

Type of City Involvement

check all that apply

City Land

Planned Development (PD)

Financial Assistance

Transit Served Location (TSL) project

Zoning increase

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received

- ARO Web Form completed and attached - or submitted online on
- ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (*Excel*)
- If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (*pdf*)
- If ARO units proposed are off-site, required attachments are included (see next page)
- If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached (*pdf*)

DEVELOPER INFORMATION

Developer Name MCZ Edgewater LLC

Developer Contact Michael Lerner

Developer Address 806 N Peoria, Chicago IL 60622

Email mlerner@mczdevelopment.com

Developer Phone 773.888.9200

Attorney Name Nick Ftikas

Attorney Phone 312.782.1983

TIMING

Estimated date marketing will begin 8/1/20

Estimated date of building permit* 5/1/19

Estimated date ARO units will be complete 11/1/20

*the in-lieu fee, recorded covenant and \$5,000 per unit administration fee (for off-site units) are required prior to the issuance of any building permits, including the foundation permit.

PROPOSED UNIT'S MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

Developer or their agent

Justin Root or Denise Roman, DOH

4/3/19

Date

4/17/19

Date





ARO Web Form

Applicant Contact Information

Name: Michael Lerner
Email: mlerner@mczdevelopment.com

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Development Information

Are you rezoning to downtown?: No
Is your project subject to the ARO Pilots?: ~~PILOTS APPLY~~ 2007 and 2015 ARO apply

Address

Submitted Date: 04/03/2019

Number From :5700 Number To: N/A Direction: N
Street Number: Ashland Postal Code: 60660

Development Name

Information

Ward :40 ARO Zone: Higher Income

Details

ARO trigger :Zoning change and planned development
Total units: 141
Development type: Rent
TSL Project : TSL-or FAR doesn't exceed 3.5
Submitted date: 04/03/2019

All projects with proposed ARO units must complete this tab

| | | Summary | | | | |
|-----------|-----------|-------------|---------------------|-----------|------------|---------------------|
| | | market rate | | ARO | | |
| unit type | how many? | % of total | avg. square footage | how many? | % of total | avg. square footage |
| studio | 18 | 13% | 438 | 2 | 13% | 385 |
| one-bed | 89 | 64% | 653 | 10 | 63% | 500 |
| two-bed | 23 | 17% | 917 | 3 | 19% | 824 |
| three-bed | 9 | 6% | 1,211 | 1 | 5% | 1,066 |
| four-bed | 0 | 0% | #DIV/0! | 0 | 0% | #DIV/0! |

| Market Rate Units | Affordable Units |
|-------------------|----------------------------|
| Not Included | Not Included |
| In Unit | In Unit |
| TBD | TBD - Comparable to Market |
| TBD | TBD - Comparable to Market |
| TBD | TBD - Comparable to Market |
| TBD | TBD - Comparable to Market |
| 1 per unit | 1 per unit |
| TBD | TBD - Comparable to Market |
| TBD | TBD - Comparable to Market |
| TBD | TBD - Comparable to Market |

Project Name: MCZ Edgewater

Zoning Application number, if applicable: _____

Address: 5700 N Ashland

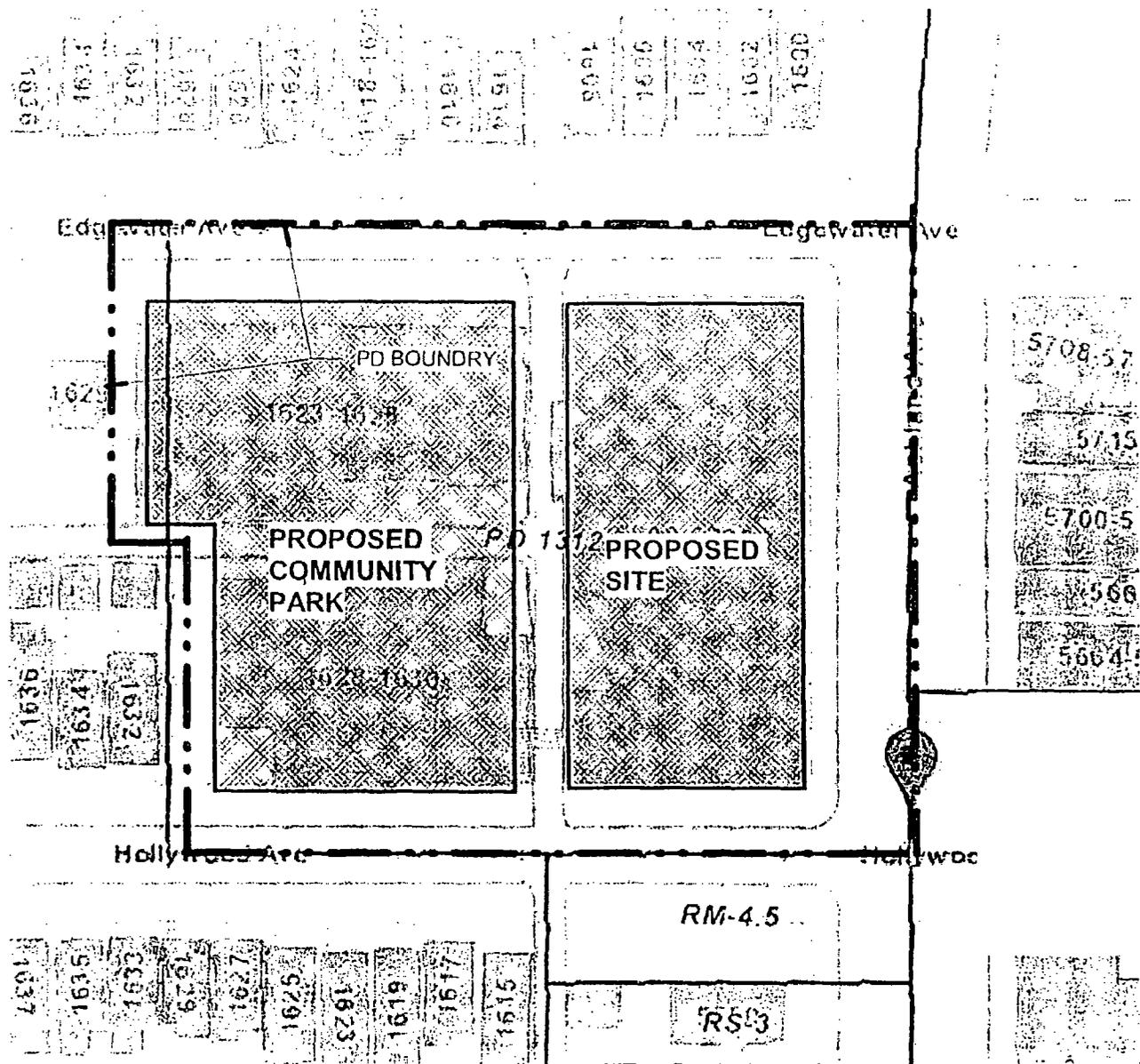
Is this a For Sale or Rental Project? Rental

Anticipated average psf rent/price? \$250/sf/mo

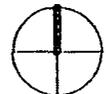
| | |
|------------------------|-----|
| Total Units in Project | 155 |
| Total Affordable units | 16 |

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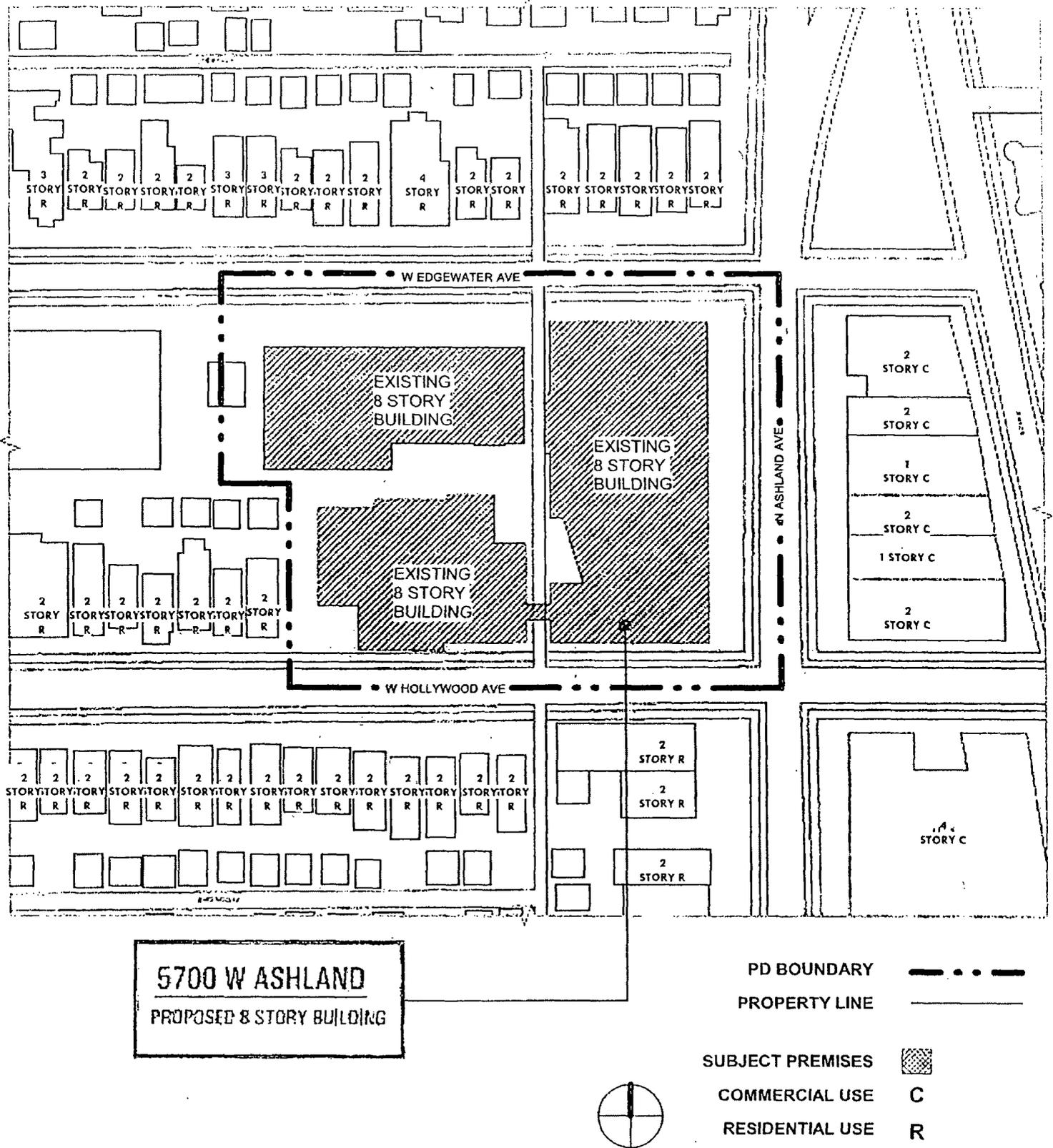
- PD BOUNDARY
- PROPERTY LINE
- SUBJECT PREMISES
- COMMERCIAL USE **C**
- RESIDENTIAL USE **R**

| | |
|----------------------|-------------------------------------|
| APPLICANT | MCZ EDGEWATER INC. |
| ADDRESS OF PROJECT | 5700 N ASHLAND CHICAGO, IL 60640 |
| INTRODUCTION DATE | Intro Date December 12, 2018 |
| PLAN COMMISSION DATE | Plan Commission Date APRIL 18, 2019 |

EXISTING ZONING MAP

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APPLICANT
 ADDRESS OF PROJECT
 INTRODUCTION DATE
 PLAN COMMISSION DATE

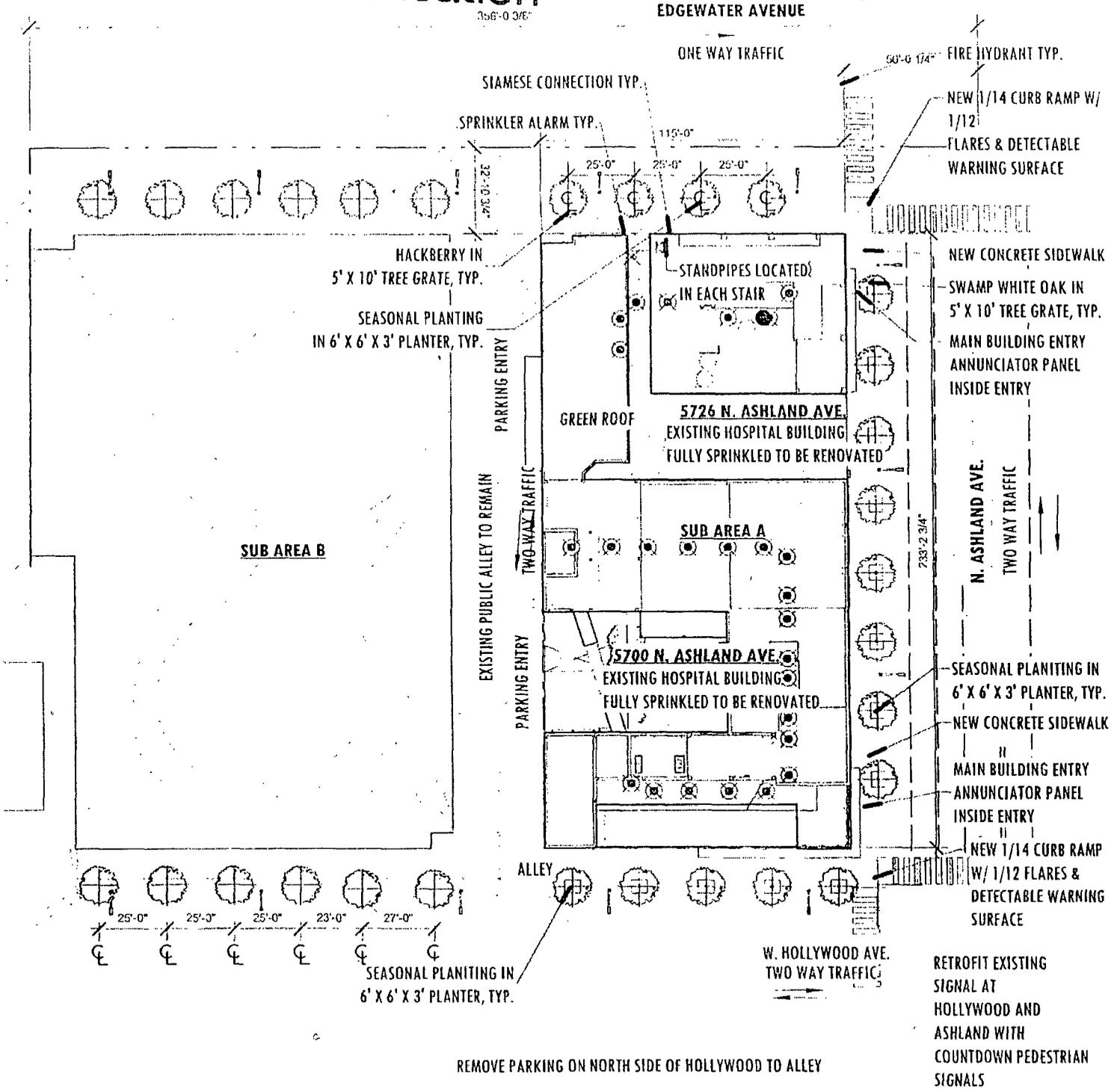
MCZ EDGEWATER INC.
 5700 N ASHLAND
 CHICAGO, IL 60640
 Intro Date, December 12, 2018
 Plan Commission Date, APRIL 18, 2019

EXISTING LAND USE MAP

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356'-0" 3/8"

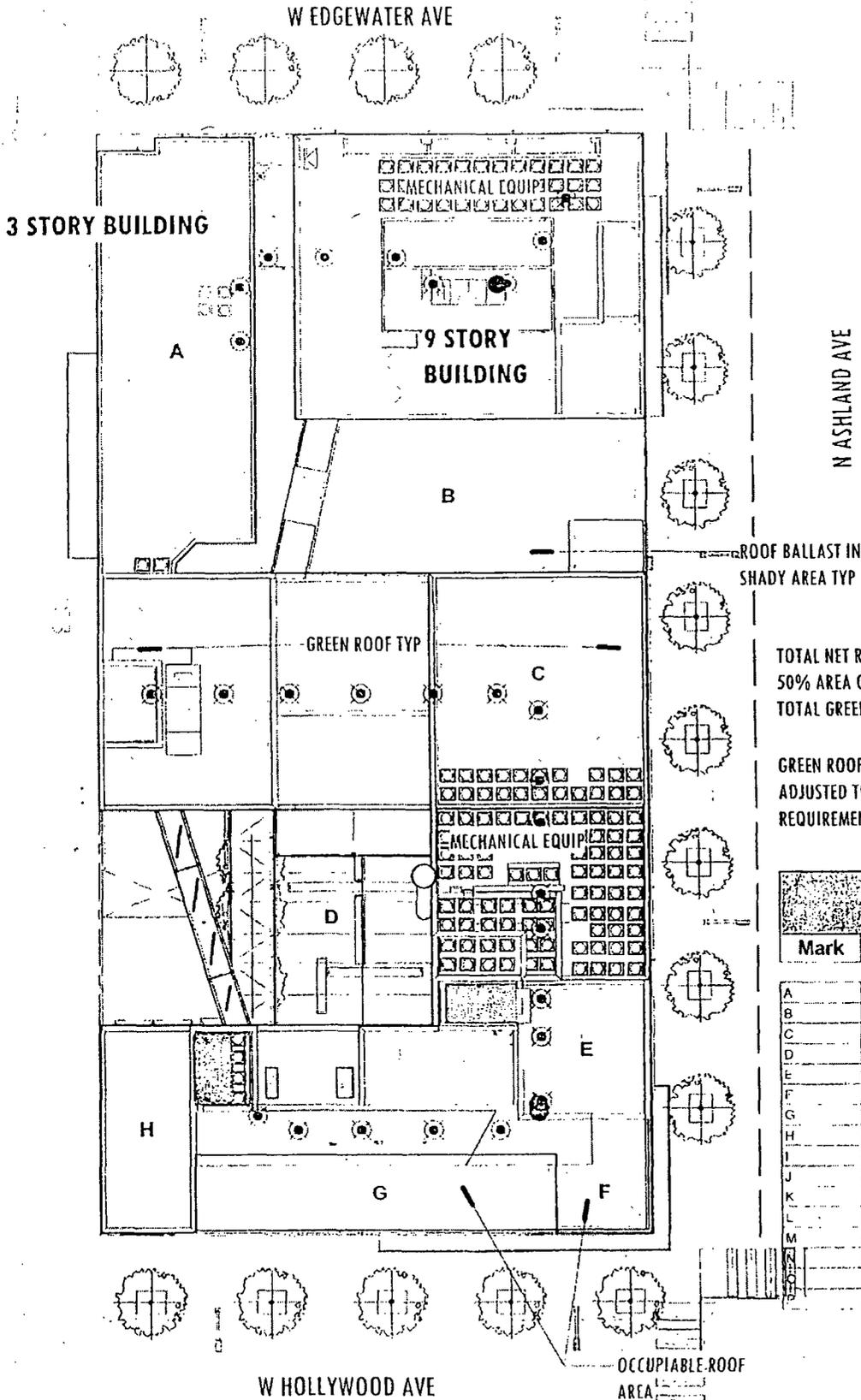


APPLICANT
ADDRESS OF PROJECT
INTRODUCTION DATE
PLAN COMMISSION DATE

MCZ EDGEWATER INC.
5700 N ASHLAND
CHICAGO, IL 60640
Intro Date: December 12, 2018
Plan Commission Date: APRIL 16, 2019

SITE LANDSCAPE PLAN

NTS



TOTAL NET ROOF AREA: 20,348 SF
 50% AREA GREEN ROOF REQUIREMENT: 10,174 SF
 TOTAL GREEN ROOF: 12,555 SF

GREEN ROOF AREA AND LOCATION SHALL BE ADJUSTED TO MEET 50% GREEN ROOF REQUIREMENT

| Green Roof Schedule | | |
|---------------------|------------|----------|
| Mark | Type | Area |
| A | Green Roof | 2331 SF |
| B | Green Roof | 2408 SF |
| C | Green Roof | 1631 SF |
| D | Green Roof | 1095 SF |
| E | Green Roof | 571 SF |
| F | Green Roof | 207 SF |
| G | Green Roof | 610 SF |
| H | Green Roof | 617 SF |
| I | Green Roof | 337 SF |
| J | Green Roof | 97 SF |
| K | Green Roof | 65 SF |
| L | Green Roof | 277 SF |
| M | Green Roof | 1127 SF |
| N | Green Roof | 153 SF |
| O | Green Roof | 421 SF |
| P | Green Roof | 134 SF |
| | | 12377 SF |

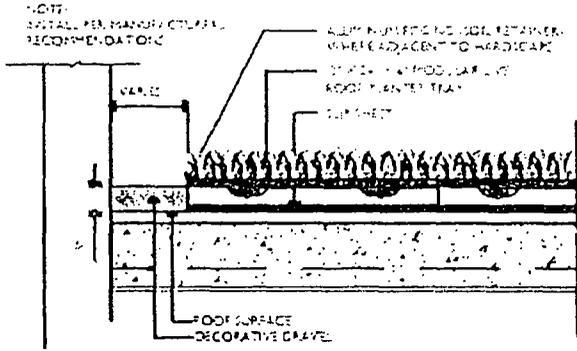
APPLICANT
 ADDRESS OF PROJECT
 INTRODUCTION DATE
 PLAN COMMISSION DATE

MCZ EDGEWATER INC.
 5700 N ASHLAND
 CHICAGO, IL 60640
 Info Date: December 12, 2018
 Plan Commission Date: APRIL 18, 2019

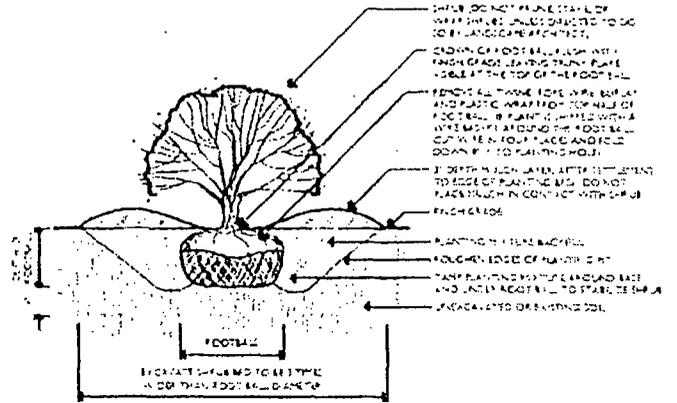
ROOF LANDSCAPE PLAN

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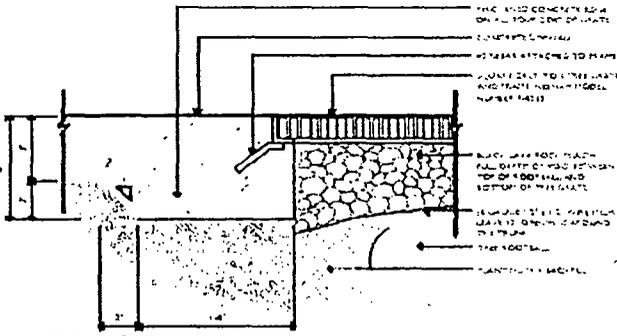
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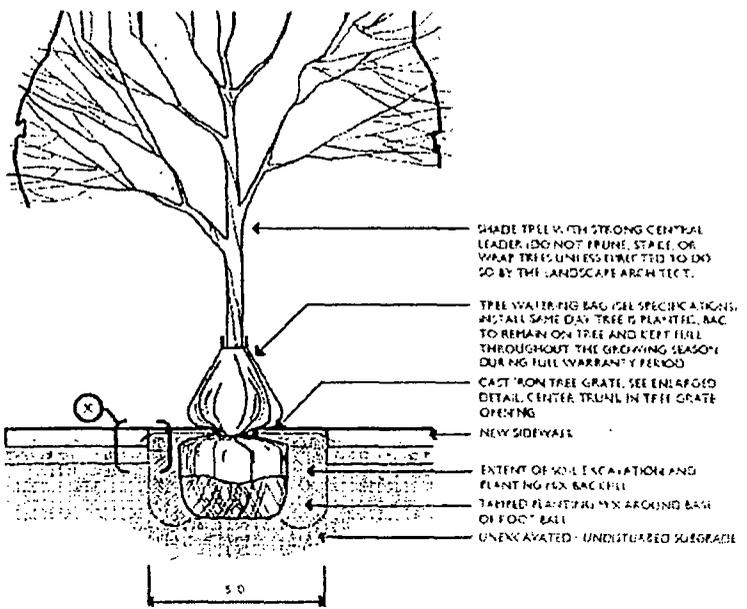
2 GREEN ROOF INSTALLATION DETAIL
SCALE: NOT TO SCALE



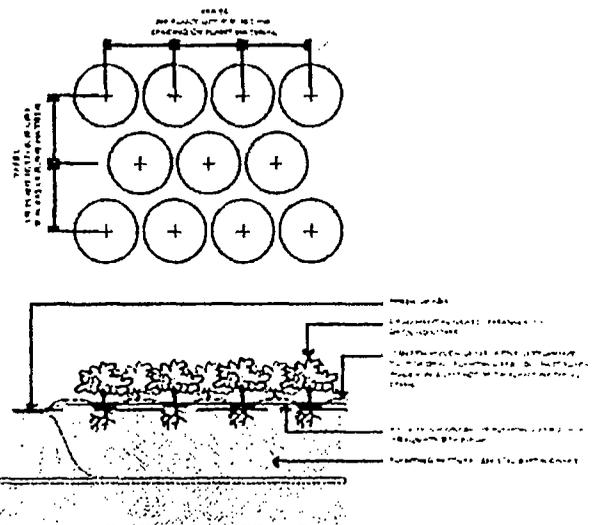
5 SHRUB INSTALLATION DETAIL
SCALE: NOT TO SCALE



3 TREE GRATE DETAIL
SCALE: NOT TO SCALE



6 PAVEMENT PLANTER AND TREE PLANTING DETAIL
SCALE: NOT TO SCALE



4 ORNAMENTAL GRASS PERENNIAL AND GROUNDCOVER INSTALLATION DETAIL
SCALE: NOT TO SCALE

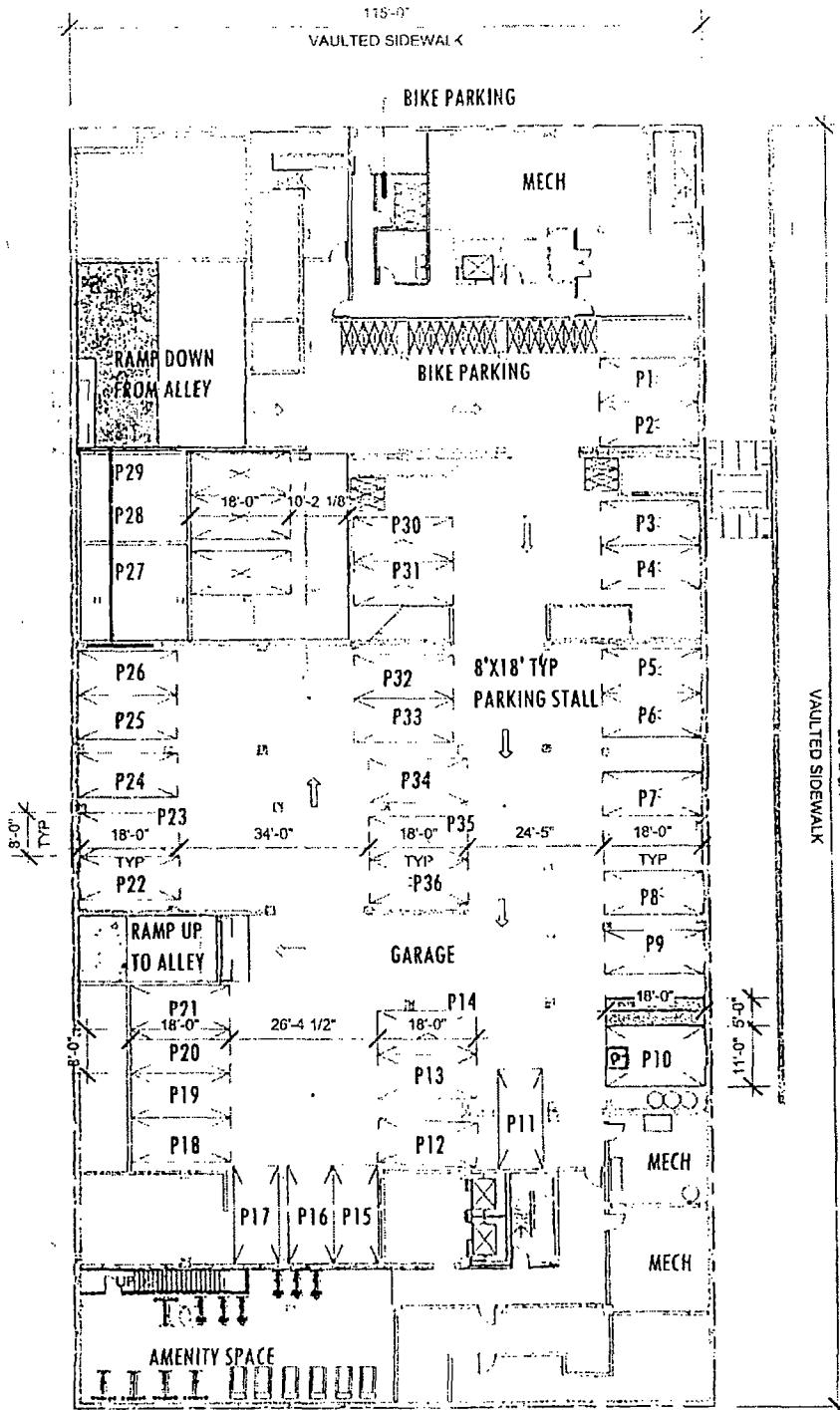
APPLICANT
ADDRESS OF PROJECT
INTRODUCTION DATE
PLAN COMMISSION DATE

MCZ EDGEWATER INC.
5700 N ASHLAND
CHICAGO, IL 60640
Intro Date: December 12, 2015
Plan Commission Date: APRIL 18, 2019

PLANT LIST DETAILS

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- 1 LOADING STALL
- 74 TOTAL PARKING SPACES
- 38 1ST FLOOR
- 36 BASEMENT
- 25 BIKE PARKING SPACES

APPLICANT
 ADDRESS OF PROJECT
 INTRODUCTION DATE
 PLAN COMMISSION DATE

MCZ EDGEWATER INC.
 5700 N ASHLAND
 CHICAGO, IL 60640
 Intro Date: December 12, 2018
 Plan Commission Date: APRIL 18, 2019

BASEMENT LEVEL PLAN

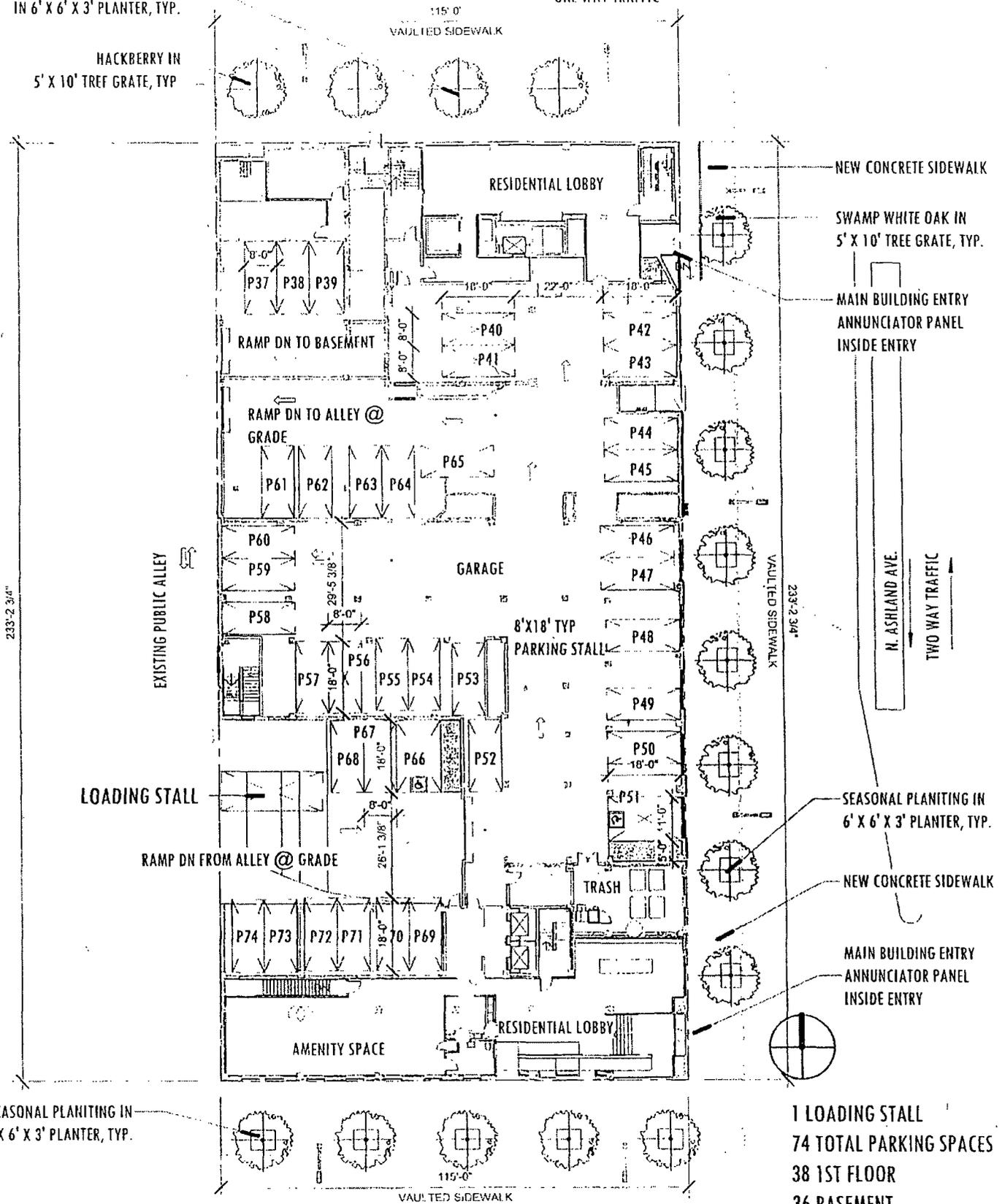
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SEASONAL PLANTING
IN 6' X 6' X 3' PLANTER, TYP.

HACKBERRY IN
5' X 10' TREF GRATE, TYP

EDGEWATER AVENUE
ONE WAY TRAFFIC



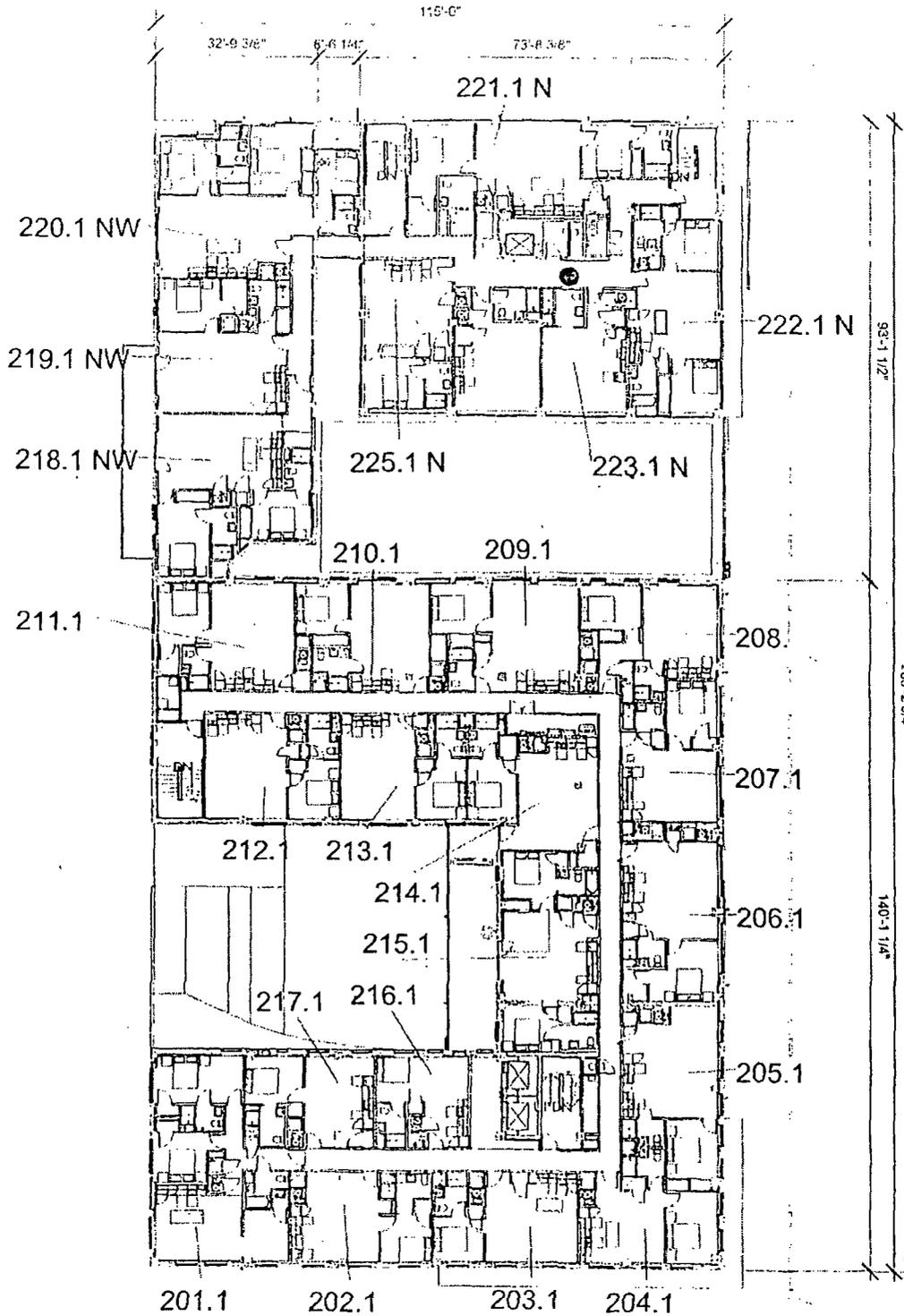
- 1 LOADING STALL
- 74 TOTAL PARKING SPACES
- 38 1ST FLOOR
- 36 BASEMENT
- 25 BIKE PARKING SPACES

GROUND LEVEL PLAN

APPLICANT
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MCZ EDGEWATER INC.
5700 N ASHLAND
CHICAGO, IL 60640
Intro Date: December 12, 2018
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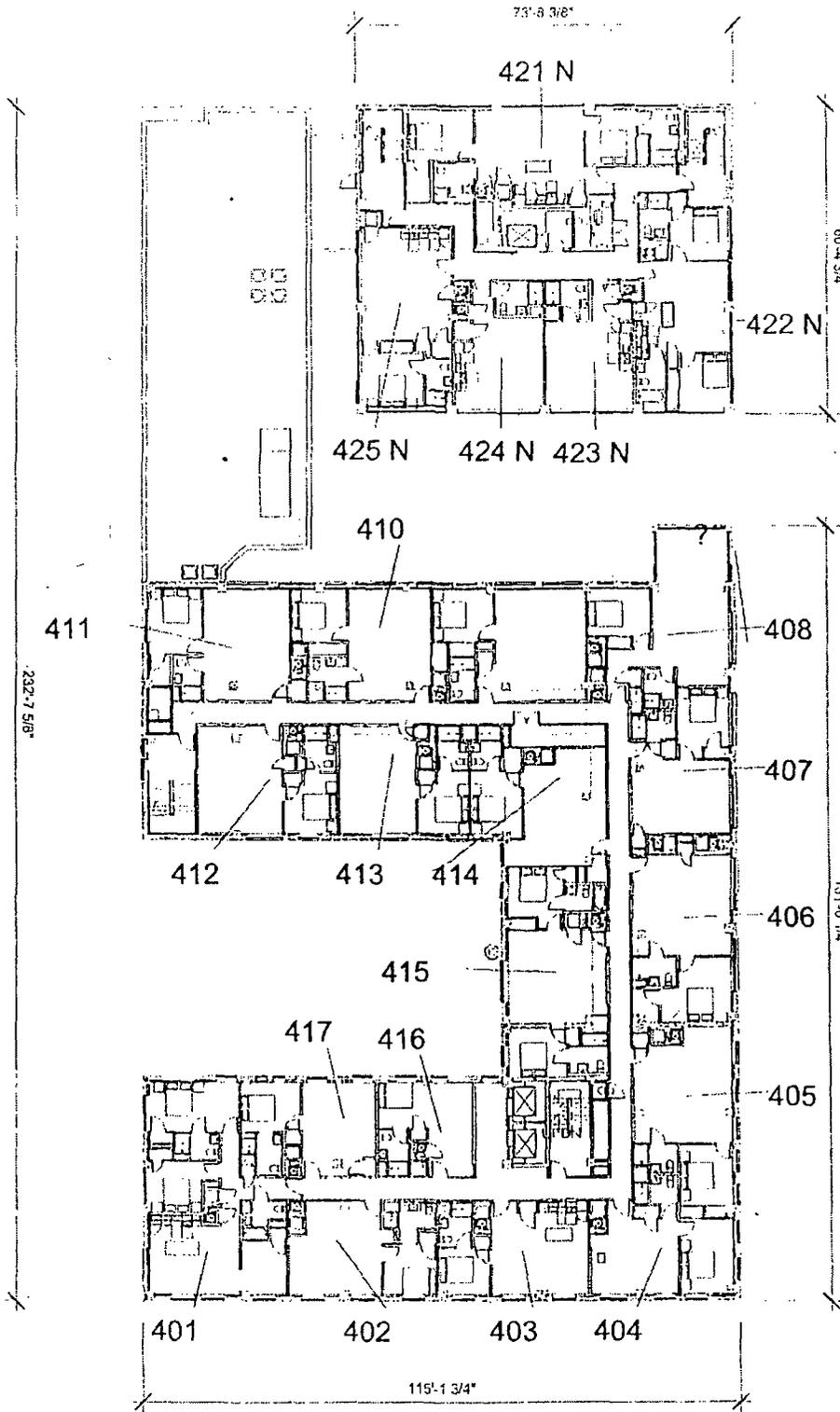


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MCZ EDGEWATER INC.
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2ND+3RD FLOOR PLANS

NTS



APPLICANT
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 INTRODUCTION DATE
 PLAN COMMISSION DATE

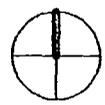
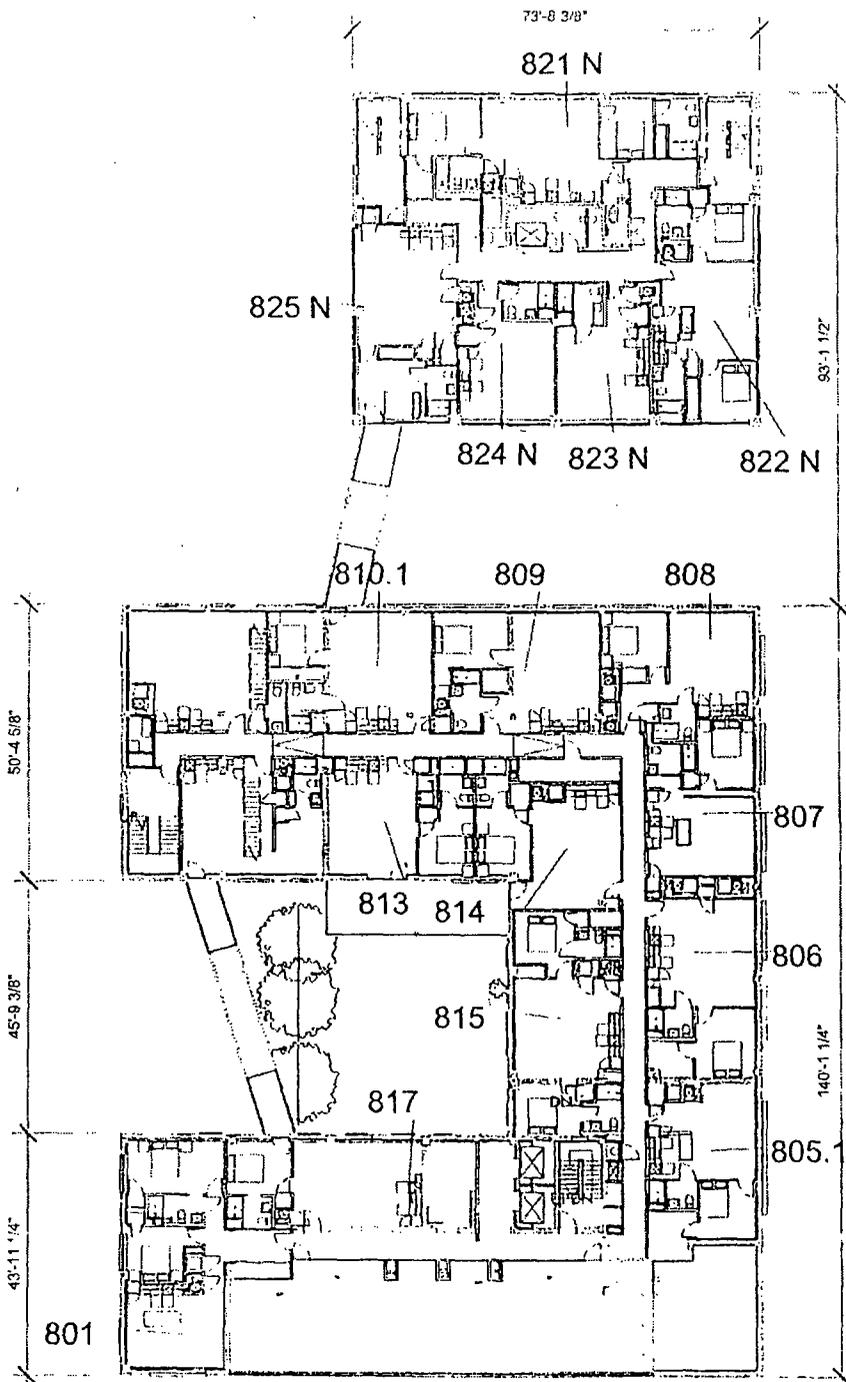
MCZ EDGEWATER INC.

5700 N ASHLAND
 CHICAGO, IL 60640

Intro Date December 12, 2018
 Plan Commission Date APRIL 18, 2019

4TH-6TH FLOOR PLANS

NTS

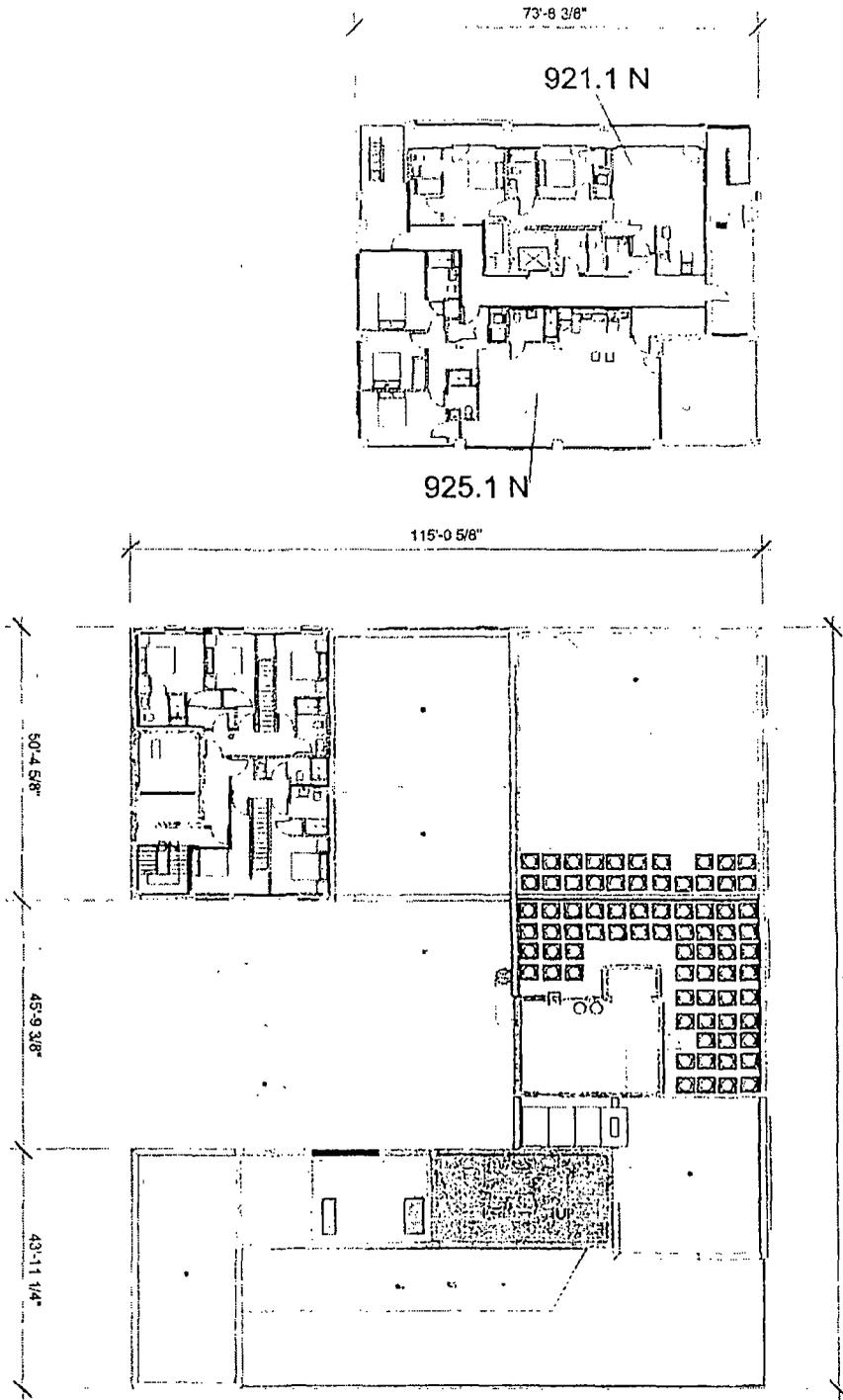


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7TH-8TH FLOOR PLANS

NTS



1 9th Floor - PD Plan
 1/32" = 1'-0"



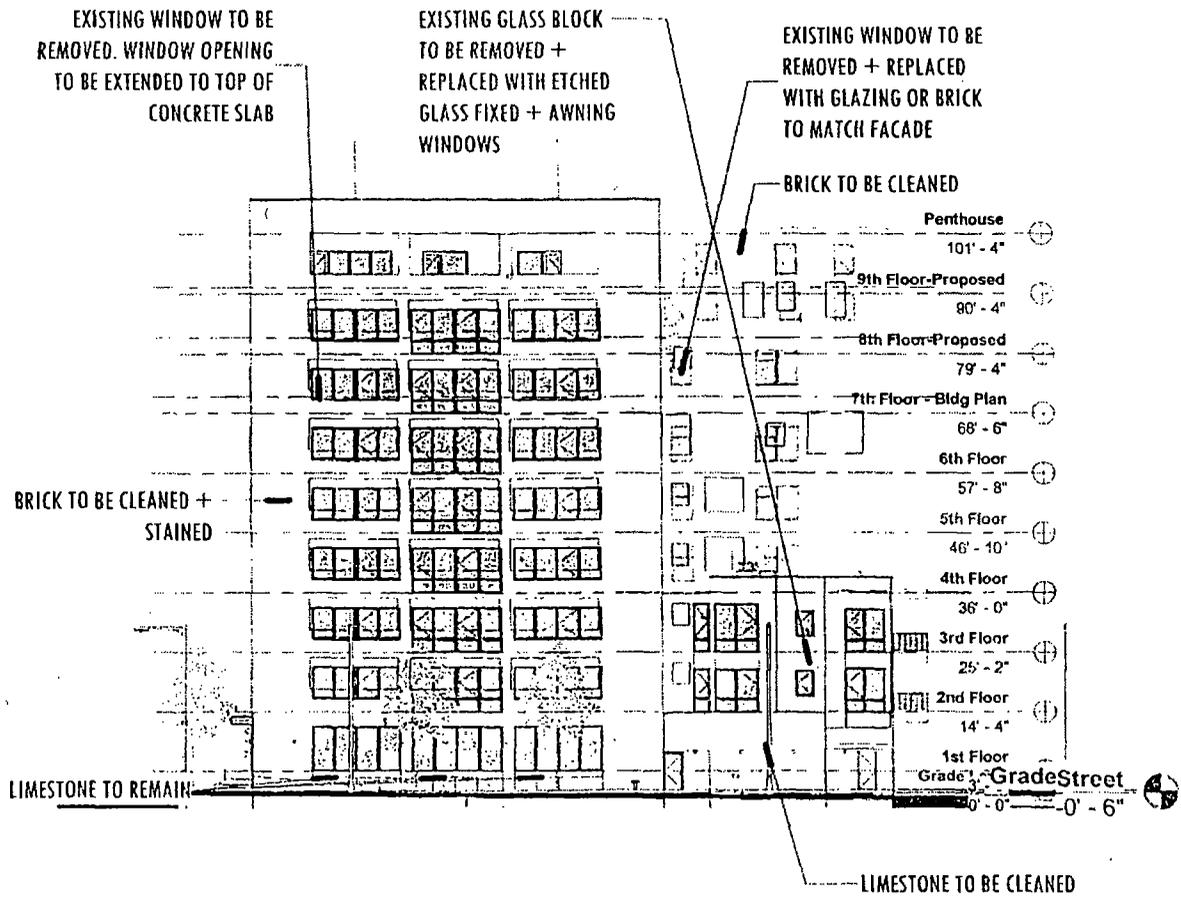
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9TH FLOOR PLAN

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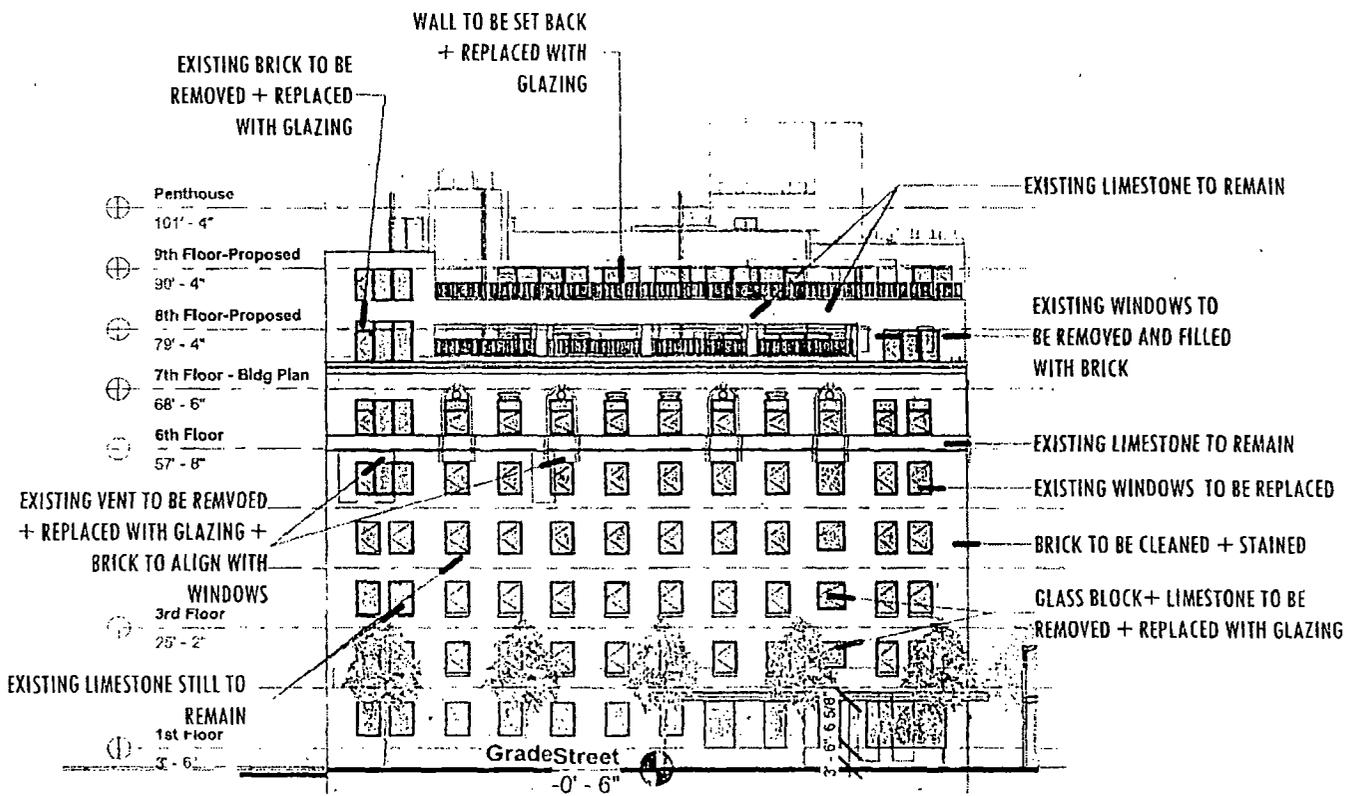
APPLICANT
ADDRESS OF PROJECT
INTRODUCTION DATE
PLAN COMMISSION DATE

MCZ EDGEWATER INC.
5700 N ASHLAND
CHICAGO, IL 60640
Intro Date December 12, 2018
Plan Commission Date APRIL 18, 2019

NORTH ELEVATION

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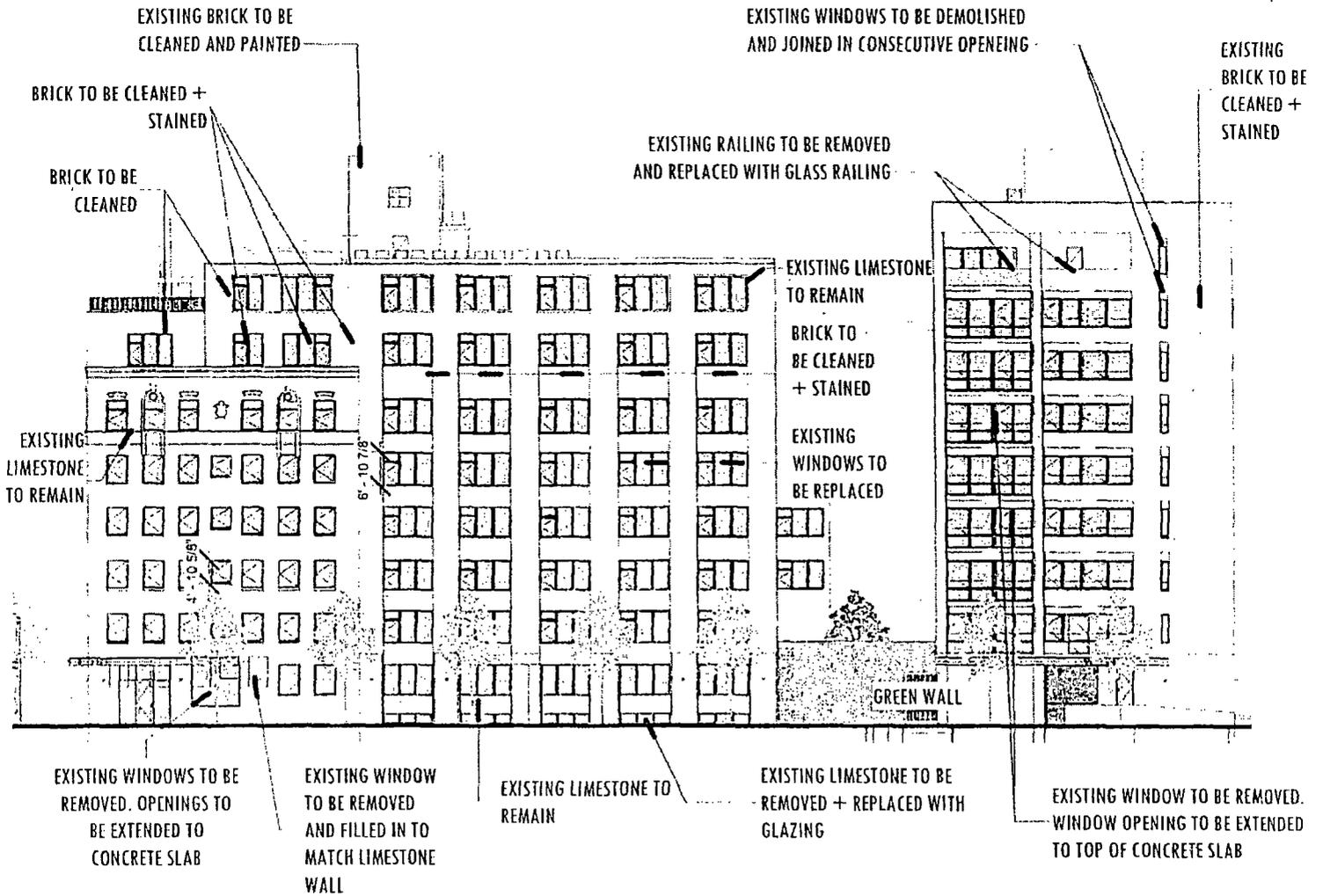
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SOUTH ELEVATION

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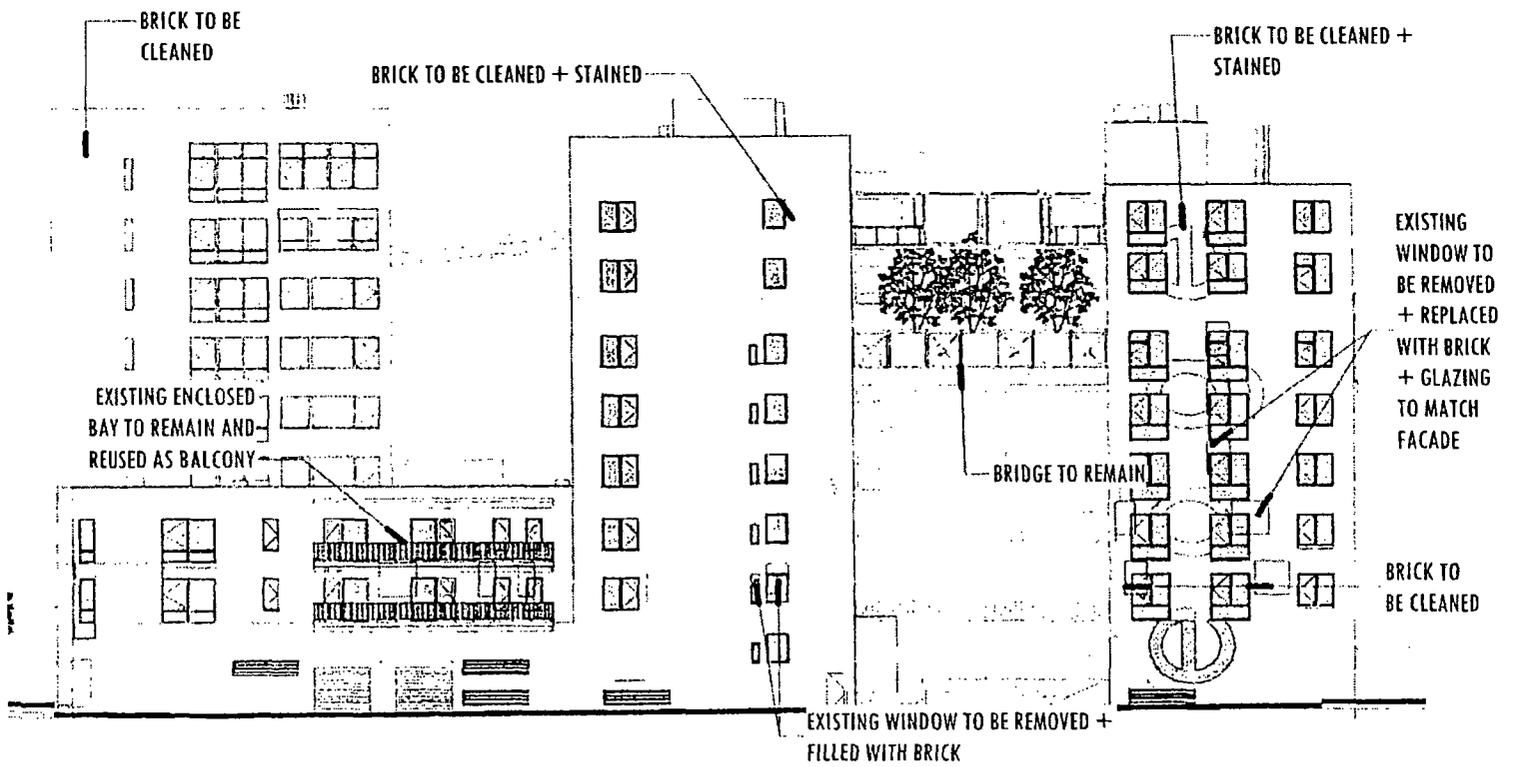
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EAST ELEVATION

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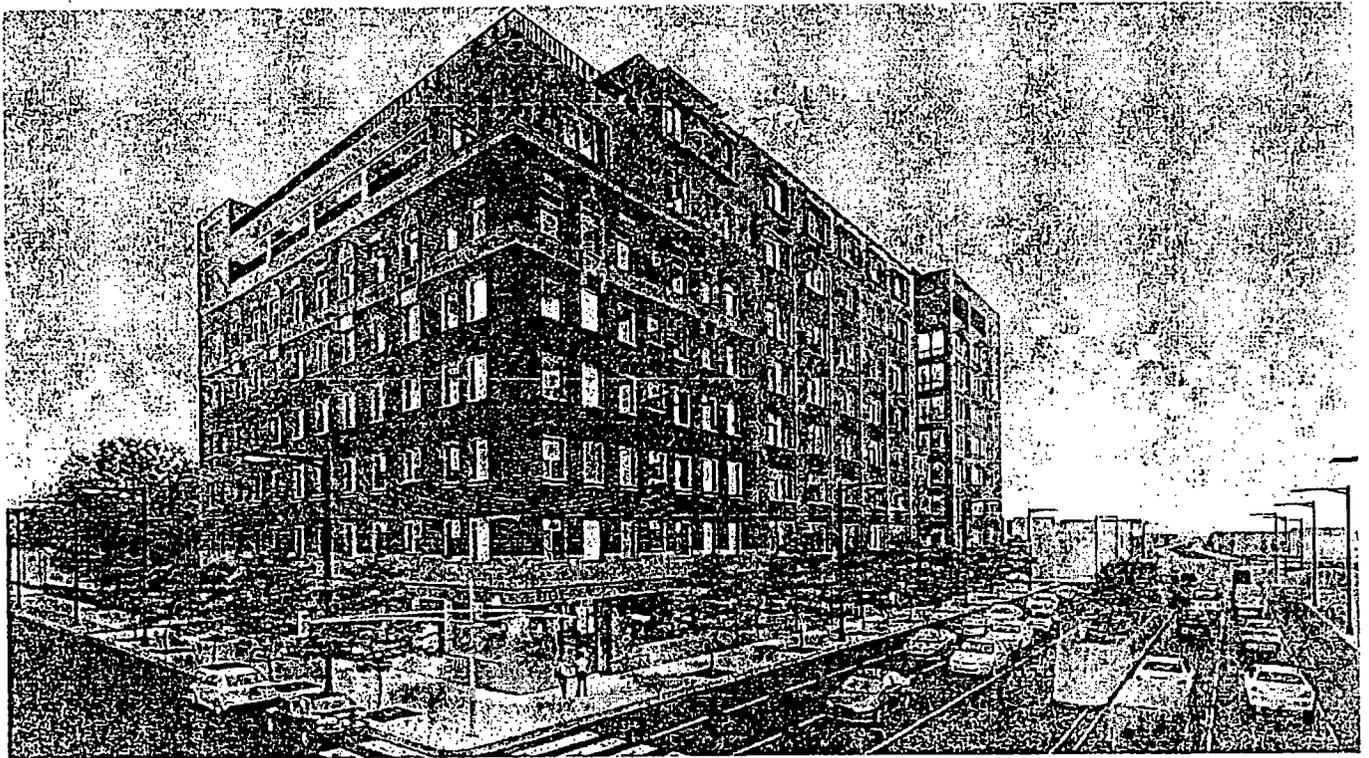
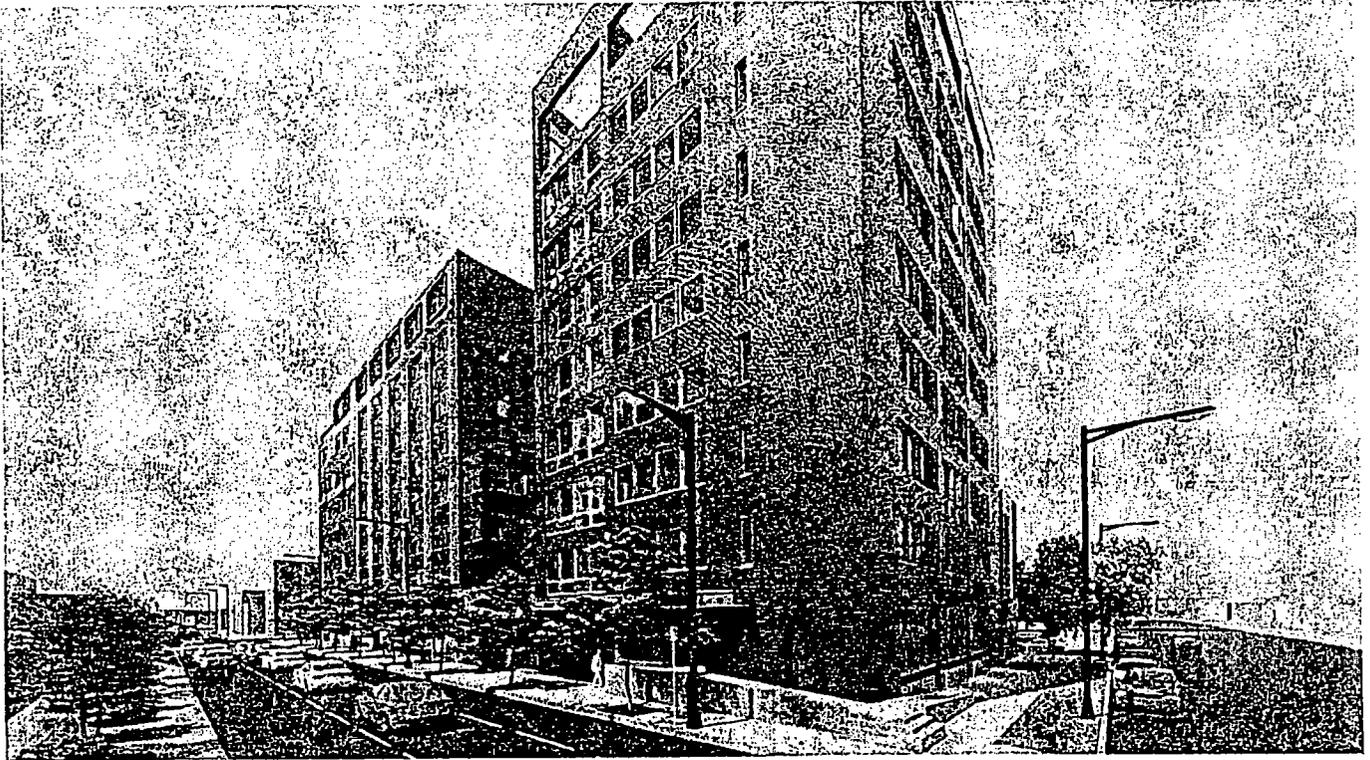
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WEST ELEVATION

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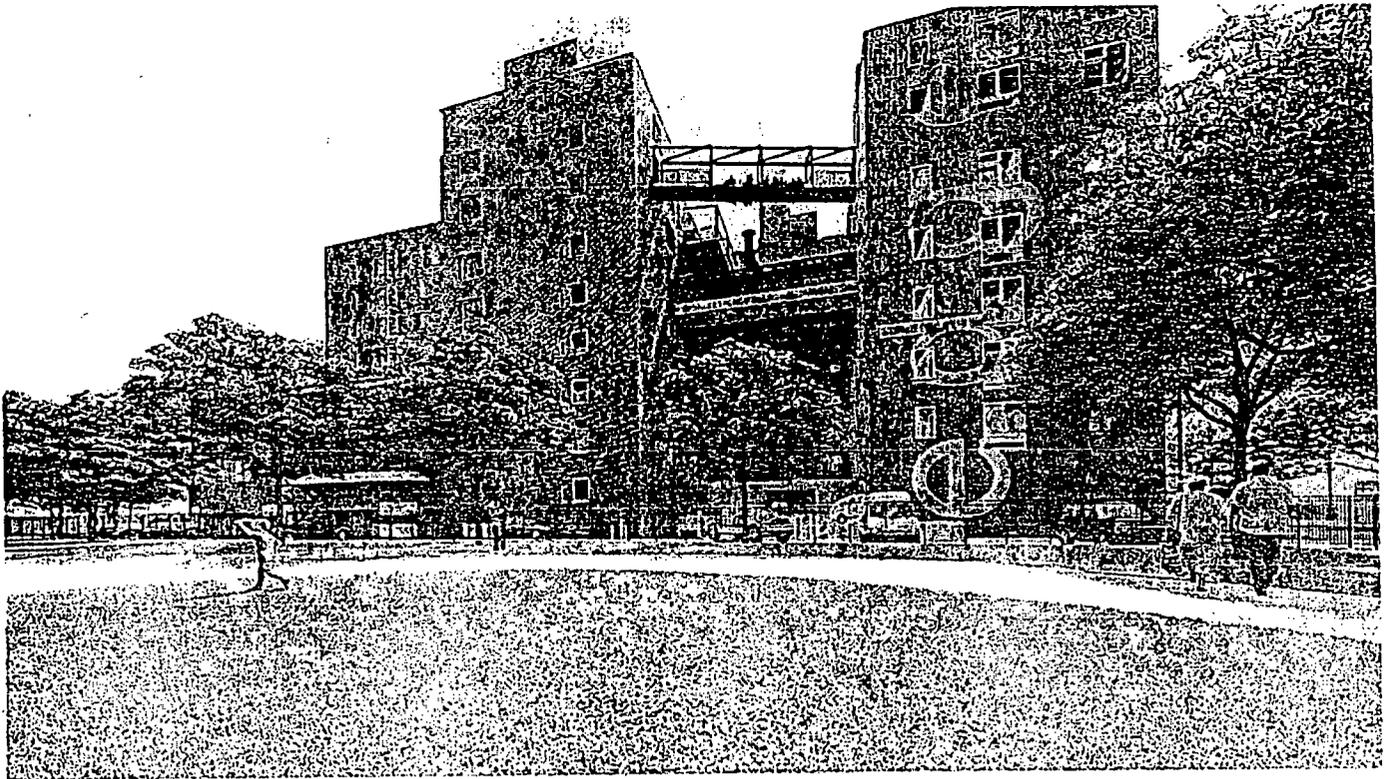
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VIEWS

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