



City of Chicago



SO2015-4176

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	5/20/2015
Sponsor(s):	Misc. Transmittal
Type:	Ordinance
Title:	Zoning Reclassification Map No. 1-F at 640 N Wells St - App No. 18383
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the DX-7 Downtown Mixed-Use District symbols and indications as shown on Map 1-F in the area bounded by:

West Erie Street; North Wells Street; West Ontario Street; a line 149.18 feet west of and parallel to North Wells Street; the public alley next north of and parallel to West Ontario Street; the public alley next west of and parallel to North Wells Street;

to those of a Residential-Business Planned Development.

SECTION 2. This Ordinance shall be in force and effect from and after its passage and publication.

Applicant: Wells & Eric LLC
Address: 640 North Wells Street
Introduced: May 20, 2015
Plan Commission: TBD

BUSINESS PLANNED DEVELOPMENT NO. _____
PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____ (“Planned Development”) consists of approximately 26,509 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (“Property”). Wells & Erie LLC is the “Applicant” for this planned development pursuant to authorization of the owner of the Property.
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 “Zoning Ordinance”), the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
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 Chicago Department of Transportation (“CDOT”) on behalf of the Applicant or its successors, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Chicago Department of Planning and Development (“DPD”) and CDOT. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of CDOT.

All work proposed in the public way must be designed and constructed in accordance with CDOT Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by CDOT.

4. This Plan of Development consists of these 17 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Hartshorne Plunkard Architecture and dated August 20, 2015 (the “Plans”): an Existing Zoning Map; an Existing Land Use Map; a Property and Planned Development Boundary Line Map; a Site Plan; an

Applicant: Wells & Erie LLC
 Address: 200-212 W. Ontario;
 628-648 N. Wells; 201-209 W. Erie
 Introduced: May 20, 2015
 Plan Commission: August 20, 2015

Upper Level Setback Exhibit, Affordable Housing Profile Form, Bonus Worksheet, a Green Roof Plan; a Landscape Plan; and Building Elevations (North, South, East and West). Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with DPD. 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 Zoning Ordinance, and all requirements thereof, 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 Zoning Ordinance, this Planned Development Ordinance shall control.

- 5. The following uses are permitted in the area delineated herein as a Business Planned Development:

Subarea A: Dwelling units located above the ground floor; Animal Services; Artist Work or Sales Space; Eating and Drinking Establishments; Financial Services; Food and Beverage Retail Sales; Medical Service; Office; Consumer Repair or Laundry Service; Personal Service; General Retail Sales; Valuable Objects Dealer; Co-located Wireless Communications Facilities; Parking; and related, incidental and accessory uses.

Subarea B: Animal Services; Artist Work or Sales Space; Eating and Drinking Establishments; Financial Services; Food and Beverage Retail Sales; Medical Service; Office; Consumer Repair or Laundry Service; Personal Service; General Retail Sales; Valuable Objects Dealer; Co-located Wireless Communications Facilities; Parking; and related, incidental and accessory uses.

- 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 DPD. Off-Premise signs are prohibited within the boundary of the Planned Development.
- 7. For purposes of height measurement, the definitions in the 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 purposes 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 26,509 square feet and a base FAR of 7, and additional FAR for proposed FAR bonuses as follows:

Applicant: Wells & Erie LLC
Address: 200-212 W. Ontario;
628-648 N. Wells; 201-209 W. Erie
Introduced: May 20, 2015
Plan Commission: August 20, 2015

<u>Description</u>	<u>FAR</u>
Base FAR:	7.00
Upper Level Setbacks:	0.21
Affordable Housing:	1.75
<u>Transit Infrastructure:</u>	<u>1.40</u>
Total FAR:	10.36

9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by DPD. 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. Final landscape plan review and approval will be by DPD. 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 13-32-125 of the Municipal Code, or any other applicable provision of that Code.
12. The terms and conditions of development under this Planned Development Ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning Ordinance, by the Zoning Administrator upon the application for such a modification by the Applicant, its successors, assigns and, if different than the Applicant, the legal title holders and any ground lessees of the Property.
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 provide a 50% Green Roof over the Net Roof Area and achieve LEED certification for Sub-Area A; provide a 50% Green Roof and exceed ASHRAE standards 90.1 – 2004 for Sub-Area B.

Applicant: Wells & Erie LLC
Address: 200-212 W. Ontario;
628-648 N. Wells; 201-209 W. Erie
Introduced: May 20, 2015
Plan Commission: August 20, 2015

15. The Applicant acknowledges and agrees that the rezoning of the Property from DX-7 Mixed Use District to this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the “Affordable Housing Ordinance” or “AHO”). Any developer of a “residential housing project” within the meaning of the Affordable Housing Ordinance (“Residential Project”) must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). The Applicant further acknowledges and agrees that the project has received an affordable housing floor area bonus pursuant to Section 17-4-1004-B of the Zoning Ordinance, as set forth in the bonus worksheet attached hereto as Exhibit [] (“Bonus Worksheet”), and as a result is also subject to the requirements of Section 17-4-1004-D of the Zoning Code (the “Density Bonus Provisions”). Like the ARO, the Density Bonus Provisions require on-site affordable housing or payment of a fee in lieu of providing affordable housing, but the formulas for calculating the number of required affordable units and the amount of the in lieu payment are different from the formulas in the ARO. If a planned development is subject to both the ARO and the Density Bonus Provisions, the Applicant may elect to comply with either. In this case, the Applicant has elected to comply with the Density Bonus Provisions. In accordance with the formulas set forth in Section 17-4-1004-C and the Bonus Worksheet, the Applicant acknowledges and agrees that it must provide a minimum of 11,598 square feet of affordable housing floor area (the “Affordable Units”) in the building receiving the affordable housing floor area bonus (“Eligible Building”), with an affordable unit mix comparable to the overall mix and approved by DPD’s density bonus project manager, or make a cash payment in lieu of providing Affordable Units in the amount of \$1,595,850.40 (“Cash Payment”). Prior to the issuance of any building permits for the Eligible Building, including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment or, if providing Affordable Units, enter into an affordable housing agreement with the City pursuant to Section 17-4-1004-E9 (“Affordable Housing Agreement”). 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 Eligible Building. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit. In addition to the Affordable Housing Agreement, the Applicant acknowledges and agrees that, pursuant to Section 17-4-1003-D3, the Bonus Worksheet will serve as an official record of bonuses and amenities. The Applicant must comply with the applicable affordable housing standards and requirements set forth in Section 17-4-1004, the terms of which are incorporated herein by this reference. Notwithstanding anything to the contrary contained in Section 17-4-1003-E, the Commissioner of DPD may enforce remedies for breach of the 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.

Applicant: Wells & Erie LLC
 Address: 200-212 W. Ontario;
 628-648 N. Wells; 201-209 W. Erie
 Introduced: May 20, 2015
 Plan Commission: August 20, 2015

16. Pursuant to the Transit Infrastructure Improvements Bonus provisions of Section 17-4-1020 of the Zoning Ordinance, the Applicant has requested an increase in the floor area permitted on the Property based on a cash contribution for public transit infrastructure improvements. The Applicant shall make a cash contribution in the amount of \$1,276,687, which corresponds to a floor area bonus of 1.40. Pursuant to Section 17-4-1020-A of the Zoning Ordinance, the Applicant must enter into an agreement with the agency undertaking the improvements providing for such cash contribution. The Commissioner must require evidence that such cash contribution has been funded by the Applicant as a condition to issuance of any Part II approvals.

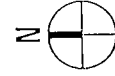
17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development Ordinance lapse, the Commissioner of DPD shall initiate a Zoning Map Amendment to rezone the property to the DX-7 Downtown Mixed-Use District.

Applicant: Wells & Erie LLC
Address: 200-212 W. Ontario;
628-648 N. Wells; 201-209 W. Erie
Introduced: May 20, 2015
Plan Commission: August 20, 2015

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. _____
BULK REGULATIONS AND DATA TABLE

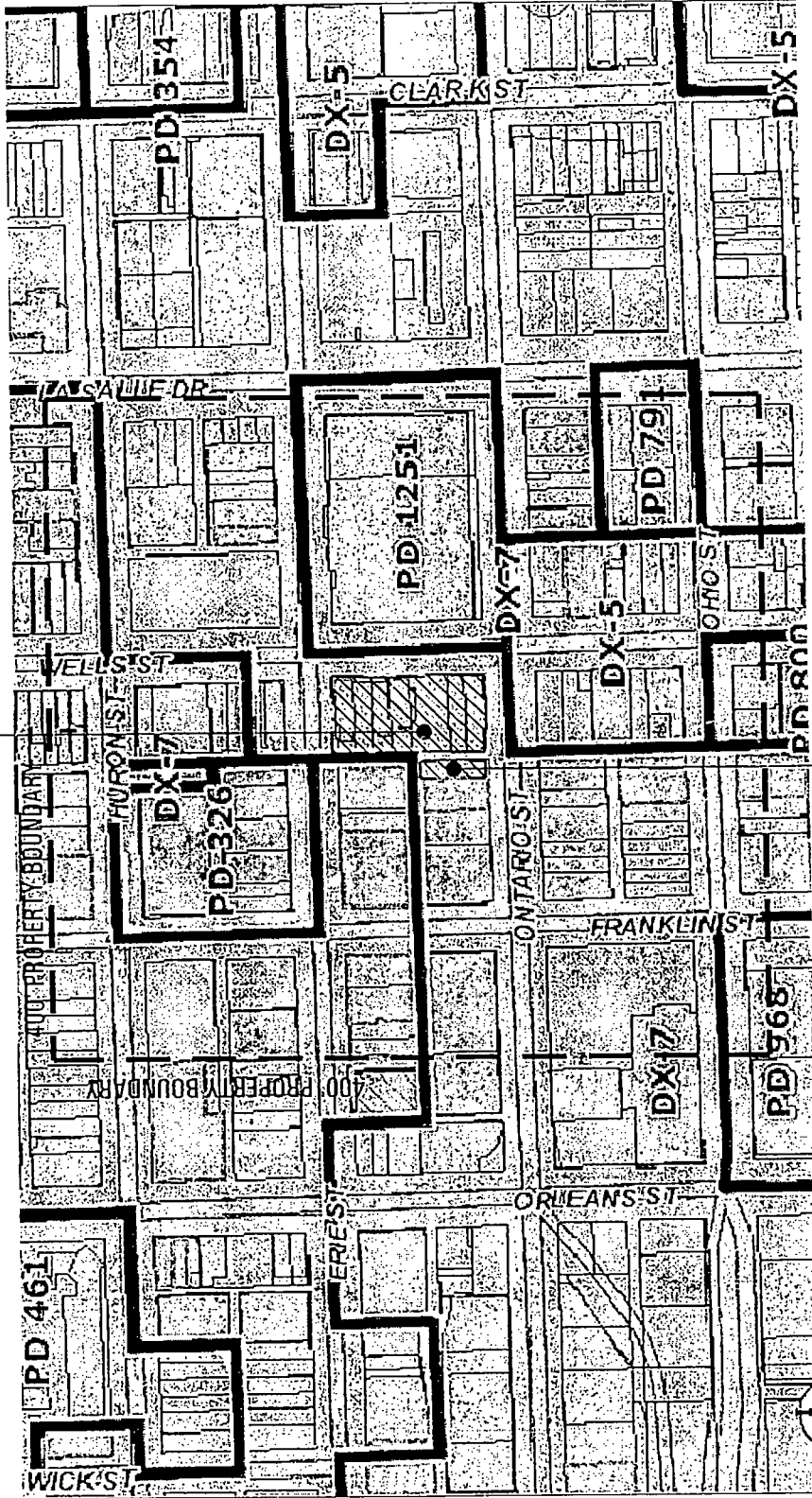
Gross Site Area (sf):	50,614 sf
Area of Public Rights-of-Way (sf):	24, 105 sf
Net Site Area (sf):	26,509 sf
Base FAR:	7.00
Upper Level Setbacks:	0.21
Affordable Housing:	1.75
<u>Transit Infrastructure:</u>	<u>1.40</u>
Maximum Floor Area Ratio:	10.36
Maximum Number of Dwelling Units:	253
Minimum Off-Street Parking Spaces:	117
Minimum Off-Street Loading Berths:	1 (10'x25')
Maximum Building Height:	280'
Minimum Setbacks:	In substantial conformance with the Plans

Applicant: Wells & Erie LLC
Address: 200-212 W. Ontario;
628-648 N. Wells; 201-209 W. Erie
Introduced: May 20, 2015
Plan Commission: Aug. 20, 2015



640 N. WELLS
PROPOSED 23 STORY BUILDING

210 W. ONTARIO
PROPOSED 2 STORY BUILDING

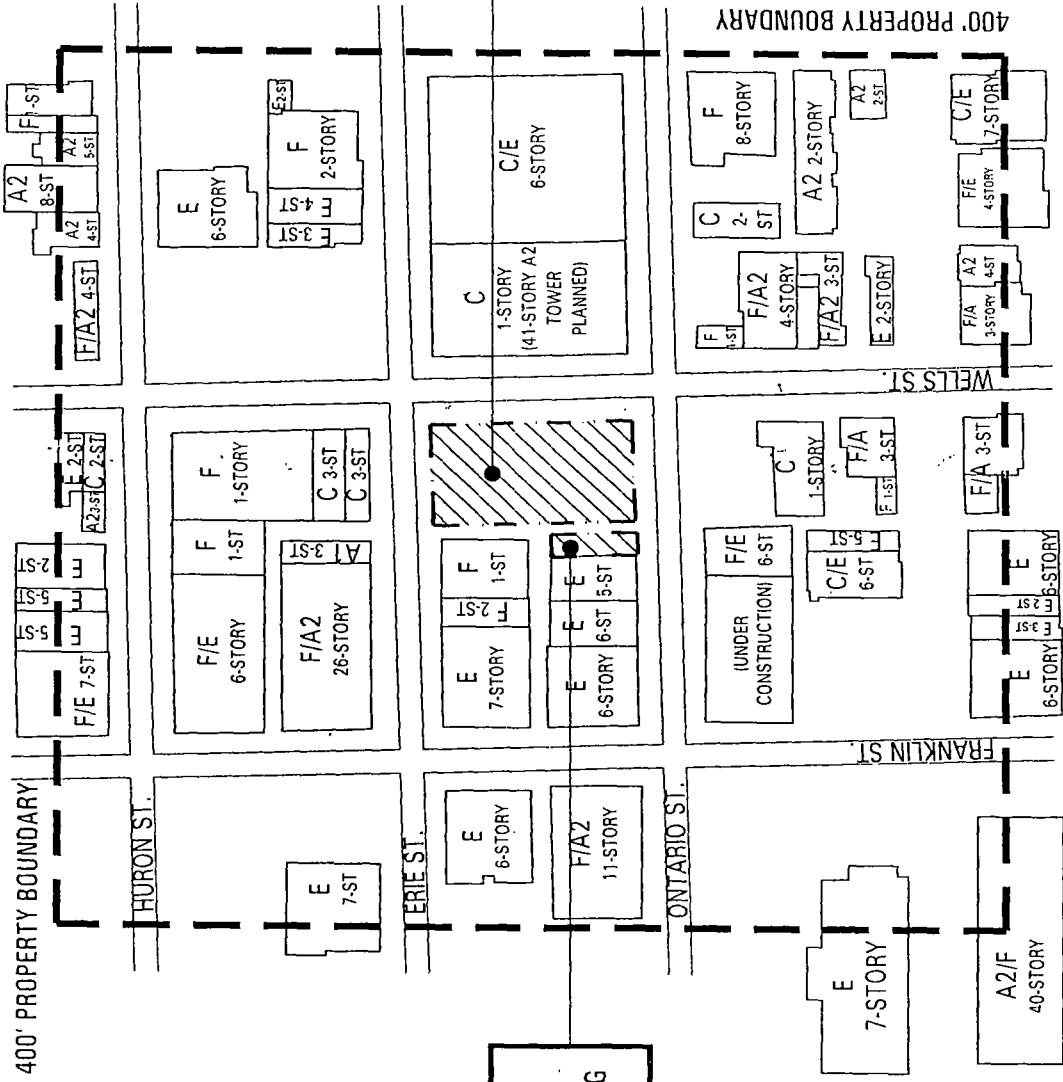
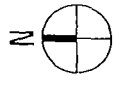


EXISTING ZONING MAP	
APPLICANT: WELLS & ERIE LLC	ADDRESS OF PROJECT: 200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL
INTRODUCTION DATE: MAY 27, 2015	PLAN COMMISSION: AUGUST 20, 2015
SCALE: 1" = 300'-0"	

KEY:
 A1 - SINGLE FAMILY RESIDENTIAL
 A2 - MULTI-FAMILY RESIDENTIAL
 C - RESTAURANT/BAR
 E - OFFICE
 F - MERCANTILE

640 N. WELLS
 PROPOSED 23 STORY BUILDING

210 W. WELLS
 PROPOSED 2 STORY BUILDING



APPLICANT: WELLS & ERIE LLC

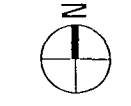
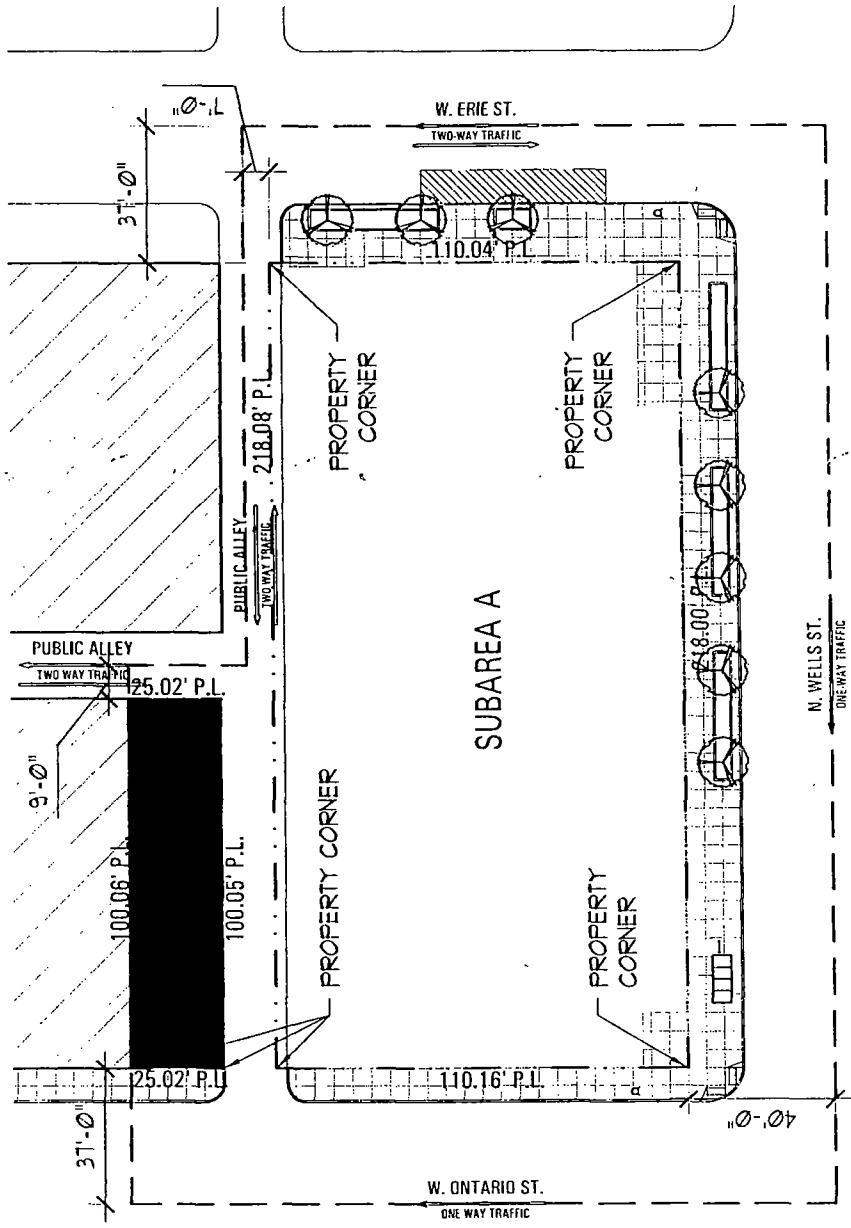
ADDRESS OF PROJECT: 200-212 W ONTARIO; 628-648 N WELLS;
 201-209 W ERIE CHICAGO, IL

INTRODUCTION DATE: MAY 27, 2015 | PLAN COMMISSION: AUGUST 20, 2015 | SCALE: 1" = 200'-0"

EXISTING LAND USE MAP

KEY:
 - - - = PD BOUNDARY
 - - - = PROPERTY BOUNDARY

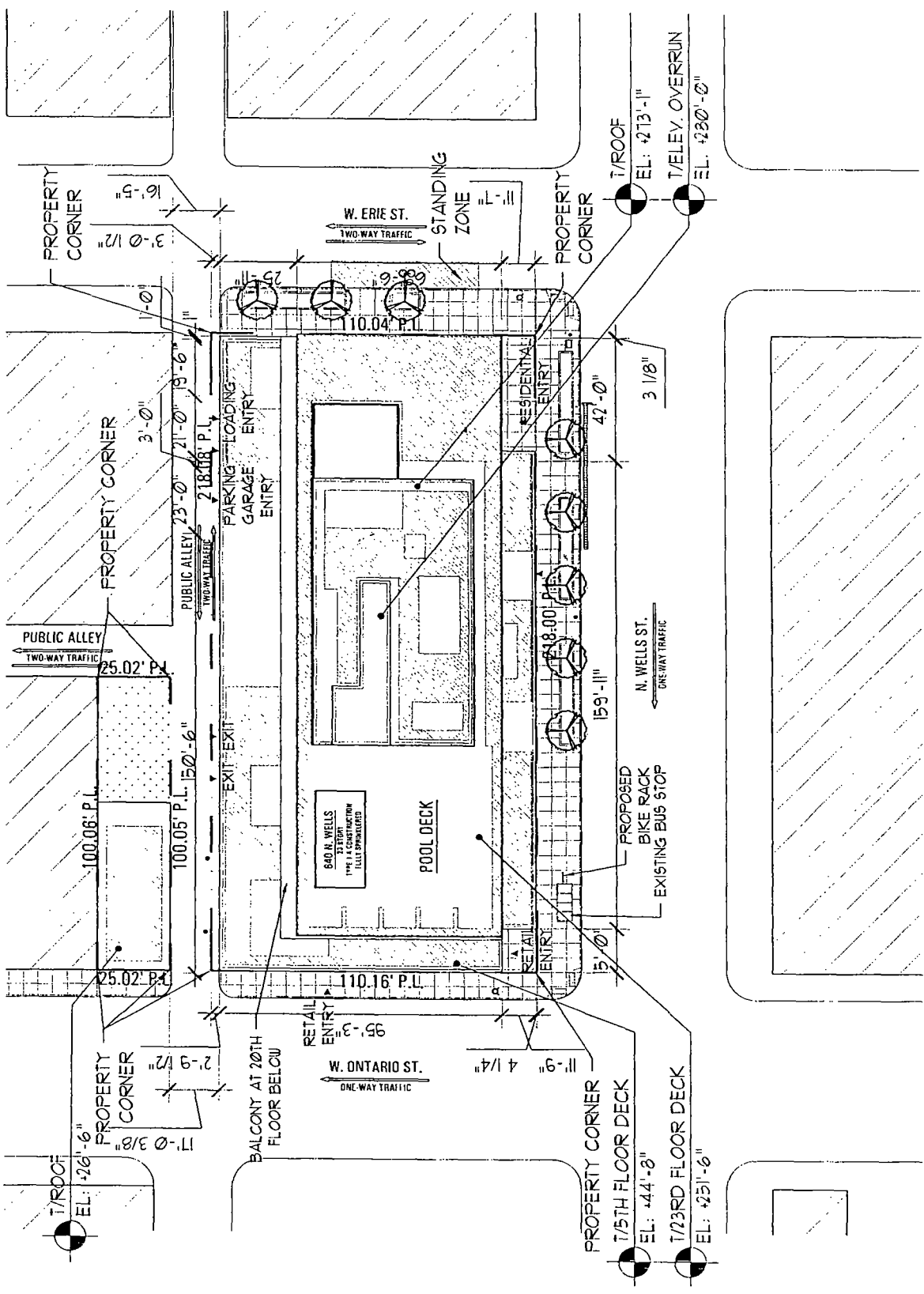
GROSS SITE AREA = 50,614 SF
 AREA IN ROW = 24,105 SF
 NET SITE AREA = 26,509 SF



<p>PROPERTY AND PLANNED DEVELOPMENT BOUNDARY MAP</p>	
<p>APPLICANT: WELLS & ERIE LLC</p>	<p>ADDRESS OF PROJECT: 200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL</p>
<p>INTRODUCTION DATE: MAY 27, 2015</p>	<p>PLAN COMMISSION: AUGUST 20, 2015 SCALE: 1" = 50'-0"</p>

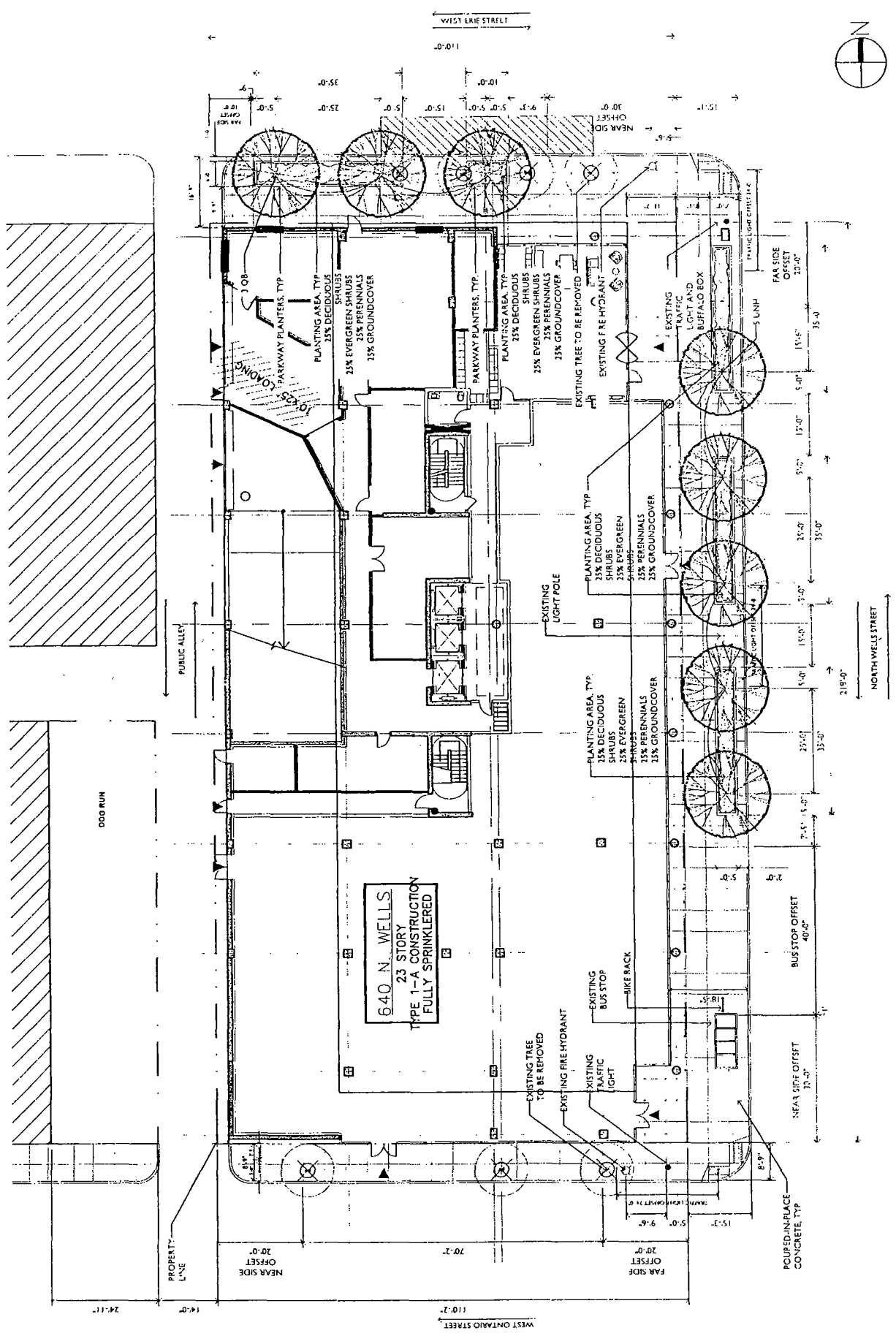


KEY:
 = GREEN ROOF
 = DOG RUN



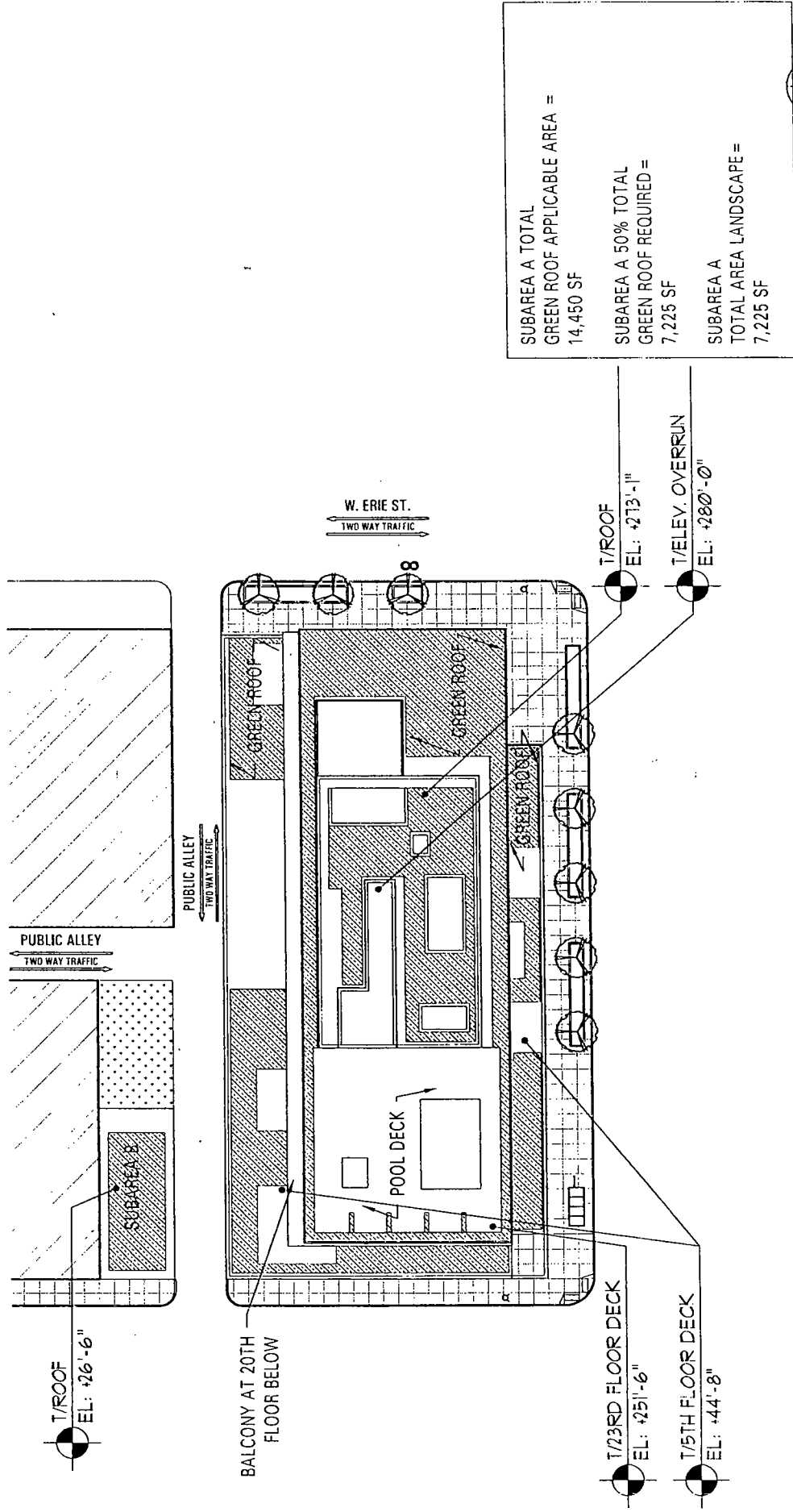
SITE PLAN

APPLICANT: WELLS & ERIE LLC
ADDRESS OF PROJECT: 200-212 W ONTARIO; 628-648 N WELLS;
 201-209 W ERIE CHICAGO, IL
INTRODUCTION DATE: MAY 27, 2015 **PLAN COMMISSION:** AUGUST 20, 2015 **SCALE:** 1" = 50'-0"

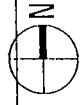


FIRST FLOOR LANDSCAPE PLAN

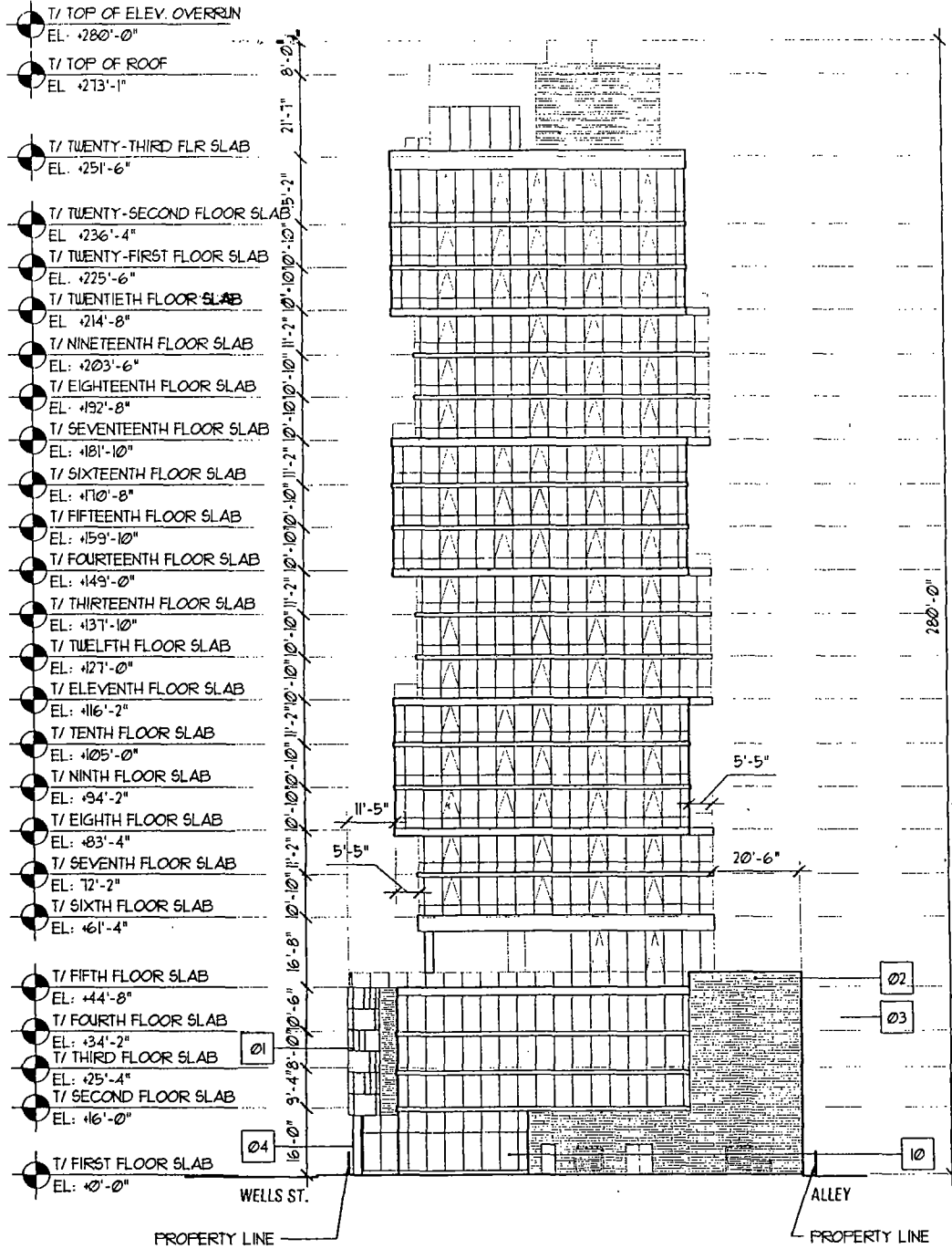
APPLICANT: **WELLS & ERIE LLC**
 ADDRESS OF PROJECT: **200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL**
 INTRODUCTION DATE: **MAY 27, 2015** | PLAN COMMISSION: **AUGUST 20, 2015** | SCALE:



SUBAREA A TOTAL GREEN ROOF APPLICABLE AREA =	14,450 SF
SUBAREA A 50% TOTAL GREEN ROOF REQUIRED =	7,225 SF
SUBAREA A TOTAL AREA LANDSCAPE =	7,225 SF



GREEN ROOF PLAN	
APPLICANT:	WELLS & ERIE LLC
ADDRESS OF PROJECT:	200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL
INTRODUCTION DATE:	MAY 27, 2015
PLAN COMMISSION:	AUGUST 20, 2015
SCALE:	1" = 50'-0"

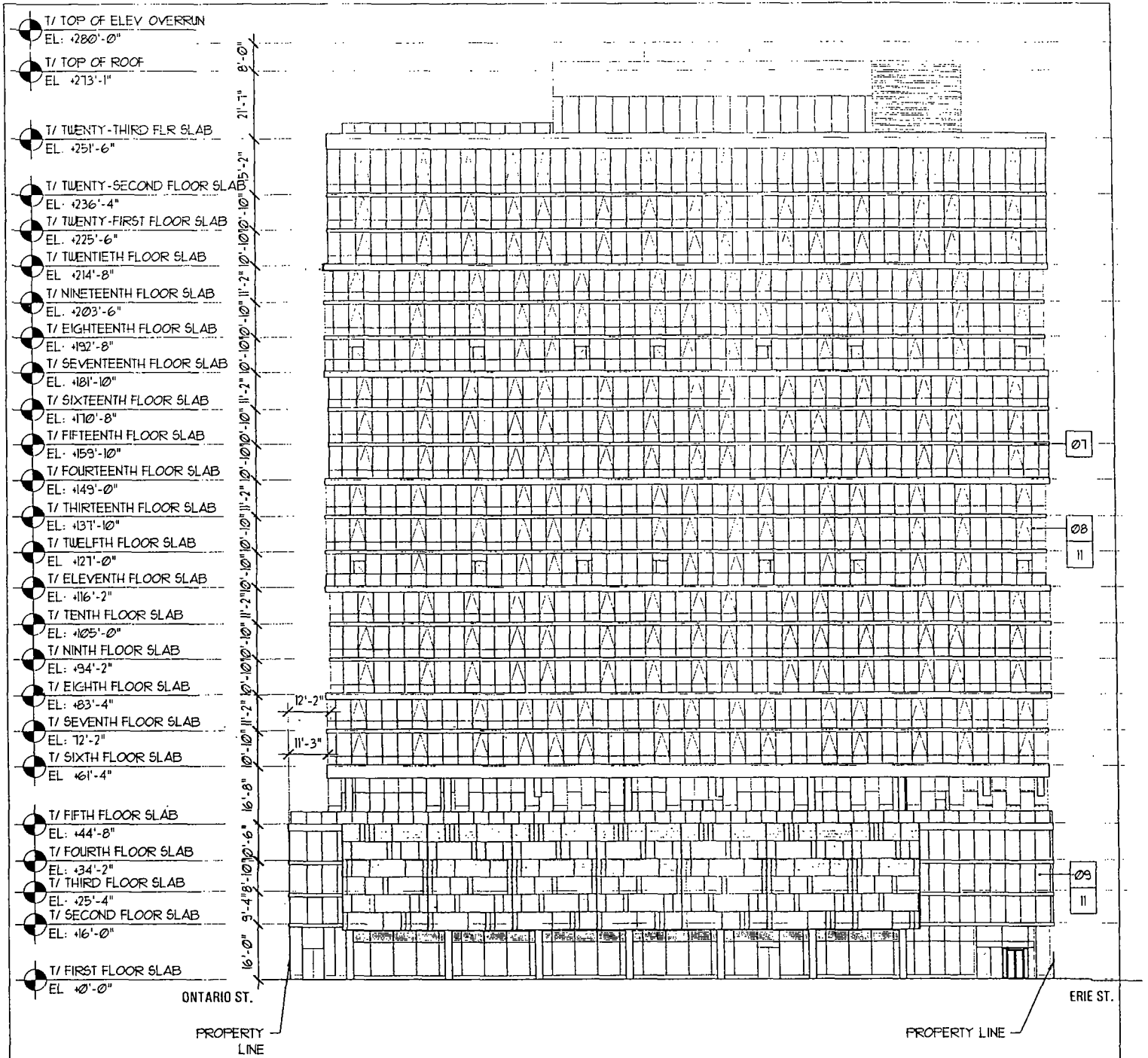


MATERIAL LEGEND:

01 PORCELAIN STONE CLADDING	06 NOT USED	11 LOW-E INSULATED VISION GLASS	16 RECESSED LIGHTING
02 METAL/GLASS RAILING	07 SLAB EDGE COVER	12 METAL PANEL WALL	17 EXPANSION JOINT
03 TEXTURED CONCRETE	08 ALUMINUM WINDOW	13 NOT USED	18 OVERHEAD GARAGE DOOR
04 PRECAST COLUMN COVER	09 ALUMINUM CURTAIN WALL	14 NOT USED	19 BRICK
05 PAINTED CONCRETE	10 ALUMINUM STOREFRONT	15 REVEAL	20 PAINTED STEEL

APPLICANT: WELLS & ERIE LLC	PLAN COMMISSION: AUGUST 20, 2015 SCALE: 1" = 40'-0"
ADDRESS OF PROJECT: 200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL	
INTRODUCTION DATE: MAY 27, 2015	

NORTH ELEVATION



MATERIAL LEGEND:			
01 PORCELAIN STONE CLADDING	06 NOT USED	11 LOW-E INSULATED VISION GLASS	16 RECESSED LIGHTING
02 METAL/GLASS RAILING	07 SLAB EDGE COVER	12 METAL PANEL WALL	17 EXPANSION JOINT
03 TEXTURED CONCRETE	08 ALUMINUM WINDOW	13 NOT USED	18 OVERHEAD GARAGE DOOR
04 PRECAST COLUMN COVER	09 ALUMINUM CURTAIN WALL	14 NOT USED	19 BRICK
05 PAINTED CONCRETE	10 ALUMINUM STOREFRONT	15 REVEAL	20 PAINTED STEEL

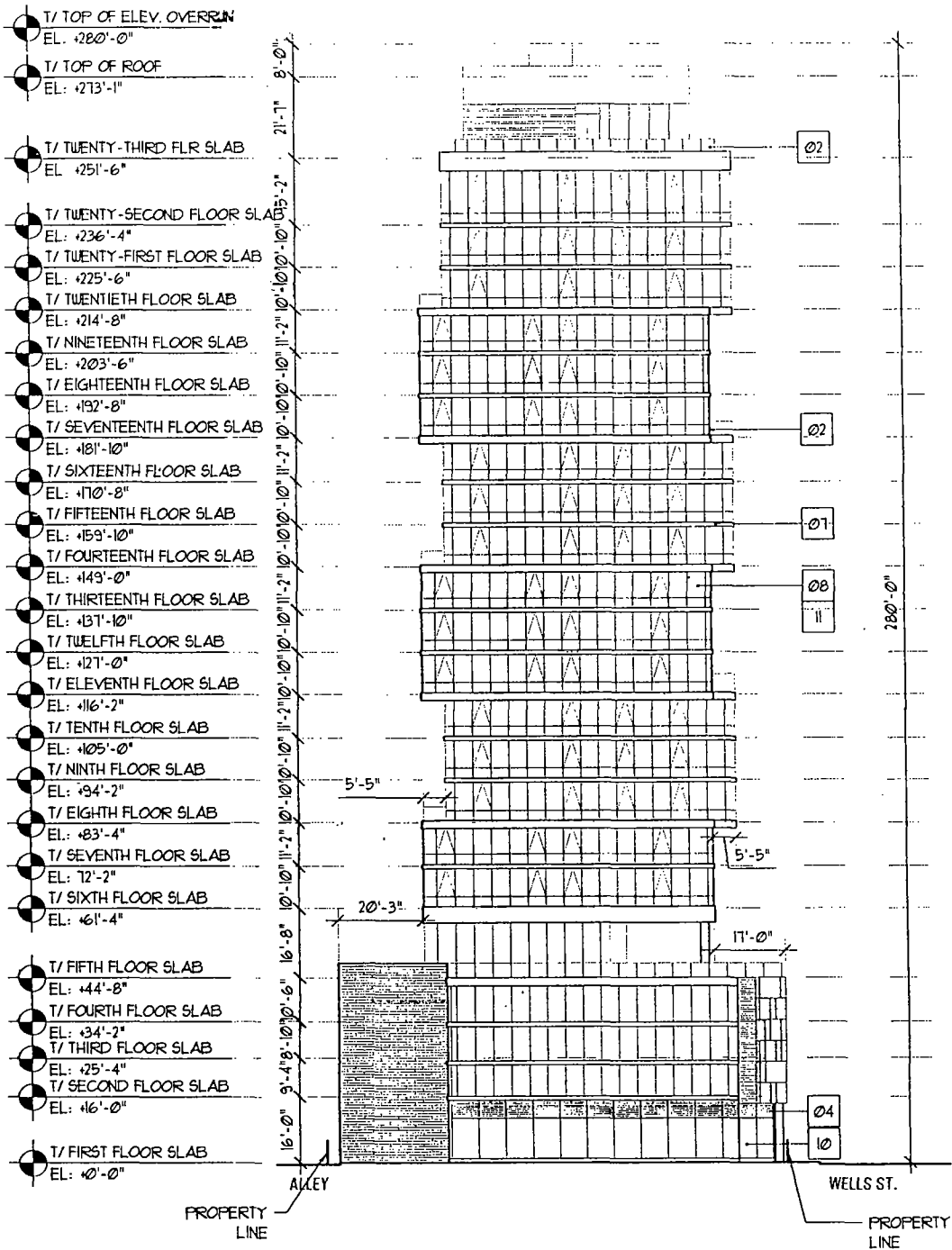
APPLICANT:
 WELLS & ERIE LLC

PLAN COMMISSION: AUGUST 20, 2015
SCALE: 1" = 40'-0"

ADDRESS OF PROJECT:
 200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL

INTRODUCTION DATE: MAY 27, 2015

EAST ELEVATION

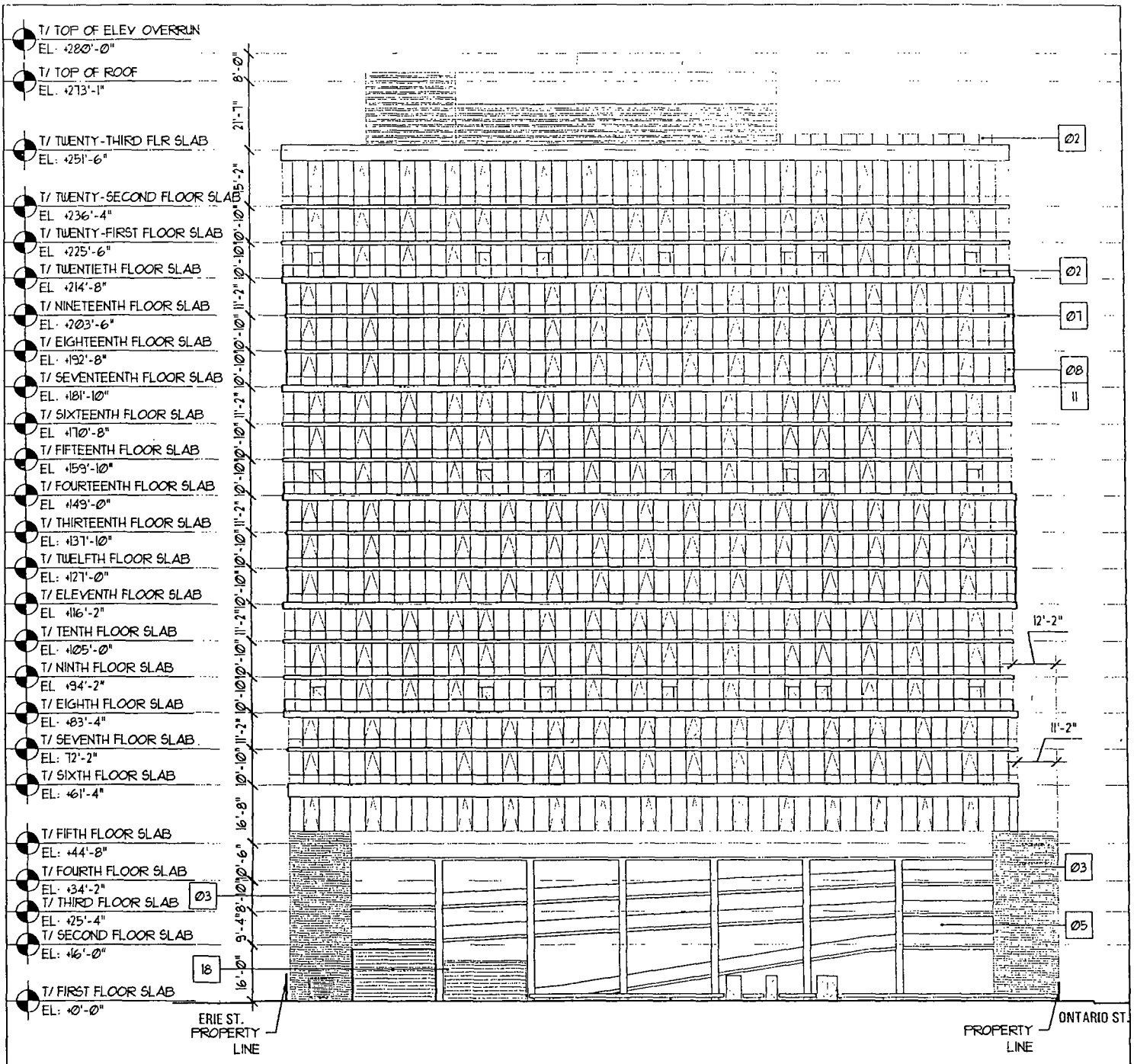


MATERIAL LEGEND:

01 PORCELAIN STONE CLADDING	06 NOT USED	11 LOW-E INSULATED VISION GLASS	16 RECESSED LIGHTING
02 METAL/GLASS RAILING	07 SLAB EDGE COVER	12 METAL PANEL WALL	17 EXPANSION JOINT
03 TEXTURED CONCRETE	08 ALUMINUM WINDOW	13 NOT USED	18 OVERHEAD GARAGE DOOR
04 PRECAST COLUMN COVER	09 ALUMINUM CURTAIN WALL	14 NOT USED	19 BRICK
05 PAINTED CONCRETE	10 ALUMINUM STOREFRONT	15 REVEAL	20 PAINTED STEEL

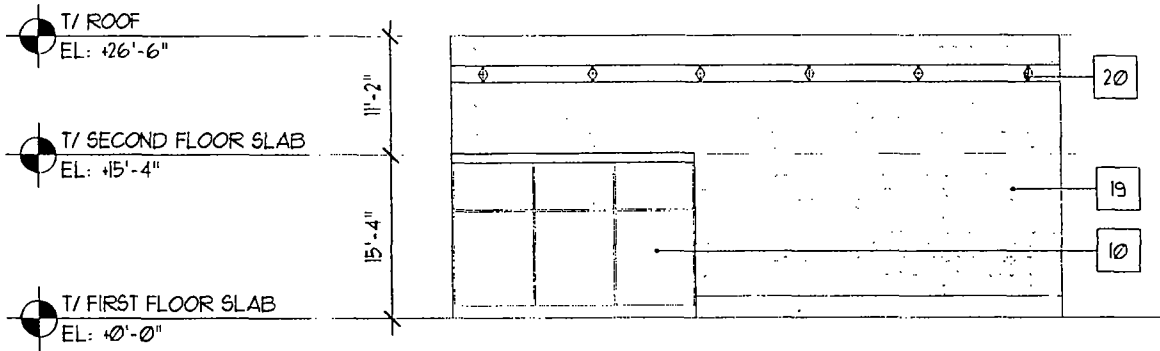
APPLICANT:	PLAN COMMISSION: AUGUST 20, 2015
WELLS & ERIE LLC	SCALE: 1" = 40'-0"
ADDRESS OF PROJECT:	
200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL	
INTRODUCTION DATE: MAY 27, 2015	

SOUTH ELEVATION

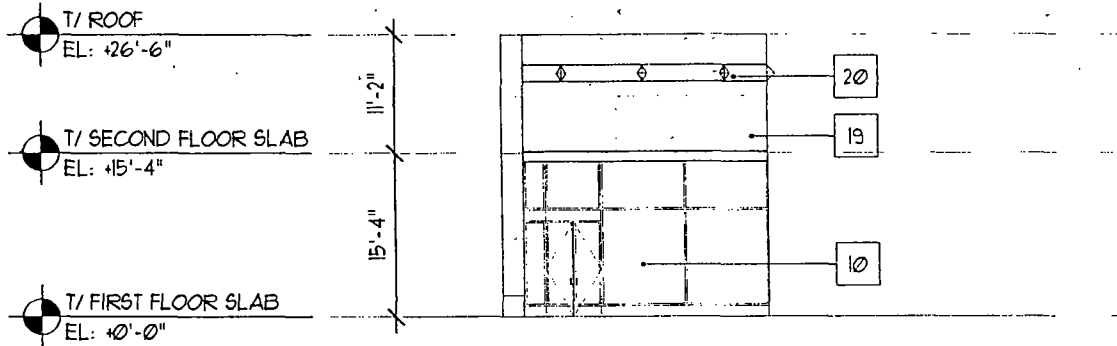


MATERIAL LEGEND:			
01 PORCELAIN STONE CLADDING	06 NOT USED	11 LOW-E INSULATED VISION GLASS	16 RECESSED LIGHTING
02 METAL/GLASS RAILING	07 SLAB EDGE COVER	12 METAL PANEL WALL	17 EXPANSION JOINT
03 TEXTURED CONCRETE	08 ALUMINUM WINDOW	13 NOT USED	18 OVERHEAD GARAGE DOOR
04 PRECAST COLUMN COVER	09 ALUMINUM CURTAIN WALL	14 NOT USED	19 BRICK
05 PAINTED CONCRETE	10 ALUMINUM STOREFRONT	15 REVEAL	20 PAINTED STEEL

APPLICANT: WELLS & ERIE LLC	PLAN COMMISSION: AUGUST 20, 2015 SCALE: 1" = 40'-0"	<h1>WEST ELEVATION</h1>
ADDRESS OF PROJECT: 200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL		
INTRODUCTION DATE: MAY 27, 2015		



2 EAST & WEST ELEVATIONS



1 SOUTH ELEVATION

MATERIAL LEGEND:

01 PORCELAIN STONE CLADDING	06 NOT USED	11 LOW-E INSULATED VISION GLASS	16 RECESSED LIGHTING
02 METAL/GLASS RAILING	07 SLAB EDGE COVER	12 METAL PANEL WALL	17 EXPANSION JOINT
03 TEXTURED CONCRETE	08 ALUMINUM WINDOW	13 NOT USED	18 OVERHEAD GARAGE DOOR
04 PRECAST COLUMN COVER	09 ALUMINUM CURTAIN WALL	14 NOT USED	19 BRICK
05 PAINTED CONCRETE	10 ALUMINUM STOREFRONT	15 REVEAL	20 PAINTED STEEL

APPLICANT:

WELLS & ERIE LLC

ADDRESS OF PROJECT:

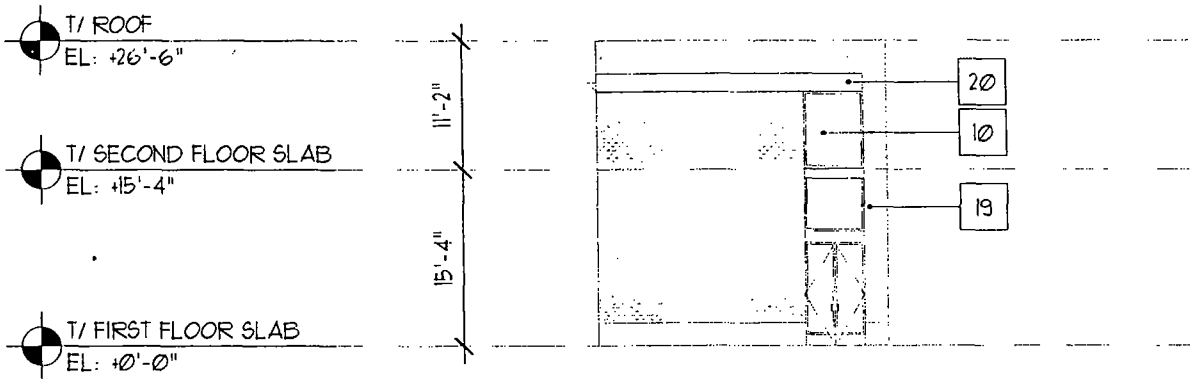
200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL

INTRODUCTION DATE: MAY 27, 2015

PLAN COMMISSION: AUGUST 20, 2015

SCALE: 1/16" = 1'-0"

210 W. ONTARIO
ELEVATIONS



1 NORTH ELEVATION

MATERIAL LEGEND:

01 PORCELAIN STONE CLADDING	06 NOT USED	11 LOW-E INSULATED VISION GLASS	16 RECESSED LIGHTING
02 METAL/GLASS RAILING	07 SLAB EDGE COVER	12 METAL PANEL WALL	17 EXPANSION JOINT
03 TEXTURED CONCRETE	08 ALUMINUM WINDOW	13 NOT USED	18 OVERHEAD GARAGE DOOR
04 PRECAST COLUMN COVER	09 ALUMINUM CURTAIN WALL	14 NOT USED	19 BRICK
05 PAINTED CONCRETE	10 ALUMINUM STOREFRONT	15 REVEAL	20 PAINTED STEEL

APPLICANT:
WELLS & ERIE LLC

PLAN COMMISSION: AUGUST 20, 2015
SCALE: 1/16" = 1'-0"

ADDRESS OF PROJECT:
200-212 W ONTARIO; 628-648 N WELLS; 201-209 W ERIE CHICAGO, IL

INTRODUCTION DATE: MAY 27, 2015

**210 W. ONTARIO
ELEVATIONS**

Affordable Housing Profile Form (Rental)

Submit this form to the Department of Planning & Development for each project that triggers an affordability requirement (including CPAN, ARO, and the Density Bonus).

This completed form should be returned (via e-mail, fax, postal service or interoffice mail), to: Kara Breems, Department of Planning & Development, 121 N. LaSalle Street, Chicago, IL 60602. E-mail: kara.breems@cityofchicago.org Telephone: (312) 744-6746.

For information on these programs/requirements, visit www.cityofchicago.org/dpd

Date: July 13, 2015

SECTION 1: DEVELOPMENT INFORMATION

Development Name: Wells/Erie Apartments

Development Address: 200-212 W. Ontario; 628-648 N. Wells; 201-209 W. Erie

Ward: 42nd Ward

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

Type of City involvement: Land write-down

(check all that apply) Financial Assistance (If receiving TIF assistance, will TIF funds be used for housing construction?)

Zoning increase, PD, or City Land purchase

*if yes, please provide copy of the TIF Eligible Expenses

SECTION 2: DEVELOPER INFORMATION

Developer Name: Wells & Erie LLC

Developer Contact (Project Coordinator): Robert D Stone

Developer Address: 908 North Halsted Street, Chicago, IL 60642

Email address: rdstone@jdlcorp.com

May we use email to contact you? Yes No

Telephone Number: 312-642-0850

SECTION 3: DEVELOPMENT INFORMATION N/A - See Section 4

a) Affordable units required

For ARO projects: _____ x 10%* = _____ (always round up)
Total units total affordable units required

*20% if TIF assistance is provided

For Density Bonus projects: _____ X 25% = _____
Bonus Square Footage* Affordable sq. footage required

*Note that the maximum allowed bonus is 20% of base FAR in dash-5; 25% in dash-7 or -10; and 30% of base FAR in dash-12 or -16 (www.cityofchicago.org/zoning for zoning info).

b) building details

In addition to water, which of the following utilities will be **Included** in the rent (circle applicable):

Cooking gas electric gas heat electric heat other (describe on back)

Is parking included in the rent for the: affordable units? yes no market-rate units? yes no
 If parking is not included, what is the monthly cost per space? _____

Estimated date for the commencement of marketing:

Estimated date for completion of construction of the affordable units:

For each unit configuration, fill out a separate row, as applicable (see example).

	Unit Type*	Number of Units	Number of Bedrooms/Unit	Total Square Footage/Unit	Expected Market Rent	Proposed Affordable Rent*	Proposed Level of Affordability (60% or less of AMI)	Unit Mix OK to proceed?
<i>Example:</i>	1 bed/1 bath	4	1	800	\$1000	759	60%	
Affordable Units								
Market Rate Units						N/A	N/A	
						N/A	N/A	
						N/A	N/A	

*Rent amounts updated annually in the "City of Chicago's Maximum Affordable Monthly Rent Chart"

SECTION 4: PAYMENT IN LIEU OF UNITS

When do you expect to make the payment -in-lieu? Fall 2015
 (typically corresponds with issuance of building permits) Month/Year

For **ARO** projects, use the following formula to calculate payment owed:

$$\frac{\text{Number of total units in development}}{\text{Number of total units in development}} \times 10\% = \frac{\text{Number of total units in development}}{\text{(round up to nearest whole number)}} \times \$100,000 = \$ \text{Amount owed}$$

For **Density Bonus** projects, use the following formula to calculate payment owed:

$$\frac{46,391}{\text{Bonus Floor Area (sq ft)}} \times 80\% \times \$43 = \$1,595,850.40 \text{ Amount owed}$$

(from table below)

Submarket (Table for use with the Density Bonus fees-in-lieu calculations)	Median Land Price per Base FAR Foot
Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east	\$31
North: Division on north; Chicago River on south/west; Lake Shore Dr. on east	\$43
South: Congress on north; Stevenson on south; Chicago River on west; Lake Shore Dr. on east	\$22
West: Lake on north; Congress on south; Chicago River on east; Racine on west	\$29

Authorization to Proceed (to be completed by Department of DPD)

Kara Breems
 Department of Planning & Development

7-31-15
 Date

[Signature]
 Developer/Project Coordinator

August 11, 2015
 Date



CITY OF CHICAGO
 DEPARTMENT OF PLANNING AND DEVELOPMENT
 BUREAU OF ZONING AND LAND USE
 APPLICATION FOR ZONING BONUS REVIEW

WORKSHEET: FAR BONUS CALCULATION

Property Address: Ontario and Wells

Zoning District: DX-7

ON-SITE BONUSES

Amenity	Amenity area (in sq.ft.)	Lot area (in sq.ft.)	Premium Factor	Base FAR	FAR Bonus calculated	FAR Bonus Cap compare with
Formula:	A	B	C	D	(A/B) • C • D	
Affordable Housing – On-Site			4	(1)		1.00 (-5) 1.75 (-7) 2.50 (-10) 3.60 (-12) 4.80 (-16)
Public Plaza and Pocket Park			1			6
Chicago Riverwalk			1			-
Winter Garden			1			3
Through-Block Connection (Indoor)			0.66			-
Through-Block Connection (Outdoor)			1			-
Sidewalk Widening			2			-
Arcade			1.25			2
Water Feature			0.3			1
Upper-Level Setbacks (-7 & -10 Districts)	18,955	26,509	0.3	7	.21	1
Upper-Level Setbacks (-12 & -16 Districts)			0.4			25% of D
Lower-Level Planting Terrace			1			-
Green Roofs			0.3			2
Underground Parking (Levels -1 & -2)			0.15			30% of D
Underground Parking (Level -3 or lower)			0.2			30% of D
Underground Loading			0.15			30% of D
Parking Concealed by Occupiable Space			0.4			25% of D
Total FAR Bonus On-Site Improvements					.21	

OFF-SITE BONUSES

Calculation of Financial Contribution

Formula: Cash contribution for 1 sq.ft of FAR bonus = 0.8 x median cost of 1 sq. ft of buildable floor area

Amenity	Bonused Square Feet Desired	Discount Factor	median cost of 1 sqft. of buildable floor area (in \$): See City Survey of Land Cost	Base FAR	Financial Contribution
Formula:	A	B	C	D	E=A*B*C
Off-Site Park or Riverwalk		0.8			
Street Lighting and Landscaping		0.8			
Transit Station Improvements	37,113	0.8	43	7	\$1,276,687
Pedway Improvements		0.8			
Adopt-A-Landmark		0.8			
Affordable Housing	46,391	0.8	43	7	\$1,595,850.40
Education		0.8			
Totals	83,504				\$2,872,537.40

Comparison to FAR Bonus Cap

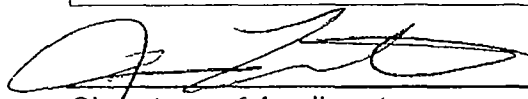
Amenity	Total Bonused Square Feet Desired	Lot Area (in sq. ft.)	Base FAR	FAR Bonus calculated	FAR Bonus Cap:
Formula:	F	G	H	I = (F/G) * H	Compare with
Off-Site Park or Riverwalk					20% of H
Street Lighting and Landscaping					20% of H
Transit Station Improvements	37,113	26,509	7	1.40	20% of H
Pedway Improvements					20% of H
Adopt-A-Landmark					20% of H
Affordable Housing	46,391	26,509	7	1.75	20% of H (-5) 25% of H (-7, -10) 30% of H (-12, -16)
Education					25% of H (-10) 30% of H (-12, -16)

If FAR Bonus calculated exceeds FAR Bonus Cap, the effective FAR Bonus for Off-Site Improvements is equal to the FAR Bonus Cap

Summary

Base FAR	7
FAR Bonus for On-Site Improvements	0.21
FAR Bonus for Off-Site Improvements	3.15
Total FAR	10.36
Total Financial Contribution	\$2,872,537.40

Maximum Floor Area with Base FAR	185,563
Floor Area with FAR Bonus On-Site Improvements	5,567
Floor Area with FAR Bonus Off-Site Improvements	83,504
Total Maximum Floor Area	274,634



August 10, 2015

Signature of Applicant

Date

Received by (Dept. of Planning & Dev.)

Date

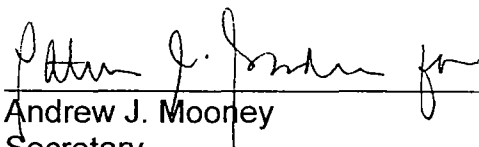


18383
FINAL

DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

MEMORANDUM

TO: Alderman Daniel S. Solis
Chairman, City Council Committee on Zoning

FROM: 
Andrew J. Mooney
Secretary
Chicago Plan Commission

DATE: August 21, 2015

RE: Proposed Residential Business Planned Development for property generally located at 200-212 West Ontario Street, 629-648 N. Wells Street and 201-209 West Erie Street.

On August 20, 2015, the Chicago Plan Commission recommended approval of the proposed planned development submitted by Wells & Erie LLC. A copy of the proposed planned development is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning hearing.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, bureau of Planning and Zoning recommendation and a copy of the Resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-5777.

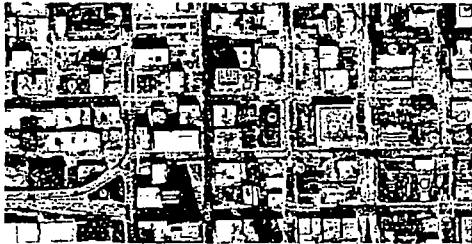
cc: Steve Valenziano
PD Master File (Original PD, copy of memo)

Chicago Plan Commission
August 20, 2015



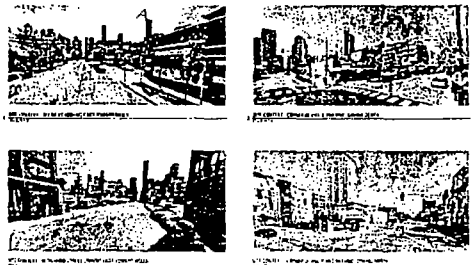
640 N Wells St
Residential Business Planned Development

Site Aerial

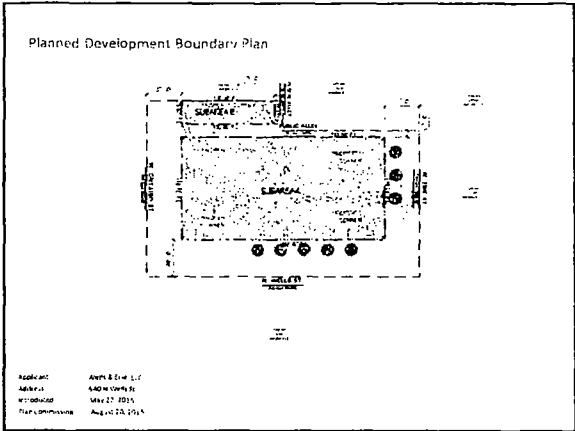


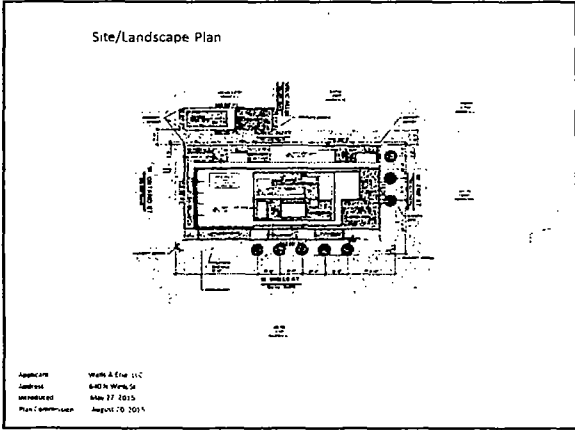
Applicant: Wells & Freid, LLC
Address: 640 N Wells St
City/County: May 27, 2015
Plan Commission: August 19, 2015

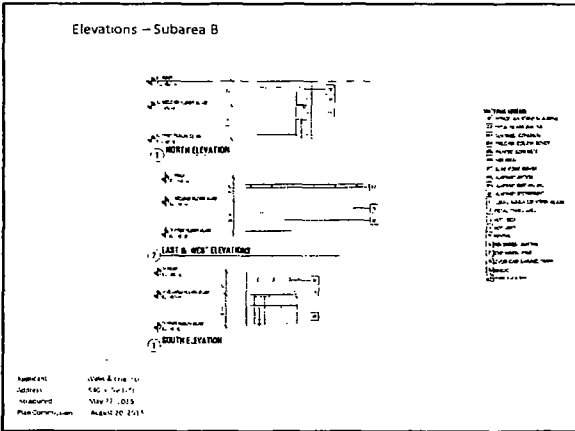
Site Photos



Applicant: Wells & Freid, LLC
Address: 640 N Wells St
City/County: May 27, 2015
Plan Commission: August 19, 2015







Perspective Looking Northwest



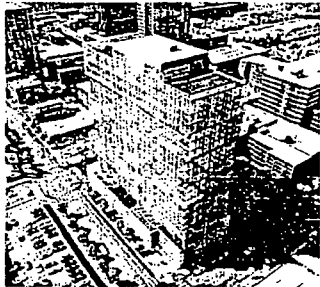
Application York & Eric LLC
Address 640 N. Smith St.
Introduction May 27, 2015
Plan Commission August 20, 2015

Perspective Looking Northwest



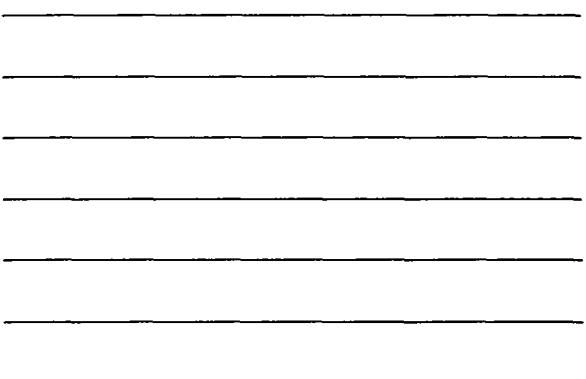
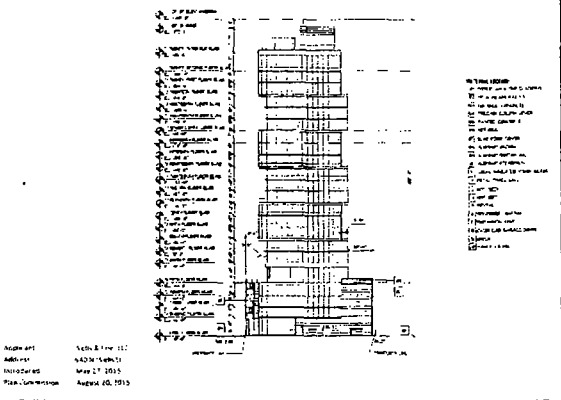
Application York & Eric LLC
Address 640 N. Smith St.
Introduction May 27, 2015
Plan Commission August 20, 2015

Perspective Looking Southwest

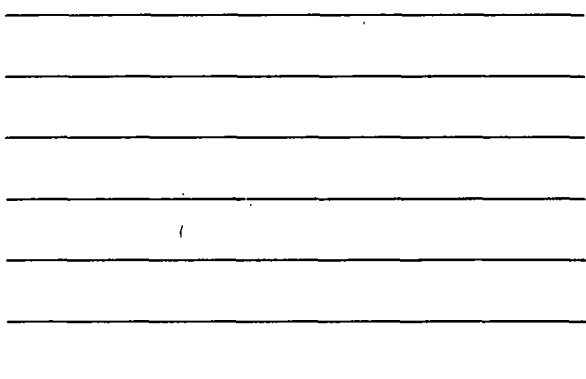
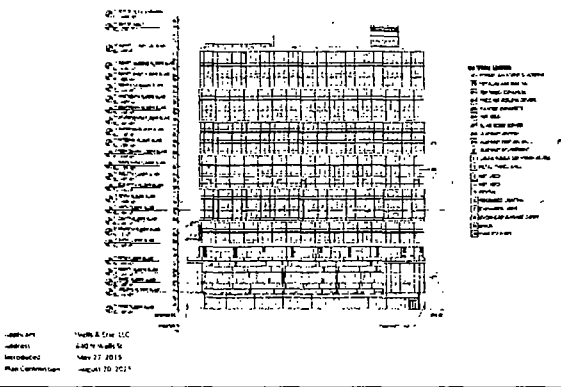


Application York & Eric LLC
Address 640 N. Smith St.
Introduction May 27, 2015
Plan Commission August 20, 2015

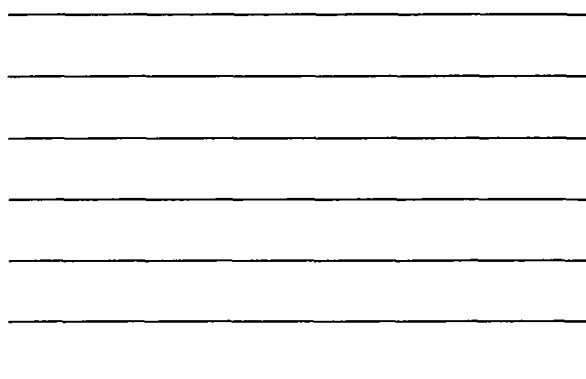
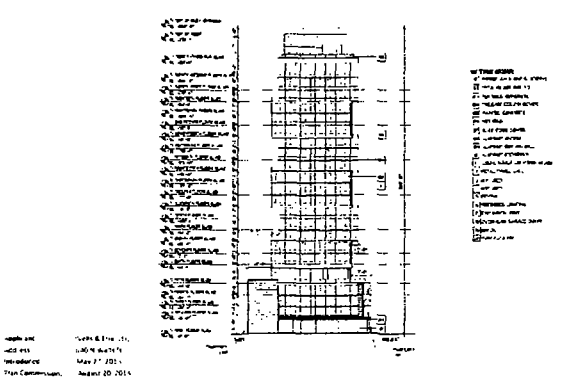
North Elevation - Subarea A



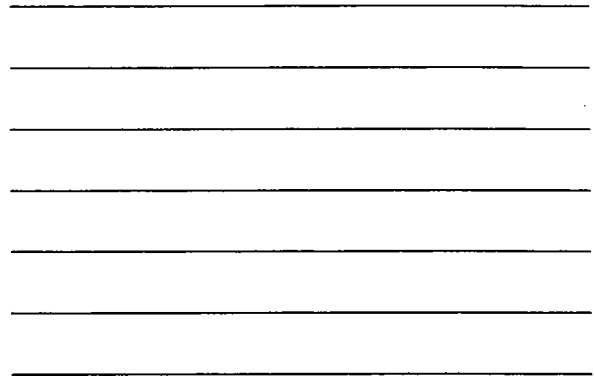
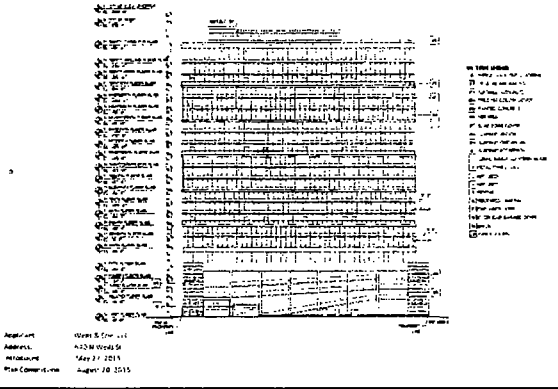
East Elevation - Subarea A



South Elevation - Subarea A



West Elevation - Subarea A



REPORT
to the
CHICAGO PLAN COMMISSION
from the
DEPARTMENT OF PLANNING AND DEVELOPMENT
BUREAU OF ZONING AND LAND USE

AUGUST 20, 2015

FOR APPROVAL: RESIDENTIAL BUSINESS PLANNED DEVELOPMENT

APPLICANT: WELLS & ERIE, LLC

LOCATION: 200-212 W. ONTARIO STREET, 628-648 N. WELLS STREET
AND 201-209 W. ERIE STREET.

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development hereby submits this report and recommendation on a proposed Planned Development for your review and recommendation to the Chicago City Council. The application for this amendment to the Chicago Zoning Ordinance was introduced into the City Council on May 20, 2015. Notice of the public hearing was published in the Chicago Sun-Times on August 5, 2015. The applicant was separately notified of this public hearing.

This application is submitted by the Applicant, as a mandatory planned development pursuant to Section 17-8-0512-B Tall Buildings, which states that planned development review and approval is required when the proposed project meets or exceeds 180 feet in the DX-7 Downtown Mixed Use District.

Additionally, section 17-8-0513 requires planned development review and approval when a proposed residential development meets or exceeds 200 dwelling units in the DX-7 Downtown Mixed Use District and section 17-4-1020, referring to the request to take a Transit Infrastructure Improvement bonus.

SITE AND AREA DESCRIPTION

The project site is an L-shaped lot containing 26,509 net square feet and is bounded by West Erie Street on the north, North Wells Street on the east; West Ontario Street on the south and a five-story masonry building on the west. There is a mix of uses along North Wells Street, West Ontario Street and West Erie that include small scale retail, office uses and residential uses. Along North Wells Street the uses are primarily commercial, retail, institutional and parking. The site is not located in a Tax Increment Finance District, or in the Lake Michigan and Chicago Lakefront Protection District or in a Chicago Landmark District. The project is located in the Near North Side (8) Community Area.

PUBLIC TRANSPORTATION

The site is immediately accessible via public transit from the CTA's Chicago Avenue, Franklin Avenue Brown/Purple Line station and the State Street Redline stations are located approximately one half mile from the site and serve the immediate area. The CTA Brown Line operates daily from Kimball Station to the downtown Loop. The CTA Purple Line operates between Linden Avenue (in Wilmette) and Howard Street (in Chicago) via Evanston. Additionally, the Purple Express Line, which serves the stop at Chicago Avenue, runs during weekday rush-periods between the Howard Station and the downtown Loop.

The site is immediately accessible via public transit from CTA's No. 22 Clark, No. 156 LaSalle and the No. 66 Chicago Avenue bus lines. Additionally, bike lanes are provided along North Wells Street but only north of Chicago Avenue.

PROJECT DESCRIPTION

The applicant proposes to construct a mixed-use multi-story building with dwelling units, commercial space, and accessory off-street parking spaces. The site is improved by an accessory parking lot and a 1-story masonry restaurant building. The single story restaurant building on the site fronting North Wells Street would be demolished and replaced by the twenty-three story, 280-foot tall mixed-use building. The new building would contain two hundred fifty three (253) dwelling units, new ground floor retail space, and 117 off-street (accessory) residential parking spaces, located at levels two through four. Retail space would be located on the ground level fronting North Wells Street.

DESIGN

The twenty-three-story mixed-use tower will sit on a four-story podium. The bulk of THE podium for the proposed project will include approximately 12,000 square feet of new ground floor retail fronting North Wells Street and West Ontario Street. The ground floor area fronting North Wells Street and West Ontario Street is defined with an aluminum and glass storefront system. The second, third and fourth levels contain the 117 accessory parking spaces, level five contains the amenity space and floors six through twenty-two contain the dwelling units. The 23rd floor is for mechanical penthouse, elevator over run and additional amenity space.

The East (North Wells Street) Elevation podium is designed with an aluminum glass storefront and a porcelain stone cladding material covering the remaining portion of the base. The West (public alley) Elevation is made of a textured concrete at the base and painted concrete at the parking level slabs. The North (West Erie Street) Elevation is comprised of textured concrete and further accentuated with an aluminum storefront system. The North, East, South and West elevations for the residential tower are defined by an architectural aluminum and glass wall system, accentuated by inset and corner balconies.

ACCESS and CIRCULATION

Motor vehicle access to the parking podium for the residential use will occur from the public alley to the west of the site. Access to the residential entry lobby will be located along North Wells Street. The retail entrances will be located along North Wells Street and West Ontario Street. The project will provide one loading berth that is accessed through the adjacent public alley. The loading berth is entirely enclosed within the building footprint and all loading will occur through the enclosed loading berth.

LANDSCAPING and SUSTAINABILITY

The project is required to achieve LEED Certification under the U.S.G.B.C. Green project program. The building would have a total 50% green roof comprised of space located on various floor levels of the proposed residential tower. The two-story proposed commercial building will provide a 50% Green Roof and are required to exceed the A.S.H.R.A.E 90.1-2004 Standards. The applicant will be in compliance with the City of Chicago's Landscape Ordinance and will provide eight new street trees. The trees will be planted along West Erie St. and North Wells St.

BULK/USE/DENSITY

The site is currently zoned DX-7, Downtown Mixed-Use District and has a maximum allowable Floor Area Ratio (F.A.R) of 7.0. This proposed Residential Business Planned Development will have an F.A.R of 10.36, which the applicant achieved via three density bonuses allowed in the DX-7 Downtown District.

The project is taking an additional floor area bonus of 0.21 F.A.R over the maximum allowed of 7.0 F.A.R through an Upper Level Set Back Bonus and additional floor area of 1.4 F.A.R via the CTA Transit Infrastructure Bonus in the an amount of \$1,276,687.

The project is also taking an additional 1.75 F.A.R through the Affordable Housing Bonus via a cash payment of \$1,595,850.40 to the City of Chicago Affordable Housing Opportunity Fund. The base F.A.R of 7.0 and the three F.A.R bonuses will allow the project to achieve a maximum F.A.R. of 10.36.

RECOMMENDATION

The Department of Planning and Development has reviewed the project materials submitted by the Applicant and have concluded that the proposed development would be appropriate for the site for the following reasons:

1. The project complies with the Standards and Guidelines for Planned Developments in the Zoning Ordinance (Section 17-8-0900).
 - a. Compliance with Zoning. The proposed Planned Development would increase the maximum Floor Area Ratio (F.A.R.) stipulated but would remain consistent with the surrounding community. This project would have similar uses as the surrounding areas, which include residential, commercial, and accessory parking.

b. **Pedestrian Orientation.** The proposed project will allow unimpeded pedestrian flow on both North Wells Street and West Ontario Street. The entire street frontage of the building along North Wells and West Ontario Street is enlivened by a glass facade looking directly onto the street frontage.

c. **Urban and Building Design.** The building's design emphasizes the contrast among the various types of architectural styles and vocabulary along both North Wells Street and West Ontario Street.

d. **Motor vehicle parking** would be accessed from an existing 14 foot public alley. Pedestrian/vehicle conflicts will be minimized by the significant setback of the parking entrance from the alley, providing a greater sight angle for drivers, and by a pedestrian warning light at the entrance;

2. The proposed development is compatible with the character of the surrounding area in terms of uses, density, and building scale.

The proposed Planned Development would be consistent in bulk, density, and Floor Area Ratio (F.A.R.) with the surrounding area. The proposed project will remain at an underlying zoning of DX-7 Downtown Mixed Use District and achieve a maximum total Floor Area Ratio (F.A.R.) to 10.36 by use of several zoning bonuses. This project would have similar uses as the surrounding area, which includes residential, commercial, and parking.

A building currently under construction and located across the street is proposed at 23-story building (280 Feet) and with 450 residential dwelling units, commercial space, and 219 accessory and non-accessory off-street parking spaces and is of similar height, scale and proposes similar uses as the proposed project.

3. The public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy.

Per 17-13-0308-E - Transportation, Traffic Circulation and Parking: The pedestrian access point for the residential building is located on North Wells Street. Pedestrian access for retail patrons occur along North Wells Street and West Ontario Street and loading will occur internal to the site accessed from the 14 foot public alley. The project site plan has been reviewed by other City departments and any comments received have been incorporated into the revised application.

4. Promotes environmentally sustainable development practices (per 17-9-0908-A), as evidenced by the project providing a 50% green roof and committing to obtain LEED certification for Subarea A and the two-story commercial building proposed in Subarea B will provide a 50% Green Roof and is required to exceed the A.S.H.R.A.E 90.1-2004 Standards.

5. The project ~~meets~~ the purpose and criteria set forth in the Chicago Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare:

Per 17-13-0308-C, the proposed development is compatible with surrounding commercial, institutional and residential development in terms of land use, as well as, the density and scale of the physical structure.

Per 17-13-0308-D, the proposed underlying zoning for this planned development (DX-7) is consistent with other downtown mixed-use zoning districts; both adjacent to this site and in the immediate area.

Based on the foregoing, it is the recommendation of the Department of Planning and Development that the *revised application for a Residential Business Planned Development for Wells & Erie, LLC* be approved and the recommendation to the City Council Committee on Zoning, Landmarks and Building Standards be "As-Revised, Passage Recommended"

Department of Planning and Development
Bureau of Planning and Zoning



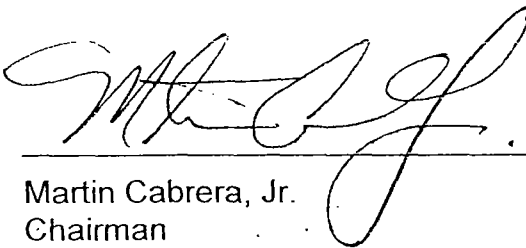
DEPARTMENT OF PLANNING and DEVELOPMENT
CITY OF CHICAGO

RESOLUTION
RESIDENTIAL BUSINESS PLANNED DEVELOPMENT
200-212 W. ONTARIO STREET, 628-648 N. WELLS STREET
201-209 W. ERIE STREET.

- WHEREAS,** The applicant, WELLS & ERIE, LLC, proposes to establish a Residential Business Planned Development and proposes to construct a mixed-use multi-story building with 253 residential dwelling units, ground floor commercial space, and 117 accessory off-street parking spaces. The site is currently zoned DX-7, Downtown Mixed-Use District and the applicant proposes to rezone the site to a Residential Business Planned Development;
- WHEREAS,** This development is being submitted by the applicant as a mandatory planned development application and an application for a Planned Development was introduced to the City Council on May 20, 2015; and
- WHEREAS,** proper legal notice of the hearing before the Chicago Plan Commission was published in the Chicago Sun-Times on August 5, 2015. The proposed Zoning Application was considered at a public hearing by this Plan Commission on August 20, 2015. The Applicant was separately notified of this hearing; and
- WHEREAS,** the Plan Commission has reviewed the applications with respect to the provisions of the Chicago Zoning Ordinance and finds that the proposal will be consistent with said provisions; and
- WHEREAS,** the Department of Planning and Development recommended approval of the application, with the recommendation and explanation contained in the written report dated August 20, 2015, a copy of which is attached hereto and made a part hereof; and
- WHEREAS,** the Chicago Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment, the report and recommendation of the Commissioner of the Department of Planning and Development, and all other testimony presented at the public hearing held on August 20, 2015 giving due and proper consideration to the Chicago Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

1. THAT the final application dated August 20, 2015 be approved as being in conformance with the provisions, terms and conditions of the corresponding Zoning application; and
2. THAT this Plan Commission recommends approval to the City Council Committee on **Zoning**, Landmarks and Building Standards of the final zoning application dated August 20, 2015; and
3. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Chicago Plan Commission regarding the zoning map amendment application.



Martin Cabrera, Jr.
Chairman
Chicago Plan Commission

Approved: August 20, 2015
RBPD No. _____

RECEIVED

MAY 26 2015

Initial: Preliminary W

RECEIVED

AUG 20 2015

#18383

Initial: Paul W

INTRO DATE:
MAY 20, 2015

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

1. ADDRESS of ~~the~~ property Applicant is seeking to rezone:

200-212 West Ontario; 628-648 North Wells Street; 201-209 West Erie Street

2. Ward Number that property is located in: 42nd Ward

3. APPLICANT Wells & Erie LLC

ADDRESS 908 North Halsted Street

CITY Chicago STATE IL ZIP CODE 60642

PHONE 312-642-0850 CONTACT PERSON Robert D. Stone

4. Is the applicant the owner of the property? YES _____ NO X

If the applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the applicant to proceed.

OWNER Erie Wells, LLC

ADDRESS 600 West Jackson, Suite 200

CITY Chicago STATE IL ZIP CODE 60661

PHONE 312-463-1210 CONTACT PERSON Jeffrey Himmel

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:

ATTORNEY Paul Shadle & Katie Jahnke Dale - DLA Piper LLP (US)

ADDRESS 203 N. LaSalle Street, Suite 1900

CITY Chicago STATE IL ZIP CODE 60601

PHONE (312) 368-3493 / -2153 FAX (312) 251-2856

EMAIL paul.shadle@dlapiper.com / katie.dale@dlapiper.com

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.) please provide the names of all owners as disclosed on the Economic Disclosure Statements:

See attached Economic Disclosure Statements

7. On what date did the owner acquire legal title to the subject property? February 2005

8. Has the present owner previously rezoned this property? If yes, when? No

9. Present Zoning District DX-7 Downtown Mixed-Use District

Proposed Zoning District Residential-Business Planned Development

10. Lot size in square feet (or dimensions) +/- 26,509 square feet

11. Current Use of the Property Restaurant, Surface Parking

12. Reason for rezoning the property To allow for construction of a +/- 280' residential building and +/- 26'6" commercial building containing an overall FAR of 10.36, up to 253 dwelling units, accessory parking, commercial uses, and accessory and incidental uses.

13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC)

The Applicant requests a rezoning of the subject property from the DX-7 Downtown Mixed-Use District and to Residential-Business Planned Development to allow for construction of a +/- 280' residential building and +/- 26'6" commercial building containing an overall FAR of 10.36, up to 253 dwelling units, approximately 117 parking spaces, commercial uses, and accessory and incidental uses.

14. On May 14th, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See fact Sheet for more information)

YES X NO _____