



City of Chicago



SO2010-7393

Office of the City Clerk

Tracking Sheet

Meeting Date:	12/8/2010
Status:	Passed
Sponsor(s):	Ward 4, On behalf of
Type:	Ordinance
Title:	Zoning Reclassification Map. No. 12-D
Committee(s) Assignment:	Committee on Zoning

FINAL FOR PUBLICATION

SUBSTITUTE ORDINANCE

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 Planned Development No. 38 symbols and the B1-3 symbols as shown on Map No. 12-D for the property located in the area generally bounded by

East 52nd Street; South Lake Park Avenue; East 53rd Street; the west line of the alley next west of and parallel to South Lake Park Avenue; East 52nd Place; South Harper Avenue; a line 200.79' south of and parallel to East 52nd Street extended in a westerly direction for 150.45' from the west line of the South Harper Avenue right-of-way; a line extended in a northerly direction for 125.52'; a line extended in an easterly direction for 150.45' to South Harper Avenue; and South Harper Avenue

to the designation of B3-5, Community Shopping District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-5 symbols as shown on Map No. 12-D in the area described above in Section 1 of this Ordinance, to the designation of Planned Development No. 38, as amended, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

SECTION 3. This ordinance takes effect after its passage and approval.



Toni Preckwinkie
Alderman, 4th Ward

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Business – Residential Planned Development No. 38, As Amended

Plan of Development Statements

1. The area delineated herein as **Business – Residential Planned Development No. 38**, as amended (the “Planned Development”), consists of approximately 172,662.1 square feet (3.96 acres) of property (the “Property”). It is the intent of this ordinance to amend existing Subarea A and Subarea C only. These subareas will be combined and redivided to establish a new Subarea A and a new Subarea C. Existing Subarea A and Subarea C are under the single-designated control of Harper Court Partners, LLC.
2. All applicable official reviews, approvals or permits are required to be obtained by the owner(s) of the individual subareas or their successors, assignees or grantees. Any dedication or vacation of streets, alleys, easements or adjustments of rights-of-way, or consolidation or resubdivision of parcels, shall require a separate submittal on behalf of the owner(s) of the individual subareas or their successors, assignees or grantees and approval by the City Council.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the owner(s) of the individual subareas, their successors and assigns and the legal titleholders and any ground lessors. All rights granted hereunder to the owner(s) of the individual subareas shall inure to the benefit of the owner(s) successors and assigns, the legal titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time any application for an amendment, modification or change (legislative, administrative or otherwise) to this Planned Development is made, shall be under single ownership or single designated control. “Single designated control” is defined in Section 17-8-044 of the Chicago Zoning Ordinance. The Subareas herein shall be deemed specifically delineated subareas and subparcels for purposes of Section 17-8-0400.

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 by the owner(s) of the individual subareas and their successors, assigns and grantees, nor interfere with, abrogate or annul any zoning rights agreement, deed restriction or covenant, or other written agreement among owners (or owners’ successors, assigns or grantees). 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 “owner” shall be deemed amended to apply to the transferee thereof.

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 the applicable portion of the Property, and not to the individual unit owners therein. An agreement among the different owners of the Property, or a covenant binding upon owners of the Property, may designate the parties authorized to apply for future amendments, modifications or other changes to this planned development.

4. This Planned Development consists of these eighteen (18) statements; a Bulk Regulations and Data Table; and the following exhibits prepared by Hartshome Plunkard Architecture dated October 21, 2010: an Existing Zoning Map; an Existing Land-Use Map; A Planned Development Boundary Map; a Property Line and Subarea Map; a Right-of-Way Adjustment Plan; Site Plan; a Landscape Plan; a Subarea A and C Green Roof Plan; Subarea A Phase I Elevations (East, South – West 53rd Street; South – Harper Court; West – Harper Court; West Harper Avenue; North – Office Tower) and Site Sections (Harper Court, Lake Park Avenue and 53rd Street; and Harper Avenue).

Full-size copies of the exhibits are on file with the Department of Zoning and Land Use Planning. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof and satisfies the established criteria for approval as a planned development. In any instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Building Code shall control, except as to measurement of height.

5. The following uses shall be permitted within Subarea A as delineated in Business-Residential Planned Development No. 38, as amended: all Permitted Uses in the B3 Community Shopping District; hotels; outdoor patios; taverns; Financial Services (excluding payday loan stores and pawn shops); Personal Services (excluding body art services); and accessory uses.

The following uses shall be permitted within Subarea B as delineated in Business-Residential Planned Development No. 38, as amended: all Permitted Uses in the Commercial Use Group in the B3, Community Shopping District; drive-through facilities; and accessory uses.

The following uses shall be permitted within Subarea C as delineated in Business-Residential Planned Development No. 38, as amended: all Permitted Uses in the B3-5, Community Shopping District; outdoor patios; Financial Services (excluding payday loan stores and pawn shops); Personal Services (excluding body art services); and accessory uses.

6. On-premise signs and temporary signs are permitted within the Planned Development subject to the review and approval of the Department of Zoning and Land Use Planning. Off-premise signs shall be prohibited.
7. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. All work proposed in the public way must be designed and constructed in accordance

with the Chicago Department of Transportation Construction Standards for Work in the Public Way in effect at the time of construction and in compliance with the Municipal Code of the City of Chicago. Ingress and egress shall be subject to the review and approval of the Department of Transportation and the Department of Zoning and Land Use Planning. Off-street parking and loading facilities shall be provided in compliance with this Planned Development. A minimum of two percent (2%) of all parking spaces provided pursuant to this Planned Development shall be designated and designed as accessible parking for people with disabilities.

The owner(s) of Subarea A has committed to certain improvements to the public way in accord with the recommendations of the Traffic Impact Study conducted by KLOA, Inc. dated October 19, 2010. A copy of the Traffic Impact Study is on file with the Chicago Department of Transportation and Department of Zoning and Land Use Planning. The owner(s) of Subarea A shall provide an easement to the public on that certain segment of Harper Court extending south from 52nd Place to 53rd Street.

8. The maximum permitted floor area ratio ("FAR") for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of floor area and floor area ratio calculations, the definitions of the Chicago Zoning Ordinance in effect as of the date of approval of this Planned Development shall apply. The Commissioner of the Department of Zoning and Land Use Planning shall have the administrative authority to transfer floor area and adjust the FAR between Subareas A and C.
9. The height of any building and any appurtenance thereto shall not exceed the height established within the Bulk Regulations and Data Table and shall also be subject to height limitations approved by the Federal Aviation Administration. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply.
10. The requirements of this Planned Development as they apply to a specific subarea may be modified administratively by the Commissioner of the Department of Zoning and Land Use Planning upon written application by the owner(s) of the subarea and a determination by the Commissioner of the Department of Zoning and Land Use Planning that the requested modification is minor, appropriate and consistent with the nature of the improvements contemplated by this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of this Planned Development by the Commissioner of the Department of Zoning and Land Use Planning 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.
11. The Improvements on the Property shall be designed, constructed and maintained in substantial conformance with the exhibits attached hereto and with the landscaping and screening provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.

The Green Roof in Phase I, approximately 14,743 square feet, shall be installed no later than three (3) years from the date of issuance of the initial Part II approval for Phase I.

12. Pursuant to Section 2-45-110 of the Municipal Code, the "Affordable Requirements Ordinance" (the "ARO"), an amendment to a Planned Development which grants additional floor area for the development of 10 or more housing units and/or for which the developer is receiving financial assistance from the City, subjects the development of the additional housing units authorized or permitted by such amendment to the affordability requirements specified under the ARO. As a result of this amendment to Planned Development No. 38, the City Council has approved additional floor area that authorizes or permits the development of 10 or more units. Ten percent (10%) – or Twenty percent (20%), if financial assistance is provided by the City – of any housing units developed as part of the Planned Development are required to be built as affordable housing, as that term is defined by the ARO. As part of the approval process for any application proposing the construction of residential dwelling units, the Applicant shall also provide, for the review and approval of the Department of Community Development (or any successor department thereto), such information, documents and agreements as may be required under the ARO to assure that such required affordable housing units are provided and maintained.

13. It is in the public interest to design, construct and renovate all buildings in a manner that provides healthier environments, reduces operating costs and conserves energy and resources. All buildings constructed within Subareas A and C shall be Certified under the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System and shall install a green roof over 100% of each building's net roof area. Upon completion, the buildings constructed in Subarea A, except the hotel, shall have a total green roof of approximately 60,690 square feet. Phase I development shall have a total green roof of approximately 14,743 square feet within three (3) years of the issuance of the first Part II for Phase I. All buildings constructed pursuant to this Planned Development shall conform to the City of Chicago Sustainable Development Policy Matrix (the "Matrix") in effect on the date of approval of this Planned Development.

14. It is in the public interest to design, construct and maintain the improvements on the Property in a manner which promotes, enables, and maximizes universal access throughout the Property. Plans for all newly constructed buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

15. Upon Part II Review, a Part II Review Fee shall be assessed by the Department of Zoning and Land Use Planning pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance. The fee as determined by staff at the time is final and binding on the Part II applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.

16. It is contemplated that the improvements within Subarea A and Subarea C of this Planned Development will be constructed in phases and that all proposed buildings will not be

fully designed at the time of the Planned Development's passage and approval. Accordingly, for the improvements in Subareas A and C not reviewed and approved by the Chicago Plan Commission, and for any new improvements in Subarea B, Site Plan Review shall be required for each proposed improvement. Review and approval of the Site Plan by the Department of Zoning and Land Use Planning is intended to ensure that specific development proposals conform to this Planned Development and are compatible with the character of the improvements of this Planned Development.

A Site Plan submitted to the Department of Zoning and Land Use Planning for review and approval shall, at a minimum, illustrate the following information:

- Elevations of the proposed building façades;
- Building orientation and setbacks;
- Building bulk and scale in relation to nearby buildings;
- Sidewalks and curb cuts;
- Parking and loading areas;
- Landscaping, lighting and signs;
- Conformance with the City of Chicago's Sustainable Development Policy;
- Information regarding the proposed building including floor area, FAR, proposed uses and building height; and
- Building materials.

The Commissioner of the Department of Zoning and Land Use Planning must review the Site Plan and submit it to the Chicago Plan Commission for its information and review. The Commissioner must make a decision within thirty (30) days of receipt of the Chicago Plan Commission's review whether the proposed plans conform to the character and requirements of this Planned Development.

In the event of an inconsistency between the approved Site Plan and the Plan of Development Statements or the Bulk Regulations and Data Table of this Planned Development, the Plan of Development Statements and Bulk Regulations and Data Table shall govern.

17. Each developer of any portion of the Property at the time of a project shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of the Department of Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings pursuant to Section 13-32-125 of the Municipal Code of the City of Chicago or any other provision of that Code.
18. This Planned Development ordinance will lapse and be null and void unless construction within Subarea A of the Subarea A Phase I Improvements as set forth in the attached Exhibits and as authorized by a building permit, has commenced within six years of the date of City Council approval. The six year period may be extended by up to one additional year if, before expiration, the Commissioner of the Department of Zoning and Land Use Planning receives a written request from the owner(s) of Subarea A and determines that good cause for an extension is shown. If this Planned Development

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amendment shall lapse as provided in this section, then the Commissioner of the Department of Zoning and Land Use Planning must initiate a Zoning Ordinance Map Amendment to rezone the Property to the zoning classification that applied to the Property before approval of this amendment.

BUSINESS – RESIDENTIAL PLANNED DEVELOPMENT
 No. 38, as Amended

Bulk Regulations and Data Table

Gross Site Area (Total):	235,702 Square Feet
Subarea A:	173,262 Square Feet
Subarea B:	39,907. Square Feet
Subarea C:	22,533 Square Feet
Area in Public Right-of-Way (Total):	63,039.9 Square Feet.
Subarea A:	45,370 Square Feet
Subarea B:	14,024 Square Feet
Subarea C:	3,646 Square Feet
Net Site Area (Total):	172,662.1 Square Feet
Subarea A:	127,892 Square Feet
Subarea B:	25,883.1 Square Feet
Subarea C:	18,887 Square Feet
Maximum Floor Area Ratio:	
Subarea A:	5.0**
Subarea B:	1.2
Subarea C:	5.0**
Maximum Number of Dwelling Units:	
Subarea A and C:	425
Subarea B:	0
Minimum Number of Off-Street Parking Spaces:	
Subarea A and C:	600***
Subarea B:	As required for the B3-3 Community Shopping District
Minimum Number of Loading Berths:	
Subarea A and C:	2
Subarea B:	As required for the B3-3 Community Shopping District
Maximum Building Height:	
Subarea A:	400'
Subarea B:	65
Subarea C:	80'

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Minimum Number of Bicycle Spaces:

Subareas A and C:

50

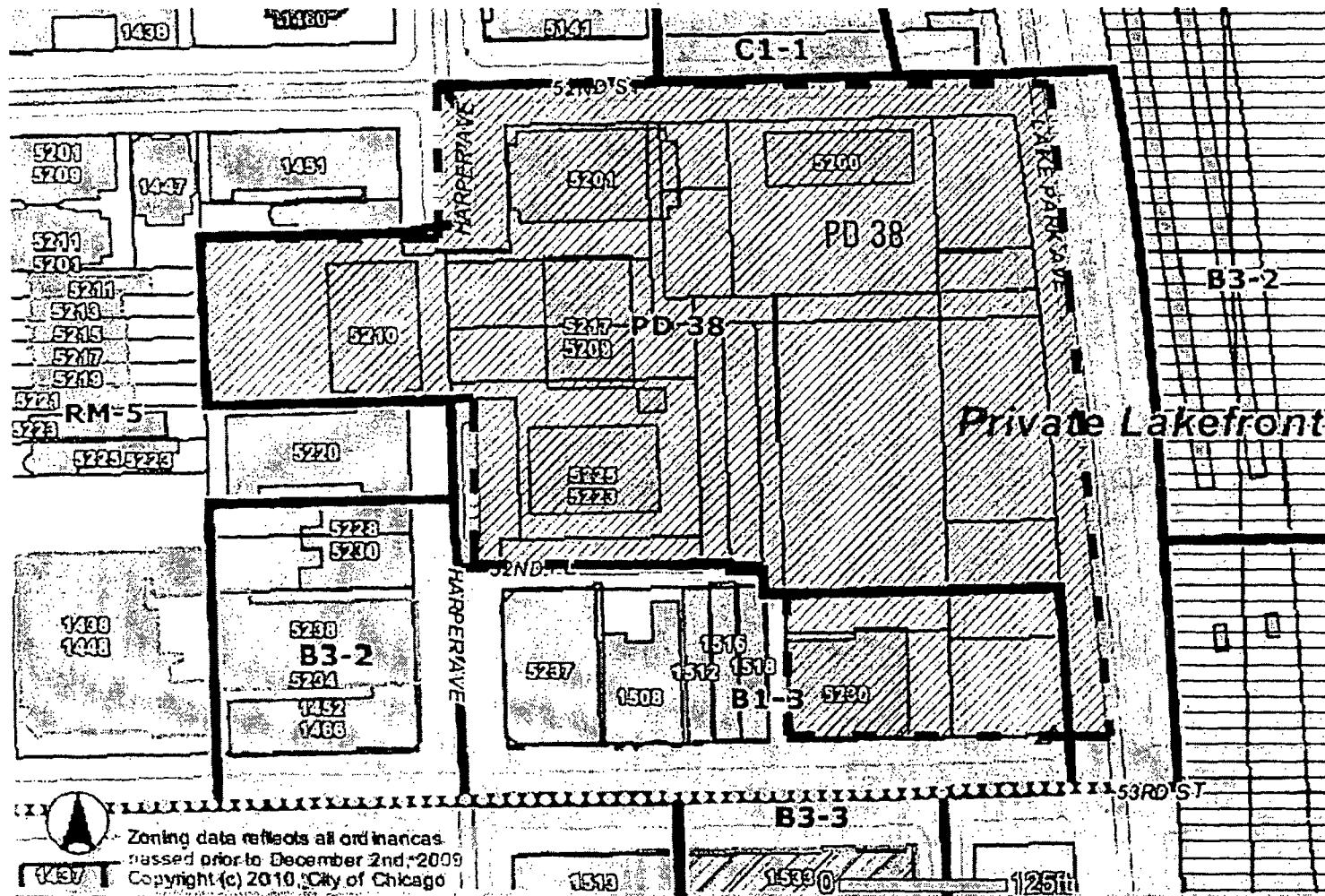
Subarea B:

As required for the B3-3 Community Shopping District

NOTE: Subarea B contains an existing one-story commercial building with a drive-through facility and parking. No changes are being made to Subarea B at this time.

** Floor area may be transferred between Subareas A and C with the approval of the Commissioner of Zoning and Land Use Planning.

*** The minimum parking requirement for the Phase I development of Subareas A and C is 400 spaces.



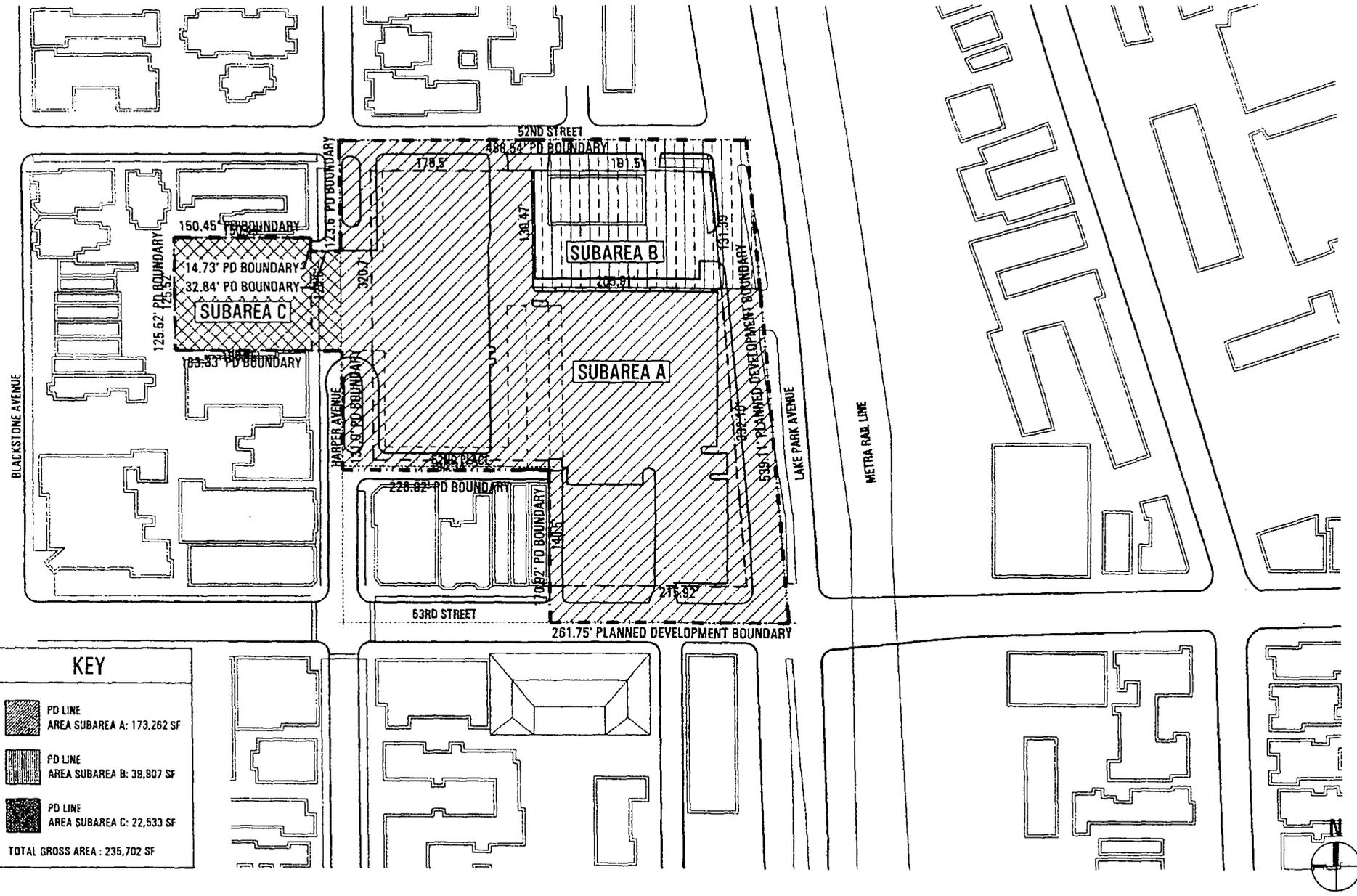
KEY

 SUBJECT PREMESIS

 Zoning data reflects all ordinances passed prior to December 2nd, 2009
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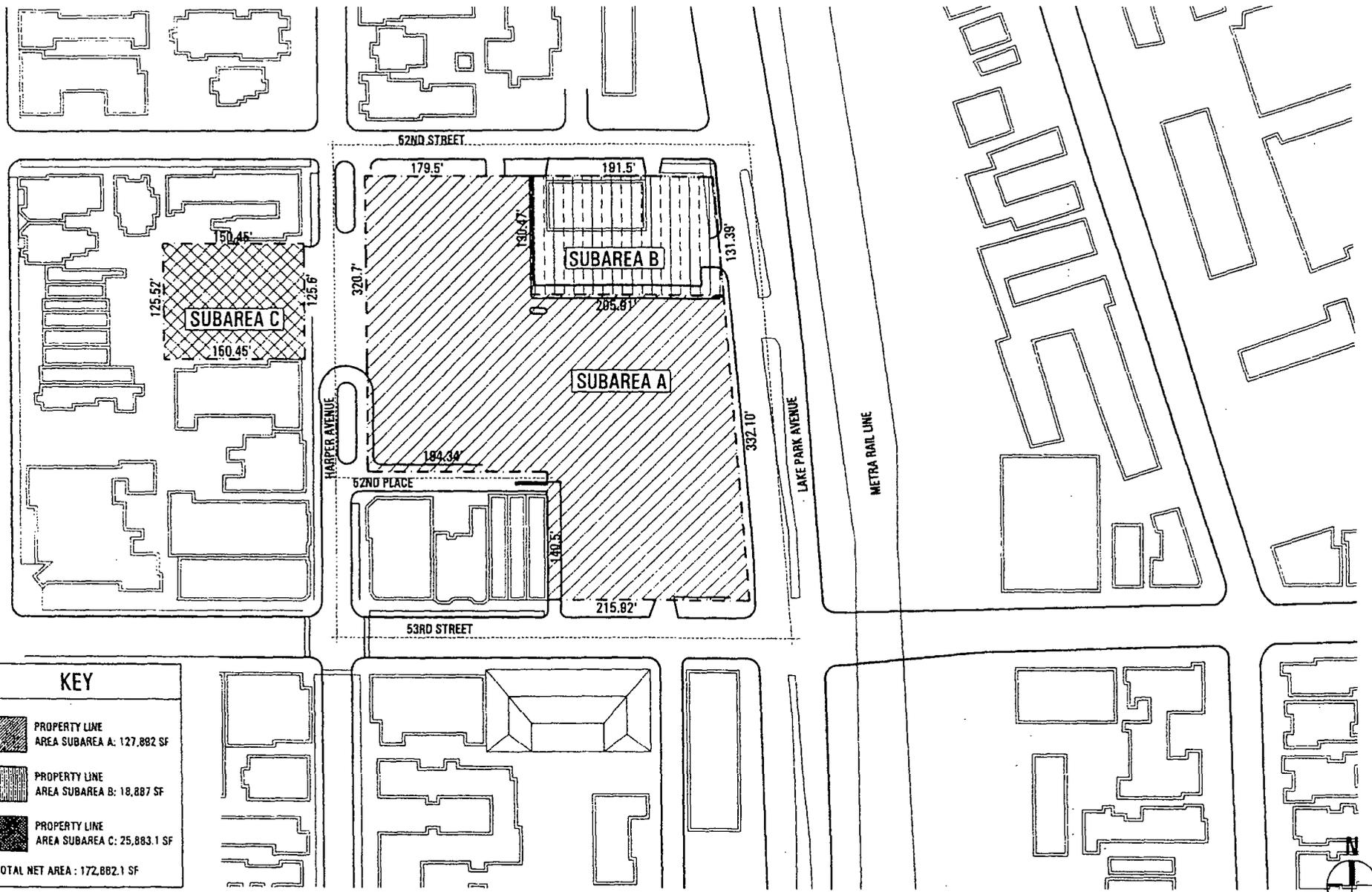
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APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	EXISTING ZONING MAP
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	



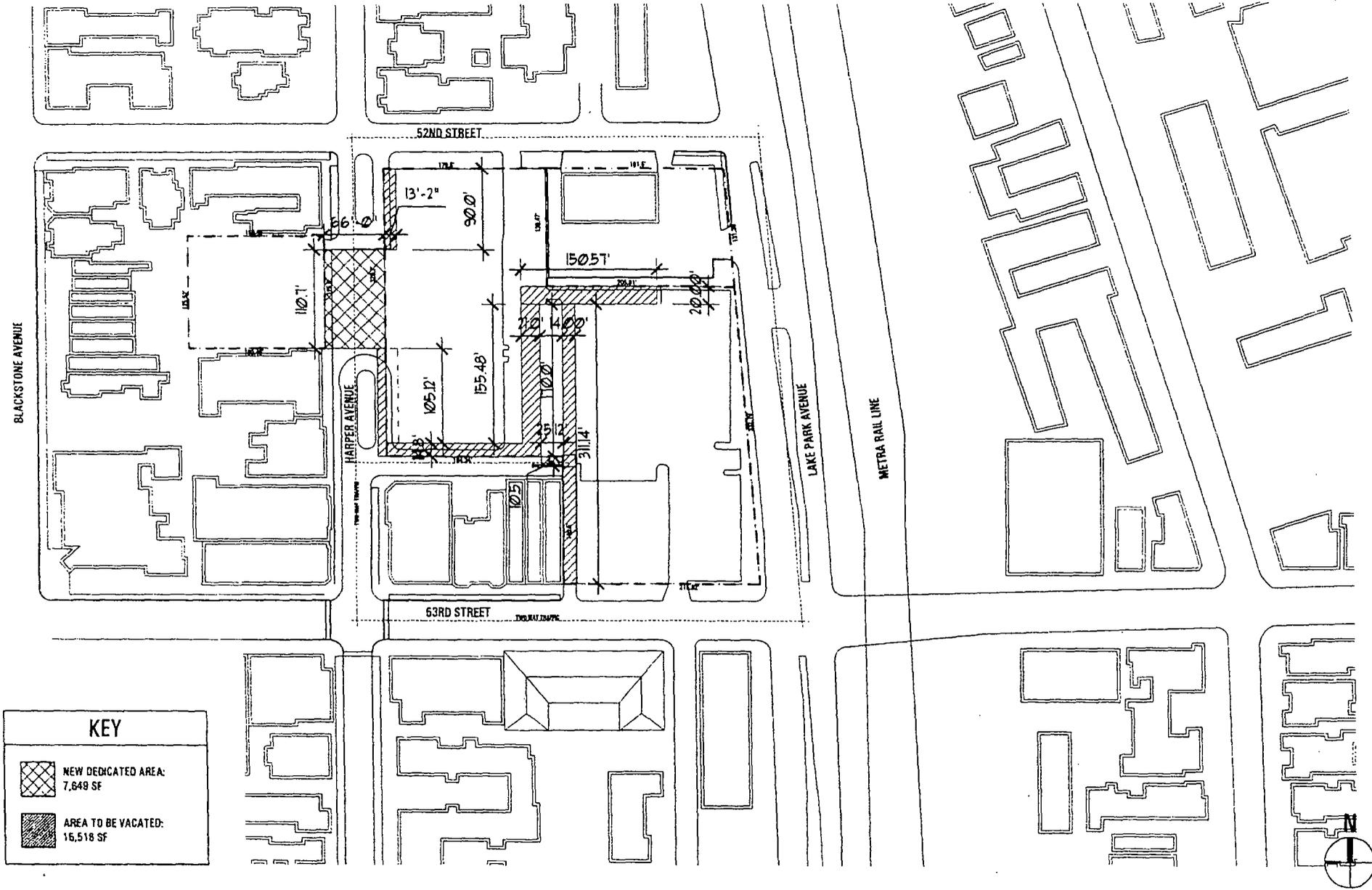
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	DATE REVISED: OCTOBER 21, 2010

PLANNED DEVELOPMENT BOUNDARY



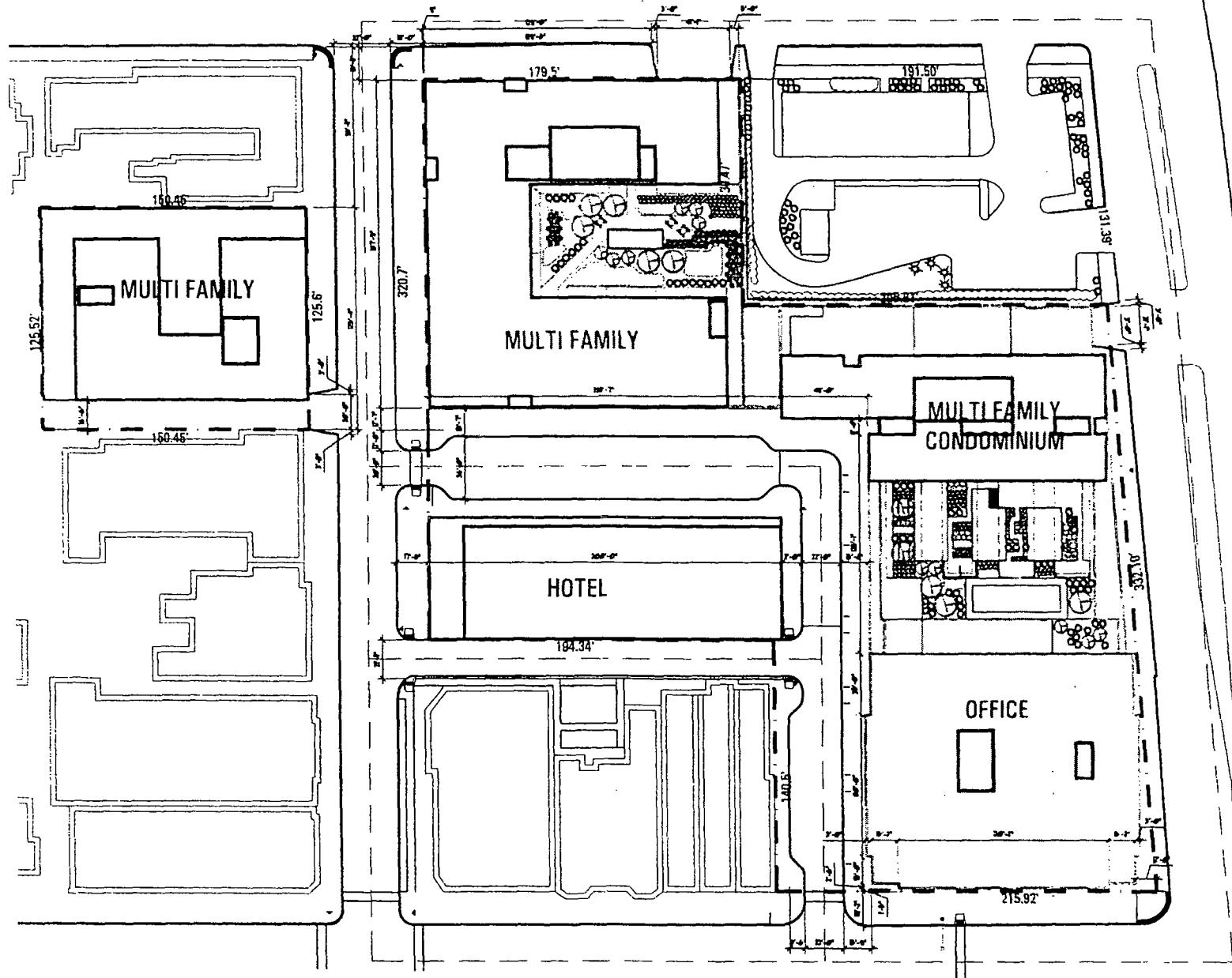
KEY	
	PROPERTY LINE AREA SUBAREA A: 127,882 SF
	PROPERTY LINE AREA SUBAREA B: 18,887 SF
	PROPERTY LINE AREA SUBAREA C: 25,883.1 SF
TOTAL NET AREA: 172,682.1 SF	

APPLICANT: ALDERMAN TONI PRECKWINKLE (4TH WARD)		PROPERTY LINE BOUNDARY AND SUBAREA MAP
ADDRESS OF PROJECT: 5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS		
DATE SUBMITTED: JULY 28, 2010	DATE REVISED: OCTOBER 21, 2010	

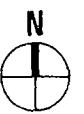


KEY	
	NEW DEDICATED AREA: 7,649 SF
	AREA TO BE VACATED: 16,518 SF

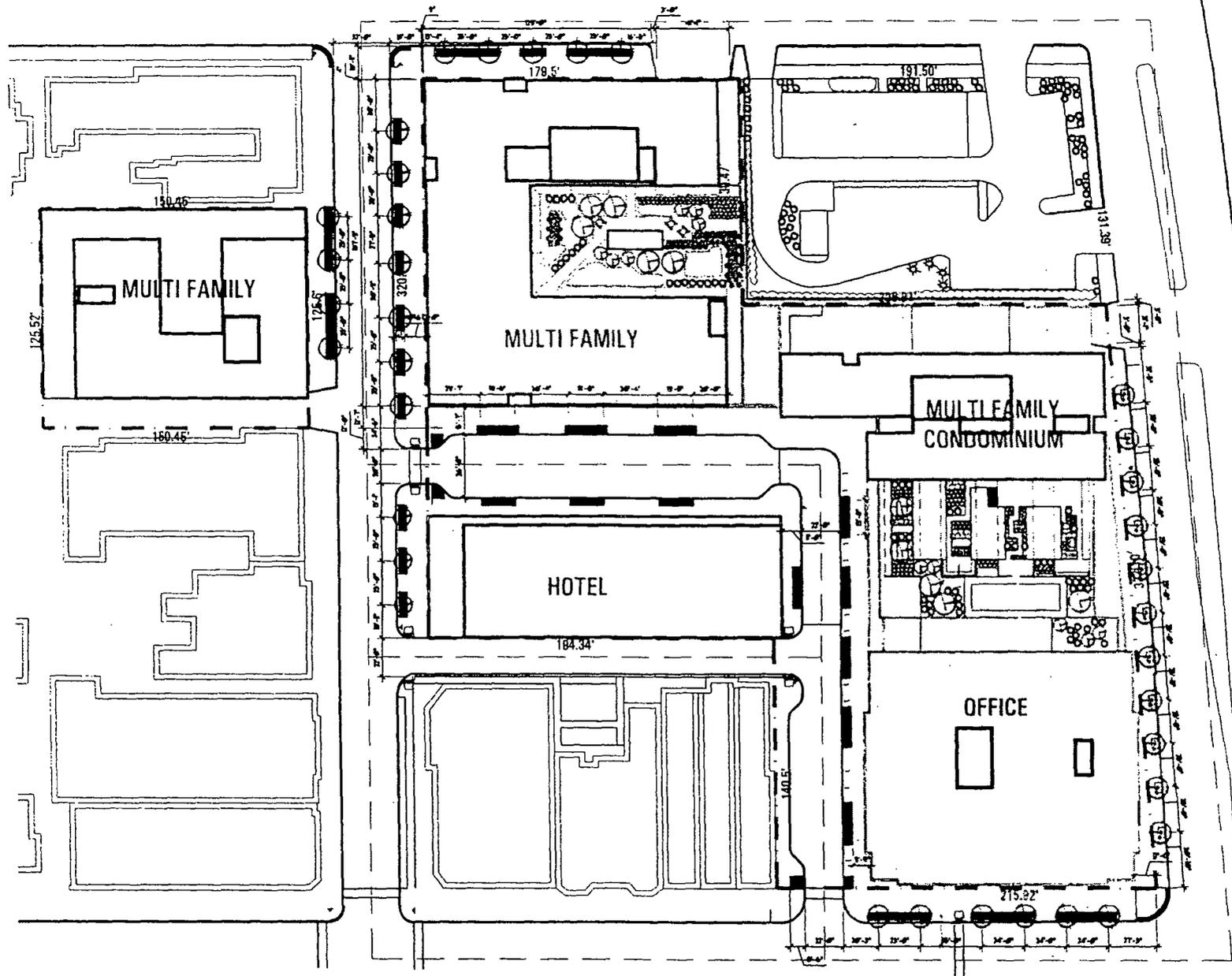
APPLICANT:	ALDERMAN TONI PRECKWINKLE (14TH WARD)	RIGHT OF WAY ADJUSTMENT PLAN
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	



DRAWING FOR PUBLICATION



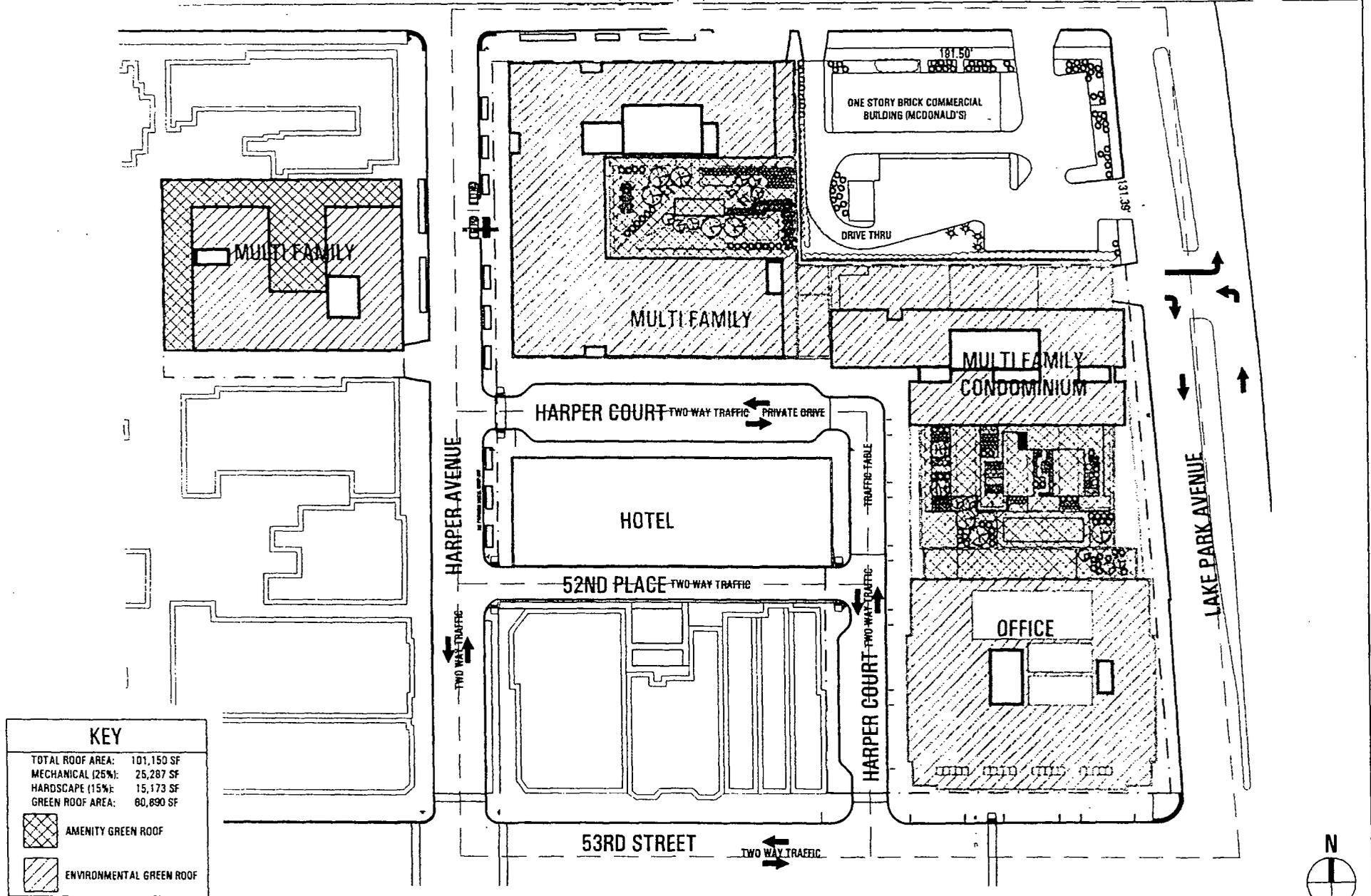
APPLICANT: ALDERMAN TONI PRECKWINKLE (4TH WARD)		SITE PLAN
ADDRESS OF PROJECT: 5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS		
DATE SUBMITTED: JULY 28, 2010	DATE REVISED: OCTOBER 21, 2010	SCALE: 1:1000



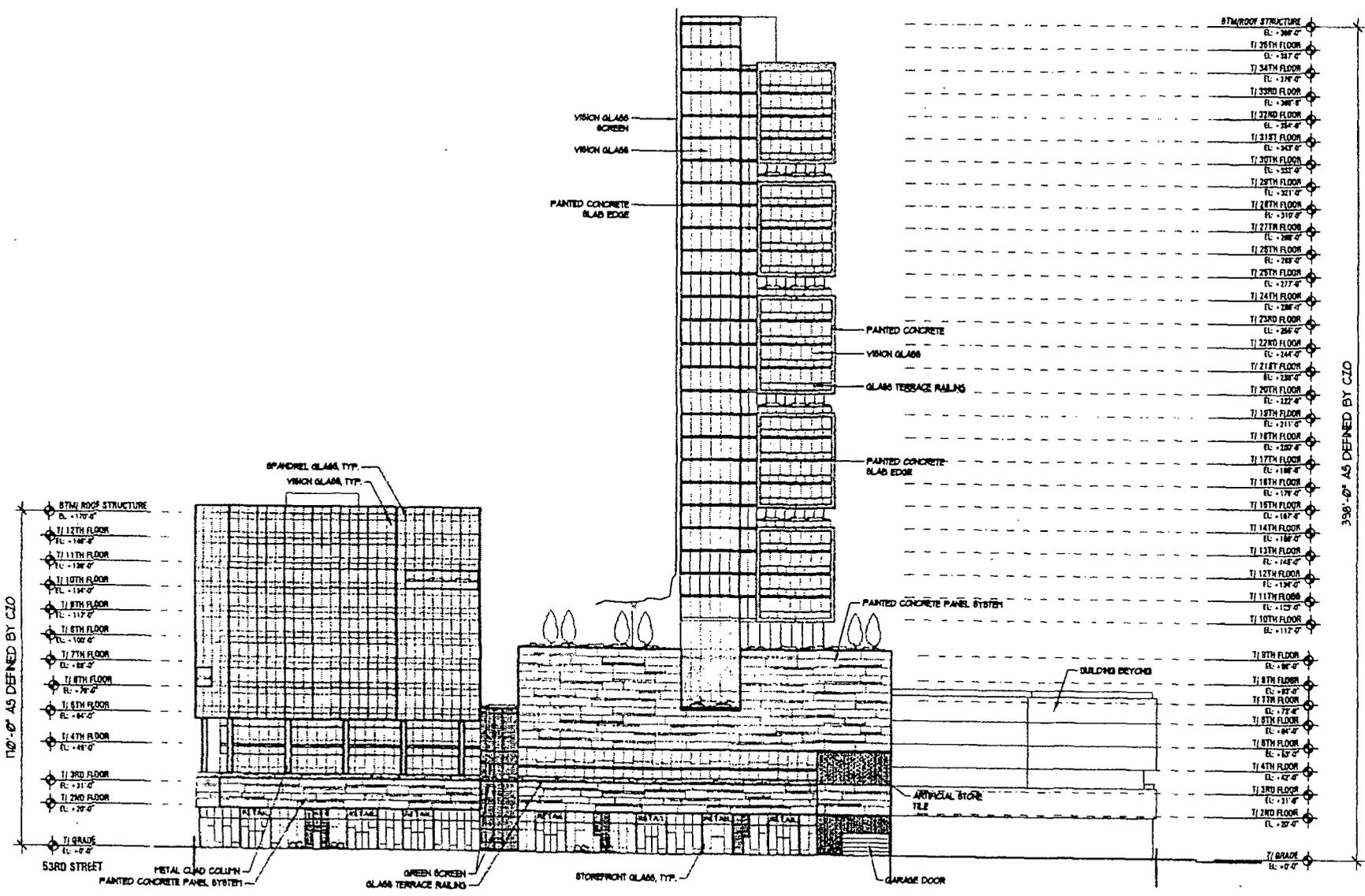
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APPLICANT: ALDERMAN TONI PRECKWINKLE (4TH WARD)		SITE PLAN / LANDSCAPE PLAN
ADDRESS OF PROJECT: 5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS		
DATE SUBMITTED: JULY 28, 2010	DATE REVISED: OCTOBER 21, 2010	SCALE: 1:1000



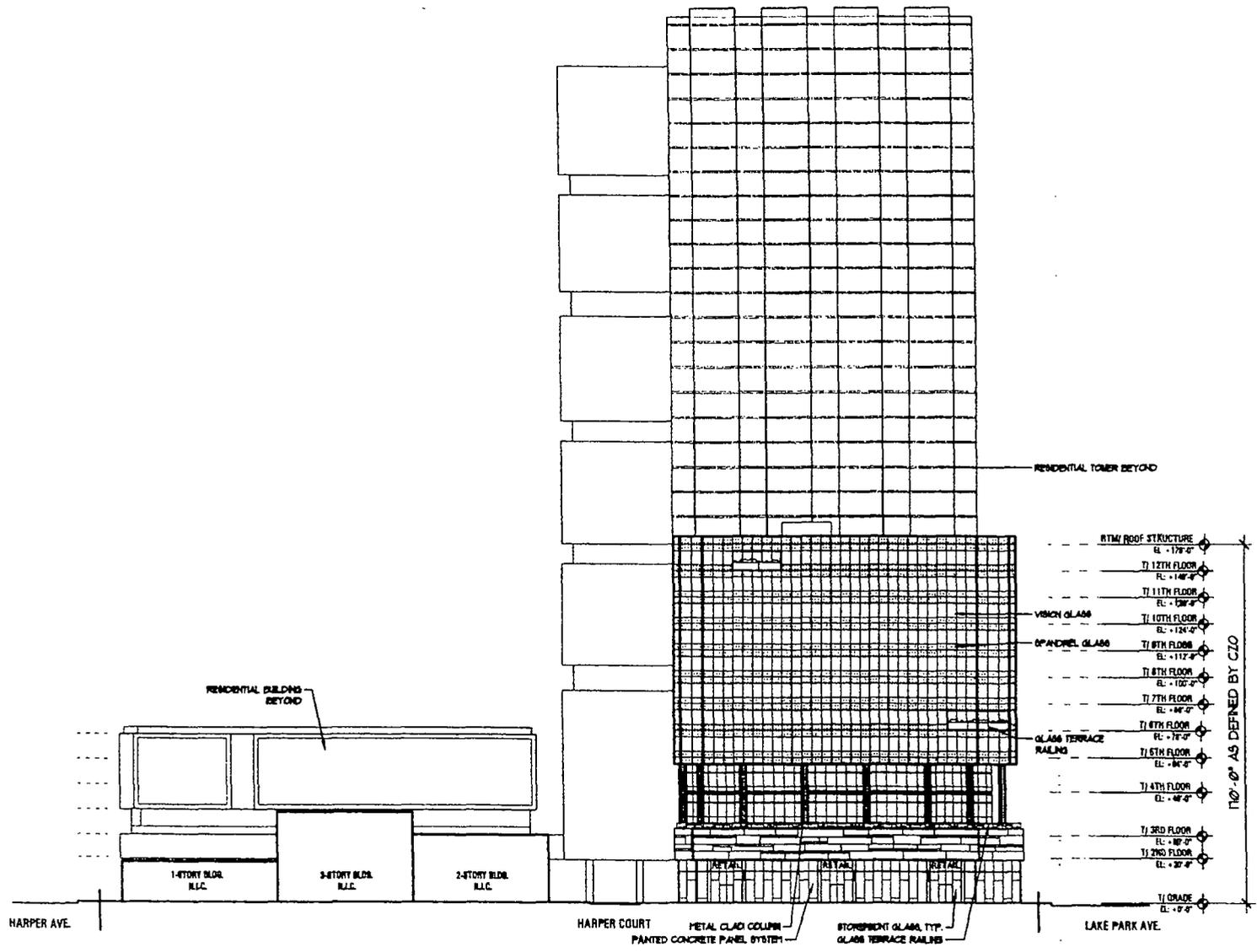
APPLICANT: ALDERMAN TONI PRECKWINKLE (4TH WARD)		SUBAREA A & C GREEN ROOF PLAN
ADDRESS OF PROJECT: 5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS		
DATE SUBMITTED: JULY 28, 2010	DATE REVISED: OCTOBER 21, 2010	SCALE: 1:1000



1 EAST ELEVATION
SCALE: 1" = 70'-0"

APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	EAST ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	DATE REVISED: OCTOBER 21, 2010

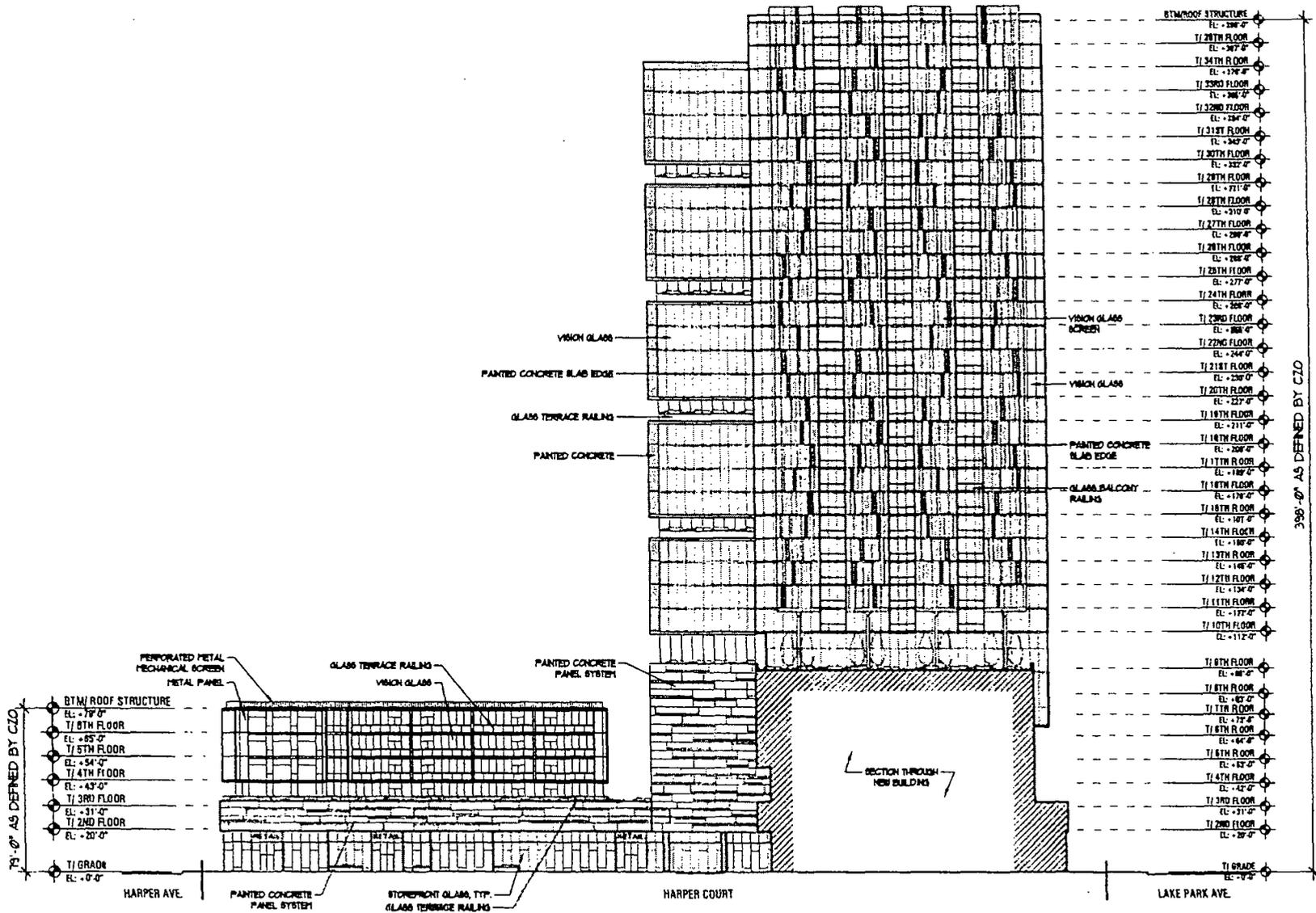
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1 SOUTH ELEVATION - W. 53rd ST.
SCALE: 1" = 70'-0"

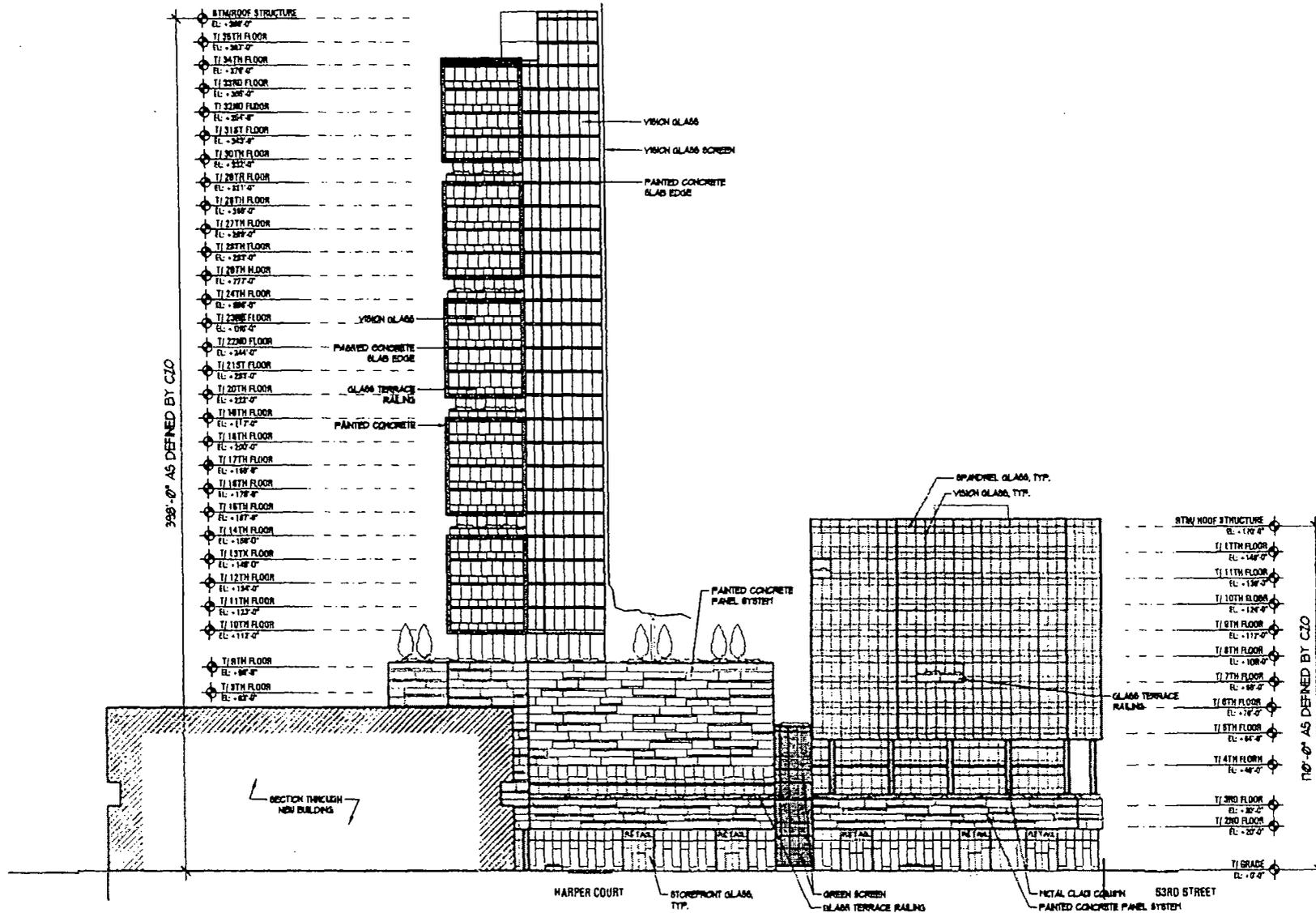
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	SOUTH ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	

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1 SOUTH ELEVATION - HARPER COURT
SCALE: 1" = 70'-0"

APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	<h2 style="margin: 0;">SOUTH ELEVATION</h2>
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	

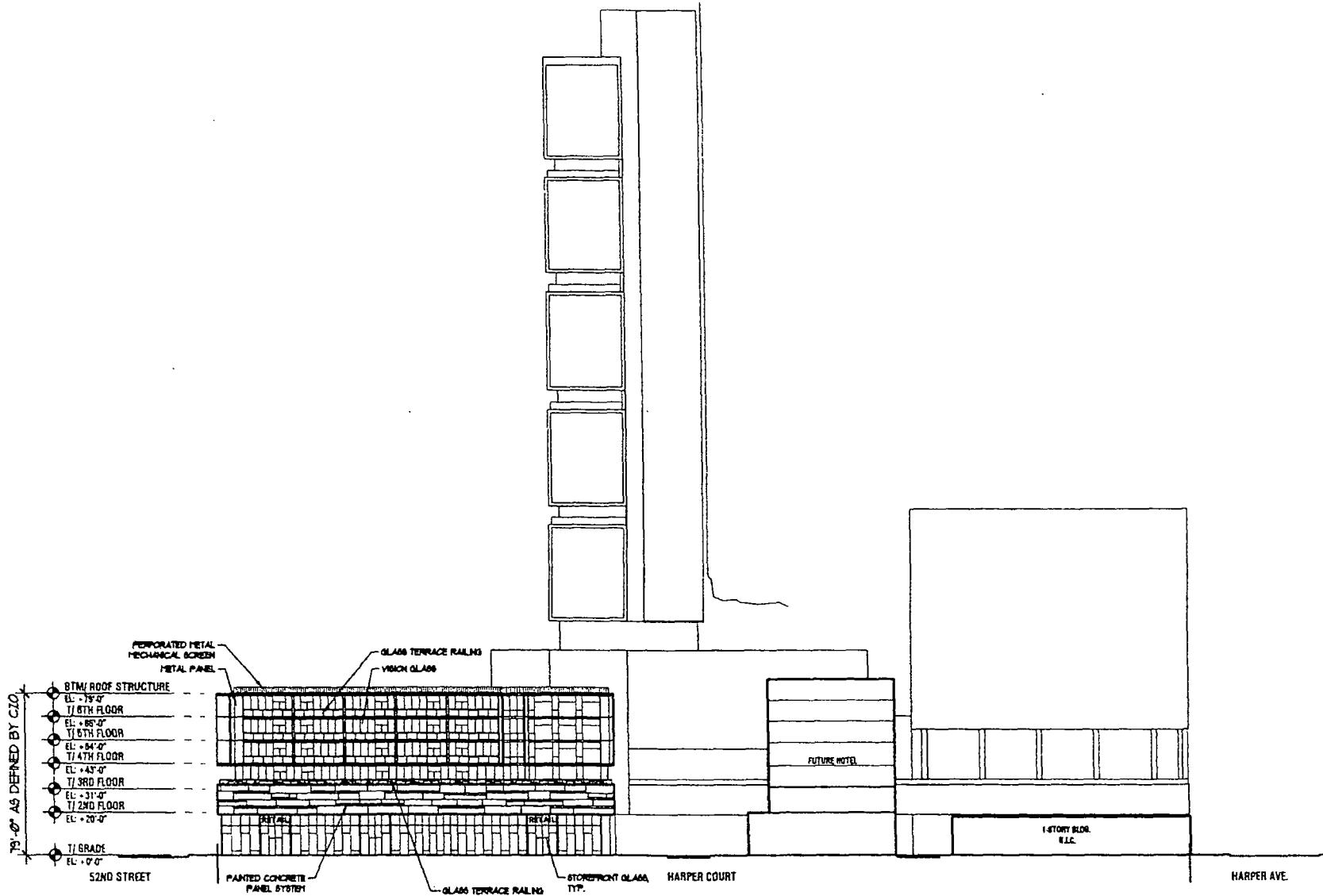


1 WEST ELEVATION - HARPER COURT
SCALE: 1" = 70'-0"

APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS
DATE SUBMITTED:	JULY 28, 2010
DATE REVISED:	OCTOBER 21, 2010

WEST ELEVATION

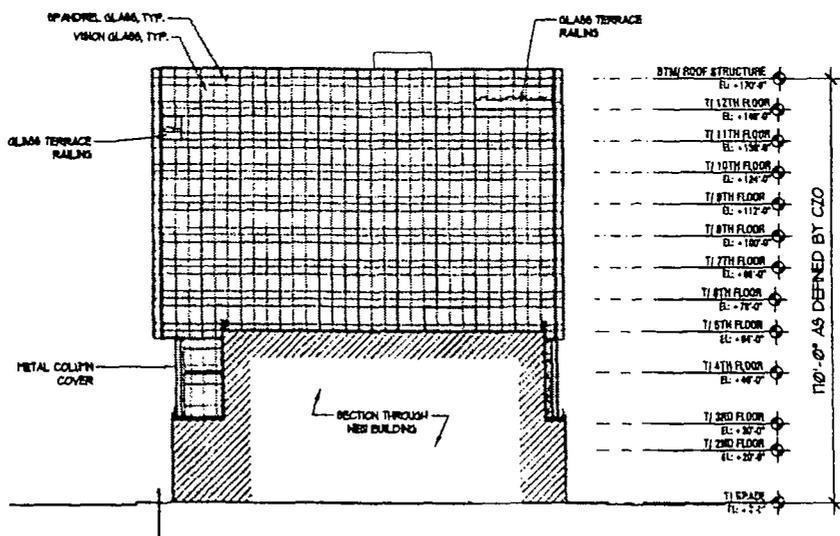
ORIGINAL FOR PUBLICATION



1 WEST ELEVATION - HARPER AVE.
SCALE: 1" = 70'-0"

APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	WEST ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	

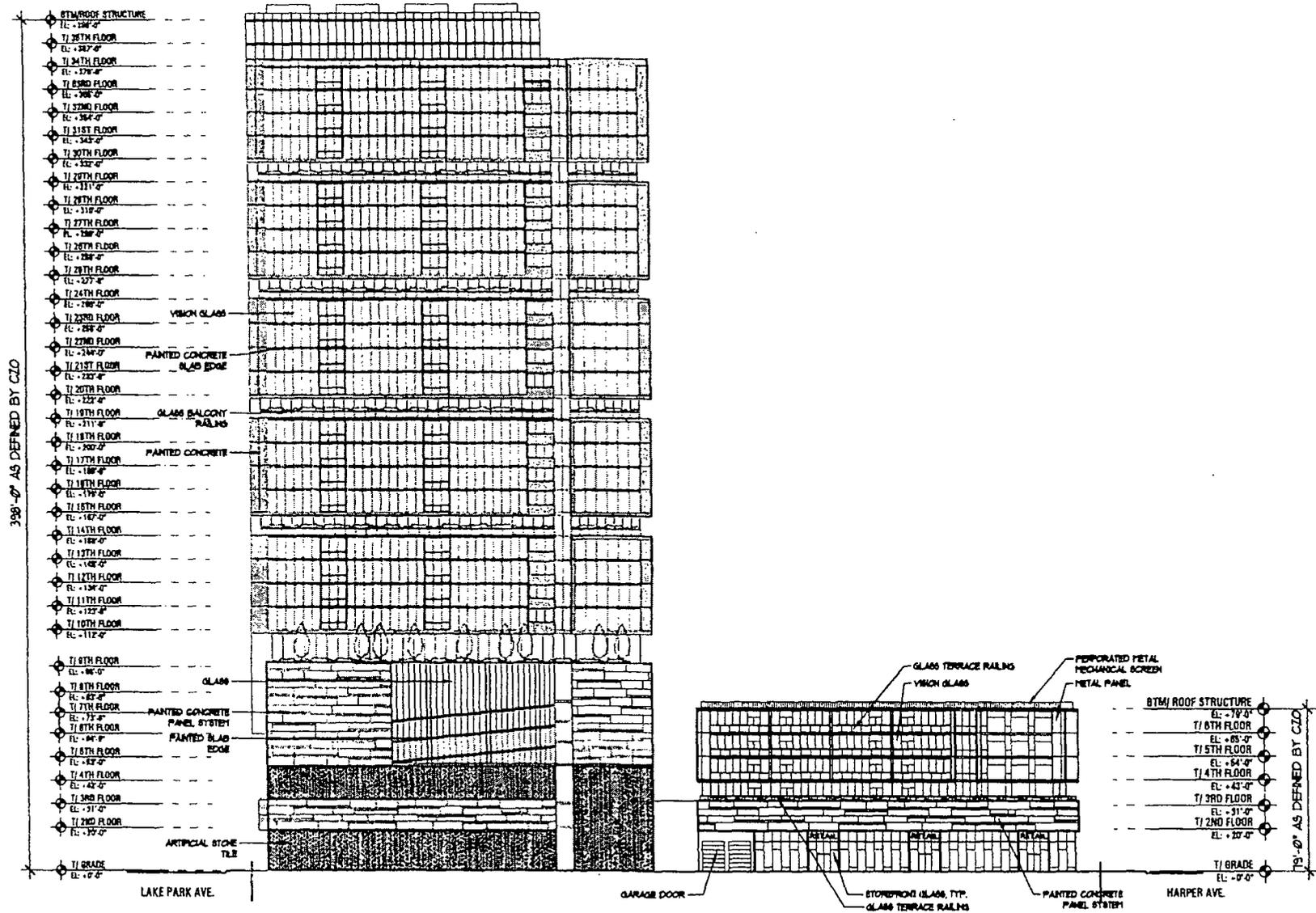
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1 NORTH ELEVATION
SCALE: 1" = 70'-0"

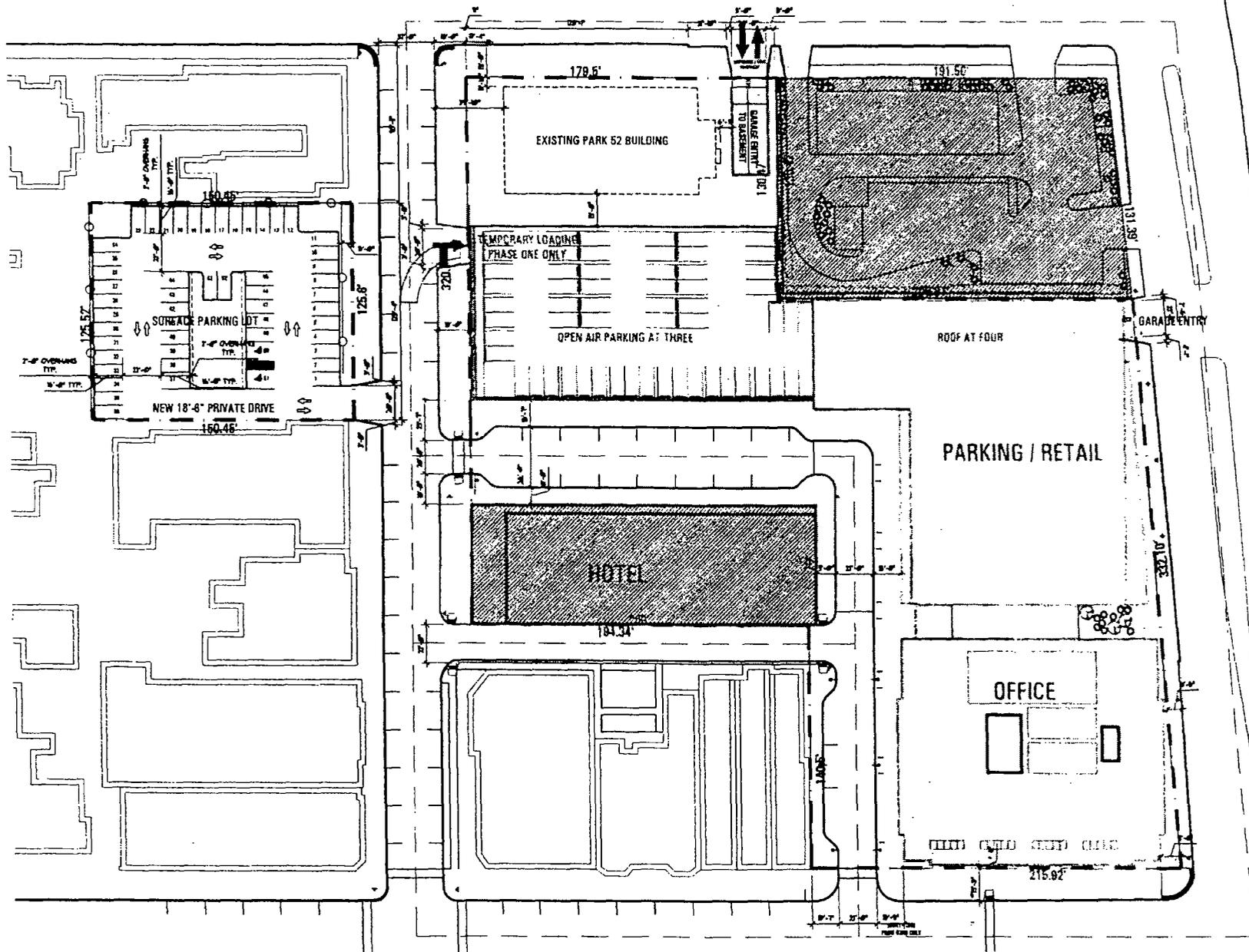
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ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	

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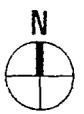


1 NORTH ELEVATION - 52ND STREET
SCALE: 1" = 70'-0"

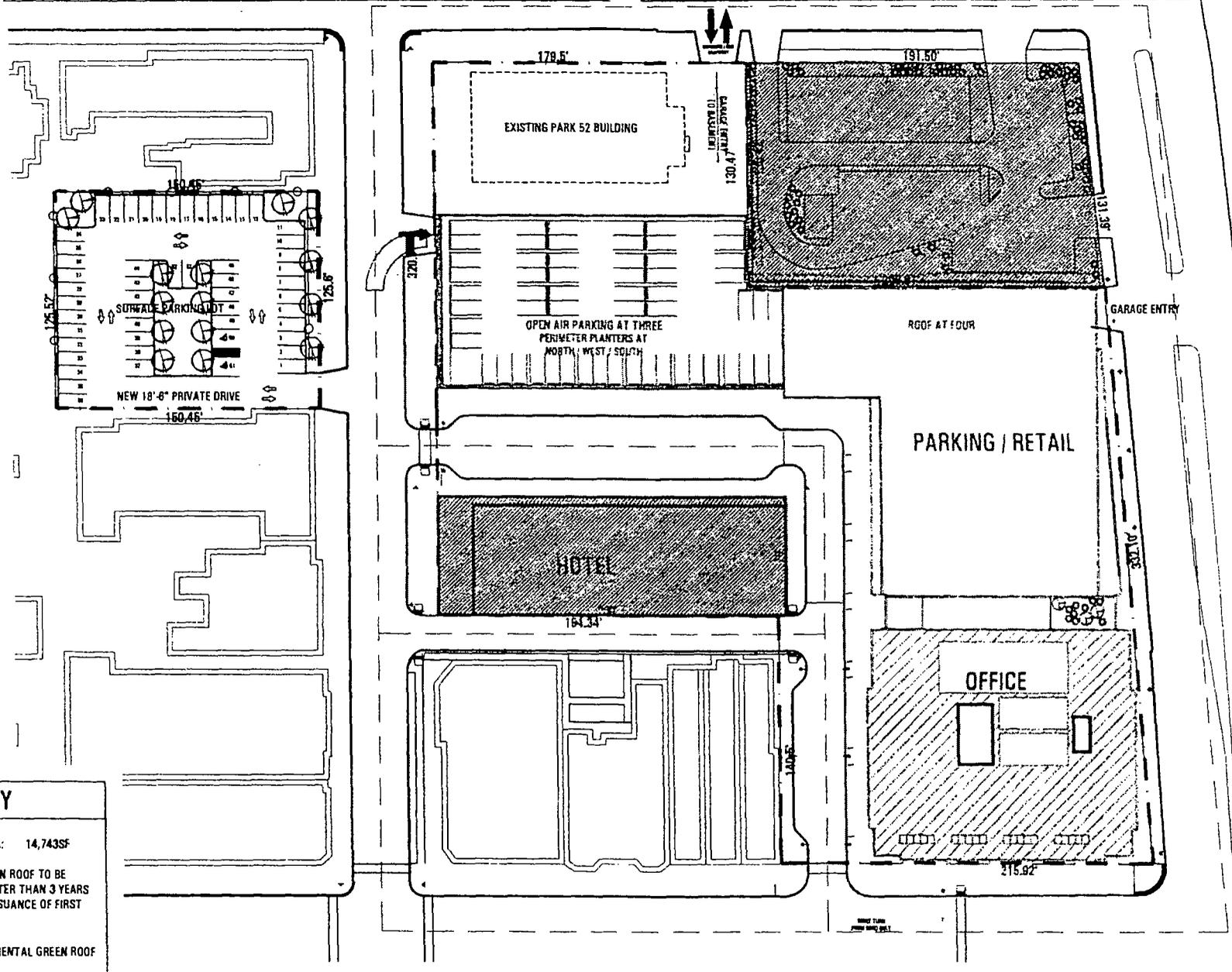
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	NORTH ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	



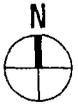
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APPLICANT: ALDERMAN TONI PRECKWINKLE (4TH WARD)		SUBAREA A & C PHASE 1 SITE PLAN
ADDRESS OF PROJECT: 5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS		
DATE SUBMITTED: JULY 28, 2010	DATE REVISED: OCTOBER 21, 2010	SCALE: 1:1000

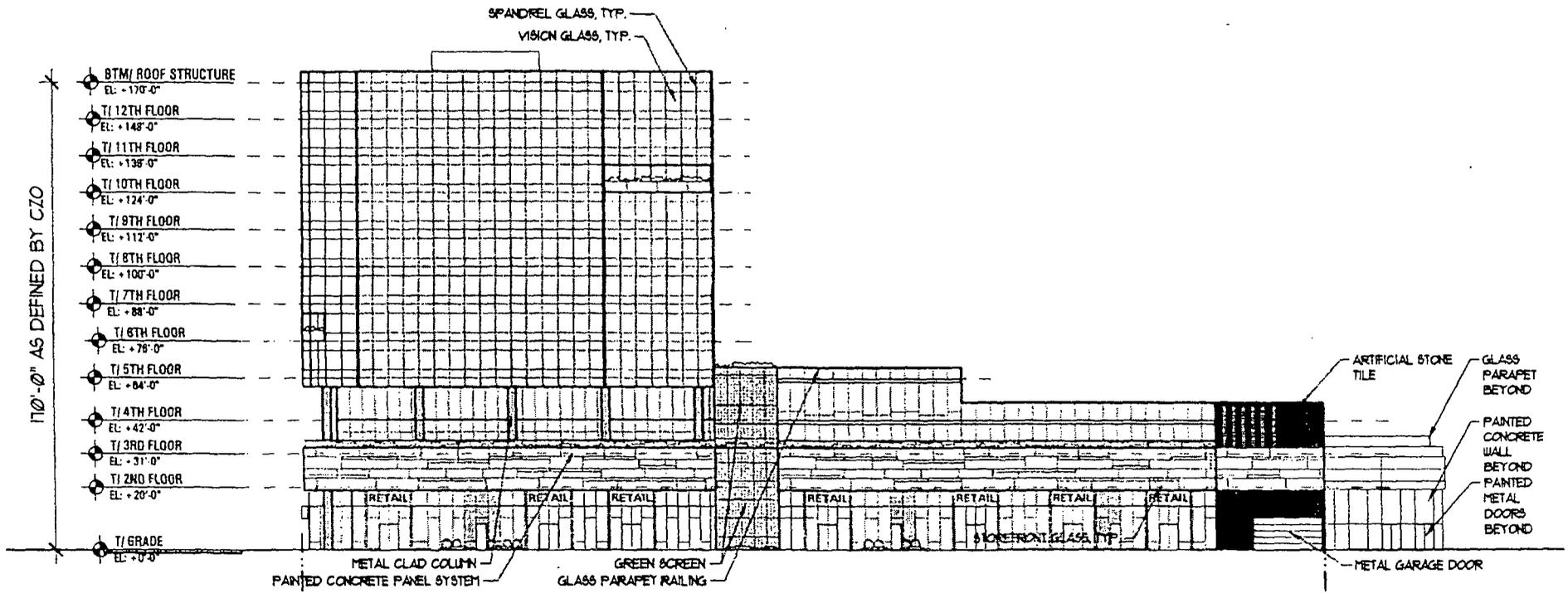


KEY	
GREEN ROOF AREA:	14,743SF
ADDITIONAL GREEN ROOF TO BE INSTALLED NO LATER THAN 3 YEARS FROM DATE OF ISSUANCE OF FIRST PART II	
	ENVIRONMENTAL GREEN ROOF



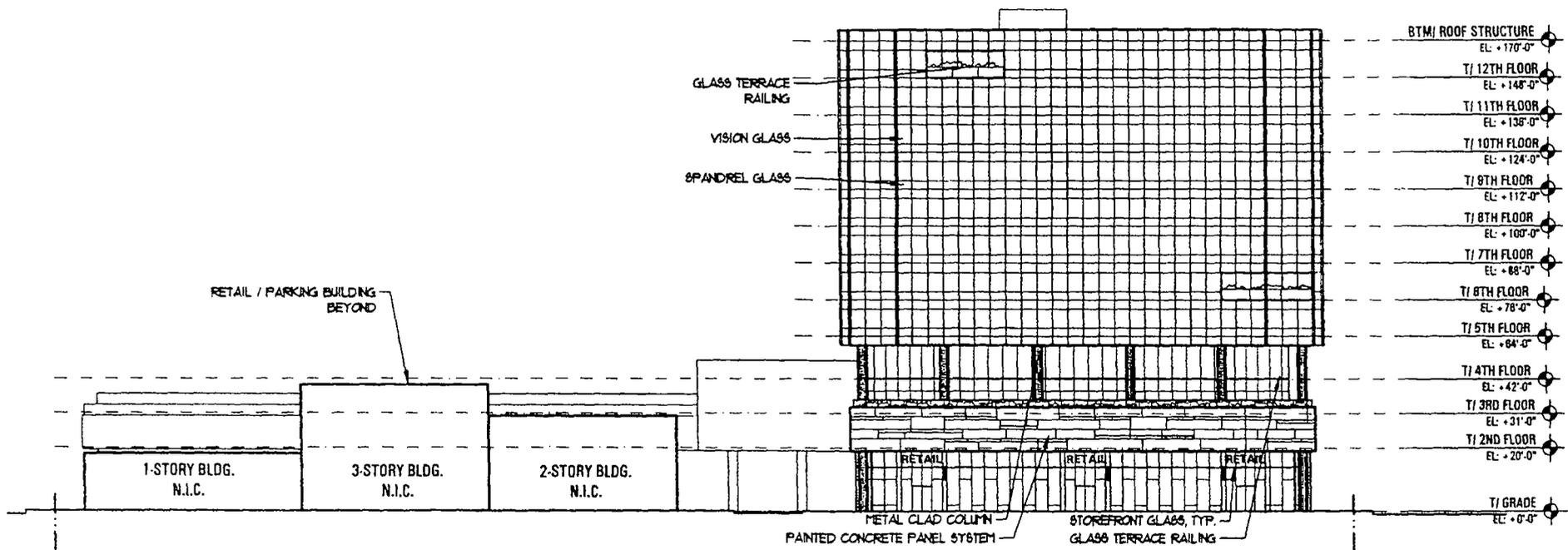
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	SUBAREA A & C PHASE 1 GREEN ROOF PLAN
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
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1 EAST ELEVATION
SCALE: 1" = 50'-0"

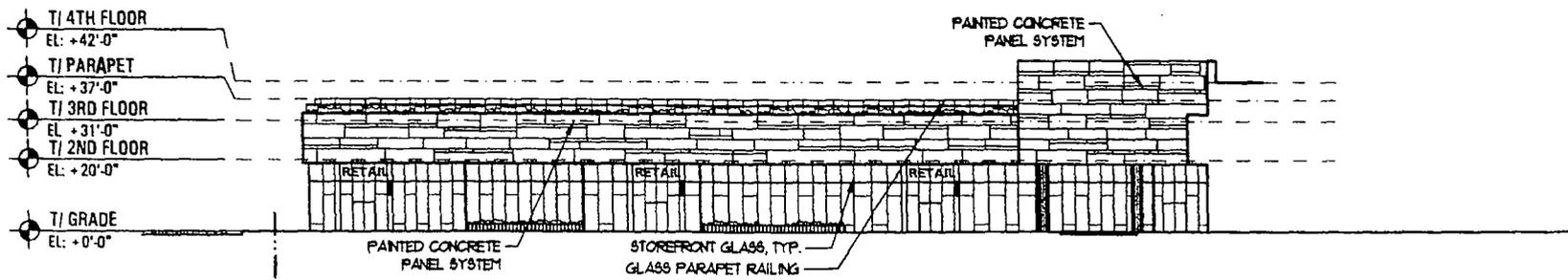
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	SUBAREA A PHASE 1 EAST ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
	DATE REVISED:	OCTOBER 21, 2010



① SOUTH ELEVATION - W. 53rd ST.
SCALE: 1" = 50'-0"

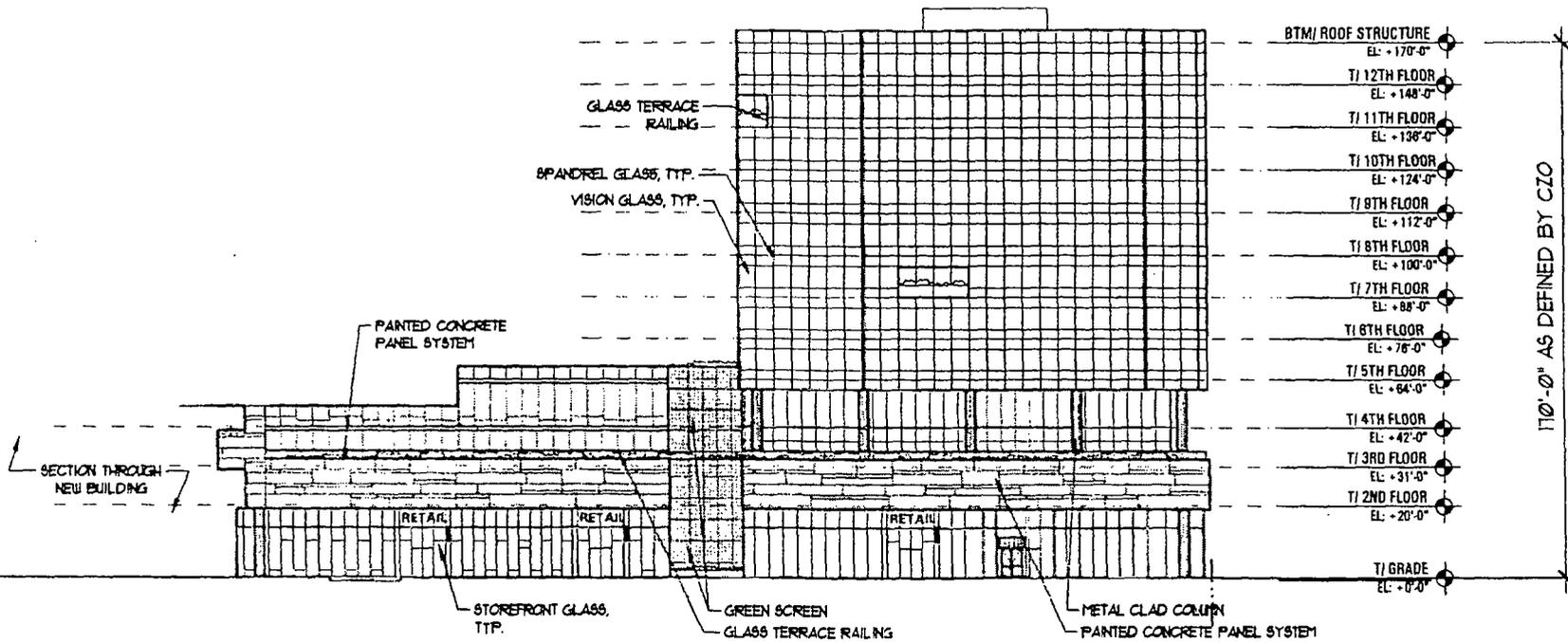
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	SUBAREA A PHASE 1 SOUTH ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	

FINAL FOR PUBLICATION



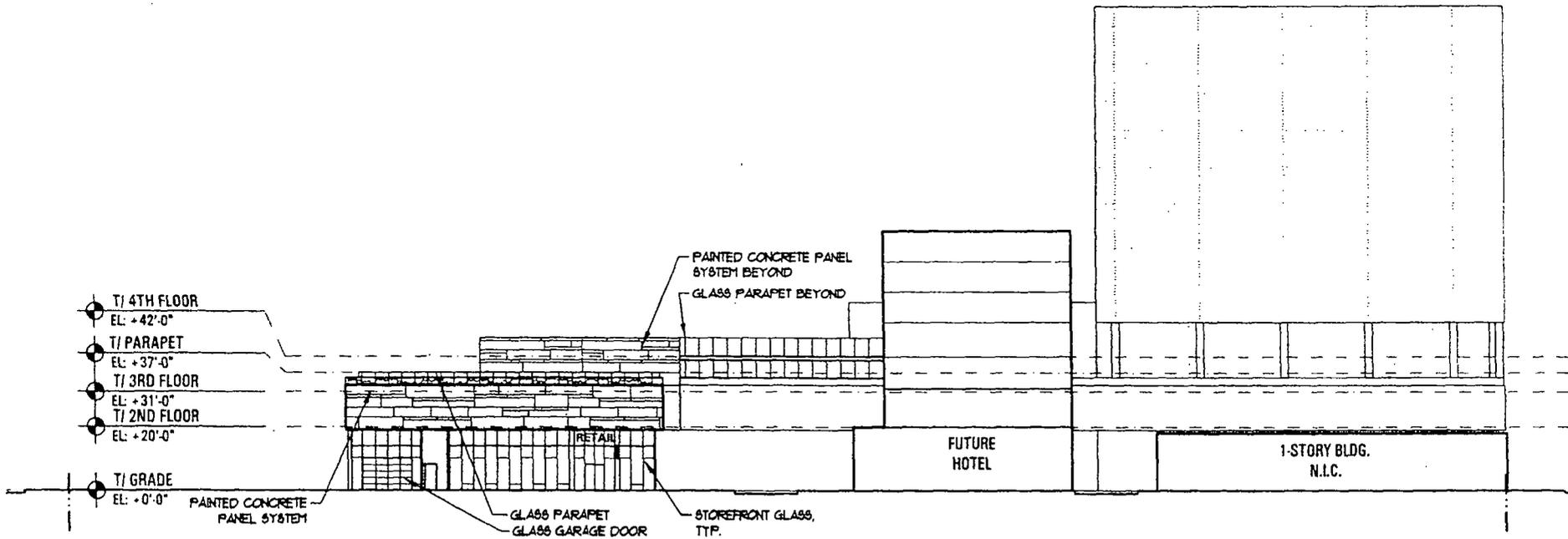
1 SOUTH ELEVATION - HARPER COURT
SCALE: 1" = 50'-0"

APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	SUBAREA A PHASE 1 SOUTH ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
	DATE REVISED:	OCTOBER 21, 2010



1 WEST ELEVATION - HARPER COURT
SCALE: 1" = 50'-0"

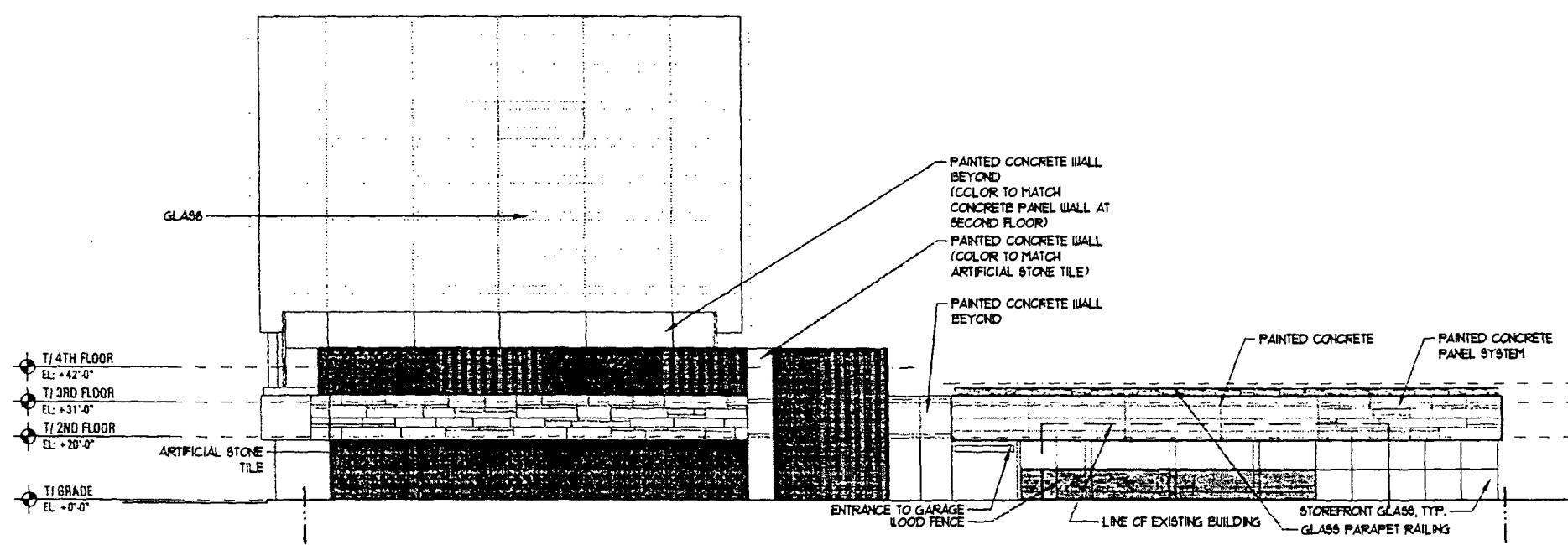
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)		SUBAREA A PHASE 1 WEST ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS		
DATE SUBMITTED:	JULY 28, 2010	DATE REVISED:	



1 WEST ELEVATION - HARPER AVE.
SCALE: 1" = 50'-0"

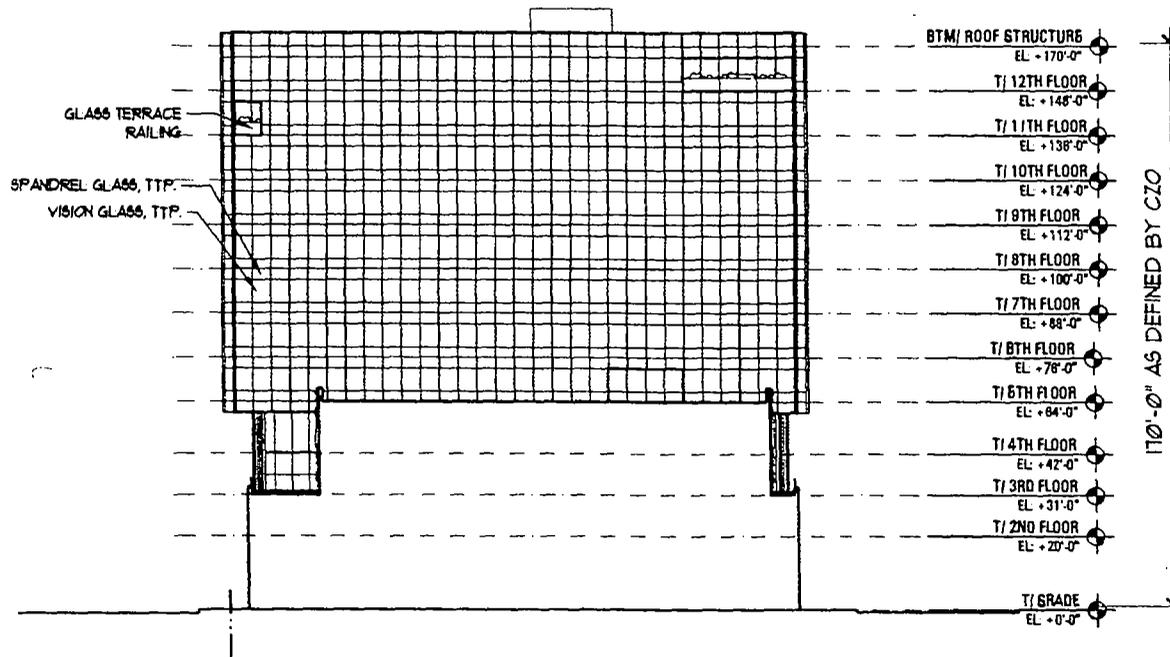
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	SUBAREA A PHASE 1 WEST ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
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1 NORTH ELEVATION
SCALE: 1" = 70'-0"

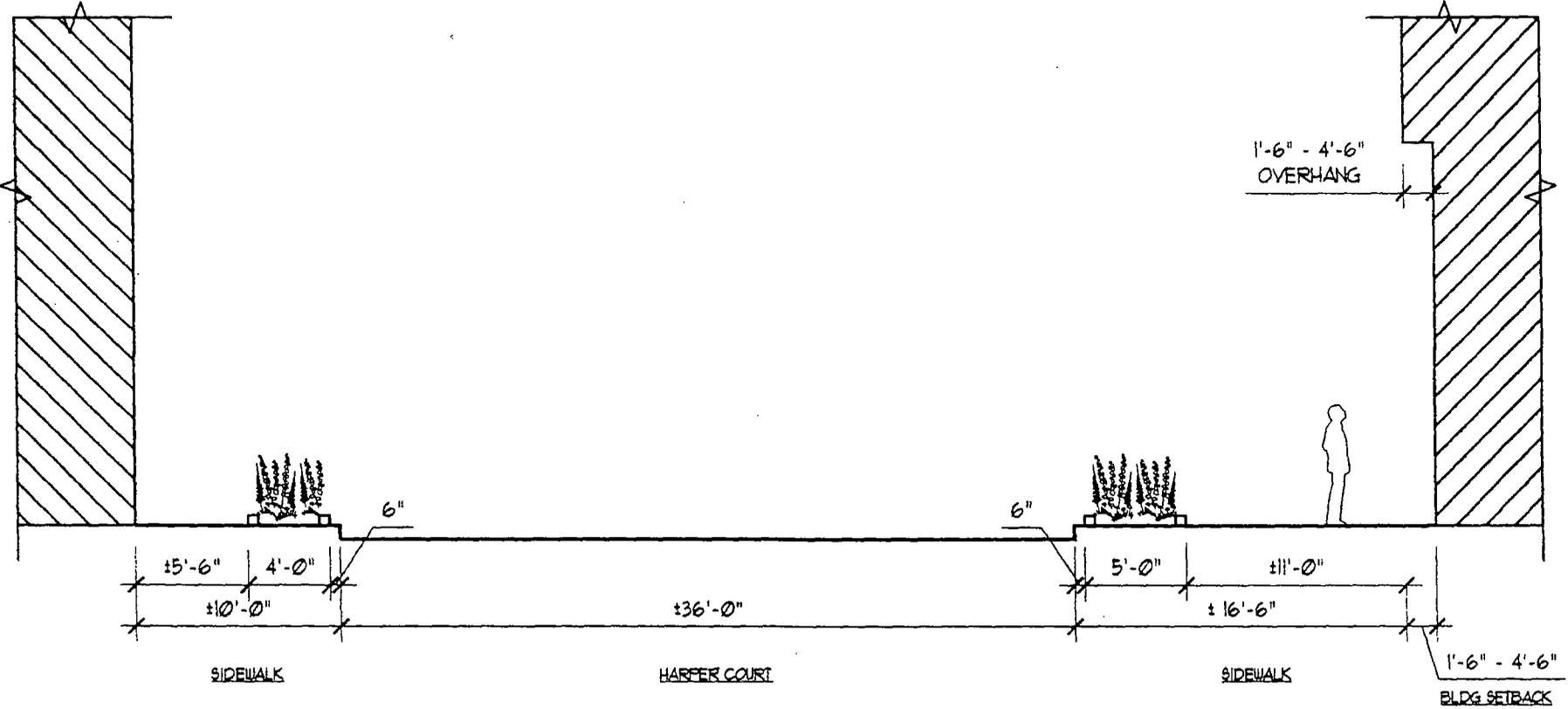
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	SUBAREA A PHASE 1 NORTH ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
	DATE REVISED:	OCTOBER 21, 2010



1 NORTH ELEVATION - OFFICE TOWER
SCALE: 1" = 50'-0"

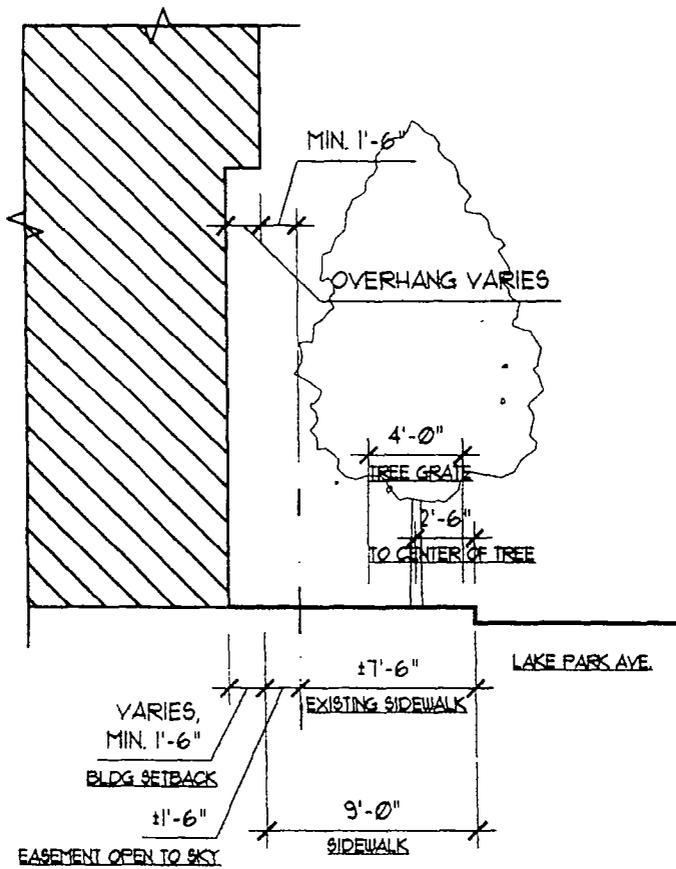
APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	SUBAREA A PHASE 1 NORTH ELEVATION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
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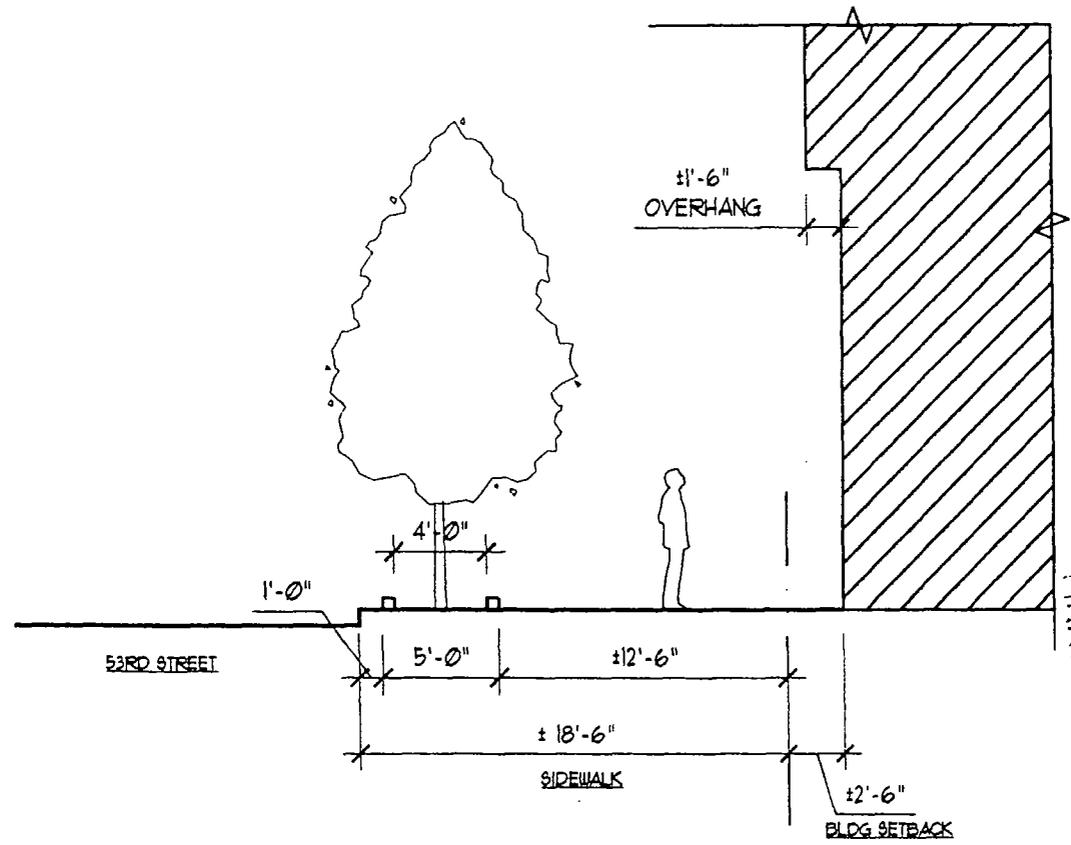


1 HARPER COURT SITE SECTION - EAST OF HARPER AVE. LOOKING WEST
 SCALE: 1/8" = 1'-0"

APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)		HARPER COURT SITE SECTION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS		
DATE SUBMITTED:	JULY 28, 2010	DATE REVISED:	



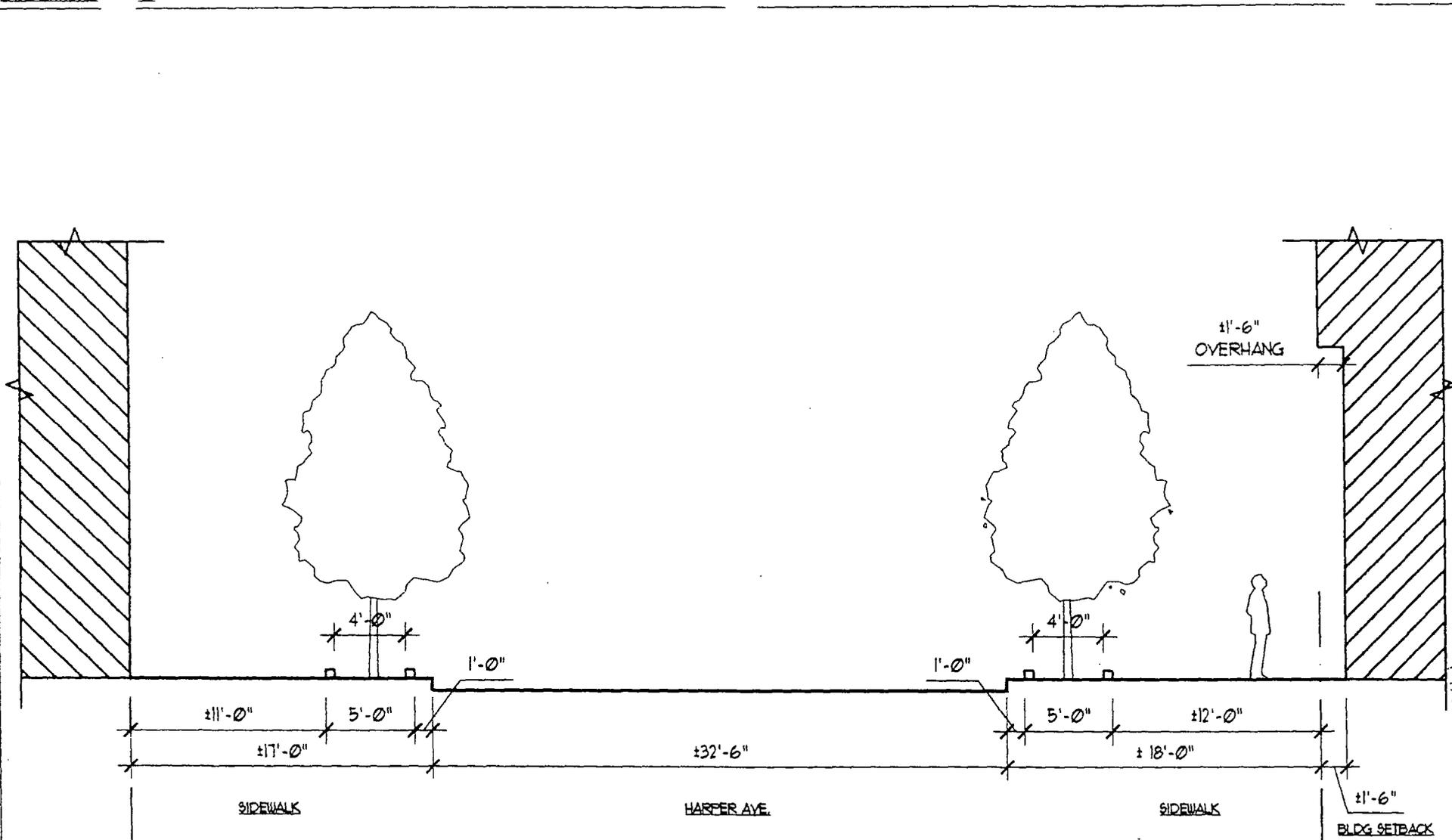
① LAKE PARK AVE SITE SECTION
SCALE: 1/8" = 1'-0"



② 53RD STREET SITE SECTION
SCALE: 1/8" = 1'-0"

FINAL FOR PUBLICATION

APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	LAKE PARK AVE. & 53RD ST. SITE SECTIONS
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	



FINAL FOR PUBLICATION

① HARPER AVE SITE SECTION
SCALE: 1/8" = 1'-0"

APPLICANT:	ALDERMAN TONI PRECKWINKLE (4TH WARD)	HARPER AVE. SITE SECTION
ADDRESS OF PROJECT:	5225 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS	
DATE SUBMITTED:	JULY 28, 2010	
DATE REVISED:	OCTOBER 21, 2010	

CHICAGO BUILDS GREEN FINAL FOR PUBLICATION

Project Name:

** Street Number (if the address only includes one street number, please fill only the cell "From"):*

Project Location:

<i>From*</i>	<i>To*</i>	<i>Direction:</i>	<i>Street Name:</i>	<i>Select Street Type:</i>
5200	5300	S	Harper	Ave

Ward No: Community Area No:

Project Type: *Check applicable:*

Planned Development
 Redevelopment Agreement
 Zoning Change

↩ PD No:
 ↩ RDA No:
 ↩ From: To:

Public project
 Landmark

Project Size:

<i>Total land area in sq.ft.:</i>	<i>Total builking(s) footprint in sq.ft.:</i>	<i>Total vehicular use area in sq.ft.:</i>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Enter First Name Last Name

DPD Project Manager:

Select project category:

BG/GR Matrix:

Financial Incentives: *Check applicable:*

TIF
 Empowerment Zone Grant
 Class L
 GRIF
 Ind. Dev. Revenue Bonds
 Class 6b
 SBIF
 Bank Participation Loan
 DOH
 Land Sale Write Down

Density Bonus: *Check applicable:*

<input checked="" type="checkbox"/> Public plaza & pocket park	<input checked="" type="checkbox"/> Water features in a plaza or pocket park
<input type="checkbox"/> Chicago Riverwalk improvements	<input type="checkbox"/> Setbacks above the ground floor
<input type="checkbox"/> Winter gardens	<input type="checkbox"/> Lower level planting tenace
<input type="checkbox"/> indoor through-block connection	<input type="checkbox"/> Green roof
<input checked="" type="checkbox"/> Sidewalk widening	<input type="checkbox"/> Underground parking and loading
<input type="checkbox"/> Arcades	<input checked="" type="checkbox"/> Concealed above-ground parking

Required per Zoning Code or Green Roof/Building Green Matrix To be Provided by the development:

Please fill, if applicable

Landscaping:

7' Landscape Setback
Interior Landscape Area
No. of Interior Trees
No. of Parkway Trees

Square footage:	0	0
Square footage:	0	0
	0	0
	25	36

Open Space:

River Setback
Private Open Space
Privately developed Public Open Space

Square footage:	0	0
Square footage:	0	0
Square footage:	0	19,785

Stormwater Management (At-grade volume control):

Permeable paving
Raingarden
Filter strip
Bioswaie
Detention pond
Native landscaping
Rain-water collection cistern/barrel
Total impervious area reduction

Square footage:	0
Check applicable:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
Square footage:	0
Gallons:	15,500
Square footage:	0

Other sustainable surface treatments:

Green roof
Energy Star roof
High-albedo pavement

Square footage:	60,690	60690
Square footage:	0	0
Square footage:		0

Transportation:

No. of accessory parking spaces
Total no. of parking spaces (Accessory + Non- Acc.)
No. of parking spaces dedicated to car sharing services (E.g.: I-Go, Zip-Car)
No. of bicycle parking
Within 600 ft of CTA or Metra station entrance

	0	0
		0
	0	0
	207	600
Check if applicable:		<input checked="" type="checkbox"/>

Building Certification:

Energy Star building	<input type="checkbox"/>	<input type="checkbox"/>
LEED certification	<input checked="" type="checkbox"/>	
LEED Certified		<input type="checkbox"/>
LEED Silver		<input type="checkbox"/>
LEED Gold		<input checked="" type="checkbox"/>
LEED Platinum		<input type="checkbox"/>
Chicago Green Homes	<input type="checkbox"/>	
Chicago Green Homes (one-star)		<input type="checkbox"/>
Chicago Green Homes (two-star)		<input type="checkbox"/>
Chicago Green Homes (three-star)		<input type="checkbox"/>

Energy efficiency strategies not captured above:

(E: Other than Energy Star Roof – or Energy Star Building Certification-

- Energy Efficient Strategies
 - rooftop solar thermal panels
 - building envelope with R=24 spandrels
 - exterior glass with southern shading devices
 - mechanical system which exceeds ASHRAE 90.1 (2007)
 - BAS system + measurement of energy use

Other sustainable strategies and/or Project Notes:

- Other sustainable strategies
 - LEED ND certification for the project (anticipate Gold level)
 - bicycle storage + shower facilities
 - light pollution reduction
 - high sri paving materials
 - materials that are low VOC and high recycled content
 - purchase Green Power
 - water efficient plumbing fixtures
 - rainwater for toilet flushing
 - low water native landscaping
- NOTE: Green Roof on office building to be installed in Phase 1 and Green Roof on remainder will be installed no later than 3 years from date of first Part II.
- The future hotel is not accounted for in the green roof numbers.

11/23/10
A7633

SUBSTITUTE ORDINANCE

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

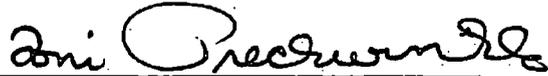
SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Planned Development No. 38 symbols and the B1-3 symbols as shown on Map No. 12-D for the property located in the area generally bounded by

East 52nd Street; South Lake Park Avenue; East 53rd Street; the west line of the alley next west of and parallel to South Lake Park Avenue; East 52nd Place; South Harper Avenue; a line 200.79' south of and parallel to East 52nd Street extended in a westerly direction for 150.45' from the west line of the South Harper Avenue right-of-way; a line extended in a northerly direction for 125.52'; a line extended in an easterly direction for 150.45' to South Harper Avenue; and South Harper Avenue

to the designation of **B3-5, Community Shopping District.**

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-5 symbols as shown on Map No. 12-D in the area described above in Section 1 of this Ordinance, to the designation of Planned Development No. 38, as amended, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

SECTION 3. This ordinance takes effect after its passage and approval.



Toni Preckwinkie
Alderman, 4th Ward



City of Chicago
Richard M. Daley, Mayor

Department of Zoning and
Land Use Planning

Patricia A. Scudiero
Commissioner

City Hall, Room 905
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-5777 (Voice)
(312) 744-6552 (FAX)
(312) 744-2950 (TTY)

<http://www.cityofchicago.org>

A7633
FINAL

MEMORANDUM

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

FROM: 
Patricia A. Scudiero
Commissioner - Department of Zoning and Land Use
Planning
Zoning Administrator

DATE: October 22, 2010

RE: Proposed Technical Amendment to Business
Planned Development No. 38 for the property
generally located at 1501-1537 East 52nd Street, 5200-
5244 south Lake Park Avenue, 1520-1540 East 53rd
Street, 1500-1514 East 52nd Place, 5201-5231 South
Harper Avenue and 5206-5218 South Harper Avenue.

On October 21, 2010, the Chicago Plan Commission recommended approval of the proposed amendment submitted by 4th ward Alderman Toni Preckwinkle. A copy of the proposed amendment 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 Zoning and Land Use Planning 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)



1953
MAY

REPORT
to the
CHICAGO PLAN COMMISSION
LINDA SEARL, CHAIRMAN
from
PATRICIA A. SCUDIERO, COMMISSIONER
DEPARTMENT OF ZONING and LAND USE PLANNING

OCTOBER 21, 2010

FOR APPROVAL: PROPOSED AMENDMENT TO BUSINESS PLANNED DEVELOPMENT No. 38

APPLICANT: ALDERMAN TONI PRECKWINKLE (4th WARD)

**LOCATION: 5225 SOUTH HARPER AVENUE
(1501 - 1537 EAST 52nd STREET;
5200 - 5244 SOUTH LAKE PARK AVENUE;
1520 - 1540 EAST 53rd STREET;
1500 - 1514 EAST 52nd PLACE;
5201 - 5231 SOUTH HARPER AVENUE; and
1506 - 5218 SOUTH HARPER AVENUE);
CHICAGO, ILLINOIS**

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department Zoning and Land Use Planning hereby submits this report and recommendation on a proposed amendment to Business Planned Development No. 38 for your review and recommendation to the Chicago City Council. The application for this amendment to the Chicago Zoning Ordinance was introduced directly into the City Council Committee on Zoning on August 31, 2010. Notice of the public hearing was published in the Chicago Sun-Times on October 4, 2010. The applicant was separately notified of this public hearing.

The applicant, Alderman Toni Preckwinkie (4th Ward), proposes to amend Residential Planned Development No. 38, located in the Hyde Park Community Area and the Fourth Ward. The applicant proposes to amend the Planned Development to extend the Planned Development boundaries, realign the three subareas, increase the maximum floor area ratio (F.A.R.) from 1.20 to 5.00, and expand the list of permitted uses for a mixed-use development, including up to 425 residential dwelling units. All of the above changes require a legislative amendment to the Planned Development. The application proposes to rezone the property to B3-5 Community Shopping District prior to re-establishing the amended Residential-Business Planned Development.

BACKGROUND

Business Planned Development No. 38 was approved by the Chicago City Council December 30, 1965, for an approximately 3.76-acre urban renewal site bounded by East 52nd Street, South Lake Park Avenue (relocated), East 53rd Street, a line approximately 111 feet west of South Lake Park Avenue (relocated), a line approximately 110 feet north of East 53rd Street and continued along the alley just north of East 53rd Street, and South Harper Avenue. The boundaries also included a parcel on the west side of South Harper Avenue, 90 feet south of East 52nd Street.

The Planned Development provided for several rearrangements of the street network. In addition to relocating S. Lake Park Avenue to the east, along the edge of the Metra railroad embankment, a 110-foot portion of S. Harper Avenue was vacated in mid-block to create a plaza connecting the parcels on either side of S. Harper Avenue, S. Harper Avenue was widened to 80 feet on either side of the plaza to accommodate landscaped turn-arounds in the resulting cul-de-sacs, and the 12-wide alley north of E. 53rd Street was widened to 37 feet and designated E. 52nd Place.

The centerpiece of the development, designated Subarea A (1.68 acres), was a cluster of four small commercial buildings fronting on S. Harper Avenue, one building on the west side of the street and three on the east side. The buildings were two stories high, although three of them had the first floor depressed below street level. The uses consisted of small retail shops, restaurants, and professional offices. The site of these commercial buildings, as well as the plaza in the vacated portion of S. Harper Avenue that connected them, was heavily landscaped.

The parcel at the southwest corner of E. 52nd Street and S. Lake Park Avenue, Subarea B (0.59 acre), was later developed with a McDonald's restaurant with a drive-through window. The remaining frontage along S. Lake Park Avenue and E. 53rd Street, Subarea C (1.49 acres), became a City-owned public parking lot.

SITE AND AREA DESCRIPTION

Currently, one of the four small commercial buildings has been demolished, leaving a fenced hole in the ground, and two of the others are only partially occupied. The fourth building, at the southeast corner of E. 52nd Street and S. Harper Avenue, is actively used for a restaurant. The Subarea B McDonald's restaurant is active and well maintained. The pavement of the public parking lot is deteriorating and the lot's landscaping has never been upgraded to the standards of the current Landscape Ordinance, save for a decorative metal fence along S. Lake Park Avenue and E. 53rd Street. The project proposed by this Planned Development amendment would demolish all of the Subarea A commercial buildings and eliminate the public parking lot. Only the McDonald's restaurant would continue.

The project's immediate surroundings are predominantly commercial, the only exceptions being the three-story multi-family residential buildings at the other three corners of E. 52nd Street and S. Harper Avenue. The north side of E. 53rd Street contains a series of one- and three-story commercial buildings containing stores and

restaurants on their ground floors. The south side of E. 53rd Street contains a book store and the 12-story Hyde Park Bank Building. East 53rd Street, between S. Kenwood Avenue and S. Lake Park Avenue is a designated Pedestrian Street in the Zoning Ordinance. South Harper Avenue contains more commercial buildings, including the Hyde Park Theater Building. South Lake Park Avenue contains a gas station on the west side and the vegetated embankment of the Metra Lakeshore Electric Line. Further away from the site, both E. 53rd Street and S. Lake Park Avenue are generally commercial with single- and multi-family residential buildings away from those streets.

The site is within the 53rd Street Tax Increment Financing (TIF) District. It is not within in the Lake Michigan and Chicago Lakefront Protection District; nor is it within an Industrial Corridor. It is not within a designated Chicago Landmark District and it does not contain any buildings that have been designated as Chicago Landmarks or buildings that have been rated as either potentially significant in the broader context of the city, state, or country ("red") or as potentially significant in the context of the surrounding community ("orange") by the Chicago Historic Resources Survey.

The site is served by the CTA's #15 (Jeffery Local) and #28 (Stony Island) bus lines. The closest transit station is the 51st-53rd Street Station of the Metra Lakefront Electric Line at the corner of E. 53rd Street and S. Lake Park Avenue. The closest CTA transit station is the 51st Street station of the Green Line, approximately two miles away and accessible by the #15 (Jeffery) bus.

PROJECT DESCRIPTION

The application proposes to redevelop the entire site of Planned Development No. 38, except for Subarea B and its McDonald's restaurant. The new mixed-use development would contain approximately 150,000 square feet of offices, 100,000 square feet of retail/commercial space, 150 hotel rooms, 395 residential dwelling units, and at least 600 off-street parking spaces.

To accommodate this redevelopment, the Planned Development boundaries would be expanded by incorporating an additional parcel along E. 53rd Street, extending to the alley west of S. Lake Park Avenue. This parcel contains a vacant one-story commercial building, which would be demolished. Also, the subareas would be redesignated. Subarea B with its McDonald's restaurant would remain unchanged. The parcel on the west side of S. Harper Avenue, now part of Subarea A, would become the new Subarea C. The rest of Subarea A and the current Subarea C with its public parking lots would become a new Subarea A.

A number of street and alley changes are also proposed. South Harper Avenue would be reopened between E. 52nd Street and E. 53rd Street by rededicating the piece of S. Harper Avenue that was previously vacated to form the plaza. Where S. Harper Avenue had been widened at either end of the plaza, those 14-foot widenings would be vacated, resulting in a S. Harper Avenue with continuous 66-foot right-of-way. East 52nd Place would be narrowed from 37 feet to 24 feet and the 14-foot north-south alley

that connects it to E. 53rd Street would be vacated, replaced by an expanded private access street. A number of public alleys within the site would be vacated.

The private street, called Harper Court, would extend eastward from S. Harper Avenue, from a point between E. 52nd Street and E. 52nd Place, approximately 200 feet towards the east. There, it would bend south and go another 210 feet to E. 53rd Street. It would also form the terminus of E. 52nd Place. The new private street would divide Subarea A into two parcels. The smaller of the two parcels would be bounded by S. Harper Avenue on the west, E. 52nd Place on the south, and the new private Harper Court on the north and east. This parcel would be the site of a future hotel.

The larger parcel, constituting most of Subarea A, would contain the main development. The first element of this would be a large, 228-space underground garage, extending under all of Subarea A, including the hotel site. The ground floor would be occupied by retail space and lobbies for the office and residential components. The retail spaces would open onto all of the surrounding streets - E. 52nd Street, S. Lake Park Avenue, E. 53rd Street, and the private Harper Court. The second floor would be devoted to another 192 parking spaces.

Above the second level, the project would be divided into three components, a twelve-story office tower along E. 53rd Street, a 35-story condominium tower to its north along S. Lake Park Avenue, and a six-story residential structure at the corner of E. 52nd Street and S. Harper Avenue. In the office tower, levels three and four would be occupied by a fitness center, and levels five through twelve would contain office space.

In the condo tower, floors 3 - 8 would contain another 290 parking spaces. The ninth floor would have amenity spaces for the condo residents, plus a large landscaped common deck next to the office tower. Floors 10 - 35 would house the condominium units.

The residential component along S. Harper Avenue would add a third 98-space parking level, then three floors of residential units. The residential floors would be U-shaped, open to the east. Between the wings of the "U", there would be an open landscaped deck for the residents on the roof of the third floor.

Neither the mixed-use retail/residential building in Subarea C on the west side of S. Harper Avenue, nor the hotel in Subarea has been designed, yet. Any development proposal for those two sites will require review by the Commissioner of Zoning and Land Use Planning and the Chicago Plan Commission and approval of the Commissioner.

DESIGN

The ground-floor retail and lobby spaces would have an almost continuous facade of glass and aluminum storefronts along the public sides of the project. The second floor, which would be all parking, would be clad in painted precast concrete panels with a cut fieldstone effect.

On the office component, the east, south, and west glass walls of the third and fourth floors would be set back from the second floor with two-story metal-clad columns around the perimeter of the setback. The cladding of the office floors, 5 - 12, would be an aluminum and glass window wall system with alternating bands of vision and spandrel glass.

The parking levels of the condo tower, floors 3 - 8, would be covered with the painted precast panels except for the third floor, which would be glass. The north elevation of these parking floors would be a mix of the painted precast concrete panels, artificial stone tile, and glass. The amenity floor (9) and the residential floors (10 - 35) would be clad with an aluminum and glass window wall system. Every fifth floor, beginning with the ninth floor, would be recessed, creating terraces for the residents. On the south elevation of the condo tower there would be four perforated metal screens attached to the side of the building and extending from the roof to the landscaped common deck on the ninth floor. The screens are intended to provide sun shading on this side of the building and would flare out over the deck to shade it, as well.

On the mid-rise residential component, the third-floor parking would also be clad with glass. The three residential floors would be covered with glass, but with projecting balconies encased in a metal panel system with glass railings.

ACCESS and CIRCULATION

The private street, Harper Court, would provide the main focus of the project for pedestrian and drop-off access. All of the retail frontage, however, would provide pedestrian entries. The entrance to the underground parking would be from S. Harper Avenue, while the entrance to the upper-level parking would be from S. Lake Park Avenue. The loading docks for the entire project would be located on E. 52nd Street. One parking space would be provided for each residential/condo unit. And approximately 420 spaces would be provided for the office, retail, and hotel uses.

LANDSCAPING and SUSTAINABILITY

Parkway trees would be provided along the public streets according to the Zoning Code wherever they are either missing or have to be removed for construction activity. The sole exception would be along E. 52nd Place, which would be reduced in width to only twenty feet.

Harper Court, the private street, would serve as both a street and an open space amenity. The street would be designed for some on-street parking and slow traffic, but the design would place the needs of pedestrians above the automobile. Planters would be installed, above-ground or in-ground, to accommodate trees and decorative landscaping. The street would be embellished with decorative pavement and designed for closure for public events, such as markets and concerts. In addition, two landscaped roof decks would be provided for the residents, one at the ninth floor for the condos and one on the fourth floor for residents of the mid-rise.

The project would have LEED Certification (possibly Platinum) for the Core and Shell of the retail, office and parking components and LEED Neighborhood Development Certification (Silver or Gold) for the overall project. Green roof in the extent of approximately 60,690 square feet, or 100% of net roof area, would be provided. Other sustainable development features would include roof-top solar thermal panels, mechanical systems that exceed the ASHRAE 90.1 (2007) standards, use of rainwater in toilet flushing, and an integrated storm water system.

The future hotel and Subarea C retail/residential buildings will be require LEED Certification and green roofs at 100% of net roof area.

PHASING

Besides the future development of the hotel and Subarea C retail/residential buildings, the main project will also be developed in phases. The first phase will encompass the underground parking, the ground floor retail, the second level parking, and the office tower with its fitness center. Timing of the condo tower with its six levels of parking would depend on market conditions for residential development. The same applies to the development of the mid-rise residential units.

The Subarea C parcel on the west side of S. Harper Avenue would be converted to a fully landscaped surface parking lot until the market is ready for the proposed retail/residential project. The concrete slab over the top of the underground parking would cover the hotel site until development.

RECOMMENDATION

The Department of Zoning and Land Use Planning has reviewed the project materials submitted by the applicant and has concluded that the proposed new zoning for the site, B3-5 Community Shopping District, which would serve as base zoning for the proposed Planned Development, is appropriate for the site. The site is at the boundary between higher density zoning to the east (B3-5, RM6, and RM6.5) and less intense zoning to west (B3-2 and RM5). The proposed B3-5 zoning for the site would be consistent and compatible with the adjacent zoning to the east. Also, the B3-5 zoning allows for the mix of uses, density, and height required to redevelop this site is support of the goals of the 53rd Street Redevelopment Project Area (TIF) Plan.

Further, the Department of Zoning and Land Use Planning has reviewed the project materials submitted by the applicant and has concluded that the proposed amendment to Business Planned Development No. 38 would be appropriate for the site and that the project meets the review criteria for planned developments set forth in the Zoning Ordinance (Section 17-13-0900).

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 amended Planned Development conforms with the standards and requirements of the zoning proposed for

the site prior to re-establishing the amended Planned Development (B3-5 Community Shopping District). The proposed maximum overall 5.00 Floor Area Ratio (F.A.R.) matches the maximum in the B3-5 district (5.00). All the uses proposed by the application are allowed in the B3-5 district; the proposed setbacks, and the parking and loading provisions comply with the Code. The tallest building proposed for the site (approximately 400 feet) may exceed the B3-5 districts 80-foot height limit only through this Planned Development.

- b. **Approved Plans.** This site lies within the 53rd Street Tax Increment Finance District. With the recommendation of the Chicago Plan Commission, the Chicago City Council, in 2000, approved a Redevelopment Plan for the area, including a Land Use Plan. That Land Use Plan called for mixed-use development at this site. The proposed project conforms to that plan, with its mix of residential and retail uses. The proposed project also addresses the goals of that Redevelopment Plan by providing adequate parking, providing pedestrian-friendly uses and design, and developing mixed uses at the intersection of E. 53rd Street and S. Lake Park Avenue.
- c. **Transportation, Traffic Circulation and Parking.** Under B3-5 Community Shopping District zoning, the project would be required to have at least 344 off-street accessory parking spaces; the project will provide approximately 800 spaces. The site is well served by public transportation. Not only do two CTA bus lines serve the site, but the 51st-53rd Station on the Metra Lakeshore Electric Line is within several hundred feet of the site.
- d. **Pedestrian Orientation.** The ground floor on all public streets, as well as the private Harper Court, would be devoted to retail frontage and the residential lobbies with large amounts of glass on the retail elevations. Curb cuts would be kept to a minimum, none on E. 53rd Street and the private street, and only one each on S. Harper Avenue, E. 52nd Street, and S. Lake Park Avenue.
- e. **Urban and Building Design.** The project's central urban design element would be the Harper Court private street, designed more to serve pedestrians and public events than the automobile. The project would consist of three distinct elements, office, condo, and mid-rise, each with its own distinctive massing components and surface textures. The whole, however, would be tied together by the unified look of the ground-floor retail spaces and the second-floor parking level. The future hotel and Subarea C retail/residential structures would be designed individually.

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

- a. Mixed uses are typical in this section of Hyde Park, especially along E. 53rd Street and S. Lake Park Avenue, as well as in the East Hyde Park neighborhood on the east side of the Metra tracks. The project's retail component will extend that of E. 53rd Street into the site and replace the surface parking lots and obsolete commercial buildings. The introduction of residential uses on the site, up to 395 units, will provide street activity for all of the 53rd Street commercial street.

Although the project would introduce a tall residential tower (approximately 400 feet), it would fit in the context of tall residential towers existing and planned to its east and north. The area of East Hyde Park north of E. 53rd Street, alone, contains ten buildings between 240 feet and 357 feet in height. Even along S. Lake Park Avenue, there are buildings 144 feet and 260 feet high and one recently approved at 280 feet. The 12-story office tower would be approximately the same height as the Hyde Park Bank Building on the opposite side of E. 53rd Street.

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

- a. The proposed Planned Development has been reviewed by the Chicago Department of Transportation's Project Review Committee and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and no comments have been received which have not been addressed in the revised application.

Based on the foregoing, it is the recommendation of the Department of Zoning and Land Use Planning that the revised application for an amended Planned Development be approved and that the recommendation to the City Council Committee on Zoning be: "As Revised, Passage Recommended."

Patricia A. Scudiero, Commissioner
Department of Zoning and Land Use Planning



City of Chicago
Richard M. Daley, Mayor

Department of Zoning and
Land Use Planning

Patricia A. Scudiero
Commissioner

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<http://www.cityofchicago.org>

FINAL FOR PUBLICATION

**RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT No. 38
(5225 SOUTH HARPER AVENUE)**

RESOLUTION

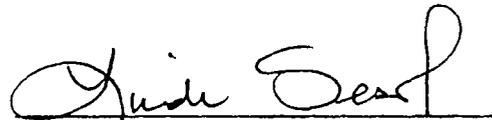
- WHEREAS**, the applicant, Alderman Toni Preckwinkie (4th Ward), proposes to amend **Business Planned Development No. 38**, located in the **Hyde Park Community Area**; and
- WHEREAS**, the application proposes to amend the Planned Development to extend the Planned Development boundaries, realign the three subareas, increase the maximum floor area ratio, and expand the list of permitted uses for a mixed-use development, including up to 425 residential dwelling units; and
- WHEREAS**, the application has been submitted as an amendment to the Planned Development because all of the proposed changes require legislative action; and
- WHEREAS**, an application for Planned Development amendment approval was introduced directly into the City Council Committee on Zoning on **August 31, 2010**; and
- WHEREAS**, notice of the public hearing to consider the application was published in the Chicago Sun-Times on October 4, 2010; the applicant was notified of the hearing; and the proposed Planned Development application was considered at a public hearing by this Plan Commission on October 21, 2010; and
- WHEREAS**, this Plan Commission has reviewed the application with respect to the Planned Development provisions of the Chicago Zoning Ordinance and finds that the proposal would be consistent with that ordinance; and
- WHEREAS**, the Department of Zoning and Land Use Planning recommended approval of the application, which recommendation and the reasons therefore are contained in the Department's written report dated October 21, 2010, 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 information submissions associated with the proposed development, the report and recommendation of the Commissioner of the Department of Zoning and Land Use Planning, and all other testimony presented at the public hearing held on October 21, 2010, giving due consideration to the Planned Development Standards and Guidelines contained in the Chicago Zoning Ordinance;

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

THAT this Plan Commission recommend approval of the attached amended Planned Development Ordinance to the City Council Committee on Zoning and forward the Report of the Commissioner of the Department of Zoning and Land Use Planning, dated October 21, 2010, as the findings of this Plan Commission regarding same.

A handwritten signature in black ink, appearing to read "Linda Searl", written over a horizontal line.

Linda Searl, Chairman
Chicago Plan Commission

Approved: October 21, 2010

RBPD No. 38, as amended