

City of Chicago



SO2019-5598

Office of the City Clerk Document Tracking Sheet

Meeting Date:

7/24/2019

Sponsor(s):

Misc. Transmittal

Type:

Ordinance

Title:

Zoning Reclassification Map No. 9-F at 3450-3480 N Broadway and 645-653 W Cornelia Ave - App No. 20116

Committee(s) Assignment:

Committee on Zoning, Landmarks and Building Standards

ORDINANCE

#20116 INTRODATE July 24,2019

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 RM5 Residential Multi-Unit District and B3-2 Community Shopping District symbols and indications as shown on Map No. 9-F in the area bounded by

West Cornelia Street; North Broadway Avenue; A line 322.08 feet along North Broadway Avenue south of and parallel to West Cornelia Street; a line 339.00 feet west of and North Broadway Avenue; a line 203.46 feet south of and parallel to West Cornelia Street; a line 377.50 feet west of North Broadway Avenue; a line 139 feet south of and parallel to West Cornelia Street; a line 105.15 feet west of North Broadway Avenue

to those of a B3-3 Community Shopping District

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all B3-3 Community Shopping District symbols and indications as shown on Map No. 9-F in the area bounded by

West Cornelia Street; North Broadway Avenue; A line 322.08 feet along North Broadway Avenue south of and parallel to West Cornelia Street; a line 339.00 feet west of and North Broadway Avenue; a line 203.46 feet south of and parallel to West Cornelia Street; a line 377.50 feet west of North Broadway Avenue; a line 139 feet south of and parallel to West Cornelia Street; a line 105.15 feet west of North Broadway Avenue

To those of a Residential Business Planned Development

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

Common Address of Property:

3450-3480 N Broadway/ 645-653 W. Cornelia

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

- 1. The area delineated herein as Residential-Business Planned Development Number ______, ("Planned Development") consists of approximately 69,070 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, Broadway & Harbor LLC.
- 2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 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 Department of Transportation 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 Planned Development.

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

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

• Full width of streets

• Full width of alleys

Applicant: Broadway & Harbor, LLC

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- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

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

Prior to completion of Part II review of this Planned Development, Applicant will record a declaration ("Declaration") with the Cook County Recorder of Deeds burdening the eastern 50 feet of the southern 12 feet of the access drive to the Property as depicted in the Planned Development as follows. The Declaration will provide that prior to such time, if any, as the site at 3440 N. Broadway may receive a building permit from the City to allow an access drive off of Broadway Street, Applicant and the owner of 3440 N Broadway Street will enter into and record a reciprocal easement agreement, replacing the Declaration, to provide a shared access drive to serve both properties (i) based upon the design of the project on the Property, (ii) having a width at the east property line of 24 feet in total as measured in compliance with CDOT standards, (iii) equally burdening both properties physically and financially, and (iv) on such other terms and conditions as the parties may mutually agree. Further, the reciprocal easement agreement would provide that once the shared access drive is necessitated by development at 3440 N. Broadway, Applicant would reduce the width of the access drive at the east property line of the Property to a width of not more than 12 feet, representing the Property's half of the shared access drive.

4. This Plan of Development consists of 17 statements and exhibits: a Bulk Regulations Table; existing zoning map; existing land use map; planned development and property line boundary; transportation overlay district diagram; site context plan; CDOT site plan; landscape plan; level 1 plan; level 2 plan; level 3 plan; level 4 plan; level 5 plan; level 6 plan; level 7 plan; roof plan; contextual elevation – Broadway; contextual elevation – Cornelia; building elevations (north, south, east, and west); building sections; wall sections; and section details; prepared by Optima, Inc. and dated January 23, 2020, and the affordable housing profile form submitted herein (collectively, "Plans"). Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. In any instance where a provision of this

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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 thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

- 5. The following uses are permitted efficiency and dwelling units located above the ground floor, artist live-work located above the ground floor, general retail sales, office, limited restaurant, general restaurant, outdoor patio (if located at grade level), personal service, indoor participant sports and recreation, co-located wireless communication facilities, sales and grooming, veterinary, body art services, vacation rental, shared housing unit, cultural exhibits and libraries, artists work or sales space, business equipment sales and service, business support services, communication service establishments, financial services, food and beverage retail sales, medical service, including accessory parking and related 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 the Department of Planning and Development. Off-premise signs are prohibited within the boundary of the Planned Development.
- 7. For purposes of height measurement, the definitions in the 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 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 Table has been determined using a Net Site Area of 69,070 square feet.
- 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 the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
- 10. The site and landscape plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

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- 11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-085 of the Municipal Code, or any other 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 and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
- 13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
- 14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
- 15. The Applicant acknowledges and agrees that the rezoning of the Property from RM-5 and B3-2 to B3-3, and then to this Residential-Business Planned Development ("PD"), triggers the requirements of Section 2-44-080 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project ("ARO Units") as affordable units, or with the approval of the commissioner of the Department of Housing ("DOH") (subject to the transition provisions of Section 2-44-040(c)), in consultation with the commissioner of the Department of Planning and Development ("DPD") as appropriate; (ii) pay a fee in lieu of the development of the ARO Units (Cash Payment); or (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the ARO Units on-site or off-site (Required Units). If the developer elects to provide ARO Units off-site, the off-site ARO Units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a higher income area within the meaning of the ARO, and the project has a total of 208 units. As a result, the Applicant's affordable housing obligation is 21 ARO Units (10% of 208 rounded up), 10 of which are Required Units (50% of 208, rounded down). The 50%

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Required Unit obligation is due to the fact that the residential housing project will have an FAR of 3.75, requiring 50% of ARO Units to be on-site. Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$132,411 per ARO Unit ("Cash Payment") for a total cash payment of \$1,324,110 for 10 ARO Units, and providing 11 ARO Units in the rental building to be constructed in the Planned Development to be approved by the Department of Housing in consultation with DPD as appropriate, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit A. The Applicant agrees that the ARO rental Units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of ARO Units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Housing for review and approval, and DOH may adjust the number of required ARO Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-44-080(L). The cash payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in the consumer price index in accordance with Section 2-44-080. The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DOH may enforce remedies for any breach of this Statement 16, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

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

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

17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to B3-3 (Community Shopping District).

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

Gross Site Area:

83,628 SF

Area in the Public Right of Way

14,558 SF

Net Site Area:

69,070 SF

Area of Commercial Space:

13,814 SF

Maximum Permitted FAR:

3.75

Setbacks:

In accordance with Site Plan

Maximum Building Height: **

87 feet

Minimum Parking Spaces:

94

Bicycle Parking Spaces:

208

Loading Spaces:

2

Maximum Residential Units:

208 Total Units***

Applicant: Broadway & Harbor LLC

Address:

3460 N. Broadway

Introduced: July 24, 2019

CPD Date: January 23, 2020

^{**} Elevator Overrun at 93 feet.

^{***}Maximum Number of Efficiency Units is 20% of total units per §17-3-0410(A) of the Chicago Zoning Ordinance.

ARO Affordable Housing Profile Form (AHP)

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

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

Date: 1/9/2020 DEVELOPMENT INFORMATION Development Name: Optima Development Address: 3460 N Zoning Application Number, if a If you are working with a Planne Type of City Involvement check all that apply	Lakeview Broadway pplicable: er at the City, what is his/her na	Planned Development (PD)
спеск ан тасарру	Financial Assistance Zoning increase	✓ Transit Served Location (TSL) proje
REQUIRED ATTACHMENTS:		until all required docs are received
	pleted and attached - or submit	·
		vorksheet completed and attached (Excel)
If ARO units proposed	I, Dimensioned Floor Plans with	n affordable units highlighted are attached (pdf)
		ents are included (see next page)
If ARO units are CHA/	Authorized Agency units, signe	ed acceptance letter is attached (pdf)
DEVELOPER INFORMATION Developer Name Optima, Inc Developer Contact Developer Address Oeveloper Address		, IL 60022
Email segalm@optima.inc	[Developer Phone 847-835-8400
Attorney Name Tyler Manic		Attorney Phone 312-345-5706
FIMING Estimated date marketing will beg Estimated date of building permit Estimated date ARO units will be the in-lieu fee, recorded covena to the issuance of any building p	 7/30/2020 complete 3/31/2022 ant and \$5,000 per unit admin 	istration fee (for off-site units) are required prio on permit.
ROPOSED UNITS MEET REQUI	IREMENTS (to be executed by	Developer & ARO Project Manager)
ark Segal	1/9/202	0
eveloper or their agent	Date	
J-1	1/15/20	
ustin Root or Denise Roman, D	OH Date	



ARO Web Form

Applicant Contact Information

Name: Mark Segal

Email: segalm@optima.inc

Development Information

Address

Printed Date: 01/15/2020

Number From: 3450 Number To: 3480 Direction: N

Disastian N

Street Name: Broadway

Postal Code: 60657

Development Name

Optima Lakeview

Are you rezoning to downtown?: No

Is your project subject to the ARO Pilots?: 2015 ARO REQUIREMENTS APPLY

Information

Ward: 44

ARO Zone: Higher Income

Details

ARO trigger: ZP Total units 208

Development type: Rent

TSL project: 3.75 FAR (50% ARO on-site requirement)

Date submitted: 01/15/2020

Requirements

Affordable units: 21 *On-site aff. Units: 10

How do you intend to meet your required obiligation

On-Site: 11 Off-Site: 0

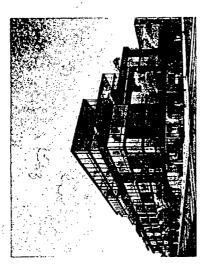
On-Site to CHA or Authorized agency: 0 Off-Site to CHA or Authorized agency: 0

Total Units: 11 In-Lieu Fee Owed: 1,324,110

All projec	All projects with proposed ARO units must complete this tab	mplete this tab		٠		Summary				
		<u> </u>	-		market rate			ARO		
	Market Rate Units	Affordable Units	unit type	how many?	% of total	avg. square footage	how many?*	% of total	avg. square footage	affordable v. market square footage*
Parking	Not included; available for \$250.	Not included: available for \$250 / month	studio	18	%6	959	1	%6	625	95%
Laundry	In unit W/De and a second	In unit W/D	paq-auo .	66	%05	685	. 6	25%	670	%86
Appliances As Assessed Sections			two-bed	40	. 50%	1,181	2	18%	1,100	93%
Refrigerator .age/EnergyStar/make/model/color	Stainless Steel	Stainless Steel	three-bed	40	20%	1,695	2	18%	1,663	%86
Dishwasher age/EnergyStar/make/model/color	Stainless Steel	Stainless. Steel			Project Name Optima Lakeview	Optıma Lak	eview			
Stave/Oven gae/EnergyStar/make/model/color	Stainless Steel	Stainless Steel	Zoning App	olication nu	Zoning Application number, if applicable Address	plicable Address Chicago, IL 60657	60657		,	
Microwave one/EnernyStar/make/model/color	Stainless Steel	Stainless Steel	ls this Anticipa	a For Sale	Is this a For Sale or Rental Project? Rental Anticipated average psf rent/price?* \$3.85	Rental \$3.85				
Bathroom(s) how many? Half bath? Full bath?	180	Same as market rate		•					<u>.</u>	
Kitchen countertops material	Granite/Quartz	Granite/Quartz		To	Total Units in Project	208				
Flooring material	Luxury Vinyll Plank Flooring	Luxury Vinyi Plank Flooring		Ţ	Total Affordable units	11				
HVAC	Individually controllable 🔭 🐑	Individually controllable	_							
Other	The State of the Control of the Cont									

OPTIMA LAKEVIEW

PROJECT:

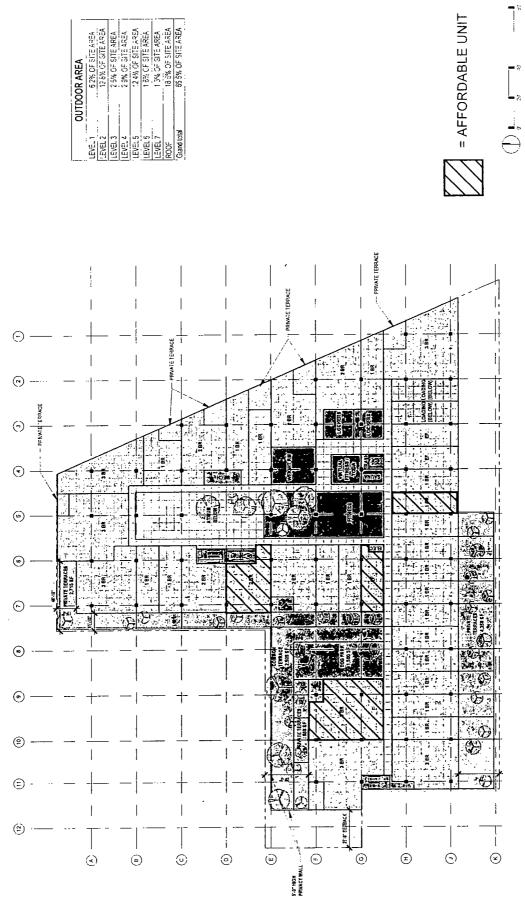


AFFORDABLE HOUSING FLOOR PLANS

DATE: 01/10/20

BROADWAY & HARBOR LLC 3460 N. BROADWAY JULY 24, 2019 APPLICANT: 8
ADDRESS: 3
INTRODUCED: CPD DATE:

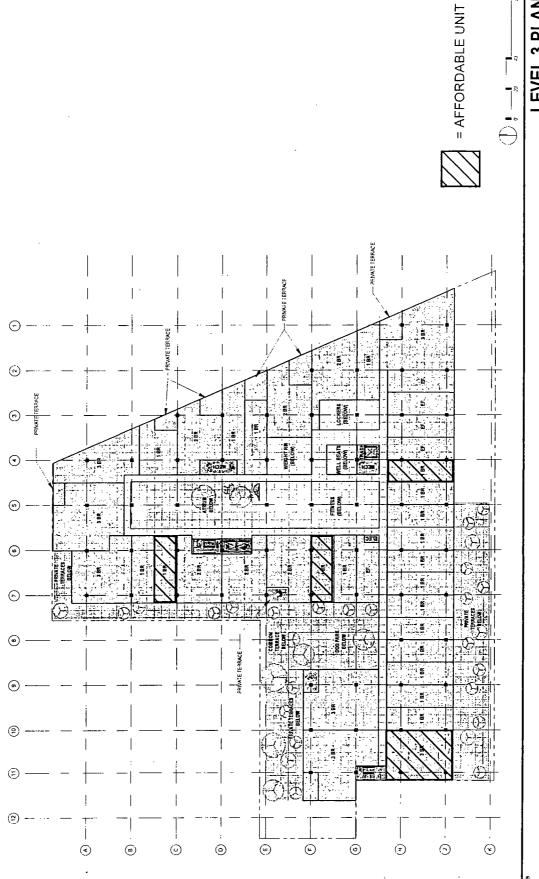
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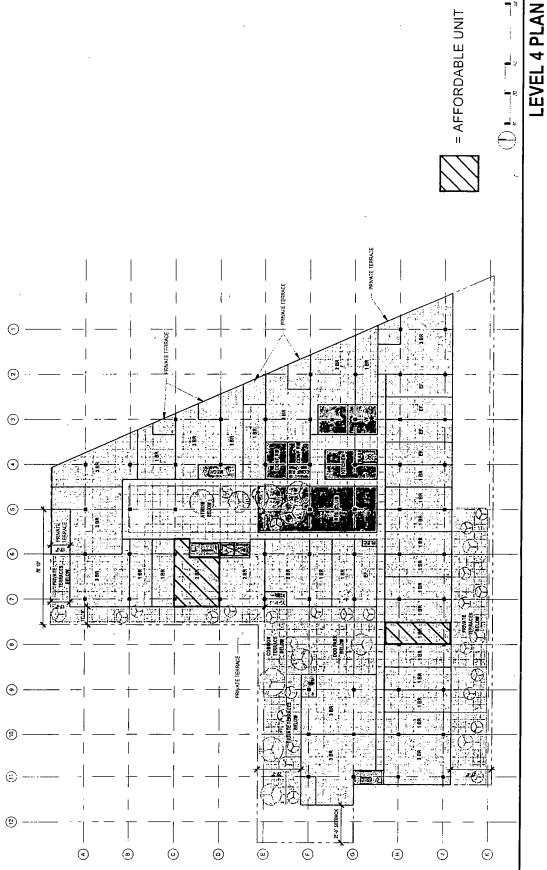
630 VERNON AVENUE | GLENCOE, IL 60022 | 847-835-8400

LEVEL 2 PLAN



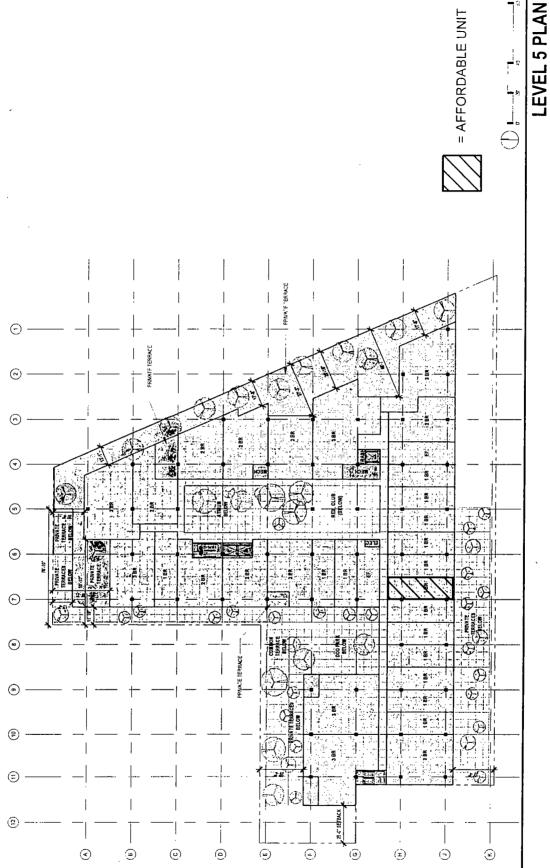
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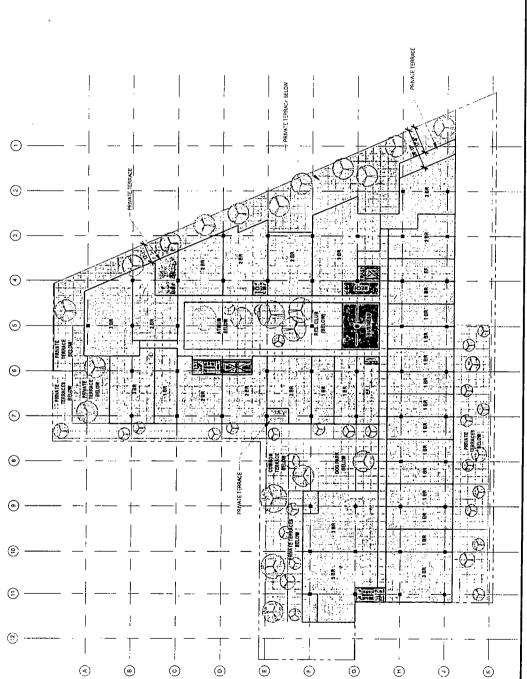
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LEVEL 6 PLAN

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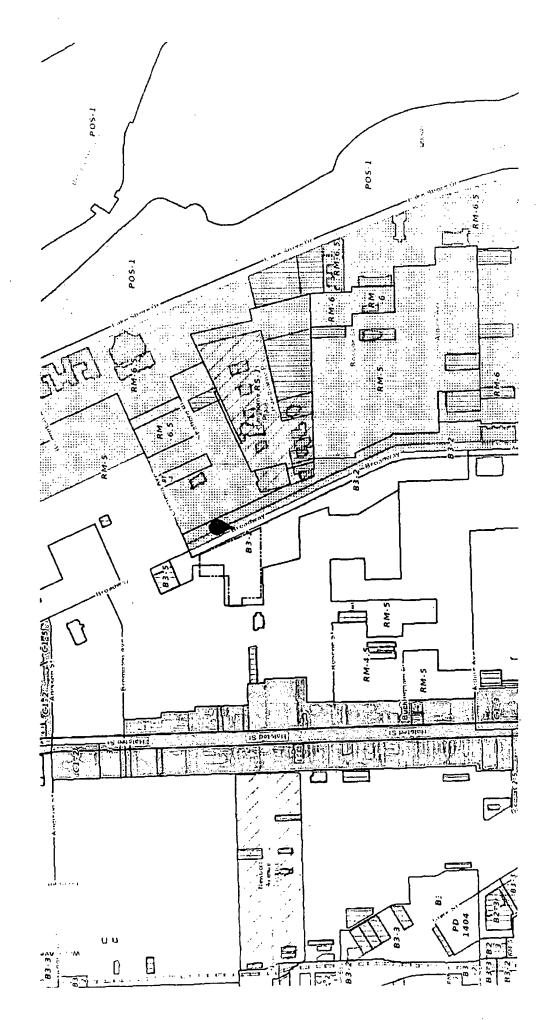
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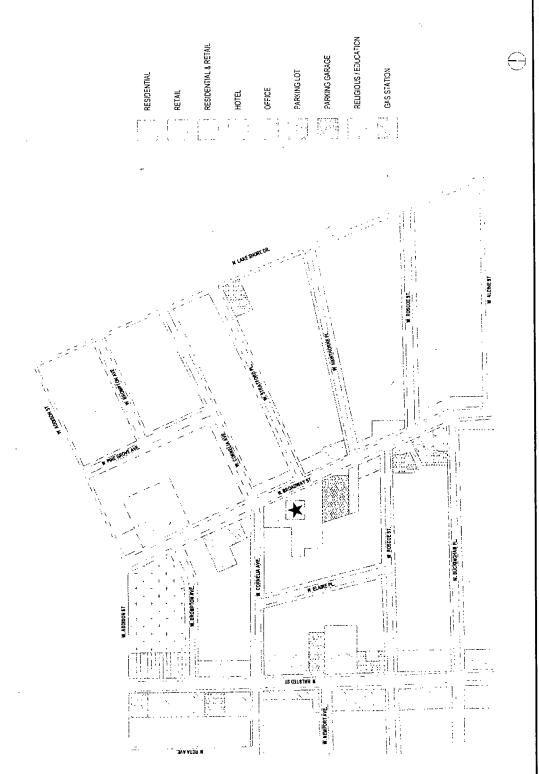
Final for Publication

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EXISTING ZONING MAP



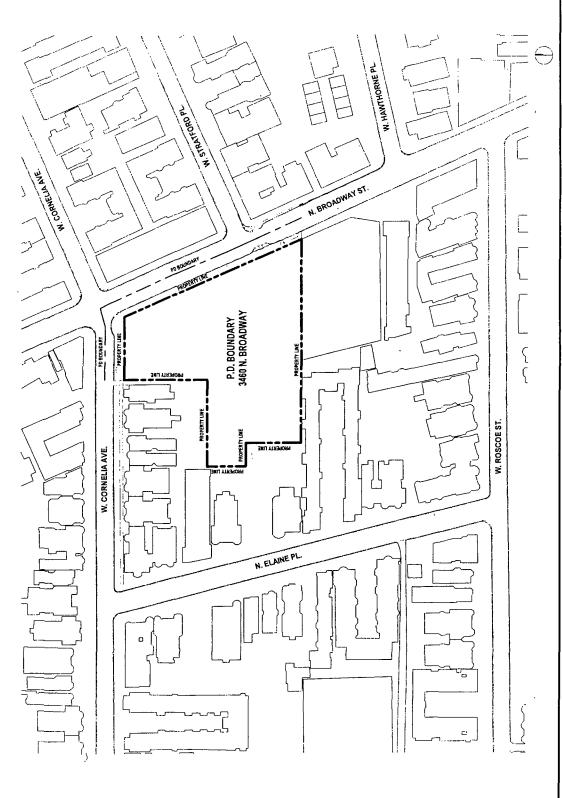
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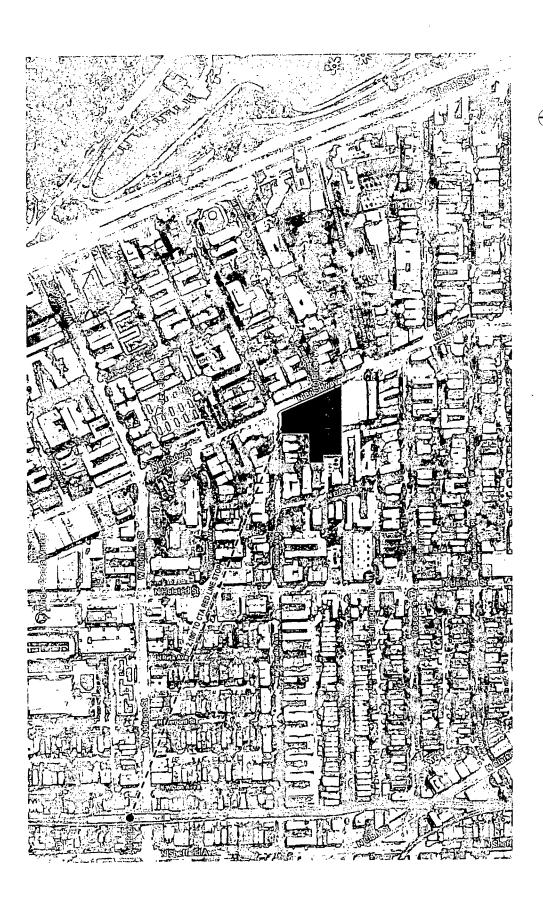
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PLANNED DEVELOPMENT AND PROPERTY LINE BOUNDARY

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Optima*
634 VERNON AVENUE | GLENCOE, IL 60022 | 947-835-8400

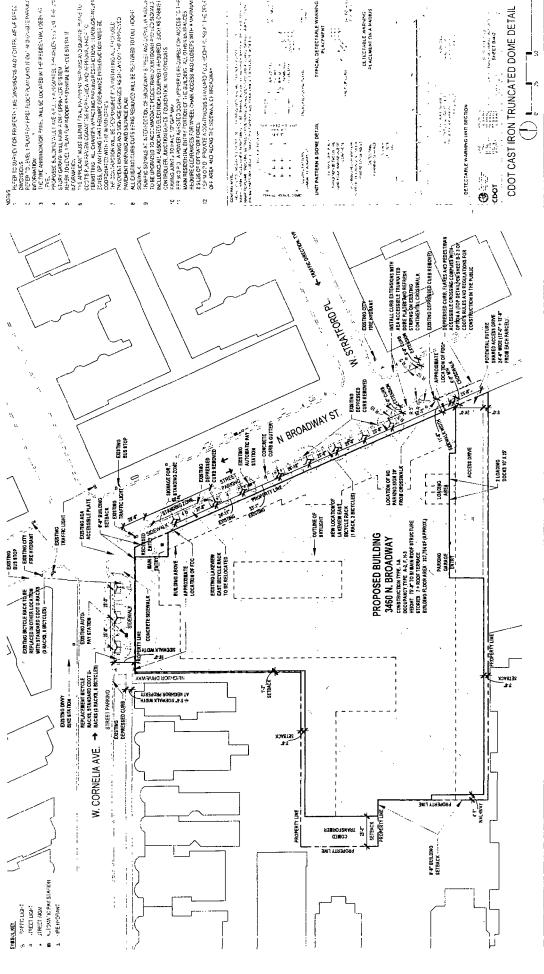


TRANSPORTATION OVERLAY DISTRICT DIAGRAM

optima 630 VERNON AVENUE | GLENCOE, IL 60022 | 947-935-9400

53:) VERNON AVENUE | GLENCOE, IL 60022 | 847-835-8400

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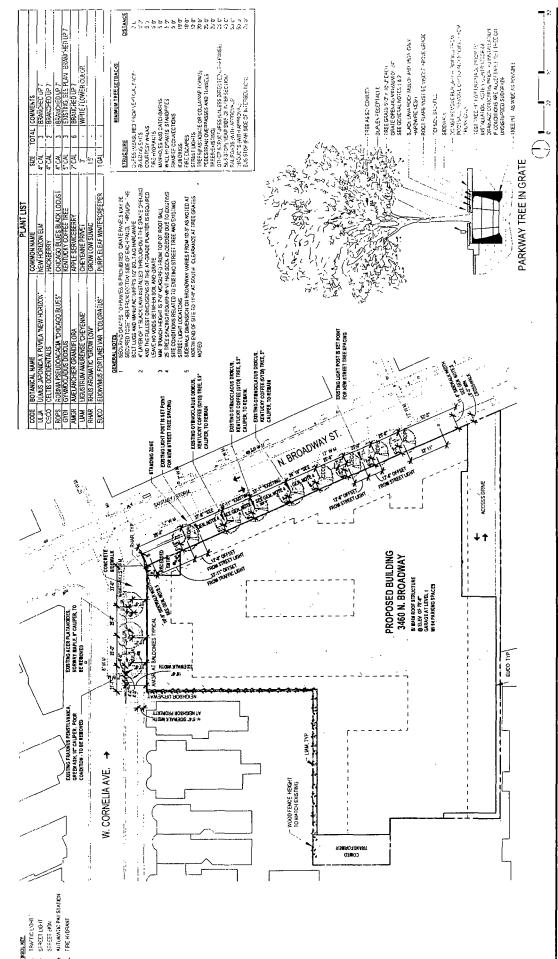
CDOT SITE PLAN

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630 VERNON AVENUE | GLENCOE, IL 60022 | 847-835-8400

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LANDSCAPE PLAN

639 VERNON AVENUE | GLENCOE, IL 60022 | 847-835-8400

630 VERNON AVENUE | GLENCOE, IL 60022 | 847-835-8400

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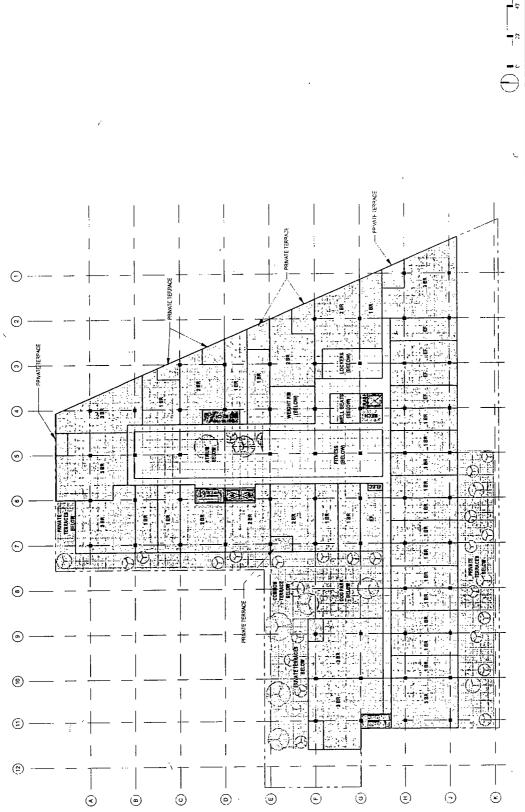
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LEVEL 2 PLAN

LEVEL 3 PLAN

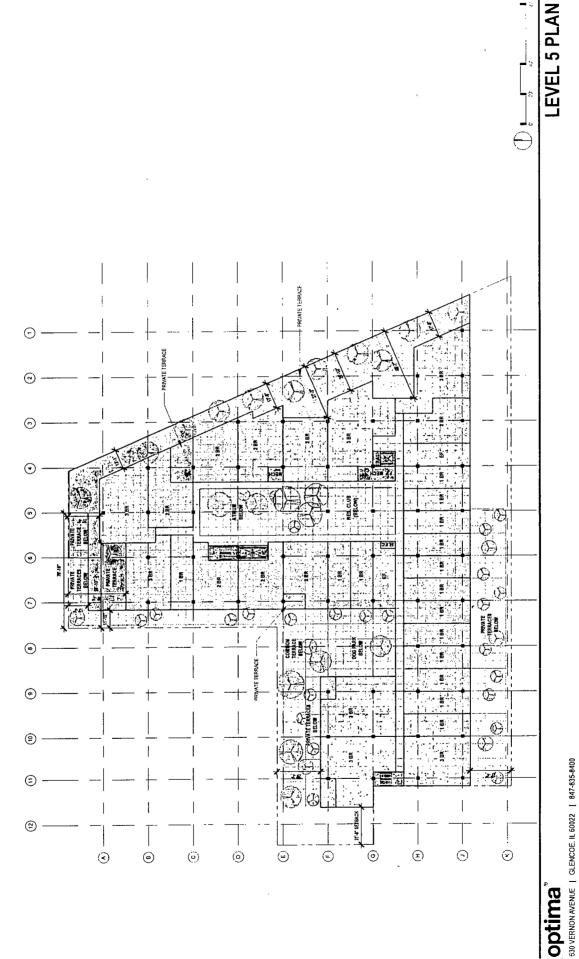
Final for Publication

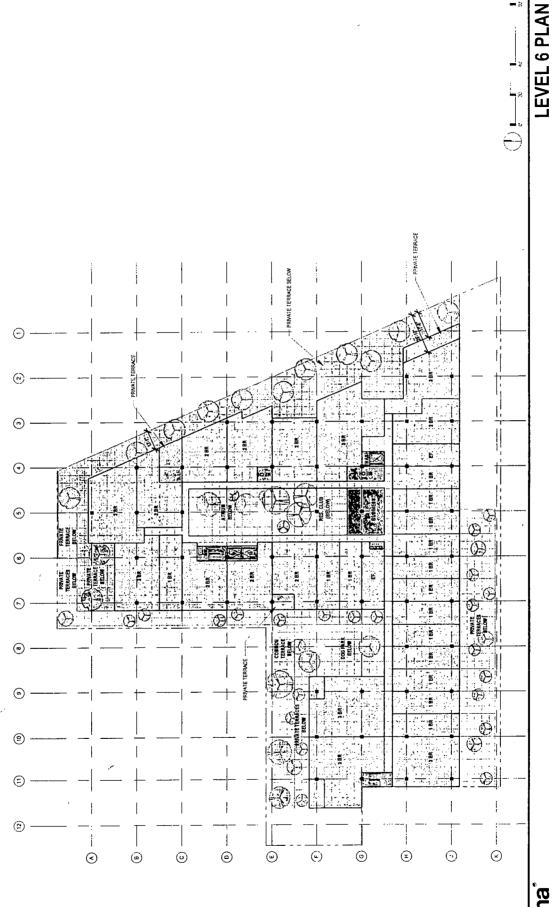


optima 630 VERNON AVENUE | GLENCOE, IL 60022 | 847-835-8400

Optima 3 GLENDOE-IL 6 G30 VERNON AVENUE I GLENDOE-IL 6

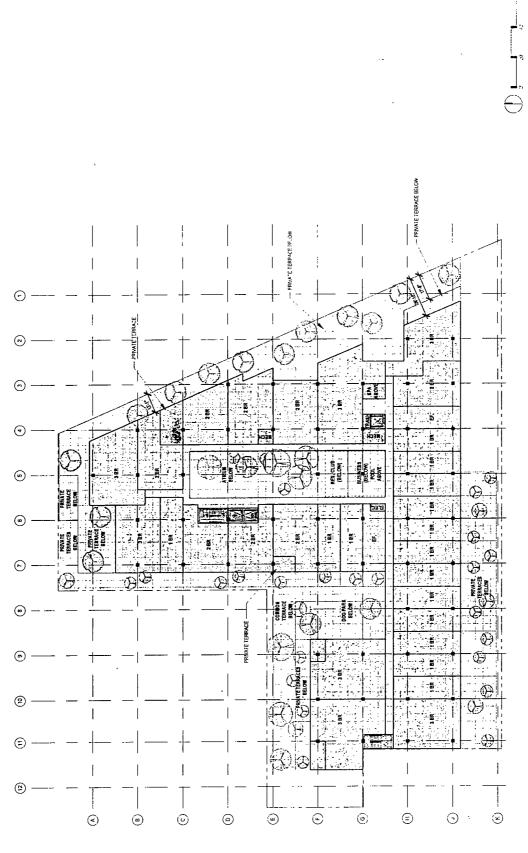
630 VERNON AVENUE | GLENCOE, IL 60022 | 847-835-8400





Optima 650 VERNON AVENUE | GLENCOE, IL 60022 | 847-835-8400

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optima630 VERNON AVENUE | GLENCOE, IL 60022 | 947-835-9400

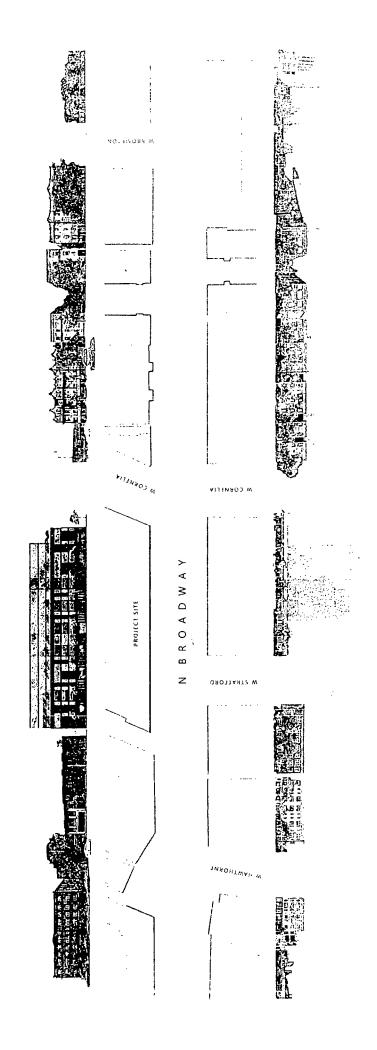
ROOF TERRACE (OPEN TO SKY) = 12,155 SF / 29.2 % BALANCE OF ROOF IS SKYLIGHT AND MECHANICAL TOTAL CONSTRUCTED ROOF AREA = 41,636 SF COVERED SPACES: STARS = 385 SF / 10 9% ELEVATOR = 205 SF / 15 5% AVENNTES = 2,200 SF / 5 5% TOTAL COVERED SPACES = 2,893 SF / 6,9 % (c) \odot (e) **©** <u>(-)</u> • (b) (2) **(** ⊕ € (e) (E) (-) (x) **(** 0 (m) (0)

Final for Publication

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CONTEXTUAL ELEVATION - BROADWAY

Final for Publication

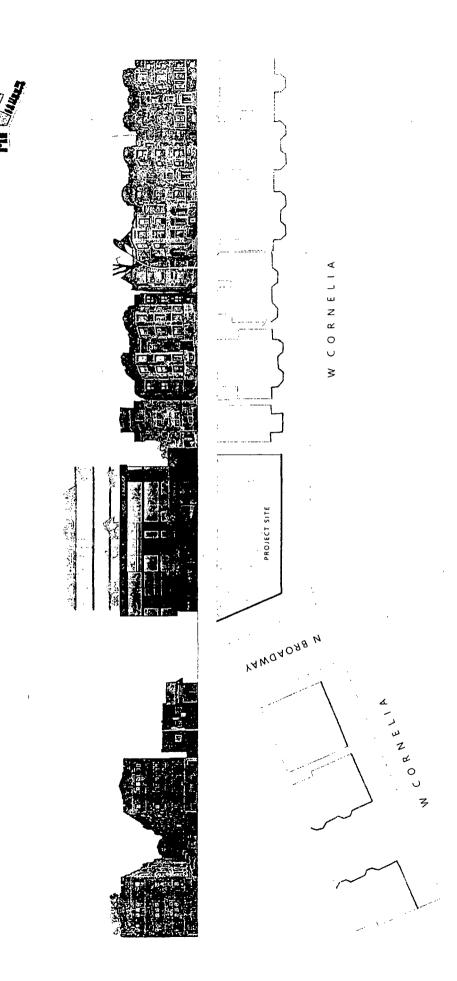


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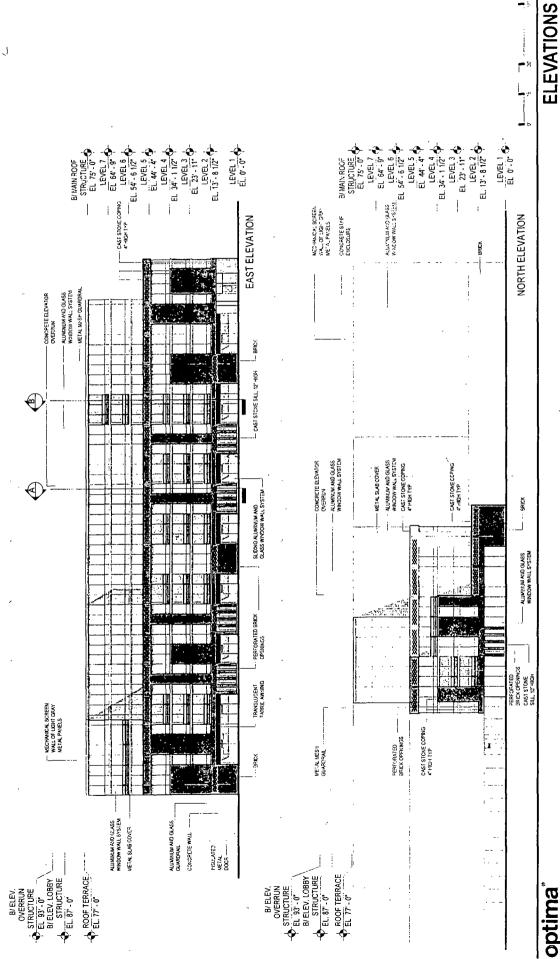
CONTEXTUAL ELEVATION - CORNELIA

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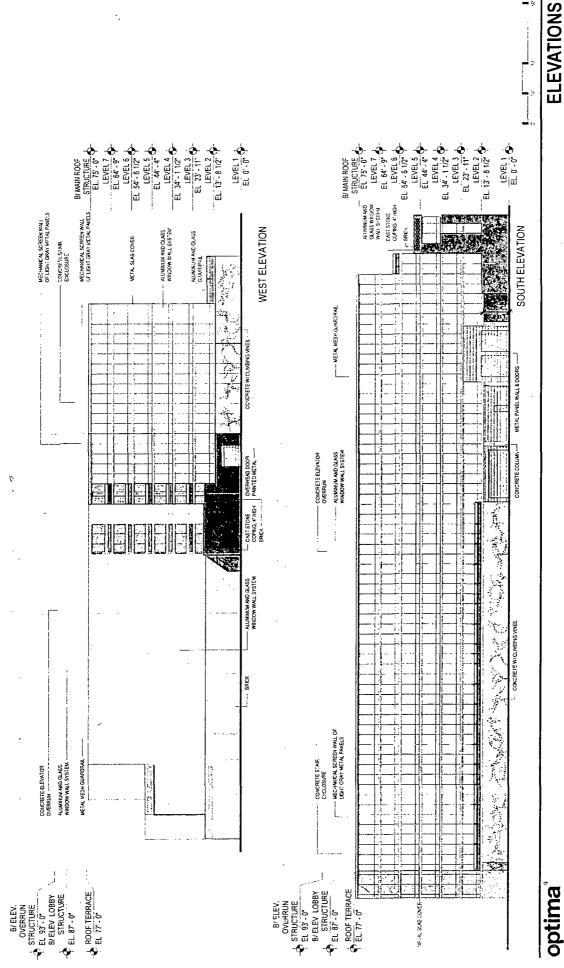
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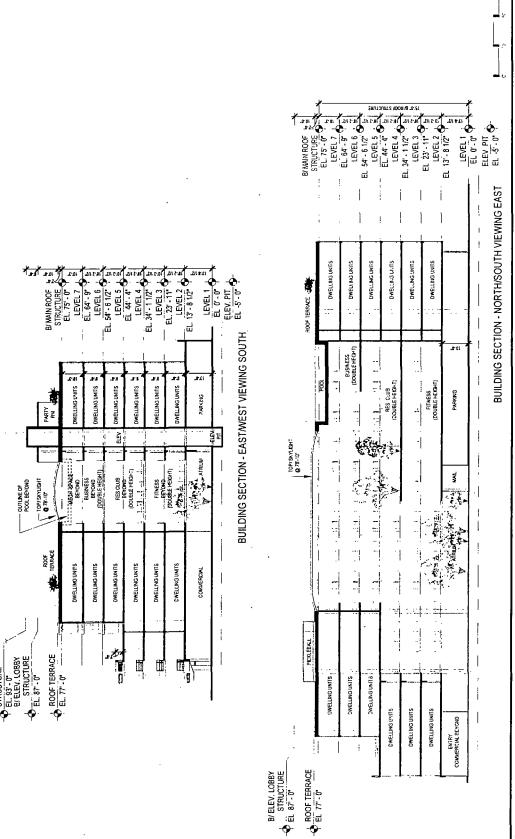
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BUILDING SECTIONS

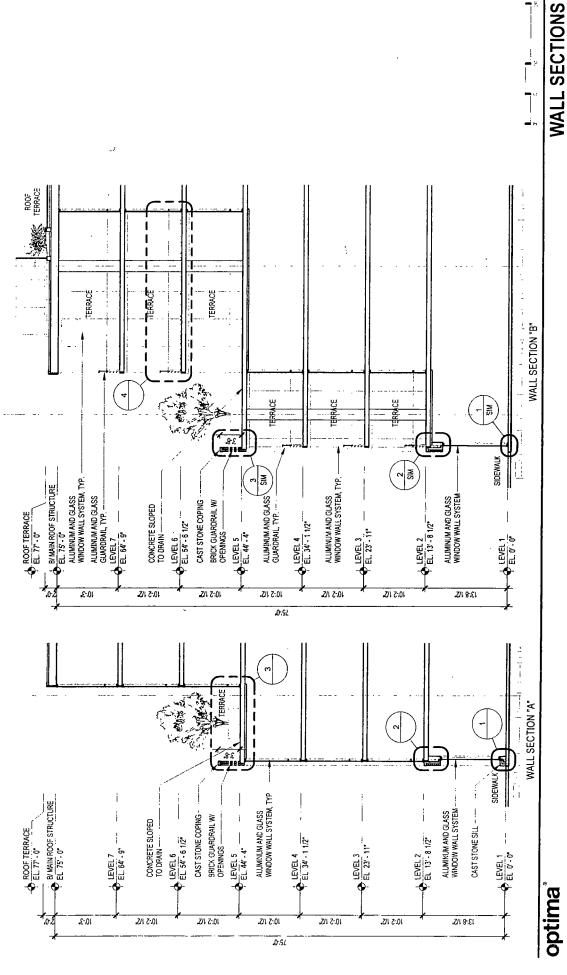
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B/ ELEV. OVERRUN STRUCTURE

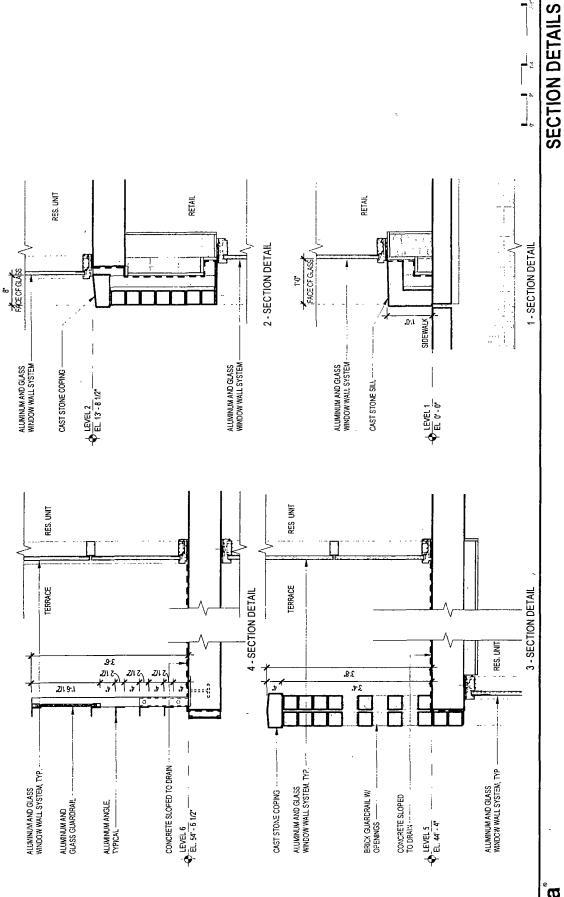


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