

## City of Chicago



SO2019-2789

## Office of the City Clerk

**Document Tracking Sheet** 

**Meeting Date:** 4/10/2019

Sponsor(s): Misc. Transmittal

Type: Ordinance

Zoning Reclassification Map No. 10-H at 2139 and 2159 W Pershing Rd - App No. 20014 Title:

Committee on Zoning, Landmarks and Building Standards **Committee(s) Assignment:** 

FINAL FOR PUBLICATION TO 20014

NTRO DATE

APRIL 10, 2019

#### **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 M2-3 Light Industry District symbols and indications as shown on Map No. 10-H in the area bounded by

#### Parcel 1:

All that part of the northwest quarter of Section 6, Township 38 North, Range 14, East of the Third Principal Meridian and described as follows: beginning at a point 33 feet south of the north line and 1180.89 feet west of the east line of said northwest quarter of Section 6; thence south on a straight line drawn at right angles to the north line of said northwest quarter of Section 6 a distance of 315 feet; thence west at right angles to last described line a distance of 131.5 feet; thence north at right angles to the last described line a distance of 315 feet to a point in said line which is 33 feet south of and parallel with the north line of said northwest quarter of Section 6; thence east on last described parallel line a distance of 131.5 feet to the place of beginning, in Cook County, Illinois.

#### Parcel 2:

That part of the northwest quarter of Section 6, Township 38 North, Range 14, East of the Third Principal meridian, in Cook County, Illinois. bounded and described as follows: beginning at a point on the south line of West Pershing Road (being a line 33.00 feet south from and parallel with the north line of said northwest quarter) 999.39 feet, measured along the south line of West Pershing Road, west from the east line of said northwest quarter, said point being the point of intersection of the south line of West Pershing Road with a line drawn at right angles to the north line of said northwest quarter through a point on said north line which is 999.30 feet west of the northeast corner of said northwest quarter; thence south on said line drawn at right angles to the north line of said northwest quarter a distance of 360.00 feet; thence southwesterly along a curved line convex to the southeast, with a radius of 270 feet, an arc distance of 149.75 feet more or less to a point on the south line of the north 533.00 feet of said northwest quarter, said point being 47.50 feet west of said line drawn at right angles to the north line of said northwest quarter extended; thence southwesterly along a straight line, a distance of 3.72 feet, more or less, to a point 535.76 feet south of the north line of said northwest quarter and 50.00 feet west of said line drawn at right angles to the north line of said northwest quarter extended; thence southwesterly along a curved line convex to the southeast with a radius of 193.13 feet, an arc distance of 51.88 feet, more or less, to a point on the south line of the north 573.00 feet of said northwest quarter, said point being 85.89 feet west of the said line drawn at right angles to the north line of said northwest quarter extended; thence west along the south line of the north 573.00 feet of said northwest quarter a

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distance of 187.11 feet more or less to the point of intersection of the south line of the north 573.00 feet of said northwest quarter with a line drawn at right angles to the north line of said northwest quarter through a point on said north line which is 1272.30 feet west of the northeast corner of said northwest quarter; thence northeasterly along a curved line convex to the southeast, with a radius of 258.50 feet, an arc distance of 225.57 feet more or less to the point of tangency of said curved line with a line drawn at right angles to the north line of said northwest quarter through a point on said north line which is 1180.80 feet west of the northeast corner of said northwest quarter (said point of tangency being 374.20 feet measured along said line at right angles to the north line of said northwest quarter, south of the north line of the said northwest quarter a distance of 341.20 feet more or less to the point of intersection of said line with the south line of West Pershing Road; thence east along the south line of West Pershing Road a distance of 181.50 feet more or less, to the point of beginning, in Cook County, Illinois.

to those of a B2-3 Neighborhood Mixed-Use District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is

hereby amended by changing all of the B2-3 Neighborhood Mixed-Use District symbols and

indications as shown on Map No. 10-H in the area bounded by

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to those of a Planned Development Number \_\_\_\_\_, which is hereby established in the area described above and subject to such use and bulk regulations set forth in the Plan of Development attached hereto and to no others.

SECTION 3. This ordinance takes effect after its passage and due publication.

Common Street Address: 2139 and 2159 West Pershing Road, Chicago, Illinois

Planned Development	
Plan of Development Statements	
7	

- 1. The area delineated herein as Planned Development Number \_\_\_\_\_\_\_, ("Planned Development") consists of approximately 140,031 square feet (3.21 acres) of Net Site Area which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by CC 2139 Pershing, LLC, an Illinois limited liability company and CC 2159 Pershing, LLC, an Illinois limited liability company.
- 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. Provided, however, because this Planned Development is delineated into Sub-Areas, each having its own bulk and density standards, or similar Sub-Area specific development controls or requirements, the owners of or designated controlling party for each Sub-Area may seek amendments, changes, or modifications for that Sub-Area without the consent of the owners or designated controlling party of the other Sub-Areas. Single designated control is defined in Section 17-8-0400.
- 3. All applicable official reviews, approvals or permits are required to be obtained by, the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assign 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 Plans and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent

to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

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

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

- 4. This Plan of Development consists of seventeen (17) Statements: a Bulk Regulations Table; a Property Linc/PD Boundary Map; an Existing Land Use Area Map; an Existing Zoning and Street System Map; a Sub-Area Map; a Generalized Site Plan; a Roof Plan; 2139 W. Pershing Road Elevations (South and North); 2139 W. Pershing Road Elevations (East); 2139 W. Pershing Road Elevations (West); 2159 W. Pershing Road Elevations (West and South); prepared by Fitzgerald Associates. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements 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. In each of the following Sub-Areas, the following uses shall be permitted in this Planned Development:

Sub-Area A: Multi-unit residential; Accessory Parking and Accessory Uses.

Sub-Areas B: Multi-unit residential; Cultural Exhibits and Libraries; Day Care; Community Centers; Postal Service; Animal Services (Sales and Grooming excluding kenneling); Artist Work or Sales Space; Building Maintenance Services; Business Equipment Sales and Service; Business Support Services; Restaurant. Limited; Outdoor patio (if located at grade level); Indoor Special Event including incidental liquor sales;

Applicant CC 2139 Pershing, LLC and CC 2159 Pershing, LLC

Address 2139 and 2159 West Perslung Road

Introduced April 10 2019 Plan Commission May 20, 2021

Bank, Savings Bank, Savings and Loan Association, Currency Exchange, and Credit Union (excluding drive-throughs); Automated Teller Machine Facility (walk up only); Food and Beverage Retail Sales; Liquor Sales (as accessory use); Medical Service; Office; Personal Service (Hair Salon, Nail Salon, or Barbershop); Repair or Laundry Service, Consumer; Dry cleaning drop-off or pick-up (no on-premise plant); Retail Sales. General; Sports and Recreation, Participant (Children's Play Center), Wireless Communication Facilities (Colocated); Accessory Parking and Accessory Uses.

- 6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of 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 site 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 140,031 square feet and a base FAR of 2.5.
- 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.
- 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, Environment and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
- 12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section 17-13-0611-A 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.

Applicant | CC 2139 Pershing, LLC and CC 2159 Pershing, LLC

Address | 2139 and 2159 West Pershing Road

Introduced April 10, 2019 Plan Commission May 20, 2021

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

Applicant | CC 2139 Pershing, LLC and CC 2159 Pershing, LLC

Address 2139 and 2159 West Perslung Road

Introduced: April 10, 2019 Plan Commission - May 20, 2021

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.

16. The Applicant acknowledges and agrees that the rezoning of the Property from M2-3 Light Industry District to B2-3 Neighborhood Mixed-Use District, and then to this Planned Development for construction of the Project triggers the requirements of Section 2-45-080 of the Municipal Code (the "Affordable Requirements Ordinance" or the "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 (the "Required Units") as affordable units; (ii) pay a fee in lieu of the development of the Required Units; 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 Required Units on-site. The Property is located in a low-moderate income area" within the meaning of the ARO. As a result, the Applicant's affordable housing obligation is 16 affordable units (10% of 159 units rounded up), 4 of which are Required Units (25% of 16). The Applicant agrees that the affordable 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 housing units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required Affordable Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must execute and record an affordable housing agreement in accordance with Section 2-45-080(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 15, 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.

Notwithstanding the foregoing, if the Applicant receives Low-Income Housing Tax Credits, tax increment financing or other financial assistance whose affordability requirements exceed those of the Affordable Housing Ordinance from the City to develop affordable housing in any portion of the Planned Development, the regulatory, redevelopment, loan or other agreement(s) to be executed by the City and the Applicant in connection with such tax credits or other financial assistance shall govern and control the Applicant's obligation to provide affordable housing for such subsidized portion of the Planned Development.

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

Applicant CC 2139 Pershing, LLC and CC 2159 Pershing LLC

Address 2139 and 2159 West Persling Road

Introduced, April 10, 2019 Plan Commission, May 20, 2021

Planning and Development shall initiate a Zoning Map Amendment to rezone the property to M2-3 Light Industry District.

229948.5

Applicant CC 2139 Pershing, LLC and CC 2159 Pershing, LLC Address 2139 and 2159 West Pershing Road .

Introduced April 10, 2019
Plan Commission May 20, 2021

# RESIDENTIAL PLANNED DEVELOPMENT NUMBER \_\_\_\_\_BULK REGULATIONS AND DATA TABLE

Gross Site Area:	150,360 square feet (3.45 acres)
Area Remaining in Public Right of Way	10,329 square feet (.23 acres)
Net Site Area:	140,031 square feet (3.21 acres)
Sub-Area A:	
Gross Site Area:	45,762 square feet
Net Site Area:	41,422.5 square feet
Sub-Area B:	
Gross Site Area:	104,598 square feet
Net Site Area:	98,608.5 square feet
Maximum Number of Dwelling Units:	159 Dwelling Units
Maximum Number of Dwelling Units in Sub-Area A:	120 Dwelling Units
Maximum Number of Dwelling Units in Sub-Area B:	39 Dwelling Units
Maximum Floor Area Ratio for all Sub-Areas:	2.5
Maximum Floor Area Ratio in Sub- Area A:	3.95
Maximum Floor Area Ratio in Sub- Area B:	1.53

Applicant CC 2139 Pershing, ELC and CC 2159 Pershing, ELC

Address 2139 and 2159 West Pershing Road

Introduced April 10, 2019 Plan Commission May 20, 2021

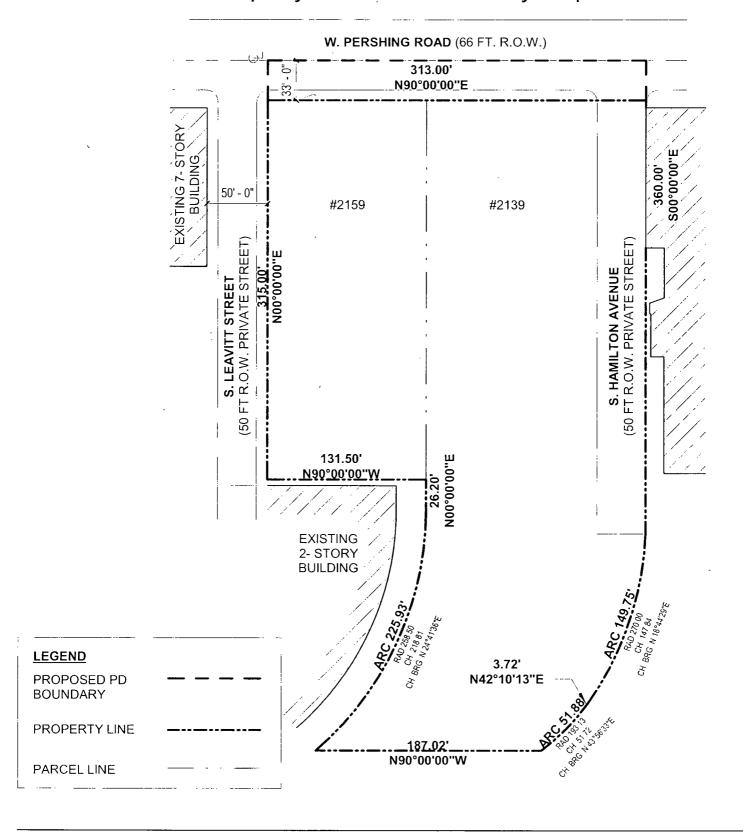
Minimum Number of Off-Street Total Parking Spaces:	145 Parking Spaces
Minimum Number of Off-Street Parking Spaces in Sub-Area A:	41 Parking Spaces
Minimum Number of Off-Street Parking Spaces in Sub-Area B:	100 Parking Spaces
Off-Street Loading Spaces:	1 (10' x 25') – In Sub-Area A 2 (10' x 25') – In Sub-Area B
Minimum Required Setbacks:	As Per Existing Buildings Setbacks
Maximum Building Height of the top Residential Floor per Section 17-17-0311 of the Zoning Ordinance:	As Per Existing Buildings

230064.4

Applicant CC 2139 Pershing, LLC and CC 2159 Pershing, LLC Address 2139 and 2159 West Pershing Road Introduced April 10, 2019

Plan Commission - May 20 | 2021

## Property Line / PD Boundary Map



Applicant: Address:

Code RE Partners Inc.

April 10, 2019

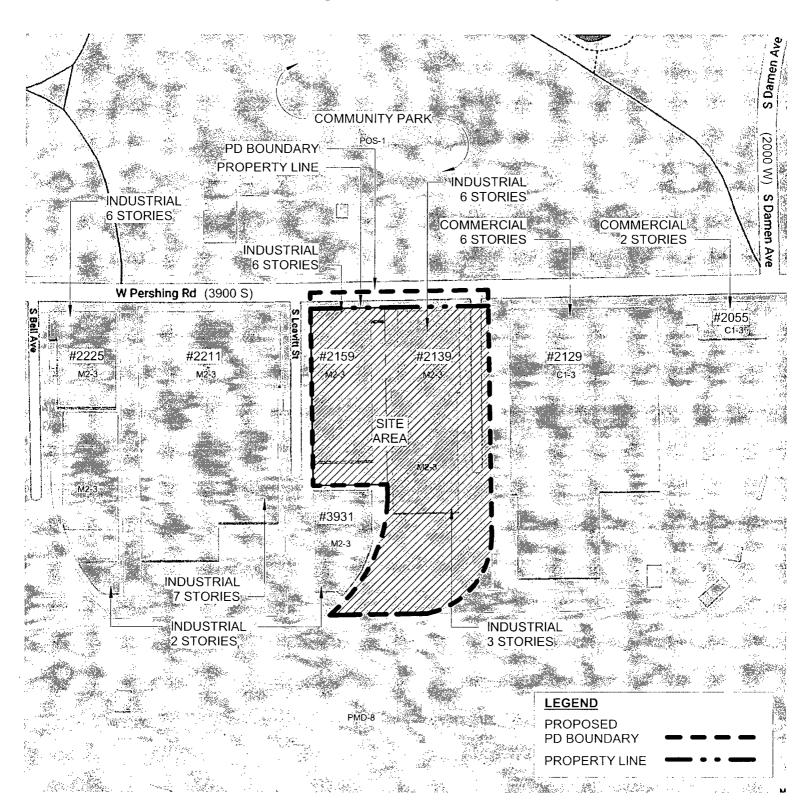
2139-2159 W. Pershing Road

Introduced. CPC Date<sup>-</sup>

Amended:



## **Existing Land Use Area Map**

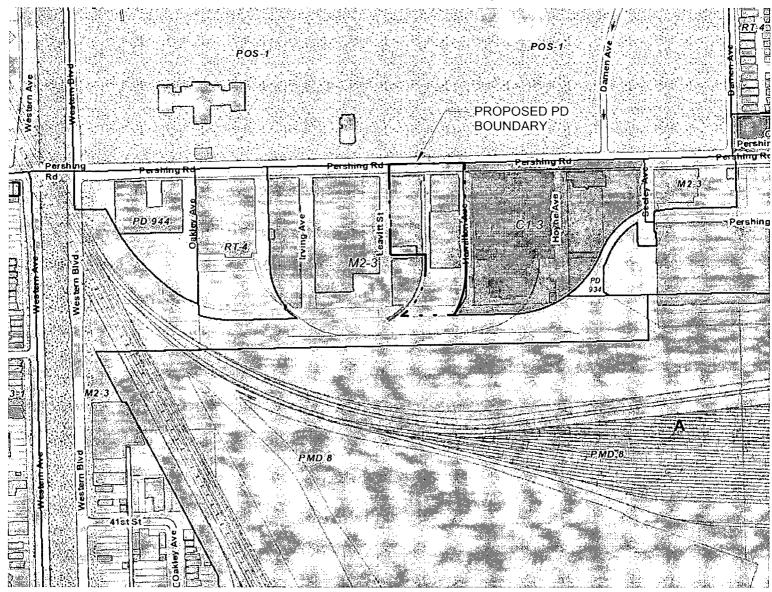


Applicant. Address: Code RE Partners Inc. 2139-2159 W. Pershing Road

Introduced: April 10, 2019

CPC Date: Amended: -

Existing Zoning and Street System Map



AREA OF PLANNED DEVELOPMENT

**ZONING BOUNDARY** 

Applicant: Address:

Code RE Partners Inc.

s<sup>.</sup> 2139-2159 W. Pershing Road

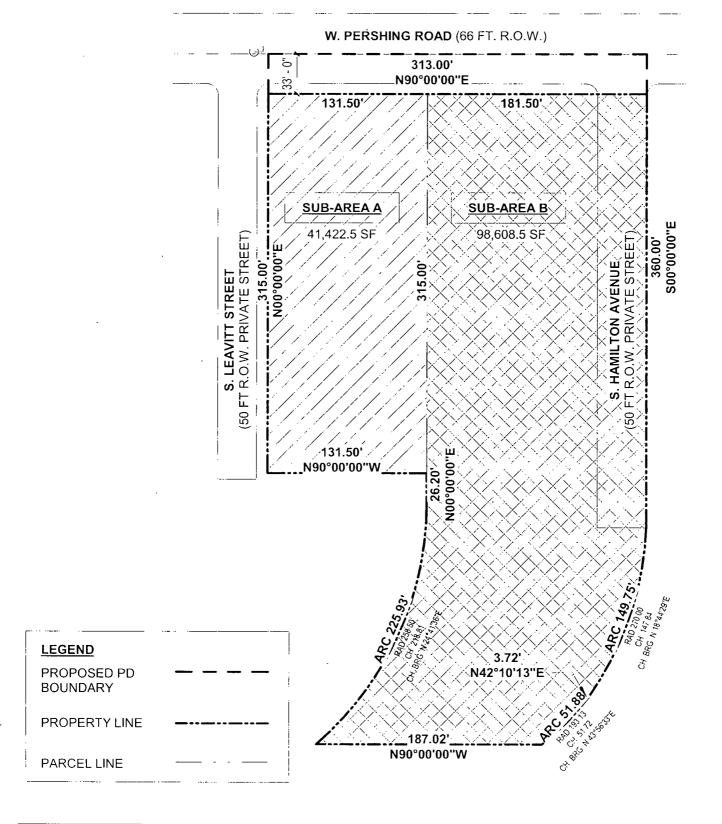
Introduced:

Aprıl 10, 2019

CPC Date: -



## Sub-Area Map



Applicant:

with the stopping

Code RE Partners Inc.

Address:

2139-2159 W. Pershing Road

Introduced:

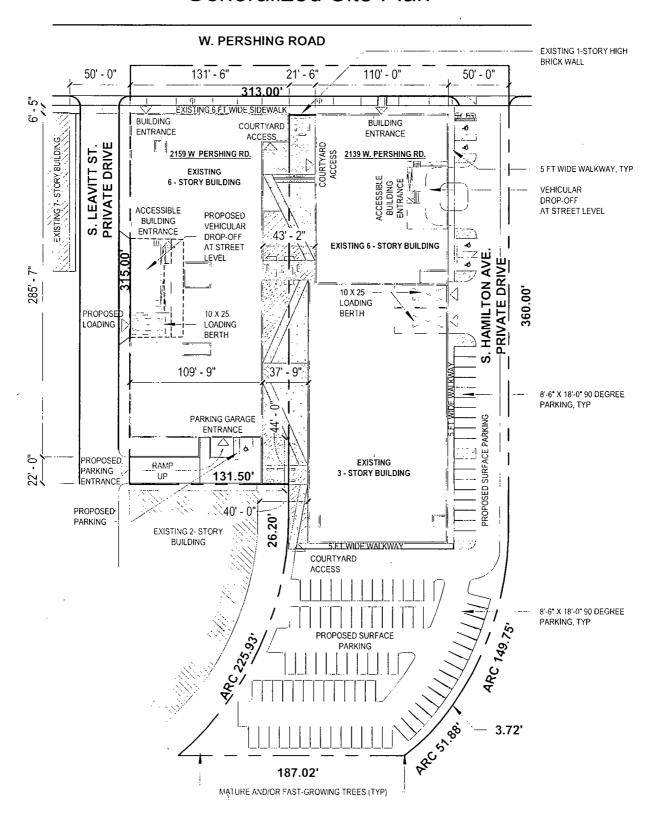
April 10, 2019

CPC Date<sup>-</sup> -Amended: -





### Generalized Site Plan



Applicant:

Code RE Partners Inc.

Address:

2139-2159 W. Pershing Road

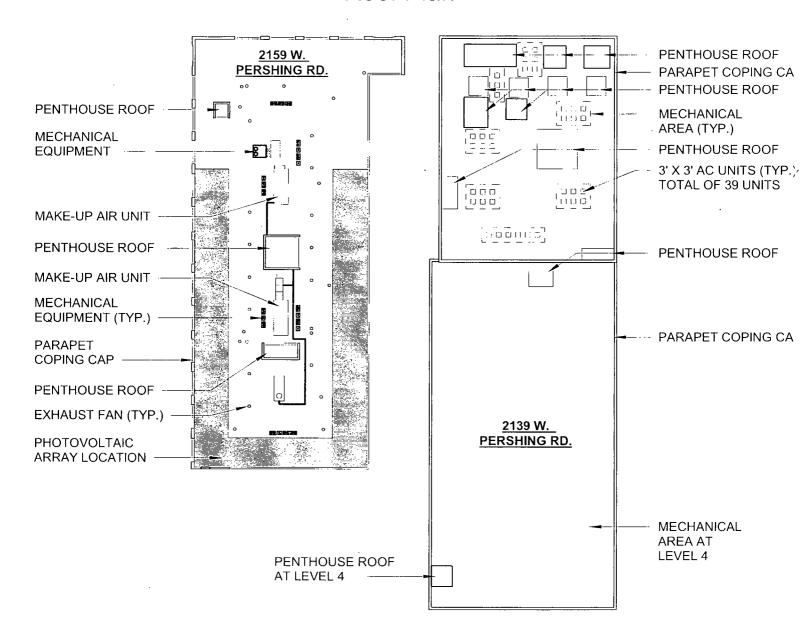
Introduced CPC Date: Amended:

April 10, 2019





## Roof Plan



Applicant:

Code RE Partners Inc.

Address.

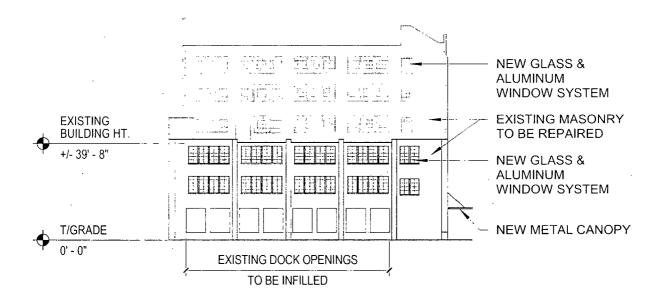
2139-2159 W. Pershing Road

Introduced: CPC Date:

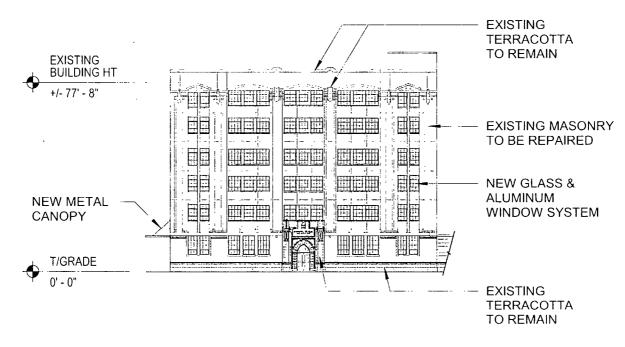
April 10, 2019

CPC Date: Amended: -

## 2139 W. Pershing Road Elevations



#### **SOUTH ELEVATION**



**NORTH ELEVATION** 

Applicant. Address:

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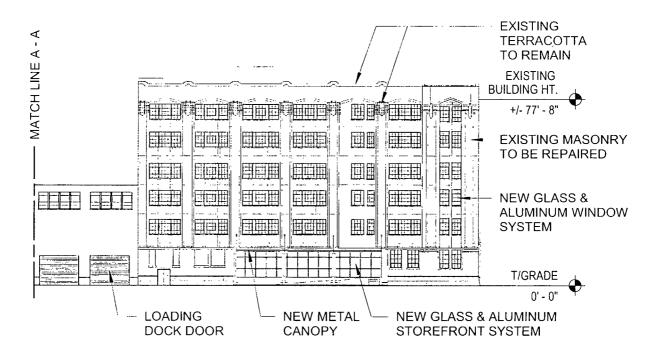
Code RE Partners Inc.

2139-2159 W. Pershing Road

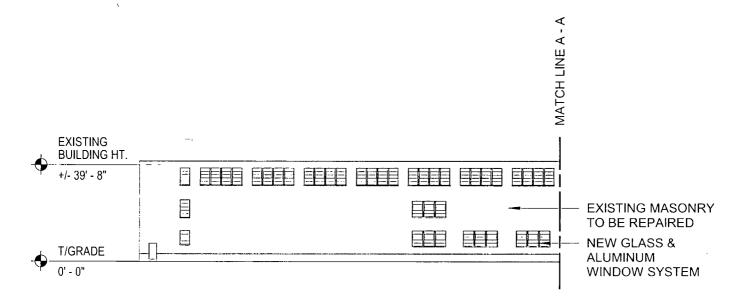
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Introduced. CPC Date: Amended Aprıl 10, 2019

## 2139 W. Pershing Road Elevations



#### **EAST ELEVATION - NORTH PORTION**



#### **EAST ELEVATION - SOUTH PORTION**

Applicant.

Code RE Partners Inc.

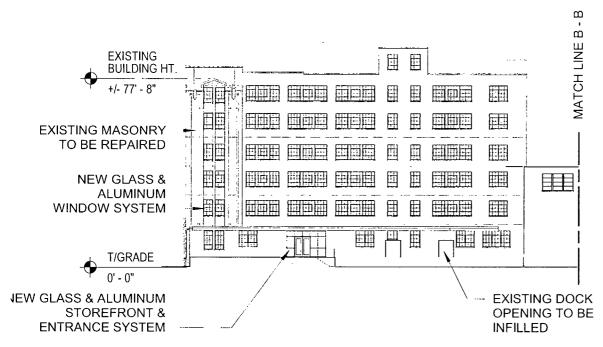
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2139-2159 W. Pershing Road

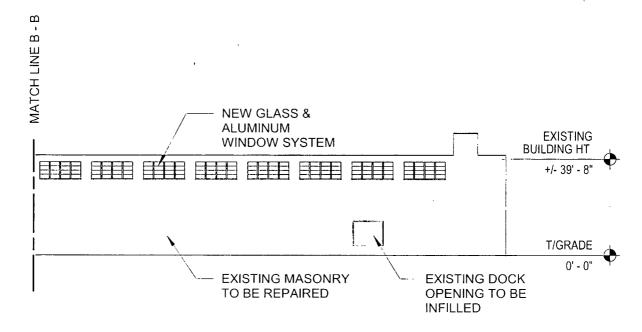
Introduced CPC Date Amended:

April 10, 2019

## 2139 W. Pershing Road Elevations



#### **WEST ELEVATION - NORTH PORTION**



**WEST ELEVATION - SOUTH PORTION** 

Applicant:

Code RE Partners Inc.

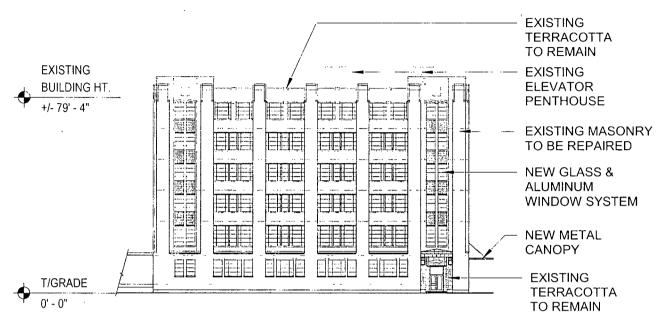
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2139-2159 W Pershing Road

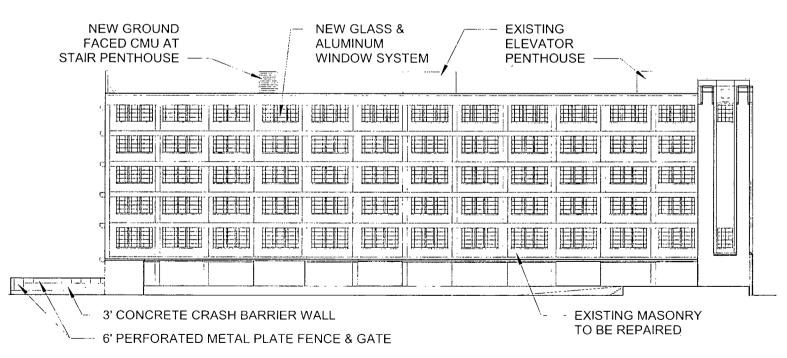
Introduced: CPC Date: Amended:

Aprıl 10, 2019

## 2159 W. Pershing Road Elevations



#### **NORTH ELEVATION**



**EAST ELEVATION** 

Applicant:

Introduced

Code RE Partners Inc.

Address:

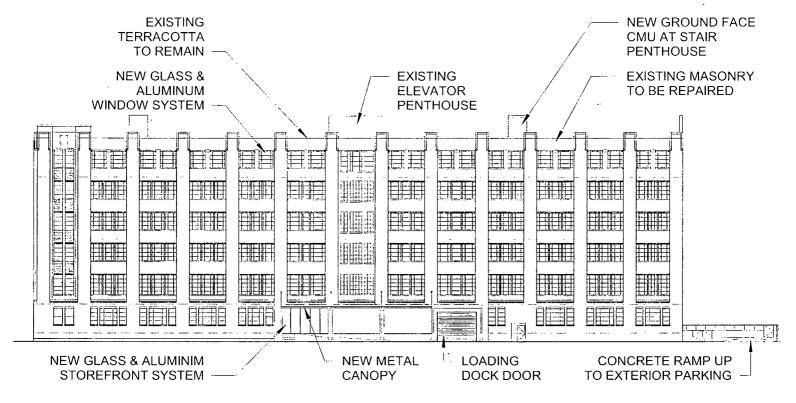
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2139-2159 W. Pershing Road

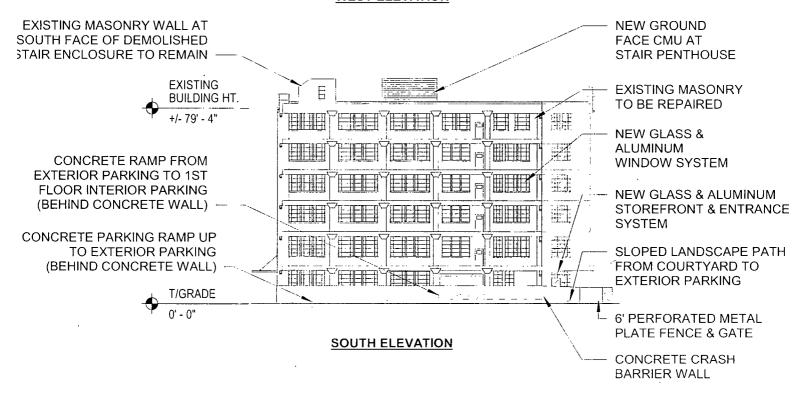
April 10, 2019

CPC Date: Amended.

## 2159 W. Pershing Road Elevations



#### **WEST ELEVATION**



Applicant.

Code RE Partners Inc.

Address.

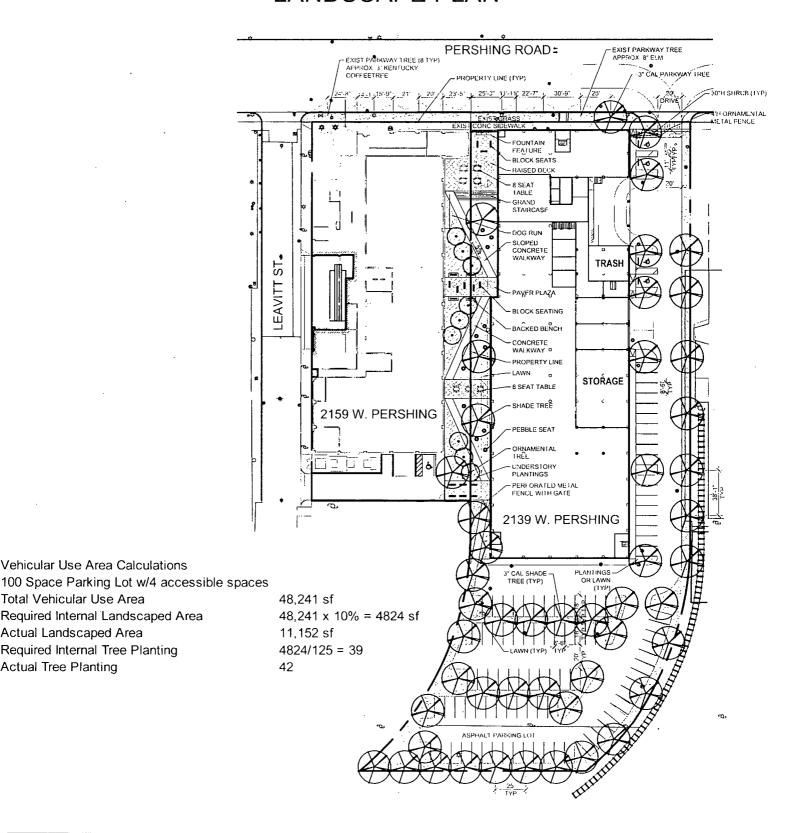
2139-2159 W. Pershing Road

Introduced CPC Date.

April 10, 2019

CPC Date.
Amended:

# Planned Development No. -LANDSCAPE PLAN



Applicant:

Code RE Partners Inc

Address: 2139-2159 W. Pershing Road

Vehicular Use Area Calculations

Required Internal Landscaped Area

Required Internal Tree Planting

Total Vehicular Use Area

Actual Landscaped Area

Actual Tree Planting

Introduced: April 10, 2019

CPC Date: Amended:





# DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

#### **MEMORANDUM**

To: Alderman Tom Tunney

Chairman, City Council Committee on Zoning

From:

Maurice D. Cox

Chicago Plan Commission

Date: May 20, 2021

Re: Proposed Residential-Business Planned Development Located at 2139 W. Pershing Road

and 2159 W. Pershing Road

On May 20, 2021, the Chicago Plan Commission recommended approval of the proposed Residential-Business Planned Development located at 2139 W. Pershing Road and 2159 W. Pershing Road, submitted by Code RE Partners, Inc., in partnership with Hispanic Housing Development Corp. The applicant proposes the adaptive reuse and redevelopment of two orange-rated Central Manufacturing District buildings: constructing 120 units of housing at 2159 W. Pershing Road, and 39 units of housing and commercial office space at 2139 W. Pershing Road. The Applicant will also construct 141 vehicle parking spaces, with 100 on a surface lot behind 2139 W. Pershing Road, and 41 inside 2159 W. Pershing Road and behind the building, as well as a shared outdoor amenity space between the two buildings. A copy of the proposed ordinance, planned development statements, bulk table and exhibits are attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, Bureau of Zoning recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Nolan Zaroff at 312-744-4054.

Cc: PD Master File (Original PD, copy of memo)