



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Details (With Text)

**File #:** SO2020-1897  
**Type:** Ordinance                      **Status:** Passed  
**File created:** 4/22/2020              **In control:** City Council  
   **Final action:** 6/17/2020

**Title:** Zoning Reclassification Map No. 1-E at 400 N Lake Shore Dr - App No. 20376  
**Sponsors:** Misc. Transmittal  
**Indexes:** Map No. 1-E  
**Attachments:** 1. O2020-1897.pdf, 2. SO2020-1897.pdf

Date	Ver.	Action By	Action	Result
6/17/2020	1	City Council	Passed as Substitute	Pass
6/16/2020	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
4/22/2020	1	City Council	Referred	

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*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That: the Chicago Zoning Ordinance be amended by changing all the Residential-Business Planned Development Number 368 symbols and indications as shown on Map Number 1-E in the area bounded by:

a line 150 feet east of and parallel to North St. Clair Street; East Grand Avenue; North Lake Shore Drive; the centerline of Ogden Slip to a point 439.74 feet east of North Lake Shore Drive; the centerline of the Turning Basin; the north bank of the Chicago River and the line thereof extended eastward where said bank does not exist; North Michigan Avenue; East North Water Street; North St. Clair Street (as now located); East Illinois Street; North St. Clair Street; and the alley next south of East Grand Avenue,

to the designation of Residential-Business Planned Development Number 368, as amended, which is hereby established in the area above described, subject to the provisions of the Plan of Development herewith attached and made a part thereof and to no others.

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

400 North Lake Shore Drive

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## FINAL FOR PUBLICATION

### *Residential-Business Planned Development No. 36S, As Amended. Plan Of Development Statements.*

1. The area delineated herein as "Residential-Business Planned Development Number 368", as amended, consists of approximately 1,560,904 square feet or 35.83 acres (exclusive of public rights-of-way and dedicated public open space) of real property as shown on the attached Planned Development Boundary Map (the "Property").
2. This plan of development consists of these twenty-four (24) statements and the following exhibits for the entire Planned Development and further defined for Subarea B Parcels 7, 7A, and 8, and Subarea F Parcels 21 B and 21C: Bulk Regulations and Data Table for the entire Planned Development; an Existing Zoning Map; Planned Development Boundary and Subareas Map; Development Parcels Map; Maximum Height Zones; Existing and Planned Open Spaces; Pattern of Vehicular Roadways; and Recommended Traffic Improvements. This plan of development is in conformity with the intent and purpose of the Chicago Zoning Ordinance and all requirements hereof, 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.

This plan of development consists of the following exhibits related to the development of Subarea B Parcels 7 and 7A: Bulk Regulations and Data Table Note 11; View Corridor Program; Overall Site Plan; Lower East North Water Street Plan, North Park Drive Street Plan, North Park Drive Wayfinding Plan; Upper East North Water Street Plan; Upper East North Water Street Wayfinding Plan; Terrace Level Plan; Landscape Plan; Green Roof Plan; Overall Section A Plan and Partial North Elevation; West Elevation at tower and Partial North/South Section B Plan; Building Elevations (North, South, East and West) prepared by Solomon Cordwell Buenz dated May 24, 2012.

This plan of development consists of the following plans and exhibits related to the development of Parcels P21B and P21C (the "Kraft Parcel"): Bulk-Regulations and Data Table Note 12; Site Plan; Ground Floor Plan; Recreation Deck Level Plan; Green Roof Plan; Building Elevations (North and East, and South and West); Landscape Plan; Pocket Park Bonus Landscape Plan; Landscape Sections (A/B and C7D); and Landscape Plant List prepared by GREC Architects LLC and dated December 18, 2014.

This Plan of Development consists of the following exhibits related to (he development of Subarea B Parcel 8: Bulk Regulations and Data Table Note 13;

Applicant: RM W Acquisition Company LLC  
Address: 400 North Lake Shore Drive  
Introduced Date: March 18, 2020

Plan Commission: May 21, 2020

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## FINAL FOR PUBLICATION

Site Plan; Landscape Plan; Mezzanine, Second Floor, Third Floor, Fourth Floor, and Fourth Floor Mezzanine Plans; 5<sup>th</sup> Floor Amenity Landscape Plan; 6<sup>th</sup> Floor Balcony Landscape Plan; 37<sup>th</sup> Floor Sky Deck Landscape Plan; Plant List and Landscape Details; Green Roof Plan; and Building Elevations (North, South, East and West) prepared by Pappagorge Haymes Partners dated October 15, 2015.

All of the exhibits cited above shall be those approved with Residential-Business Planned Development Number 368, as amended January 21, 2015.

The "Applicant" for purposes of this amendment, RMW Acquisition Company LLC, owns or controls Subparcel E.3 and this plan of development consists of the following exhibits related to the development of Subparcel E.3: Bulk Regulations and Data Table Note 10; Property Line Map; Site Plan - Phase 1; Site Plan -Phase 2; Ground Level Plan; FAR Bonus Calculations; Landscape Plan - Phase 1; Landscape Plan - Phase 2; Landscape Plant List & Details; Chicago River Elevation; Ogden Slip Elevation; Lake Shore Drive Elevation; North Water Street Elevation; Typical Facade Details (Tower North & South Facades, Tower East & West Facades, Ground Level Facade, Lake Shore Drive Acoustical Screen); and Lake Shore Drive Acoustical Screen prepared by Skidmore Owings & Merrill LLP and dated May 21, 2020 (the "Plans").

3. The current property owner or an authorized agent shall obtain all required reviews, approvals, licenses and permits in connection with this plan of development. The dedication or vacation of any streets or alleys shall require a separate submittal and approval by the City Council.

All applicable official reviews, approvals or permits are required to be obtained by the Applicant for Subparcel E.3 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.

Applicant: Address: Introduced Dale: Plan Commission:  
RMW Acquisition Company LLC 400 North Lake Shore Drive-March 18,2020 May 21, 2020

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## FINAL FOR PUBLICATION

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.

The following traffic improvements will be implemented in connection with the development of Subparcel E.3 by and at the owner's expense:

- o Remove the mid-block pedestrian crossing (marked crosswalk) on intermediate Lake Shore Drive
- o Incorporate Leading Pedestrian Intervals (LPIs) at the following signal locations:

Columbus Drive / Upper North Water Street / Peshigo Court / Illinois Street

Southbound Intermediate Lake Shore Drive Off-Ramp o Intermediate Lake Shore

Drive / Southbound Site Exit Ramp

Applicant: Address: Introduced Date: Plan Commission:

RMW Acquisition Company LLC 400 North Lake Shore Drive March IS, 2020 May 21, 2020

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## FINAL FOR PUBLICATION

Provide ADA-accessible sidewalk ramps with appropriate slopes and detectable warnings along the west side of Lake Shore Drive at the southbound exit ramp leading to the site

- o Install a Divvy station on or adjacent to the site

After receiving the Certificate of Occupancy for the Phase 1 building and prior to Part II approval for the Phase 2 building, the Applicant for Subparcel E.3. shall submit an updated traffic study to CDOT for review and approval. If the traffic study identifies infrastructure upgrades or improvements that are warranted and directly and solely attributed to the Subparcel E.3 project, the Applicant will be responsible for such upgrades or improvements prior to receiving Part II approval for the Phase 2 building.

4. The requirements, obligations and conditions contained within this Planned Development shall be binding upon each property owner, its successors and assigns (including any condominium association which is formed) and the legal titleholders and any ground lessors. All rights granted hereunder shall inure to the benefit of each property owner, its

successors and assigns (including any condominium association which, is formed) and 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 applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Subject to (he subarea/subparcel control provisions of Section 17-8-0400 of the Chicago Zoning Ordinance, single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by the Equitable Life Assurance Society of the United States or all its successors and assigns as zoning control party for property located west of Columbus Drive, and by all the successors and assigns to the Chicago Dock and Canal Trust, as zoning control parties for the property located east of Columbus Drive. The board of directors of any condominium association shall represent individual condominium owners.

5. Several subareas are delineated on the attached Planned Development Subarea Map for the purposes of establishing use and density controls in connection with this plan of development. Uses permitted below plus thirty-five (+35) feet Chicago City Dalum, plus or minus six ( $\pm 6$ ) feet in respect of design conditions ("Plaza Level") shall be in general conformity with the Permitted and Special Uses of the DX-12, Downtown Mixed-Use District classification; uses permitted al and above the Plaza Level in the area hereinbefore defined shall be in general

Applicant: Address: Introduced Date: Plan Commission:

RMW Acquisition Company LLC 400 North Lake Shore Drive March 18, 2020 May 21, 2020

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## FINAL FOR PUBLICATION

conformity with llie Permitted and Special Uses of the DX-12, Downtown Mixed-Use District classification, except that in that part of the subject area lying within 200 feet of North Michigan Avenue uses shall be in general conformity with the Permitted and Special Uses of the DX-16, Downtown Mixed-Use District classification; uses permitted where no Plaza Level exists shall be in general conformity with the Permitted and Special Uses of the DX-12, Downtown Mixed-Use District Classification. Larth station receiving and transmitting dishes, microwave relay dishes and transmitting or receiving dishes shall be permitted. Residential support services physical fitness/indoor recreation center, and small venue theater are expressly permitted in Subparcel E.3. The following uses shall be prohibited in Subparcel E.3: Group Living (all, except Assisted Living and Nursing Home); Hospital; Colleges and Universities, Lodge or Private club; Religious Assemblies, School; Utilities and Services (major and minor); Adult Use; Animal Services; Body Art Services; Communication Service Establishments: Drive-Through Facility; Taverns; Entertainment and Spectator Sports; Payday/Title Secured Loan Store; Pawn Shop; Liquor Store; Fortune Telling Service; Funeral and Internment Service; Gas Station; Bed and Breakfast; Hotel/Motel; Vacation Rental; Shared Housing Unit; Medical Service; Massage Establishments; Entertainment Cabaret; Shooting Range Facility; Valuable Objects Dealer; Vehicle Sales and Service; Manufacturing; Production and Industrial Services; Recycling Facilities; Warehousing; Wholesaling and Freight Movement; and Cannabis Business Establishment. Non-accessory parking shall be a permitted use in Subarea F only. Underground accessory parking related to the improvements constructed upon Subparcel E.3 shall be a permitted use in Subparcel E.2. All other controls and regulations set forth herein are made applicable within the general application of this statement. Uses permitted in DuSable Park (Subparcel E.1) shall be recreational and related uses including but not limited to marinas; tennis courts; and similar facilities. Temporary staging of construction materials and related equipment shall be a permitted use in Subparcel E.1 subject to the review and approval of the Commissioner of the Department of Planning and Development and the Chicago Park District. Daycare and other community-oriented uses are expressly permitted and strongly encouraged in all areas of the Planned Development. Agreement on how space for a minimum of one new daycare center shall be provided within Subareas B or D to service new residents and employees of those subareas must be submitted and approved by the Department of Planning and Development prior to the issuance of any Part II Approval for any improvement on Parcels PI, P3, P7, P7A or P8.

6. For purposes of Floor Area Ratio ("FAR"<sup>17</sup>) calculations, the definitions in the Chicago Zoning Ordinance shall apply, with

the following exceptions: (1) in Subarea A, grade is herein established at plus thirty-live (+35) feet Chicago City Datum, plus or minus six (J 6) feet in respect of design conditions ("Plaza

Applicant: RMW Acquisition Company LLC  
Address: 400 North Lake Shore Drive  
Introduced Date: March 18,2020  
Plan Commission: May 21, 2020

LAST\I 7267\7f>(). 1 -4

## FINAL FOR PUBLICATION

Level"); (2) in Subarea B, grade is herein established as the curb level of the building entrance on upper East North Water Street plus or minus six (:.t6) feet in respect of design conditions; and (3) space devoted to heating, ventilation, and air-conditioning equipment shall not be included in EAR regardless of location.

7. Any service drives or other ingress or egress lanes shall be adequately designed and paved in accordance with the regulations of the Chicago Department of Transportation and in compliance with the Municipal Code of the City of Chicago to provide ingress and egress for motor vehicles, including emergency vehicles. Fire lanes shall be adequately designed and paved in compliance with the Municipal Code of the City of Chicago and shall have a minimum of 20 feet to provide ingress and egress for emergency vehicles. There shall be no parking within established fire lanes. 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 and in compliance with the Municipal Code of the City of Chicago.
8. Off-street parking and loading facilities shall be provided in compliance with this plan of development, subject to the review of the Chicago Department of Transportation and approval by the Department of Planning and Development. All parking spaces required to serve buildings or uses shall be located on the same parcel as the building or use served, or (i) if a residential use, within 600 feet walking distance, or (ii) if a non-residential use, within 1,200 feet walking distance. Parking to serve uses in Subpareels E.1 or E.3 may be located underneath or west of Lake Shore Drive.
9. Business and business identification signs shall be permitted within the Planned Development subject to the review and approval of the Department of Planning and Development and to the conditions of Statement 11(e). Off-premises signage is prohibited. Temporary signs such as construction and marketing signs may be permitted subject to the aforestated approvals. Signage for retail and movie theater uses is a special concern. A general signage plan indicating the locations and dimensions of signage for these uses, including all interior signage which is visible from public streets, shall be submitted prior to Part 1.1 Approval in accord with Statement 16 hereof (Site Plan Review).
10. The height of buildings within the Planned Development and any appurtenance attached (hereto shall be subject to the limitations on the attached exhibit labeled "Maximum Height Zones". Where maximum height zones have been established, building height shall be defined as follows:

Applicant: Address: Introduced Date: Plan Commission:  
RMW Acquisition Company LLC 400 North Lake Shore Drive March 18, 2020 May 21, 2020

LAST\I 7267\7f>(). 1 -4

## FINAL FOR

## PUBLICATION

"Building height" is the vertical distance from the curb level, grade, or its equivalent, opposite the center of the front of a building to the highest point of the underside of the ceiling beams of the highest habitable floor, in the case of a Hat roof; to the deck line of a mansard roof; and, to the mean level of the underside of the rafters between the eaves and the ridge of a gable, hip or gambrel roof. For the purpose of determining height in Subarea B Parcels 7 and 7A, grade is herein established as the curb level of the building entrance on upper Fast North Water Street plus or minus 6 feet in respect of design conditions. (For the purpose of determining, height, building tops of other configurations may be considered to be the type described herein which most closely approximates the shape of the proposed design). However, in no case shall the "actual" height of a building exceed the "maximum height" by more than 65 feet.

I 1. The improvements on individual development sites shall be designed, constructed and maintained in accordance with the exhibits attached hereto and the following general design standards:

- a) Buildings along Lake Shore Drive shall be designed to minimize building mass directly facing the drive. The base along Lake Shore Drive of any such structure shall be limited to the height of Lake Shore Drive. Except for Subparcel E.3, the tower of such structures shall be set back a minimum of 40 feet from Lake Shore Drive although encroachments into such setback area for design reasons may be allowed by the Commissioner of Planning and Development as a minor change pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance. When required, this 40-foot setback area shall be heavily landscaped with trees and other greenery so as to be visible from the drive.
- b) Landscaping of buildings at terraces, rooftops, and balconies shall be provided wherever possible and appropriate. Buildings shall be designed with upper-level architectural features that are lit at night wherever possible. Mechanical equipment on rooftops shall be screened with quality materials, and made a feature of the building design, where appropriate. Notwithstanding any statement to the contrary, this Planned Development shall be subject to the provisions of Chapter 17-11 of the Chicago Zoning Ordinance governing landscaping and screening. In any instance where a provision of this Planned Development conflicts with landscape and screening provisions of the Chicago Zoning Ordinance, the Chicago Zoning Ordinance shall control. Nothing in this Planned Development is intended to waive the applicability of the landscape and screening provisions of the Chicago Zoning Ordinance.

Applicant: RMW Acquisition Company LLC  
Address: 400 North Lake Shore Drive  
Introduced Date: March 18, 2020  
Plan Commission: May 21, 2020

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## FINAL FOR PUBLICATION

- (c) Buildings shall be setback from the property line, if necessary, to achieve a minimum of 12 feet, 6 inches (except the building located in Subarea B, Parcels 7 and 7A, may be located at the property line along North New Street, North Park Drive, Upper East North Water Street and Lower East North Water Street and the building located in Subarea B, Parcel 8, may be located at the property line along North New Street, North Park Drive, and East Illinois Street) in sidewalk width to accommodate street trees. No awnings, canopies, or other building projections shall be allowed that would interfere with street tree canopies except at entrances to hotels, residential entrances or movie theaters.

- (d) Building designs that reflect divisions into base, middle, and top, that have setbacks, cornice lines, changes in plane or materials, articulated surfaces, or other methods of reducing the scale and mass are encouraged. Preferred building materials shall be stone, manufactured stone, brick, finished metal such as stainless steel, or articulated pre-cast concrete in combination with glass at the base. Exposed structural concrete, dryvit or other stucco-like material, or reflective glass shall not be allowed. Materials of upper stories shall be similar to those of the lower; however, the level of detailing may be simplified.

The Plans for Subparcel E.3 are hereby approved in their entirety and no further approvals shall be required under this Planned Development or the Zoning Ordinance for the improvements undertaken in accordance with the Plans, other than Part II Approval (per Section 17-13-0610 of the Zoning Ordinance) or any approvals required by CDOT or IDOT to design and conduct work on or under the public way or near an existing CDOT or IDOT structure. The Applicant and DPD, at either party's request, may continue to evolve the design of the acoustical wall located in Subparcel E.3 and changes to the design or materials of the acoustical wall, if any, shall, if mutually agreed upon, be reviewed by DPD pursuant to Section 17-13-0800. The acoustical wall shall be constructed with high-quality materials.

- (c) Buildings shall be designed with clearly delineated signage, bands. The quality and amount of signage shall be strictly controlled. The total square footage displayed on any building shall be limited to no more than six times the street frontage on any given street. Preference shall be given to pin-mounted back lit signs with individual letters that are externally lit. Signs behind glass that are visible from the sidewalk shall count toward the permitted sign area. The area of a sign that consists of individual letters shall be measured by drawing a box around the letters. Graphic images which depict tenant logos or products or which may otherwise be

Applicant: Address: Introduced Date: Plan Commission:  
RMW Acquisition Company LLC 400 North Lake Shore Drive March 18, 2020 May 21, 2020

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## FINAL FOR PUBLICATION

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construed as advertising shall count as signage in their entirety. Signage on awnings shall be allowed on the valance only, with a maximum of 5-inch high letters limited to tenant identification or logos only. No electronic moving message board signs shall be allowed. Rooftop signs shall be prohibited.

- (T) No new surface parking lots, except interim lots approved by the Zoning Administrator, shall be allowed. No surface parking lot shall be allowed on the Parcel P21B ("Kraft") park site in Subarea F. The maximum effort shall be made to contain parking in below-ground structures. Above-grade parking structures shall be enclosed, fronted by habitable space, or otherwise designed so as to have a similar appearance to habitable spaces in terms of finish materials, the shape and scale of openings, and the screening of ramps, car lights and ceiling fixtures. Any parking structures facing the Chicago River must be fronted by habitable space or completely enclosed and well-articulated at all levels. The first floor of all structures facing Illinois Street, Grand Avenue, McClurg Court, Park Drive, or Columbus Drive shall maximize space with active uses such as retail, daycare, restaurants, et cetera. Parking structures shall also contain provisions for planting at the base, the roof, or at mid-height ledges.
- g) Loading docks shall be concealed from public view through screening or landscaping. Curb cuts for loading docks shall be minimized.
- h) The new roadway structure at upper level Illinois Street shall be finished in highly articulated stone, pre-cast concrete, or other quality material, with particular attention given to views of the structure from Columbus Drive. Terraced planting, pedestrian lighting, decorative railings, banners, and other features shall be used to

create a major pedestrian amenity. A major water feature shall be installed at the intersection of upper-level Illinois Street and the NBC Plaza. The underside of upper Illinois Street shall be appropriately lit, structural columns shall be covered, and other elements shall be added to create a safe, well-lit connection to Michigan Avenue.

- (i) The completion of the riveredge esplanade shall be required of the Developers of Parcels 14 and 16, and Parcel 18. Such public spaces shall be developed with the same quality and character of amenities as the existing esplanade adjacent to these areas. In addition, the Developer of Parcel IS shall be responsible for the development of pedestrian access to DuSable Park under Lake Shore Drive; provided, however, that during construction of the Phase 2 tower on Subparcel F.3. portions of the riveredge esplanade may be closed for construction as long as a pedestrian

Applicant: RMW Acquisition Company LLC  
Address': 400 North Lake Shore Drive  
Introduced Date: March 18,2020  
Plan Commission: May 21, 2020

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## FINAL FOR PUBLICATION

pathway is maintained throughout such closure. Such access shall be well lit, suitably paved, and finished so as to provide safe, attractive, and convenient access lo (he park from the river esplanade.

- (j) The owner(s) of Parcel 19 shall be solely responsible for the cost of improvements underneath Lake Shore Drive, subject to approval of the State of Illinois and CDOT to make such improvements. Such access shall be well-lit, suitably paved, and finished so as to provide safe, attractive, and convenient access to the park from the riverwalk promenade. All plans for these improvements shall be subject to detailed review and approval by the Department of Planning and Development before the issuance of Part 11 Approval letters. The underpass underneath Lake Shore Drive is intended to include public art that recognizes the history of DuSable. The Applicant shall cooperate with the Department of Cultural Affairs and Special Events to implement or prepare the site for such public art work, which shall be at no additional cost to the Applicant.
- (k) All improvements to be constructed within this Planned Development for which Part II Approval letters are issued after the March 29, 2006, date of City Council approval of the amended Planned Development shall comply with the Department of Planning and Development Chicago Sustainable Development Policy in effect at the time of application for Part II Approval, and the owners shall use best and reasonable efforts to design, construct and maintain all buildings located within this Planned Development in a manner generally consistent with the Leadership in Energy and Environmental Design Green Building Rating System (LEED). The development of the improvements on Parcel P21C shall be LEED certified and have a green roof of approximately 2,177 square feel and a rain water collection system as described in the attached Green Roof Plan.

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 in Subparcel E.3 that is subject to the aforementioned Policy and must provide documentation verifying compliance.

- (l) Pursuant to the former Section 17-4-1004 of the Zoning Ordinance, the Applicant has requested an increase in the floor area ratio for Subparcel

Applicant: Address: Introduced Date: Plan Commission:  
RMW Acquisition Company LLC 400 North Lake Shore Drive March 18, 2020 May 21, 2020

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## FINAL FOR PUBLICATION

E.3, as set forth in the bonus worksheet required under the former Section 17-4-1003 and attached hereto as an Exhibit ("Bonus Worksheet"). Any developer of a building receiving an affordable housing floor area bonus ("Eligible Building") must either provide on-site affordable housing units or make a cash payment to the City's Affordable Housing Opportunity Fund. The Applicant has elected to make a cash payment in lieu of providing on-site affordable housing units. In accordance with the formulas set forth in the former Section 17-4-1004 and the Bonus Worksheet, the Applicant acknowledges and agrees that it must make a cash payment in the amount of \$3,856,442.96 ("Cash Payment"). The Applicant must make the required Cash Payment before the issuance of any building permits for the Eligible Building, including, without limitation, excavation or foundation permits, and must comply with all applicable affordable housing standards and requirements set forth in the former Section 17-4-1004, the terms of which are incorporated herein by this reference.

- (m) The Applicant shall be responsible for contributing to the construction of DuSable Park as follows: The design and construction of DuSable Park shall have a maximum budget of \$15,000,000. Applicant shall fund \$10,000,000 for design and construction of DuSable Park and the \$5,000,000 balance shall be funded from Open Space Impact Fees from the Near North Community Area, subject to Council approval. Prior to issuance of foundation permit for the Phase I building, the Applicant shall deposit the \$1,500,000 into the escrow account for use by the Chicago Park District to complete the design and engineering of DuSable Park. The Chicago Park District shall be responsible for facilitating the design of DuSable Park, including any necessary community and Lakefront Protection Ordinance approvals process or other governmental or private approvals necessary to construct DuSable Park, and shall provide the Applicant with a final approved design that conforms with the budget set forth herein within 16 months from the date that the Applicant is issued a foundation permit. The Chicago Park District will provide the Applicant and the City with quarterly financial reports regarding use of the Applicant's and City's funds upon receipt of their respective contributions.

Provided the Chicago Park District provides the Applicant with the items set forth above within the timing contained therein, the Applicant shall be obligated to construct DuSable Park beginning no later than 16 months following the issuance of a foundation permit. The Applicant shall complete the park by the earlier of: (i) 24 months after the issuance of Part II permits to begin park construction; or (ii) the issuance of a final

Applicant: Address: Introduced Date: Plan Commission:  
RMW Acquisition Company LLC 400 North Lake Shore Drive March 18, 2020 - May 21, 2020

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## FINAL FOR PUBLICATION

certificate of occupancy for the Phase 1 building. The Applicant shall pay for such work pursuant to a regular construction funding draw schedule.

The Applicant shall regularly consult with the Chicago Park District throughout the course of the park construction. In the event the Chicago Park District fails to provide the Applicant with the items set forth in subparagraph (m) above within said 16 month period, then the Applicant shall have no obligation to construct DuSable Park; provided, however, as a condition to the issuance of the final Certificate of Occupancy for the first building in Subparcel E.3 the Applicant shall deposit \$8,500,000 (i.e. \$10,000,000 minus the \$1,500,000 originally deposited) into the escrow established in subparagraph (m) for use by the Chicago Park District to construct DuSable Park. Upon application to the Department of Buildings for final Certificate of Occupancy, the Applicant shall notify the Chicago Park District of both the application and the deposit of the balance of the park funding referenced above electronically and via certified mail. The required timing set forth in this Statement U(m) may be modified administratively upon agreement by the Commissioner of the Department of Planning and Development, the General Superintendent of the Chicago Park District and the Applicant.

- (n) The Applicant acknowledges the importance of the Chicago River as a resource for both commerce and recreation and also acknowledges the City's goals of improving the appearance, quality and accessibility of the river, as contained in the waterway planned development guidelines contained in the Chicago Zoning Ordinance (Section 17-8-0912) and the Chicago River Design Guidelines and the Chicago River Brand Standards and Guidelines, as may be amended from time to time. To further these goals, the Applicant agrees to: (a) provide a landscaped river setback from Ogden Slip, (b) provide a river setback from the Chicago River with a fully accessible minimum 15-ft wide riverwalk path ("Riverwalk"), and (c) provide a pedestrian pass-through with artwork (pursuant to Statement 1 l(j), above) under Lake Shore Drive from the Riverwalk to DuSable Park ("Pedestrian Pass-Through"), all as set forth in the Plans. Where possible the Applicant will employ stormwater management best practices for the riverwalk and Ogden Slip open space setbacks, such as including permeable paving for the walkways and incorporating bioretention/rain gardens throughout the site.

The Applicant shall provide informational and wayfinding signage, following the Chicago River Brand and Sign Guidelines, at all entries indicating that the Riverwalk and Pedestrian Pass-Through is open to the public, free of charge, during normal park hours from 6:00am to 11:00pm

Applicant:	RMW Acquisition Company LLC
Address:	400 North Lake Shore Drive
Introduced Date:	March 18, 2020
Plan Commission:	May 21, 2020

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## FINAL FOR PUBLICATION

every day of the year. The Riverwalk and Pedestrian Pass-Through improvements shall be completed prior to receipt of the Certificate of Occupancy for the first principal building within Subparcel E.3, provided that plantings may be delayed if consistent with good landscape practice, but not longer than one year following receipt of the final Certificate of Occupancy for the first principal building within such development phase.

Established pursuant to the "Declaration of Protective Covenants, Conditions and Restrictions for Cityfront

Center East," (recorded on August 31, 1989 & December 13, 1989 as document numbers 89410218 & 89608952) the Cityfront Center East Maintenance Association ("CCEMA") is responsible for maintaining the Riverwalk and other public improvements within the Cityfront Center East area. The Applicant, its successors and assigns, is a member of the CCEMA, and shares responsibility for maintaining and managing the Riverwalk and Pedestrian Pass-Through including any artwork for the purposes set forth herein, ensuring that sufficient liability insurance coverage and monitored security is provided, its landscaping is well maintained, that the vegetation and plantings are kept in a healthy condition, clean, well lit, litter free and clear of snow (hardscaped areas) and debris.

- (o) The amendment of this Planned Development concerning development of Parcels P21B and P21C triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the Affordable Requirements Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). Further, the amendment of this Planned Development is subject to Section 17-4-1004-D of the Zoning Code, which also requires on-site affordable housing or payment of a fee in lieu of providing affordable housing for rezonings in DC, DX and DR districts that increase the base floor area ratio. If a planned development is subject to the requirements of both sections (2-45-110 and 17-4-1004-D), the developer may elect to satisfy the ARO requirements by complying with the affordable housing floor area bonus provided for in Section 17-4-1004. The owner of Parcels P21B and P21C has elected to comply with Section 17-4-1004. Pursuant to Section 17-4-1004-B of the Zoning Ordinance, the owner of Parcels P21B and P21C has requested an increase in the floor area ratio for the Property, as set forth in the bonus worksheet required under Section 17-4-1003-D and attached hereto as an exhibit ("Bonus Worksheet"). In accordance with the formulas set forth in Section 17-4-1004-C and the Bonus Worksheet,

Applicant: RMW Acquisition Company LLC  
Address: 400 North Lake Shore Drive  
Introduced Date: March 18, 2020  
Plan Commission: May 21, 2020

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## FINAL FOR PUBLICATION

the owner of Parcels P21B and P21C acknowledges and agrees that it must provide either a minimum of at least 21,680 square feet of floor area (the "Affordable Units") in the building receiving the affordable housing floor area bonus ("Eligible Building"), with an affordable unit mix comparable to the overall mix and approved by the Department of Planning and Development prior to issuance of the first building permit, or make a cash payment in lieu of providing affordable housing in the amount of \$2,983,168 ("Cash Payment"), or \$100,000 per unit ("Pro Rata Amount"). Prior to the issuance of any building permits for the Eligible Building, including, without limitation, excavation or foundation permits, the owner of Parcels P21B and P21C must either make the required Cash Payment or provide a performance bond or other security in the amount of the Cash Payment ensuring construction of the Affordable Units. If the owner of Parcels P21B and P21C elects to construct the Affordable Units, it must also enter into, an Affordable Housing Agreement with the City pursuant to Section 17-4-1004-E9 prior to the issuance of any building permits for the Eligible Building, including, without limitation, excavation or foundation permits. The terms of the Affordable Housing Agreement and any amendments thereto would be incorporated herein by this reference. The owner of Parcels P21B and P21C acknowledges and agrees that the Affordable Housing Agreement would be recorded against the Eligible Building and would constitute a lien against each Affordable Unit in an amount equal to the Pro Rata Amount. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit. In addition to the Affordable Housing Agreement, the owner of Parcels P21B

and P21C acknowledges and agrees that, pursuant to Section 17-4-1003-D3, the Bonus Worksheet will serve as an official record of bonuses and amenities. The owner of Parcels P21B and P21C must comply with the applicable affordable housing standards and requirements set forth in Section 17-4-1004, the terms of which are incorporated herein by this reference. Notwithstanding anything to the contrary contained in Section 17-4-1003-E, the Commissioner of the Department of Planning and Development may enforce remedies for breach of the Affordable Housing Agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

- (p) Prior to receiving the Certificate of Occupancy for the Phase 1 Tower, the Applicant for Subparcel E.3. shall reasonably cooperate with the

Applicant: Address: Introduced Date: Plan Commission:

RMW Acquisition Company LLC 400 North Lake Shore Drive March 18, 2020 May 21, 2020

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## FINAL FOR PUBLICATION

Riverview Condominium Association to enter into a joint access and maintenance agreement, for the property located at 445 IL North Water Street, to maintain the proposed landscape improvements on the Riverview Condominium Association's property to the west of the 400 North Lake Shore Drive site.

12. Except as set forth in the Plans, publicly dedicated improvements, including streets, sidewalks, transit and open space amenities shall be designed, constructed and maintained in accordance with the exhibits described in Statement 2 hereof and the "Cityfront Center Internal Design Standards: Section 1" dated September 12, 1986.
13. The property owner(s) adjacent to the Chicago River shall develop a continuous pedestrian esplanade along the Chicago River's edge. Completion of the esplanade will occur as follows:
- a) The east right-of-way line of McClurg Court to the west right-of-way line of Lake Shore Drive shall be improved concurrently with development of adjacent parcels south of East North Water Street (Parcels 14, 16, and 18). In the event that DuSable Park is developed before Parcel 18 is developed, the owner(s) of Parcel 18 shall construct and maintain a temporary pedestrian connection along the river. These improvements shall consist of a paved (asphalt or better) pedestrian walkway, a minimum of 10 feet in width. Metal railings shall be installed along either side of the pedestrian walkway near the river's edge and on the side adjacent to the development parcel. The design of these improvements shall be subject to the approval of the Commissioner of Planning and Development; and
  - b) The west right-of-way line of Lake Shore Drive to DuSable Park shall be constructed concurrently with the construction of DuSable Park. The owner(s) of Parcel 18 shall be solely responsible for improvements underneath Lake Shore Drive, subject to approval of the State of Illinois to make such improvements. Such access shall be well lit, suitably paved, and finished so as to provide safe, attractive, and convenient access to the park from the river edge esplanade. Additional requirements are outlined in statements 1 l(j) and 1 l(n).
14. The Developer of Parcels P21B and P21C (the "Kraft Parcel"), shall substantially renovate the existing 70,000 square foot park on Parcel P21B in accordance with the Landscape Plan, the Landscape Sections, and the Landscape Plant list. Such renovation shall be commenced no later than three (3) months following issuance of the first occupancy permit for the residential building to be constructed on Parcel P21C as permitted by this Planned Development, and shall be completed

Applicant: RMW Acquisition Company LLC

Address: 400 North Lake Shore Drive  
Introduced Date: March 18, 2020  
Plan Commission: May 21, 2020

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## FINAL FOR PUBLICATION

no later than one (1) year thereafter. The park, as renovated, shall continue to be privately owned, maintained and subject to occasional partial closure for private use but, subject to the foregoing, shall remain accessible to the public during hours in which public parks are accessible to the public. The public shall have use of the Dog Run indicated on the Landscape Plan subject to any regulations, if imposed, that conform to the protocols of the Chicago Park District for Dog Friendly Areas. The owner(s) of Parcels P21B and P21C (the "Kraft Parcel") shall be responsible for the costs and performance of maintenance of the park in conformance with the Landscape Plan and the Open Space Plan. Nothing contained herein shall preclude residents or other individuals from using the park for other private uses, provided that they obtain permission from the owner(s) of the Kraft Parcel and all necessary governmental approvals and permits.

15. Traffic studies completed by Developers and reviewed and approved by the City of Chicago project significant peak hour traffic volume increases on Illinois Street and Grand Avenue in particular as a result of new development. Some excess roadway capacity is available to handle this increased traffic, but a number of geometric, signal timing and parking control measures are recommended in addition to active transportation management in the Illinois-Grand corridor. Accordingly, no Part II Submittal shall be approved without an agreement between the Developer and the Chicago Department of Transportation regarding the timing and responsibility for the recommended traffic improvements described in the approved traffic study and depicted in Exhibit 8 hereof for streets adjoining the development site. Membership and participation in the Illinois-Grand Corridor Transportation Management Association shall also be required prior to the issuance of any Part II Development Approval.
16. Prior to the issuance by the Department of Planning and Development of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance ("Part II Approval") for development or redevelopment of any development parcels within the Planned Development, other than alterations to existing buildings which do not increase their height or alter their footprint or construction in accordance with the Plans approved herein, a site plan for the proposed development, including parking areas, shall be submitted to the Zoning Administrator for approval. Review and approval of the site plan by the Zoning Administrator is intended to assure that specific development proposals conform with the general design standards in Statement 11 and to ensure coordination of public improvements described in Statements 12 through 15 at an early stage. No Part II Approval for work for which a Site Plan must be submitted to the Zoning Administrator shall be granted until the Site Plan has been approved by the Zoning Administrator. Further, all Part II Submittals shall be in compliance with the Chicago Landscape Ordinance.

Applicant: RMW Acquisition Company LLC  
Address: 400 North Lake Shore Drive  
Introduced Date: March 18, 2020  
Plan Commission: May 21, 2020

EASTM 7267970(1 1-1

## FINAL FOR PUBLICATION

- Following approval of a Site Plan by the Zoning Administrator, the approved plan shall be kept on permanent file with the Department of Planning and Development and shall be deemed to be an integral part of this Planned

Development. The approved Site Plan may be changed or modified pursuant to the minor change provisions of Section 17-13-0611 of the Chicago Zoning Ordinance.

A Site Plan shall, at a minimum, provide the following information with respect to the proposed improvements:

- 1) the boundaries of the Property;
- 2) the footprint of the improvements;
- 3) location and dimensions of all loading berths;
- 4) preliminary landscaping plan prepared by a landscape architect with final landscaping plan to be approved at Pari II stage;
- 5) all pedestrian circulation routes;
- 6) the location of any adjacent public improvements;
- 7) a signage plan for any building where retail or theater uses would be present above the ground level;
- 8) preliminary elevations of the improvements, and
- 9) statistical information applicable to the Property limited to the following:
  - a) floor area and floor area ratio;
  - b) uses to be established;
  - c) building heights; and
  - d) all setbacks, required and provided.

A Site Plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of this Planned Development.

17. If any provision of this Planned Development amendment shall, to any extent, be invalid or unenforceable, the remainder of this Planned Development amendment

Applicant: RMW Acquisition Company LLC  
Address: 400 North Lake Shore Drive  
Introduced Date: March 18, 2020 ■  
Plan Commission: May 21, 2020

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## FINAL FOR PUBLICATION

shall not be affected thereby, and each provision of the Planned Development amendment shall be valid and enforceable to the fullest extent of the law.

18. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, by the Zoning Administrator upon the application for such a

modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.

19. 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 improvement on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("MOPD") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
20. It is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. All improvements to be constructed within this Planned Development for which Part 11 Approval letters are issued after the March 29, 2006, date of the City Council approval of the amended Planned Development shall comply with the Department of Planning and Development Chicago Sustainable Development Policy in effect at the time of application for Part II Approval. The owners of all such improvements shall use best and reasonable efforts to design, construct and maintain all buildings located within the Planned Development in a manner generally consistent with the Leadership in Energy and Environmental Design ("LEED") Green Building Rating System. Copies of these standards may be obtained from the Department of Planning and Development. The development of the improvements on Parcel P21C contemplated by this Planned Development amendment shall be LEED certified and have a green roof of approximately 2,177 square feet and a rain water collection system as described in the attached Green Roof Plan. The development of the improvements on Parcel P8 contemplated by this Planned Development amendment shall be LEED certified and have a Total Green Roof Area of approximately 13,482 square feet, including approximately 1,350 square feet of roof-top pool surface area, as described in the attached Green Roof Plan. The development of the improvements in Subparcel E.3 shall comply with the sustainability requirements set forth in Statement 1 I(k).
21. The Applicant acknowledges (that upon review and determination, Part II Review, pursuant to Section 17-13-0610. a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the

Applicant: RMW Acquisition Company LLC  
Address: 400 North Lake Shore Drive  
Introduced Date: March 18, 2020  
Plan Commission: May 21, 2020

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## FINAL FOR PUBLICATION

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.

22. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, fleet and Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
23. 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, the applicant for planned development approval in Subparcel E.3 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 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 Subparcel E.3 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 any Certificate of Occupancy for Subparcel E.3, 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

Applicant: RMW Acquisition Company LLC  
Address: 400 North Lake Shore Drive  
Introduced Date: March 18, 2020  
Plan Commission: May 21, 2020

EASTM 7267976(1 14

## FINAL FOR PUBLICATION

residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

24. Unless substantial construction of the improvements contemplated within Subparcel E.3 has commenced within six years following adoption of this planned development amendment and unless completion is thereafter diligently pursued, then this Planned Development shall expire as it relates to Subparcel E.3 and the zoning of Subparcel E.3 of the Planned Development shall automatically revert to Residential-Business Planned Development Number 368, as amended on March 29, 2006. Unless substantial construction of the improvements contemplated within Parcels 7 and 7A has commenced within six (6) years following adoption of Residential-Business Planned Development Number 368, as amended on June 6, 2012, and unless completion is thereafter diligently pursued, then this Planned Development shall expire as it relates to Parcels 7 and 7A and the zoning of Parcels 7 and 7A of the Planned Development shall automatically revert to Residential-Business Planned Development Number 368, as amended on July 9, 2008. Unless substantial construction of the improvements contemplated within Parcels 21B and 21C (the "Kraft Parcel") has commenced within three (3) years following adoption of Residential-Business Planned Development Number 368, as amended on January 21, 2015, and unless completion is thereafter diligently pursued, then this Planned Development shall expire as it relates to Parcels 21B and 21C (the "Kraft Parcel") and the zoning of Parcels 21B and 21C (the "Kraft Parcel") shall automatically revert to Residential-Business Planned Development Number 368, as amended on June 6, 2012. Unless substantial construction of the improvements contemplated within Subarea B Parcel 8 has commenced within six (6) years following adoption of this Planned Development amendment, and unless completion is thereafter diligently pursued, then this Planned Development shall expire as it relates to Subarea B Parcel 8 and the zoning of Subarea B Parcel 8 of the Planned Development shall automatically

revert to Residential-Business Planned Development Number 368, as amended on May 6, 2015.

Applicant: Address: Introduced Date: Plan Commission:  
 RMW Acquisition Company LLC 400 North Lake Shore Drive March 18, 2020 May 21, 2020

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# FINAL FOR PUBLICATION

## Bulk Regulations and Data Table

(Page 1 of 5)

Sub Area	Net Site Area See Note (1) Sq Ft Acres	Maximum Kcail Sq I (OOO'.s)	Maximum Commercial Sq I t. (IO)O'sl	Maximum 1 hotel Rooms	Maximum Dwelling linns	Maximum 1-.A K. linns
A	380,746 8 74	540 See Note (5)	5.259	1,800	Permitted .Sec Notes (2 «V J)	13 81 See Note (6)
n See Notes (II & li)	183,449 4,21	40	2.4S2 See Note (S)	1.606 Sec Note (X)	671 .V<: e Note (8)	13 53 See Note (7)
C	122,303 2,81	140	850	540	630	12 72
D	361,234 8,29	170	500	0	2,350	8 60
E	346,038 7,94	110 See Note (9)	5 See Note (4)	0	1,100	6 83
K.I	232,841 0 Note (-1) 18,191.63 0 1,100 See Note (10)	5 0 15 92 2,18	Not Permitted 0 See Note (9)	Not Permitted 0.02 5.34 0 0 0,42 95,005	110	0 See
E.2						
E.3						
F See Note (12)	167,084 3,83 See Note (12)	150	0	0	1.118 See Note (12)	11 57 See Note (12)
TOTAL.	1560,904 35.83	1,040	9,096	3,946 See Note (H)	5,869 See Note (2)	10.84

Gross Site Area = Net Site Area: 1,560,904 sq. ft (35.83 acres) plus area in or proposed to be in public right of way: 940,843 sq. ft. (21.60 acres) plus area in or parks or open space 302,479 sq ft (6.94 acres) - 2,804,226 sq ft. (64.38 acres).

OFF STREET PARKING BUSINESS USES HOTLX USES RESIDENTIAL USES

NON-ACCESSORY PARKING (allowed in Sub-area F only)

OFF STREET LOADING

MINIMUM PERIPHERAL SETBACKS

MINIMUM UPPER LEVEL SETBACKS

MINIMUM 1:5,000 sq ft. 1 -4 Rooms 55% d. u. Sub Area E 3. 300 200 spaces

MAXIMUM

As determined by DPD in consultation with CDOT

600 spaces

Pei DX-12 requirements  
Sub Area E 3 3 (10'x25') per Phase

Sufficient to allow for street trees and pedestrian walkways (min 12'-6" from building to curb face  
40' from Lake Shore Drive at level of Upper Lake Shore Drive

Applicant RMW Acquisition Company, LLC  
Address -100 North Lake Shore Drive  
Introduced Date: March 18.2020  
Plan Commission: May 18.2020

EASTM 720S0141 5

## FINAL FOR PUBLICATION

### Exhibit 1

#### **Bulk Regulations and Data Table**

Note (1)

Note (2).

Note (3)-

Note (4) Note (5) Note (6)

Note (7). Note (8).

Note (9):

( Page 2 of 5)

For the purpose of this Planned Development, Net Use Area" shall equal the entire land area (at Plaza Level where such is established, and otherwise at grade) within the boundaries of the planned development, less the area now dedicated or proposed to be dedicated to public use

Dwelling units shall be permitted in Sub-Area A of this Planned Development subject to the provisions of the DX-1d, Downtown Mixed-Use district classification. Any such units so built will not affect the total of 5,800 dwelling units permitted in Sub-Areas B, C, D, II and F. Dwelling units are permitted below the second floor in all sub-areas except Sub-Area Li.

For purposes of exchange of uses, a hotel room shall be equal to 0.5 dwelling units. The permissible number of hotel rooms within the planned development shall not exceed 3,946 rooms. Balconies, meeting rooms, exhibition space, restaurant facilities and hotel-associated retail shall be deemed "accessory hotel uses" and shall be charged against commercial uses

Although Sub-Area E.1 (DuSable Park) has been dedicated to public park uses, it is included in Net Site Area because a maximum of 5,000 square feet of park and recreation-related floor area may be constructed within its boundaries

Assumes 410,000 sf allocated to development Parcels 4 and 5 and the remaining 130,000 sf allocated to remaining development parcels within Sub-Area A.

Assumes floor area allocated to existing buildings as follows: 401 North Michigan (760,241 sf), University of Chicago Gleacher Center (240,000 sf), NBC Tower (912,000 sf), and to future development as follows: Parcel 1 (776,250 sf), Parcel 3 (970,000 sf) and Parcels 4/5 (1,600,000 sf)

Assumes floor area allocated to existing Sheraton Motel (Parcels P6A and P6B) at 860,379 sf and to Parcels P7 and P7A at 847,290 sf, pursuant to June 6, 2012 amendment

For purposes of exchange of uses, a hotel room shall be equal to 0.5 dwelling units. The number of dwelling units listed for Subarea B (842) includes 197 dwelling units converted from 394 hotel rooms. The permissible number of hotel rooms within the planned development shall not exceed 3,946 rooms. Ballrooms, meeting rooms, exhibition space, restaurant facilities and hotel-associated retail shall be deemed "accessory hotel uses" and shall be charged against commercial uses. Accessory hotel uses on Parcels 7, 7A and 8 combined shall not exceed 50,000 square feet

Eating/drinking establishments (excluding taverns), residential support services, physical fitness/indoor recreation center, and small venue theater (for building residents only) are expressly permitted in Sub-Area E.3.

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Applicant: Address

Introduced Date: Plan Commission.

RMW Acquisition Company, LLC

100 North Lake Shore Drive March IS. 2020 May IS. 2020

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FINAL FOR PUBLICATION

Exhibit

**Bulk Regulations and Data Table**

( Page 3 of 5)

Note (10).

a) b) c)

Note (11):

FAR Bonus Calculations

Sub-Area E.3 (Parcels IK and 1°, combined)

10.00 1.18(a) 5 OS (b) 1 66 (e)  
15.92  
Net Site Area = 95,005 square feet

Base PAR  
Downtown Affordable Housing Zoning Bonus  
Chicago Riverwalk  
Underground Parking and Loading  
Total FAR

Based on a contribution of \$3,856,442.96 to the City of Chicago Affordable Housing Opportunity Fund.

Based on the provision of improvements to 29,262 square feet of riverwalk improvements

Based on the provision of 300 underground parking spaces on Lower Levels 1 and 2

Bulk Regulations and Data Table Sub-Area B (Parcels 7 & 7A) Net Site Area = 68,385 square feet

Maximum Floor Area Ratio (FAR) Maximum Percentage of Land Coverage: Maximum Number of Dwelling Units: Maximum Number of Hotel Keys:  
Maximum Number of Off-Street Parking Spaces (Residential) Maximum Number of Off-Street Parking Spaces (Hotel). Minimum Number of Bike Parking Spaces. Minimum Periphery  
Setbacks: Maximum Building Height:

Minimum Number of Off-Street Loading Berths, Residential.

Minimum Number of Off-Street Loading Berths, Hotel

12 39  
Per Site Plans  
398  
400  
219  
11  
50  
Per Site Plans  
590' (plus 45' for mechanical penthouse, roof mechanical units, roof access stairs, architectural elements and similar appurtenances) 2(10' x 25') spaces  
2(10' x 25') spaces

Applicant:	RMW Acquisition Company, LLC
Address:	400 North Lake Shore Drive
Introduced Date:	March IX, 2020
Plan Commission'	May 18.2020

I:AST\ 72680111 5

FINAL FOR PUBLICATION

Exhibit

**Bulk Regulations and Data Table**

Note (12):

a) b) c) d)  
Sub-Area F

Net Site Area = 167,104 sq. Ft. (overall) Maximum Floor Area Ratio (FAR). Base FAR

Affordable Housing Bonus Underground Parking Bonus: Plaza/Pocket Paik Bonus Total FAR

Bulk Regulations and Data Table 1 or Parcel 21C: Maximum Number of Dwelling Units Minimum Number of Accessory' Paiking Spaces. Minimum Number of Bike Parking Spaces-  
Minimum Periphery Setbacks and Site Coverage. Maximum Building Height. Minimum Number of Off-Street Loading Berths-

11 57 (overall Sub-area F after Floor Area Bonuses) 8.98 (overall Sub-area F, sec note (a) below)

0 52 (Sec note (b) below)

1 00 (See note (c) below)

1 07 (See note (d) below)

II 57

350 296 50

Per site plan 785 feet 3(10' x 25')

Applicant: RMW Acquisition Company, LLC  
Address: 400 North Lake Shore Drive  
Introduced Dale: March 18,2020  
Plan Commission Mav IS. 2020

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# FINAL FOR PUBLICATION

## Bulk Regulations and Data Table

(Page 5 of 5)

Bulk Regulations and Data Table Sub-Area B (Parcel X) Net Site Area =34,4(10 SI"

Maximum Floor Area Ratio (PAR)<sup>1</sup>

Maximum Percentage of Land Coverage

Maximum Number of Dwelling Units<sup>1</sup>

Minimum Number of Off-Street Parking Spaces (Residential)

Minimum Number of Bike Parking Spaces Minimum Periphery Setbacks Maximum Building Height:

Minimum Number of Off-Street Loading Berths, Residential:

Minimum Number of Off-Street Loading Berths, Retail:

14 50

Per Site Plan

444

1X1

50

Per Site Plans

535' (Includes 35' for mechanical penthouse, roof mechanical units, roof access stairs, architectural elements and similar appurtenances)

1 (10' x 25') 1 (10' x 25')

Applianii; RMW Acquisition Company, LLC
Address: 400 North Lake Shore Drive
Introduced Date: March 18, 2020
Plan Commission: May 18, 2020

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FINAL FOR PUBLICATION

2007 Affordable Housing Profile Form (Rental)

Submit this form to the Department of Planning & Development (DPD) for projects that are subject to the 2007 ARO. Projects submitted after October 13, 2015 - or that did not receive City Council approval by July 13, 2016 - are subject to the 2015 ARO. More information is online at vwww.cityofchicago.org/ARO <http://vwww.cityofchicago.org/ARO>.

This completed form should be returned to: ARO@cityofchicago.org <mailto:ARO@cityofchicago.org>

Date: March 17, 2020

SECTION 1: DEVELOPMENT INFORMATION

Development Name: 400 Lake Shore Drive Development Address: 400 Lake Shore Drive Ward: 42nd

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

Type of City involvement: | | City Land
(check all that apply) i-i Financial Assistance (If receiving tif assistance, win tif funds be | | used for housing construction? | | I\*) \*if yes, please provide copy . . . of the TIF Eligible Expenses | | '
[♦/J Zoning increase and/or PD

SECTION 2: DEVELOPER INFORMATION

Developer Name: RMW Acquisition Company LLC Developer Contact (Project Coordinator): Will Tippens Developer Address: 350 W. Hubbard, Suite 300 Email address: wtippens@relatedmidwest.com <mailto:wtippens@relatedmidwest.com> Telephone Number: 312-595-7400

SECTION 3: DEVELOPMENT INFORMATION N/A

a) Affordable units required

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

\*20% if TIF assistance is provided

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

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

b) building details

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

Cooking gas electric gas heat electric heat other (describe on back)  
  
 Is parking included in the rent for the: affordable units? yes no market-rate units? yes no  
  
 If parking is not included, what is the monthly cost per space?

Estimated date for the commencement of marketing:

## FINAL PUBLICATION

Estimated date for completion of construction of the affordable units:

Unit Type*	Number of Units	Number of Bedrooms/Unit	Total Square Footage/Unit	Expected Market Rent	Proposed Affordable Rent*	Proposed Level of Affordability (60% or less of AMI)	Unit Mix OK to proceed?
- Example /; /1.;bed/:t ; ;_-		•:V ir;';;;	,800." .•..	.. :\$'10Q0;,,	.759.	•,.. 60%	
	-..;i;^:;;;						<input type="checkbox"/>
Affordable Units	: ■■;						<input type="checkbox"/>
							<input type="checkbox"/>
Market Rate Units				N/A	N/A		<input type="checkbox"/>
				N/A	N/A		<input type="checkbox"/>
				N/A	N/A		<input type="checkbox"/>

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

### SECTION 4: PAYMENT IN LIEU OF UNITS

When do you expect to make the payment -in-lieu?

(typically corresponds with issuance of building permits)

Q2 2021

Month/Year

For ARO projects, use the following formula to calculate payment owed:  
 $X \$104,427^* = \$$

X 10%

Amount owed

Number of total units in development

(round up to nearest whole number)

43

112,105.9

x 80% x \$

\*These are 2019 fees: for current fee, visit [www.cityofchicago.org/aro](http://www.cityofchicago.org/aro)

<<http://www.cityofchicago.org/aro>>For Density Bonus projects, use the following formula to calculate payment owed

\$.

\$3,856,442.96

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

**Authorization to Proceed (to be completed by Developer & DPD)**

AoyuL- ffvLtusyi^

5/15/2020

DPD, Staff

Dale

5/7/2020

Developer/Project Manager

updated 1 1.2018

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Nel Site Area 95,005

Sub Area E.3

- ■■ Planned Development Boundary
- Property Line

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## property line map

WEST PRIVATE DROP-OFF COURT EAST PRIVATE DROP-OFF COURT

EMERGENCY ACCESS GATE

PROPOSED LAKE SHORE DRIVE ACOUSTIC / VISUAL BARRIER

SETBACK LINE ABOVE THE HEIGHT OF UPPPER LAKE SHORE DRIVE

PEDESTRIAN PASS-THROUGH TO DUSABLE PARK

### Property Line Setback Line

Applicant RMW Strcotoville, LLC Address 40'J N Luke SIOF, Or  
Cincaijo, IL 00611 Introduction Date M,-rch 18, 20; '0 Plan Commission Marcli ?1. '020  
SETBACK I»«

## FINAL FOR PUBLICATION

LAKE SHORE DRIVE ABOVE

WEST PRIVATE DROP-OFF COURT EAST PRIVATE DROP-OFF COURT

EMERGENCY ACCESS GATE

PROPOSED LAKE SHORE DRIVE ACOUSTIC/VISUAL BARRIER



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May ?1 2020

far bonus calculations

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Landscape Plan Legend

Property Line

Steps ▼ Building Entry

f-cncc ■ ■ i Gate

Existing Light Pole ■ j Stone Paving l ' Concrete Paving ; - : Existing Tree i j Existing Planting  
; Proposed Deciduous Tree ., !, ! Proposed Coniferous Tree  
... j Proposed Shrub and \_j Perennial Planting  
+0.0 Spot Elevation

**Tree Calculations**

Total Proposed Site Trees (38) Deciduous Trees (10) Evergreen Trees  
Total Chicago River Frontage: 222' River front trees required.9 Proposed Riverfront Trees: 12

**Vehicular Use Calculations**

Area 1  
Total Area: 5,670 sf  
Required Internal Landscape  
5% x 5,670 sf = 284 sf  
Actual Landscape Area 671 sft  
Trees Required. 284/125 = 2 Trees  
Actual Tree Planting = 4 trees

Area 2  
Total Area 6,075 sf  
Required Internal Landscape  
5% x 6,075sf = 304 sf  
Actual Landscape Area. 323 sft  
Trees Required 304/125 = 2 Trees  
Actual Tree Planting = 5 trees

SCALE: 1"=60'

City of Chicago  
Chicago ILGO/jil  
Introduction Date Mnrch 1fi ?0?0 Plan Commission Mnrch 'j' :>|}?0  
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**LANDSCAPE PLAN**  
PHASE 1

**Landscape Plan Legend**

Property Line  
Steps ▼ Building Entry  
■ - Fence  
i i Gate  
Existing Light Pole-Stone Paving Concrete Paving ■; . i Existing Tree ■ : Existing Planting  
f ; Proposed Deciduous Tree /' .1. \ Proposed Coniferous Tree  
; \_ . Proposed Shrub and  
j ! Perennial Planting  
+0.0 Spot Elevation

**Tree Calculations**

Total Proposed Site Trees. (35) Deciduous Trees (10) Evergreen Trees

Total Chicago River Frontage: 222' River front trees required:9 Proposed Riverfront Trees: 12

### Vehicular Use Calculations

Area 1  
Total Area 5,670 sf  
Required Internal Landscape  
5% x 5,670 sf = 284 sf  
Actual Landscape Area 1 671 sft  
Trees Required. 284/125 = 2 Trees  
Actual Tree Planting = 2 trees

Area 2  
Total Area. 6,075 sf  
Required Internal Landscape  
5% x 6,075sf = 304 sf  
Actual Landscape Area 323 sft  
Trees Required 304/125 = 2 Trees  
Actual Tree Planting = 5 trees

SCALE. 1=60"

Applicant HMW Straeterville LLC  
Address 100 N Lake Shore Dr.  
Chicago IL 00011  
tititotluction D;itu Moiclii8 20?0 Plan Commission M.n/.fi ? 1 ?0:1')

1 AMDSPAPF PLAN  
LHIMUOI/Hrt rLrd'  
PHASE 2

## FINAL FOR PUBLICATION

SEE PARTIAL LANDSCAPE PLAN - SOUTH

### Landscape Plan Legend

- Property Line
- =5 Steps
- ▼ Building Entry
- Fence i Gate
- Existing Light Pole Stone Paving Concrete Paving
- . ' Existing Tree
- Existing Planting
- Proposed Deciduous Tree
- Proposed Coniferous Tree
- Proposed Shrub and Perennial Planting
- +0.0 Spot Elevation

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partial landscape plan

NORTH - PHASE 1 & 2

In



PINAL i-OR

Property Line Steps Building Entry

Fence Gate

Existing Light Pole Stone Paving Concrete Paving  
SEE PARTIAL LANDSCAPE PLAN - NORTH

Existing Tree Existing Planting

Proposed Deciduous Tree Proposed Coniferous Tree

Proposed Shrub and Perennial Planting

+0.0 Spot Elevation

SCALE: 1"=40'

20'-10'

Applicant R.:uv Strcelc-rWle U.C Addicss 400 N L8ku Shore Dr.  
CH'cayo ll. 60011 Introtuction Date M.-ir.h ;H 2)2A Plan Commission M.irch 2\*. 2020

**PARTIAL LANDSCAPE PLAN**

SOUTH-PHASE 1

IN



SEE PARTIAL LANDSCAPE PLAN^ NORTH.

23--11" ; " "43""1 T tm^ tm^u^ " "  
\_ / - f |

Existing Tree Existing Planting

Proposed Deciduous Tree Proposed Coniferous Tree

Proposed Shrub and Perennial Planting

INTERNAL.  
r^>. . . PLANTING ■

Property Line

: Steps ▼ Building Entry

Fence . i Gate

+0.0 Spot Elevation

Existing Light Pole Stone Paving Concrete Paving

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SCALE: 1"=40'

Applicant RMW S' reeleiville I.I.C Address 400 N Lake Shore Or  
Chicago, IL 130011 Introduction Date March iy 2020 Clan Commission fvtnicn 21 .020

# PARTIAL LANDSCAPE PLAN

## SOUTH - PHASE 2

# FINAL FOR

### TYPICAL SOD DETAIL FOR HIGH USE AREAS

#### Deciduous Trees

XX	QTY	Botanical Name	Common Name	Size	Condition
AF	3	<i>Acer from am</i>	rrccman Maple	4" Caliper	BAB
BN	7	<i>Betula nigra 'Heritage'</i>	lentaqe River Birch	10-1?. Clump	B&B
CJ	3	<i>Cercidiphyllum laponKatsurairee</i>		10-1?, Clump	B&B
CK	5	<i>Cornus kousa</i>	Kousa Doawood	fl-10'. Clump	BAB
GT	4	<i>Gladitsia triacanthos</i>	Skyline lloneybcust	4" Caliper	BAB
MS	7	<i>Nyssa sylvatica</i>	Black Gum. Tupelo	4" Caliper	BAB
PM	9	<i>Platanus x accnfolia</i>	'Exclamation' London4"	Caliper	BAB
QB	2	<i>Quercus bicolor</i>	Swamp White Oak	4" Calipei	BAB
TC	3	<i>Tilia cordata</i>	Littleleaf Linden	4" Caliper	BAB

#### Coniferous Trees

XX	QTY	Botanical Name	Comtion Name	Size	Condition
PA	9	<i>Picea abics</i>	Norway Spruce	10-12	BAB
PO	1	<i>Picea omorika</i>	Scrb'an Spruce	10-17	BAB

### TYPICAL PERENNIAL PLANTING DETAIL

XT ^?r s:\*or<sup>C</sup>

Chicago IL GOG H Introduction Date  
March 18 ?/20 Plan Commission May 21 ?0?o

## LANDSCAPE PLANT LIST & DETAILS

# FINAL FOR PUBLICATION

TOP OF PHASE 1 TOWER EL. +875'  
GLASS & ALUMINUM WINDOW WALL WITH DECORATIVE METAL ACCENT PANEL

TOP OF PHASE 2 TOWER EL. +765'  
GLASS AND ALUMINUM STOREFRONT BETWEEN MASONRY FRAME

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PROPOSED DEVELOPMENT

**S:r rSfSSSSf**

Chicago IL (50611 Introduction Date March 18 2020 Plan Commission  
May 21 ?(),?)

**CHICAGO RIVER ELEVATION**

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Chicago IL  
GOG 11<sup>th</sup> Introduction Date  
Mjirci 13. L'020 Plan  
Commission May ?.), '':0%  
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**ogden slip elevation**

**FINAL FOR  
PUBLICATION**

PROPOSED DEVELOPMENT

**rr ^r s i:: rr**

Chicago IL 00(511 Introduction Date March 18 2020 Plan  
Commission KUv 2 1 2020

**lake shore drive elevation**

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PUBLICATION**

TOP OF PHASE 1 TOWER EL. +875'

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PROPOSED DEVELOPMENT

# NORTH WATER STREET ELEVATION

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PUBLICATION



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DECORATIVE METAL ACCENT

PAINTED METAL REVEAL

PAINTED ALUMINUM MULLION

INSULATED GLAZING UNIT

ELEVATION

- INTERIOR COLUMN CLADDING
- PAINTED ALUMINUM MULLION
- INSULATED GLAZING UNIT

PAINTED METAL REVEAL

PAINTED METAL MULLION

DECORATIVE METAL ACCENT PANEL

XT 1/2" x 1/2" x 1/2"

Introduction Date: 1/1/2020

00511

## TYPICAL FACADE DETAIL

TOWER NORTH & SOUTH FACADES

# FINAL FOR PUBLICATION

1/2" x 1/2" x 1/2"

1/2"

1/2"

1/2"

1/2"

PAINTED ALUMINUM MULLION \ PAINTED METAL REVEAL  
DECORATIVE METAL ACCENT  
PANEL

- INSULATED GLAZING UNIT  
ELEVATION

INSULATED GLAZING UNIT PAINTED ALUMINUM MULLION

PAINTED MULLION PAINTED METAL REVEAL DECORATIVE METAL ACCENT

PLAN

CHICAGO  
Introduction Date March 2020 Plan Commission May 2020

typical facade detail  
TOWER EAST & WEST FACADES

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PUBLICATION

CHICAGO  
Plan Commission May 2020

TYPICAL FACADE DETAIL  
GROUND LEVEL FACADE

CHICAGO  
Introduction Date March 2020 Plan Commission May 2020

LAKE SHORE DRIVE ACOUSTICAL SCREEN

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PUBLICATION

MATERIAL CHANGE - ON UPPER HALF OF ACOUSTICAL BARRIER TO REDUCE SCALE OF WALL  
- MASONRY BACK-UP WALL

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i 1;

ELEVATION

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PLAN

NOTE THE DESIGN OF THE WALL IS TO  
BE ■ FURTHER DEVELOPED AND  
REVIEWED BY DPD

Applicant RMW StrjcmTtirville: 11 C Address 400 N Lake Shore- Or  
Ch'CJfjO IL fjjjii Introduction Date M.vcri itt. yo?0 Plan Commission May 21 :U,'0

**TYPICAL FACADE DETAIL**  
LAKE SHORE DRIVE ACOUSTICAL SCREEN

To: Clerk Application #20376

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

Alderman Tom Tunney  
Chairman, City Council Committee on Zoning

From  
Maurice D. Cox  
Chicago Plan Commission

Date: May 21, 2020

Re: Proposed Amendment to Residential-Business Planned Development 368 - 400 North Lake Shore Drive

On May 21, 2020, the Chicago Plan Commission recommended approval of the proposed amendment to Residential-Business Planned Development 368, submitted by RMW Acquisition Company, LLC. The applicant proposes to amend the Planned Development to allow for the construction of a phased development for two residential buildings that are 865' and 765' tall containing 1,100 residential units, ground floor commercial and amenity space, and 300 accessory parking spaces located at 400 North Lake Shore Drive in Sub-Parcel E.3. 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 Emilv Thrun at 312-744-0756.

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

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602