

Address: 1353 W. Fulton / 220 N. Ada, Chicago, IL

nAS'IM83508615.3

FINAL FOR PUBLICATION

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number (the "Planned Development" or "PD") consists of approximately 27,244 square feet of property which is depicted on the attached Planned Development Boundary and Properly Line Map ("Property"). 1353 Partners LLC is the "Applicant" for this Planned Development and owner of the subject property.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assigns or grantees.

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

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

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

- Full width of streets
- Full width of alleys

- 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

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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 17 Statements and a Bulk Regulations Table; an Existing Zoning Map; an Existing Land Use Map; a Planned Development Boundary and Property Line Map; a Roof Plan; a Site Plan, Landscape Plan & Ground Floor Plan; a Typical Tree Planting Diagram; Elevations (East, West, South and North); Comer Facade Wall Section and Building Axonometric (Northeast, Southeast and Typical Tower); prepared by SOM and dated March 17, 2022, submitted herein. 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 Chicago 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 Chicago Zoning Ordinance, this Planned Development shall control.
5. The following uses are permitted in the area delineated herein as a Residential-Business Planned Development: Dwelling Units Above the Ground Floor; Vacation Rental; Shared Housing Units; Eating and Drinking Establishments; Financial Services (excluding Payday Loan Stores and Pawn Shops); Food and Beverage Retail Sales; Medical Service; Office; Personal Service; Residential Support Service; and General Retail Sales, incidental and accessory uses and accessory parking.
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 ("DPD"). Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a net site area of 27,244 square feet and a base FAR of 7.0.

The Applicant acknowledges that the project has received a bonus of approximately 4.5 FAR, pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total overall FAR for the Planned Development is 11.50. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17-4-1003-B & C, prior to the issuance of the first building permit for any building in each Subarea; provided, however, if the Planned Development is constructed in phases, the bonus payment may be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The bonus payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C.3

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The bonus payment will be split between three separate funds, as follows: 80% to the Neighborhoods Opportunity Fund, 10% to the Citywide Adopt-a-Landmark Fund and 10% to the Local Impact Fund. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property owner to finance specific landmark restoration projects; or, (c) approve proposals for in-kind improvements to satisfy the Local Impact portion of the payment.

9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, a Part II Review Fee shall be assessed by DPD. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by DPD. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-085, 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, by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor-environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
15. The Applicant acknowledges 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

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oi" 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 foregoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

16. The Applicant acknowledges and agrees that the rezoning of the Property from the M2-3 Light Industry District to the DX-7 Downtown Mixed-Use District and then to this Residential-Business Planned Development ("PD") No. [redacted] is an "entitlement" that triggers the requirements of Section 2-44-085 of the Municipal Code of Chicago (the "ARO"). The PD is located in a "downtown district" within the meaning of the ARO and permits the construction of 305 dwelling units. The Applicant intends to construct a 305-unit rental building (the "Project").

Developers of rental projects in downtown districts with 30 or more units must provide between 10% and 20% of the units in the residential development as affordable units, depending on the average depth of affordability provided, as described in subsection (F)(2) of the ARO. Regardless of the applicable percentage of affordable units in the rental project, developers must construct at least 25% of the affordable units on-site and another 25% on-site or off-site (collectively, the "Required Units"), and may satisfy the balance of their affordable housing obligation through: (a) the establishment of additional on-site or off-site affordable units; (b) payment of a fee in lieu of the establishment of on-site or off-site affordable units; or (c) any combination thereof. All on-site affordable units must be accessible dwelling units, as required under subsection (W)(10) of the ARO, and developers must give preference in leasing accessible units to people with disabilities, as specified in the ARO rules. All off-site affordable units must have at least two bedrooms and must be located in a downtown district, inclusionary housing area, or community preservation area. Whether on-site or off-site, developers must give preference in leasing affordable units of two bedrooms or more to multi-person households, as specified in the ARO rules. If a residential project is located in a transit-served location, off-site units must be located in a substantially comparable transit-served location.

The Applicant has elected the 20% option as set forth in the chart in subsection (F)(2) of the ARO. As a result, the Applicant's affordable housing obligation is 61 affordable units (20% of 305) and half of those affordable units are Required Units. Pursuant to subsection (T) of the ARO, the Applicant must

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either pay a fractional in lieu fee or provide an additional unit on-site or off-site to satisfy the fractional obligation. The Applicant has agreed to satisfy its affordable housing obligation by providing all 61 affordable units in the rental building in the PD, as set forth in the Affordable Housing Profile (AHP) attached hereto. The Applicant agrees that the affordable rental units must be affordable to households with a range of incomes averaging 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually, provided that (x) the maximum income level for any affordable unit may not exceed 80% of the AMI, (y) at least one-third (or 20 units) must be affordable to households at or below 50% of the AMI, of which one-sixth (or 3 of the 20 units) must be affordable to households at or below 40% of the AMI, and (z) all income levels must be multiples of 10% of the AMI.

This PD is located in the Fulton Market Innovation District (the "FMID"). The Chicago Plan Commission adopted a plan for the FMID in July 2014, and approved an update to the plan (the "FMID Plan Update") in February 2021. The FMID Plan Update allows residential uses north of Lake Street in the FMID and establishes a 30% affordability goal for new residential projects in that area. In order to achieve that goal, the City's Department of Housing ("DOH") is committed to offering developers a menu of public assistance. The Applicant agrees to collaborate with DOH to provide an additional 30.5 affordable units (10% of 305) either on-site or in an off-site location within the boundaries of the FMID, in accordance with the FMID Plan Update (the "FMID Units"). Specifically, the Applicant and DOH will collaborate to establish the additional cost associated with the construction of the FMID Units, including review of a detailed budget and proforma. The Applicant will work with DOH to identify public financial assistance to fund the FMID Units, whether on-site or off-site.

through a potential partnership with an affordable housing developer. To that end, the Applicant (a) has submitted an intake form to initiate the process required to apply for financial assistance from the City, including, but not limited to, 4% Low Income Housing Tax Credits (the "FMID Financial Assistance") and (b) has agreed to collaborate with DOH to explore partnerships with affordable housing developers to provide the FMID Units. If the Applicant is not awarded FMID Financial Assistance or is unable to form a partnership with an affordable housing developer on terms that will fully fund the cost of the FMID Units to meet the 30% affordability goal, the Applicant may proceed with the development of the Project without providing the unfunded FMID Units, provided, however, the Applicant must notify DOH of its determination that providing all of the FMID Units is not feasible at least 6 months prior to the issuance of the first vertical improvements permit for any residential building in the PD by providing to DOH a written explanation therefor, and, at DOH's request, the Applicant must provide an informational presentation to the Plan Commission on such determination prior to the issuance of such permit. Notwithstanding the foregoing, if DOH is unable to award the Applicant any FMID Financial Assistance, such presentation will not be requested.

If the Applicant requests any material change to its method of compliance with the ARO, such as locating affordable units off-site instead of on-site or changing the target affordability level after the passage of this PD, DOH may adjust the AHP as requested, in accordance with the ARO, without amending the PD, provided however, the Applicant must update and resubmit the revised AHP to DOH for review and approval and, at DOH's request, provide an informational presentation to Plan Commission on such change. Prior to the issuance of any building permits for any residential building in the PD, including, without limitation, excavation or foundation permits, the Applicant must execute and record an Inclusionary Housing Agreement ("IHA") in accordance with subsection (N) of the ARO. The terms of the IHA and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the IHA will be recorded against the PD, and will constitute a

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lien against such property. If the IHA is executed before the Applicant and DOH complete negotiations regarding the FMID Units, the Applicant agrees to update, amend and rerecord the IHA as necessary to incorporate any additional FMID affordability requirements. The Commissioner of DOH may enforce remedies for any breach of this Statement 16, including any breach of any IHA, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the PD.

This statement does not include all ARO requirements and options. It is intended to provide an overview of the application of the ARO to this PD. In the event of any conflict between this statement and the terms and conditions of the ARO, the ARO shall govern.

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

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

Gross Site Area (sf):	43,334
Area of Public Rights-of-Way (sf):	16,090
Net Site Area (sf):	27,244
Maximum Floor Area Ratio:	11.5
Maximum Number of Dwelling Units:	305
Minimum Parking Spaces:	115
Minimum Bicycle Parking:	58
Minimum Loading Berths:	2(10 feet x 25 feet)
Maximum Building Height:	314' (top of parapet)
Minimum Setbacks:	Per plans

TIMING

Estimated date marketing will begin: Q2 2024 Estimated date of building permit*: Q4 2022 Estimated date ARO units will be complete: Q4 2024

*the in-lieu fee, recorded covenant and \$5,000 per unit administration fee (for off-site units) are required prior to the issuance of any building permits, including the foundation permit.

PROPOSED UNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

Date 2/23/2022

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Developer or their agent

Ricardo Lopez, DOH

ARO Web Form

Afr-ORDARLF REQUIREMENTS ORDINANCE

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Applicant Contact Information

Name: Riley McChesney

Email: rmcchesney@shapack.com <mailto:rmcchesney@shapack.com>, 312-690-4050

Development Information

Address

Submitted Date: 07/21/2021

Number From: 220

Number To: N/A

Direction: N

Street Name: Ada Street

Postal Code: 60607

Development Name

1353 W Fulton

Are you rezoning to downtown?: Yes, DX-7 Zoning Information

Ward: 27

ARO Zone: Downtown

ARO Area: Inclusionary Housing Area

Details

ARO Trigger: Zoning change and planned development Total Units: 305

Development Type: Rental Date Submitted: 02/18/2022

Requirements

ARO Obligation: 61 Affordable Units (20% of 305 total DUs)

How do you intend to meet your ARO obligation for the First ARO Units?

On-Site: 61

Off-Site: 0

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

Total Units: 61

Total In-lieu Amount: 0

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EXISTING ZONING MAP

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NET SITE AREA: 27,244 SF AREA IN RIGHT-
OF-WAY: 16,090 SF* GROSS SITE AREA:
43,334 SF*

PLANNED DEVELOPMENT BOUNDARY AND PROPERTY*ITnE MAP"" ofr19ht""of"
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ROOF PLAN

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Existing Stop Sign -

■Detectable Warning Tile ■Retail Entrance
Existing Stop Sign

Existing Stop Sign -■Planter with Bench ■Street Light (TYP)

J
" .66'-0"
:: :H.9r6 ;>Existing Fire Hydrant

Existing Trees'
■Concrete Sidewalk
■Street Parking
lew Trees
18'-2"

vehicular EXISTING SERVICE ALLEY
ACCESS

Existing utility pole -

SITE PLAN, LANDSCAPE PLAN & GROUND FLOOR

General note: Design intent is for all existing trees to remain

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Dark Brick \
. 164 f. 30'-0'
i:2'-9" 30'-0"

-Dark Brick

- E

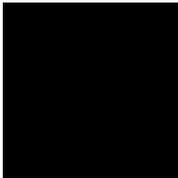
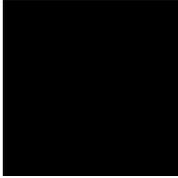
L2

TYPICAL PARKING ELEV. +24'
PARKING SPOTS AT L2: 58
TOTAL PARKING LEVELS: 2
TOTAL PROVIDED PARKING SPOTS: 115
TOTAL REQUIRED PARKING SPOTS: 111
TOTAL REQUIRED ACCESSIBLE SPACES: 3

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MIN STRUCTURAL SOIL DEPTH 2 5' BELOW CONCRETE SIDEWALK
MIN PLANTING SOIL DEPTH 2 5'

PARKWAY TREE
NEW CONCRETE PAVING
TOP OF ROOT FLARE TO BE 2" ABOVE FINISHED GRADE AFTER SETTLING. REMOVE TOP 1/3 OF BURLAP AND WIRE BASKET
SALT TOLERANT PERENNIAL MIX 2" MULCH LAYER

ATRIUM DRAIN, REF DRAINAGE STRUCTURAL SOIL, MIN. DEPTH 2'-6" CONTINUOUS BELOW CONCRETE PAVING
SUBDRAINAGE, REF CIVIL PLANTING SOIL, MIN. DEPTH T-b" COMPACTED PLANTING SOIL PEDESTAL SUBGRADE, REFGEOTECH

TYPICAL TREE PLANTING DIAGRAM n

New and modified parkway tree planting areas will provide a minimum of 500 cubic feet of soil volume per tree, with a (1) minimum depth of 2.5 feet. \Ls

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■ k T10 PENTHOUSE 313' - 9'

297' 6-LEVEL 28

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L.J.

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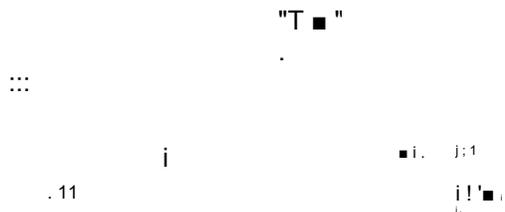
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— _Glass and Aluminum Window with Metal Projection



LEVEL 4 V 44'-0"
A LEVEL 3 T 34'-0"
J> LEVEL 2
v" 24'-ir

EAST ELEVATION

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SOUTH ELEVATION

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NORTH ELEVATION

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NORTHEAST CORNER FACADE

WALL SECTION AND BUILDING AXONOMETRIC

BR-01 Dark Brick MTL-01 Painted Metal GL-01 Clear Vision Glass

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SOUTHEAST CORNER FACADE

WALL SECTION AND BUILDING AXONOMETRIC

MTL-01 Painted Metal MTL-04 Perforated Metal
MTL-02 Painted Corrugated GL-01 Clear Vision
Metal Glass MTL-03 Painted Metal Mesh

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TYPICAL TOWER FACADE

WALL SECTION AND BUILDING AXONOMETRIC

MTL-01 Painted Metal GL-02 Vision Glass MTL-04 Perforated Metal

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

To: Alderman Tom Tunney
Chairman, City Council Committee on Zoning

From: ^-""7'f>r 7\ (* / Maurice D. Cox / Chicago Plan
Commission

Date: March 17, 2022

Re: Proposed Residential-Business Planned Development - 1353 W. Fulton St.

On March 17, 2022, the Chicago Plan Commission recommended approval of the proposed Planned Development, submitted by 1353 Partners LLC. 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 Joshua Son at 312-744-2780.

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

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