



Office of the City Clerk

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

Legislation Text

File #: SO2013-3346, Version: 1

FINAL FOR PUBLICATION

ORDINANCE

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the Residential-Business Planned Development No. 157 symbols and indications as shown on Map 3-f in the area bounded by:

a line 599.5 feet north of and parallel to West Goethe Street; the alley next east of North Clark Street; West Division Street; North LaSalle Street; a line 105.5 feet north of and parallel to West Division Street; the alley next east of North LaSalle Street; the alley next north of West Division Street; and North Clark Street,

to those of Residential-Business Planned Development No. 157, as amended, which is hereby established in the area above described, subject to such Use and Bulk Regulations as set forth in the Plan of Development herewith attached and made a part hereof and to no others.

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

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PLANNED DEVELOPMENT STATEMENTS NO. 157, **AS AMENDED**

1. The area delineated herein as Planned Development Number 157, ("Planned Development") consists of approximately 250,932 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). Pursuant to Section 17-8-0400 of the Chicago Zoning Ordinance, this Planned Development has been authorized by Sutton Place Association as the zoning control party for Sub-Area A, Beekman Place Homeowners Association as the zoning control party for Sub-Area B, Jewel Food Stores, Inc. as the owner of Sub-Area C-1, and 1201 North Clark, LLC as the owner of Sub-Area C-2. As used in this Planned Development, the term "Applicant" means FRC LaSalle LLC with respect to Sub-Area C-1 and L.I. Clark LLC and Palm Beach Island I LLC with respect to Sub-Area C-2.

2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation (CDOT) 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 Plans.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Departments of Planning and Development (DPD) and CDOT. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the CDOT.

All work proposed in the public way must be designed and constructed in accordance with the CDOT Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by CDOT.

4. This Plan of Development consists of 19 Statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary, Property

Applicant: FRC LaSalle LLC and L.I. Clark LLC. and Palm Beach Island I LLC
Address: 1200-1210 N Clark Street, 1201-1209 N. Clark Street, 52-130 W Division Street and 1201-1209 North LaSalle Street
Introduced: May 8, 2013
Plan Commission November 20, 2014

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Line and Sub-Area Map; a Right of Way Adjustment Map; Public Way Infrastructure Improvements; the following plans for Sub-Area C-1 (prepared by Solomon Cordwell Buenz and dated November 20, 2014): Site Plan; Landscape Plan; Enlarged Landscape Plans (2 sheets); Planting Details; Roof Plan; Section Looking North; Building Elevations; and, the Affordable Housing Profile Form; and, the following plans for Sub-Area C-2 (prepared by Hartshorne Plunkard Architecture and dated November 20, 2014): Site Plan; Landscape Plan; Planting Details; Roof Plan; Building Elevations; and, the Affordable Housing Profile Form. Full-sized copies of the Sub-Area C-1 and C-2 Site Plans, Landscape Plans and Building Elevations, along with the Overall Site and Landscape Plans, are on file with the DPD. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall

control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are permitted in this Planned Development:
- Sub-Area A: townhouses, recreational facilities (including a pool), off-street parking and loading.
 - Sub-Area B: townhouses, recreational facilities (including a pool), off-street parking and loading.
 - Sub-Area C-1: multi-unit residential (above the ground floor), food and beverage retail sales, liquor sales (as accessory use), retail sales (general), financial services, personal services, accessory parking, non-accessory parking and accessory and related uses. Required accessory vehicular parking servicing the residential uses in Sub-Area C-2 may be provided within Sub-Area C-1, pursuant to the ratios and requirements set forth in Statement No. 18 and the Bulk Regulations and Data Table of this Planned Development.
 - Sub-Area C-2: multi-unit residential (above the ground floor) and the following uses (only to the extent they are permitted in the BI, Neighborhood Shopping, District and not prohibited by more specific regulations), daycare, eating and drinking establishments (excluding general restaurants and taverns), financial services (excluding currency exchange, credit union, payday/title secure loan stores and pawn shops), food and beverage retail sales (excluding a liquor store for the sale of package goods), medical service, office, personal service, repair and laundry service (consumer), retail sales (general, excluding drug stores), off-site parking as set forth in Statement No. 18 and accessory and related uses. In addition to the exclusions listed above, amusement arcades are specifically prohibited.
6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within this Planned Development, subject to the review and approval of DPD. Off-Premise signs are prohibited within the boundary of this Planned Development.

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7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio (FAR) for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined

using a Net Site Area of 250,932 square feet.

9. Pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed, upon review and determination, by DPD. The fee, as determined by the staff of DPD 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. 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 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The terms and conditions of development under this Planned Development ordinance may be
12. modified administratively, pursuant to section 17-13-0611-A of the Zoning Ordinance by the
12. Zoning Administrator upon the application for such a modification by the Applicant, its
12. successors and assigns and any ground
12. lessors.
13. The Sub-Area C-1 Applicant commits to provide and fully-fund the following infrastructure and rights-of-way improvements and other modifications as recommended by the Traffic Study prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. (dated April 8, 2014) and detailed in the Public Way Infrastructure Improvements exhibit to this Planned Development:
 - A. Required bicycle racks for the commercial space will be provided externally (outdoor) along North Clark Street in the locations noted on the Sub-Area C-1 site plan; to the extent such bicycle racks will occupy portions of the public right-of-way, the Sub-Area C-1 Applicant will obtain all appropriate permits (required bicycle racks for the residential units will be provided internally to the buildings in Sub-Area C-1);
 - B. A minimum of one (1) parking space in the Sub-Area C-1 parking garage will be reserved for a shared vehicle service;
 - C. Countdown pedestrian signals will be installed at the intersection of North Clark and West Goethe Streets;

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Introduced: May 8, 2013
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- D. Continental crosswalks at the intersections identified in the Traffic Study and the aforementioned Public Way Infrastructure Improvements exhibit to this Planned Development;
- E. Separate left-turn lanes and lag left-turn phases will be provided at the intersection of West Division and North Clark Streets; and,
- F. Ingress and egress to the parking garage will be provided on North Clark Street and an outbound (egress only) will be provided on the north-south alley out to West Division Street.

The funding, design and provision of all such improvements and modifications: A) will be the responsibility of the Sub-Area C-1 Applicant; B) will be subject to review and installation scheduling by CDOT; and, C) must be designed and constructed in accordance with the CDOT Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. All requirements contained in this Planned Development shall comply with the provisions of all applicable City Ordinances, Rules and Regulations.

- 14. 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.
- 15. 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, conserves energy and maximizes the preservation of natural resources. Through the provision of a 50% green roof and Leadership in Energy and Environmental Design (LEED) certification, the Sub-Area C-1 project will meet the guidelines of the Sustainable Policy of DPD. Through the provision of a 50% green roof and LEED certification, the Sub-Area C-2 project will meet the guidelines of the Sustainable Policy of DPD.
- 16. The Applicant acknowledges and agrees that the addition of floor area for the development of ten (10) or more housing units for this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance"). Any developer of a "residential housing project" within the meaning of the Affordable Housing 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). In accordance with these requirements and the Affordable Housing Profile Forms attached hereto as exhibits to this Planned Development, the Applicant has agreed to provide thirty-nine (39) affordable housing units in the Residential Project in Sub-Area C-1 and ten (10) affordable housing units in the Residential Project in Sub-Area C-2 for households earning up to 60% of the Chicago Primary Metropolitan Statistical Area median income (the "Affordable Units"), or make a cash payment to the Affordable Housing Opportunity Fund in the amount of \$100,000 per required affordable unit ("Cash Payment"). At the time of each Part 11 review for each Residential Project, the Applicant may update and resubmit the Affordable

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Housing Profile Form to DPD for review and approval. If the Applicant subsequently reduces the number of residential units in a Residential Project, DPD may adjust the requirements of this Statement 16 (i.e., number of Affordable Units and/or amount of Cash Payment) accordingly without amending the Planned Development. Prior to the issuance of any building permits for a Residential Project, including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment for the Residential Project in question, or execute an Affordable Housing Agreement in accordance with Section 2-45-110(i)(2). The terms of the Affordable Housing Agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the Affordable Housing Agreement will be recorded against the Residential Project and will constitute a lien against each Affordable Unit. 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. The Commissioner of DPD 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 this Planned Development.

17. In order to develop the proposed improvements in Sub-Area C-1, the Applicant has contracted to acquire a portion of the unused floor area (for FAR purposes) and square footage (for minimum lot area, MLA, purposes) from Sub-Areas A and B (the "Development Rights"). The Applicant shall establish those Development Rights (i) prior to Part II approval for Sub-Area C-1 and (ii) by delivery to DPD of an executed and recorded Agreement Regarding Development Rights ("Agreement"). Said Agreement shall confirm the amount of Development Rights acquired for the benefit of Sub-Area C-1. Said Development Rights shall be applicable solely to Sub-Area C-1 in accordance with the amounts shown on the Bulk Regulations and Data Table of this Planned Development. In no event shall such transfer of Development Rights cause the FAR or density limitations shown on the Bulk Regulations and Data Table to be exceeded. Delivery of the Agreement shall authorize DPD to initiate Part II review for Sub-Area C-1 pursuant to the parameters set forth in the Bulk Regulations and Data Table of this Planned Development.

18. The required accessory vehicular parking servicing the residential uses in Sub-Area C-2 may be located in the parking garage to be constructed in Sub-Area C-1. If construction in Sub-Area C-2 is commenced or completed prior to the completion of the Sub-Area C-1 parking garage then the required accessory vehicular parking servicing the residential uses in Sub-Area C-2 may be provided elsewhere off-site in a zoning district that permits non-accessory parking; however, with no greater than a 600' distance between the nearest such off-site parking space and the entrance to the Sub-Area C-2 use served, pursuant to the ratios and requirements set forth in the Bulk Regulations and Data Table of this Planned Development.

19. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of DPD shall initiate a

Zoning Map Amendment to rezone the property to Planned Development No. 157, dated May 15, 1985.

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Introduced May 8, 2013
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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 157, AS AMENDED BULK REGULATIONS AND DATA TABLE

Gross Site Area (si):

Area of Public Rights-of-Way (sf):

Net Site Area (sf):

Sub-Area A:

Sub-Area B:

Sub-Area C-1:

Sub-Area C-2: Maximum Floor Area Ratio:

Sub-Area A:

Sub-Area B:

Sub-Area C-1:

Sub-Area C-2:

Overall:

Maximum Number of Residential Units: Sub-Area A: Sub-Area B: Sub-Area C-1:

Sub-Area C-2:

Overall: Minimum Off-Street Parking: Sub-Area A: Sub-Area B: Sub-Area C-1:

365,909

114,977

250,932

89,675

76,140

67,162

17,955

1.10

2.20

6.70 (pursuant to Statement 17)

5.0

3.25

"50" 43

390 (pursuant to Statement 17 and the maximize percentage of allowed efficiency units, per Section 17-3-0410-A)

98 (pursuant to the maximize percentage of allowed efficiency units, per Section 17-3-0410-A)

581

1 space per residential unit 1 space per residential unit

0.50 spaces per residential unit (pursuant to Section 17-10-0102-B-1 and Statements 5 and 18) and 100 spaces for approximately 51,000 square feet of commercial space

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Sub-Area C-2:

Minimum Bicycle Parking: Sub-Area A: Sub-Area B: Sub-Area C-1:

Sub-Area C-2: Minimum Off-Street Loading: Sub-Area A: Sub-Area B: Sub-Area C-1:

Sub-Area C-2: Maximum Building Height: Sub-Area A: Sub-Area B: Sub-Area C-1:

Sub-Area C-2:

**Minimum Setbacks: Sub-Area A: Sub-Area B: Sub-Area C-1: Sub-Area C-2:
0.50 spaces per residential unit (pursuant to Section 17-10-0102-B-1 and Statements 5 and 18)**

None None

Pursuant to Sections 17-10-0102-B-3 and 17-10-0207-C for Sub-Area C-1 and one per five auto spaces of Sub-Area C-1 commercial space

Pursuant to Sections 17-10-0102-B-3 and 17-10-0207-C

None None

**3 residential berths (10' x 25') 3 commercial berths (10' x 50') 1 berth
(10' x 25')**

46' (exclusive of mechanical) 46' exclusive of mechanical

390' to underside of ceiling of highest occupied floor (420' including mechanical)

125' to underside of ceiling of highest occupied floor (130' including mechanical)

None None

In substantial conformance with the Plans. In substantial conformance with the Plans.

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Introduced- May 8, 2013
Plan Commission: November 20, 2014

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EXISTING ZONING MAP

Applicant: FRC LaSalle LLC
Address:

Introduced: Plan Commission:

1200 1210 N. Clark Street 100-130 W. Division Street
1201 1209 N. LaSalle Street May 8, 2013 November 20, 2014

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EXISTING LAND USE MAP

Applicant: FRC LaSalle LLC
Address:

Introduced: Plan Commission:

1200 1210 N. Clark Street 100-130 W. Division Street
1201 1209 N. LaSalle Street May 8, 2013 November 20, 2014

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PLANNED DEVELOPMENT BOUNDARY, PROPERTY LINE AND SUB-AREA MAP

Applicant: FRC LaSalle LLC
Address: 1200-1210 N. Clark Street
100-130 W. Division Street
1201-1209 N. LaSalle Street
Introduced: May 8, 2013
Plan Commission: November 20, 2014
PUBLIC ALLEY

HP
W
LU

PLANNED DEVELOPMENT BOUNOARY

PROPERTY UNE

SUB-AREA C1

-P-Oi

I

I

ff-I
VI

fl

or I
Sli

'rf*'

- EASEMENT TO BE GRANTED IN PUUC ALLEY FOR IMPROVEMENTS ABOVE 2CM)* CCD

ROW.

152.63'

^

W. DIVISION STREET

TWO-WAY TRAFFIC

*M~fr**

RIGHT-OF-WAY ADJUSTMENT MAP

Applicant: FRC LaSalle LLC

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20' n i

Address:

Introduced: Plan Commission:

1200 1210 N. Clark Street 100-130 W. Division Street

1201 1209 N. LaSalle Street May 8, 2013 November 20, 2014

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**Solomon
Cordwell Buenz**

Maya 2014

William Higgins City Planner V
Chicago Department of Transportation Division of Project Development
30 N. LaSalle Street. Suite 500 Chicago. IL 60602

Via: messenger

Re: Clark and Division (Jewel Food Store & Residential Tower) PD157
CDOT Plan Approval

Dear Mr. Higgins,

We are writing to request your approval of the attached site plan.

Pursuant to our earlier communications, we have incorporated the revisions you requested specifically as they relate to recommendations published in the traffic study by KLOA (dated 4/8/2014). In addition to those items documented on the site plan, the PD statements have been amended to include the following:

- Bike storage facilities will be provided within the development and external bike racks will be provided near the Jowol.
- A minimum one (1) parking space within the parking garage should be reserved for car sharing vehicles.
- The Clark Street/Goethe Street Traffic signal should be upgraded with countdown pedestrian signals.
- Existing crosswalks should be upgraded with continental crosswalks.
- Separate left-turn lanes and lag left turn phases should be provided at Division Street and Clark Street.
- Access to the parking garage will be provided via full access drive on Clark Street and an out bound only access drive along the north south public alley.

Provided the included materials sufficiently address CDOT comments, we ask that you stamp the enclosed copies of the attached site plan "Approved" and return 2 copies to SCB for our records.

Thank you in advance for your time and attention.

Sincerely,

David Keller, AIA Associate

cc: Alan Schachtman, Fifield Gary Kohn, SCB Vladimir
Andrejevic. SCB nich Klawitor, DLA Piper Jesse Dodson,
DLA Piper

Architecture Chicago 312.896.1100
Planning San Finneiseu 415 216.2450
Interior Design www.scb.com <http://www.scb.com>

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FRC LaSalle LLC

1200 1210 N. Clark Street 100-130 W. Division Street
1201 1209 N. LaSalle Street May 8, 2013 November 20, 2014

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SUB-AREA CI: LANDSCAPE PLAN

Applicant: FRC LaSalle LLC

Address:

Introduced: Plan Commision:

1200 1210 N. Clark Street 100-130 W. Division Street
1201 1209 N. LaSalle Street May 8, 2013 November 20, 2014

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ENLARGED LANDSCAPE PLAN

SUB-ARE A CI:

ENLARGED LANDSCAPE PLANS

Applicant: FRC LaSalle LLC

Address: 1200-1210 N. Clark Street

100-130 W. Division Street

1201-1209 N. LaSalle Street

Introduced: May 8, 2013

Plan Commision: November 20, 2014

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EXISTING 1 NEW SUBWAY EXHAUST GRILLES

ENLARGED LANDSCAPE PLAN
COMED EXHAUST _ GRILLES S ACCESS HATCH

NEW SHADE TREES W CURBED PLANTERS (TYP.)

NEW STREET LIGHTS AND HANGNG PLANTERS (TYP.)

ENLARGED LANDSCAPE PLAN

SUB-AREA CI:

ENLARGED LANDSCAPE PLANS

Applicant: FRC LaSalle LLC
Address: 1200-1210 N. Clark Street
100-130 W. Division Street
1201-1209 N. LaSalle Street
Introduced: May 8, 2013
Plan Commision: November 20, 2014

TYPICAL NEW RAISED PLANTERS AT LASALLE ST, DIVISION ST, & CLARK ST

SUB-AREA CI: PLANTING DETAILS

Applicant: Address:

Introduced: Plan Commision:
FRC LaSalle LLC
1200- 1210 IM. Clark Street
100-130 W. Division Street
1201-1209 N. LaSalle Street
May 8, 2013
November 20, 2014

CALCULATIONS FOR GREEN ROOF:

Gross Roof Area = 66,774 sf Net Roof Area = 63,332 sf

Total Accessible Green Roof Area - 21,250 sf Total Non-accessible Green Roof Area = 11,736 sf Total Green Roof Area = 32,986 sf
(52.08% of Net Area)

W. DIVISION STREET

Tj

151

SUB-AREA CI: ROOF PLAN

Applicant: FRC LaSalle LLC
Address:

Introduced: Plan Commision:
12001210 N. Clark Street 100-130 W. Division Street
12011209 N. LaSalle Street May 8, 2013 November 20, 2014

*-<20-(r
ROOF

MECHANICAL

- ○
- ○
- 35 / LAST RES FLOOR
- ○
- 34/ RESIDENTIAL
- ○
- 33/RESIDENTIAL
- ○
- 32 / RESIDENTIAL
- ○
- 31/RESIDENTIAL
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- 30/RESIDENTIAL
- ○
- 20/RESIDENTIAL
- ○
- 28/RESIDENT IAL
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- 27/RESIDENTIAL
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- 26 / RESIDENTIAL
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- tJACSIDENHAL-

1255 U. SANDBURG TERRACE
i 7H

Applicant: Address:

Introduced: Plan Commision:

SUB-AREA C1: SECTION LOOKING NORTH

FRC LaSalle LLC
1200 1210 N. Clark Street 100-130 W. Division Street
1201 1209 N. LaSalle Street May 8, 2013 November 20, 2014

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Metal clad screen wall

Applicant: Address:

SUB-AREA CI: EAST ELEVATION

FRC LaSalle LLC
1200-1210 N. Clark Street
100-130 W. Division Street
Introduced: Plan Commision:
1201-1209 N. LaSalle Street
May 8, 2013
November 20, 2014

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