

### Legislation Details (With Text)

File #:	SO2	2021-1983			
Туре:	Ordi	inance S	Status:	Passed	
File created:	5/26	5/2021 I	n control:	City Council	
		F	Final action:	9/14/2021	
Title:	Zoning Reclassification Map No. 16-D at 835-861 E 63rd St/6301-6325 S Maryland Ave - App No. 20709				
Sponsors:	Misc. Transmittal				
Indexes:	Map No. 16-D				
Attachments:	1. O2021-1983.pdf, 2. SO2021-1983.pdf				
Date	Ver.	Action By	Acti	on	Result
9/14/2021	1	City Council	Pas	sed as Substitute	Pass
9/8/2021	1	Committee on Zoning, Land and Building Standards	dmarks Red	commended to Pass	
5/26/2021	1	City Council	Ref	erred	

NUy 2-02-1

#### OKI) I NANCE

IM- IT ORDAINED BY THE CITY COUNCIL OE THE CI TY OE CHICAGO-SECTION 1. Title 17 of the Municipal Code of Chicago, ihe Chicago Zoning Ordinance be amended by changing all of the B3-3 Community Shopping District symbols and indications as shown on Map. No. 16-D in the area bounded by

East 63rd Street, a line 191.70 feet cast of and parallel to South Maryland Avenue, a line 103.25 feet south of and parallel to East 63rd Street, a line 179.70 feel cast of and parallel to South Maryland Avenue, a line extending southwesterly from a point 125 feet south of East 63rd Street and 179.70 feet east of South Maryland Avenue to a point 124.67 feel north of East 63rd Place and 163.76 feet east of South Maryland Avenue, a line 124.67 fee north of and parallel to East 63rd Place, a line 141.00 feet east of and parallel to South Maryland Avenue, East 63rd Place, South Maryland Avenue

to the designation of Residential Business Planned Development Number , which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development attached and made a part thereto and to no others.

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

Common address of property: 835-61 E. 63<sup>rd</sup> St./ 6301-25 S. Maryland Ave RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT BULK REGULATIONS AND DATA TABLE

Gross Site Area (sf): Area of Public Way (sf): Net Site Area (sf):

Maximum Floor Area Ratio:

Allowed Uses:

No. of Residential Units: No. of Live/Work Units:

Retail (s.f.):

No. of Off-street Parking Spaces

No. of Bicycle Parking Spaces No. of Loading Berths

Maximum Building Height: Setbacks from Property Line:

66,011 sf 21,968 sf 44,043 sf

1.77

All uses identified in Statement Numbed 5

562

3,500 sf

40 (total)

- 32 (residential)
- 8 (retail)

50

One (1) 10' x 25' (residential) One(1) 10'x25' (retail)

60 ft. as measured by 17-17-0311-A of the CZO

In accordance with Site Plan

27947<380vK

#### STANDARD I'I .ANNLI) Dr.VL.LOI'IVIKNT STATEMENTS

Ihc Planned Development Statements describe the legal regulations and conditions lhat will control ihe development of the proposed project. The following slatcmems shall be included in the ordinance; any proposed changes lo these statements must be discussed and reviewed with the Chicago Department of Planning and Development. Based on the scope of the project, additional statements (lisicd at the end of this document) may be required. The following statements must be included in the ordinance:

- 1. The area delineated herein as Planned Development Number TBD, (Planned Development) consists of approximately 44,043 square feet of property which is depicted on the attached Planned Development Boundary and Properly Line Map (Property) and is owned or controlled by the Applicant, 63<sup>rd</sup> Maryland, LLC.
- 2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and. if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure lo 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 lime 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 arc 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 ihe right-of-way shall require a separate submitl.nl <a href="http://submitl.nl">http://submitl.nl</a> lo 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 Ihe 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 or'Infrastructure Management and the Applicani. ihe Applicani 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:

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- » Full width of streets
- I 'ull width of alleys
- C urb 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 wilh 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 ihe 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 nineteen (19) Statements: a Bulk Regulations Table; an Existing Land Use Map; an Existing Zoning Map; a Planned Development Boundary and Properly Line Map; Site Plan; Landscape Plan; Floor Plans; a Roof Plan; and Building Elevations (North, South, East and West) prepared by Fitzgerald Architects and dated (date of Plan Commission presentation), submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on lile with the Department of Planning and Development. 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 ihc 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 permilied in the area delineated herein as a Planned Development TBD:

All residential uses (including accessory uses) allowed within the B3-3 District, Restaurant (General). Retail, Business Live/Work. Office and Accessory Parking.

- 6. Oii-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject lo the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
- 7. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by (he Federal Aviation Administration.

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- S The maximum permitted floor area uitio (J-AR) for ihe l'ropeily shall he in accordance wilh llie attached Bulk Regulations and Data 'I able, For ihc purpose ol" FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply The permitted FAR identified in the Bulk Regulations and Daia Table has been deiermined using a net site area of 44,043 square feet and a FAR of I 77.
- 9. Upon review and determination, Fart 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 ihc lime, is final and binding on the Applicani and must be paid to the Department of Revenue prior to ihc issuance of any Part II approval.
- 10. The Site and Landscape Plans shall be in substantial conformance wilh the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
- 11. The Applicant shall comply wilh 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 17-13-061 I-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 Applicani acknowledges that it is in the public inlerest to design, construct and maintain lhc 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 Applicani acknowledges that it is 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 Applicani shall obtain the number of points necessary to meet ihe requirements ol" the Chicngo Sustainable Development Policy, in effect at the time the Pari II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
- 15. The Applicani 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

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compete for contracts and jobs on constituction projects approved through the planned ilovelopment process, lo a.ssisi the city in promoting and tracking such M/WBH and city resident participation, an applicant lot planned development apptoval shall provide information at three points in the city approval process first, the applicant must submit lo DPD. as pari of ils application for planned development approval, an M/WBE Participation Proposal. Ihe M/WBE Participation Proposal must identify ihe applicant's goals for participation of certilied 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% cily 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 cily 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 lo M/WBE conlractor 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) lo 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 Applicani must provide DPD wilh the actual level of M/WBE and city resident participation in lhe project or any phase thereof, and evidence of such participation. In addition to ihe 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 arc 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. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to 133-3 Community Shopping District.
- 17. The Applicant acknowledges and agrees lhat that the rezoning of the Property will maintain the Property's existing B3-3 Community Shopping District as its underlying zoning district under its proposed Residential-Business Planned Development (PD). The proposed PD triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago (Affordable Requirements Ordinance or ARO). Any developer of a "residential housing project" within the meaning of the ARO must: (i) sel aside 10% of the housing units in the residential housing project (Required Units) as affordable units; (ii) pay a fee in lieu of the development of the Required Units; or, (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the Required Units on-site. The Property is located in a low-moderate income area, within the meaning of the ARO, and the project has a total of 58 units. As a result, the Applicant's affordable

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housing obligation is 6 avoidable units (10% ol' 70 lounded up/down). 2 ol' which arc Required Units (25% of (>, rounded tip/down). I he Applicant agrees that the affordable lenial/for sale units must be affordable lo households earning no nunc than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (oi

increases) ihe number of housing units in the PD, the Applicani shall update and resubmit the Affordable Housing Piofile Form to DPD for tevicw and approval; DPD may adjust the number of required Affordable Units without amending the PD. 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 make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(1.). 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 PD, or the applicable portion thereof, and will constitute a lien against such properly. The Commissioner of DPD may enforce remedies for any breach of this Statement TBD, including any breach of any affordable housing agreement, and enter into settlement agreements wilh respect to any such breach, subject to the approval of the Corporation Counsel, without amending the PD.

- 18. Notwithstanding the foregoing, the Applicant plans to apply for Low-Income Housing Tax Credits and other financial assistance whose affordability requirements exceed those of the Affordable Housing Ordinance from the City to develop affordable housing in any portion of the Planned Development (PD). Applicant's proposed PD includes a total of 58 (58) housing units, of which forty-one (41) units will be affordable units. Of the forty-one (41) affordable units, a) nine (9) units must be affordable to households earning no more that 30% of the . Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago; b) nine (9) units must be affordable to households earning no more than 50% AMI; c) twenty-three (23) units must be affordable to households earning no more than 60% AMI for an overall total of forty-one (41) affordable'units. The regulatory, redevelopment, loan or other agreemenl(s) to be executed by the City and the Applicant in connection with such tax credits or other financial assistance shall govern and control the 'Applicant's obligation to provide affordable housing for such subsidized portion of the PD.
- 19. The Applicant acknowledges that il is in the public interest to ensure that adequate open space and recreational facilities arc provided to serve new residential developments. As staled in the Open Space Impact Fee Ordinance Section 16-18-080 of the Municipal Code of Chicago, in the case of larger developments which are processed as Planned Developments, developers are encouraged to provide open space and recreational facilities on-site to serve new residents instead of paying open space impact fees.

All open spaces developed for use by the public must be in compliance wilh the Open Space Impact Fee Administrative Regulations and Procedures promulgated by the Commissioner of the Department of Planning and Development (DPD). pursuant to Section 16-18-110.

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# Planned Development No. -EXISTING LAND USE / AERIAL MAP

Commercial US Ef . ^ • Residential • Residential • . "• Q- :y Commercial

 $j_1^{''X}$  Commercial'??,  $f_1^{Institutional::''}$ 

ft v. ?1

#### LEGEND:

PROPOSED	PD	BOUNDARY	DENOTES
# OF STORIES			

Applicant:<br/>Address:63rd Maryland LLC<br/>63rd Street and Maryland Ave.Introduced:<br/>CPC Date:<br/>Amended:May 26, 2021<br/>TBDO<br/>< O<br/>\_1 CQTBDQ\_Dd O<br/>U\_U\_

# Planned Development No.

### **EXISTING ZONING MAP**

RM-5

83

RT

RM-5

LEGEND:

#### PROPOSED PD BOUNDARY

Applicant:63rd Maryland LLCAddress:63rd Street and Maryland Ave.

Introduced: May 26, 2021 CPC Date- TBD Amended:

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# Planned Development No. -

# PD PROPERTY LINE / BOUNDARY MAP

33' - 0"

• r.

PROPERTY LINE

PROPOSED BOUNDARY PD

Applicant:63rd Maryland LLCAddress:63rd Street and Maryland Ave.

introduced. May 26, 2021 CPC Date: TBD Amended:

0

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PO BOUNDARY

PROPERTY LINE

LIVE/WORK -UNITS ENTRANCE --

MAIN BUILDING ENTRANCE-

REMOVE -EXISTING CURB CUT / DRIVEWAY

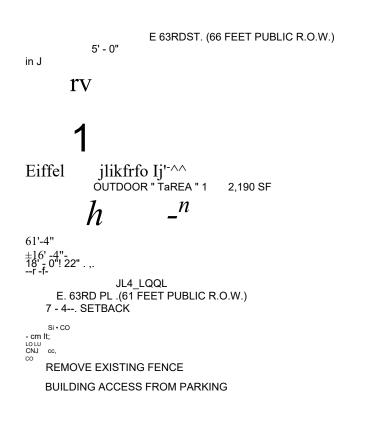
PRIVATE GATE EGRESS ONLY

TRANSFORMER-i

# Planned Development No. -

/- CTA BUS STOP

### SITE PLAN



NEW ORNAMENTAL METAL FENCE EXISTING FENCE, TYP.

REMOVE EXISTING CURB CUT/ DRIVEWAY NEW CURB CUT  $$\rm II$$ 

Applicant.63rd Maryland LLCAddress:63rd Street and Maryland Ave.

Introduced: May 26, 2021 CPC Date: TBD Amended: D h-< O \_FCQ \_D □\_■ CT O

NEW GRASS STRIP WITH 6" DEPTH OF TOP SOIL AT SOD PARKWAY (TYP) PD BOUNDARY



### LANDSCAPE PLAN

±24' ∎ 0".

EXISTING PARKWAY y-TREE, TYP. // ±73' -10"

NEW CURB CUT. REMOVE EXISTING TREE PROPERTY LINE -i- -

18" HIGH MASONRY- -CLADDED PLANTER.TYP

AT GRADE PLANTINGS - ALONG BUILDING FACADE REMOVE EXISTING CURB -CUT / DRIVEWAY

coNpwjyj^ <sub>T</sub>191.70' ' y^,--<sup>1</sup> i ∧ >

xLS

0 ORNAMENT TREE <g£;> EVERGREEN TREE

GP DECIDUOUS SHRUB

© EVERGREEN SHRUB PERENNIAL/ ORNAMENTAL GRASS PLANT LEGEND PARKWAY (TYP)

SHADE TREE

6" DEPTH OF TOP SOIL AT SOD PARKWAY

EXISTING POWER POLE AND OVERHEAD WIRE

VEHICULAR USE AREA CALCULATIONS: (40 SPACES PARKING LOT INCL. 5 ACCESSIBLE SPACES)

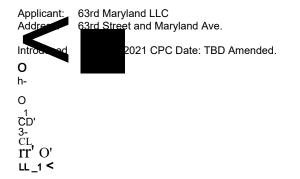
TOTAL VEHICULAR USE AREA= 14,527 SFREQUIRED INTERNAL LANDSCAPED AREA = 14,52 X 7.5% =1,090 SF REQUIRED (3,158 SF PROPOSED)REQUIRED INTERNAL TREE PLANTING=1,090/125 = 9 REQUIRED (20 PROPOSED)

SITE TRIANGLE NO PLANTINGS OVER 12"H, TYP.

6' HIGH RETAIL TRASH WI MASONRY ENCLOSURE

RESIDENTIAL LOADING BERTH (10X25)

RESIDENTIAL DUMPSTERS LOCATED INSIDE BUILDING REMOVE EXISTING FENCE 5' HIGH ORNAMENTAL METAL FENCE AT PERIMETER, TYP. MIX OF NATIVE SHRUBS AND PERENNIALS, TYP. 3" CAL NATIVE SHADE TREE.TYP. 5' HIGH ORNAMENTAL METAL FENCE AT PERIMETER LANDSCAPE AREA TYP. 30" HIGH SHRUB HEDGE, TYP.



## Planned Development No. -

### **GROUND FLOOR PLAN**

E. 63RD ST.

133' -2" '∎

Applicant:63rd Maryland LLCAddress:63rd Street and Maryland Ave.

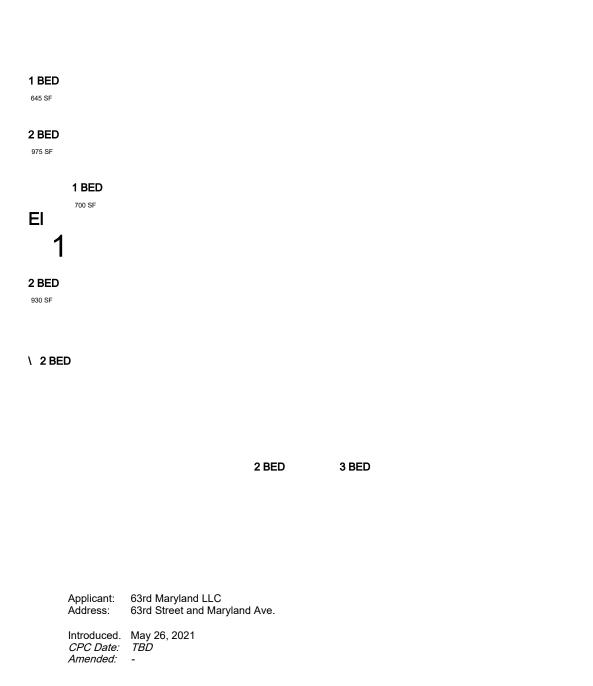
Introduced: May 26, 2021 CPC Date TBD Amended:



<sup>.</sup> 0.

# Planned Development No. -

### **TYPICAL LEVELS 2-4 PLAN**



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# Planned Development No. -

### **LEVEL 5 PLAN**

Applicant: Address:

Introduced: CPC Date Amended.

TBD

63rd Maryland LLC 63rd Street and Maryland Ave.

May 26, 2021 DH HQ **- rU-UO** 

# Planned Development No. -

**ROOF PLAN** 

OUTDOOR SPACE AT LEVEL 5

MECH. ROOF TOP UNIT -

1=1

ROOF HATCH ELEVATOR OVERRUN

TRASH CHUTE VENT

Applicant:63rd Maryland LLCAddress:63rd Street and Maryland Ave.

Introduced: May 26, 2021 CPC Date: TBD Amended:

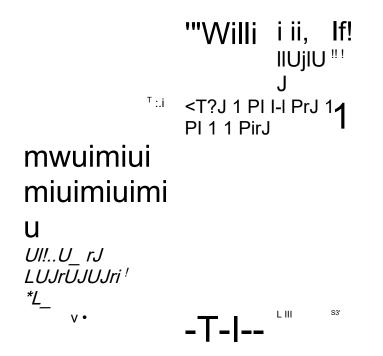
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**O.** U-

# Planned Development No. - NORTH AND WEST ELEVATIONS

FIBER CEMENT

PANEL



STONE BASE

<sup>1</sup> BRICK

NORTH ELEVATION B/CEILING JOIST

GRADg^ -0' - 6"^"

ALUM. + GLASS ST VINYL WINDOW FIBER CEMENT PA BRICK	OREFRONT SYSTEM
- CAST STONE BRICK ,- BRICK o < a o cd	;- METAL
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	EIUJNG JOIST
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	~mam™iis
BRICK EES	
-0' - 6"	

- METAL CANOPY

#### WEST ELEVATION

Applicant:63rd Maryland LLCAddress:63rd Street and Maryland Ave.

Introduced: CPC Date. Amended: May 26, 2021 TBD

Z 0 h-< 0 \_1 ∎,CQ' Z) Q\_ cn'' 0

GRADE

# Planned Development No. -

### SOUTH AND EAST ELEVATIONS

<

Li. FIBER CEMENT PANEL

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ALUM. + GLASS STOREFRONT SYSTEM FIBER CEMENT PANEL

GRADE -0~- 6"

FIBER CEMENT PANEL

# m\ n ri h h i:f u m ffi

METAL CANOPY -' FIBER CEMENT PANEL

I.-.-i.

# ifflfflfiBici

### EAST ELEVATION

VINYL WINDOW

**B/CEILING JOIST** 

Q '∎- BRICK

--- BRICK

GRADE

ALUM. + GLASS STOREFRONT SYSTEM

-0'-6"

#### LU **0 Z** *Q CC* 0

# 8 DC LU 0-

Applicant.	63rd Maryland LLC
Address:	63rd Street and Maryland Ave

Introduced: CPC Date: Amended: May 26, 2021 TBD

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#### Department of Planning and Development city of chicago

#### MEMORANDUM

То:	Alderman Thomas Tunney Chairman, City council Committee on Zoning
From:	Maurice D. Cox Chicago Plan Commission
Date:	August 26, 2021
Re:	Proposed Planned Development for the property generally located at 835 East 63 rd Street

On August 26, 2021, the Chicago Plan Commission recommended approval of the proposed planned development submitted by 63<sup>rd</sup> Maryland, LLC. A copy of the proposed planned development is 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 and Land Use recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-9476.

CC: Steve Valenziano

PD Master File (Original PD, copy of memo)

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