



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
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Legislation Text

File #: SO2014-2318, Version: 1

**FINAL FOR
PUBLICATION**

ORDINANCE

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

SECTION 1: Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance is hereby amended by changing all the DX-7 Downtown Mixed-Use District symbols and indications as shown on Map No. 1 -F in an area bounded by:

West Erie Street; North LaSalle Street; West Ontario Street; North Wells Street

to the designation of Residential Business Planned Development No. , 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 herewith attached and made a part thereof and to no others.

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

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BULK REGULATIONS TABLE

EXISTING ZONING:

NET SITE AREA:

MAXIMUM ALLOWABLE FAR:

UPPER LEVEL SETBACK BONUS:

AFFORDABLE HOUSING BONUS:

ADOPT-A-LANDMARK BONUS:

TOTAL FAR WITH BONUSES:

MAXIMUM ALLOWABLE FAR:

MAXIMUM RESIDENTIAL UNITS:

PARKING:

RESIDENTIAL PARKING: OFFICE PARKING: NON-ACCESSORY PARKING: MINIMUM
TOTAL PD PARKING:

LOADING BERTHS: NEW: EXISTING:

PROPOSED BUILDING HEIGHT:

67,177 SF 7.00(470,239 SF) 0.84 (56,429 SF) 1.00 (67,177 SF) 1.06(71,208 SF) 9.90 665,052 SF 450

121 SPACES 47 SPACES 51 SPACES
219 SPACES

(2) 10'X 25 (1)20'X70"

418' FROM GRADE

MINIMUM 155 SPACES

A - BULK REGULATIONS TABLE

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

APPLICANT: MAC West LLC
ADDRESS: 167 W. ERIE / 640 N. LaSALLE STREET SK-31.02-R9

DATE: 08/21/14

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RESIDENTIAL BUSINESS PLANNED DEVELOPMENT NO. PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential Business Planned Development No. consists of approximately 67,177 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, MAC West, 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 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 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. 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 adjustments of right-of-way, shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assignees, or

grantees.

APPLICANT: MAC WEST, LLC
ADDRESS: 141-171 WEST ERIE STREET, 630-648 NORTH LASALLE STREET, 140-170
WEST ONTARIO STREET, 629-649 NORTH WELLS STREET, CHICAGO,
ILLINOIS
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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 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.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation 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 the Department of Transportation. Applicant shall make the following improvements:

Installation of a traffic signal at Wells and Superior.

Installation of countdown signals at: Wells and Huron, Wells and Erie, Wells and Ontario, LaSalle and Ontario.

Installation of a replacement light pole (existing light pole on a concrete podium) on the south side of Superior Street, west of LaSalle.

The above infrastructure improvements shall be completed prior to the granting of the final occupancy certificate.

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4. This Plan of Development consists of these seventeen (17) Statements; a Bulk Regulations and Data Table; an Upper Level Setback Analysis; an Existing Land Use Map; an Existing Zoning Map; a Property Line and Right of Way Adjustment Map; a Site Plan/First Floor/Landscape Plan; a Green Roof Diagram; and Building Elevations prepared by Loewenberg Architects dated August 21, 2014. Full size copies of the Site Plan, Landscape Plan and Building Elevations are on file 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 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 shall be allowed within the area herein delineated as Residential Business Planned Development: residential dwelling units, Animal Services, Artist Work or Sales Space, Body Art

Services, Building Maintenance Services, Business Equipment Sales and Service, Business Support Services, Communication Service Establishments, Eating and Drinking Establishments, Financial Services, Food and Beverage Retail Sales, Liquor Store (package goods), Liquor Sales (as accessory use), Medical Service, Office, Personal Service, Repair or Laundry Service, Consumer, Retail Sales, General, Sports

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and Recreation, Participant (Entertainment Cabaret, Outdoor, Indoor, and Children's Play Center), Vehicle Sales and Service, Auto Supply/Accessory Sales, accessory and non-accessory parking, and accessory uses. 6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Currently there is an On-Premise sign that exists within the boundaries of the Planned Development which currently reads "Effen Vodka," representing a tenant in the existing office building. This On-Premise sign shall be permitted to remain at the existing location. The sign is a wall sign measuring 162' 0" by 18' 9", front lit from below with 13 fixtures. The height to the top of the sign from grade is 91' 4". Off-Premise signs are prohibited within the boundary of the Planned Development.

7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation

Administration.

8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations and Data 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 and Data Table has been determined using a Net Site Area of 67,177 square feet.

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Base FAR: 7.0 The improvements to be constructed on the Property will utilize the following series of FAR Bonuses:

Upper Level Setback: 0.84

Affordable Housing: 1.00

Adopt-a-Landmark: 1.06 TOTAL FAR: 9.90 9. The Applicant acknowledges and agrees that this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance" or "AHO") under Section 2-45-110 (b)(4)(iii) because this is a planned development in a Downtown District and Applicant is taking a zoning density bonus pursuant to Section 17-4-1004-B, this Planned Development triggers the requirements of Section 2-45-10 of the Municipal Code (the "Affordable Housing Ordinance" or "AHO"). Any developer of a "residential housing project" within the meaning of the AHO ("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). The

Applicant further acknowledges and agrees that, pursuant to Section 17-4-1004-B of the Zoning Code, the Applicant 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 Exhibit A ("Bonus Worksheet"). Any developer of a building receiving an affordable housing floor area

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bonus ("Eligible Building") must either provide on-site affordable housing units or make a cash payment to the City's Affordable Housing Opportunity Fund. If a planned development is subject to both sections (2-45-10 and 17-4-1004-B), the developer may elect to satisfy the AHO requirements by complying with the affordable housing bonus provided for in Section 17-4-1004. Applicant has elected to comply with Section 17-4-1004 and has elected to make a cash payment in lieu of providing on-site affordable housing units. In accordance with the formulas set forth in Section 17-4-1004-C and the Bonus Worksheet, the Applicant acknowledges and agrees that it must make a cash payment in the amount of \$2,310,888.80 ("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 Section 17-4-1004, the terms of which are incorporated herein by this reference.

10. The Applicant has identified the Adopt-a-Landmark Bonus for this Planned Development and it involves

a floor area bonus under the Chicago Zoning Ordinance pursuant to Sect. 17-4-1022 of the Municipal Code (the "Adopt-a-Landmark FAR Bonus") for "adopting" the Bush Temple of Music at 100 West Chicago Avenue/800 North Clark Street (the "Landmark Building"), a designated Chicago Landmark. The Commissioner of the Department of Planning and Development acting on behalf of the City of Chicago and the Commission on Chicago Landmarks is authorized to (a) enter into an agreement with the

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owner of the Landmarks Building or its successor regarding the manner in which the funds for the renovation work in the Landmark Project will be used; and (b) approve, as necessary, any minor modifications to the Landmark Project Scope of Work and Budget otherwise consistent with the purposes and requirements of the Adopt-a-Landmark FAR Bonus and Landmark Guidelines and be subject to the review and acceptance of the Department of Planning and Development. In acknowledgment of the benefit conveyed to the planned development project as the result of the Adopt-a-Landmark FAR Bonus, the Applicant agrees not to seek any waiver of permit fees for the project pursuant to Section 2-120-815 of the Chicago Municipal Code.

11. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.

12. 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 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.
13. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-125 of the Municipal

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Code, or any other provision of that Code.

14. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611 -A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
15. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enable 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 accessibility.
16. 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. At the time of a hearing before the Chicago Plan Commission, all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development. The project will be LEED certified and will provide a 29,559 square foot green roof to cover at least 50% of the net roof area of all new building area. "Net roof area" is defined as total roof area minus any required perimeter setbacks, roof top structures, and roof-mounted equipment.

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17. Unless construction of the new improvements contemplated in this Planned Development has commenced within six (6) years following adoption of this Planned Development, and unless completion is thereafter diligently pursued, then this Planned Development shall expire and the zoning of the property shall automatically revert to the DX-7 Downtown Mixed-Use District classification.

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DX-7
67,177 SF

7.00 (470,239 SF) 0.84 (56,429 SF) 1.00(67,177 SF) 1.06(71,208 SF)

9.90
665,052 SF

UPPER LEVEL SETBACK
ANALYSIS:

UPPER LEVEL SETBACK BONUS FAR (MAXIMUM 1.0):
0.3 X SUM OF SETBACK AREAS ON EACH FLOOR / SITE AREA =

LEVEL E7 SETBACK AREA: 13,156 SF
0.3 X1 FLOOR X 13,156 SF / 67,177 SF = 0.059

LEVEL E8 SETBACK AREA: 17,793 SF
0.3 X1 FLOOR X 17,793 SF / 67,177 SF = 0.079

LEVEL 09 SETBACK AREA (L09-L35): 4,701 SF 0.3 X 22.47 FLOORS X 4,701 SF / 67,177 SF = 0.472

LEVEL 36 SETBACK AREA (L36 - L39): 9,736 SF 0.3 X 4 FLOORS X 9,736 SF / 67,177 SF = 0.174

LEVEL 40 MECHANICAL SETBACK AREA: 12,261 SF 0.3X1 FLOOR X 12,261 SF / 67,177 SF = 0.055

TOTAL UPPER LEVEL SETBACK = 0.84

B - UPPER LEVEL SETBACK ANALYSIS

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

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SETBACK = 9,736 SF APPLIES TO 4 FLOORS

FLOORS OBTAINED BY FAR BONUSES: 16

SETBACK = 4,701 SF APPLIES TO 22.47 FLOORS

RESIDENTIAL UNITS OCCUPY ALL OR A PORTION OF PODIUM LEVELS 02,03 AND 08

FXIRTINfi 70NING' NET SITE AREA:

MAXIMUM ALLOWABLE FAR (AND AREA): UPPER LEVEL SETBACK BONUS: AFFORDABLE HOUSING BONUS: ADOPT-A-LANDMARK BONUS:

TOTAL FAR WITH BONUSES:

MAXIMUM ALLOWABLE FAR AREA:

FAR ANALYSIS:

DX7

67,177 SF

7.00(470,239 SF) 0.84(56,429 SF) 1.00(67,177 SF) 1.06 (71,208 SF)

9.90

UPPER LEVEL SETBACK ANALYSIS:

665,052 SF

UPPER LEVEL SETBACK BONUS FAR (MAXIMUM 1.0): 0.3 X SUM OF SETBACK AREAS ON EACH FLOOR / SITE AREA =

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TOTAL UPPER LEVEL SETBACK = 0.84

B.1 - UPPER LEVEL SETBACK ANALYSIS

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

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ADDRESS: 167 W. ERIE / 640 N LaSALLE STREET

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(STORY RETAIL /

/

/j
SURFACE PARKING
2 STORY / RETAIL /

/ 1 STORY // RETAIL

W. ERIE STREET

SURFACE PARKING

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SURFACE PARKING

/1 STORY ' GAS STATION

W. ONTARIO STREET

SURFACE PARKING

1 STORY RETAIL

/
'/
SURFACE PARKING

4 STORY RESIDENTIAL

8 STORY RETAIL /

//

C - EXISTING LAND-USE MAP

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

APPLICANT: MAC West LLC

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N

D - EXISTING ZONING MAP

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

APPLICANT: MAC West LLC ADDRESS: 167 W. ERIE / 640 N. LaSALLE STREET

DATE: 08/21/14

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E - PROPERTY LINE AND RIGHT OF WAY ADJUSTMENTS

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

APPLICANT: MAC West LLC

ADDRESS: 167 W. ERIE / 640 N. LaSALLE STREET | SK-31.09-R4

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RESID
EXISTING PARKING ACCESS FOR OFFICE, NON-ACCESSORY AND RESIDENTIAL

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F - SITE PLAN / FIRST FLOOR / LANDSCAPE PLAN
167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS
APPLICANT: MAC West LLC
ADDRESS: 167 W. ERIE / 640 N LaSALLE STREET

08/21/14

SK-31.10-R4

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WEST ERIE STREET

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DC O

WEST ONTARIO STREET

GREEN ROOF CALCULATIONS:

TOTAL ROOF AREA: LESS MECHANICAL AREA: TOTAL NET ROOF AREA:

REQ'D (50% NET):
64,144 SF 5,038 SF 59,106 SF

29,553 SF

GREEN ROOF AREA PROPOSED:

LEVEL 40 LEVEL 36 LEVEL 09 LEVEL E08. LEVEL E07 LEVEL E02
1,812 SF 2,584 SF 1,853 SF 13,126 SF 8,444 SF 1,740 SF

TOTAL GREEN ROOF PROPOSED:

29,559 SF 50.01%

G - GREEN ROOF DIAGRAM

SCALE: LTT.

0 5 10

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

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ADDRESS: 167 W. ERIE / 640 N. LaSALLE STREET

08/21/14

SK-31.11-R4

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PAINTED CONCRETE & LOUVER MECHANICAL PENTHOUSE -

0 5 10

SCALE: 1/8"

so
"1

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

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SK-31.12-R4

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ALUMINUM & GLASS RAILING, TYP
PAINTED CONCRETE & LOUVER MECHANICAL PENTHOUSE
T/ROOF

H.2-WEST ELEVATION ALONG WELLS STREET

scale: In * i"

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

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T/ROOF _ 418'-6" T / HIGHEST OCCUPIED FLOOR 397'Jj'

H.3 - SOUTH ELEVATION ALONG ONTARIO STREET

scale un r--"

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

APPLICANT: MAC West LLC

DATE: 08/21/14

ADDRESS: 167 W. ERIE / 640 N. LaSALLE STREET SK-31.14-R4

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T/ROOF
O'-O"

PAINTED CONCRETE & LOUVER MECHANICAL PENTHOUSE

ALUMINUM & GLASS WINDOW WALL, TYP.

BRICK MASONRY

ALUMINUM & GLASS RAILING, TYP.

BRICK MASONRY

PAINTED CONCRETE

H.4-EAST ELEVATION ALONG ALLEY

SCALE: uT.

167 W. ERIE - PLANNED DEVELOPMENT EXHIBITS

APPLICANT: MAC West LLC

DATE: 08/21/14

ADDRESS: 167 W.ERIE/640 N. LaSALLE STREET SK-31 15-
R4