



Office of the City Clerk

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

Legislation Text

File #: SO2019-8489, Version: 1

Hnal 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 B1-2 Neighborhood Shopping District symbols and indications as shown on Map 7-F in the area bounded by:

Clark Street; Drummond Place; Lehmann Court; the 10' public alley south of and parallel to Drummond Place; a line 88.35 feet west of and parallel to Clark Street and a line 125' south of and parallel to Drummond Place

to those of a B1-3 Neighborhood Shopping District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the B1-3 Neighborhood Shopping District symbols and indications as shown on Map 7-1- in the area bounded by:

Clark Street; Drummond Place; Lehmann Court; the 10' public alley south of and parallel to Drummond Place; a line 88.35 feet west of and parallel to Clark Street and a line 125' south of and parallel to Drummond Place

to those of a Residential-Business Planned Development 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 3. This Ordinance shall be in force and effect from and after its passage and due publication.

Address: 2653 North Clark. Chicago. Illinois

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

The area delineated herein as Planned Development Number TBD, (Planned Development) consists of approximately 29,706 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, Chicago Title Land Trust Company, as Trustee under Trust Agreement dated October 18, 2016, as Trust No. 8002372723.

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.

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

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comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation.

4. This Plan of Development consists of 17 Statements: a Bulk Regulations Table; an Existing Land Use Map; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site Plan - Ground floor; a Landscape Plan; and Building Elevations (North, South, East and West) prepared by Wcese Langley Weese Architects LTD and Brininstool + Lynch and dated July 16, 2020, 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 Planned Development: Dwelling Units Above the Ground floor; Single-Room Occupancy; Cultural Exhibits and Libraries; Day Care; Animal Sales and Grooming (excluding Shelter/Boarding Kennel); Artist Work or Sales Space; Limited Restaurant; Outdoor Patio (at grade); Small Venues; Financial Services (all, excluding Drive-Through. Payday/Title Secured Loan Store and Pawn Shop); Food and Beverage Retail Sales; Medical Service; Office; Personal Service; General Retail Sales; and related 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. 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 29,706 square feet and a base FAR of 3.3.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the 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 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.

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Iniii!'.CL'I' Nm-cnixi . "> IC'IV PkiM Connington July 21/2"*

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11. The Appleeant 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 17-13-061 1-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 of city residents in the construction work. The city encourages goals of (i) 26% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% city resident hiring (measured against the total construction work hours for the project or any phase thereof)- The M/WBE Participation Proposal must include a description of the Applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II permit review for 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

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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 BI-2 Neighborhood Shopping District to the BI-3 Neighborhood Shopping District, and then to this Planned Development ("PD"), triggers the requirements of Section 2-44-080 of the Municipal Code of Chicago (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project or, with the approval of the commissioner of the Department of Housing ("DOH"), in an approved off-site location, as affordable units ("ARO Units"); (ii) pay a fee in lieu of the development of the ARO 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 ARO Units on-site or off-site (the "Required Units"). If the developer elects to provide ARO Units off-site, the off-site ARO Units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The PD is located in a higher income area within the meaning of the ARO and includes two subareas. Subarea A is improved with the historic Covent Hotel, which has been operating as a single-room occupancy building and will be redeveloped into 30 affordable studio apartments with private bathrooms and kitchens ("Subarea A Project"). The financing documents for the Subarea A Project will govern the affordability of the Subarea A Project, and as a result Subarea A is not subject to the ARO. Subarea B is vacant land that will be developed into a new seven-story residential building with 84 units ("Subarea B Project"). The Subarea B Project is subject to the ARO, and as a result the affordable housing obligation is 8 ARO Units (10% of 84 rounded down), 2 of which are Required Units (25% of 8, rounded down). The Subarea B Project's affordable housing obligation will be satisfied by (a) providing the 2 Required Units on-site in the Subarea B Project, as set forth in the Affordable Housing Profile Form attached hereto and (b) making a cash payment in the amount of \$132,411 per ARO Unit or \$794,466 in total, as adjusted in accordance with Section 2-44-080 ("Cash Payment") in lieu of the development of the remaining 6 ARO Units. Notwithstanding Section 2-44-080(K), the developer of the Subarea B Project ("Subarea B Developer") may pay the Cash Payment into an escrow account controlled by the City of Chicago (the "City") at the time that the Subarea B Developer acquires Subarea B from the Applicant. The City shall release the escrowed funds to the developer of Subarea A ("Subarea A Developer") at the closing of the construction financing for the Subarea A Project, provided that the Subarea A Developer has executed and recorded a regulatory agreement or other instrument obligating the Subarea A Developer to construct the Subarea A Project. If the closing of the construction financing for the Subarea A Project does not occur by December 31, 2021, the escrowed funds will be transferred to the Affordable Housing Opportunity Fund. The Applicant agrees that the ARO Units in Subarea B must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income ("AMI"), as updated annually by the City. If the Applicant, or its successor in interest, subsequently reduces (or increases) the number of housing units in the PD, the Applicant, or its successor in interest, shall update and resubmit the Affordable Housing Profile Form to DOH for review and approval, and DOH may adjust the number of required ARO Units without amending the PD. Prior to the issuance of any building permits for any residential building in Subarea B, including, without limitation, excavation or foundation permits, the Applicant, or its successor in interest with respect to Subarea B, must execute

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and record an affordable housing agreement in accordance with Section 2-44-080(L) and pay the Cash Payment either to the Affordable flousing Opportunity Fund, or to the escrow account controlled by the City in accordance with the above terms. T he terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference, flic 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 property. The Commissioner of DOH may enforce remedies for any breach ofthis Statement, including any breach ofany affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the PD.

- 17.'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 the 131-3 Neighborhood Shopping District.

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

Gross Site Area (sf):	44,726
Area of Public Rights-of-Way (sf):	15,020
Net Site Area (st):	- 29,706
Maximum Floor Area Ratio:	3.3
Subarea A:	1.1
Subarea B:	3.9
Maximum Dwelling Units:	1 14
Subarea A:	30
Subarea B:	84
Minimum Off-Street Parking Spaces:	
Subarea A:	0
Subarea B:	52
Minimum Off-Street Loading Spaces:	
Subarea A:	1
Subarea B:	0
Maximum Building Height:	
Subarea A:	37'1"
Subarea B:	78'II"

Minimum Setbacks:

Per site plans

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ARO Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the 2015 ARO, Near North/Near West Pilot, Milwaukee Pilot or Pilsen/Little Village Pilot Ordinances (all projects submitted to City Council after October 13, 2015). More information is online at www.cityofchicago.gov/ARO <<http://www.cityofchicago.gov/ARO>>. Submit the completed to the Department of Housing (DOH), 121 N LaSalle Street, 10th Floor, Chicago, IL 60602. E-mail: denl8e.roman@cityofchicago.org <<mailto:denl8e.roman@cityofchicago.org>> or justln.root@cityofchicago.org <<mailto:justln.root@cityofchicago.org>>. Applications that include off-site units should submit documentation listed on page two.

Date: 5/21/2020

DEVELOPMENT INFORMATION

Development Name: 2653 Normark Development

Address: 2553 North Clark

Zoning Application Number, if applicable: 2G256

Ward 43rd

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

Type of City Involvement ☐ City Land

☐ Planned Development (PD)

check all that apply

☒ Financial Assistance

☒ Transit Served Location (TSL) project

☒ Zoning increase

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received [x] ARO Web Form completed and attached - or submitted online on 5/21/2020 0 ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (Excel) [x] If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached {pdf} n/a Q If ARO units proposed are off-site, required attachments are included (see next page)

n/a Q If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached {pdf}

DEVELOPER INFORMATION

Chicago Title Land Trust Company as Trustee under Trust Agreement dated October 18, 2016, as Developer Name Trust No 8002372723 Developer Contact Kendra Stensven

Developer Address 122 East 42nd Street Suite 4900 New York NY 10018

Email kstensven@nhpfoundation.org

Developer Phone 646-336-39-10

Attorney Name DIA Piper - Pam Shadie & Katie Jannone Esq.

Attorney Phone

(212) 215-3111

TIMING

Estimated date marketing will begin 10/2021 Estimated date of
building permit* 10/1/2020 Estimated date ARO units will be complete
2/1/2022

*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 JOINT MEETING REQUIREMENTS (to be executed by Developer & ARO Project Manager) / Developer qf-

the agent Date

Justin Reo for Demse Roman, DOH Date

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ARO Web Form

Applicant Contact Information

Name NHP Foundation

Email kstensven@nhpfoundation.org

Development Information

Address

Printed Date: 07/06/2020

Number From: 2653 Number To: N/A Direction: N

Street Name: Clark

Postal Code: 60614

Development Name

2653 N Clark

Are you rezoning to downtown?: No

Is your project subject to the ARO Pilots?: 2015 ARO REQUIREMENTS APPLY

Information

Ward' 43 ARO Zone: Higher Income

Details

ARO trigger: ZP

Total units 84

Development type: Rent

TSL project: TSL-or FAR doesn't exceed 3.5

Date submitted. 07/06/2020

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Requirements

Affordable units 8 'On-site aff. Units: 2

How do you intend to meet your required obligation

On-Site: 2 Off-Site 0

On-Site to CHA or Authorized agency 0 Off-Site to CHA or Authorized agency: 0 Total Units: 2 In

-Lieu Fee Owed: 794,466

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ARO UNITS

LEVELS 4-7

LEVEL 3

LEVEL 2

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DEPARTMENT 01-' PLANNING AND DEVELOPM ENT CIT Y 01- CHICAGO

MEMORANDUM

To: Aldennan Thomas Tunney
Chairman, City Council Committee on Zoning

From: ^ -' /
Maurice D. Cox Chicago Plan Commission

Date: July 16,2020

Re: Proposed Residential Business Planned Development for the subject property generally located at 2653 North Clark Street

On July 16, 2020, the Chicago Plan Commission recommended approval ofthe proposed planned development submitted by, Chicago Title Land Trust Company, as Trustee under Trust Agreement dated October 18, 2016, as Trust No. 8002372723. A copy ofthe 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 ofthe staff report to the Plan Commission which includes the Department of Planning and Development, Bureau of Zoning and Land Use recommendation and a copy ofthe resolution. Ifyou 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

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Properly Line Residential Commercial -a-kmg Institutional

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EXIS" NC ZONING MAP

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EXISTING EXISTING

3 STORY BRICK
BUILDING BUILDING

4 STORY BRICK

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SUB AREA A

8

EXISTING 2; |v 3 STORY BRICK
BUILDING

f

PL-.162.17'

PL 88 35'

EXISTING 2 STORY BRICK
BUILDING

Legend

PD

Boundary

Line

Property

Line

.Ota! Site A'ea

Net Sub Arcs 1 Ares m R gh' of Way Gross Sub Area 1

9,963 Sr 6,910 SF 16,873 SF

Net Sub Area 2 19,743 SF

Area in Right of Way. 3,110 SF Gross Sub A/ea 2 27853 SF

Me; Site Area

Area in Right of Way

Gross Site Area
29,706 SF 15,020 SF 44,726 SF

Applicant: Chicago Title and Trust Company, as Trustee under "Trust
Agreement" dated October 18, 2016. Case No: 6002372/23
Address: 2053 N Oak St. Suite
Council action by City of Chicago 11/13/2019
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P.L.A.N. NED DEVELOPMENT BOUNDARY AND PROPERTY LINE Scale 1" = 4ft'-0"

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Applicant Chicago Title and Trust Company, as Trustee under "Trust
Agreement" dated October 18, 2016. Case No: 6002372/23
Address: 2053 N Oak St. Suite
Council action by City of Chicago 11/13/2019
Plan Commission July 16, 2020

5i~E³LAN GROUND FLOOR Scale 1"=45'-0"

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LANDSCAPE NOTES:

1. PROPOSED MEW TREE SPECIES ARE AS FOLLOWS ALTERNATING AUTUMN
GOLD GINKGO AND CHANTICLEER FLOWERING PEAR

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N Clark St

Co-ncii i.n-'oCuctfCit November 13,2013 BRININSTOOL
Plan Commission July 16, 2020

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-METAL COATING

- INSET BALCONY SYSTEM WITH GLASS RAILING

- ALUM. WINDOW SYSTEM
- DRY MASONRY

- METAL PANELING

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- ALUM. AND GLASS STORAGE
 - 'i-in-cuns
 - GADGETS FOR
- r/nccf

KB-0'

57 -TJ- LEVELS

LEVEL 1

35 0" LEVEL .1

21 -0 LEVEL 2

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Applicant Chicago Title Land Trust Company, as Trustee under its
Agreement, dated <http://Agreement.dai.cd> October 13, 2016, as Trust No 8002372723
Address 7633 M Clark St
Council introduction, dated November 13, 2019
Plan Commission July 16, 2020

EAST ELEVATION Scale 1" = 45'-0"

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EXIST'ING COMMON BRICK-

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RESTORL-D OPENING VV/-NSW HISTORIC Plicr-ILE WINDOW

NEWHiStronic PROFILE -WINDOWS. TYP
OOOLAR UNIT MASONRY

Applieanl Chicago Title Lane Trust Company . as Trustee undo; "l'usi
Agreement ca:ed Octotier i3 2016. asTr.ist No 3002372723
Address 2653 M Oa:k St

Council Introduction November 13, 2010
'an Comm ssior Ju'y 16, 2020

SOUTH ELEVATION Scale' 1" =.- 4&--0"

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SI-IKWAI ■>»

Applicant Cucago' Ce t.a-sd Trust Company , as Pus tee jnd«sr Trust
Agreement dated Ociobe- '3. 2016. as "rust No 8002372723
Address. 26b3 K Clark St
CounO' ntroojctcn November 13. 2019
Pi;, I C^m-vi'ssion Joly 10, 2030

WEST Ft.HVATION Scale. 1 ' = .15-0"

BRININSTOOL
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