



# Office of the City Clerk

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

## Legislation Text

File #: SO2011-747, Version: 1

### SUBSTITUTE ORDINANCE <sup>3</sup> ^

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

SECTION 1: That the Chicago Zoning Ordinance be amended by changing all DS-3 Downtown Service Use District and all DX-7 Downtown Mixed Use District symbols and designations as shown on Map No. 2-G in the area bounded by

West Madison Street; the alley next west of and parallel to South Halsted Street; a line 130.40 feet South of and parallel to West Madison Street; South Halsted Street; West Monroe Street; and South Green Street, to those of a DX-5 Downtown Mixed Use District and a corresponding use district is hereby established in the area above described.

SECTION 2: That the Chicago Zoning Ordinance be amended by changing all DX-5 Downtown Mixed Use District symbols and designations as shown on Map No. 2-G in the area bounded by

West Madison Street; the alley next west of and parallel to South Halsted Street; a line 130.40 feet South of and parallel to West Madison Street; South Halsted Street; West Monroe Street; and South Green Street, to the designation of a 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.

## FINAL FOR PUBLICATION

FINAL

BUSINESS PLANNED DEVELOPMENT NO. \_

PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as a Business Planned Development, consists of property commonly known as 815-23 W. Madison Street; 2-40 S. Halsted Street; 800-22 W. Monroe Street; 1-39 S. Green Street, Chicago Illinois ("the Property"). The Property consists of Sub-Area A of approximately 66,896 square feet and Sub-Area B of approximately 17,358 square feet for a total net site area of 84,254 square feet (1.934 acres). The property is owned or controlled by Co-Applicants, CD-EB/EP Retail JV, LLC, Sub-Area A developer and Chitown-Diamond JV, LLC, Sub-Area B developer (collectively referred to herein as "Applicant").

2. 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 easements, or adjustments of right-of-way, or consolidation or resubdivision of parcels, shall require a separate submittal on behalf of the Applicant or its successors, assignees, or grantees and approval by the City Council. In connection with the vacation of the alley known as Academy Place, the Applicant shall grant a reservation of rights easement in the vacation ordinance to the property known as Lots 1, 2 and 3 (except the south 20 feet thereof) in Block 1 of Duncan's addition to Chicago, a subdivision of the east half of the northeast quarter of Section 17, Township 39 North, Range 14, east the third principal meridian, in Cook County Illinois, for purposes of ingress and egress over and across the alley to be vacated to and from Madison and Monroe Streets, except for temporary interruptions during periods of construction.

APPLICANT: CD-EB/EP RETAIL JV, LLC and CHITOWN-DIAMOND JV, LLC ADDRESS: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green FILING DATE: January 20, 2011 PLAN COMMISSION DATE: July 21, 2011

1

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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, and subject to review and approval by the Department of Business Affairs and Consumer Protection.

3. 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 then to the owners of record title to all of the Property and to any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the 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 for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessors. An agreement among property owners or a covenant binding property owners may designate the authorized party for any future amendment, modification or change.

4. This Plan of Development consists of seventeen (17) Statements; Bulk Regulations and Data Table; an Existing Zoning Map; Existing Land Use Map; a Planned Development Boundary and Property Line Map; and a Site Plan, Landscape Plans and Building Elevations prepared by Antunovich Associates and dated July 21, 2011. Full size sets of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of APPLICANT: CD-EB/EP RETAIL JV, LLC and CHITOWN-DIAMOND JV, LLC ADDRESS: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green FILING DATE: January 20, 2011 PLAN COMMISSION DATE: July 21, 2011

## FINAL FOR PUBLICATION

Housing and Economic Development. The Planned Development is applicable to the area delineated hereto and these and no other zoning controls shall apply.

5. The following uses shall be permitted within the area herein delineated as Sub-Area A of the Business Planned Development: food and beverage retail sales, retail sales (general), a maximum of 244 accessory parking spaces and a maximum of 180 non-accessory parking spaces and related uses and services and all uses permitted in the DX Downtown Mixed Use District. The following uses shall be permitted within the area herein delineated as Sub-Area B of the Business Planned Development: hotel (maximum of 224 keys), retail sales (general), a maximum of 160 accessory parking spaces and a maximum of 20 non-accessory parking spaces and related uses and services and all uses permitted in the DX Downtown Mixed Use District.

6. On premise Business Identification signs shall be permitted within the Planned Development subject to the review and approval of the Department of Housing and Economic Development. Temporary signs, such as construction and marketing signs shall be permitted, subject to the review and approval of the Department of Housing and Economic Development. No off premise signs shall be permitted.

7. Ingress and egress shall be subject to the review and approval of the Department of Transportation Bureau of Traffic, and the Department of Housing and Economic Development. 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. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Department of Transportation. Furthermore, applicant agrees to

APPLICANT: CD-EB/EP RETAIL JV, LLC and CHITOWN-DIAMOND JV, LLC ADDRESS: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green FILING DATE: January 20, 2011 PLAN COMMISSION DATE: July 21, 2011

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provide a traffic signal at the intersection of Madison and Green Streets. This signal must be installed prior to

the issuance of the certificate of occupancy for any portion of the development. This work shall also include revised pavement markings to delineate eastbound and westbound left turn lanes from Madison Street onto Green Street. Said added turn lanes shall require a partial removal of the center landscape median on Madison west of Green Street, and possible loss of parking spaces along Madison Street. A Final Engineering Plan of the intersection upgrades shall be submitted and approved by the Department of Transportation.

8. For the purposes of measuring height, the definition in the Zoning Ordinance shall apply. In addition to the maximum height of the building and any appurtenance thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.

9. For purposes of Floor Area Ratio (FAR) calculations, the definitions in the Zoning Ordinance shall apply.

10. The Applicant will comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of the Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings under Section 13-32-125 of the Municipal Code or any other provision of that Code.

11. The City of Chicago established a Part II Review Fee in the amount of Zero and 25/100 Dollars (\$0.25) per square foot of the total buildable square footage (floor area). The Part II Review Fee will be assessed by the Department of Housing and Economic Development during the actual Part II Review of each sub-area. The fee as determined

by the Department of Housing and Economic Development staff at that time is final and

APPLICANT: CD-EB/EP RETAIL JV, LLC and CHITOWN-DIAMOND JV, LLC ADDRESS: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green FILING DATE: January 20, 2011 PLAN COMMISSION DATE: July 21, 2011

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binding on the applicant and must be paid to the Department of Housing and Economic Development prior to the issuance of the Part II approval of each sub-area.

12. The improvements on the property shall be designed, installed and maintained in substantial conformance with the Site Plan, Landscape Plan and Building Elevations and in accordance with the parkway tree provisions of the Zoning Ordinance and corresponding regulations and guidelines. Notwithstanding any statement to the contrary, this Planned Development shall be subject to the provisions of Chapter 17-11 of the Zoning Ordinance governing landscaping and screening. In any instance where a provision of this Planned Development conflicts with landscape and screening provisions of the Zoning Ordinance, the Zoning Ordinance shall control. Nothing in this Planned Development is intended to waive the applicability of the landscape and screening provisions of the Zoning Ordinance.

13. The terms, conditions and exhibits of this Planned Development Ordinance may be modified administratively pursuant to Section 17-13-0611 of the Zoning Ordinance by the Commissioner of the Department of Housing and Economic Development, upon the application for such a modification by the Applicant and after a determination by the Commissioner of the Department of Housing and Economic Development that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated in this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of this Statement by the Commissioner of the Department of Housing and Economic Development shall be deemed to be a minor change in the Planned Development as contemplated by Section

17-13-0611 of the Zoning Ordinance.

APPLICANT: CD-EB/EP RETAIL JV, LLC and CHITOWN-DIAMOND JV, LLC ADDRESS: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green FILING DATE: January 20, 2011 PLAN COMMISSION DATE: July 21, 2011

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14. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of natural resources. The Applicant shall construct the

building under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. The Applicant shall provide a vegetated ("green") roof of one hundred percent (100%) of the building's net roof area in Sub-Area A in the amount of 9,250 square feet and fifty percent (50%) of the building's net roof area in Sub-Area B in the amount of 5,290 square feet. "Net roof area" is defined as total roof area minus any required perimeter setbacks, roof top structures, and roof-mounted equipment.

15. 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 new buildings and improvements on the property within Sub-Areas A and B shall be reviewed and approved by the Mayor's Office for People with Disabilities (MOPD) to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 17-13-0610 of the Zoning Ordinance until the Director of MOPD has approved detailed construction drawings for each building or improvement.

16. Prior to submitting an application for any excavation or construction of the Project, the Applicant shall submit the report of a licensed structural engineer to the Department of Housing and Economic Development for its review and approval. The report shall include recommendations for protection or stabilization measures, if any, to be taken

during construction regarding the adjacent Mid-City Trust and Savings Bank, an Orange-

APPLICANT: CD-EB/EP RETAIL JV, LLC and CHITOWN-DIAMOND JV, LLC ADDRESS: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green FILING DATE: January 20, 2011 PLAN COMMISSION DATE: July 21, 2011

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Rated building, located at 2 South Halsted Street. The drawings submitted with the excavation or construction permit applications shall include the recommended measures and protections, if any, incorporated as part of any proposed work. 17. Unless substantial construction 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. If this Planned Development expires under the provisions of this section, then the zoning of the property within the Planned Development shall automatically covert to that of the DX-7 Downtown Mixed Use District.

APPLICANT: CD-EB/EP RETAIL JV, LLC and CHITOWN-DIAMOND JV, LLC ADDRESS: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green FILING DATE: January 20, 2011 PLAN COMMISSION DATE: July 21, 2011

7

The Gateway Bulk and Data Summary *			I v v K j	Notes/Remarks
	Sub Area A (Retail Block)	Sub Area B (Hotel Block)	Total	
Gross Site Area (square feet)	95,210.63	28,395.38	123,606.01	
Net Site Area (square feet)	66,896	17,358	84,254	
Public Right-of-Way (square feet)	28,315	11,037	39,352	
Floor Area Ratio	2.58	13.05	4.74	
FAR Area	172,620 SF	226,450 SF	399,070 SF	
Square Footage of Retail/Commercial Space	91,979 SF	6,440 SF	98,419 SF	
Maximum Number of Hotel Rooms	0	224 Rooms	224 Rooms	
Maximum Number of Accessory Off-Street Parking Spaces	244 Spaces	160 Spaces	404 Spaces	
Maximum Number of Off-Street Non-Accessory Parking Spaces	180 Spaces	20 Spaces	200 Spaces	
Maximum Number of Total Off-Street Parking Spaces	424 Spaces	180 Spaces	604 Spaces	

Number of Off-Street Loading Spaces	3	2	5	
Minimum Building Setbacks	0'	0'	0'	
Open Space	0	0	0	
Maximum Building Height	70'	250'		
Green Features	LEED Certified + 100% (9,250 square feet) Green Roof	LEED Certified + 50% (5,290 square feet) Green Roof	14,540 square feet Green Roof total	TIF Applied for Sub Area A Only

Applicant: CD-EB/EP Retail JV, LLC and Chitown Diamond JV, LLC Address: 815-23 W Madison St Filing Date: February 9, 2011 CPC Date: July 21, 2011

PARKING  
3 STORY COMMERCIAL  
7 STORY COMMERCIAL  
8 STORY MIX USE COMMERCIAL/RESIDENTIAL  
PAR ;ing  
3 STORY RESIDENTIAL  
P R i ING  
5 STORY RESIDENTIAL  
4 STORY RESIDENTIAL  
2 STORY COMMERCIAL  
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3 STORY COMMERCIAL  
WITH MULTI-STORY RESIDENTIAL

## MADISON STREET

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## PROPOSED ' PLANNED < / DEVELOPMENT-

PARKING  
15 STORY RESIDENTIAL  
1 STORY GARAGE

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## MONROE STREET

2 STORY COMMERCIAL

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5 STORY MIX USE COMMERCIAL/RESIDENTIAL  
CM\* (ING

7 STORY RESIDENTIAL  
12 STORY COMMERCIAL  
12 STORY RESIDENTIAL  
12 STORY RESIDENTIAL  
12 STORY RESIDENTIAL

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2 STORY COMMERCIAL  
PARKING

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Architect: Antunovich Associates

## THE GATEWAY

## Existing Land Use Map

Address: 815-23 W. Madison: 2nd & Halsted: 800-22 W Mnn J. I  
Applicant CD-EB/EP RETAIL JV, LLC \* CHITOWN - DIAMOND JV, LLC  
Date: July 21, 2011

DX-5

PD 899

1  
PD 899

DS-3

DS-3

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DS-3  
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PROPOSED ' PLANNED 'DEVELOPMENT

DX-3

D 5-3

DX-7

DX-3

d:

[-5

Architect: Antunovich Associates

## **THE GATEWAY**

### **Existing Zoning Map**

Address: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green

Applicant: CD-EB/EP RETAIL JV, LLC & CHITOWN - DIAMOND JV, LLC

Date: July 21, 2011

SOUTH HALSTED STREET

265 5g

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## **THE GATEWAY**

Address: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green

Architect: Antunovich Associates

### **Boundary, Property Line and Sub Area Map**

Applicant: CD-EB/EP RETAIL JV, LLC & CHITOWN - DIAMOND JV, LLC

Date: July 21, 2011

ACCESSIBLE CURB RAMPS IN EXISTING LOCATION (TYPE B-1-12: BLENDED TRANSITION)

ACCESSIBLE CURB RAMP (TYPE B-1-4) IN EXISTING LOCATION

## **THE GATEWAY**

Address: 815-23 W. Madison;

Halsted; 800-22 W. Monroe; 1-39 S. Green

Architect: Antunovich Associates

### **SITE PLAN**

Applicant: CD-EB/EP RETAIL JV, LLC & CHITOWN - DIAMOND JV, LLC

Date: July 21, 2011

ACCESSIBLE CURB RAMP (TYPE B-1-4) IN EXISTING LOCATION -

## **THE GATEWAY**

Address: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green

Architect: Antunovich Associates

### **PERIMETER LANDSCAPE PLAN - GROUND LEVEL**

Applicant: CD-EB/EP RETAIL JV, LLC & CHITOWN - DIAMOND JV, LLC

Date: July 21, 2011

SYSTEM METAL

## **THE GATEWAY**

Address: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green

Architect: Antunovich Associates EAST ELEVATION Applicant: CD-EB/EP RETAIL JV, LLC & CHITOWN - DIAMOND JV, LLC

Date: July 21, 2011

SHRUBS / GROUND COVER

## **THE GATEWAY**

Address: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green

Architect: Antunovich Associates

### **SOUTH ELEVATION**

Applicant: CD-EB/EP RETAIL JV, LLC & CHITOWN - DIAMOND JV, LLC

Date: July 21, 2011

CONCRETE SHRUBS / GROUND COVER METAL

## **THE GATEWAY**

Address: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green

Architect: Antunovich Associates

### **WEST ELEVATION**

Applicant: CD-EB/EP RETAIL JV, LLC & CHITOWN - DIAMOND JV, LLC  
Date: July 21, 2011  
HALSTED STREET

SYSTEM CONCRETE CONCRETE

## THE GATEWAY

Address: 815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green  
Architect: Antunovich Associates NORTH ELEVATION Applicant: CD-EB/EP RETAIL JV, LLC & CHITOWN - DIAMOND JV, LLC  
Date: July 21, 2011

# F^LFORPUBUCWION

## Chicago Builds Green

Project Name:

Project Location:

Project Type:

Project Size: Project Manager:

Building Type:

\* Street Number (if the address only includes one street number, please fill only the cell 'From'): From\* To\* Direction: Street Name:

Select Street Type:

Macliscn-

Ave

Ward No: Community Area No:

Check applicable:

ISILiPlanned Development ORedevelopment Agreement ☐ Zoning Change

3,

!\* PD No:

3.

☐ Public project

Total land area in sq.ft.:

\* RDA No:

☐ Landmark

3\* From:

JS3DX7-----To:DX

## LT

Total buildings footprint in sq.ft.: Tola) vehicular use area in sq.ft.

73,872-.....-

51,082-.....-

Enter First Name Last Name

Select project category:

Check applicable:

Financial Incentives: MGjTIF ☐ Empowerment Zone Grant ☐ class L

☐ SBIF ☐ ind. Dev. Revenue Bonds Qciass 6b

☐ Land Sale w/Write Down QBank Participation Loan OdCD Housing Assistance

Density Bonus:

Check applicable:

☐ Public plaza & pocket park

☐ Chicago Riverwalk improvements

☐ Winter gardens

☐ indoor through-block connection

☐ Sidewalk widening

☐ Arcades

☐ Water features in a plaza or pocket park ☐ Setbacks above the ground floor ☐ Lower level planting terrace ☐ Green roof

☐ Underground parking and loading ☐ Concealed above-ground parking

Green

Page 1 of 4

## FINAL FOR PUBLICATION

### Landscaping:

7' Landscape Setback Interior Landscape Area No. of Interior Trees No. of Parkway Trees

### Open Space:

Square footage: Square footage:

Recui'ed per Zoning

Code or Gieen Roo7B(,;kfiing Green Matrix

To be Provided by the development;; ,

Please fill, if applicable

*m. m*

; 6,6720

:250

Green

Page 2 of

## FINAL FOR PUBLICATION

*River Setback Square footage:*

*Private Open Space Square footage:*

Privately developed Public Open Space square footage.

0

0 0

. 0

Stormwater Management (At-grade volume control):

Permeable paving Raingarden Filter strip Bioswale Detention pond Native landscaping Rain-water collection cistern/barrel Total impervious area reduction

*Square footage Check applicable*

Square footage Gallons Square footage

☐ ☐ ☐

**Other sustainable surface treatments:**

Green roof Energy Star roof High-albedo pavement

*Square footage: Square footage:*

| 14.5-100

1 0

*Square footage:*

**Transportation:**

No. of accessory parking spaces

Total no. Of parking spaces (Accessory + Non- Acc.)

No. of parking spaces dedicated to car sharing

services (E.g.: I-Go, Zip-Car)

No. of bicycle parking

Within 600 ft of CTA or Metra station entrance

0 4040

6049

0 0

: 0 100

*Check if applicable:*

☐

Green

Page 3 of 4

## FINAL FOR PUBLICATION

Building Certification:

Energy Star building r-j LEED certification f/T"

LEED Certified

LEED Silver

LEED Gold

LEED Platinum

Chicago Green Homes r-j Chicago Green Homes [one-star] Chicago Green Homes [two-star] Chicago Green Homes [three-star]

Energy efficiency strategies not captured above:

■/E Other than Energy Star Roof- or Energy Star Building Certification-

Other sustainable strategies and/or Project Notes:

Department of Housing and Economic Development city of chicago

**REPORT to the**

**CHICAGO PLAN COMMISSION from the  
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT  
JULY 21, 2011**

**FOR APPROVAL: PROPOSED BUSINESS PLANNED DEVELOPMENT**

**APPLICANT: CD-EB/EP RETAIL JV, LLC and CHITOWN-DIAMOND JV. LLC**

**LOCATION: 815-23 WEST MADISON, 2-40 SOUTH HALSTED, 800-22 WEST  
MONROE AND 1-39 SOUTH GREEN STREETS**

Pursuant to the provisions of the Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Housing and Economic Development hereby submits this report and recommendation on a proposed Business Planned Development for your review and recommendation to the City Council. The application for the amendment to the Zoning Ordinance was introduced into the City Council on February 9, 2011. Proper legal notice of the public hearing on the application was published in the Chicago Sun-Times on July 6, 2011. The Applicant was separately notified of this hearing.

The Co-Applicants, CD-EB/EP Retail JV, LLC and Chitown-Diamond JV, LLC, are seeking approval for a Business Planned Development on property currently zoned DS-3 (Downtown Service District) and DX-7 (Downtown Mixed-Use District), in order to permit the construction of 90,000 square feet of retail space and a 224-room hotel, with a maximum of 604 off-street parking spaces. The Co-Applicants propose to rezone the property to DX-5 (Downtown Mixed-Use District) prior to establishing this Business Planned Development. This development is being submitted by the Applicant as a mandatory Planned Development pursuant to Section 17-8-0512-B, which states that Planned Development review and approval is required when the proposal involves a non-residential building, in a D-5 zoning district, which exceeds 150' in height; the hotel tower proposed for this project will be 250' tall.

**PROJECT BACKGROUND**

CD-EB/EP Retail JV, LLC and Chitown-Diamond JV, LLC, are the sole owner of this 2.84-acre site. It was formerly owned by MB Financial Bank but has been used as a surface

1

**FINAL FOR PUBLICATION**

parking lot since being purchased by the applicant in 2007, pending approval of development at this site.

**SITE AND AREA DESCRIPTION**

The subject property is located within the Near West Side Community Area and the 27<sup>th</sup> Ward. It is surrounded by areas zoned DX-3 (Downtown Mixed-Use District) to the north, DX-5 (Downtown Mixed-Use District) to the south and west and DX-7 (Downtown Mixed-Use District) to the east. The site is within the boundaries of the Near West Tax Increment Finance District, but is not located within the Lake Michigan and Chicago Lakefront Protection District or a Chicago Landmark District and does not include the Orange-rated Mid-City Trust and Savings Bank Building, located at the southwest corner of West Madison and South Halsted Streets.

The site is served by the Chicago Transit Authority's bus routes #1 (Indiana-Hyde Park), #7 (Harrison), #8 (Halsted), #11 (Lincoln/Sedgwick), #14 (Jeffrey Express), #20 (Madison), #X28 (Stony Island Express), #56 (Milwaukee), #60 (Blue Island/26<sup>th</sup>), #124 (Navy Pier), #125 (Water Tower Express), #126 (Jackson), #151 (Sheridan), #156 (LaSalle) and #157 (Streeterville/Taylor); CTA rail stations at Clinton and UIC/Halsted on the Blue Line and Morgan on the Green and Pink Lines (currently under construction); and, nine Metra Lines via either the Ogilvie Transportation Center or Union Station; all located within approximately one mile of the site.

**PROJECT DESCRIPTION**

The Co-Applicants are proposing to divide this project into two sub areas. Sub Area A will hold the northwest corner of West Monroe and South Halsted Street. It will consist of a three-story structure that will include approximately 20,000 square feet of ground floor retail space, approximately 70,000 square feet of second floor retail space (leased to an anchor grocery store) and parking for 244 cars between the first and third levels. The development will have the option to add a fourth level to this sub area to accommodate a maximum of 180 additional parking spaces.

Sub Area B will hold the southeast corner of West Madison and South Green Streets. It will consist of a 250' tall tower, containing 224 hotel rooms and 180 parking spaces, along with approximately 4,000 square feet of retail space.

The Co-Applicants have filed an application with the Department of Transportation to vacate Academy Place, which serves as an alley that runs parallel to South Halsted Street, to accommodate access to the parking for both sub areas; an easement will be provided to the owner of the Mid-City Trust and Savings Bank Building to ensure perpetual access to that site from Academy Place. Ingress and egress to the parking structure in Sub Area A will also be provided off of South Green Street.

Sub Area A is expected to generate an estimated 250 construction jobs and 200 permanent jobs once complete; the project is positioned to break ground no later than the Fall of 2011, in order to be operational by the Fall of 2012. No projections are currently available for Sub Area B.

2

## FINAL FOR PUBLICATION final

### **DESIGN**

The proposed development will hold the corners on all sides of the site, excluding the northeast corner of the block, which will abut the Orange-rated Mid-City Trust and Savings Bank Building. Sub Area A will have its frontage along South Halsted, West Monroe and South Green Streets while Sub Area B will front South Green and West Madison Streets.

Sub Area A will contain a three-story structure that will establish a visual presence along South Halsted and West Monroe Streets by replacing the existing surface parking lot with a more active design. The building will be constructed of brick and pre-cast concrete; glass within metal frames will make-up the majority of facade around entry-ways, exterior staircases and parking levels. The maximum allowable height throughout this sub area will be 70'.

Sub Area B will have a 20-story hotel constructed within its boundaries that will establish a focal point of attention within the Near West Side at the southeast corner of West Madison and South Green Streets. The building will be constructed of brick and pre-cast concrete with lightly-colored, recessed concrete balconies that blend with the floor-to-ceiling windows. The first floor of the building will consist of a lobby and retail space and floors two thru five will contain indoor parking, enclosed with brick and glass and serviced by an automated ventilation system. The maximum allowable height throughout this sub area will be 250'.

### **LANDSCAPING**

The perimeter of both sub areas of the development will include shrubbery and street tree plantings in grated pits and the parking structure in Sub Area A will have 7' of landscape areas along the tops of all exterior walls. All landscaping elements will meet the requirements of the Landscape Ordinance.

### **ACCESS/CIRCULATION**

Integration of this proposal into the commercial and residential developments of this neighborhood takes on added importance in light of the project's frontage along both West Madison and South Halsted Streets, both major thoroughfares, and its proximity to I-90/94 (Kennedy Expressway). The proposal to vacate Academy Place, which runs parallel to South Halsted and South Green

Streets and bi-sects this site, will help mitigate congestion along the surrounding streets by allowing for internal access to the project's parking and loading areas. In addition, the only other vehicular access will be off of South Green Street, currently the least traveled of the roads this project will front. Internal ramping will circulate vehicles through the retail and hotel portions of this project and those movements will not impact the flow of through traffic using Academy Place for ingress or egress to the site. Parallel parking, adjacent to this development, will still be allowed along South Green and West Monroe Streets.

Individuals arriving via public transportation will have numerous bus and rail options in close proximity, including Chicago Transit Authority bus stops in this block along both West

3

## FINAL FOR PUBLICATION

### FINAL

Madison and South Halsted Streets. Bicyclists will have access to storage racks in the retail parking lot, via South Green Street, and pedestrian entrances will be available from all sides of this development.

### **SUSTA1NABILITY**

The Co-Applicants will be pursuing Leadership in Energy and Environmental Design certification and will provide a green roof covering 100 percent of the net roof area in Sub Area A (9,250 square feet) and 50 percent of the net roof area in Sub Area B (5,290 square feet). The project will also comply with the Storm Water Management Ordinance, implementing best practices in all storm water management.

### **BULK/USE/DENSITY**

The proposed Floor Area Ratio for this Business Planned Development will be 4.74, which is less than the allowed 5.0 under DX-5 (Downtown Mixed-Use District). The proposed maximum allowable height of buildings will be 70' in Sub Area A and 250' in Sub Area B; both of which are in substantial compliance with the underlying DX-5 zoning. This Business Planned Development proposes allowance of all permitted uses listed in the DX-5 zoning district.

### **RECOMMENDATION**

The Department of Housing and Economic Development has reviewed the project materials submitted by the Applicant and compared this proposal to existing development in the community. The area around this project is a diverse mix of residential, business and commercial planned developments, as well as, downtown service and mixed-use zoning districts. For example, the DX-5 (Downtown Mixed-Use District) that is proposed for this site, can also be found immediately to the south and west. Additional DX and DS (Downtown Service Districts) are also located to the north, east and west. Planned Development 710, adjacent to the northeast corner of this proposed site, has an underlying zoning of B3-5 (Community Shopping District). Although the DX-5 zoning would allow up to a 5.0 FAR, this project will have less than a 4.75 FAR.

Based on that analysis the Department of Housing and Economic Development has concluded that this proposal is appropriate for this site and supports this development for the following reasons:

1. The project meets the purpose and criteria set forth in Chapter 17-8 of the Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare. Specifically, this project meets the following provisions of Chapter 17-8:

- a. Promotes unified planning and development (per 17-8-0102), as evidenced by the integration of site plans and access requirements between both phases of this project;
- b. Promotes economically beneficial development patterns that are compatible with the character of existing neighborhoods (per 17-8-0103), as evidenced through its design and massing staying within context of adjacent structures;

c. Promotes flexibility in the application of selected use, bulk and development standards in order to promote creative building design and high-quality urban

4

## FINAL FOR PUBLICATION

design (per 17-8-0105), as evidenced by the varying uses, designs, heights and densities proposed for the two phases of this project;

d. Promotes the safe and efficient circulation of pedestrians, cyclists and motor vehicles (17-8-0904-A-1), as evidenced through the vacation of Academy Place and the positive impact that will have on its parking, vehicle, pedestrian and bicycle plans;

e. Promotes transit, pedestrian and bicycle use (17-8-0904-A-2), as evidenced through its proximity to various forms of public transit and the accommodations made for safe and covered bicycle parking;

f. Minimizes conflicts with existing traffic patterns (17-8-0904-A-4), mitigates traffic congestion associated with the proposed development (17-8-0904-A-5) and utilizes access points on the interior of the site (17-8-0904-D-1), as evidenced by the vehicular ingress and egress being directed to a vacated Academy Place drive aisle;

g. Provides active separation between above-ground parking and street level (17-8-0904-D-4), as evidenced by the placement of retail along the edges of the development and the parking structure location in the back, along a lesser-used roadway;

h. Provides street-level uses that engage pedestrian interest (17-8-905-A-2), as evidenced by the ground level retail that opens to the street for pedestrian access along South Halsted and West Monroe Streets;

i. Provides structures that abut sidewalks (17-8-0905-B-1) and allow for pedestrian entrances from said sidewalks (17-8-0905-B-2), as evidenced by the construction of both phases to the edge of the site's property lines and the provision of access to all tenants from the sidewalk; and,

j. All sides and areas of the buildings that are visible to the public are treated with materials, finishes and architectural details that are of high-quality and appropriate for use on primary street-facing facade (17-8-0907-A-4), as evidenced through the material callouts in this report and on the elevations.

2. The site lies within the boundaries of the Near West Tax Increment Finance District, the redevelopment plan for which was recommended by the Chicago Plan Commission and approved by the Chicago City Council in 1996. The corresponding Land Use Plan contemplated office, commercial and retail development for this site. Additionally, redevelopment of this property will further the goals of the TIF Plan by improving the functionality and aesthetics of the Halsted/Madison Corridor, as well as, providing the City and its citizens with increased business activity, new job opportunities and an expanded tax base.

3. The site lies within the study area of the Central Area Action Plan; a report adopted by the Chicago Plan Commission in 2009. The associated projections in this plan forecasted an increase in commercial, hotel and retail development throughout the Central Area. Specific to the Near West sub district of this plan, within which this project is located, higher density development is appropriate along the Halsted, Van Buren and Kennedy Expressway Corridors.

4. The public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy. The proposed project has been reviewed by the Mayor's Office for People with Disabilities and the Department of

5

## FINAL FOR PUBLICATION final

Transportation and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and no comments have been received which have not been addressed in the application. 5. The project will comply with the requirements for access in case of fire and other emergencies.

Based on the foregoing, it is the recommendation of the Department of Housing and Economic Development that this application for a Business Planned Development be approved and that the recommendation to the City Council Committee on Zoning be "Passage Recommended".

Bureau of Planning and Zoning

Department of Housing and Economic Development

6

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Department of Housing and Economic Development

city of chicago

**815-23 WEST MADISON, 2-40 SOUTH HALSTED, 800-22 WEST MONROE AND 1-39**

**SOUTH GREEN STREETS BUSINESS PLANNED DEVELOPMENT**

### RESOLUTION

WHEREAS, the Applicant, CD-EB/EP Retail JV, LLC, has submitted an application requesting a change in zoning designation from DS-3 (Downtown Service District) and DX-7 (Downtown Mixed-Use District) to DX-5 (Downtown Mixed-Use District) prior to the establishment of a Business Planned Development; and,

WHEREAS, the Applicant proposes to construct a 90,000 square feet of retail space and a 224-room hotel, with a maximum of 604 parking spaces; and,

WHEREAS, the Applicant's request to rezone the Property was introduced to the City Council on February 9, 2011; and,

WHEREAS, proper legal notice of the hearing before the Plan Commission was published in the Chicago Sun-Times on July 6, 2011. The Applicant was separately notified of this hearing and the proposed zoning application was considered at a public hearing by this Plan Commission on July 21, 2011; and,

WHEREAS, the Plan Commission has reviewed the application with respect to the provisions of the Zoning Ordinance and finds that the proposal will be consistent with said provisions; and

WHEREAS, the Department of Housing and Economic Development recommended approval of the application, with the recommendation and explanation contained in the written report dated July 21, 2011, a copy of which is attached hereto and made a part hereof; and,

WHEREAS, the Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment, the report and recommendation of the Commissioner of the Department of Housing and Economic Development and all other testimony presented at the public hearing held on July 21, 2011, giving consideration to the Zoning Ordinance;

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NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

1. THAT the final application dated July 21, 2011 be approved as being in conformance with the provisions, terms and conditions of the corresponding zoning application; and,
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning of the

final zoning application dated July 21, 2011; and,

3. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Housing and Economic Development be adopted as the findings of fact of the Plan Commission regarding this zoning map amendment application.

Linda Searl Chairman  
Chicago Plan Commission  
IPD No.\_\_\_\_\_  
Approved: July 21, 2011

#### APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

1. ADDRESS of the property Applicant is seeking to rezone:

815-23 W. Madison; 2-40 S. Halsted; 800-22 W. Monroe; 1-39 S. Green\_

2. Ward Number that property is located in: 27th Ward\_

3. CO- APPLICANT CD-EB/EP Retail JV, LLC\_

ADDRESS 221 W. Illinois St.\_

CITY Wheaton STATE IL ZIP CODE 60187\_

PHONE 630-221-7000 CONTACT PERSON Timothy Barrett\_

4. Is the applicant the owner of the property? YES ☒ NO ☐

If the applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the application to proceed.

CO APPLICANT AND

OWNER Ori town-Diamond JV LLC\_

ADDRESS 5215 Old Orchard Road, Suite 130\_

CITY Skokie STATE IL ZIP CODE 60077\_

PHONE 847-674-4321 CONTACT PERSON Seymour Taxman\_

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:

ATTORNEY John J. George\_

ADDRESS 20 S. Calrk St., Suite 400 CITY Chicago, IL 60603

PHONE 312-726-8797

FAX 312-726-8819

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6. If the applicant is a corporation please provide the names of all shareholders as disclosed on the Economic Disclosure Statements. Timothy Barrett\_

Eugene J. Porto Living Trust\_

Seymour Taxman\_

Rob Rubin\_

David Hokin\_

Richard Marks\_

**7. On what date did the owner acquire legal title to the subject property? 9/11/2008**

**8. Has the present owner previously rezoned this property? If yes, when?**

No

DS-3 and DX-7 to DX-5

**9. Present Zoning District DX-7 and DS-3 Proposed Zoning District then to RBPD**

**10. Lot size in square feet (or dimensions) 78,710 sq. ft.\_**

**11. Current Use of the property surface parking lot\_**

**12. Reason for rezoning the property to redevelop the property with a mixed use development containing retail, hotel and/or residential uses.\_**

**13. Describe the proposed use of the property after the rezoning. tnnriicate the number of dwelling units; number of**

**parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC)**

Sub-Area A to contain a 56 ft. 3 story building with 87,207 sq. ft. of retail space and 244 on site parking spaces and Sub-Area 8 to contain a 250 ft. 22 story building with either 224 hotel rooms or 200 dwelling units, up to 6, 440 sq. ft. of retail space and up to 140 parking spaces.

**14. On May 14\*, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See Fact Sheet for more information)**

**YES** X

**NO**

**Department of Housing and Economic Development**

city of chicago

**MEMORANDUM**

**TO:**

Alderman Daniel S. Solis

Chairman, City Council Committee on Zoning

**FROM:**

Andrew J. Mooney / Secretary ' Chicago Plan Commission

**DATE:**

July 22, 2011

**RE:** Proposed Residential-Business Planned Development for the property generally located at 815-23 West Madison Street, 2-40 South Halsted Street, 800-22 West Monroe Street and 1-39 South Green Street.

On July 22, 2011, the Chicago Plan Commission recommended approval of the proposed planned development submitted by CD-EB/EP Retail JV, 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 hearing.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Housing and Economic Development recommendation and a copy of the Resolution. If you have any questions in this regard, please do not hesitate to contact my staff at 744-0063.

cc: Steve Valenziano

PD Master File (Original PD, copy of memo)

121 NORTH LASALLE STREET, ROOM 1000. CHICAGO, ILLINOIS 00602