

## Apr 20 Agenda: 1225 S Indiana

Brian McCarty <kramerica.int@gmail.com>

Wed 4/12/2023 1:05 PM

To: CPC <CPC@cityofchicago.org>

 1 attachments (5 MB)

RestrictivecovenantforviewcorridorT4T5.pdf;

[Warning: External email]

I am a resident at 1235 S Prairie, immediately adjacent to the subject property.

This proposed building is too tall.

The height of this building is limited by a Declaration of Restrictive Covenant that restricts the height of any building in this area. I have attached a copy of the recorded Covenant.

The Covenant specific limits the height of any construction on the subject property not to "exceed a height of seventy (70) feet above the zero baseline for the Chicago City Datum".

Chicago City Datum (CCD) in this area of Chicago is about +13.5 feet. The proposed building is claimed to be 70 feet tall - which means it exceeds the permitted height by at least 13.5 feet.

Additionally, the applicant measurement of 70 feet, quoted in the application, has been quoted to "the penthouse roof". This may be, however the allowable height in the Restrictive Covenant must be inclusive of . . . "water towers, standpipes, penthouses, elevators or elevator equipment, stairways, ventilating fans, skylights, tanks, cooling towers, wireless radio or television antennae, or flag poles. . ."

I believe this proposed building is overheight by about 20 feet.

This proposal fails the Fourteen Basic Policies test:

Number 14 states "Coordinate all public and private development within the water, park, and community zones." Failure to comply with the Restrictive Covenant means the project fails this test. The applicant has failed in this regard.

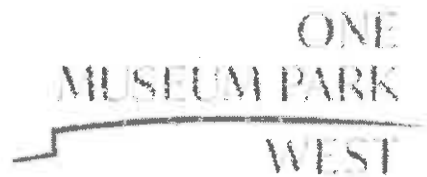
Additionally, the proposal is NOT compatible with the existing multi-story and multi-unit residential developments at both 1235 S. Prairie and 1211 S. Prairie - the two properties protected by the Restrictive Covenant.

This project clearly does not meet the City of Chicago criteria, and should be rejected.

Brian McCarty

1235 S. Prairie Ave  
Apt. 2304  
Chicago, IL 60605  
(312) 866-0367

RESTRICTIVE COVENANT ATTACHED



April 17, 2023

To the City of Chicago Plan Commission:

I'm writing on behalf of One Museum Park West Condominium Association at 1201 S. Prairie Ave. to convey our concerns about the planned residential development at 1225 S. Indiana Ave.

We are concerned about the inevitable increased risk of traffic accidents on both 13<sup>th</sup> St. and Prairie Private, given the proposed plan. In an already congested area with existing high density residences, the entrance and drop off point for residences is planned to be on 13th street, which is a very narrow access road into the neighborhood. There is insufficient room even with a cut-out for what will often be more than one or two cars, leaving others to stop on 13<sup>th</sup>, significantly backing up traffic entering the neighborhood. The backups and increased congestion, especially during busy times, will increase the risk of accidents. The suggestion of possibly making 13<sup>th</sup> a one-way street is simply impractical and almost unimaginable. In every respect, the proposed plan will make all of the traffic flow far more challenging.

The proposed loading dock located on Prairie Private just south of our garage entrance will also create increased traffic jams. During the week, there are numerous vans and other vehicles parked along Prairie Private, often making this essentially a one-way road. Placing the loading dock on Prairie Private will only exacerbate the problem, as moving vans, trash trucks, delivery vehicles, and service vehicles increase dramatically. Moreover, as Prairie Private is a private street maintained in part by One Museum Park West, we are concerned about the damage that will be done to the pavers as a result of additional heavy trucks using this street. Will 1225 S. Indiana Ave. contribute to the maintenance costs of Prairie Private?

Finally, we are wondering where contractors providing services to residents of 1225 S. Indiana Ave. will park. The loading dock is unlikely to accommodate all visitors. As noted, currently there is little or no parking space on Prairie Private during the week. Not only will this create traffic problems but safety issues by increasing the risk of accidents and limiting the fire lanes we need to keep open.

We appreciate your consideration of these issues and strongly urge the Commission to require the developer to propose a development that will integrate with and enhance the community, rather than to pose a safety, security and structural challenge to the entire community. Please reach out to me and our Board of Directors if you have any questions.

Sincerely,

Jean Rothbarth

President

One Museum Park West Condominium Association

1201 South Prairie Avenue Private

Chicago, Illinois 60605

312.566.9252

## Commission Agenda Item #778 - Objection to Proposed Development at 1225 S Indiana Avenue

Patrick Cott <cott.towerresidences@gmail.com>

Mon 4/17/2023 9:26 PM

To: CPC <CPC@cityofchicago.org>

 4 attachments (9 MB)

Declaration of Restrictive Covenant Document 0428115111.pdf; 1225 S Indiana CCD Survey.pdf; McTigue Letter 03-03-23 - Confirmation of Grade Level for TR.pdf; 613532041 MAP PLAT of Survey.pdf;

[Warning: External email]

To the City of Chicago Plan Commission:

I'm writing on behalf of the Tower Residences Condominium Association at 1235 S Prairie Ave to convey our objection to the planned residential development at 1225 S Indiana Ave because it violates the Declaration of Restrictive Covenant from September 20, 2004 (see attached).

Over the past several months, we have been in communication with the developer, his architects, and his attorney, as well as Alderman Dowell's office, to explain how the proposed development exceeds the height restrictions specified in Section 1 of the Restrictive Covenant which states:

***No structures or buildings on the Property, including but not limited to water towers, standpipes, penthouses, elevators or elevator equipment, stairways, ventilating fans, skylights, tanks, cooling towers, wireless radio or television antennae or flag poles located upon such structures or buildings shall exceed a height of seventy (70) feet above the zero baseline of the Chicago City Datum.***

In our discussions with the developer and his team, they provided us with a site survey (see attached) that clearly shows that the grade level at 1225 S Indiana Ave is at an elevation of 13.74 feet. The survey further shows that the grade level of our building at 1235 S Prairie Ave is at an elevation of 14.88 feet, which we have confirmed with the firm that created the original plat of survey for our building is 14.88 feet above the Chicago City Datum (CCD) – see attached letter and plat of survey from McTigue & Associates.

Since grade level at 1225 S Indiana is 13.74 feet above CCD, any new structure or building on this lot that is taller than 56.26 feet above grade level would violate the height restriction of 70 feet above CCD specified in the Restrictive Covenant.

The Building Height Diagrams that the developer has submitted to you show that the highest point of the proposed building (an elevator enclosure) is at 78 feet above grade level. This means that the top of the proposed building will be 91.74 feet above CCD – exceeding the height limit specified in the Restrictive Covenant by 21.74 feet.

We have shared our objection with the developer, his architects, and his attorney in writing, in phone discussions, as well as at Alderman Dowell's recent Town Hall meeting on March 16. In all these settings, the developer and his team have not acknowledged that their plans violate the Restrictive Covenant. And their recent removal of all references to grade level elevation and CCD in their submission to the Plan Commission implies that they want everyone to ignore that the grade level of their property is in fact 13.74 feet above CCD.

Because we have a legally binding covenant that restricts the height of any structure or building on this property to 70 feet above CCD, and because this proposed development clearly exceeds this limit, we urge you to reject their application until they submit a revised plan that conforms to the height limitations set forth in the Restrictive Covenant.

Please let me know if you have any questions for me and our Board of Directors regarding the information we have provided.

Thank you for your consideration.

Sincerely,

Patrick Cott  
President  
Tower Residences Condominium Association  
(312) 291-0975  
[cott.towerresidences@gmail.com](mailto:cott.towerresidences@gmail.com)