City of Chicago

O2022-2424

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	7/20/2022
Sponsor(s):	Coleman (16)
Type:	Ordinance
Title:	Vacation of portion of S Green St within area bounded by W 63rd Pkwy and S Peoria Dr
Committee(s) Assignment:	Committee on Transportation and Public Way

INTERGOVERNMENTAL VACATION ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6 (a) of the 1970 Constitution of the State of Illinois and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the lots at 6200-6208 S. Green Street and 6201-6209 S. Green Street are owned by the City of Chicago, an Illinois municipal corporation; and

WHEREAS, the Department of Planning and Development ("DPD") proposes to assemble certain City-owned adjacent properties in the Greater Englewood community area and located in the vicinity of W. 63rd Parkway and S. Peoria Drive, including a portion of the street to be vacated pursuant to this ordinance; and

WHEREAS, on April 24, 2020, DPD issued a request for proposals for the sale and development of the to-be-assembled parcels; and

WHEREAS, DPD has identified Englewood Connect, LLC ("Developer"), as the successful respondent to the request for proposals; and

WHEREAS, Developer will redevelop the site as a mixed-use commercial complex with a community center, as part of the City's Invest South/West Initiative, and in accordance with DPD approved plans; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of public use and the public interest to be subserved is such as to warrant the vacation of the public street described below; now, therefore,

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

SECTION 1. **Legal Description**

THAT PART OF S. GREEN STREET 66-FOOT-WIDE PUBLIC RIGHT-OF-WAY DEDICATED BY DOCUMENT 192175 RECORDED ON SEPTEMBER 24, 1874, IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY NORTHEAST CORNER OF LOT 3 IN HALSTED PARKWAY SUBDIVISION RECORDED MARCH 30, 2015 AS DOCUMENT 1508916071, BEING ON THE SOUTH LINE OF S. PEORIA STREET ESTABLISHED BY SAID HALSTED PARKWAY SUBDIVISION AND ON THE WEST LINE OF SAID S. GREEN STREET; THENCE NORTH 88 DEGREES 29 MINUTES 00 SECONDS EAST, ALONG THE EASTERLY EXTENSION OF

THE NORTH LINE OF SAID LOT 3, 66.00 FEET TO ITS INTERSECTION WITH THE EAST LINE OF SAIDS. GREEN STREET EXTENDED NORTH; THENCE SOUTH 01 DEGREES 31 MINUTES 47 SECONDS EAST, ALONG THE EAST LINE OF SAID S. GREET STREET AND ITS NORTHERLY EXTENSION, 123.48 FEET TO THE MOST EASTERLY NORTHEAST CORNER OF SAID LOT 3, SAID POINT BEING ON THE SOUTH LINE OF SAID S. GREEN STREET; THENCE SOUTH 88 DEGREES 28 MINUTES 13 SECONDS WEST, ALONG A NORTH LINE OF SAID LOT 3, A DISTANCE OF 66.00 FEET TO A POINT ON THE WEST LINE OF SAID S. GREEN STREET AND AN EAST LINE OF SAID LOT 3; THENCE NORTH 01 DEGREES 31 MINUTES 47 SECONDS WEST, ALONG SAID LAST DESCRIBED LINE, **123.50 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, TOTAL AREA IN SAID PARCEL DESCRIBED BEING 8,150 SQUARE FEET OR 0.187 ACRES, MORE OR LESS, as** shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as **EXHIBIT A,** which drawing for greater clarity, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation.

SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison and AT&T/SBC, and their successors or assigns, a non-exclusive utility easement to operate, maintain, construct, replace and renew overhead wires, poles, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy, telephonic and associated services under, over and along the street herein vacated, with the right of ingress and egress. The grade of the vacated public way shall not be altered in a manner so as to interfere with the operation and maintenance of said facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by the involved utilities. Any future relocation of facilities lying within the area being vacated, being done at the behest and expense of the Developer will be accomplished by the involved utility, and be done at the expense of the Developer, its successors or assigns.

SECTION 3. DPD and the Developer acknowledge that the current water service line and water service appurtenances serving the former City Fire House 84 will be transferred to the new Department of Water Management ("DWM") water main once that is installed, said service line remaining the maintenance responsibility of the Developer, in accordance with DWM correspondence dated May 11, 2022 and its attachment, hereto attached and included in this ordinance as **EXHIBIT B.** All future water mains required to serve and protect the new development shall be built by DWM and paid for with Tax Increment Financing (TIF), as approved by the TIF Investment Committee on January 25 and April 8, 2022.

SECTION 4. DPD acknowledges that all currently public DWM sewers and associated appurtenances within the area to be vacated shall become the property and financial responsibility of DPD, with reimbursement to the DWM, until such time as the surrounding lots, vacation area, and ownership including said responsibilities are conveyed to the successor Developer along with additional responsibilities and terms as detailed in **EXHIBIT B.** In the event that the Developer wishes to abandon, modify or install new facilities, plans must be

reviewed, approved and permitted by the DWM Sewer Design Section prior to the commencement of any work, on the development. Developer shall provide the DWM, Sewer Design Section with as-built drawings submitted within 45 days of completion. The Developer acknowledges that no public sewer will serve Lots 20-25 (inclusive) as a result of the vacation herein contemplated.

SECTION 5. The vacation herein provided for is made upon the express condition that within 180 days of the City Council passage of this ordinance and its related plat, the Developer shall pay to the City Treasury of the City of Chicago, a quoted security deposit equal to the costs of the Developer's work for public paving, curb, and related appurtenances in accordance with the most current version of the Chicago Department of Transportation's *Regulations for Opening, Repair and Construction in the Public Way* and its appendices. Upon completion of work, a request for final field inspection and approval of the Developer's construction, shall be made to the COOT Division of Infrastructure Management, Construction Compliance Unit, Room 905 City Hall, prior to return of said security deposit, less any service fee.

SECTION 6. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Developer or its assign shall file or cause to be filed for recordation with the Office of the Cook County Clerk / Recordings Division a certified copy of this ordinance, together with the associated full-sized plat as approved by the Department of Transportation's Superintendent of Maps and Plats.

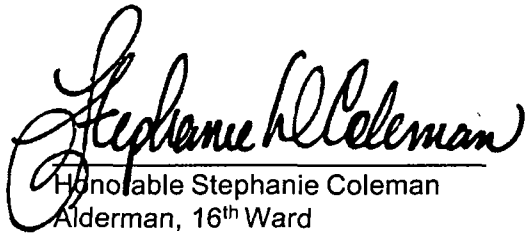
SECTION 7. This ordinance shall take effect and be in force from and after its passage and publication. The vacation shall take effect and be in force from and after the recording of the published ordinance and approved plat.

[SIGNATURE PAGE FOLLOWS BELOW]

Vacation Approved:

Gia Biagi
Commissioner
Department of Transportation

Introduced By:



Honorable Stephanie Coleman
Alderman, 16th Ward

COOT File Number:

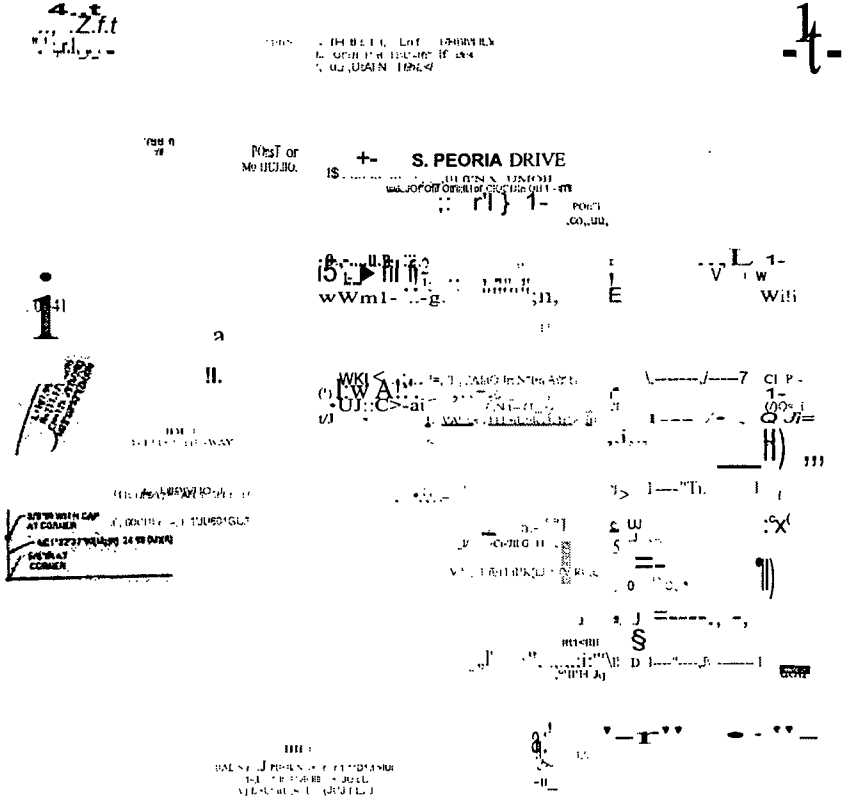
17-16-21-3974

EXHIBIT "A"

PLAT OF VACATION

AFFECTED PINs

20-17-431-034~~1~~ LOT1
~~20-17-431-001~~ LOTS 25 & 26
20-17-431-002 LOT24 & P LOT23
20-17-431-003 LOT22 & PTLOT23



LEGEND

DIVISION BETWEEN CH AND PO 1227 ZONING

EXISTING RIGHT-OF-WAY OR LOT LINE

IRON PIPE

CROSS

TRAFFIC FLOW

DIRECTION

RECORD DIMENSION = (RECORD) (M) OR 00 00

MEASURED DIMENSION = 0.00 (M) OR 00 00

CITY - DEPT. OF FINANCE

PROPERTY DESCRIPTION

THAT PART OF S. GREEN STREET 66-FOOT-WIDE PUBLIC RIGHT-OF-WAY DEDICATED BY DOCUMENT 192175

RECORDED ON SEPTEMBER 24, 1874, IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS. BEGINNING AT THE MOST NORTHERLY NORTHEAST CORNER OF LOT 3 IN

C.D.D.T,

HALSTED PARKWAY SUBDIVISION RECORDED MARCH 30, 2015 AS DOCUMENT 1508916071, BEING ON THE SOUTH LINE OF S. PEORIA STREET ESTABLISHED BY SAID HALSTED PARKWAY SUBDIVISION AND ON THE WEST LINE OF SAIDS. GREEN STREET, THENCE NORTH 88 DEGREES 29 MINUTES 00 SECONDS EAST, ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 3, 66.00 FEET TO ITS INTERSECTION WITH THE EAST LINE OF SAIDS. GREEN STREET EXTENDED NORTH. THENCE SOUTH 01 DEGREES 31 MINUTES 47 SECONDS EAST, ALONG THE EAST LINE OF SAIDS GREET STREET AND ITS NORTHERLY EXTENSION, 123.48 FEET TO THE MOST EASTERLY NORTHEAST CORNER OF SAID LOT 3, SAID POINT BEING ON THE SOUTH LINE OF SAIDS. GREEN STREET; THENCE SOUTH 88 DEGREES 28 MINUTES 13 SECONDS WEST, ALONG A NORTH LINE OF SAID LOT 3, A DISTANCE OF 66.00 FEET TO A POINT ON THE WEST LINE OF SAID S. GREEN STREET AND AN EAST LINE OF SAID LOT 3; THENCE NORTH 01 DEGREES 31 MINUTES 47 SECONDS WEST, ALONG SAID LAST DESCRIBED LINE, 123 50 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, TOTAL AREA IN SAID PARCEL DESCRIBED BEING 8,150 SQUARE FEET

OR 0 187 ACRES, MORE OR LESS.

CDOKCOUNTY

STATE OF ILLINOIS)
COUNTY OF COOK)

WE, SPACECO, INC. AN ILLINOIS PROFESSIONAL DESIGN FIRM (LICENSE NO. 184.001137 (EXPIRATION 04/30/2023) DO HEREBY DECLARE THAT WE HAVE PREPARED THE PLAT HEREON DRAWN FOR THE PURPOSE OF VACATING EASEMENTS AS SHOWN AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID EASEMENTS

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. NO DISTANCES OR ANGLES SHOWN HEREON MAY BE SCALED BY SCALING

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

I HEREBY AUTHORIZE [illegible] OR THEIR AGENT TO FILE THIS PLAT OF DEDICATION WITH THE COOK COUNTY RECORDER'S OFFICE

GIVEN UNDER OUR HAND AND SEAL THIS DAY OF 2022
IN ROSEMONT, ILLINOIS

Rebecca L Poore

REBECCA POORE LPLS No. 035-003743
MY LICENSE EXPIRES 11-30-2022

(SEAL)

SURVEYOR'S NOTES

1 BASIS OF BEARINGS TRUE NORTH

BASED ON GEODETIC OBSERVATION IL EAST ZONE

2 PREPARED FOR

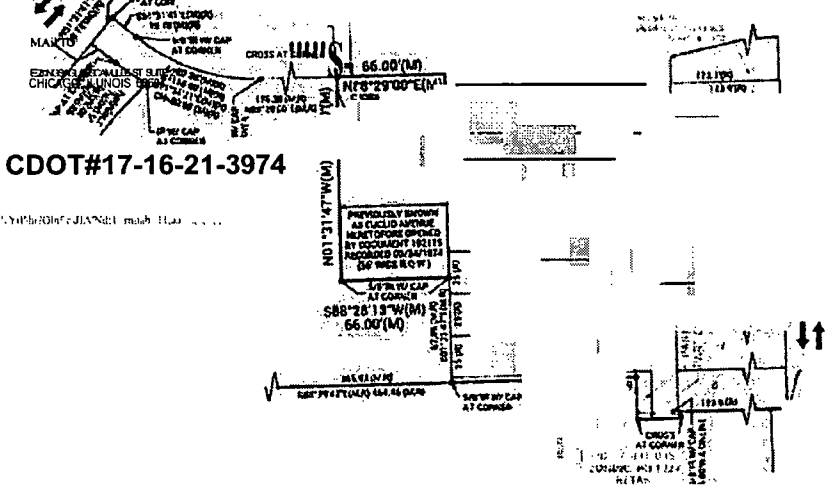
ENGAGE CIVIL
231 S LASALLE ST. SUITE 2100
CHICAGO, ILLINOIS 60604

3 NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT

4 LAST DATE OF FIELD WORK, APRIL 23, 2021

5 ZONING INFORMATION SHOWN HEREON BASED ON CHICAGO DEPARTMENT OF ZONING ON-LINE ZONING MAP ACCESSED APRIL 28, 2021. THE UNDERLYING PROPERTY IS ZONED C1-3 NEIGHBORHOOD COMMERCIAL DISTRICT. PD 1227 IS A BUSINESS-RESIDENTIAL-INSTITUTIONAL PLANNED DEVELOPMENT.

COMPARE ALL DIMENSIONS BEFORE BUILDING AND REPORT ANY DISCREPANCIES AT ONCE REFER TO DEED OR THE POLICY FOR BUILDING LINES AND EASEMENTS



CDOT#17-16-21-3974

MEASURED DIMENSIONS FOR LOTS 22-26

NIL#2B U.E(M) 12185'(M) 1219'(R)	
5911 21f12 (M) 121(16)(M) 1219'(R)	
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10,2022

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Rosumoni, Ulinus 6U01B

Pl101m (847) 690-4060 Fcoc (847) 690-4065

EXHIBIT B

CITY OF CHICAGO

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DEPARTMENT OF WATER MANAGEMENT

May 11, 2022

City of Chicago
Department of Transportation
Division of Project Development/ PUBLIC WAY
2 N. LaSalle Street, Suite 950
Chicago, IL 60602-2570

Attn: Mr. Jai Kalayil
Deputy Commissioner

Re: Proposed Vacation Ordinance
16[1h]Ward
For: Department of Planning and Development

Vacation of S. Green Street (stub) from S. Peoria Dr. to a line approximately 123.S' south of and parallel to S. Peoria Dr.

OUC File No. VD-110543
M&P Project No. 17-16-21-3974
Water Atlas Page 479
Sewer Atlas Page 38-2-46

Dear Mr. Kalayil:

This letter is in response to your inquiry dated June 14, 2021 concerning the proposed vacation.

I) **The Department of Water Management - Water Section**

There are no public water facilities within the limits of the area proposed for vacation.

There is, however, an active water service to 6204 S. Green Street (Former Engine Company 84 Fire House) within the limits of the area proposed for vacation. The service consists of the following connected piping and components:

a. a 2-inch tap installed in 2019 on an 8-inch water main in S. Green Street north of W. 63rd Parkway, which connects to

b. approximately 50-feet of 2-inch pipe installed in 1967, which connects to

c. approximately 310-feet of 6-inch pipe installed in 1890 in the S. Green Street ROW that was vacated around 1968, which connects to

d. approximately 70-feet of I-inch pipe installed in 1929 that enters the fire house.

All this water service piping is owned by and the responsibility of the owner of 6204 S. Green Street. This proposed vacation of S. Green Street does not change or affect the ownership of, or responsibility for, the water service.

The fire house will be redeveloped as part of the Englewood Connect development. The existing water service will not be allowed to continue serving the former fire house once development begins. At that time, the service must be permanently terminated as part of the proposed development by permit per DWM standards.

In addition, approximately 544-feet of new 8-inch new water main must be installed in S. Peoria Drive (approximately W. 62nd Street) from west of S. Halsted Street to W. 63rd Parkway to provide adequate domestic water and fire protection to the proposed development.

The estimated cost for this work is ***$866,461.00.*** Please note that this estimate is based on current rates for labor (straight time), material, equipment, and overhead charges, but actual costs will be submitted for payment upon completion of the work. See the attached letter dated December 21, 2021 for payment instructions. The amount in that letter was updated to ***$866,461.00*** after the letter was issued. All other terms remain in effect.

Once the deposit is received, the Water Section has no objection to the proposed vacation.

For questions regarding water facilities, please contact Andrew McFarland at andrew.mcfarland@cityofchicago.org.

II) **The Department of Water Management - Sewer Section**

Based on sewer records, there is a dead-end 15-inch sewer on S. Green Street, serving S. Green Street ROW and the former firehouse. The Sewer Section will approve the proposed street vacation, provided the beneficiary must assume ownership of the sewer and appurtenances. These sewer facilities will be private property of the beneficiary. The beneficiary must assume all liability for these facilities and be responsible for all maintenance and repairs for reuse. Please be advised that as a result of proposed vacation, there will be no public sewer to serve lot 20,21,22,23,24 and 25 located east side of the area to be vacated.

If there are any questions regarding the sewer facilities, contact Anupam Verma at Anupam.Verma@CityofChicago.org.

Very truly yours,

Brea L. Ca, Ph.D., P.E.
Commissioner

CITY OF CHICAGO

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DEPARTMENT OF WATER MANAGEMENT

December 21, 2021

Mclaurin Development
120 N Racine Avenue, 2nd Floor
Chicago, Illinois 60607

Attention: Zeb Mclaurin
Chief Executive Officer

SUBJECT: **Proposed 8-inch Water Main Installation**
Englewood Connect
S Peoria Drive - W 63rd Parkway to S Halsted Street
BES Project No. 21-08:030
OUC File No. VD-110543

Mr. Mclaurin:

This correspondence is in response to an Office of Underground Coordination request for the proposed street vacation for the subject project and pursuant to the meeting between the Department of Planning and Development (DPD) and the Department of Water Management (DWM) on July 23, 2021.

The proposed development consists of conceptual site improvement plans for the subject project. Mclaurin Development shall submit final civil engineering plans for the overall project to the Department of Water Management (DWM) for review and approval prior to the start of construction. Upon review of the final civil engineering plans, additional DWM involvement may be required in the overall project, resulting in additional costs to Mclaurin Development. This correspondence only addresses the installation of a new water main to accommodate the future development and to allow the vacation of S Green Street proposed under VD-110543.

The Department of Water Management - Water Section

In order to accommodate the proposed development, the Department of Water Management must install approximately 725 feet of 8-inch ductile iron water main in S Peoria Drive from W 63rd Parkway to S Halsted Street. The proposed water main must meet all DWM design requirements, including being located under street pavement areas in the public right-of-way. Since the proposed water main will be located within 10 feet of existing shallow sewer facilities, this Department must replace those existing sewer facilities in S Peoria Drive located within 10 feet of the proposed water main alignment with water main quality pipe in order to meet Illinois Environmental Protection Agency (IEPA) requirements. Additionally, this Department must transfer the existing water service from the fire house to the proposed water main in S Peoria Drive.

The existing water service piping is owned by and the responsibility of the owner of 6204 S Green Street (fire house). This proposed vacation of S Green Street does not change or affect the ownership of, or responsibility for, the water service. Per you request to keep this existing water service to the fire house, DWM will cut off the existing water service at S Green Street and W 63rd Parkway and provide temporary service - not for potable use· from the new water main.

The fire house will be redeveloped as part of the Englewood Square Phase II development. The existing water service will not be allowed to continue serving the former fire house once the fire house is rehabilitated. At that time, the existing temporary service must be permanently terminated as part of the proposed development by permit per DWM standards.

Should a new water service be required to accommodate the rehabilitated fire house, Mclaurin Development shall submit final civil engineering plans for the overall project to the Department of Water Management (DWM) for review and approval prior to the start of construction. Additionally, Mclaurin Development must submit for adequate water approval prior to construction. Upon review of the final civil engineering plans and adequate water, additional DWM involvement may be required in the overall project, resulting in additional costs to Mclaurin Development.

The scope of the DWM's involvement in the water main installation work is limited to water pipe, two (2) line valves, one (1) fire hydrant installation, construction of two (2) valve basins, one (1) temporary water service transfer, one (1) water service termination (including restoration), existing sewer facility replacements, valve operations, engineering design services, resident engineering services, water quality services, adjusting the existing sewer facilities, and all restoration to COOT standards at an estimated cost of ***$482,710.00.***

Please note that this estimate is based on current rates for labor (straight time), material, equipment, and overhead charges, but actual costs will be submitted for payment upon completion of the work. Mclaurin Development will be responsible for all costs for utility and alignment conflicts associated with the water main installation.

A certified check in the amount mentioned above, payable to the City of Chicago, must be hand delivered to the Department of Buildings, Plumbing Permit and Plan Section, 121 North LaSalle Street, Room 906, Chicago, Illinois, 60602, with a copy of this letter.

Please be advised, the time frame required to design, construct, and place the water main in service is approximately 9 to 12 months from the date the deposit is received.

Please forward all the CAD files and any resource/reference files for this project electronically to Susan McKee at Susan.McKee@ctrwater.net so that they can be utilized to create the water main installation plans.

Please contact the Department of Buildings, Plumbing Permit and Plan Section by email at Bpermits@cityofchicago.org regarding the proposed water service for the building. Per the Municipal Code, meters shall be installed before the building is connected to the water system. These crossing must follow all applicable Illinois Environmental Protection Agency (IEPA) vertical separation requirements for water and sewer pipe crossings per IEPA Title 35.

Any traffic and pedestrian protection structures such as canopies, scaffolding, jersey walls, construction barricades, etc., which are located within 10 feet of water main facilities will restrict this Department's continuous access to its facilities for maintenance or repair work. Therefore, should this Department require access to its existing facilities, the Mclaurin Development will be responsible for either removing the traffic and pedestrian protection structures or performing any necessary excavation required to provide this Department safe access to its existing facilities within 24-hour notice. Traffic and pedestrian protection structures must be installed to allow for complete accessibility to all DWM facilities, including fire hydrants, valve basins, sewer manholes, and catch basins.

All new sewer installations must meet IEPA separation requirements for water and sewer pipes. All proposed/replaced sewer laterals from catch basins/inlets, sewer mains, and private drains (collectively known as "sewer facilities") that are parallel to water mains, services or fire hydrant leads (collectively known as "water facilities") that are less than 18 inches below the water facility and have less than 10 feet of horizontal separation from the outside edge of the water facility must be made out of ductile iron/water main quality pipe for 10 feet on either side of the outside edge of the water facility. Additionally, all sewer facilities that cross perpendicularly below water facilities with less than 18 inches vertical separation must be made out of ductile iron/water main quality pipe for 10 feet on either side of the outside edge of the water facility. If any sewer facility crosses perpendicularly above a water facility, then the sewer facility shall be at least 18 inches above the water facility and the sewer facility must be made out of ductile iron/water main quality pipe for 10 feet on either side of the outside edge of the water facility. Sewer laterals that require ductile iron/water main quality pipe shall be ductile iron/water main quality pipe from the catch basin to a point 10 feet beyond the edge of the water facility.

Proposed trees must not be planted within 5 feet of the exterior pipe wall for all water mains 24-inch in diameter and larger. This 5-foot rule excludes mains that are separated from the tree by a hardscape feature or other root growth limiting conditions such as water mains located in the street.

This Department discourages tree planting over water mains that are less than 24-inches in diameter located in the parkway, but if necessary will allow trees with a maximum mature height of 30 feet and a maximum mature root depth of 2½ feet. Potential plantings that meet this requirement include the following:

1. Ornamental shrubs or bushes meeting the mature height and mature root depth discussed above.
2. Flowers or other non-woody herbaceous plants.
3. Above ground, movable planting containers that can be relocated by the owner of the plantings in the event that access to the water main is required.

Existing trees planted above water mains that do not meet these requirements do not need to be removed. However, if such existing trees are removed, all proposed trees installed in their place must meet the above-mentioned requirements. Should it be necessary for the DWM to access any of its facilities, the Department shall only be responsible for typical pavement, sidewalk, and hydroseed restoration.

If construction requires the use of water from a City fire hydrant, or adjustments or repairs are required to any City sewer facilities in proximity to the project site, permits must be obtained from the Department of Water Management, Water and Sewer Sections.

Extreme caution is to be taken to ensure that no facility owned and maintained by this Department is damaged during construction. If damage occurs to any facilities, Mclaurin Development will be held responsible for the cost of repairing or replacing them.

Please note that the details described above are valid for 90 days from the date of this letter, after which time, Mclaurin Development will be responsible for re-submitting plans to this Department for review and revision of the estimate of cost, as needed. ***Failure to comply with the provisions in this correspondence may result in additional expenses to the proposed project to verify that all work conforms to DWM's standards.***

If there are any questions regarding the water facilities, please contact Angela Krueger at Angela.Krueger@cityofchicago.org.

Sincerely,

Andrea R.H. Cheng, Ph.D., P.E.
Commissioner

WC

Email cc: DOB Plan **Desk**
Denis E. Riordan, Chief Plumbing Inspector