#### CITY OF CHICAGO

AN APPLICATION TO THE CHICAGO PLAN COMMISSION UNDER THE LAKE MICHIGAN AND CHICAGO LAKEFRONT PROTECTION ORDINANCE

(This Application Must Be Typewritten)

The Chicago Plan Commission has provided this Application Form in accordance with Section 194B-6.1 (a) of the Lake Michigan and Chicago Lakefront Protection Ordinance. The Conditions under which the provisions of this Ordinance are applicable are stated in Section 194B-5.1 of the Ordinance. The process of Plan Commission review and public hearing on each proposal within the Lake Michigan and Chicago Lakefront Protection District will commence with the Applicant's submission to the Chicago Plan Commission of a completed Application Form and the required proof of notice. Strict compliance with Section 194B-6.1(c) is required.

The staff of the Department of Planning is available to provide technical assistance to the Applicant, before preparation of his application, during the processing stages, and to review the application at submission to the Chicago Plan Commission. Copies of the Ordinance and this Application Form and examples of forms for both notification and proof of notice, are available from the Commissioner of Planning, in Room 1003, Lakefront Unit, City Hall, 121 N. La Salle Street, Chicago, Illinois 60602. Phone 744-6551.

This Application Form consists of Five Parts on 17 pages:

Part One: General Information
Part Two: Character of Proposal
Part Three: Zoning Information

Part Four: Potential Impact of Proposal (2 Sections)

Part Five: Disclosure Forms (6 Sections)

A copy of this Application will be available for public inspection in the office of the Commissioner of Planning, Room 1000, five days prior to the date of which the public hearing on this Application before the Chicago Plan Commission is to commence.

| -SECTION BELOW FO                                         | OR OFFICE USE ONLY-                                                                  |
|-----------------------------------------------------------|--------------------------------------------------------------------------------------|
| Date of receipt in DP:  In Bldgs.:                        | ZBA action necessary?yesno: Type and Status:                                         |
| Date of Applicant Notice to taxpayers of record:          | Disclosure necessary?yesno                                                           |
| Date set for public hearing:                              | Simultaneous Planned Development processing yes no                                   |
| Date on which Plan Commission published newspaper notice: | Previous Application this address?no; number:                                        |
| Date of publication of report of Commissioner of DP:      | Zoning map amendment?yesno: #                                                        |
| Date forwarded to: DIS: DSS: DPW: Pk. D: Other:           | DISPOSITION Approved Disapproved Continued, to: Date Applicant notified of decision: |

SITE ADDRESS 3701 N. Recreation Drive

### GUIDELINES FOR COMPLETING PART ONE OF THE APPLICATION

Part One of this Application provides general information to the Plan Commission for use in preparing its public notices of the proposal set forth in the Application and in preparing its review of that proposal.

- 1. The date entered in I. should be the date on which the Application is filed.
- 2. The location of the site of the proposal should be given by street address; if there is no address, the location must be described in relation to existing streets, rights-of-way or other fixed points of reference.
- 3. The Applicant must state his own name, address and telephone number and the name, address and telephone number of the owner of the subject property. The Applicant must be either the owner of the subject property or his duly authorized agent or representative, and, if the Applicant is an agent or representative, the Applicant must submit proof to the Commission that he is authorized to represent the owner of the subject property.
  - Whenever the ownership of the subject property is complex a partnership, corporation, land trust or association the Applicant shall so indicate. Further, the Commission may require disclosure of all real parties of interest in the subject property.
- 4. The description of a proposal should include, at a minimum, types of land uses and space uses, floor area, number of dwelling units and height of proposed structures in feet or stories. Additional concise information may also be included.
- 5. Under the provisions of Section 194B-6.1(c) of the Lake Michigan and Chicago Lakefront Protection Ordinance, the Applicant must submit to the Commission at the time of filing an Application a list of the names and last known addresses of the owners of all property on which notice must be served, the method of service employed, the names and addresses of persons so served, and a statement certifying that the Applicant has complied with the noticing provisions of Section 194B-6.1(c) of the Lake Michigan and Chicago Lakefront Protection Ordinance. The Commission will not accept an application unless and until the Applicant furnishes the required list and certificate.
- 6. If there are any other approvals required from other public agencies before the Applicant can proceed with his proposal, they should be listed; except that other City of Chicago licenses and permits may be omitted as items requiring listing herein. If no other approvals are required, enter "NONE" under VI A. Examples of items which should be listed include approval of FHA financing, a U.S. Corps of Engineers permit, Federal Aviation Authority Approval, among others.

# PART ONE: GENERAL INFORMATION

| Infor                                                 | mation on the Applicant and the Owner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| A.                                                    | Applicant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |  |  |  |
| 1 1.                                                  | 1. Name: Chicago Park District Phone: 312.742.4685                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |  |
|                                                       | 2. Address: 541 North Fairbanks Court, Chicago, Illinois 60611                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  |  |
| В.                                                    | Owner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |
|                                                       | 1. Name: Chicago Park District Phone: 312.742.4685                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |  |
|                                                       | 2. Address: 541 North Fairbanks Court, Chicago, Illinois 60611                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  |  |
| C.                                                    | If the Applicant is not the owner, check herethat proof has been attached to this Application that the Applicant is the duly authorized agent or representative of the owner.                                                                                                                                                                                                                                                                                                                                                                           |  |  |  |  |
| D.                                                    | If the ownership of the subject property is complex, the Applicant shall indicate the type of ownership:                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |  |  |  |
|                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |  |  |
|                                                       | 1 Land Trust       2 Partnership or Association         3 Corporation       4 Municipal Corporation                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |  |  |
| and c<br>Park<br>The i                                | 3 Corporation 4X <u>Municipal Corporation</u> Description of the Proposal: <u>Improved natural turf and new artificial turf putting chipping greens/fairways at the Sydney R Marovitz Golf Course located in Lincoln along the lakefront.  noticing provisions of Section 194B-6.1(c) have been completed as they apply to the</u>                                                                                                                                                                                                                      |  |  |  |  |
| and c<br>Park<br>The i<br>Appl<br>The                 | 3 Corporation 4XMunicipal Corporation  Description of the Proposal: _Improved natural turf and new artificial turf putting chipping greens/fairways at the Sydney R Marovitz Golf Course located in Lincoln along the lakefront.  noticing provisions of Section 194B-6.1(c) have been completed as they apply to the icant: Check hereX  Applicant must also obtain the following approvals in addition to the approval of the                                                                                                                         |  |  |  |  |
| and control Park The range Appl The range Appl        | 3 Corporation 4. X Municipal Corporation  Description of the Proposal: Improved natural turf and new artificial turf putting chipping greens/fairways at the Sydney R Marovitz Golf Course located in Lincoln along the lakefront.  noticing provisions of Section 194B-6.1(c) have been completed as they apply to the icant: Check here X.                                                                                                                                                                                                            |  |  |  |  |
| and control Park  The range of Appl The range of Plan | 3 Corporation 4XMunicipal Corporation  Description of the Proposal: Improved natural turf and new artificial turf putting chipping greens/fairways at the Sydney R Marovitz Golf Course located in Lincoln along the lakefront.  noticing provisions of Section 194B-6.1(c) have been completed as they apply to the icant: Check hereX  Applicant must also obtain the following approvals in addition to the approval of the Commission:                                                                                                              |  |  |  |  |
| and c<br>Park<br>The I<br>Appl<br>The I<br>Plan<br>A. | 3 Corporation 4X <u>Municipal Corporation</u> Description of the Proposal: <u>Improved natural turf and new artificial turf putting chipping greens/fairways at the Sydney R Marovitz Golf Course located in Lincoln along the lakefront.  noticing provisions of Section 194B-6.1(c) have been completed as they apply to the icant: Check here <u>X</u>.  Applicant must also obtain the following approvals in addition to the approval of the Commission:  Nature of Approval: <u>Permit, Stormwater</u></u>                                        |  |  |  |  |
| and c<br>Park<br>The I<br>Appl<br>The I<br>Plan<br>A. | 3 Corporation 4XMunicipal Corporation  Description of the Proposal: Improved natural turf and new artificial turf putting chipping greens/fairways at the Sydney R Marovitz Golf Course located in Lincoln along the lakefront.  noticing provisions of Section 194B-6.1(c) have been completed as they apply to the icant: Check hereX  Applicant must also obtain the following approvals in addition to the approval of the Commission:  Nature of Approval: Permit, Stormwater  Agency: Chicago Department of Water Management  Nature of Approval: |  |  |  |  |
| and control Park  The range of Appl The range of Plan | 3 Corporation 4XMunicipal Corporation  Description of the Proposal: Improved natural turf and new artificial turf putting chipping greens/fairways at the Sydney R Marovitz Golf Course located in Lincoln along the lakefront.  noticing provisions of Section 194B-6.1(c) have been completed as they apply to the icant: Check hereX  Applicant must also obtain the following approvals in addition to the approval of the Commission:  Nature of Approval:  Agency: Chicago Department of Water Management  Nature of Approval:                    |  |  |  |  |

### GUIDELINES FOR COMPLETING PART TWO OF THE APPLICATION

All graphic materials must be submitted in an 8.5" x 11" format and must be suitable for clear and sharp, black and white reproduction. Each map or diagram should have a scale and a north arrow. Each sheet of graphic material must be labeled with the appropriate figure number. If there are multiple sheets comprising one figure - for example figure 4 - those sheets should be labeled consecutively, for example Figure 4-1, Figure 4-2, etc., and each sheet should contain the address of the site of the proposal in the lower left corner.

For Figure 1, the Applicant should consider the "vicinity of the site" to be at least as extensive as the area for which he is required to give notice plus any intervening streets or other public rights-of-way.

For Figures 3 and 4, the Applicant should consider that "recreation areas" and "recreation space and facilities" include game courts, swimming pools and pool areas, game rooms, exercise rooms, party rooms, community rooms, observation decks and sun decks.

The required narrative statement should describe the features of the proposed development, including size and mix of dwelling units, mix of uses on the site, etc. It should present a basic rationale for the development.

For Figure 6, the Applicant is urged to provide any materials at 8.5" x 11" which will facilitate the review of his Application.

### PART TWO: CHARACTER OF THE PROPOSAL

This portion of the Application must be completed by attaching the following items, correctly sized and labeled, to the Application:

- I. Figure 1: A <u>Map of the Vicinity of the Site</u>, showing Lake Michigan, lakefront parks, preferential streets, schools, parks, major institutions. All streets on this map should be named, and the outline and height on all structures on properties immediately adjacent to the site of the proposal must be shown. **Attached.**
- II. Figure 2: A <u>Map of the Existing Site</u>, showing locations and dimensions of lot lines; contour intervals (1-foot); existing structures, walkways, driveways, special features. **Attached.**
- III. Figure 3: The <u>Proposed Site Plan</u>, showing locations and dimensions of proposed structures, driveways and walkways; proposed exterior parking areas; proposed exterior open space and recreation areas. **Attached.**
- IV. Figure 4: <u>Proposed Floor Plans</u>, including the ground floor, a typical floor, any floor with recreation space or facilities. **Not Applicable**, **no buildings are anticipated on this site.**
- V. Figure 5: An <u>Elevation or Cross-section</u>, showing the height and number of stories for all proposed structures. **Not Applicable**, **no buildings are anticipated on this site.**
- VI. Narrative: A Statement Describing the Proposed Development. Included.

In addition, the Applicant is encouraged to provide additional graphic materials, visual aids; e.g., photographs, renderings, data tables, among others. Any such exhibits shall be labeled Figure 6.

PART TWO: SECTION VI

Narrative: A Statement Describing the Proposed Development.

Lincoln Park lies along the lakefront from Ohio Street Beach in the Streeterville neighborhood, northward to Adrmore Avenue in Edgewater and is approximately 1,188 acres. The improved outdoor area that includes natural turf putting area and artificial turf chipping and short game area will be located in the existing open space immediately east of the Waveland Clocktower, bounded on the south by a public accessible path to the lake, on the east by Lake Michigan (lake shore path), and on the north by the current golf tee of the Marovitz golf course. The 1.2-acre space is currently characterized by natural lawn, asphalt and gravel pathways, and trees of various sizes.

The proposed development includes the construction of a golf short-game practice area with both natural and artificial turf surfaces. The 5,000 square foot natural turf area includes two irrigated putting greens and a 3,000 square foot irrigated, real turf hitting area, along with a new tee on Hole 1 at the Marovitz course. The 8,500 square foot artificial turf area includes a central green, with 9,000 sf of surrounding fairway, 800 sf of sand bunker area, and netted hitting cages for the teaching and practicing of chipping, putting, full-swing and sand shots. A 20-foot tall protective net will be located along the south side of the green to protect pedestrians using the adjacent path.

The project will preserve the existing concrete patio space east of the building and the dedicated maintenance gravel path to the Marovitz golf course.

# PART THREE: ZONING INFORMATION

The Applicant shall provide the basic data on zoning considerations for the site of the proposal. Calculations may be shown below on this page and on page 8.

| I.   | Is a planned development ordinance or an amendment to an existing planned development required or permitted for the subject site? |                                                                                                                                                                 |  |  |  |  |
|------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
|      | requiredpermit                                                                                                                    | ted <u>X</u> no                                                                                                                                                 |  |  |  |  |
|      |                                                                                                                                   | is required, <u>or</u> if it is permitted and the Applicant then the amendment, the Applicant is not required to be of this Application Form.                   |  |  |  |  |
| II.  |                                                                                                                                   | al, a variation or a special use either necessary or icant's proposal?yesXno.                                                                                   |  |  |  |  |
| III. | Net Site Area and Existing Zoning I area in each):                                                                                | District Classification (list that portion of the net site                                                                                                      |  |  |  |  |
|      | District Classification  A. POS-1  B C D. Total Net Site Area:                                                                    | sq. ft.                                                                                                                                                         |  |  |  |  |
| IV   | A. Maximum units allowed  1. Without efficiency uni                                                                               | *Lincoln Park is 1188.62 acres in total  ats:  at of efficiency units:                                                                                          |  |  |  |  |
|      | B. Proposed number of units  1. Dwelling units:  2. Efficiency Units:  3. Total Units:                                            |                                                                                                                                                                 |  |  |  |  |
|      | of units constructed below                                                                                                        | It to increase allowable floor area by reducing the number of the maximum allowed? yesnounits fewer than the maximum allowed, and the Floor ll be creased by %. |  |  |  |  |

This page for calculations.

| V.   | A. Bas<br>B. Pro | Not Applicable e Floor Area Ratio (F.A.R posed F.A.R., include all be all bonuses used in comp |                                         |                  |
|------|------------------|------------------------------------------------------------------------------------------------|-----------------------------------------|------------------|
|      | 2<br>3<br>D. Pro | posed Floor Area:sq.                                                                           |                                         |                  |
| VI.  |                  | centage of floor area devot<br>eet Parking and Loading <u>N</u>                                | ed to interior recreation space, meetir | ig rooms, etc.:% |
| V 1. | 011-341          | ect I arking and Loading in                                                                    | Minimum Required                        | Number Proposed  |
|      | A.               | Parking Spaces                                                                                 |                                         |                  |
|      | B.               | Loading Docks                                                                                  |                                         |                  |
| VII. | Setbac           | eks Not Applicable                                                                             |                                         |                  |
|      |                  |                                                                                                | <u>Minimum</u>                          | Proposed         |
|      | A.               | Front                                                                                          |                                         |                  |
|      | B.               | Side                                                                                           |                                         |                  |
|      | C.               | Rear                                                                                           |                                         |                  |

### PART FOUR: POTENTIAL IMPACT OF THE PROPOSAL

The Chicago Plan Commission requires that the Applicant address the Fourteen Basic Policies of the Lakefront Plan of Chicago and the Thirteen Purposes of the Lake Michigan and Chicago Lakefront Protection Ordinance, as listed below, in a written statement to the Commission attached to this Application Form and labeled Part Four. The statement should indicate which policies or purposes are or are not applicable to the Applicant's proposal, and, for those policies and purposes which are applicable, the statements should discuss the potential impact of the proposal.

### I. Fourteen Basic Policies

1. Complete the publicly owned and locally controlled park system along the entire Chicago lakefront.

**RESPONSE:** The site of the Lincoln Park Project at the Waveland Clocktower and Sydney R. Marovitz Golf Course is located in the Public Use Zone and is already publicly owned by the Chicago Park District.

2. Maintain and enhance the predominantly landscaped, spacious and continuous character of the lake shore parks.

**RESPONSE:** The natural turf green and fairway, the artificial turf green and fairway, and related amenities will continue to enhance and improve the surrounding landscape and continuous character of the lake shore park system while enhancing the visitor experience.

3. Continue to improve the water quality and ecological balance of Lake Michigan.

**RESPONSE:** The project will use soil filtration as a best management practice to handle stormwater. Soil borings taken on site have indicated sandy sub-soil conditions deemed ideal for water infiltration. All storm water collected within the project area that does not immediately infiltrate will be directed into sub-surface piping leading to open bottomed storm basins ringed with aggregate stone material. This stone material will act as an infiltration conduit down into the existing sandy soils where it will naturally filter, thereby not negatively impacting water quality or the ecological balance of Lake Michigan.

4. Preserve the cultural, historical, and recreational heritage of the lakeshore parks.

**RESPONSE:** The project will continue the cultural, historical and recreational heritage of the lakeshore park system by enhancing the recreational services to expand golf programming for children. The project will also maintain the scenic vistas and access to the Lake.

5. Maintain and improve the formal character and open water vista of Grant Park with no new above-ground structures permitted.

**RESPONSE:** This policy is related to Grant Park. The proposed project is within Lincoln Park and therefore will not be impacted.

6. Increase the diversity of recreational opportunities while emphasizing lake-oriented leisure time activities.

**RESPONSE:** The proposed project is intended to increase the diversity of recreational opportunities at Sydney R. Marovitz Golf Course and the greater lakefront park system by attracting youth golfers to the facility to learn and practice the game. By virtue of proximity, these young students will be introduced to the 9-hole golf course and ultimately the greater golf offerings of the Park District, which will hopefully translate into loyal, long-term golf course users.

7. Protect and develop natural lakeshore park and water areas for wildlife habitation.

**RESPONSE:** The project will protect and enhance the wildlife habitat by maintaining the existing land use and condensing athletic events to a more central location.

8. Increase personal safety.

**RESPONSE:** The project will improve the immediate surrounds of the Waveland Clocktower and Sydney R. Marovitz Golf Course which will result in greater use of the facility throughout the day.

9. Design all lake edge and lake construction to prevent detrimental shoreline erosion.

**RESPONSE:** The project does not affect the lake or lake edge, and therefore will not contribute to shoreline erosion.

10. Ensure a harmonious relationship between the lakeshore parks and the community edge, but in no instance will further private development be permitted East of Lake Shore Drive.

**RESPONSE:** A harmonious relationship between the lakeshore parks and the community edge will be established by maintaining the current public paths that run adjacent to the area and provide safe access to the lakefront. As this is a public project, there is no private development.

11. Improve access to the lakeshore parks and reduce through vehicular traffic on secondary park roads.

**RESPONSE:** This proposal will help to improve access through the park with upgraded wayfinding signage where needed to properly direct public pedestrian traffic around the space.

12. Strengthen the parkway characteristics of Lake Shore Drive and prohibit and roadway of expressway standards.

**RESPONSE:** This policy is not applicable because there are no roadways associated with this proposal and it has no bearing on Lake Shore Drive.

13. Ensure that all port, water supply, and public facilities are designed to enhance lakefront character.

**RESPONSE:** The project will enhance the lakefront character through the improvement of recreational features at the Waveland Clocktower and Sydney R. Marovitz Golf Course. Furthermore, the proposed improvements will be installed at or near grade, and will not disrupt the landscaped character and long views of the rest of the park and lakeshore. There will be no impact with respect to port or water supply facilities along the lakefront.

14. Coordinate all public and private development within the water, park, and community zones.

**RESPONSE:** This is a public development within a public park that is being coordinated by the Chicago Park District. The Park District will continue to coordinate and work with all public and private institutions nearby this project as development proceeds.

### PART FOUR: POTENTIAL IMPACT OF THE PROPOSAL

## **II. Thirteen Purposes**

1. To promote and protect the health, safety, comfort, convenience, and the general welfare of the people, and to conserve our natural resources;

**RESPONSE:** The proposed project will promote and protect the health, safety, comfort and convenience, and general welfare of the general public by enhancing recreational opportunities, specifically those related to golf, while also preserving accessibility, public facilities, lighting and general landscaping. This project is in no way harmful to the general welfare of the people, and will conserve our natural resources by preserving the current character of the space. Furthermore, the proposed project will use best management practices such as infiltration to handle stormwater and thereby will not negatively impact water quality.

2. To identify and establish the Lake Michigan and Chicago Lakefront Protection District and to divide that District into several zones wherein any and all development or construction, as specified in Article V hereinafter, shall be specifically restricted and regulated.

**RESPONSE:** The Lakefront Protection Ordinance defines the specific boundaries and zones.

3. To maintain and improve the purity and quality of the waters of Lake Michigan.

**RESPONSE:** The project will use best management practices such as infiltration to handle stormwater and thereby will not negatively impact water quality or the ecological balance of Lake Michigan. The project will meet the Department of Water Management's stormwater ordinance requirements.

4. To ensure that construction in the Lake or modification of the existing shoreline shall not be permitted if such construction or modification would cause environmental or ecological damage to the Lake or would diminish water quality; and to insure that the life patterns of fish, migratory birds and other fauna are recognized and supported.

**RESPONSE:** No construction along the lake edge or modification of the existing shoreline will be part of this project.

5. To insure that the Lakefront Parks and the Lake itself are devoted only to public purposes and to insure the integrity of and expand the quantity and quality of the Lakefront Parks.

**RESPONSE:** The proposed project is only for public purposes and the features will expand the quality of recreational programming and the overall use of this section of the lakefront park system.

6. To promote and provide for continuous pedestrian movement along the shoreline.

**RESPONSE:** This project preserves pedestrian paths that connect the project to the park pathway system and ultimately connect to the Lakefront Trail. Improved wayfinding signage will be added where needed to properly direct pedestrians.

7. To promote and provide for pedestrian access to the Lake and Lakefront Parks from and through areas adjacent thereto at regular intervals of one-fourth mile and additional places wherever possible, and to protect and enhance vistas at these locations and wherever else possible.

**RESPONSE:** The project will preserve existing connections to the existing park pathway system that ultimately provides access to the lake and the other lakefront parks.

8. To promote and provide for improved public transportation access to the Lakefront.

**RESPONSE:** This purpose is not applicable as the proposal does not affect public transportation.

9. To ensure that no roadway of expressway standards, as hereinafter defined, shall be permitted in the Lakefront Parks.

**RESPONSE:** The purpose is not applicable, as no roadway of any kind is being proposed as part of this project.

10. To ensure that development of properties adjacent to the Lake or the Lakefront Parks is so defined as to implement the above-stated purposes, provided, however, that with respect to property located within the Private Use Zone as established by Article V, VI, and IX of this Ordinance, the permitted use, special use, lot area per dwelling unit, and floor area ratio provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, shall govern except where such provisions are in substantial conflict with the purposes of this Ordinance or the Fourteen Basic Policies of the Lakefront Plan of Chicago.

**RESPONSE:** The site is not located in the Private Use Zone.

11. To achieve the above-stated purposes, the appropriate public agency should acquire such properties or rights as may be necessary and desirable.

**RESPONSE:** The designated project is in and will remain in public ownership.

12. To define and limit the powers and duties of the administrative body and officers as provided herein.

**RESPONSE:** This purpose is not applicable, as it relates to powers and duties embodied in the Lakefront Protection ordinance.

13. Nothing contained in the Lake Michigan and Chicago Lakefront Protection Ordinance shall be deemed to be a waiver or consent, license or permit to use any property or to locate, construct or maintain any building, structure or facility or to carry on any trade, industry, occupation or activity which may be otherwise required by law.

**RESPONSE:** The Applicant acknowledges and understands that nothing in the Lake Michigan and Chicago Lakefront Protection ordinance is deemed to be a waiver or consent of all applicable permits or licenses to establish and operate the proposed project.