

PD 1428

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City of Chicago



O2023-1117

Office of the City Clerk Document Tracking Sheet

| | |
|---------------------------------|---------------------------------------------------------------------------|
| Meeting Date: | 3/15/2023 |
| Sponsor(s): | Valencia (Clerk) |
| Type: | Ordinance |
| Title: | Correction of City Council Journal of Proceedings of December 14, 2022 |
| Committee(s) Assignment: | Committee on Committees and Rules |

JOURNAL CORRECTION FOR DECEMBER 14, 2022 CITY COUNCIL MEETING.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Ordinance (SO2022-2630) reclassifying the area shown on Map Number 1-F, as amended, Application Number 21130, for common address at 369 West Grand Avenue, which was passed on December 14, 2022 and printed in the *Journal of the Proceedings of the City Council of the City of Chicago* on pages 58496 through 58503 is hereby corrected by deleting the Planned Development Number "1425" appearing on the 10th line from the top of page 58497 and inserting the Planned Development Number "1428" in lieu thereof.

SECTION 2. This ordinance shall take effect after its passage.

A handwritten signature in cursive script that reads "Andrea M. Valencia". The signature is written in black ink and is positioned above a horizontal line.

ANDREA M. VALENCIA,
City Clerk.

Pages 1 through 13 contain various map amendments in the 2nd, 3rd, 4th, 5th, 6th, 11th, 12th, 19th, 24th, 25th, 27th, 28th, 29th, 32nd, 37th, 40th, 41st, 42nd, 43rd, 44th, 46th and 47th Wards.

Page 13 also contains various large signs over 100 square feet in area and 24 feet above grade in the 2nd, 27th, 28th, 42nd, 44th, 47th, 48th and 50th Wards.

I hereby move for passage of the proposed ordinances and substitute ordinances transmitted herewith.

Respectfully submitted,

(Signed) THOMAS TUNNEY,
Chairman.

On motion of Alderman Tunney, the said proposed ordinances and substitute ordinances transmitted with the foregoing committee report were *Passed* by yeas and nays as follows:

Yeas -- Aldermen La Spata, Hopkins, Dowell, King, Sawyer, Mitchell, Harris, Beale, Lee, Abarca, Quinn, Burke, Lopez, Coleman, Moore, Curtis, O'Shea, Taylor, Brookins, Rodriguez, Tabares, Scott, Sigcho-Lopez, Maldonado, Burnett, Ervin, Taliaferro, Reboyras, Cardona, Waguespack, Rodriguez-Sanchez, Austin, Ramirez-Rosa, Villegas, Mitts, Sposato, Nugent, Vasquez, Napolitano, Reilly, Knudsen, Tunney, Gardiner, Cappleman, Martin, Osterman, Hadden, Silverstein -- 48.

Nays -- None.

Alderman Cappleman moved to reconsider the foregoing vote. The motion was lost.

The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):

Reclassification Of Area Shown On Map No. 1-F. R B P D 14 28, 09
(As Amended)
(Application No. 21130)
(Common Address: 369 W. Grand Ave.)

[SO2022-2630]

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Residential-Business Planned Development Number 1428 District symbols and indications as shown on Map Number 1-F in the area bounded by:

West Grand Avenue; North Orleans Street; the alley next south of and parallel to West Grand Avenue; a line extended south 215.61 feet west of and parallel to North Orleans Street; a line 109.21 feet south of and parallel to West Grand Avenue; and a line 359.06 feet west of and parallel to North Orleans Street,

to the designation of Residential-Business Planned Development Number 1428, as amended, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

SECTION 2. This ordinance takes effect after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

Residential-Business Planned Development No. 1425, As Amended.

Planned Development Statements.

1. The area delineated herein as Residential-Business Planned Development Number 1428 ("Planned Development") consists of approximately 37,260 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is under the single-designated control of the Applicant, Onni Grand Limited Partnership.
2. 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 titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Planned Development.

Ingress or egress shall be pursuant to the Planned Development and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the Property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway and landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for Work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation.

4. This plan of development consists of Eighteen Statements; a Bulk Regulations Table; an Aerial Map; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape and Roof Plan; Building Elevations (North, East, South and West); Large Detail Drawings prepared by Brininstool+Lynch dated October 18, 2018; and the Affordable Housing Profile Form, as published in the October 31, 2018 *Journal of the Proceedings of the City Council of the City of Chicago* at pages 88157 to 88174. Full-sized copies of the Site Plan,

Landscape Plan and Building Elevations are on file with the Department of Planning and Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development ordinance and the Chicago Zoning Ordinance, this Planned Development shall control.

Also incorporated herein by reference are the following: Minor change approvals dated September 27, 2019 and March 23, 2020.

5. The following uses are permitted in the area delineated herein as Planned Development Number 1428: multi-unit residential; eating and drinking establishments; hotel; office; personal service; retail sales; daycare; accessory parking; accessory and related uses. The following uses shall be prohibited: taverns. The green space located along North Orleans Street shall be a park and will be maintained by the Applicant.
6. On-premises signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a net site area of 37,260 square feet and a base FAR of 7.0
9. The Applicant acknowledges that the project has received a bonus FAR of 4.5, pursuant to Section 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 11.5. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17-4-1003-B and C, prior to the issuance of the first building permit for any building in the Planned Development; provided, however, if the Planned Development is constructed in phases, the bonus payment may be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The bonus payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C.3.

The bonus payment will be split between three separate funds, as follows: 80 percent to the Neighborhoods Opportunity Fund, 10 percent to the Citywide Adopt-a-Landmark

Fund and 10 percent to the Local Impact Fund. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property owner to finance specific landmark restoration projects; or (c) approve proposals for in-kind improvements to satisfy the Local Impact portion of the payment.

In this case, the Applicant will contribute \$400,000.00 of the Local Impact portion of the bonus payment for Chicago Transit Authority Brown Line painting (the "Project"). The Project is located within one mile of the Planned Development site, as required by Section 17-4-1005-C. The Applicant must make such payment, or the applicable portion thereof in the case of a phased development, prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. The City must enter into an intergovernmental agreement regarding the manner in which funds will be used. The remainder of the Local Impact bonus payment will be allocated at a later date.

10. Upon review and determination, Part II review, pursuant to Section 17-13-0610, a Part II review fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
11. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
12. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
13. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors.
14. The Applicant acknowledges that it is in the public interest to design, construct and maintain the Project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

15. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned policy and must provide documentation verifying compliance.

16. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority- and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the City in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the City approval process. First, the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the Project, and of city residents in the construction work. The City encourages goals of 26 percent MBE and 6 percent WBE participation (measured against the total construction budget for the Project or any phase thereof), and *(ii) 50 percent city resident hiring (measured against the total construction work hours for the Project or any phase thereof). The M/WBE Participation Proposal must include a description of the applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the applicant's submission for Part II permit review for the project or any phase thereof, the applicant must submit to DPD: (a) updates (if any) to the applicant's preliminary outreach plan; (b) a description of the applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the Project is located and receipts thereof; (c) responses to the applicant's outreach efforts; and (d) updates (if any) to the applicant's M/WBE and city resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the Project or any phase thereof, the applicant must provide DPD with the actual level of M/WBE and city resident participation in the Project or any phase thereof, and evidence of such participation. In addition to the foregoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

* Editor's Note: Numbering sequence error; (i) missing in original document.

17. The Applicant acknowledges and agrees that the rezoning of the Property from DX-7 to this Planned Development (P.D.), triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago ("Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10 percent of the housing units in the residential housing project (ARO Units) as affordable units, or with the approval of the Commissioner of the Department of Planning and Development (DPD), provide the ARO Units in an approved off-site location; (ii) pay a fee in lieu of the development of the ARO Units; or (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25 percent of the ARO Units on-site or off-site ("Required Units"). If the developer elects to provide ARO Units off-site, the off-site ARO Units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a downtown district within the meaning of the ARO, and the Project has a total of 356 units. As a result, the Applicant's affordable housing obligation is 36 ARO Units (10 percent of 356 rounded up), 9 of which are Required Units (25 percent of 36). The Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$179,857 per unit (Cash Payment) and/or providing 36 ARO Units in the rental building to be constructed in the Planned Development and/or 36 ARO Units in an off-site building located at a location to be determined and/or entering into an agreement with the Chicago Housing Authority ("CHA") to provide ARO Units in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit A. The Applicant agrees that the ARO Units must be affordable to households earning no more than 60 percent of the Chicago Primary Metropolitan Statistical Area Median Income ("AMI"), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development or elects to build a for-sale project instead, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval, and DPD may adjust the requirements and number of required ARO Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(L). The Cash Payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in the consumer price index in accordance with Section 2-45-115. The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property.

The Commissioner of DPD may enforce remedies for any breach of this Statement 16, including any breach of any affordable housing agreement, and enter

into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

18. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development amendment ordinance lapse, the Zoning Administrator shall initiate a zoning map amendment to rezone the Property to Residential-Business Planned Development Number 1428 dated October 31, 2018.

[Affordable Housing Profile Form referred to in these Plan of Development Statements unavailable at time of printing.]

Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

Residential-Business Planned Development No.1428, As Amended.

Bulk Regulations And Data Table.

| | |
|----------------------------------------------|--------------------------|
| Gross Site Area: | 58,732 square feet |
| Area of Public Rights-of-Way: | 21,472 square feet |
| Net Site Area: | 37,260 square feet |
| Maximum Floor Area Ratio: | 11.5 |
| Maximum Number of Dwelling Units: | 356 |
| Minimum Number of Off-Street Parking Spaces: | 253 |
| Minimum Number of Bicycle Parking Spaces: | 125 |
| Minimum Number of Loading Berths: | 2 (10 feet by 25 feet) |
| Maximum Building Height: | 452 feet |
| Minimum Setbacks: | In accordance with plans |



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

March 23, 2020

Edward J. Kus
Taft Stettinius & Hollister LLP
111 E. Wacker Drive, Suite 2800
Chicago, IL 60601

Re: Minor change for PD No. 1428, landscaping at 369 W. Grand Ave./N. Orleans St.

Dear Mr. Kus:

Please be advised that your request for a minor change to Planned Development No. 1428, ("PD 1428") has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement Number 13 of PD 1428.

Your client and the owner of all of the property within PD 1428, Onni Grand Limited Partnership, is seeking a minor change to allow the three, proposed, 6" high parkway planters with trees along N. Orleans St. to be replaced with three, surface grates with trees. This is to allow the building at 369 W. Grand Ave. to provide more walkable space along Orleans St. This substitution has been approved by the Department of Forestry and is shown on the attached, revised, partial landscape plan and tree grate planting detail.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed substitution of raised planters with tree grates will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 1428, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

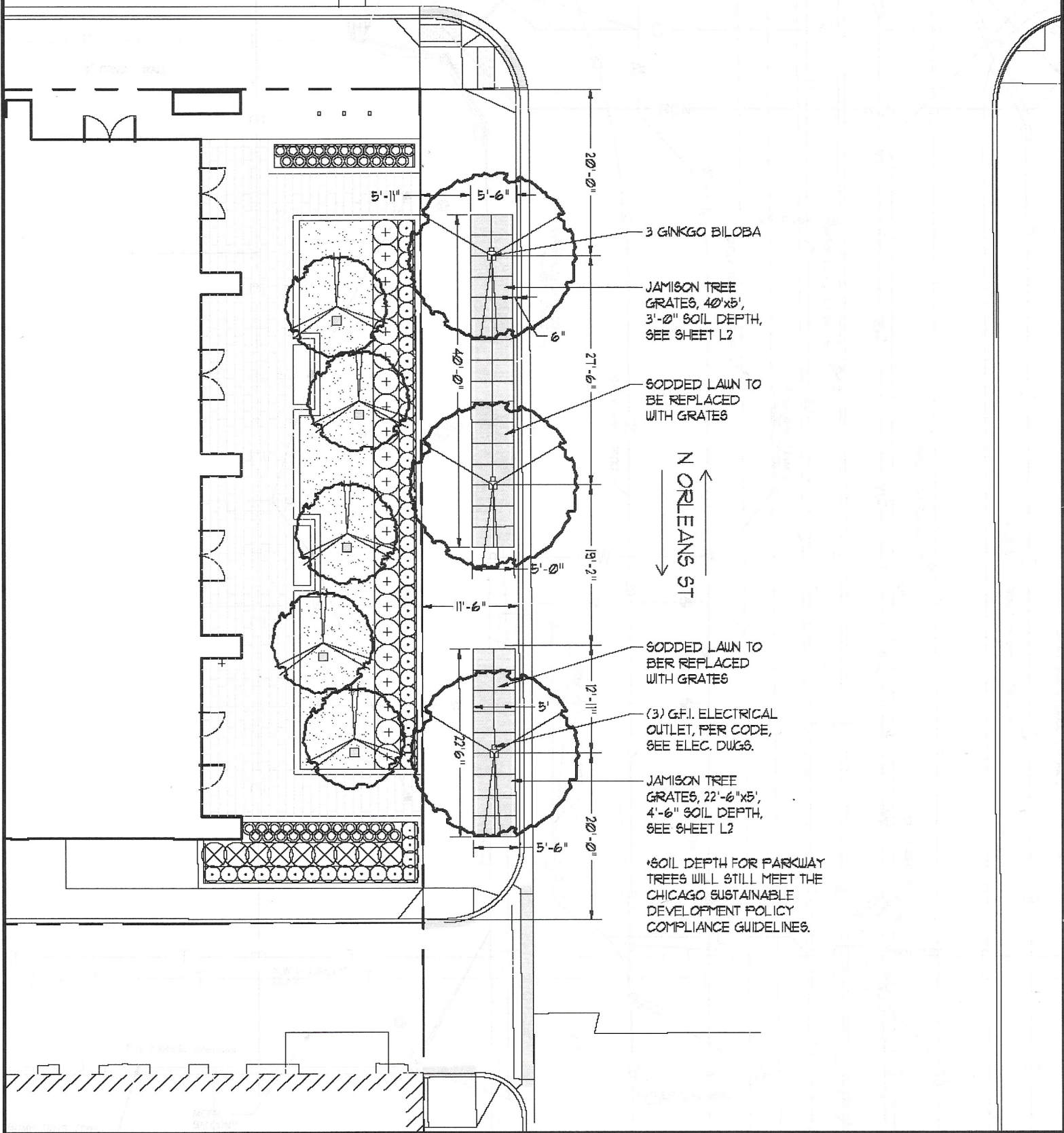
Sincerely,

Nancy Radzewich
Assistant Commissioner

C: Mike Marmo, Erik Glass, Ron Daye, Main file

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602

← W GRAND AVE
→



3 GINKGO BILOBA

JAMISON TREE GRATES, 40'x5', 3'-0" SOIL DEPTH, SEE SHEET L2

SODDED LAWN TO BE REPLACED WITH GRATES

N ORLEANS ST

SODDED LAWN TO BE REPLACED WITH GRATES

(3) G.F.I. ELECTRICAL OUTLET, PER CODE, SEE ELEC. DWGS.

JAMISON TREE GRATES, 22'-6" x 5', 4'-6" SOIL DEPTH, SEE SHEET L2

*SOIL DEPTH FOR PARKWAY TREES WILL STILL MEET THE CHICAGO SUSTAINABLE DEVELOPMENT POLICY COMPLIANCE GUIDELINES.

DANIEL WEINBACH & PARTNERS, LTD.
Landscape Architects

53 W Jackson Blvd., Suite 200
Chicago, Illinois 60604
312.427.2688

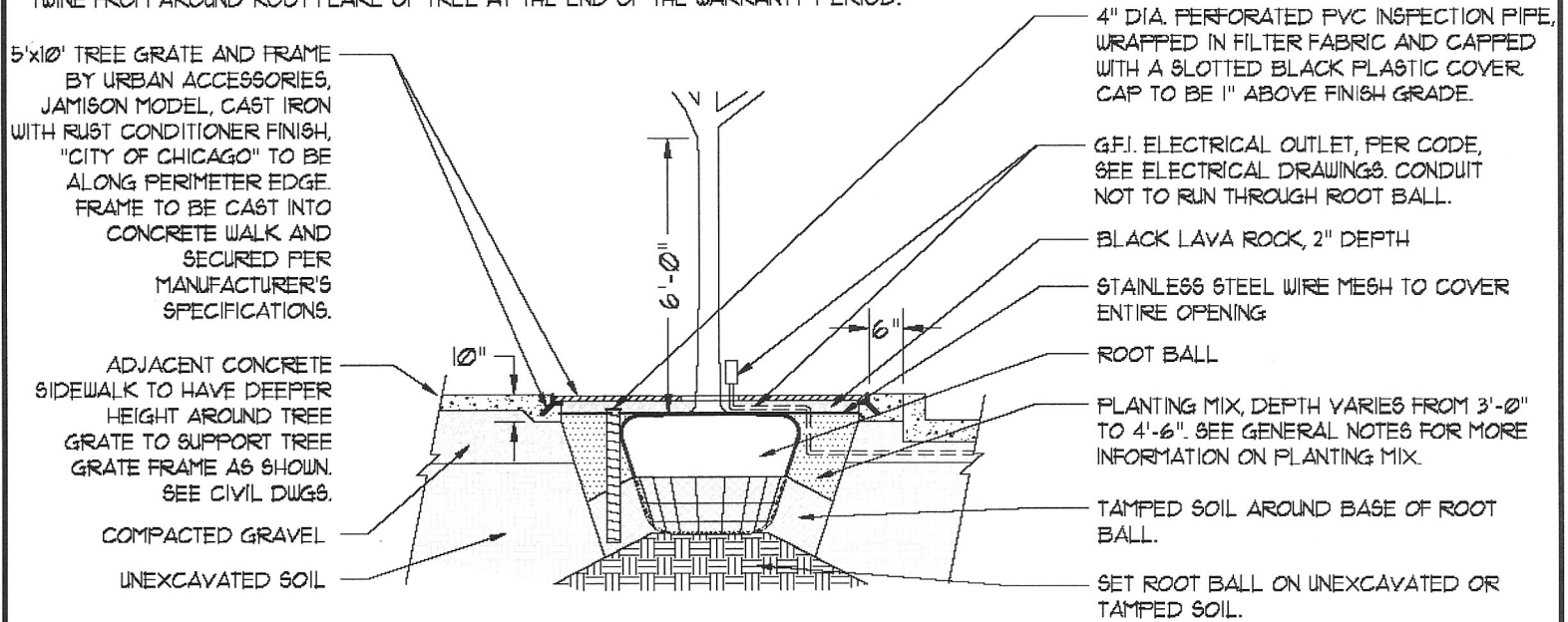
369 W GRAND AVE
N ORLEANS ST - PARKWAY CHANGE TO TREE GRATES

LI

SCALE: 1" = 16'-0"

02.19.2020

LOCATE ALL UNDERGROUND UTILITIES PRIOR TO DIGGING. TREE PIT WIDTH TO BE EXTENDED 12" AROUND THE ENTIRE ROOT BALL AS SHOWN IN THE DETAIL BELOW. TEST TREE PIT FOR DRAINAGE PRIOR TO INSTALLING TREE. PRUNE OFF ALL DEAD, BROKEN OR SCARRED BRANCHES, AND SHAPE PRUNE AS DIRECTED BY THE LANDSCAPE ARCHITECT. FOR TREES UP TO 4" CALIPER OR 12' HEIGHT, REMOVE APPROXIMATELY 5% -10% OF THE OVERALL BRANCHING. FOR TREES OVER 4" CALIPER OR 12' HEIGHT, REMOVE APPROXIMATELY 15%-20% OF THE OVERALL BRANCHING. LOCATE ROOT FLARE IN ROOT BALL AND SET TREE HEIGHT SO THAT ROOT FLARE IS FLUSH WITH FINISH GRADE. WATER IN THE PLANTING MIX THOROUGHLY, WHILE KEEPING THE TREE PLUMB. STRAIGHTEN TREE IF SETTLING OCCURS. CONTRACTOR TO UN-TIE AND REMOVE TWINE FROM AROUND ROOT FLARE OF TREE AT THE END OF THE WARRANTY PERIOD.



DECIDUOUS TREE IN TREE GRATE PLANTING DETAIL

NOT TO SCALE

DANIEL WEINBACH
& PARTNERS, LTD.
Landscape Architects

53 W Jackson Blvd., Suite 200
Chicago, Illinois 60604
312 427-2688

369 W GRAND AVE
TREE GRATE DETAIL

L2

SCALE: N.T.S.

02.19.2020



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

September 27, 2019

Edward J. Kus
Taft Stettinius & Hollister
111 E. Wacker Dr., Suite 2800
Chicago, IL 60601

Re: Minor change request for PD No. 1428, Parking reduction at 369 W. Grand Ave.

Dear Mr. Kus:

Please be advised that your request for a minor change to Residential Business Planned Development No. 1428, ("PD 1428") has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement Number 13 of PD 1428.

Your client and the owner of all of the property within PD 1482, Onni Grand Limited Partnership, is seeking a minor change to allow for the elimination of eight automobile parking spaces within the proposed building to be located at 369 W. Grand Ave. The proposed 356 dwelling unit building was approved with a minimum of 261 off street parking spaces. During construction of the building's foundation, changes to the size and placement of columns resulted in the elimination of eight parking spaces. Therefore, you are seeking a reduction in the minimum number of off street parking spaces from 261 to 253, and as shown on the attached, revised Bulk Table.

Based on an underlying zoning of DX-7, the proposed 356 unit building is required to have a minimum of 249 parking spaces. Also, the property is a transit served location and eligible for a 50% parking reduction, pursuant to Section 17-10-0102-B of the Zoning Ordinance. The proposed reduction to 253 parking spaces still exceeds the minimum amount required. With regard to your request, the Department of Planning and Development has determined that allowing the proposed parking reduction will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 1428, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,

Patrick Murphey
Zoning Administrator

C: Mike Marmo, Erik Glass, Main file

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1428
BULK REGULATIONS AND DATA TABLE
Rev. 9/27/2019

| | |
|-----------------------------------------------------|--------------------------|
| Gross Site Area: | 58,732 Square Feet |
| Area of Public Right-of-Way: | 21,472 Square Feet |
| Net Site Area: | 37,260 Square Feet |
| Maximum Floor Area Ratio: | 11.5 |
| Maximum Number of Dwelling Units: | 356 |
| Minimum Number of Off-Street Parking Spaces: | 253 |
| Minimum Number of Bicycle Parking Spaces: | 125 |
| Minimum Number of Loading Berths: | 2 (10'x25') |
| Maximum Building Height: | 452' |
| Minimum Setbacks: | In accordance with plans |

Applicant: Onni Grand Limited Partnership
Address: 353 West Grand Avenue
Introduced: September 20, 2018
Plan Commission: October 18, 2018

Reclassification Of Area Shown On Map No. 1-F.
(As Amended)
(Application No.19819)
(Common Address: 353 W. Grand Ave.)

RBPD 1428

[SO2018-7749]

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the DX-7 Downtown Mixed-Use District symbols and indications as shown on Map Number 1-F in the area bounded by:

West Grand Avenue; North Orleans Street; the alley next south of and parallel to West Grand Avenue; a line 150 feet west of and parallel to North Orleans Street; a line 99.94 feet south of and parallel to West Grand Avenue; a line 215.51 feet west of and parallel to North Orleans Street; a line 109.21 feet south of and parallel to West Grand Avenue; and a line 359.61 feet west of and parallel to North Orleans Street,

to the designation of a Residential-Business Planned Development, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

SECTION 2. This ordinance takes effect after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT

1. The area delineated herein as Planned Development Number 1428, (Planned Development) consists of approximately 37,260 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (Property) and is under the single-designated control of the Applicant, Onni Grand Limited Partnership.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Planned Development.

Ingress or egress shall be pursuant to the Planned Development and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps

- Parkway & landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation.

4. This Plan of Development consists of Eighteen Statements: a Bulk Regulations Table; an Aerial Map; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape and Roof Plan; Landscape Details; Building Elevations (North, East, South and West); Large Detail Drawings prepared by Brininstool+Lynch and dated October 18, 2018; and the Affordable Housing Profile Form, submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Chicago Zoning Ordinance, this Planned Development shall control.
5. The following uses are permitted in the area delineated herein as Planned Development _____: Multi-Unit residential; Eating and Drinking Establishments; Hotel; Office; Personal Service; Retail Sales; Accessory Parking; Accessory and related uses. The following uses shall be prohibited: Taverns. The green space located along North Orleans Street shall be a park and will be maintained by the Applicant.
6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR

identified in the Bulk Regulations and Data Table has been determined using a net site area of 37,260 square feet and a base FAR of 7.0.

9. The Applicant acknowledges that the project has received a bonus FAR of 4.5, pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 11.5. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17-4-1003-B & C, prior to the issuance of the first building permit for any building in the Planned Development; provided, however, if the Planned Development is constructed in phases, the bonus payment may be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The bonus payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C.3

The bonus payment will be split between three separate funds, as follows: 80% to the Neighborhoods Opportunity Fund, 10% to the Citywide Adopt-a-Landmark Fund and 10% to the Local Impact Fund. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property owner to finance specific landmark restoration projects; or, (c) approve proposals for in-kind improvements to satisfy the Local Impact portion of the payment.

In this case, the Applicant will contribute \$400,000.00 of the Local Impact portion of the bonus payment for Chicago Transit Authority Brown Line painting (the "Project"). The project is located within one mile of the Planned Development site, as required by Section 17-4-1005-C. The Applicant must make such payment, or the applicable portion thereof in the case of a phased development, prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. The City must enter into an intergovernmental agreement regarding the manner in which funds will be used. The remainder of the Local Impact bonus payment will be allocated at a later date.

10. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
11. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
12. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and

Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.

13. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
14. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
15. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
16. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the city in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the city approval process. First, the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of city residents in the construction work. The city encourages goals of 26% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% city resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the Applicant's proposed outreach plan designed to inform M/WBEs and city residents of job and contracting opportunities. Second, at the time of the Applicant's submission for Part II permit review for the project or any phase thereof, the Applicant must submit to DPD (a) updates (if any) to the Applicant's preliminary outreach plan, (b) a description of the Applicant's outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the project is located and receipts thereof; (c) responses to the Applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and city resident participation goals. Third, prior to issuance of a

Certificate of Occupancy for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, and evidence of such participation. In addition to the forgoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and city residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and city residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

17. The Applicant acknowledges and agrees that the rezoning of the Property from DX-7 to this Planned Development (PD), triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago ("Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (ARO Units) as affordable units, or with the approval of the Commissioner of the Department of Planning and Development (DPD), provide the ARO Units in an approved off-site location; (ii) pay a fee in lieu of the development of the ARO Units; or (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the ARO Units on-site or off-site ("Required Units"). If the developer elects to provide ARO Units off-site, the off-site ARO Units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a downtown district within the meaning of the ARO, and the project has a total of 356 units. As a result, the Applicant's affordable housing obligation is 36 ARO Units (10% of 356 rounded up), 9 of which are Required Units (25% of 36). Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$179,857 per unit (Cash Payment) and/or providing 36 ARO Units in the rental building to be constructed in the Planned Development and/or 36 ARO Units in an off-site building located at a location to be determined and/or entering into an agreement with the Chicago Housing Authority ("CHA") to provide ARO Units in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit A. The Applicant agrees that the ARO Units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income ("AMI"), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development, or elects to build a for-sale project instead, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval, and DPD may adjust the requirements and number of required ARO Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(L). The Cash Payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in the consumer price index in accordance with Section 2-45-115. The terms of the affordable housing agreement and any

amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement 16, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

18. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to DX-7, Downtown Mixed-Use District.

[Aerial Map; Existing Zoning Map; Existing Land-Use Map; Boundary and Property Line Map; Site Plan -- Ground Floor Plan; Landscape and Roof Plan; Landscape Details; North, South, East and West Building Elevations; Large Detail Drawings; and Preliminary Tower Floor Plans referred to in these Plan of Development Statements printed on pages _____ through _____ of this *Journal*.]

Bulk Regulations and Data Table, 2015 ARO Affordable Housing Profile Form (AHP) and ARO Web Form referred to in these Plan of Development Statements read as follows:

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1428
BULK REGULATIONS AND DATA TABLE

| | |
|----------------------------------------------|--------------------------|
| Gross Site Area: | 58,732 Square Feet |
| Area of Public Right-of-Way: | 21,472 Square Feet |
| Net Site Area: | 37,260 Square Feet |
| Maximum Floor Area Ratio: | 11.5 |
| Maximum Number of Dwelling Units: | 356 |
| Minimum Number of Off-Street Parking Spaces: | 261 |
| Minimum Number of Bicycle Parking Spaces: | 125 |
| Minimum Number of Loading Berths: | 2 (10'x25') |
| Maximum Building Height: | 452' |
| Minimum Setbacks: | In accordance with plans |

2015 ARO AFFORDABLE HOUSING PROFILE FORM (AHP)

2015 ARO Affordable Housing Profile Form (AHP)
 Submit this form for projects that are subject to the 2015 ARO (all projects submitted to City Council after October 13, 2015). More information is online at www.cityofchicago.org/ARO. This completed form should be returned to: Kara Breems, Department of Planning & Development (DPD), 121 N. LaSalle Street, Chicago, IL 60602. E-mail: kara.breems@cityofchicago.org

Date: 10.04.18

DEVELOPMENT INFORMATION

Development Name: 353 W Grand Avenue

Development Address: 353 W Grand Avenue, Chicago, IL 60654

Zoning Application Number, if applicable:

Ward: 42

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

Type of City Involvement
check all that apply

City Land

Planned Development (PD)

Financial Assistance

Transit Served Location (TSL) project

Zoning increase

REQUIRED ATTACHMENTS: the AHP will not be reviewed until all required docs are received:

- ARO Web Form completed and attached - or submitted online on
- ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (*Excel*)
- If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (*pdf*)
- If ARO units proposed are off-site, required attachments are included (see next page)
- If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached (*pdf*)

DEVELOPER INFORMATION

Developer Name Onni Group

Developer Contact Paul Purewal

Developer Address 200 N LaSalle St Unit 300, Chicago, IL 60601

Email ppurewal@onni.com

Developer Phone 312-348-1400

Attorney Name Edward J Kus

Attorney Phone 312-836-4080

TIMING

Estimated date marketing will begin 04.16.21

Estimated date of building permit* 04.03.19

Estimated date ARO units will be complete 04.16.21

*the in-lieu fee, recorded covenant and \$5,000 per unit administration fee (for off-site units) are required prior to the issuance of any building permits, including the foundation permit.

PROPOSED UNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

~~Kara Breems, DPD~~
Paul Purewal

Developer/Project Manager

10/11/18

Date

10.10.18

Date



Requirements

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Affordable units: 36 *On-site aff. Units: 9

How do you intend to meet your required obligation

On-Site: 36 Off-Site: 0

On-Site to CHA or Authorized agency: 0 Off-Site to CHA or Authorized agency: 0

Total Units: 36 In-Lieu Fee Owed: 0

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Legend

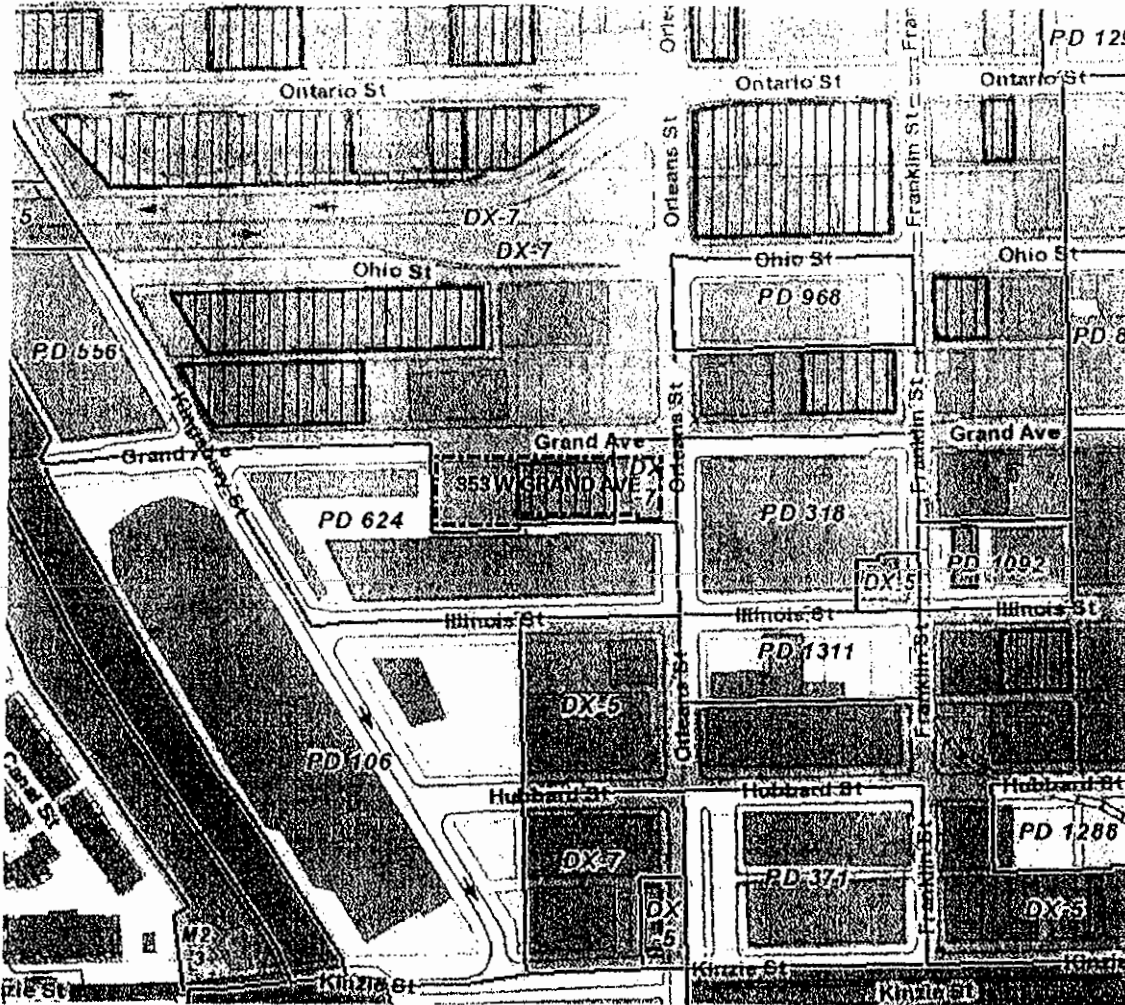
----- Property Line

Applicant: ONNI Grand Limited Partnership
 Address: 353 W. Grand Ave.
 Introduced: September 20, 2018
 Plan Commission: October 18, 2018



AERIAL MAP
 SCALE: NOT TO SCALE

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Legend

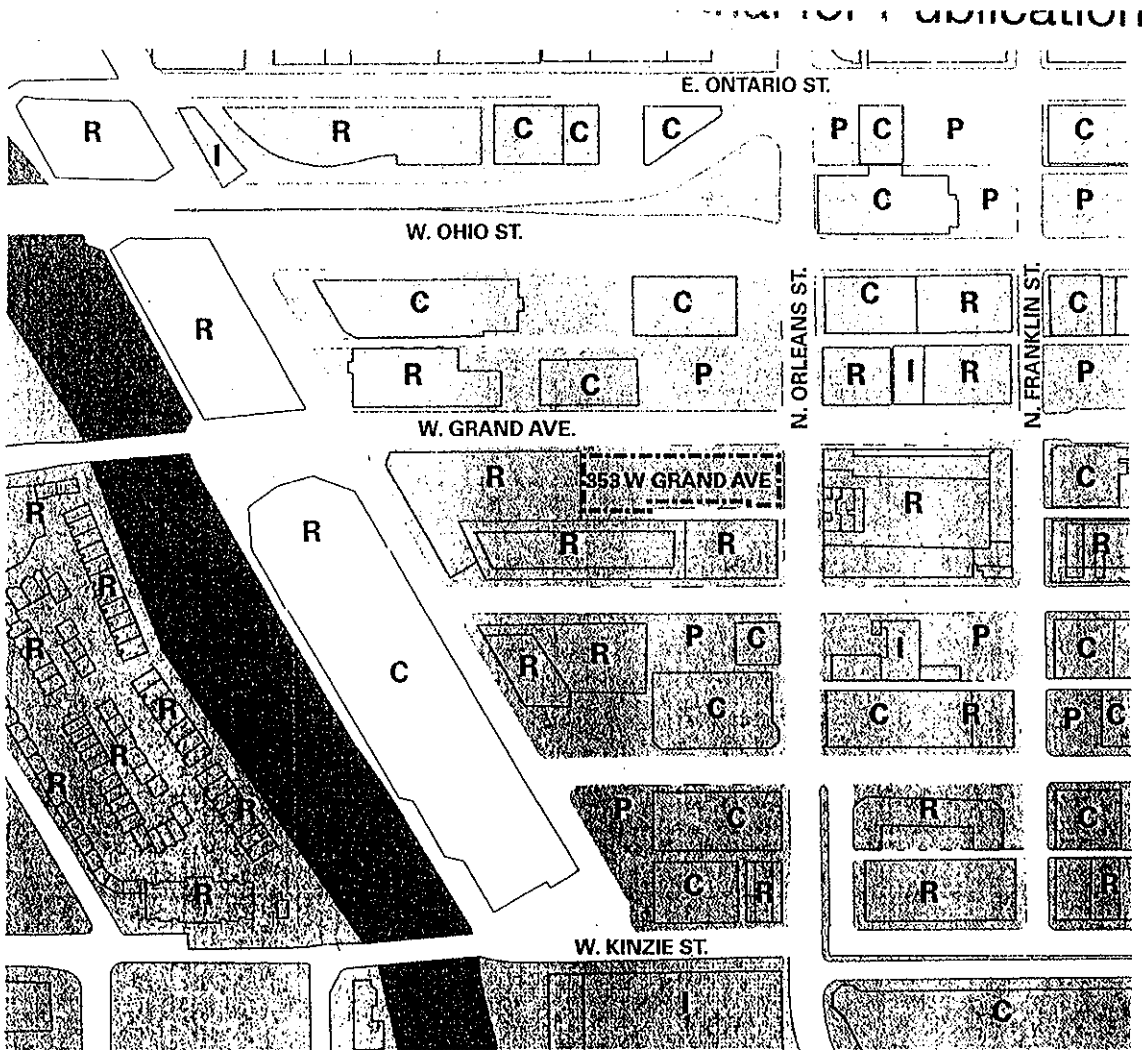
----- Property Line



EXISTING ZONING MAP
SCALE: NOT TO SCALE

Applicant: ONNI Grand Limited Partnership
 Address: 353 W. Grand Ave.
 Introduced: September 20, 2018
 Plan Commission: October 18, 2018

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Legend

- Property Line
- R Residential
- C Commercial
- P Parking
- I Institutional

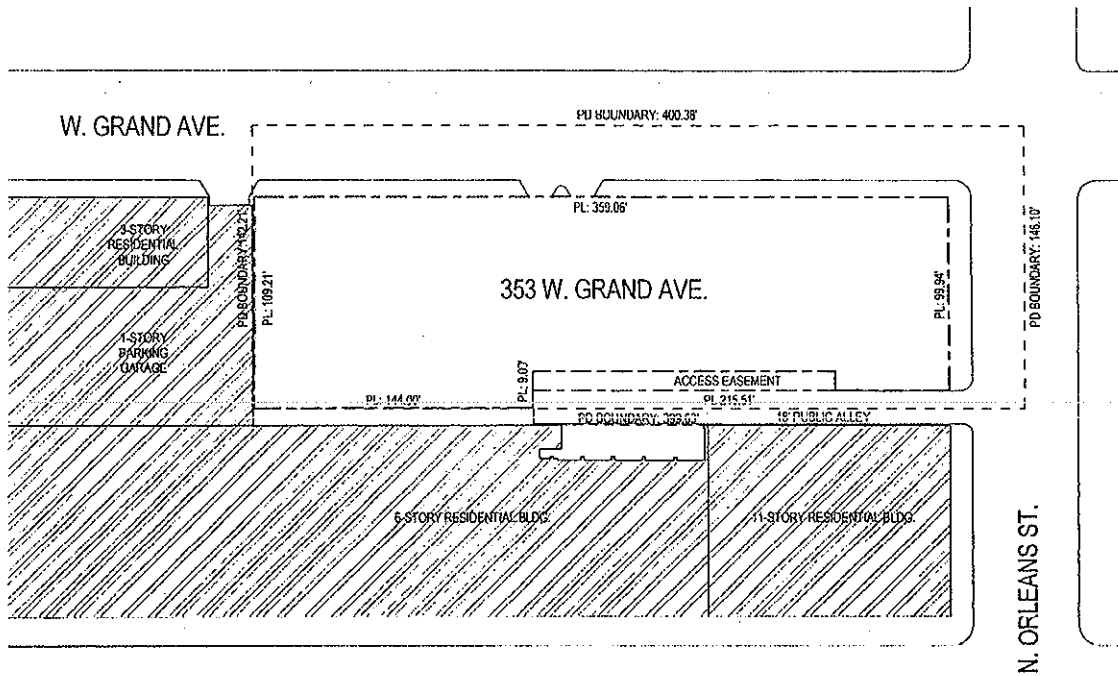
Applicant: ONNI Grand Limited Partnership
 Address: 353 W. Grand Ave.
 Introduced: September 20, 2018
 Plan Commission: October 18, 2018



EXISTING LAND USE MAP
 SCALE: NOT TO SCALE

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Legend

- - - - - Property Line
- - - - - PD Boundary Line

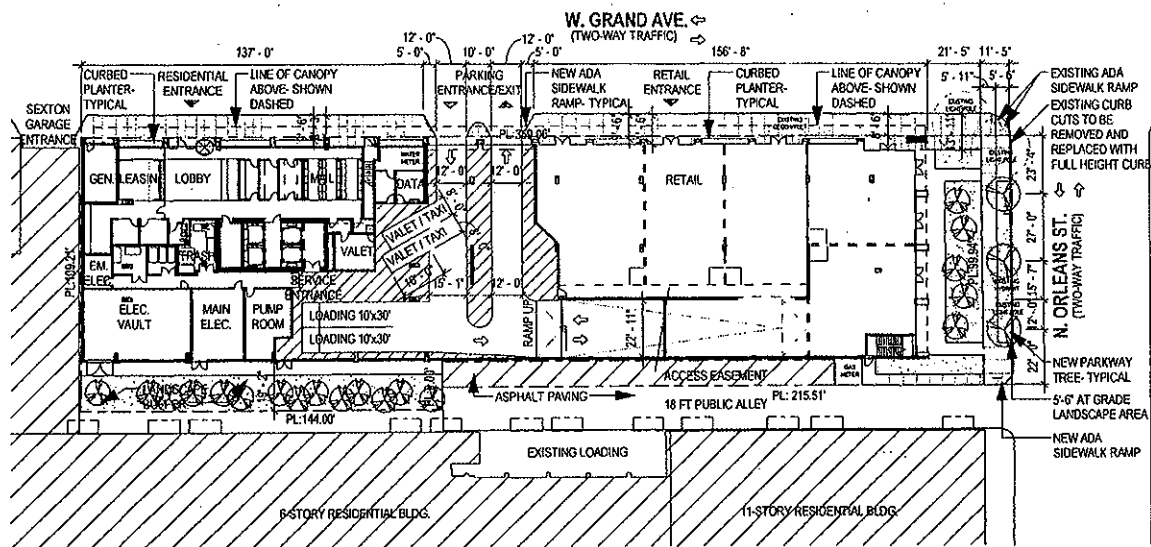
| | |
|-------------------------------------|-----------|
| Gross Site Area (PD Boundary Line): | 58,732 SF |
| Area of Public Rights-of-Way: | 21,472 SF |
| Net Site Area (Property Line): | 37,260 SF |



PLANNED DEVELOPMENT BOUNDARY AND PROPERTY LINE
SCALE: 1" = 80'-0"

Applicant: ONNI Grand Limited Partnership
Address: 353 W. Grand Ave.
Introduced: September 20, 2018
Plan Commission: October 18, 2018

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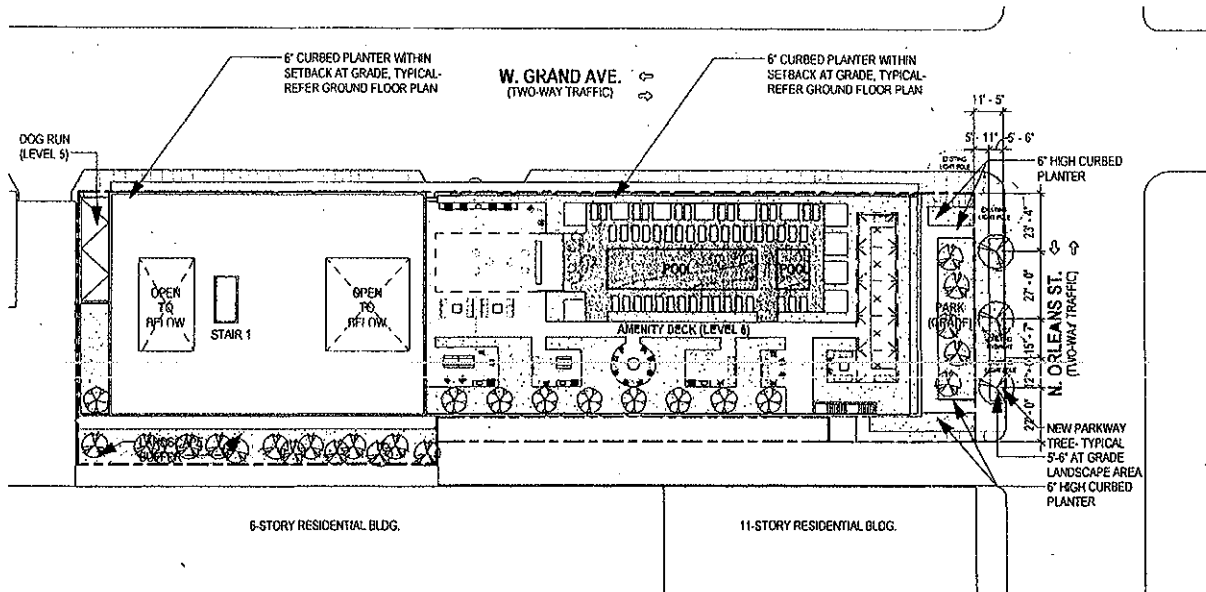


SITE PLAN - GROUND FLOOR
SCALE: 1" = 60'-0"

Applicant: ONNI Grand Limited Partnership
 Address: 353 W. Grand Ave.
 Introduced: September 20, 2018
 Plan Commission: October 18, 2018

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LANDSCAPE NOTES:

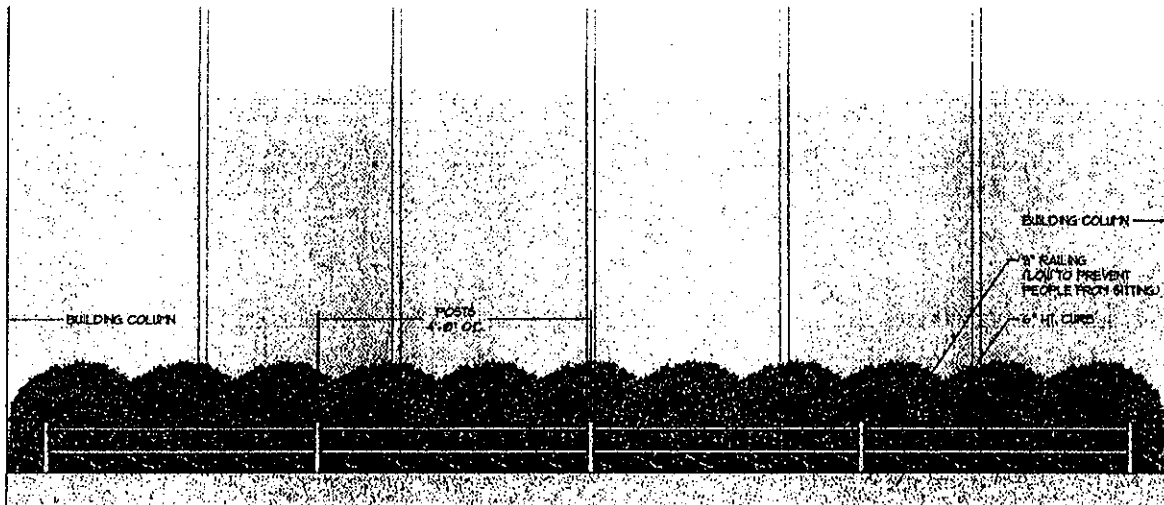
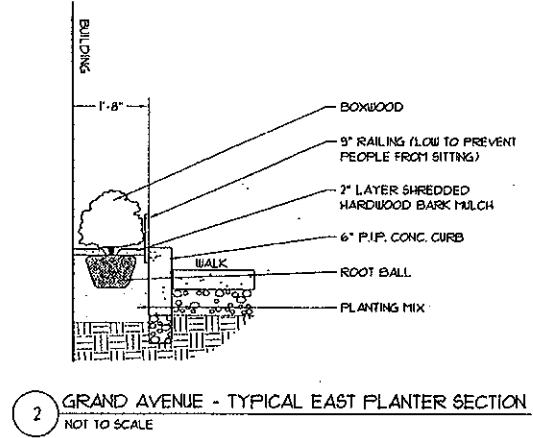
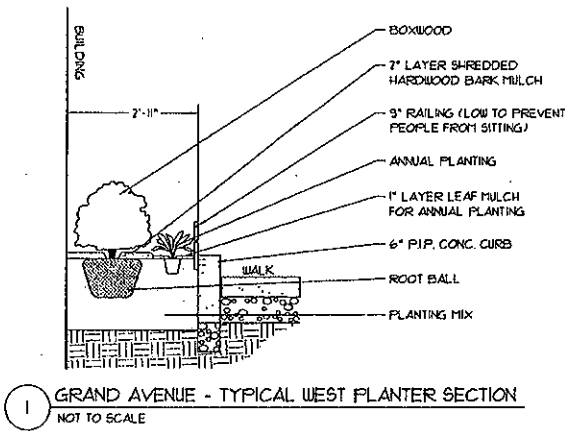
- 1. THE PROJECT WILL MEET THE LANDSCAPING STANDARDS IN THE CHICAGO ZONING ORDINANCE AND THE GUIDE TO THE CHICAGO LANDSCAPE ORDINANCE.



LANDSCAPE AND ROOF PLAN
SCALE: 1" = 60'-0"

Applicant: ONNI Grand Limited Partnership
Address: 353 W. Grand Ave.
Introduced: September 20, 2018
Plan Commission: October 18, 2018

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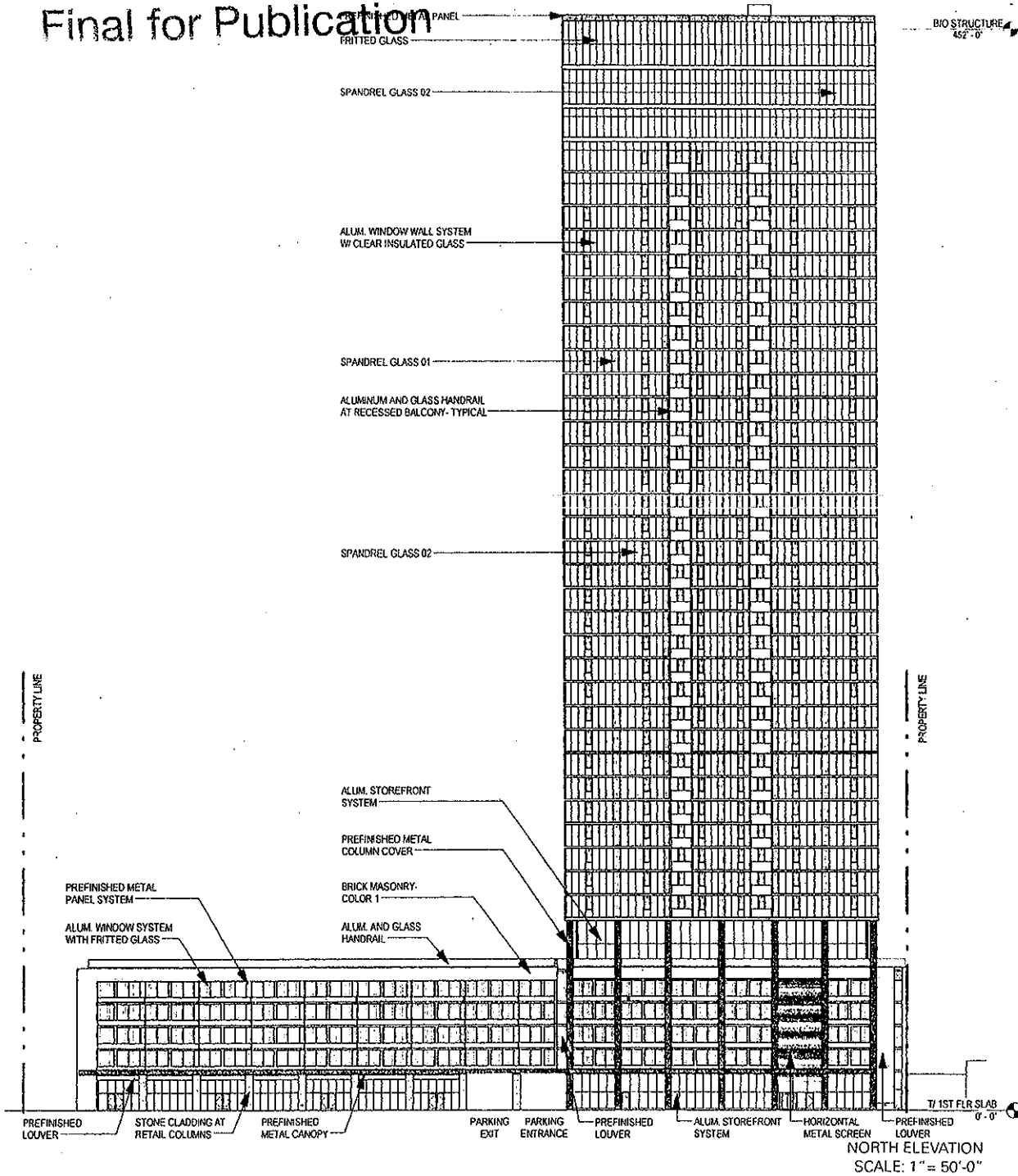
GRAND AVENUE - TYPICAL PLANTER ELEVATION
NOT TO SCALE

LANDSCAPE DETAILS

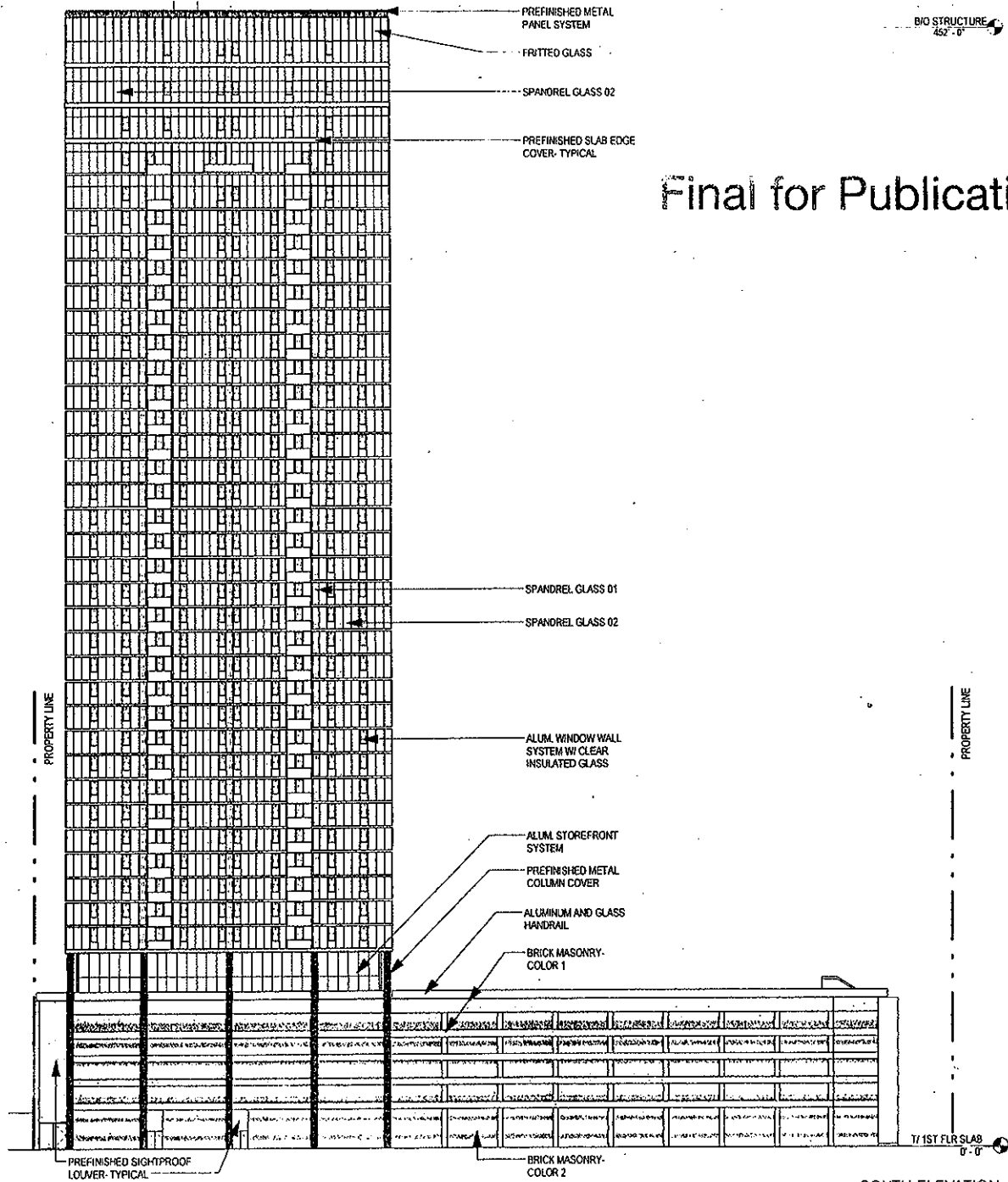
Applicant: ONNI Grand Limited Partnership
 Address: 353 W. Grand Ave.
 Introduced: September 20, 2018
 Plan Commission: October 18, 2018

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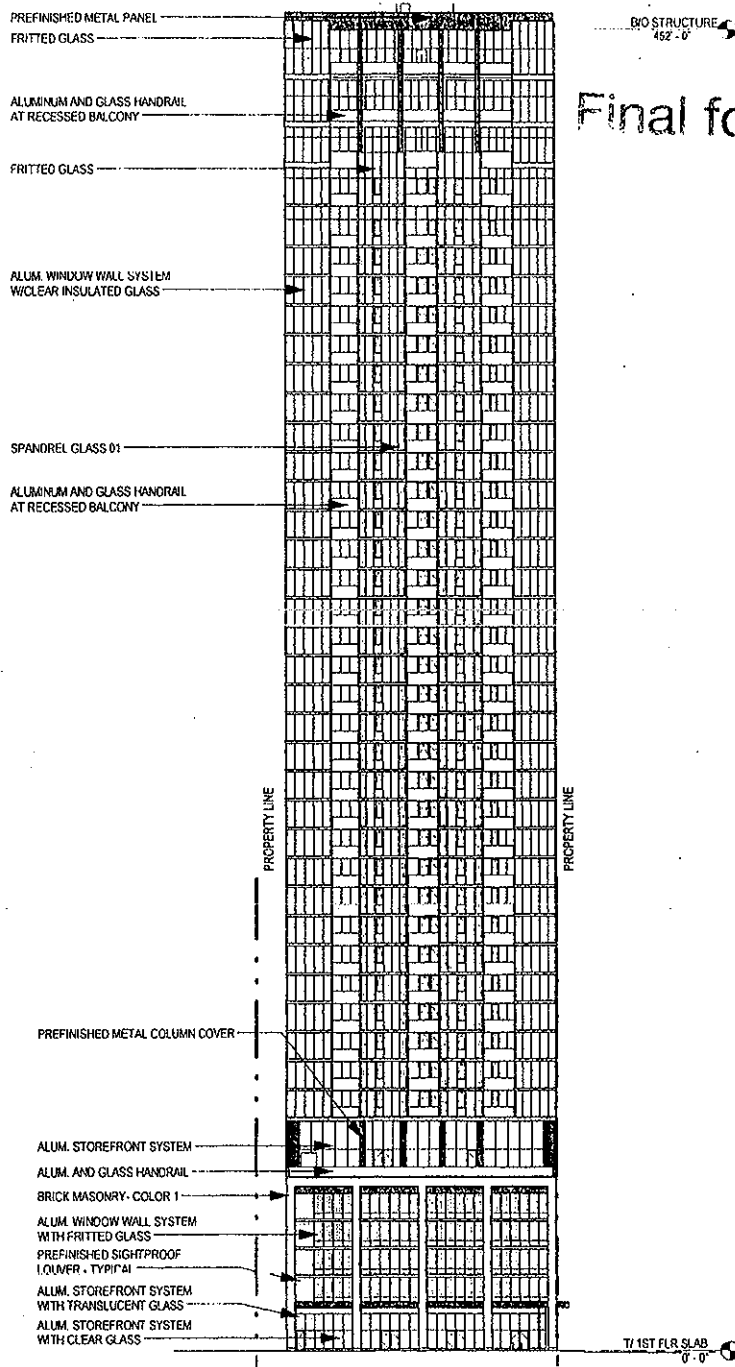
Applicant: ONNI-Grand Limited Partnership
 Address: 353 W. Grand Ave.
 Introduced: September 20, 2018
 Plan Commission: October 18, 2018



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SOUTH ELEVATION
SCALE: 1" = 50'-0"

Applicant: ONNI Grand Limited Partnership
Address: 353 W. Grand Ave.
Introduced: September 20, 2018
Plan Commission: October 18, 2018



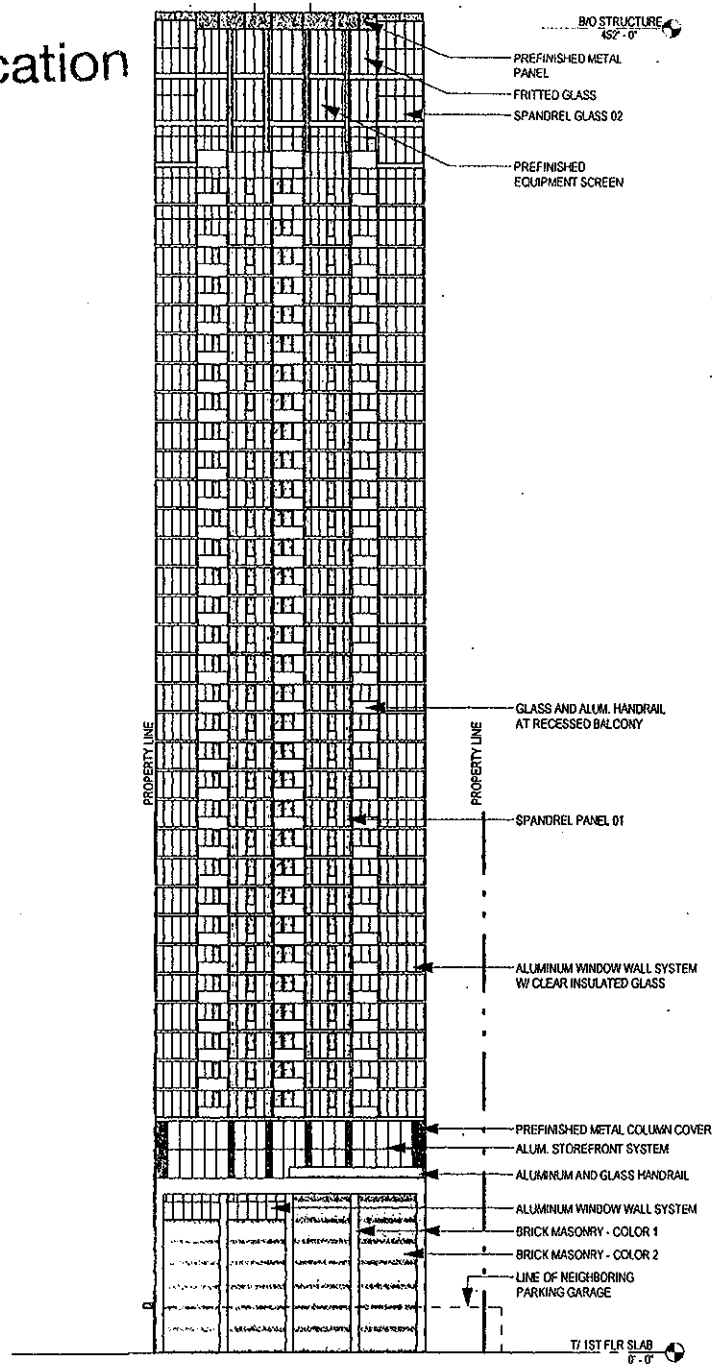
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EAST ELEVATION
SCALE: 1" = 50'-0"

Applicant: ONNI Grand Limited Partnership
Address: 353 W. Grand Ave.
Introduced: September 20, 2018
Plan Commission: October 18, 2018

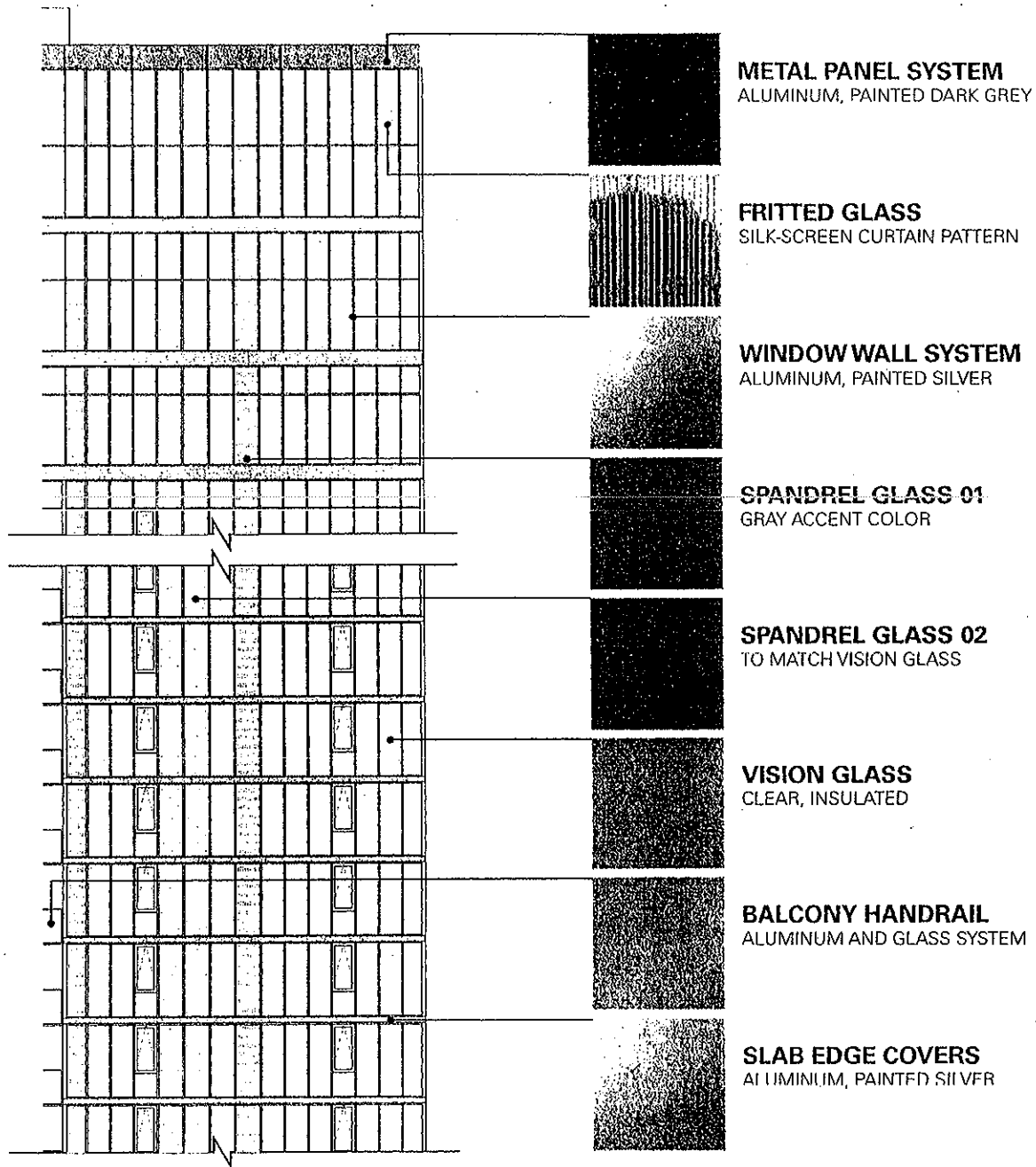
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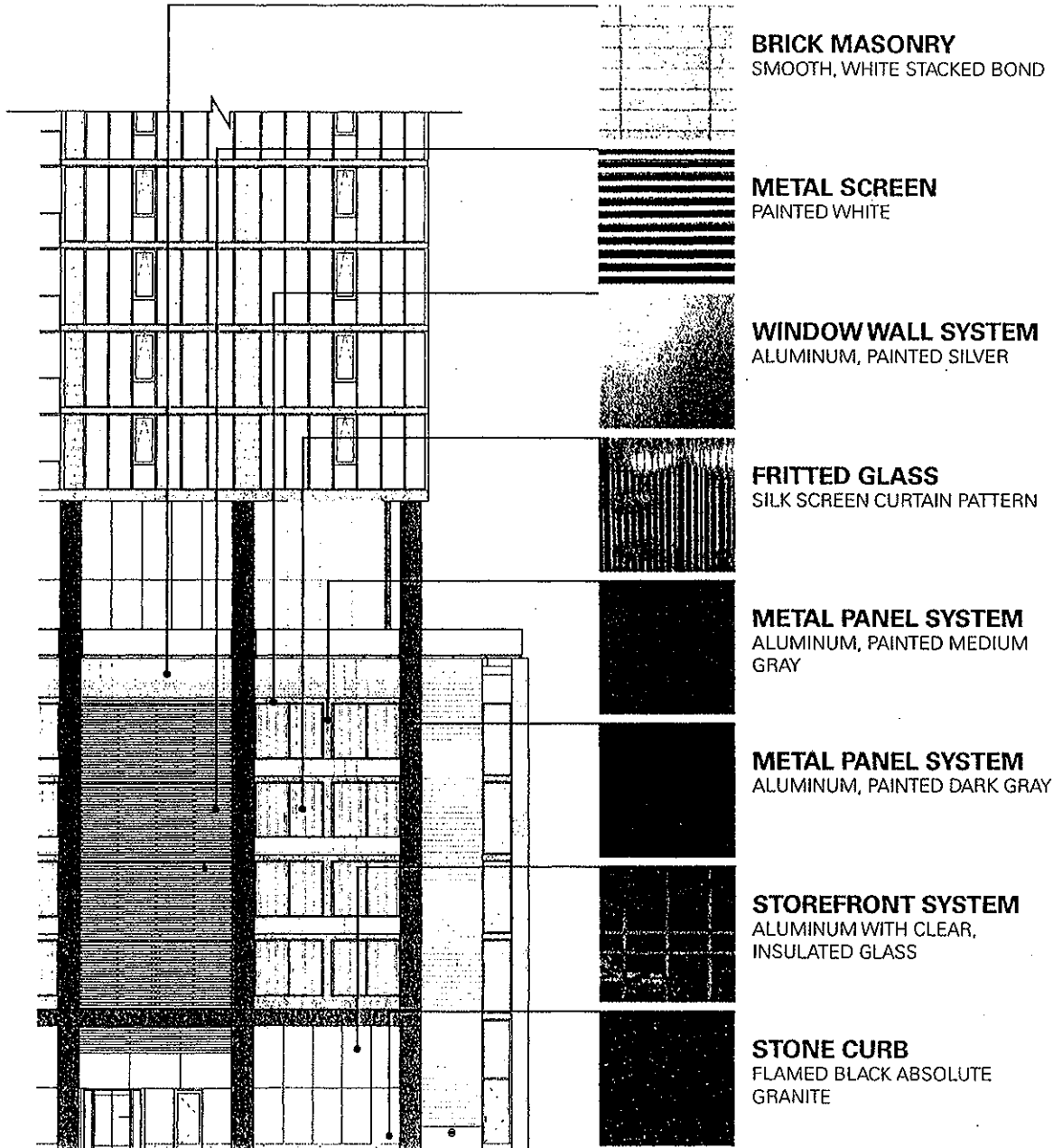


WEST ELEVATION
SCALE: 1" = 50'-0"



Applicant: ONNI Grand Limited Partnership
Address: 353 W. Grand Ave.
Introduced: September 20, 2018
Plan Commission: October 18, 2018



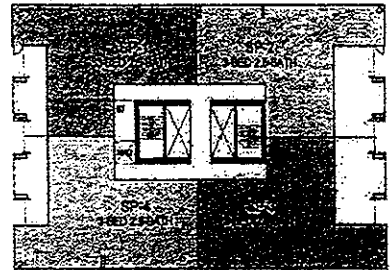
Applicant: ONNI Grand Limited Partnership
 Address: 353 W. Grand Ave.
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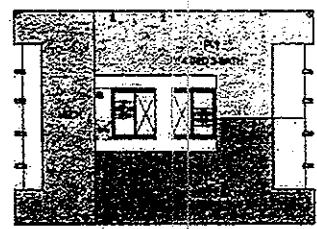
Applicant: ONNI Grand Limited Partnership
Address: 353 W. Grand Ave.
Introduced: September 20, 2018
Plan Commission: October 18, 2018

-  RESIDENTIAL
- COMMON
-  BUILDING SERVICES
- EXTERIOR RESIDENTIAL

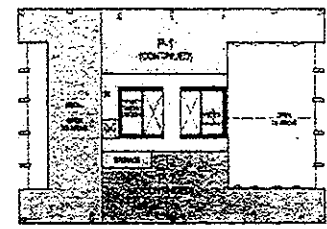
| Unit Mix | Units | 1-Bed | 2-Bed | 3-Bed | 4-Bed | 356 |
|-----------|-------|-------|-------|-------|-------|-----|
| Totals | 142 | 79 | 127 | 6 | 2 | 356 |
| Available | 14 | 6 | 13 | 1 | 0 | 36 |



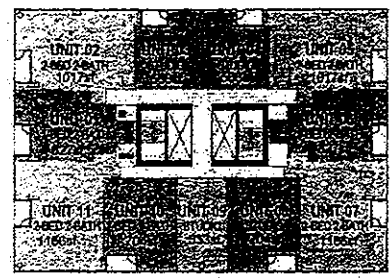
SUB-PENTHOUSE(39)



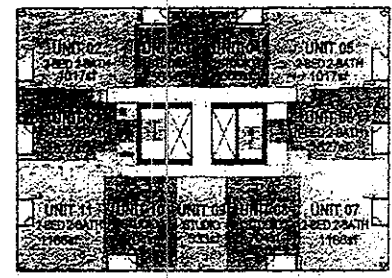
PENTHOUSE L1 (40)



PENTHOUSE L2 (41)



TYPICAL RESIDENTIAL (25-38)



TYPICAL RESIDENTIAL (7-24)

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Preliminary Tower Floor Plans

