

PD 1433

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October 15, 2021

Katriina S. McGuire
Thompson Coburn LLP
55 East Monroe Street
37th Floor
Chicago, IL 60603

**Re: Minor Change to PD No. 1433
1050 W. Van Buren Street**

Dear Ms. McGuire:

Please be advised that your request for a minor change to Residential Business Planned Development No. 1433 ("PD 1433") has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement Number 12 of PD 1433.

1050 Van Buren LLC, the sole owner of PD 1433, is seeking a minor change to allow the following design changes to the proposed building at 1050 W. Van Buren Street:

- Reduce the number of dwelling units from 201 to 196 units.
- Increase the minimum accessory parking from 69 to 70 spaces.
- Increase the building podium from 2 to 3 stories (from 36' to 38')
- Reduce the maximum building height from 231'-0" to 190'-6" (195'-0" to top of elevator overrun).
- Reduce the tower setback along W. Van Buren Street from 20' to 18' and eliminate the rear tower setback along the alley. The east and west tower setbacks have been changed such that they vary from 19' to 23' on the east side and from 7' to 11' on the west side.

Due to the reduction in building height and expanding the tower footprint, adjustments were made to architectural details and balcony locations. Additionally, the ground floor has been reconfigured and the driveways have been relocated from the west alley elevation to the north alley/Gladys Avenue elevation. The proposed building materials are consistent with the approved PD. The parking podium elevations facing the alleys will be screened with architectural metal panels and architectural masonry cladding.

The following revised exhibits, dated July 30, 2021, are attached:

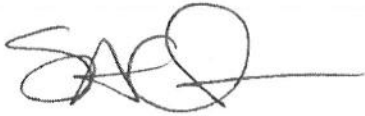
- Bulk Regulations and Data Table
- Site Plan/Ground Floor Plan
- Landscape Plan
- North Elevation
- South Elevation
- East Elevation
- West Elevation

Minor change
PD 1433
October 15, 2021
Page 2

Regarding your request, the Department of Planning and Development has determined that allowing the design modifications 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. CDOT approved the revised site plan on October 7, 2021.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 1433, 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 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,

A handwritten signature in black ink, appearing to read 'S. Valenziano', with a long horizontal line extending to the right.

Steven Valenziano
Assistant Zoning Administrator

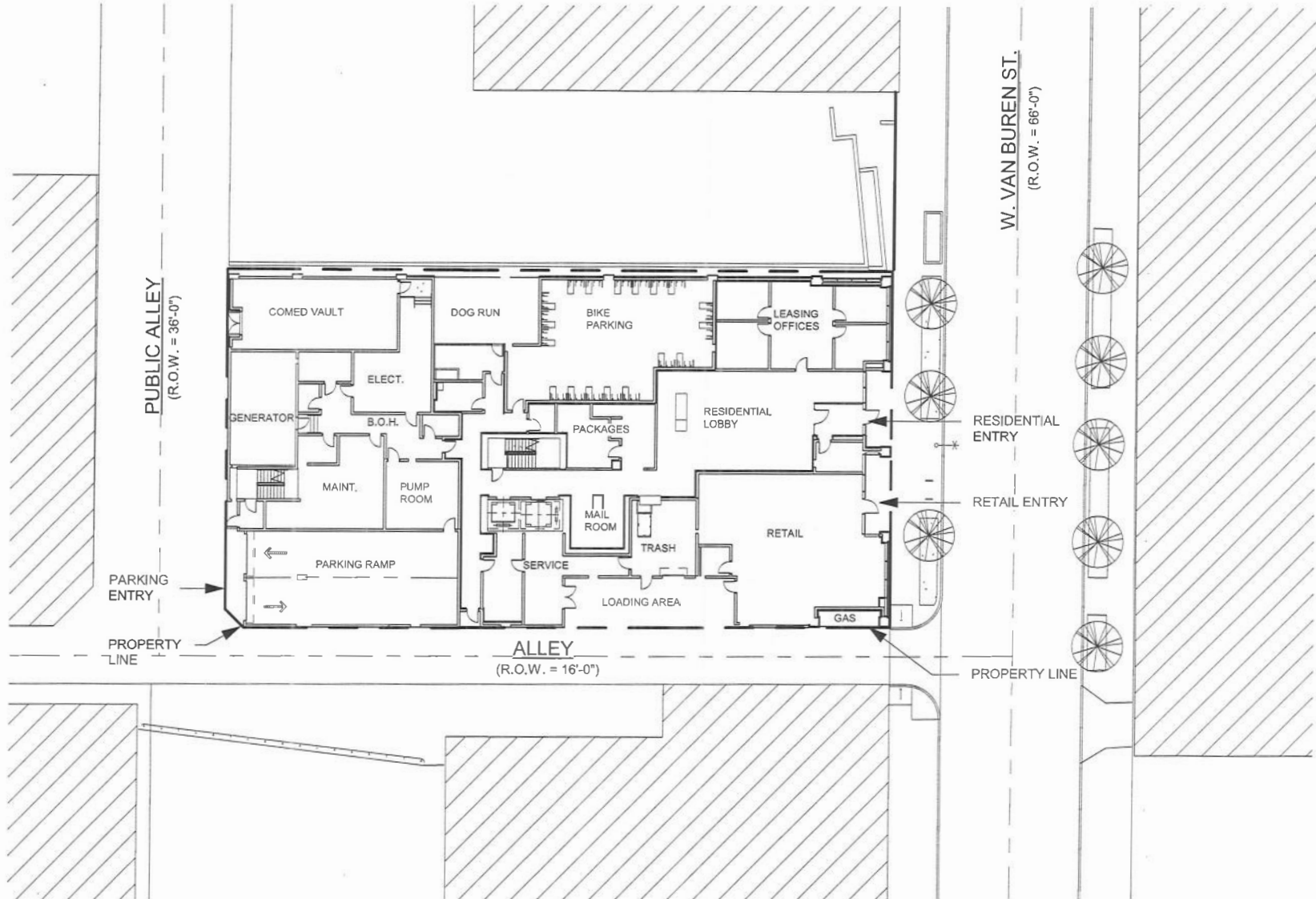
C: Mike Marmo, Erik Glass, Noah Szafraniec, Heidi Sperry, Main file

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1433

BULK REGULATIONS AND DATA TABLE

GROSS SITE AREA:	24, 159 sq. ft.
AREA IN PUBLIC RIGHT-OF-WAY:	6,773 sq. ft.
NET SITE AREA:	17,386 sq. ft.
MAXIMUM OVERALL FAR:	9.75
Maximum Base FAR:	7.0
Neighborhood Opportunity Fund Bonus FAR:	2.75
Maximum Dwelling Units:	196
Total Minimum Accessory Parking Spaces:	70
Minimum Bicycle Parking:	143 bike spaces
Off Street Loading Berths:	1
Building Height:	190.5 feet 195.0 feet (to elevator overrun roof structure)

Applicant: Tandem Partners, LLC
Property: 1044-1052 West Van Buren Street
Introduced: June 27, 2018
Plan Commission: November 15, 2018
Revised: July 30, 2021

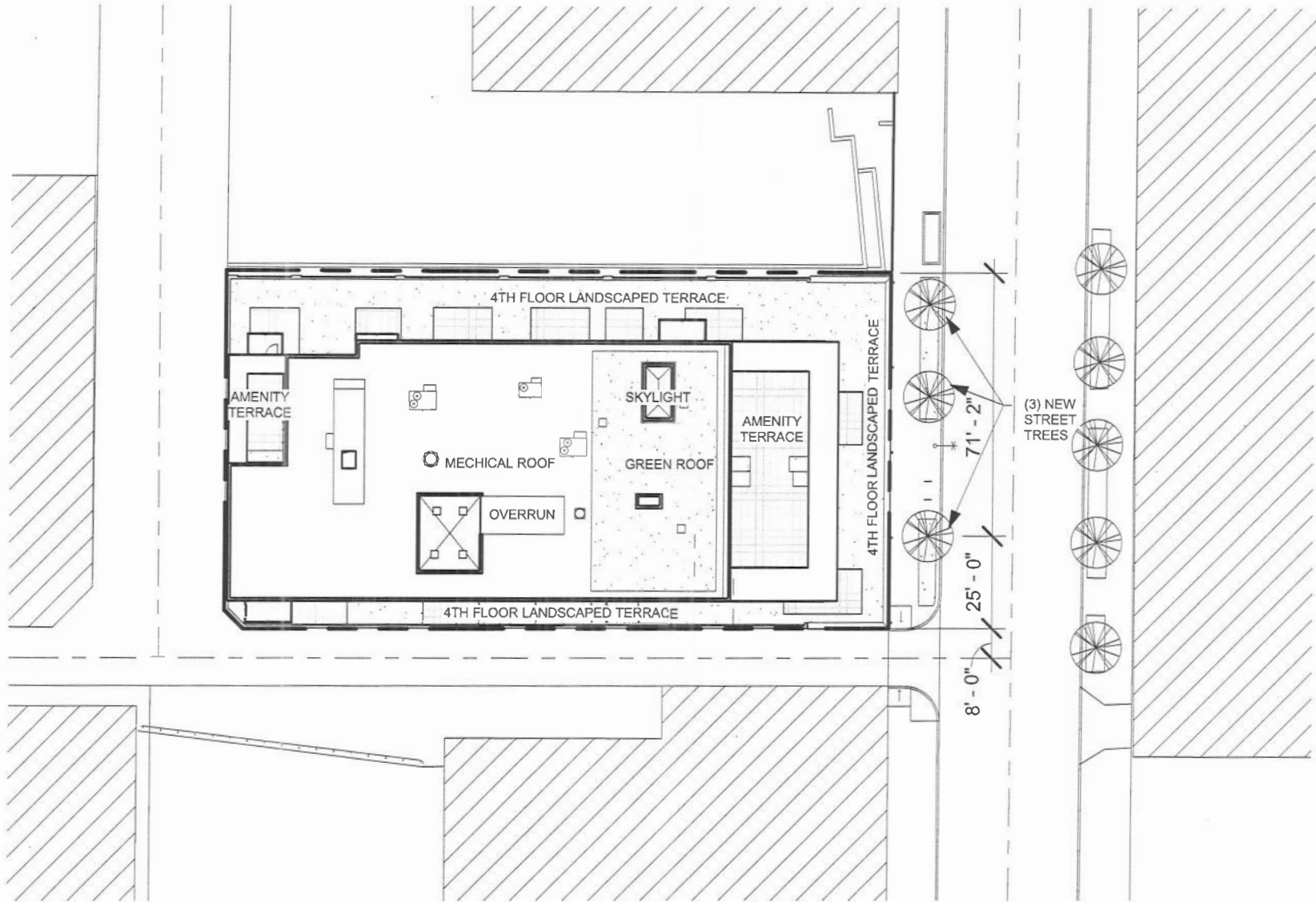


1044 W. VAN BUREN ST.

SITE PLAN / GROUND FLOOR PLAN

APPLICANT: Tandem Partners, LLC
 ADDRESS: 1050, 1044 West Van Buren Street
 INTRODUCTION DATE: June 27, 2018
 PLAN COMMISSION DATE: November 15, 2018
 REVISED DATE: July 30, 2021

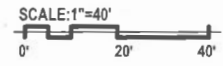


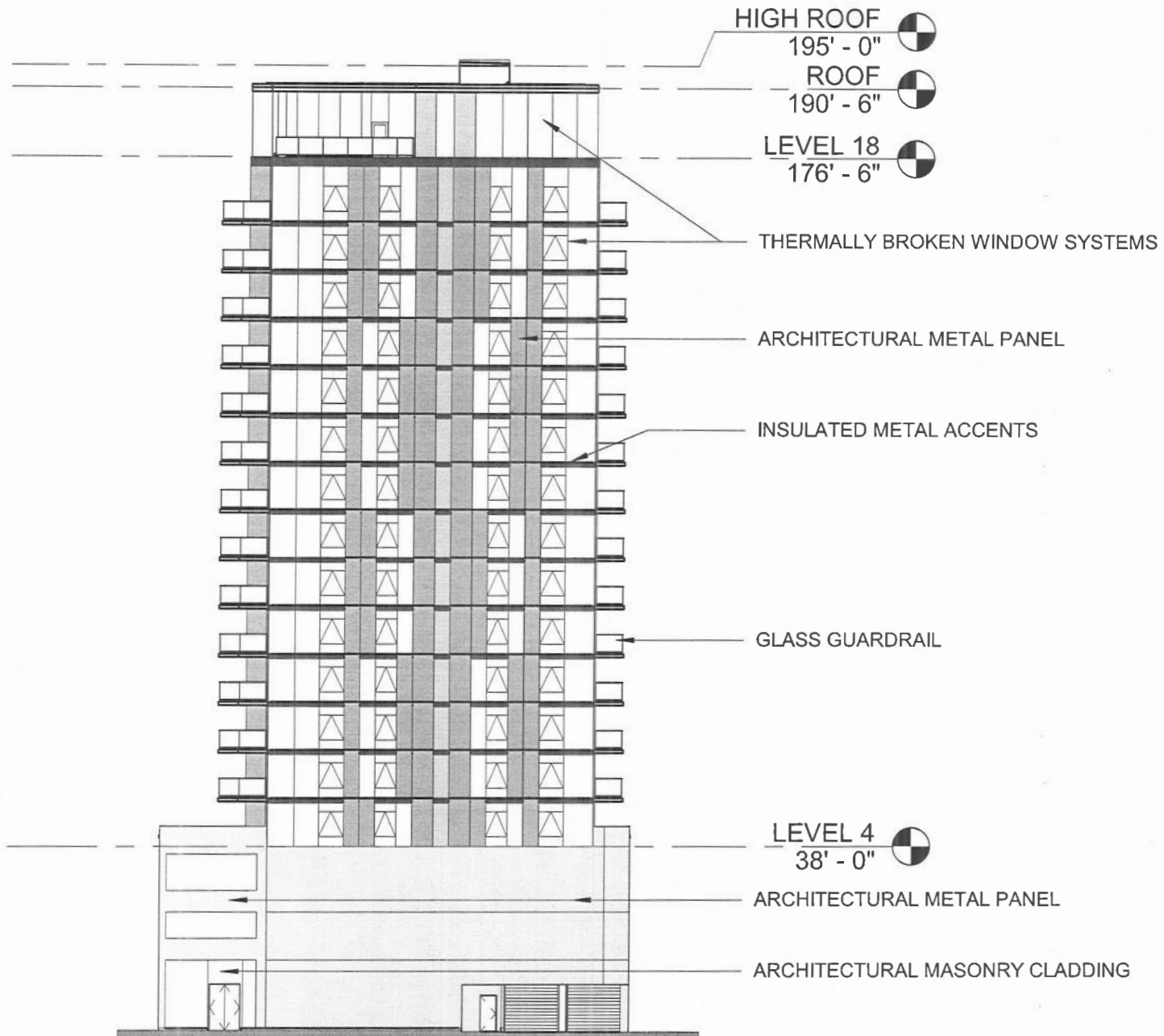


1044 W. VAN BUREN ST.

LANDSCAPE PLAN

APPLICANT: Tandem Partners, LLC
 ADDRESS: 1050, 1044 West Van Buren Street
 INTRODUCTION DATE: June 27, 2018
 PLAN COMMISSION DATE: November 15, 2018
 REVISED DATE: July 30, 2021

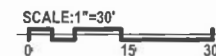


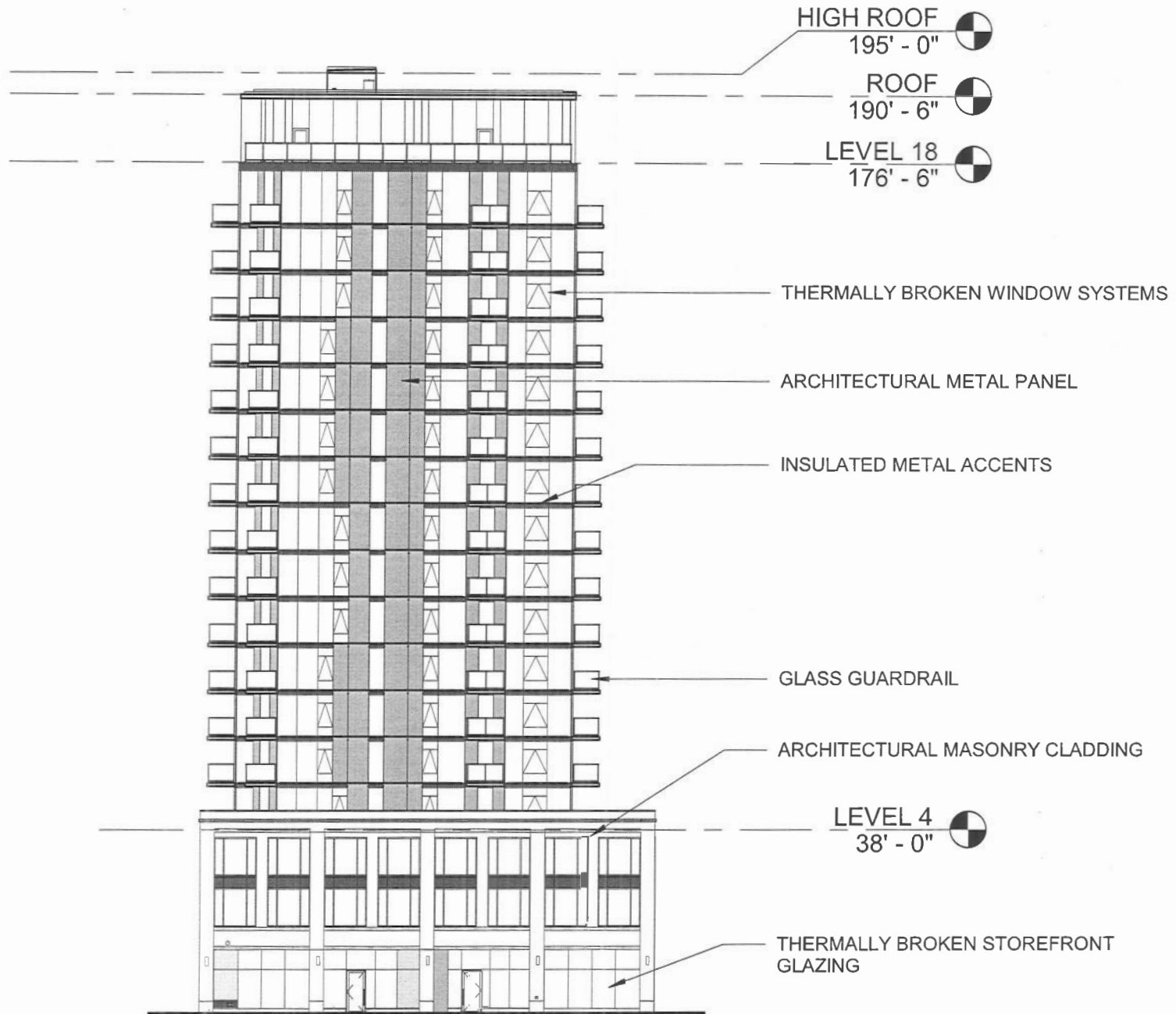


1044 W. VAN BUREN ST.

NORTH ELEVATION

APPLICANT: Tandem Partners, LLC
 ADDRESS: 1050, 1044 West Van Buren Street
 INTRODUCTION DATE: June 27, 2018
 PLAN COMMISSION DATE: November 15, 2018
 REVISED DATE: July 30, 2021





1044 W. VAN BUREN ST.

SOUTH ELEVATION

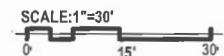
APPLICANT: Tandem Partners, LLC

ADDRESS: 1050, 1044 West Van Buren Street

INTRODUCTION DATE: June 27, 2018

PLAN COMMISSION DATE: November 15, 2018

REVISED DATE: July 30, 2021





1044 W. VAN BUREN ST.

EAST ELEVATION

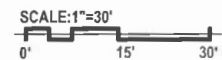
APPLICANT: Tandem Partners, LLC

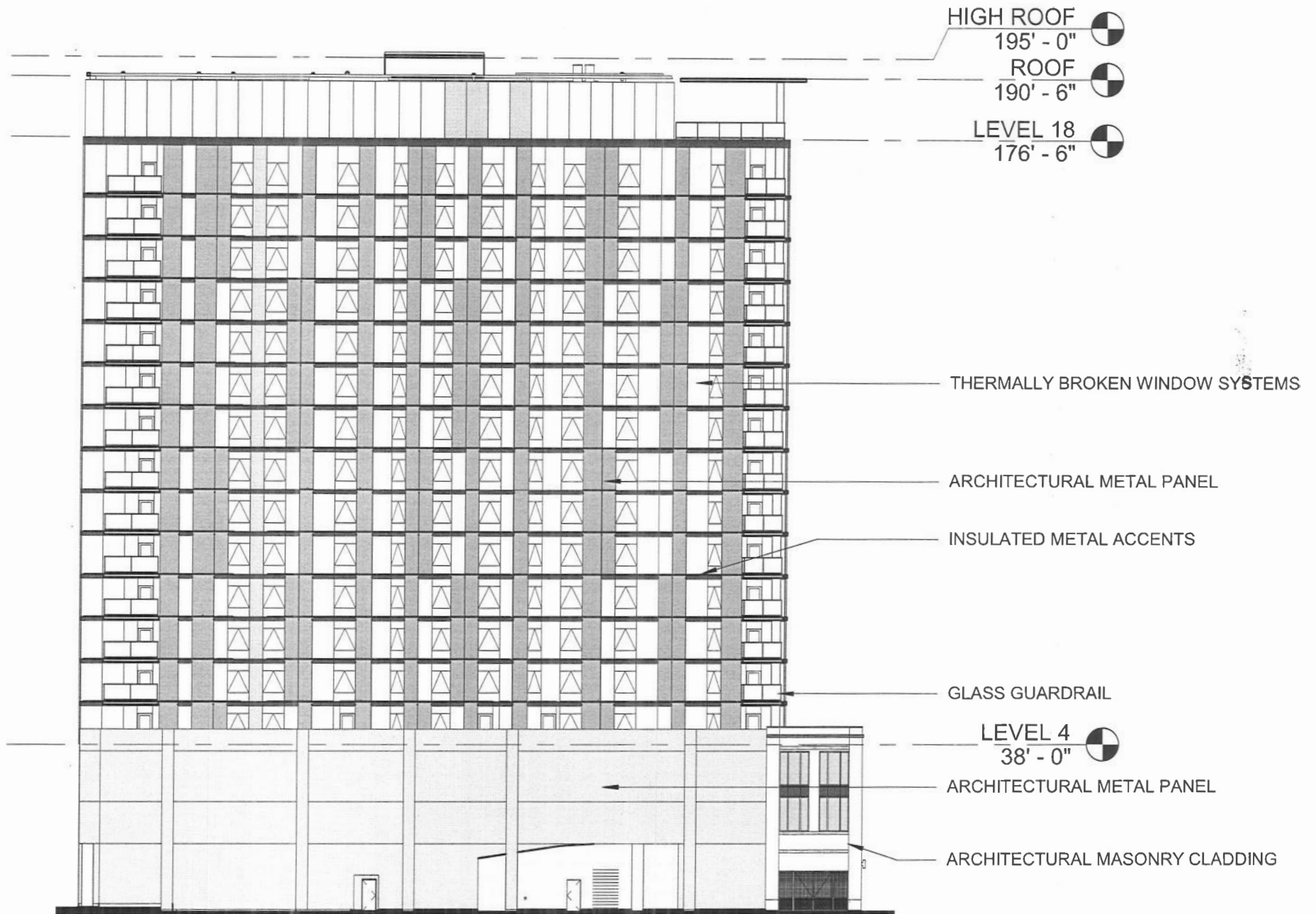
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INTRODUCTION DATE: June 27, 2018

PLAN COMMISSION DATE: November 15, 2018

REVISED DATE: July 30, 2021





1044 W. VAN BUREN ST.

WEST ELEVATION

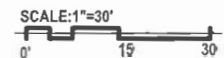
APPLICANT: Tandem Partners, LLC

ADDRESS: 1050, 1044 West Van Buren Street

INTRODUCTION DATE: June 27, 2018

PLAN COMMISSION DATE: November 15, 2018

REVISED DATE: July 30, 2021



~~Reclassification Of Area Shown On Map No. 1-H.
(Application No. 19860)
(Common Address: 1949 W. Race Ave.)~~

[O2018-8083]

~~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 the RS3 Residential Single-Unit (Residential) District symbols and indications as shown on Map Number 1-H in the area bounded by:~~

~~West Race Avenue; a line 120 feet east of and parallel to North Damen Avenue; the alley next south of and parallel to West Race Avenue; and a line 96 feet east of and parallel to North Damen Avenue,~~

~~to those of an RM4.5 Residential Multi-Unit District and a corresponding use district is hereby established in the area above described.~~

~~SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.~~

Reclassification Of Area Shown On Map No. 2-G.
(As Amended)
(Application No. 19694)
(Common Address: 1044 -- 1052 W. Van Buren St.)

RBPD 1433

[SO2018-4966]

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 DS-3 Downtown Service District symbols and indications as shown on Map Number 2-G in the area bounded by:

West Gladys Avenue; a line 424.0 feet west of and parallel to South Morgan Street; West Van Buren Street; and the public alley east of and parallel to South Aberdeen Street,

to those of a DX-7 Downtown Mixed-Use District.

SECTION 2. Changing all of the DX-7 Downtown Mixed-Use District symbols and indications as shown on Map Number 2-G in the area bounded by:

West Gladys Avenue; a line 424.0 feet west of and parallel to South Morgan Street; West Van Buren Street; and the public alley east of and parallel to South Aberdeen Street,

to those of a Residential-Business Planned Development which is hereby established in the area above described subject to such use and bulk regulations as set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. 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. 1433.

Planned Development Statements.

1. The area delineated herein as Residential Business Planned Development Number 1433 ("Planned Development") consists of approximately 17,386 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, Tandem Partners LLC.
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 17 Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan/Ground Floor Plan; Landscape Plan; and Building Elevations (North, South, East and West) prepared by Antunovich Associates and dated November 15, 2018, 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 shall be permitted in this Planned Development (P.D.):

Multi-unit residential dwelling units, office, eating and drinking establishments (excluding drive through facilities) with liquor sales as accessory use, artist work or sales space, dry cleaning drop-off or pickup (no on-premises plant), medical service, children's play center, financial services (excluding pawn shops, pay day loan stores, and drive through facilities), vacation rental, food and beverage retail sales, personal service, general retail sales, community garden, accessory uses, and accessory parking.

The Applicant may lease to members of the public on an hourly, daily, weekly or monthly basis up to twenty-five percent (25%) of the minimum required residential parking spaces.

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 17,386 square feet and a base FAR of 7.0.

The Applicant acknowledges that the project has received a bonus FAR of 2.75, pursuant to Section 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 9.75. 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.

9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.

15. The Applicant acknowledges and agrees that the rezoning of the Property from DS-3 to DX-7, and then to this Planned Development, for construction of the Project triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or the "ARO"). The Applicant further acknowledges and agrees that the Property is located in the Near North/Near West Pilot Area, pursuant to Section 2-45-117 of the Municipal Code (the "Near North/Near West ARO Pilot Area Ordinance" or the "Pilot"). The Near North/Near West Pilot Area is divided into two zones: the Near North Zone and the Near West Zone. The Property is located in the Near North Zone. In the Near North Zone, pursuant to the ARO, the percentage of units in a residential housing project required to be affordable for a period of 30 years, whether rental or for-sale, is increased from 10 percent to 20 percent. Any developer of a residential housing project in the Near North Zone must provide the first 10 percent of units required to be affordable (the "First Units") either: (i) in the residential housing project, or (ii) with the approval of the Commissioner of the Department of Planning and Development (the "Commissioner"), in an off-site location within two miles of the Property and in the same or a different higher income area or downtown district, or (iii) any combination of (i) and (ii). In addition, the developer must provide the second 10 percent of units required to be affordable (the "Additional Units") either: (i) in the residential housing project, or (ii) with the Commissioner's approval, in an off-site location anywhere within the Near North/Near West Pilot Area, regardless of distance from the project or income area, or (iii) any combination of (i) and (ii). The project has a total of 201 housing units. As a result, the Applicant's affordable housing obligation is 40 affordable units (20 percent of 201, rounded down), consisting of 20 First Units and 20 Additional Units. Applicant has agreed to satisfy its affordable housing obligation by providing the First Units and the Additional Units in the rental building to be constructed in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto. In accordance with the ARO Pilot, the Applicant is required to lease the First Units to households earning up to 60 percent of the Chicago Primary Metropolitan Statistical Area median income ("AMI") at prices affordable to households at such income level, and the Additional Units to households earning up to 80 percent or 100 percent) of AMI, as determined by rule and approved by the Commissioner at prices affordable to households at such income level. If the Applicant subsequently reduces (or increases) the number of housing units in the project, or elects to build a for-sale project instead of a rental project, or (with the Commissioner's approval) elects to construct off-site units instead of on-site units, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval. DPD may adjust the requirements to reflect any such change 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 execute and record an affordable housing agreement in accordance with Section 2-45-115(L). 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 may enforce remedies for any breach of this Statement 15, 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.

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.

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

- 17. 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.

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

[Planned Development and Property Line Map; Existing Land-Use Plan; Existing Zoning Map; Site Plan/Ground Floor Plan; Landscape Plan; and North, South, East and West Building Elevations referred to in these Planned Development Statements printed on pages 93386 through 93394 of this *Journal*.]

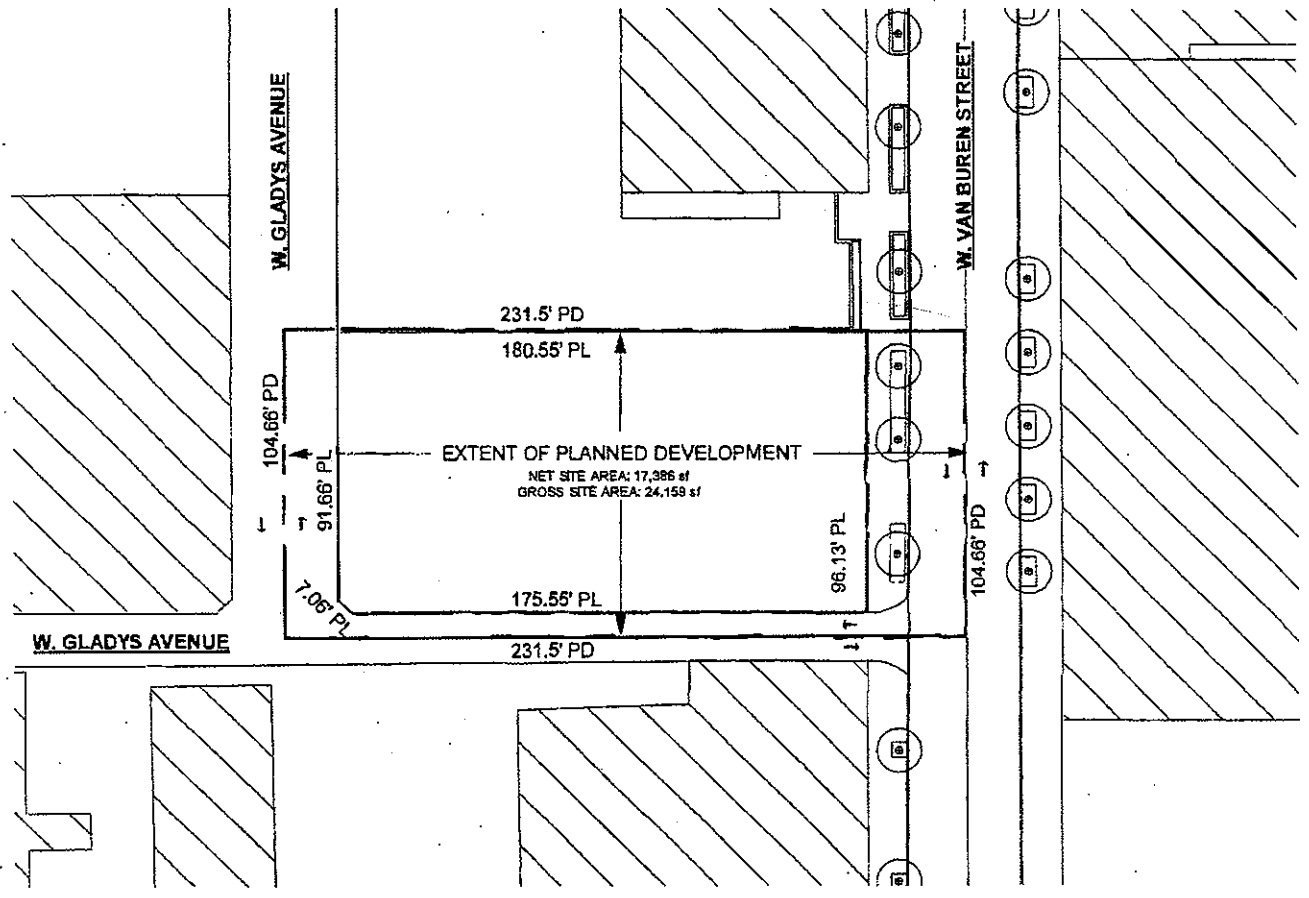
Bulk Regulations and Data Table referred to in these Planned Development Statements reads as follows:

Residential-Business Planned Development No. 1433.

Bulk Regulations And Data Table.

Gross Site Area:	24,159 square feet
Area in Public Right-of-Way:	6,773 square feet
Net Site Area:	17,386 square feet
Maximum Overall FAR:	9.75
Maximum Base FAR:	7.0
Neighborhood Opportunity Fund Bonus FAR:	2.75
Maximum Dwelling Units:	201
Total Minimum Accessory Parking Spaces:	69
Minimum Bicycle Parking:	143 bike spaces
Off-Street Loading Berths:	1
Building Height:	231.0 feet 250.0 feet (to top of mechanical equipment)

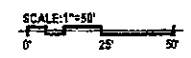
Final for Publication



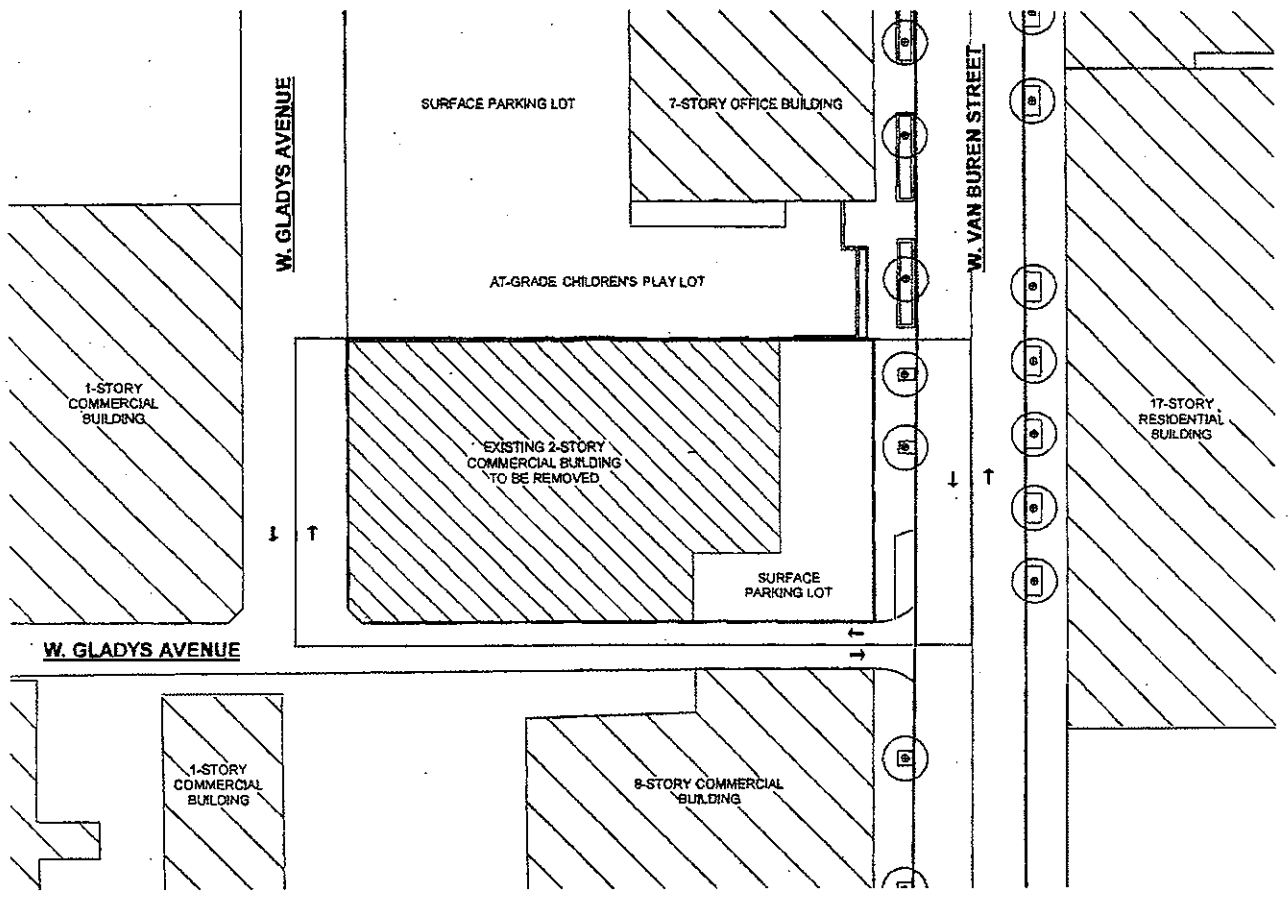
PLANNED DEVELOPMENT AND PROPERTY LINE MAP

PLANNED DEVELOPMENT EXHIBITS

APPLICANT: Tandem Partners, LLC
 ADDRESS: 1044 - 1050 West Van Buren Street
 INTRODUCTION DATE: June 27, 2018
 CPC DATE: NOVEMBER 15, 2018



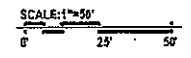
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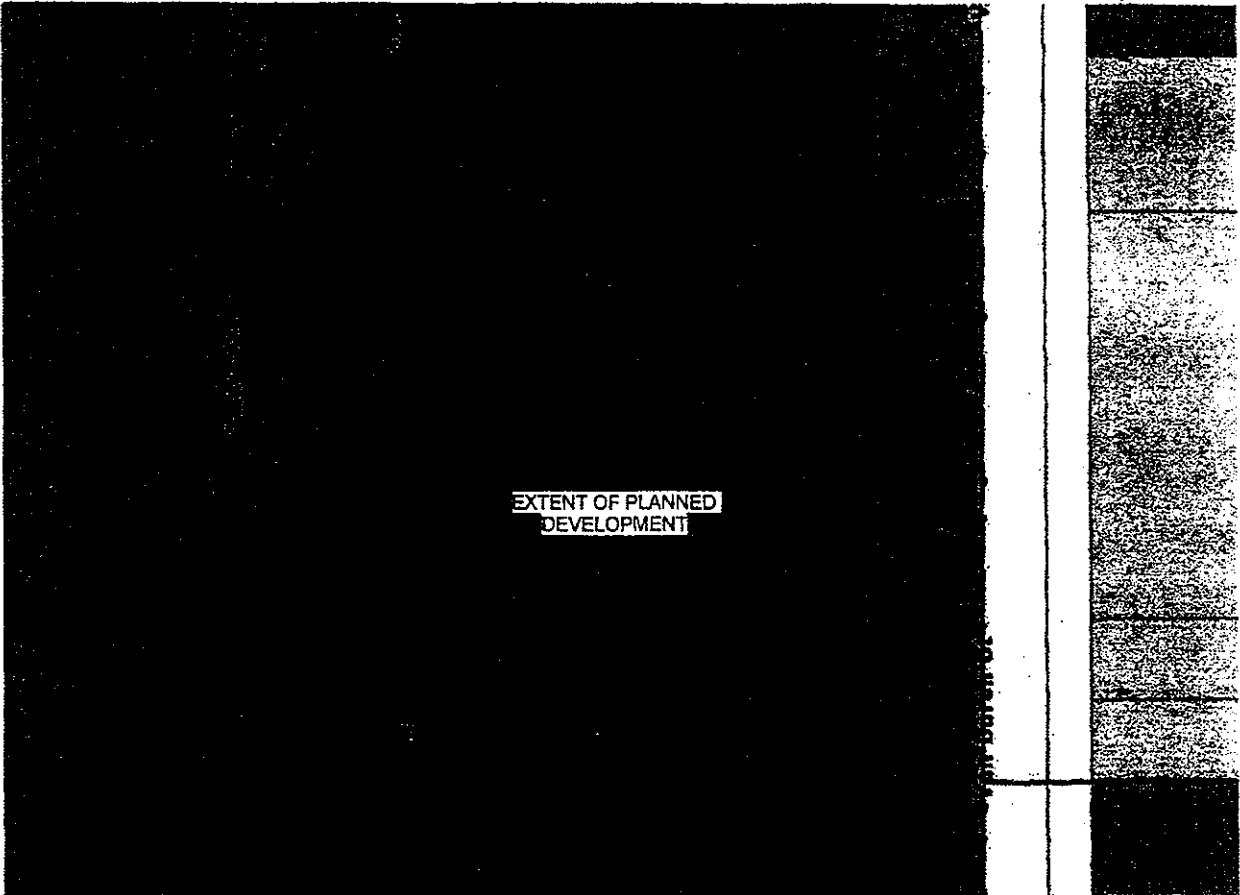
EXISTING LAND USE PLAN

PLANNED DEVELOPMENT EXHIBITS

APPLICANT: Tandem Partners, LLC
 ADDRESS: 1044 - 1050 West Van Buren Street
 INTRODUCTION DATE: June 27, 2018
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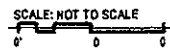
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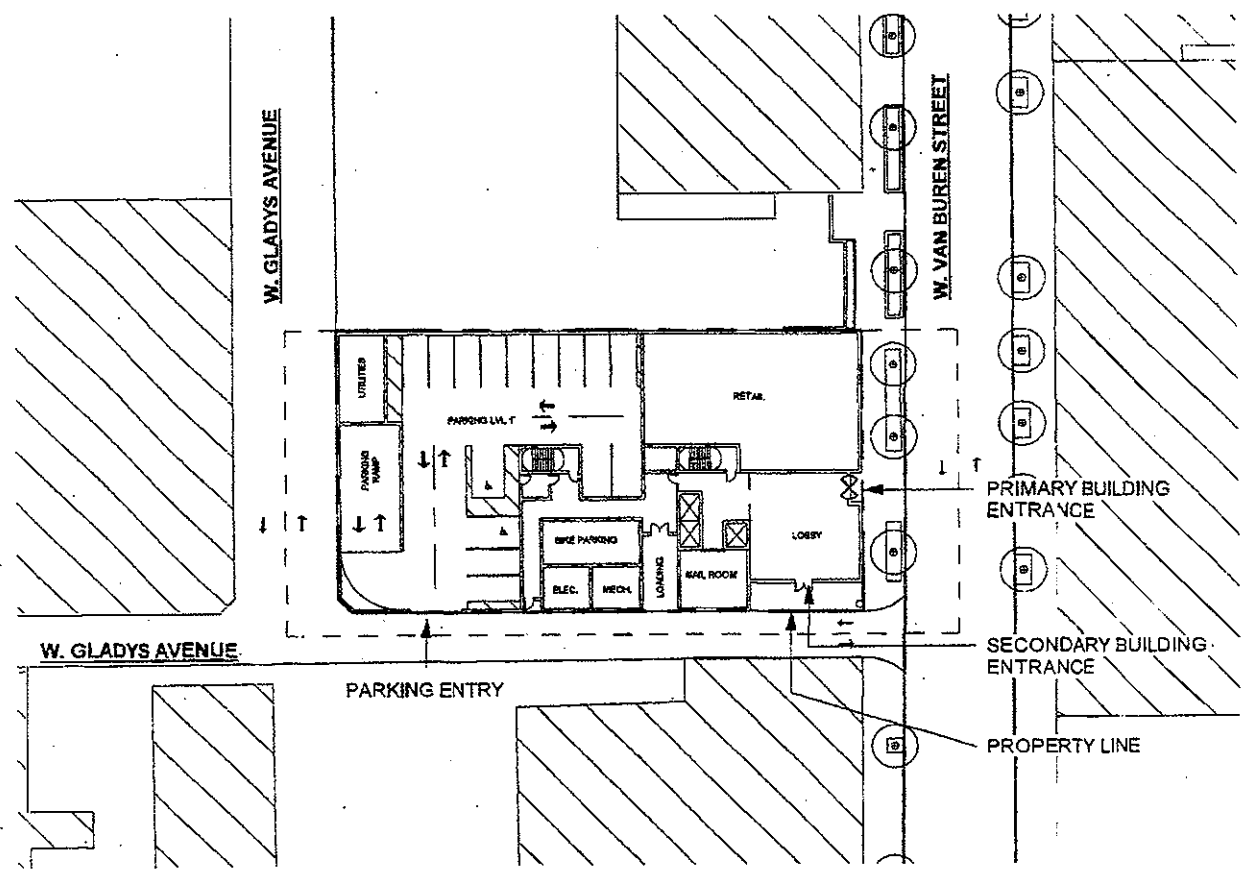
PLANNED DEVELOPMENT EXHIBITS

APPLICANT: Tandem Partners, LLC
ADDRESS: 1044 - 1050 West Van Buren Street
INTRODUCTION DATE: June 27, 2018
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EXISTING ZONING MAP



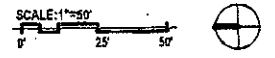
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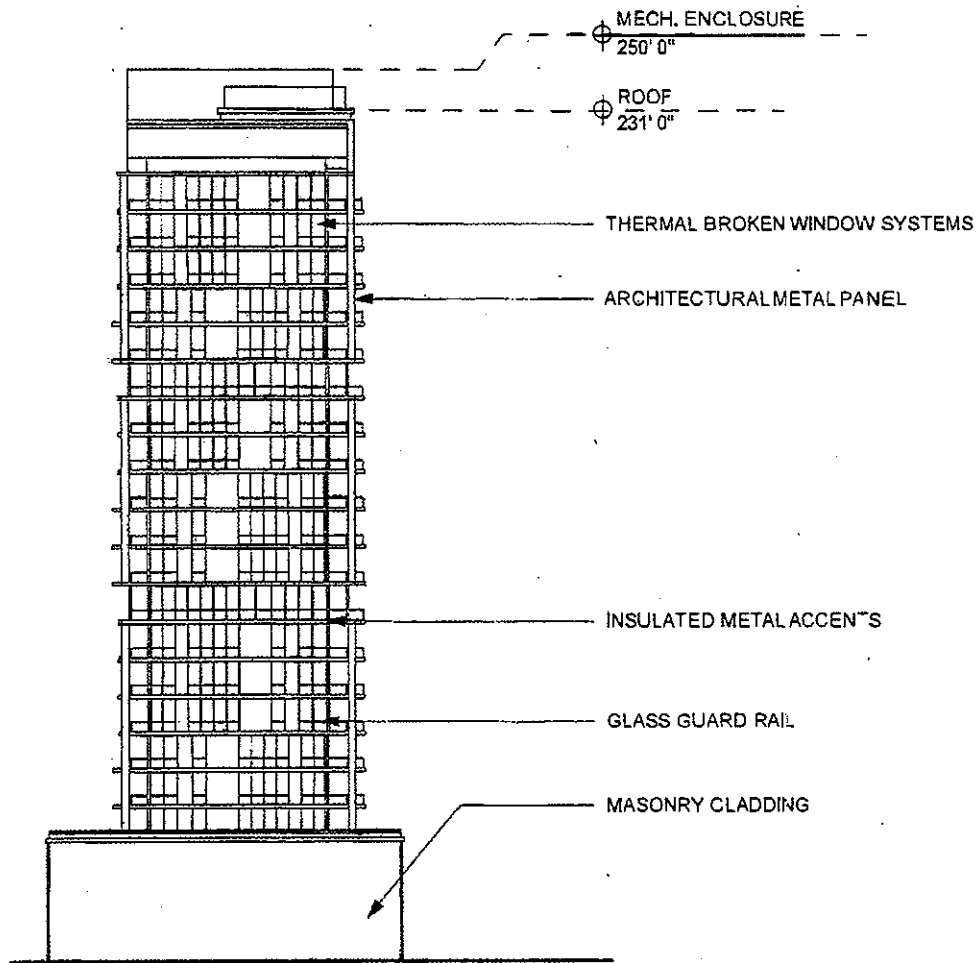


SITE PLAN/GROUND FLOOR PLAN

PLANNED DEVELOPMENT EXHIBITS

APPLICANT: Tandem Partners, LLC
 ADDRESS: 1044 - 1050 West Van Buren Street
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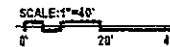


Final for Publication

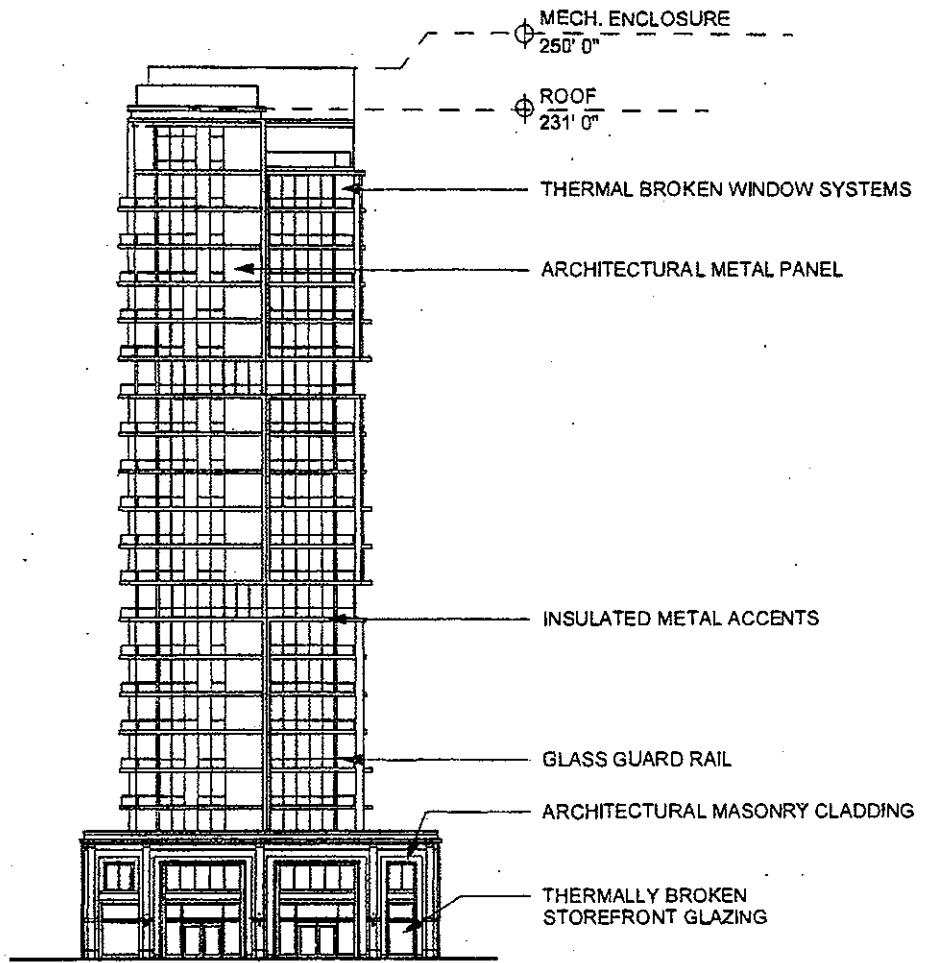
NORTH ELEVATION

PLANNED DEVELOPMENT EXHIBITS

APPLICANT: Tandem Partners, LLC
ADDRESS: 1044 - 1050 West Van Buren Street
INTRODUCTION DATE: June 27, 2018
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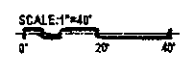


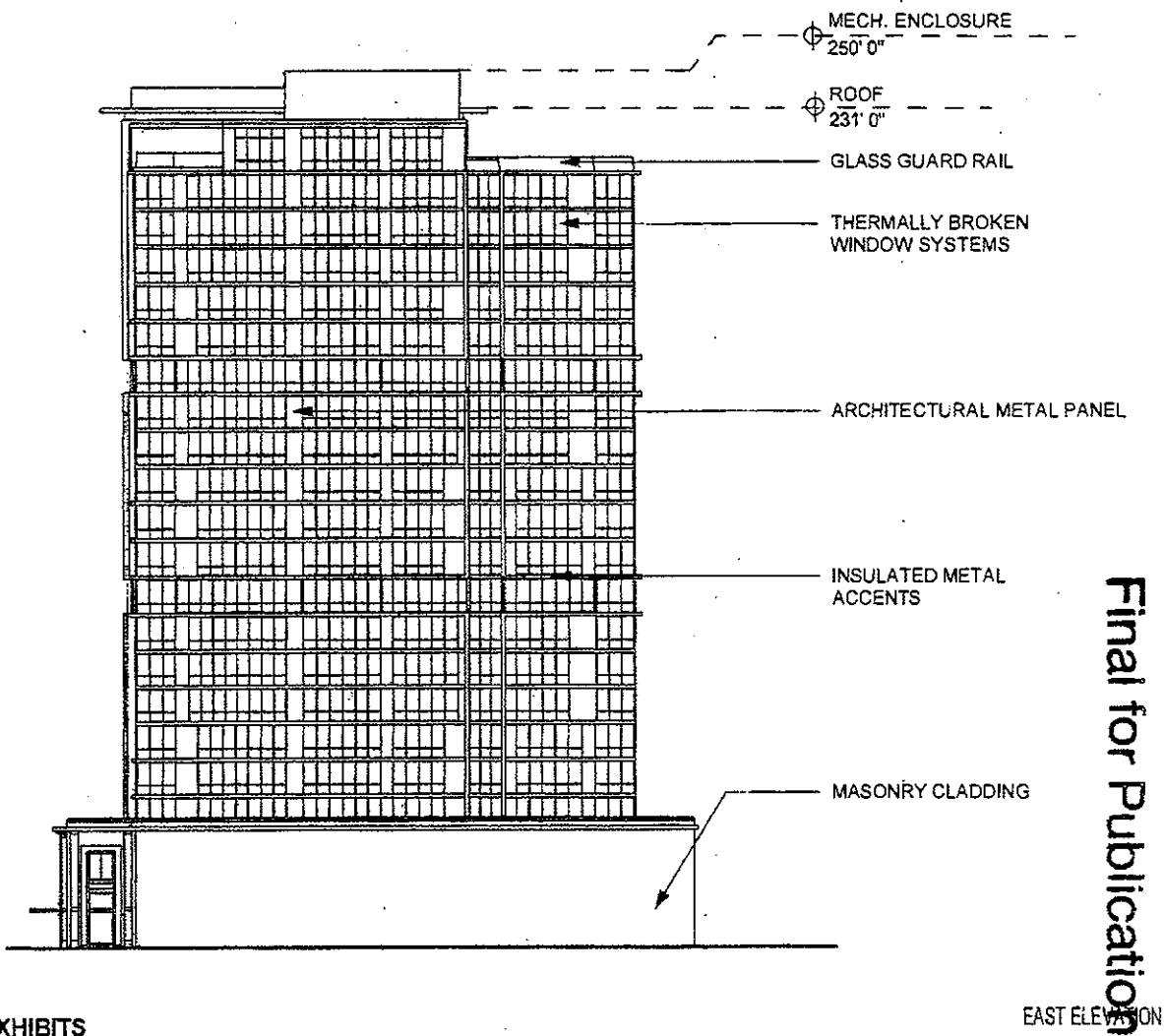
Final for Publication



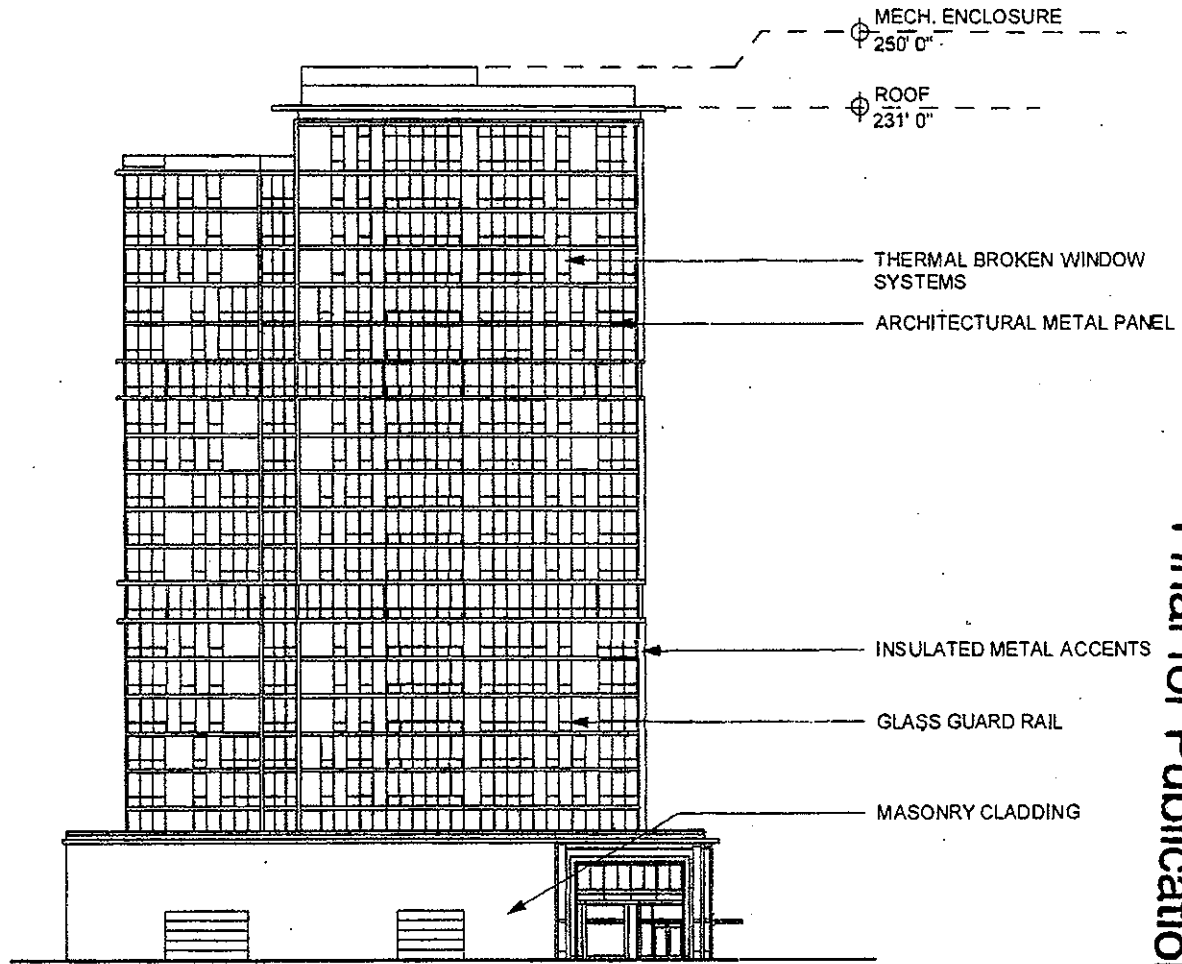
SOUTH ELEVATION

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WEST ELEVATION

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