

PD 1459

Table of Contents

12/18/2019 PD Adoption **2**
 Ordinance 2
 Statements 2
 Bulk Table 8
 Exhibits 9

Reclassification Of Area Shown On Map No. 1-G.
(As Amended)
(Application No. 20066)
(Common Address: 1436 -- 1450 W. Randolph St.)

RBPD 1459

[SO2019-4399]

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, be amended by changing all the C1-3 Neighborhood Commercial District symbols and indications as shown on Map Number 1-G in the area bounded by:

West Lake Street; the ally next northeast of West Randolph Street; North Ogden Avenue; and West Randolph Street,

to those of a C1-5 Neighborhood Commercial District and a corresponding use district is hereby established in the area above described.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the C1-5 Neighborhood Commercial District symbols and indications within the area hereinabove described to the designation of Residential-Business Planned Development Number 1459, which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

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

Residential-Business Planned Development No. 1459.

Plan Of Development Statements.

1. The area delineated herein as Residential-Business Planned Development Number 1459 ("Planned Development"), consists of approximately fifty-one thousand three-hundred and eighty-eight square feet (51,388 square feet) of real property (the "Subject Property"), as shown, which is depicted on the attached Planned Development Boundary and Property Line Map. The Applicant - MP Union Park LLC, an Illinois limited liability company, has filed this application on its own behalf and upon its own volition, and with the consent of the current Owner-WFLP Randolph LLC, doing business as Randolph Street Building.

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, 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 Subject 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 of the Chicago Zoning Ordinance].
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 seventeen (17) Statements; a Bulk Regulations and Data Table; an Existing Aerial Map; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Site Plan; Floor Plans; a Landscape and Green Roof Plan; and Building Elevations, all of which were prepared by Brininstool + Lynch Ltd. and dated November 7, 2019 and which are submitted and referenced herein -- accordingly.

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 Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the tenets of this Planned Development ordinance and the Zoning Ordinance, this Planned Development ordinance shall control.

5. The following uses are allowed in the area delineated herein as Residential-Business Planned Development Number 1459, and shall include the following: multi-unit residential; financial services; office; retail sales; general food and beverage retail sales; eating and drinking establishments (including tavern); hotel/motel (Special Use); vacation rental; personal services, accessory off-street parking and loading; non-accessory off-street parking; and related accessory uses.
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 (DPD). Off-premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height calculations and measurements, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations established by the Federal Aviation Administration (FAA).
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 51,388 square feet and a base FAR of 5.0.

9. Upon review and determination, and pursuant to Section 17-13-0610 of the Zoning Ordinance, Part II Review shall be assessed a fee by the Department of Planning and Development (DPD). The fee, as determined by staff at the time of submission, is final and binding on the Applicant and must be paid to the Chicago 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 corresponding regulations and guidelines, including Section 17-13-0880 of the Zoning Ordinance. Final landscape plan review and approval will be by the Department of Planning and Development (DPD). 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 of the Zoning Ordinance, by the Zoning Administrator, upon written application for such modification, by the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders 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 Subject Property. Plans for all buildings and improvements, within the Planned Development Boundary, shall be reviewed and approved by the Mayor's Office for People with Disabilities (MOPD), 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 C1-3 Neighborhood Commercial District to C1-5 Neighborhood Commercial District, and then to this Residential-Business Planned Development, for construction of the Project triggers the requirements of Section 2-44-080 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 2-44-090 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 Housing ("DOH"), subject to the transition provisions of Section 2-44-040(c), in consultation with the Commissioner of the Department of Planning and Development ("DPD") as appropriate, 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 approval of the Commissioner of DOH (subject to the transition provisions of Section 2-44-040(c)), in consultation with the Commissioner of DPD as appropriate, 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 243 housing units. As a result, the Applicant's affordable housing obligation is 49 affordable units (20 percent of 243, rounded up), consisting of 24 First Units and 25 Additional Units. Applicant has agreed to satisfy its affordable housing obligation by providing the First Units off-site, pending the Commissioner's approval, and the Additional Units in the rental building to be constructed in the Planned Development, all to be approved by the DOH in consultation with DPD as appropriate, 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, the Applicant shall update and resubmit the Affordable Housing Profile Form to DOH for review and approval. DOH 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 2-44-080(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.

* Editor'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 C1-3 Neighborhood Commercial District.

[Existing Zoning Map; Existing Land-Use Map; Boundary and Property Line Map; Site Plan -- Ground Floor; Roof Plan; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 12388 through 12396 of this *Journal*.]

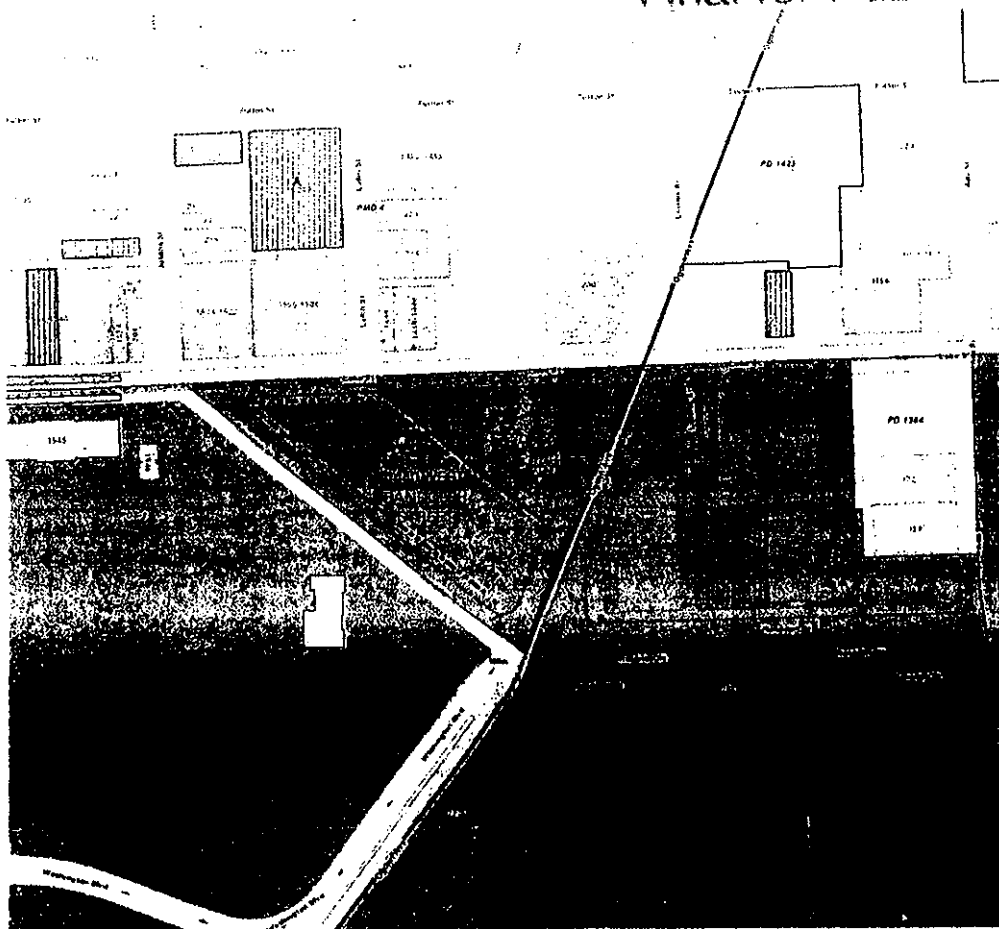
Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

Residential-Business Planned Development No. 1459.

Bulk Regulations And Data Table.

Common Address:	1436 -- 1450 West Randolph Street
Gross Site Area:	98,303 square feet
Area in Public ROW:	46,920 square feet
Net Site Area:	51,388 square feet
Maximum Floor Area Ratio for P.D.:	5.0
Maximum Residential Units for P.D.:	243 dwelling units
Total Number of Vehicular Off-Street Parking Spaces to be provided within P.D.:	87
Number of Bicycle Parking Spaces to be provided within P.D.:	135 spaces
Number of Off-Street Loading Spaces to be provided within P.D.:	1 loading space
Setbacks from Property Line:	In substantial compliance with the attached Site Plan/Survey
Maximum Building Height allowed within P.D.:	134 feet, 0 inches

Final for Publication

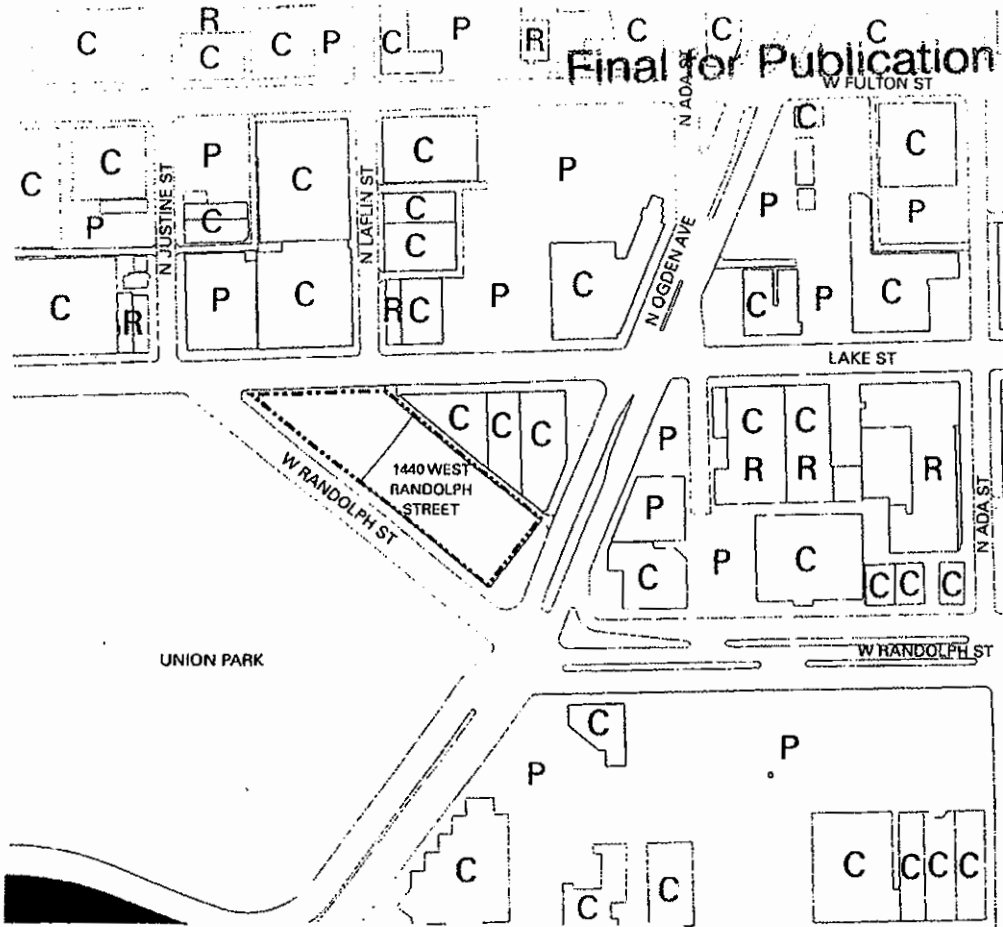


Legend

----- Property Line

1440 W Randolph
 Applicant: MP Union Park, LLC.
 Address: 1440 West Randolph Street
 Introduced: June 12, 2019
 Plan Commission: Nov 21, 2019

⊕
 EXISTING ZONING MAP
 Scale: NTS
**BRININSTOOL
 + LYNCH**
 © Brininstool + Lynch, Ltd.



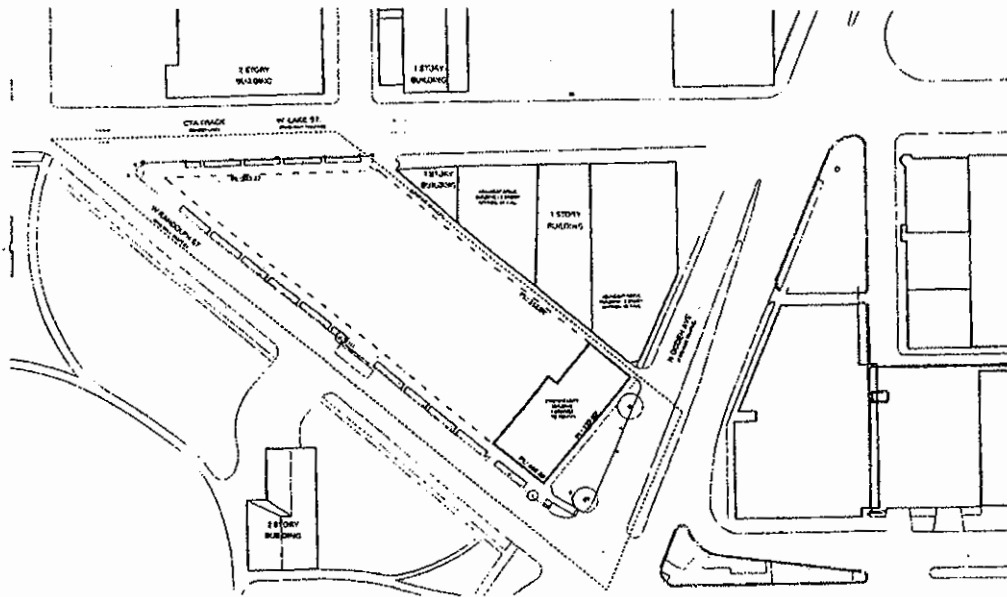
- Legend**
- Property Line
 - R Residential
 - C Commercial
 - P Parking
 - I Institutional

1440 W Randolph
 Applicant: MP Union Park, LI C.
 Address: 1440 West Randolph Street
 Introduced: June 12, 2019
 Plan Commission: Nov 21, 2019


 EXISTING LAND USE MAP
 Scale: NTS

**BRININSTOOL
 + LYNCH**
 © Brininstool + Lynch, Ltd.

Final for Publication



Legend

- PD Boundary Line
- Property Line

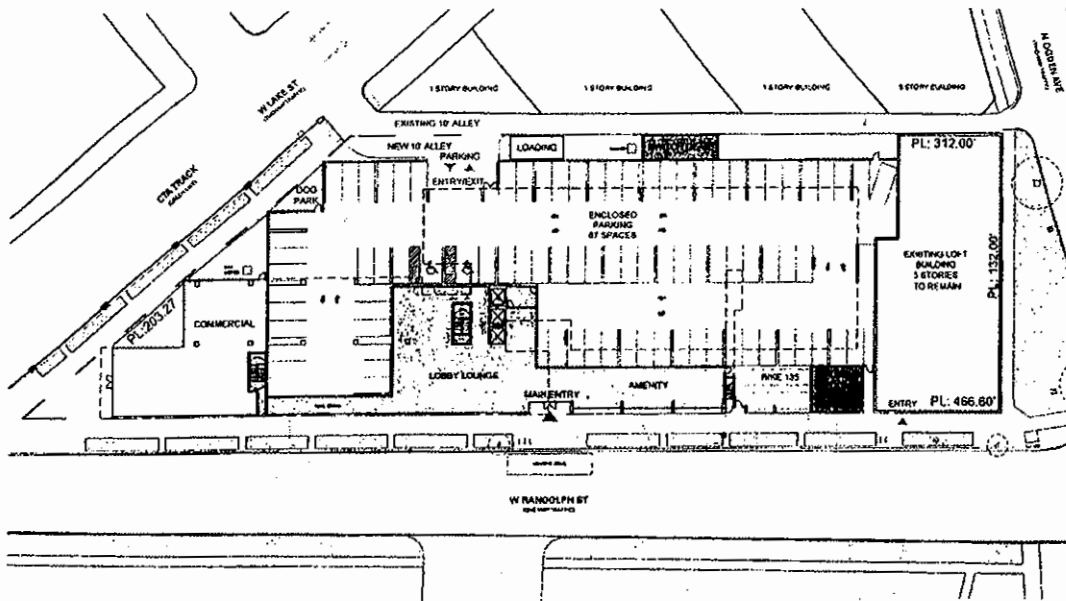
Net Site Area : 51,388 SF
 Area in Right of Way: 46,920 SF
 Gross Site Area: 98,303 SF

1440 W Randolph
 Applicant: MP Union Park, L.L.C.
 Address: 1440 West Randolph Street
 Introduced: June 12, 2019
 Plan Commission: Nov 21, 2019


 PLANNED DEVELOPMENT BOUNDARY
 AND PROPERTY LINE
 Scale: 1'-0" = 1/128"

BRININSTOOL
+ LYNCH
 © Brininstool + Lynch, Ltd.


Final for Publication



Landscape Notes:

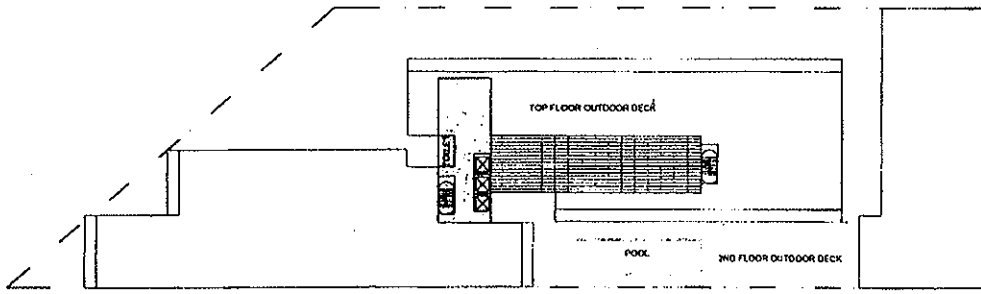
1. Proposed new tree species are as follows: alternating Shawnee Brave, American Sentry Linden, Northern Catalpa, Ivory Silk Japanese Tree Lilac, and Red Jewel.
2. Tree grates must be stamped with the "City of Chicago" with an opening of 24" 5/8" block lettering around the perimeter of each grate panel will suffice. Securing bolts must be used beneath each grate to connect each grate half together.

1440 W Randolph
 Applicant: MP Union Park, LLC.
 Address: 1440 West Randolph Street
 Introduced: June 12, 2019
 Plan Commission: Nov 21, 2019



 SITE PLAN - GROUND FLOOR
 Scale: 1'-0" = 1/64"

**BRININSTOOL
 + LYNCH**
 © Brininstool + Lynch, Ltd.

Final for Publication

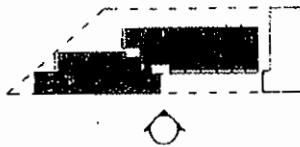
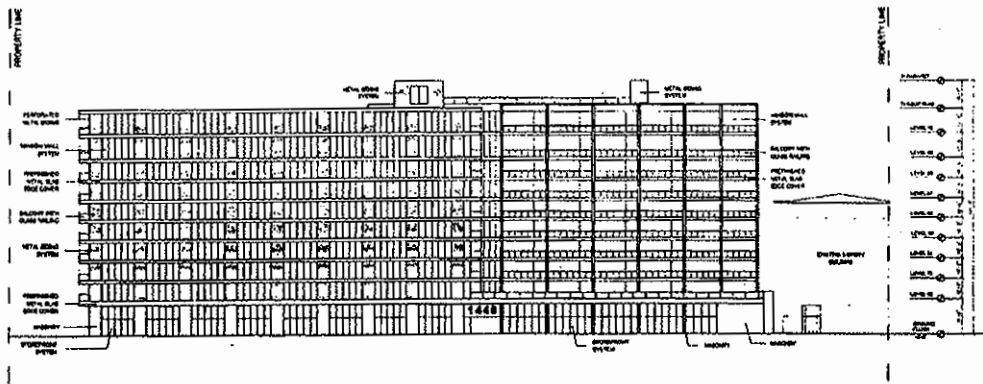


1440 W Randolph
Applicant: MP Union Park, LLC.
Address: 1440 West Randolph Street
Introduced: June 12, 2019
Plan Commission: Nov 21, 2019


ROOF PLAN
Scale: 1'-0" = 1/64"

**BRINSTOOL
+ LYNCH**
© Brininstool + Lynch, Ltd.

Final for Publication

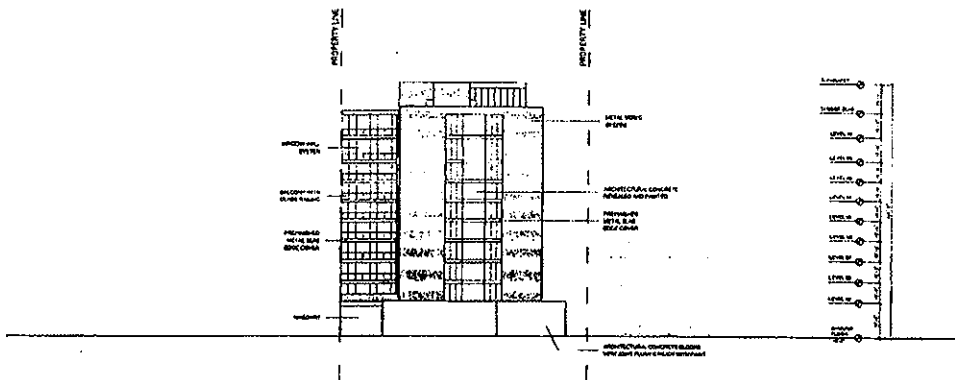


1440 W Randolph
 Applicant: MP Union Park, LLC.
 Address: 1440 West Randolph Street
 Introduced: June 12, 2019
 Plan Commission: Nov 21, 2019

WEST ELEVATION

**BRINNSTOOL
 + LYNCH**
 © Brininstool + Lynch, Ltd.

Final for Publication

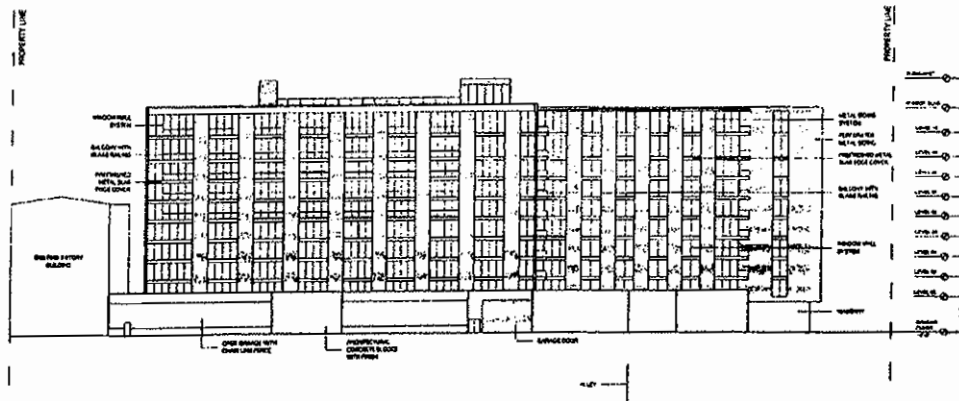


1440 W Randolph
 Applicant: MP Union Park, L.L.C.
 Address: 1440 West Randolph Street
 Introduced: June 12, 2019
 Plan Commission: Nov 21, 2019

SOUTH ELEVATION

**BRININSTOOL
 + LYNCH**
 © Brininstool + Lynch, Ltd.

Final for Publication

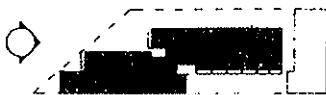
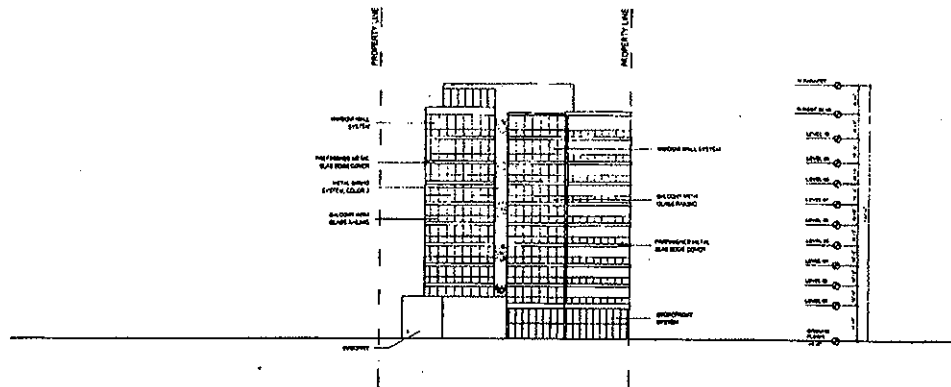


1440 W Randolph
Applicant: MP Union Park, LLC.
Address: 1440 West Randolph Street
Introduced: June 12, 2019
Plan Commission: Nov 21, 2019

EAST ELEVATION

**BRINNSTOOL
+ LYNCH**
© Brininstool + Lynch, Ltd.

Final for Publication



1440 W Randolph
 Applicant: MP Union Park, I.L.C.
 Address: 1440 West Randolph Street
 Introduced: June 12, 2019
 Plan Commission: Nov 21, 2019

NORTH ELEVATION

BRININSTOOL
+ LYNCH
 © Brininstool + Lynch, Ltd.