

# PD 1528

## Table of Contents

<b>03/13/2025 Minor Change</b> .....	<b>2</b>
<b>05/22/2045 PD Amendment</b> .....	<b>4</b>
Ordinance .....	4
Statements .....	4
Bulk Table .....	14
ARO .....	15
Exhibits .....	22
<b>11/17/2021 PD Adoption</b> .....	<b>39</b>
Ordinance .....	39
Statements .....	40
Bulk Table .....	46
Exhibits .....	47



DEPARTMENT OF PLANNING AND DEVELOPMENT  
CITY OF CHICAGO

March 13, 2025

Katie C. Jahnke Dale  
DLA Piper LLP  
444 W. Lake St., Suite 900  
Chicago, IL 60606-0089

**Re: Minor change to PD No. 1528  
Reduction to EV ready parking spaces at 410 N. Elizabeth Street**

Dear Ms. Jahnke Dale:

Please be advised that your request for a minor change to Residential-Business Planned Development No. 1528 ("PD 1528") has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 12 of the PD.

You are requesting on behalf of the sole property owner of the PD, 400 N Elizabeth Land LLC, a minor change to reduce the number of electric vehicle (EV)-ready parking spaces from 100% to 20% due to the anticipated lack of demand for such spaces and the excessive costs associated with installing the necessary equipment.

PD 1528 is allowed a maximum of 724 dwelling units and 20% of them will be affordable, on-site units. Therefore, pursuant to the Illinois Electric Vehicle Charging Act, the proposed building is defined as an affordable housing development. Section 17-13-1003-LL of the Zoning Ordinance allows a reduction to the electric vehicle supply equipment (EVSE)-ready or EVSE-installed spaces for affordable housing. The minimum percentage of spaces required is dependent on the permit application date. For example, if the permit application date is before Nov. 1, 2025, the minimum percentage required is at least 20%. If the permit application date is between Nov. 1, 2025, through October 31, 2028, a minimum of at least 40% is required.

With regard to your request, the Department has determined that allowing a reduction in EV -ready parking spaces from 100% to the minimum as identified in Section 17-13-1003-LL 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 1528, I hereby approve the foregoing minor change, but no other changes to this PD. 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,



Noah Szafraniec  
Assistant Commissioner

NS.tm

5/22/2024

REPORTS OF COMMITTEES

22318

12163

*Reclassification Of Area Shown On Map No. 1-G.*  
(As Amended)  
(Application No. 22318)  
(Common Address: 400 N. Elizabeth St.)

*RBPD 1528,99*

[SO2023-0006496]

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the Business Planned Development Number 1528 symbols and indications as shown on Map Number 1-G in the area bounded by:

North Ogden Avenue; Union Pacific Railroad; North Elizabeth Street; and the south line of vacated West Kinzie Street,

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

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the DX-7 Downtown Mixed-Use District symbols and indications as shown on Map Number 1-G in the area bounded by:

North Ogden Avenue; Union Pacific Railroad; North Elizabeth Street; and the south line of vacated West Kinzie Street,

to those of Residential-Business Planned Development Number 1528, as amended.

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

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

*Residential-Business Planned Development No. 1528, As Amended.*

*Planned Development Statements.*

1. The area delineated herein as Residential-Business Planned Development Number 1528, ("Planned Development") consists of approximately 62,169 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). 400 N Elizabeth Land LLC is the "Applicant" for this Planned Development and the owner of the Property.
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 "Zoning Ordinance"), the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the 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 Chicago Department of Transportation ("CDOT") on behalf of the Applicant or its successors, assignees 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.

The Applicant shall make the following improvements prior to the issuance of a Certificate of Occupancy:

- Creation of a northbound left turn lane from Ogden Avenue onto Hubbard Street.
- Creation of the pedestrian walkway further described in Statement 16 and indicated on the Plans (as hereinafter defined).
- Installation of left turn signals for the north and south approaches of Ogden Avenue at Hubbard Street and of equipment necessary to provide the same, including supporting controller, cabinet, and foundations.
- Ogden and Hubbard intersection incandescent signal heads and countdown pedestrian signals to be replaced with LED signal heads.

In addition, owing to the unique infrastructure challenges in the adjacent area, the Applicant has agreed to establish and fund an escrow in the amount of \$600,000 (the "Escrow Amount") prior to the issuance of any building permits (the "Traffic Mitigation and Neighborhood Beautification Fund"). The Traffic Mitigation and Neighborhood Beautification Fund will fund work to be performed by CDOT or, with the approval of CDOT, by the Applicant. These improvements will be determined by CDOT and could include the following in the discretion of CDOT and to the extent that required approvals can be obtained and that funds allow:

- Conversion of southbound Racine Avenue to one way or elimination of one leg of Racine at Kinzie Street.
- Creation of a pedestrian park at Racine Avenue and Kinzie Avenue.
- Increased visibility of the stop sign(s) at Grand Avenue and Racine Avenue such as flashing or one or double-sided stops.
- If and when warranted, installation of a traffic signal at the intersection of Racine Avenue and Hubbard Street.

- Signal modification from eastbound and westbound approaches to northbound and southbound approaches during weekday morning peak hours at intersection of Ogden Avenue and Grand Avenue.
- Landscaping along north side of Kinzie Street between Elizabeth Street and Racine Avenue.
- Landscaping to the north of the Union Pacific tracks adjacent to Hubbard Street between Ogden Avenue and Elizabeth Street.
- Installation of lighting and public art at Elizabeth Street viaduct.

The Applicant's responsibility shall be limited to the Escrow Amount and any sums remaining in the Traffic Mitigation and Neighborhood Beautification Fund sixty (60) months following the issuance of a Certificate of Occupancy shall be remitted to the Applicant.

4. This plan of development consists of these 18 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Archeo Design Studio, Inc. and dated November 17, 2023 (the "Plans"): an Existing Land-Use Map; a Planned Development Property Line and Boundary Map; an Existing Zoning Map; a Site Plan/Landscape Plan; Base, Middle and Top Details; Building Elevations (North, South, East and West); and an ARO Affordable Housing Profile Form ("AHP"). In any instance where a provision of this Planned Development conflicts with the Chicago Building Code or AHP, the Building Code or AHP, as applicable, shall control.

This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereof, 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 Zoning Ordinance, this Planned Development ordinance shall control.

5. The following uses are permitted in the area delineated herein as Residential-Business Planned Development Number 1528, as amended: dwelling units above the ground floor, vacation rental, shared housing units, day care (subject to future site plan review); animal services (sales and grooming, veterinary, excluding kenneling and boarding); artist work or sales space; business support services (except day labor employment agency); eating and drinking establishments (all); financial services (all, excluding payday/title secured loan store and pawn shop); food and beverage retail sales (except as more specifically regulated); lodging (all, subject to site plan approval); liquor sales (as accessory use); medical service; office; personal service (all); retail sales; indoor participant sports and recreation; entertainment and spectator sports (Subarea B only; all, except wagering facility); co-located wireless communication facilities; accessory parking; and accessory and incidental 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 DPD. Off-premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the 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 62,169 square feet and a base FAR of 7.0.

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 which includes permanent structural elements (excluding geothermal system well and boring permit(s)) 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 of the Zoning Ordinance, a Part II review fee shall be assessed by DPD. 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. Final landscape plan review and approval will be by 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 13-32-125 of the Municipal Code, or any other provision of that code.
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 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 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

---

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

- 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.
16. Prior to issuance of building permits, the Applicant will enter into a development and maintenance agreement (the "DEMA") with the City for the construction, maintenance, and management of the pedestrian walkway and all public open space indicated on the Plans. The DEMA obligations shall be binding upon the Applicant, its successors and assigns. The Commissioner is hereby authorized to enter into the DEMA and all other documents contemplated by this Statement 16 and, in his/her sole discretion, may modify by minor change the foregoing requirements, without further City Council approval, for the DEMA(s) so as to permit alternate forms of achieving compliance with the Applicant's construction, maintenance and management obligations such as, by means of example and not limitation, one or more restrictive covenants or owners' reciprocal easement and operation agreements in form and substance acceptable to the City which expressly grant the City necessary enforcement, self-help and lien rights as may be necessary to assure compliance with this statement.
  17. The Applicant acknowledges and agrees that the rezoning of the Property from Business Planned Development Number 1528 to the DX-7 Downtown Mixed-Use District, and then to this Residential-Business Planned Development Number 1528, as amended, is an "entitlement" that triggers the requirements of Section 2-44-085 of the Municipal Code of Chicago (the "ARO"). The P.D. is located in a "downtown district" within the meaning of the ARO and permits the construction of 383 dwelling units in Subarea A, and 341 dwelling units in Subarea B. This statement addresses the compliance with ARO for Subarea A and Subarea B, where the Applicant intends to construct a 724-unit rental development in multiple buildings (the "Project").

Developers of rental projects in downtown districts with 30 or more units must provide between 10 percent and 20 percent of the units in the residential development as affordable units, depending on the average depth of affordability provided, as

described in subsection (F)(2) of the ARO. Regardless of the applicable percentage of affordable units in the rental project, developers must construct at least 25 percent of the affordable units on-site and another 25 percent on-site or off-site (collectively, the "Required Units"), and may satisfy the balance of their affordable housing obligation through: (a) the establishment of additional on-site or off-site affordable units; (b) payment of a fee in lieu of the establishment of on-site or off-site affordable units; or (c) any combination thereof. All on-site affordable units must be accessible dwelling units, as required under subsection (W)(10) of the ARO, and developers must give preference in leasing accessible units to people with disabilities, as specified in the ARO rules. All off-site affordable units must have at least two bedrooms and must be located in a downtown district, inclusionary housing area, or community preservation area. Whether on-site or off-site, developers must give preference in leasing affordable units of two bedrooms or more to multi-person households, as specified in the ARO rules. If a residential project is located in a transit-served location, off-site units must be located in a substantially comparable transit-served location.

The Applicant has elected the 20 percent option as set forth in the chart in subsection (F)(2) of the ARO. As a result, the Applicant's affordable housing obligation is 144.8 affordable units (20 percent of 724) half of which (50 percent of 144.8 or 72.4) are Required Units. Pursuant to subsection (T) of the ARO, the Applicant must either pay a fractional in lieu fee or provide an additional unit on-site or off-site to satisfy the fractional obligation. The Applicant has agreed to satisfy its affordable housing obligation by providing an additional unit for its fractional obligation for a total of 146 affordable units in the Project, as set forth in the Affordable Housing Profile (AHP) attached hereto. The Applicant agrees that the affordable rental units must be affordable to households with a range of incomes averaging 60 percent of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually, provided that: (x) the maximum income level for any affordable unit may not exceed 80 percent of the AMI; (y) at least one-third (or 49 units) must be affordable to households at or below 50 percent of the AMI, one-sixth of which (or 8 of the 49 units) must be affordable to households at or below 40 percent of the AMI; and (z) all income levels must be multiples of 10 percent of the AMI.

This P.D. is located in the Fulton Market Innovation District (the "FMID"). The Chicago Plan Commission adopted a plan for the FMID in July 2014, and approved an update to the plan (the "FMID Plan Update") in February 2021. The FMID Plan Update allows residential uses north of Lake Street in the FMID and establishes a 30 percent affordability goal for new residential projects in that area. In order to achieve that goal, the City's Department of Housing ("DOH") is committed to offering developers financial assistance (the "FMID Funds") to provide additional affordable units. Subject to the City's approval of the FMID Funds in an amount and on terms described below, the Applicant has agreed to explore the provision of up to an additional 72 affordable units (10 percent of 724) either on-site or in an off-site location within the boundaries of the FMID, in accordance with the FMID Plan Update (the "FMID Units"). The Applicant and DOH have begun and will continue to collaborate to determine the amount of FMID Funds necessary to create the FMID Units, which amount shall account for such factors as the change in projected net operating income

during the period of affordability and based on commercially reasonable investment criteria and empirical data. DOH has previously reviewed detailed pro formas at 20 percent and 30 percent affordability along with a market rent study provided by the Applicant, and preliminarily determined the amount of funds necessary to compensate for the loss of market rate rent for the FMID Units. The Applicant and DOH have not agreed on the amount of FMID Funds or whether the receipt of any FMID Funds can be borne by the Project. The Applicant and DOH will continue to collaborate to determine whether the Project can accept FMID Funds and, if so, the amount of FMID Funds necessary to create the FMID Units in accordance with this Statement 17. At least six (6) months prior to the issuance by the Department of Buildings of any permits for the construction of vertical improvements, the Applicant shall notify the City of the Applicant's intent to proceed with construction of the Project ("Applicant's Notice to Proceed"). The Applicant's Notice to Proceed must include an updated and detailed budget for the Project, updated pro formas at 20 percent and 30 percent affordability based on commercially reasonable investment criteria and empirical data, an updated rent market study from a reputable firm with established expertise with valuations of similar properties, its calculation of the amount of FMID Funds necessary to create the FMID Units ("FMID Funding Determination") and a detailed explanation of its FMID Funding Determination, or, if applicable, a detailed explanation as to why the Project cannot accept FMID Funds (the foregoing referred to as the "Supporting Documents"). The Applicant shall concurrently deliver a copy of the Applicant's Notice to Proceed and associated documentation to the alderman in whose ward the Project is located. Within 30 days after delivery of the Applicant's Notice to Proceed and all associated documentation to DOH, the City will either: (1) accept the Applicant's FMID Funding Determination and agree to provide the amount of FMID Funds identified by the Applicant, subject to city council approval of the FMID Funds and the Applicant's execution of a TIF RDA (defined below); (2) reject the Applicant's FMID Funding Determination and request additional information and discussion; or, (3) accept a determination by the Applicant that it is not fiscally possible, based on commercially reasonable investment criteria and empirical data, to accept FMID Funds. Furthermore, if the City fails to respond within the 30-day period following the delivery of the Applicant's Notice to Proceed (which will not be considered delivered unless each of the Supporting Documents are delivered), the Applicant may proceed with development of the Project without providing the FMID Units. If the City rejects the Applicant's FMID Funding Determination, the City and the Applicant must confer and negotiate in good faith and with due diligence to determine the amount of FMID Funds necessary to create the FMID Units. If the City and the Applicant are unable to reach agreement regarding such amount on terms acceptable to the Applicant and the City within ninety (90) days after delivery of the Applicant's Notice to Proceed, the Applicant may proceed with development of the Project without providing the FMID Units. The City intends to provide the FMID Funds from available incremental property taxes on deposit in the special tax allocation fund for the Kinzie Industrial Conservation Area Tax Increment Redevelopment Project Area, within whose boundaries the Property is located. The Applicant understands and agrees that the award of the FMID Funds is expressly conditioned on the City and the Applicant entering into a TIF Redevelopment Agreement (the "TIF RDA"), which will be approved pursuant to a separate ordinance (the "TIF Ordinance"), and the Applicant agrees to

negotiate the TIF RDA in good faith and with due diligence and to execute the TIF RDA in order to receive the FMID Funds. Among other conditions, the Applicant shall not be required to provide the FMID Units and accept FMID Funds if a lender providing construction financing does not approve the TIF RDA as a condition to providing such construction financing.

If, following the passage of this P.D., the Applicant requests any material change to its method of compliance with the ARO, such as locating affordable units off-site instead of on-site or changing the target affordability level, or chooses to decrease the number of dwelling units in the Project or pursue uses allowed by this P.D. other than residential, DOH may adjust the AHP as requested without amending this P.D., provided, however, the Applicant must update and resubmit the revised AHP to DOH for review and, at DOH's request, provide an informational presentation to the Plan Commission regarding such change. Prior to the issuance of any building permits for the Project, including, without limitation, excavation or foundation permits, the Applicant must execute and record an Inclusionary Housing Agreement ("IHA") in accordance with subsection (N) of the ARO. The terms of the IHA and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the IHA will be recorded with the Cook County Clerk and will constitute a lien against the Project in the P.D. If the IHA is executed before the Applicant and DOH complete negotiations regarding the FMID Units, the Applicant agrees to update and amend the IHA, and to record such amended IHA, as necessary to incorporate the FMID Units. The Commissioner of DOH may enforce remedies for any breach of this Statement 17, including any breach of any IHA, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the P.D.

This statement does not include all ARO requirements and options. It is intended to provide an overview of the application of the ARO to this P.D. In the event of any conflict between this statement and the terms and conditions of the ARO, the ARO shall govern.

18. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of DPD shall initiate a zoning map amendment to rezone the Property to the DX-7 Downtown Mixed-Use District.

[Unit Matrix Plans; Existing Zoning Map; Existing Land-Use Map; Subarea Map;  
Site Plan -- Ground Floor Plan; Site Plan -- Landscape; Roof Plan;  
East and West Buildings Elevations; Detail at Crown; Detail at  
Facade; and Detail at Base printed on pages 12179  
through 12197 of this *Journal*.]

Bulk Regulations and Data Table and ARO Intake Application referred to in these Plan of Development Statements read as follows:

*Residential-Business Planned Development No. 1528, As Amended.**Bulk Regulations And Data Table.***FINAL FOR PUBLICATION**

Gross Site Area (sf)	78,048
Subarea A	40,037
Subarea B	38,011
Area in Public Rights-of-Way (sf)	15,879
Subarea A	7,016
Subarea B	8,863
Net Site Area (sf)	62,169
Subarea A	33,602
Subarea B	28,567
Maximum Number of Dwelling Units	724
Subarea A	383
Subarea B	341
Maximum Floor Area Ratio	11.5
Subarea A	11.5
Subarea B	11.5
Minimum Off-Street Parking Spaces	300
Subarea A	150
Subarea B	150
Bicycle Parking Spaces	724
Subarea A	383
Subarea B	341
Minimum Off-Street Loading Spaces	4 (10'x25')
Subarea A	2
Subarea B	2
Maximum Building Height	380'
Subarea A	380'
Subarea B	360'
Minimum Setbacks	In conformance plans

An official website of the City of Chicago Here's how you know

# FINAL FOR PUBLICATION



## ARO Intake Application

Close

Submission ID: 870984

### Applicant Contact Information

Section 2-44-085 of the Municipal Code of the City of Chicago (the "ARO") is effective as of October 1, 2021, and is available to read in its entirety online at: [https://code.library.ami.legal.com/codes/chicago/latest/chicago\\_il/0-0-0-2598874](https://code.library.ami.legal.com/codes/chicago/latest/chicago_il/0-0-0-2598874).

The Pilsen-Little Village ARO Pilot shall expire without further action by the City Council on 12/31/2023 and its requirements have been incorporated into this web form. More information is available in [Section 2-44-105 of the City's Municipal Code](#).

**PLEASE READ CAREFULLY.** This form requires several steps and does NOT support an automatic save or save for later function.

Before starting the submission process, please gather and complete all the necessary documentation outlined in [Article 5.3.2 of the ARO Rules](#), and listed below. Please start by first completing the Affordable Unit Details Worksheet, available for [download here](#). The Affordable Unit Details Worksheet is required to be submitted as an attachment under Step 4 of this submission.

If affordable units are proposed, please ensure that you have the following documents ready to submit when prompted:

- Affordable Unit Mix Details and Square Footage Spreadsheet
- Dimensional Floor Plans with affordable units highlighted
- If affordable units are proposed off-site, off-site unit application as detailed in Article 6.2.5 of the ARO Rules.
- If affordable units are proposed as authorized agency units, a signed acceptance letter from the authorized agency.

Your application will be reviewed when all required documentation has been received. Additional documents may be requested during the review period by DOH staff.

The ARO Rules are available online at [www.chicago.gov/ARO](http://www.chicago.gov/ARO). If you have any questions about completing this application, please contact [ARO@cityofchicago.org](mailto:ARO@cityofchicago.org).

Please help us improve the form by reporting any errors, inconsistencies or sharing any suggestions to [ARO@cityofchicago.org](mailto:ARO@cityofchicago.org).

<b>Applicant Name *</b>	<b>Applicant Contact Person *</b>
<input type="text" value="400 N Elizabeth Property LLC"/>	<input type="text" value="Ted Weldon"/>
<b>Applicant Email *</b>	<b>Applicant Phone *</b>
<input type="text" value="tweldon@weldongrp.com"/>	<input type="text" value="(312) 656-8584"/>
<b>Applicant Address *</b>	
<input type="text" value="2525 North Elston"/>	
<b>Attorney Name *</b>	<b>Attorney Email *</b>
<input type="text" value="Katie Jahnke Dale"/>	<input type="text" value="katie.dale@us.dlapiper.com"/>

### Development Information

Development Address:

<b>From *</b>	<b>To</b>	<b>Direction *</b>	<b>Street Name *</b>
<input type="text" value="400"/>	<input type="text" value="400"/>	<input type="text" value="N"/>	<input type="text" value="ELIZABETH"/>
<b>Zip Code *</b>	<b>Ward *</b>	<b>ARO Zone *</b>	
<input type="text" value="60642"/>	<input type="text" value="27"/>	<input type="text" value="Downtown"/>	
<b>Development Name *</b>	If you are working with a Planner at the City, what is his/her/their name?		
<input type="text" value="400 North Elizabeth"/>	<input type="text" value="Max Lyon"/>		
<b>Zoning Application Number (if applicable)</b>	<b>Council Introduction Date *</b>		
<input type="text" value="22318"/>	<input type="text" value="12/13/2023"/>		

Is your project currently in, or do you plan to rezone to, a downtown zoning district? \*

<b>ARO Trigger *</b>	<b>Development Type *</b>
<input type="text" value="Zoning Entitlement"/>	<input type="text" value="Rental"/>

Total Units \*

Is your Project in a Transit Served Location? \*

Estimated date marketing will begin \*

Estimated date of building permit (In-lieu fee, \$5,000 per off-site unit administration fee, and recorded covenant are required prior to issuance of any building permits) \*

### ARO Requirements

ARO Option

- 20% at 60% average AMI
- 16% at 50% average AMI
- 13% at 40% AMI
- 10% at 30% AMI

ARO Option

- 20% at 100% AMI
- 16% at 80% AMI

ARO Option \*

10% SET-ASIDE AT A WEIGHTED AVERAGE OF 60% OF THE AMI

ARO Option \*

- 10% AT A WEIGHTED AVERAGE OF 100% AMI
- 8% AT A WEIGHTED AVERAGE OF 80% AMI

Affordable Units Required \*

Minimum On-Site Units \*

Maximum Units Paid For In-Lieu \*

Proposed On-Site Units \*

Proposed Off-Site Units \*

Proposed In-Lieu Units \*

In-Lieu Amount Owed \*

On-Site Units To CLHMF or CHA \*

If the In-Lieu Amount Owed calculation results in a fractional unit that is less than 0.5, the developer shall either pay an in lieu fee or provide an additional unit to satisfy the fractional obligation. The in lieu fee for any fractional unit will be calculated as follows: [fractional unit] x [applicable in lieu fee].

Off Site Address:

From  To  Direction  Street Name

Zip Code  Ward  ARO Zone

Off-Site Type

Off-Site Admin Fee

### Forms

Unit Mix and Square Footage Spreadsheet \*

[ARO 20% Affordable Unit Details and Sq. Ft. 400 N. Elizabeth-W Towers v2.xlsx](#)

Dimensioned Floor Plans with affordable units highlighted

[400 N. Elizabeth - ARO Floor Plans.pdf](#)

# FINAL FOR PUBLICATION

If ARO units are CLIHTF or CHA, attach signed acceptance letter  
If off-site units are new construction, attach:

- A. Schematic and design development drawings for on-site units
- B. Schematic and design development drawings for off-site units  
If off-site units are rehab, please attach the following documents:
  - A. Schematic and design development drawings for on-site units
  - B. Schematic and design development drawings for off-site units
  - C. A Physical Needs Assessment (PNA)
  - D. Surveys
  - E. Outstanding code violations
  - F. Scope of work and estimated cost of renovations

## Off-Site Units Only: Documents Required for Architectural Approval Letter

- A. Owner Sworn Statement
- B. GC Sworn Statement
- C. Bounday Survey
- D. Draft permit application prior to submission to the Department of Buildings (DOB)
- E. Final construction drawings stamped by the architect of record prior to submission to DOB

## OFF-SITE UNITS ONLY: Documents required for Architectural Construction a Approval Letter and Notice to Proceed

- A. A letter from the Developer on company letterhead stating the project is complete and requesting a final site inspection from DOH
- B. A copy of the front and back of each building permit for each property with all DOB signoffs
- C. A copy of the Certificate of Occupancy for each property (if applicable)
- D. Final GC and Owner Sworn Statements
- E. All final waivers of lien or a title report showing no liens for each property
- F. As built Survey (new construction)
- G. Final Issued for Construction Permitted Construction Drawings
- H. List of any Buyer changes (if applicable, for-sale units only)

## Signature

Developer or their Agent \*

DLA Piper LLP

## Summary Work Log

Submission Date: 03/11/2024 06:45:26 PM

Amended Date:

Admin Amended Date:

Admin Amended By:

Admin Amended Justification:

- | Options                    | Action                    |
|----------------------------|---------------------------|
| <a href="#">Show Notes</a> | <a href="#">Accept</a>    |
| <a href="#">Email User</a> | <a href="#">Deny</a>      |
|                            | <a href="#">Follow Up</a> |



**FINAL FOR PUBLICATION**

Project Name	400 North Elizabeth St. - Phase I (East) Tower
Zoning Application number, if applicable	Amendment to PD 1528
Address	400 North Elizabeth St, 60642
Is this a For Sale or Rental Project?	Rental
Anticipated average per-unit price?	\$4.31
Total Units in Project	363
Total Affordable units	77

Summary						
Unit type	Market Rate			ARO		
	how many?	% of total	sq. footage	how many?	% of total	sq. footage
studio	30	10%	471	8	10%	475
one-bed	70	23%	616	17	22%	544
two-bed	204	67%	651	52	68%	817
three-bed	2	1%	2,388	0	0%	0

\*ARO unit percentages, by unit type, should reflect corresponding market rate percentages (for example, if 10% of market rate units are studios, roughly 10% of ARO units can be studios).  
 \*\*the average affordable square footage should be 85% or greater of market-rate square footage for comparable unit type. Off-site units must meet minimum unit sizes specified in the Design Guidelines.

Features and Amenities		
	Market Rate Units	Affordable Units
Parking	On-site	On-site
Laundry	In-Unit - Electric	In-Unit - Electric
Refrigerator	New/EnergyStar/Make, Model, Color TBD	Same as Market Rate Units
Dishwasher	New/EnergyStar/Make, Model, Color TBD	Same as Market Rate Units
Stove/Oven	New/EnergyStar/Make, Model, Color TBD	Same as Market Rate Units
Microwave	New/EnergyStar/Make, Model, Color TBD	Same as Market Rate Units
Bathroom(s) how many? Half bath? Full bath?	Varies per Unit Type	Same as Market Rate Units
Kitchen countertops material	Quartz or Engineered Stone	Same as Market Rate Units
Flooring material	LVT or Engineered Wood	Same as Market Rate Units
HVAC	In-Unit Heat Pump	In-Unit Heat Pump
Other		

NOT: BOH will review specific details for features and amenities for approval when they become available. The Applicant shall provide comparable unit finishes and amenities in affordable units as in market rate units as required by the AEO Rules.

AMI Mix for ARO Units							
Affordable Units - Phase I and Phase II Combined							
Unit Type	30% AMI	40% AMI	50% AMI	60% AMI	70% AMI	80% AMI	Total Units Average
Studio	-	3	5	4	-	4	16 58.33%
1 bed	-	7	10	4	1	11	33 59.70%
2 bed	-	14	35	13	3	32	97 60.41%
3 bed	-	-	-	-	-	-	- 0.00%
4 bed	-	-	-	-	-	-	- 0.00%
	-	24	50	21	2	47	146 68.00%

FINAL FOR PUBLICATION

Project Name:	400 North Elizabeth St. - Phase II (West) Tower
Zoning Application number, if applicable:	Amendment to PD 1528
Address:	400 North Elizabeth St, 60642
Is this a For Sale or Rental Project?	Rental
Anticipated average price/sqft/price/sqft:	\$4.51
Total Units in Project:	341
Total Affordable Units:	88

Summary							
Unit Type	Market Rate			ARL			Affordable v. Market square footage*
	How many?	% of total	avg. square footage	How many?	% of total	avg. square footage	
studio	30	8.8%	471	8	2.3%	471	100%
one-bed	65	19%	613	16	4.7%	527	86%
two-bed	176	51%	840	45	13%	812	96%
three-bed	2	0.6%	2,388	0	0%	0	0%

\*ARL unit percentages, by unit type, should reflect corresponding market rate percentages (for example, if 10% of market rate units are studios, roughly 10% of ARL units can be studios).  
 \*\*The average affordable square footage should be 85% or greater of market-rate square footage for comparable unit type. On-site units must meet minimum unit sizes specified in the Design Guidelines.

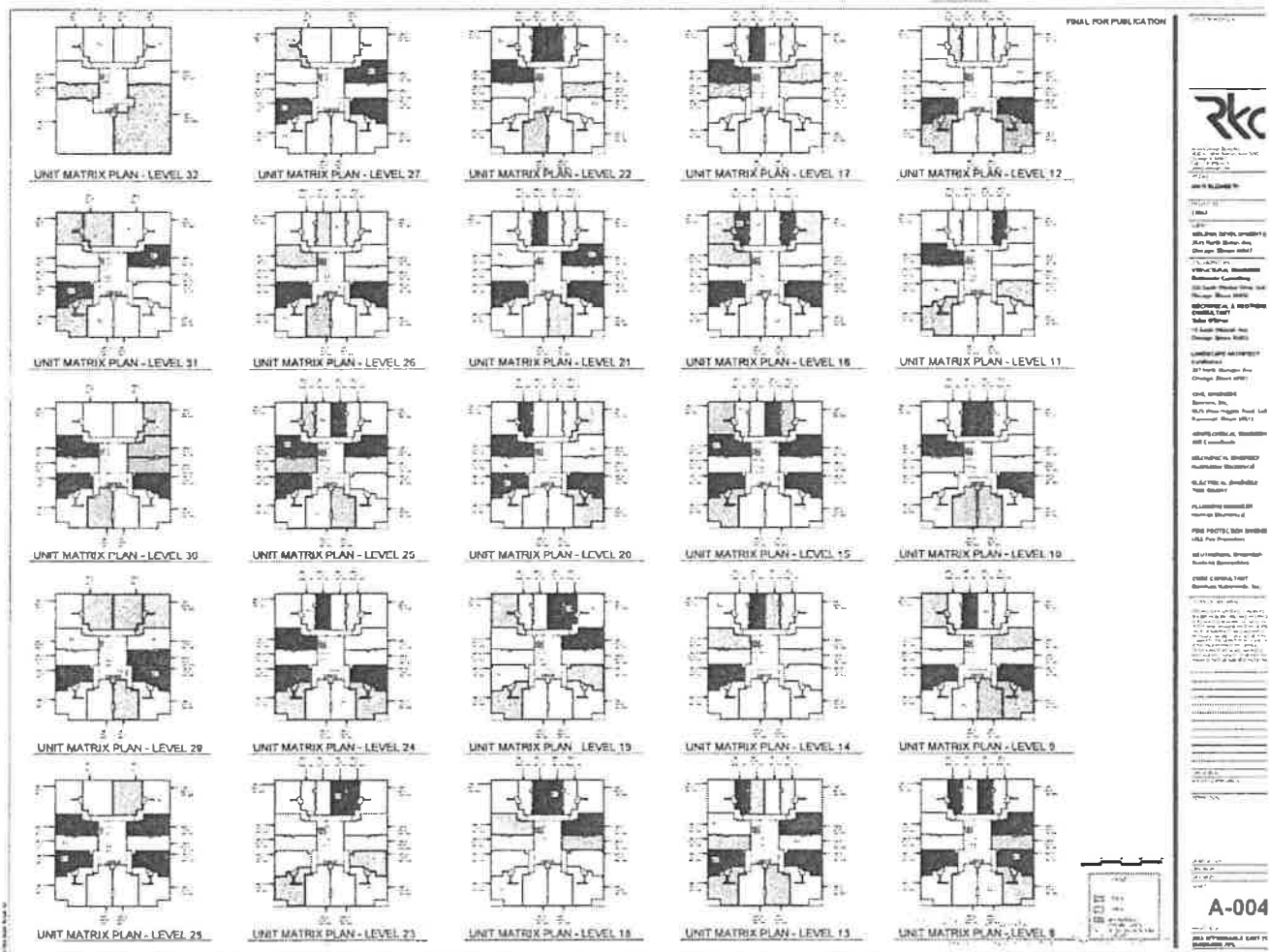
Features and Amenities

	Market Rate Units	Affordable Units
Parking	On-site	On-site
Laundry	In-Unit - Electric	In-Unit - Electric
<b>Appliances</b>		
Refrigerator age/EnergyStar/make/model/color	New/EnergyStar/Make, Model, Color TBD	Same as Market Rate Units
Dishwasher age/EnergyStar/make/model/color	New/EnergyStar/Make, Model, Color TBD	Same as Market Rate Units
Stove/Oven age/EnergyStar/make/model/color	New/EnergyStar/Make, Model, Color TBD	Same as Market Rate Units
Microwave age/EnergyStar/make/model/color	New/EnergyStar/Make, Model, Color TBD	Same as Market Rate Units
Bathroom(s) how many? Half bath? Full bath?	Variety per Unit Type	Same as Market Rate Units
Kitchen countertops material	Quartz or Engineered Stone	Same as Market Rate Units
Flooring material	LVT or Engineered Wood	Same as Market Rate Units
HVAC	In-Unit Heat Pump	In-Unit Heat Pump
Other		

NOTE: ODH will review specific details for features and amenities for approval when they become available. The Applicant shall provide comparison unit features and amenities in affordable units as in market-rate units as required by the ARL Rules.

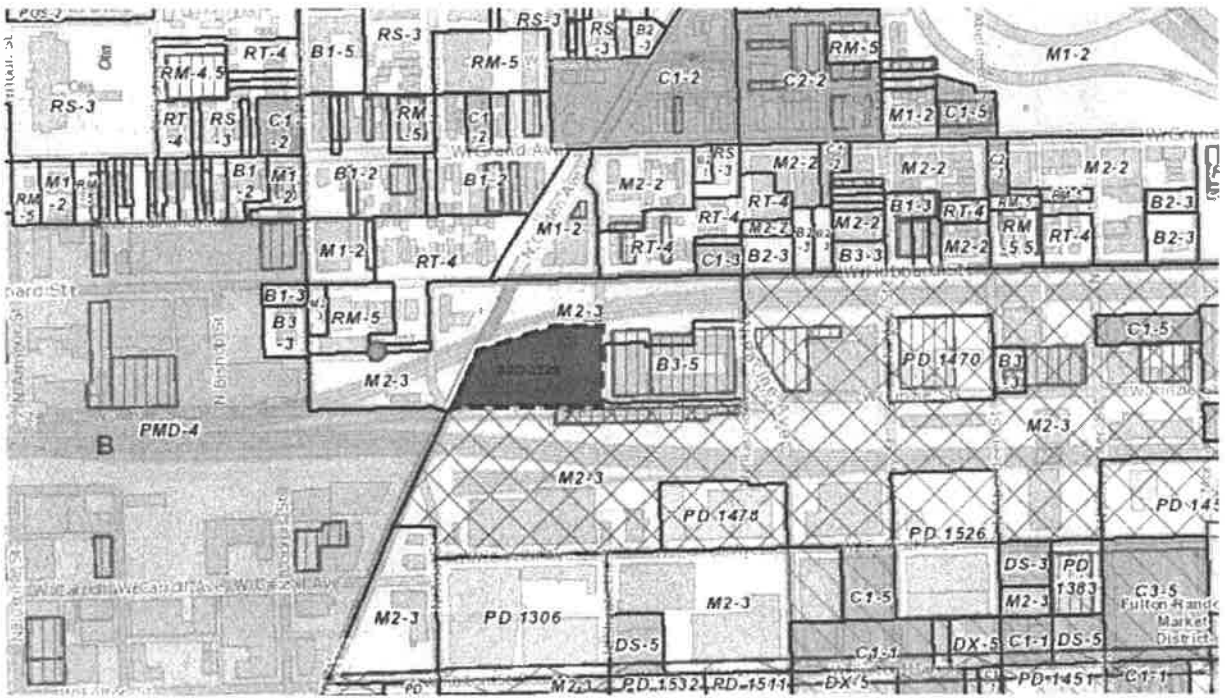
AMI Mix for ARL Units

Affordable Units - Phase I and Phase II Combined								
Unit Type	30% AMI	40% AMI	50% AMI	60% AMI	70% AMI	80% AMI	Total Units	Average
Studio	-	1	5	4	-	4	16	58.33%
1 bed	-	7	10	4	1	11	33	59.70%
2 bed	-	14	35	13	3	32	97	60.41%
3 bed	-	-	-	-	-	-	-	0.00%
4 bed	-	-	-	-	-	-	-	0.00%
		34	60	31	4	47	146	60.99%





**FINAL FOR PUBLICATION**

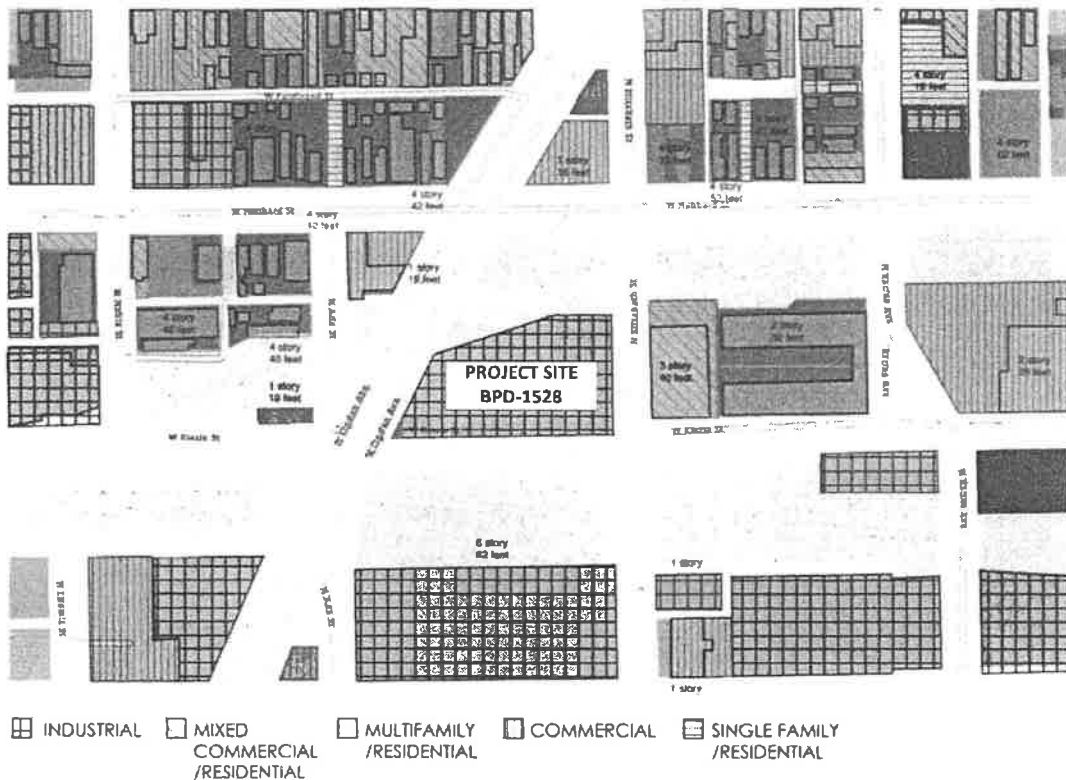


**EXISTING ZONING MAP**  
Exhibit 01

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024



FINAL FOR PUBLICATION



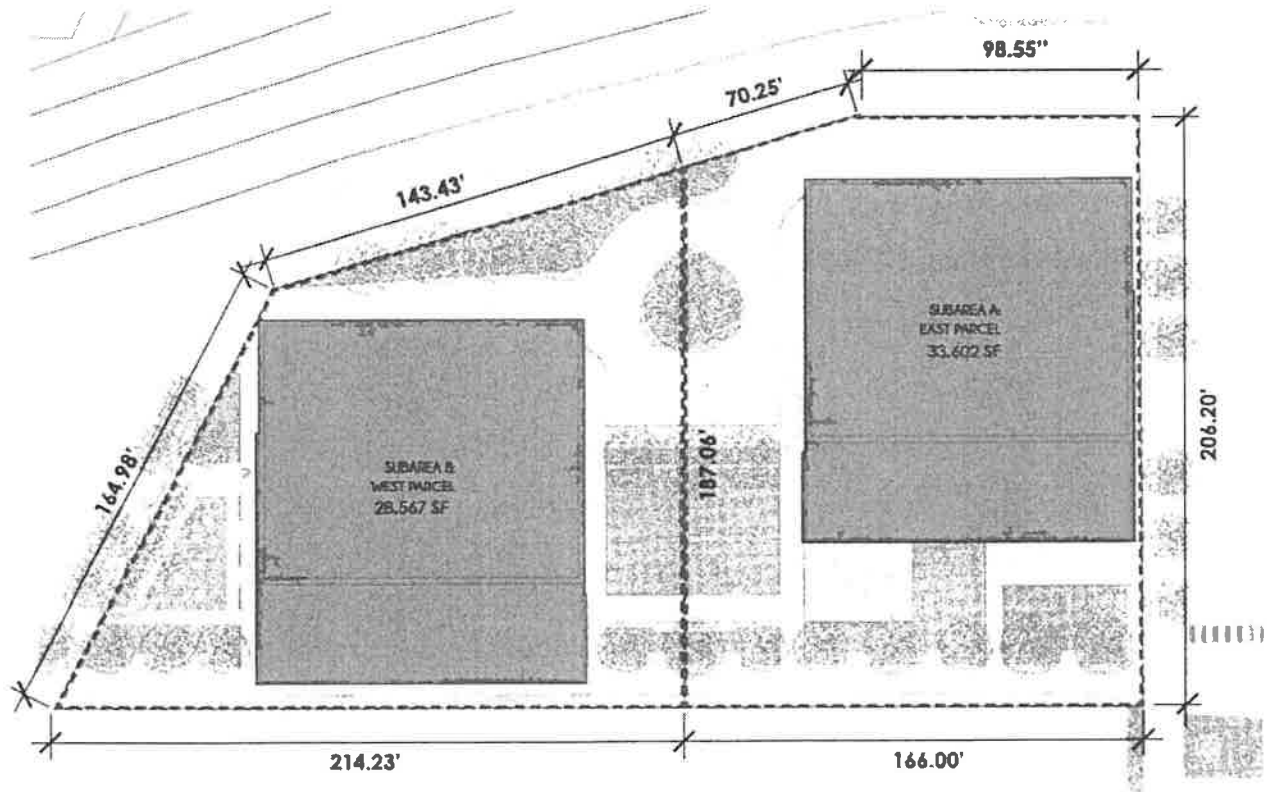
EXISTING LAND USE MAP

Exhibit 02

APPLICANT: 400 N ELIZABETH LAND LLC  
 ADDRESS: 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
 INTRODUCED: 12/13/2023  
 PLAN COMMISSION: 05/16/2024



**FINAL FOR PUBLICATION**

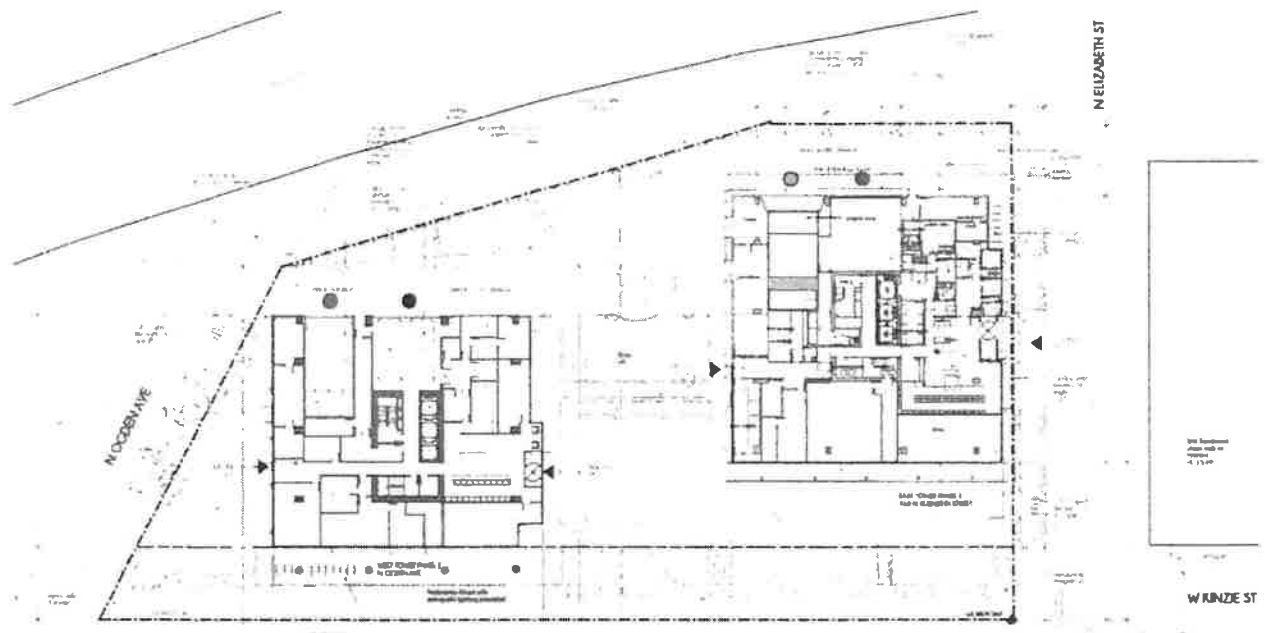


**SUBAREA MAP**  
Exhibit 03

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH EUZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024



**FINAL FOR PUBLICATION**



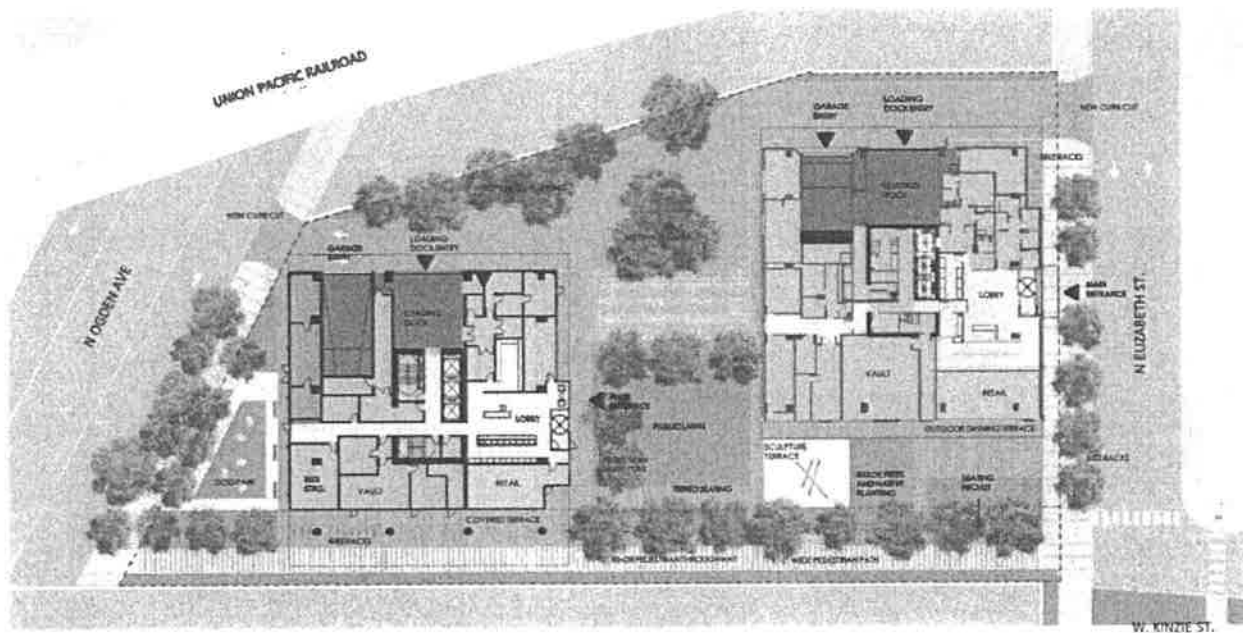
- - GARAGE ACCESS
- - LOADING DOCK
- ◀ - MAIN RESIDENTIAL ACCESS

**SITE PLAN - GROUND FLOOR PLAN**  
**Exhibit 04**

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024



FINAL FOR PUBLICATION



**Site Area: 62,169 sf**  
**Built Area: 23,100 sf**  
**Open Area: 39,069 sf**

**Public Areas: 28,557 sf**  
**Kinzie Pedestrian Thoroughway Area: 11,173 sf**  
**Dog Park: 2,060 sf**  
**Public Lawn: 3,240 sf**  
**Remaining Public Open Space: 12,084 sf**

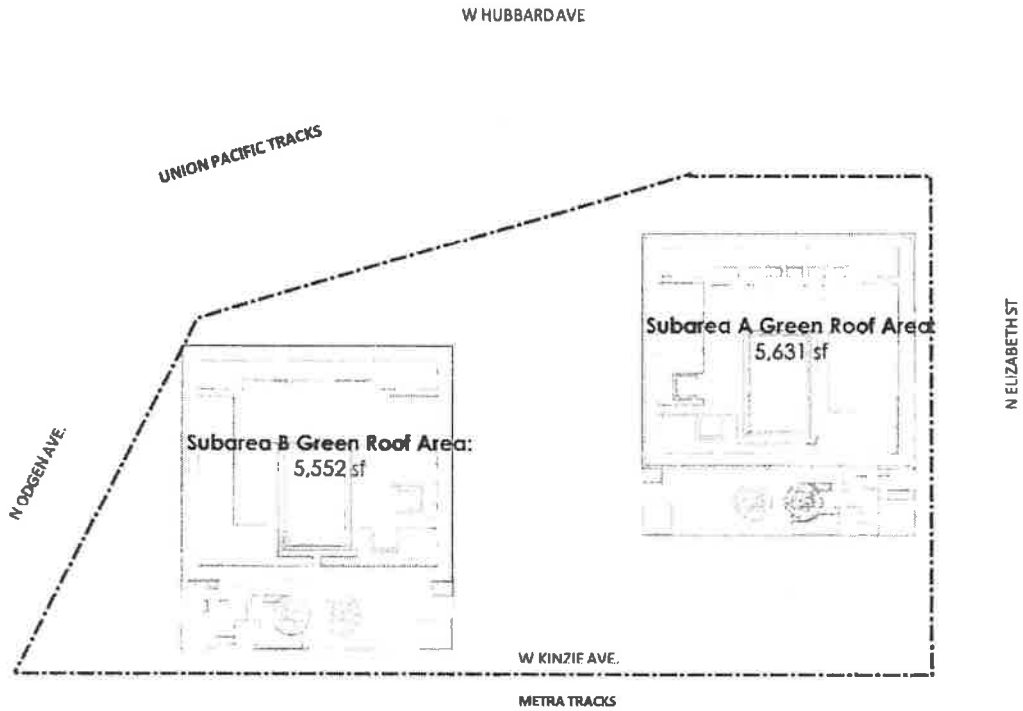
SITE PLAN - LANDSCAPE

Exhibit 05

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024



**FINAL FOR PUBLICATION**



**Total Green Roof Area: 11,183 sf**  
Subarea A Green Roof Area: 5,631 sf  
Subarea B Green Roof Area: 5,552 sf

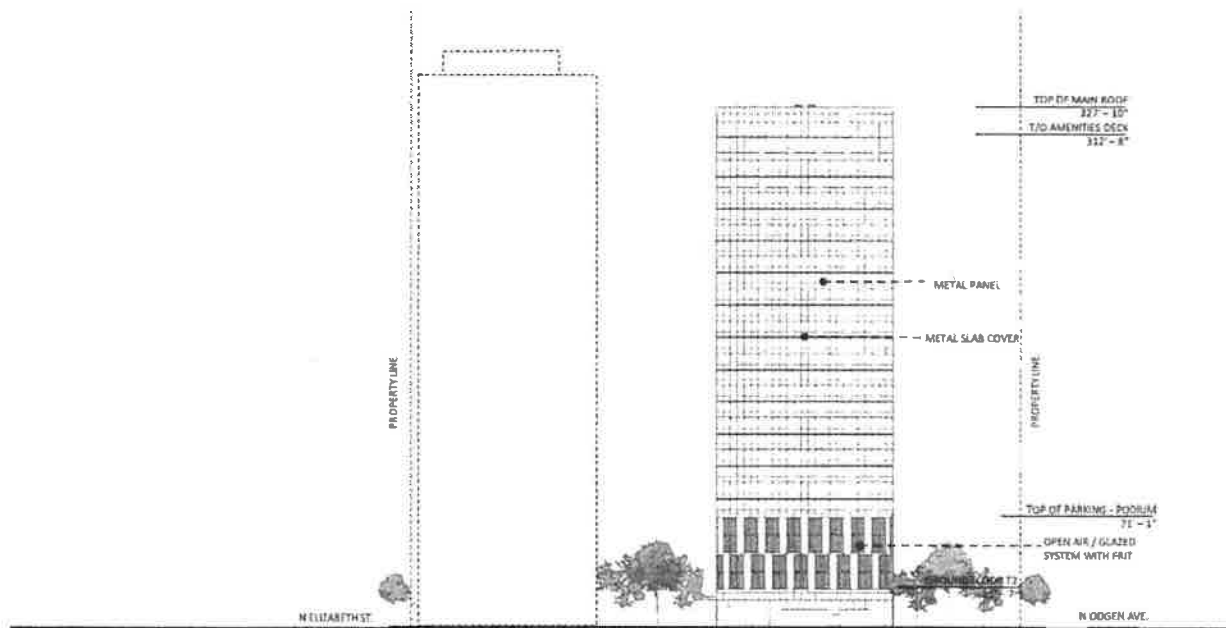
**ROOF PLAN**  
**Exhibit 06**

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024





**FINAL FOR PUBLICATION**



**WEST BUILDING - NORTH ELEVATION**

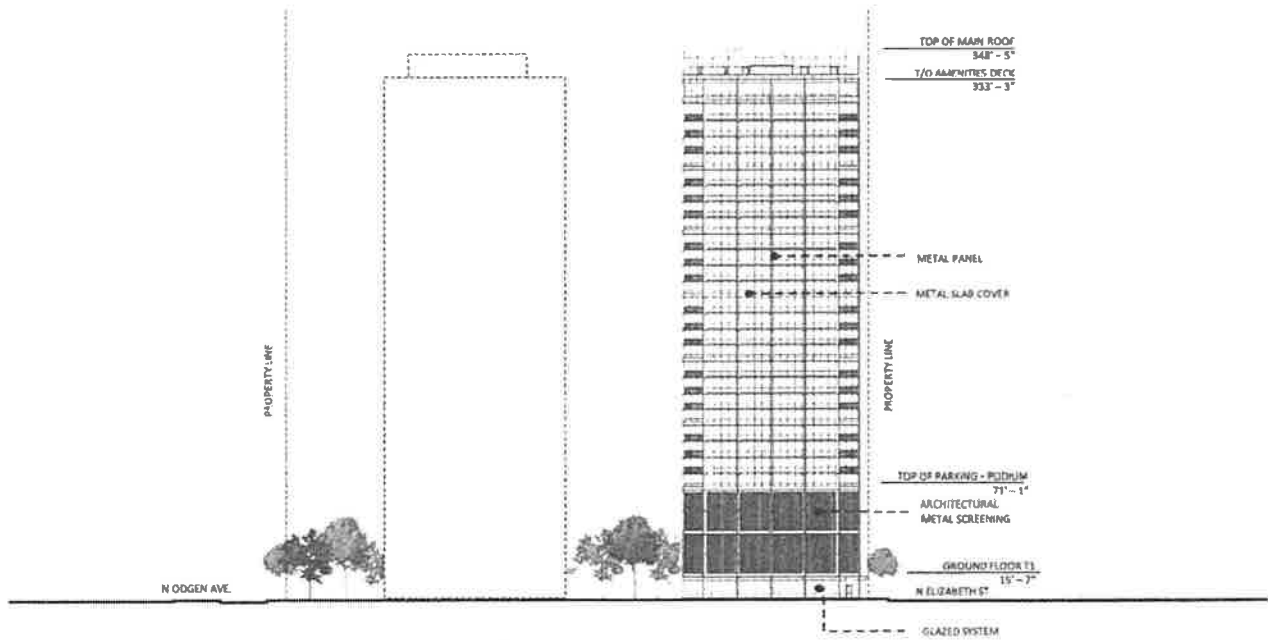
**Exhibit 08**

---

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

---

**FINAL FOR PUBLICATION**



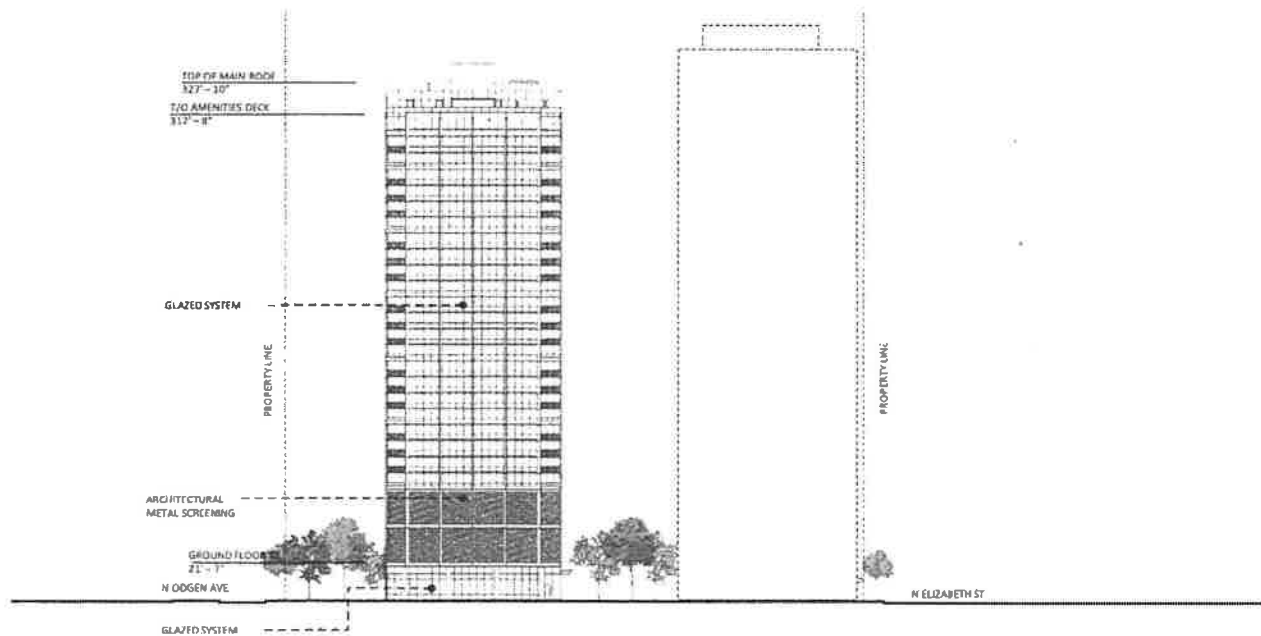
**EAST BUILDING - SOUTH ELEVATION**

**Exhibit 09**

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

*[Handwritten signature and date]*

**FINAL FOR PUBLICATION**



**WEST BUILDING - SOUTH ELEVATION**

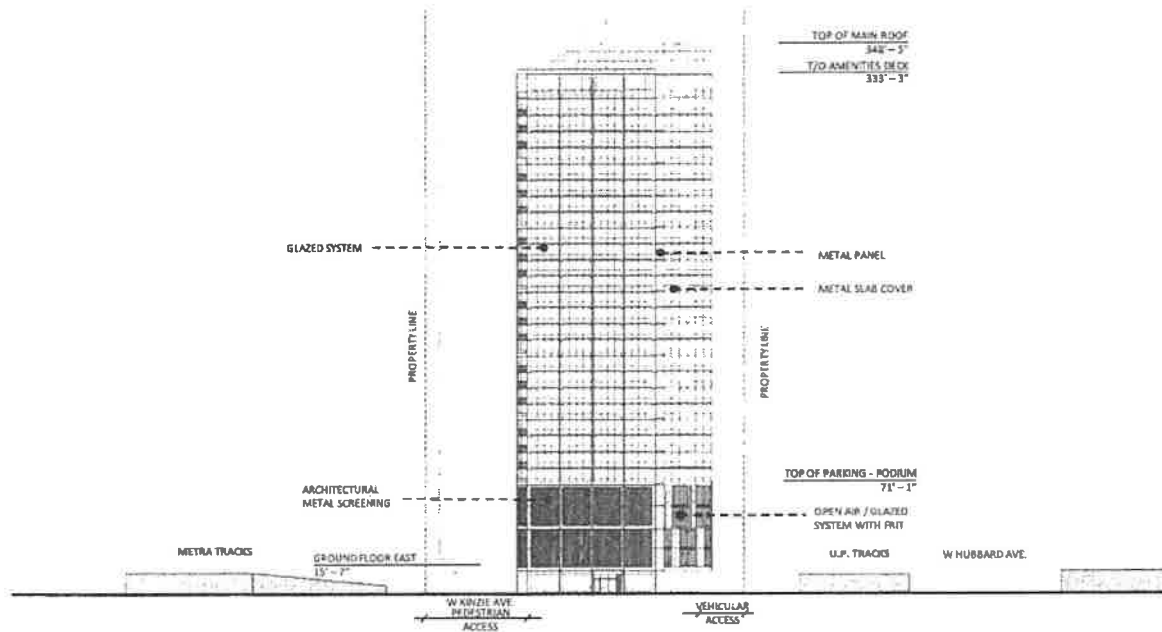
**Exhibit 10**

---

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

---

**FINAL FOR PUBLICATION**



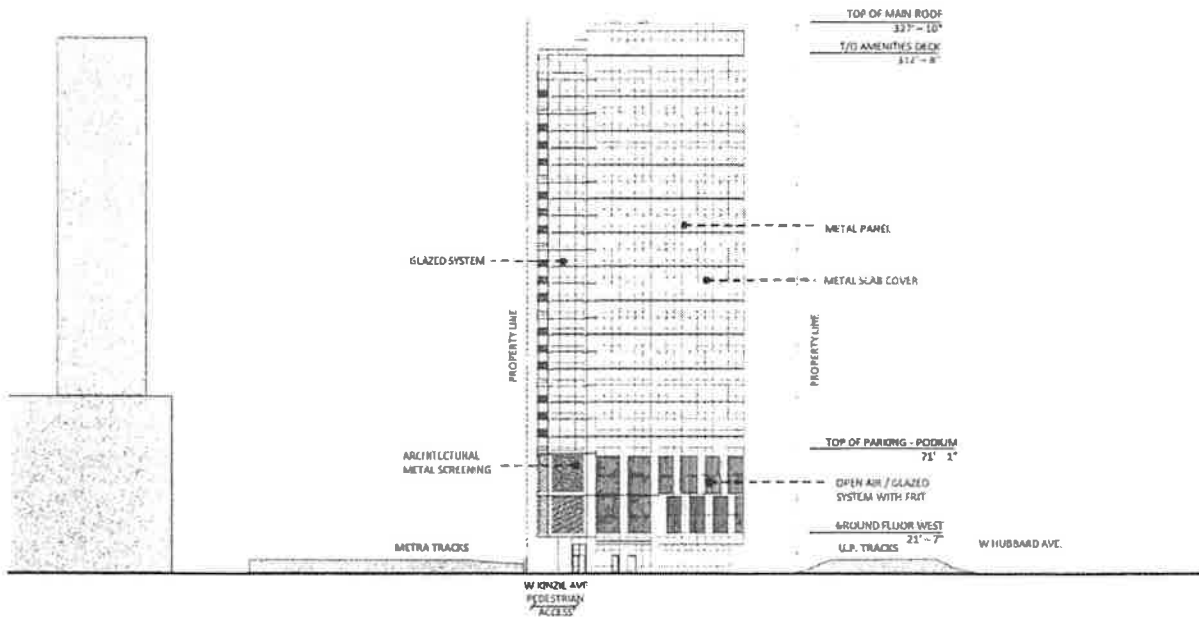
**EAST BUILDING - EAST ELEVATION**

**Exhibit 11**

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

Chicago Department of Planning  
20240516 09:00 AM

**FINAL FOR PUBLICATION**



**WEST BUILDING - EAST ELEVATION**

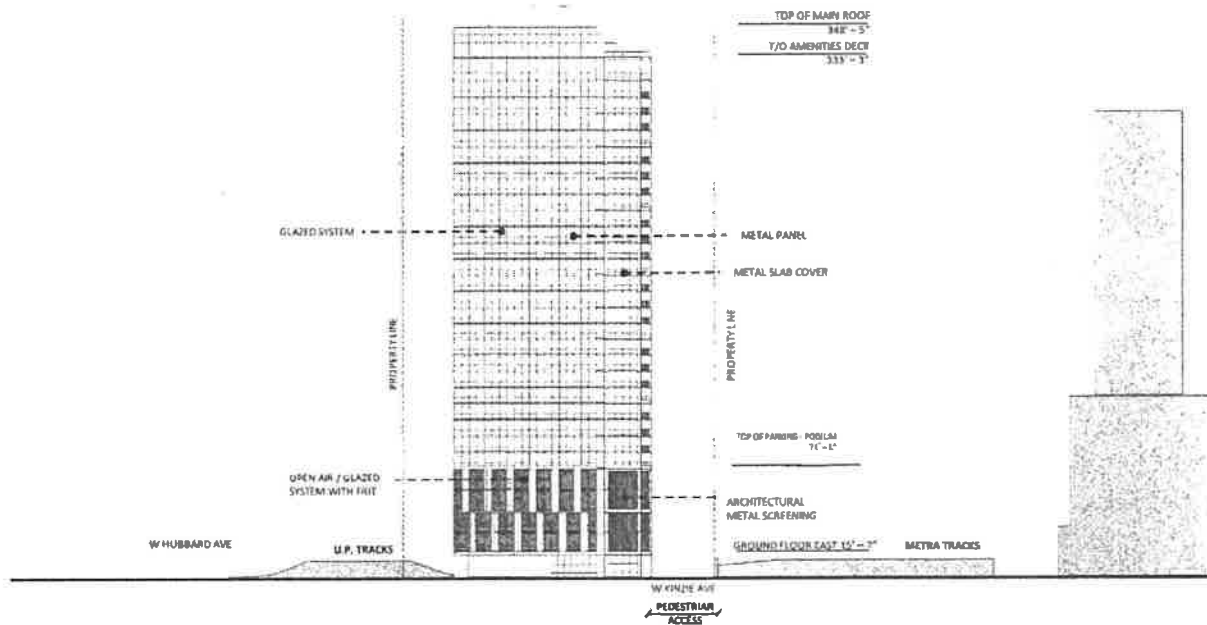
**Exhibit 12**

---

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

---

FINAL FOR PUBLICATION



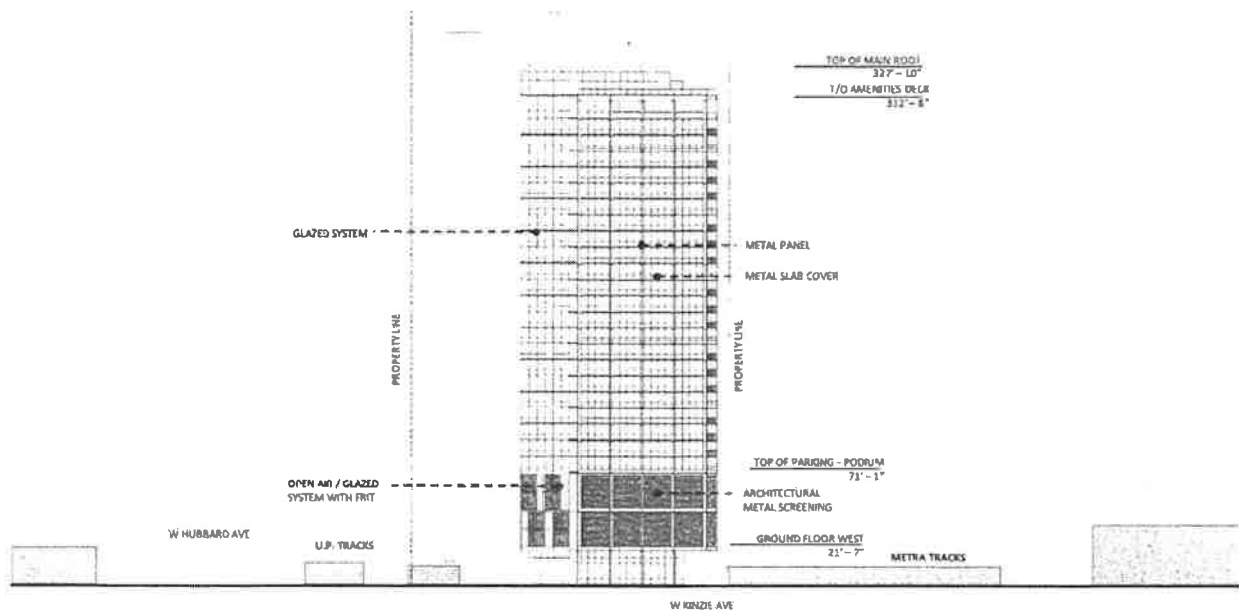
EAST BUILDING - WEST ELEVATION

Exhibit 13

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

05/16/2024  
 2024 05/16/2024

**FINAL FOR PUBLICATION**



**WEST BUILDING - WEST ELEVATION**

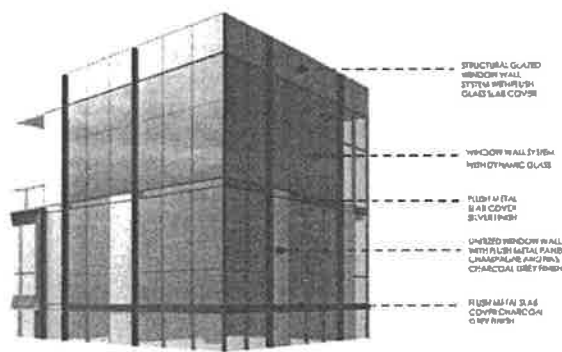
**Exhibit 14**

---

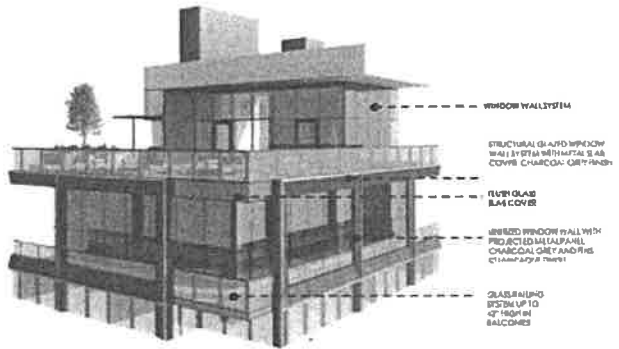
**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

---

FINAL FOR PUBLICATION



NORTHEAST CORNER - EAST BUILDING



SOUTHEAST CORNER - EAST BUILDING

DETAIL AT CROWN

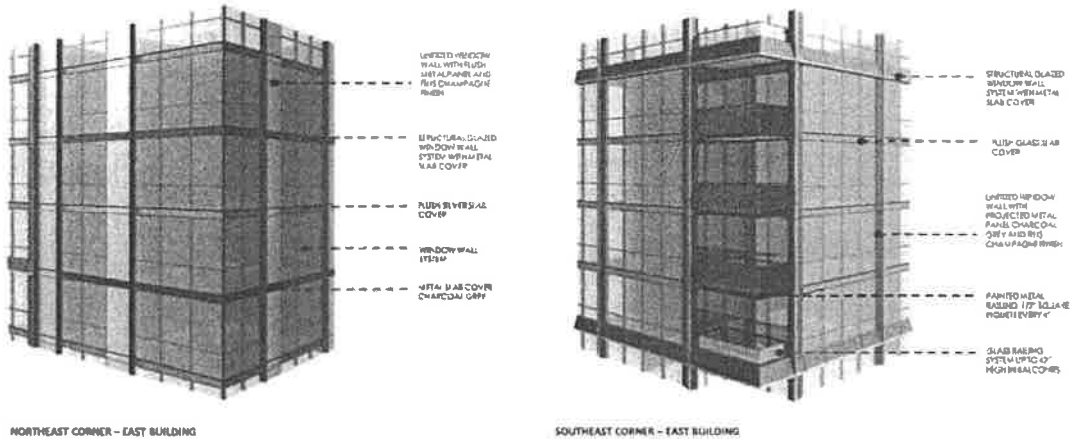
Exhibit 15

---

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

---

FINAL FOR PUBLICATION



DETAIL AT FACADE

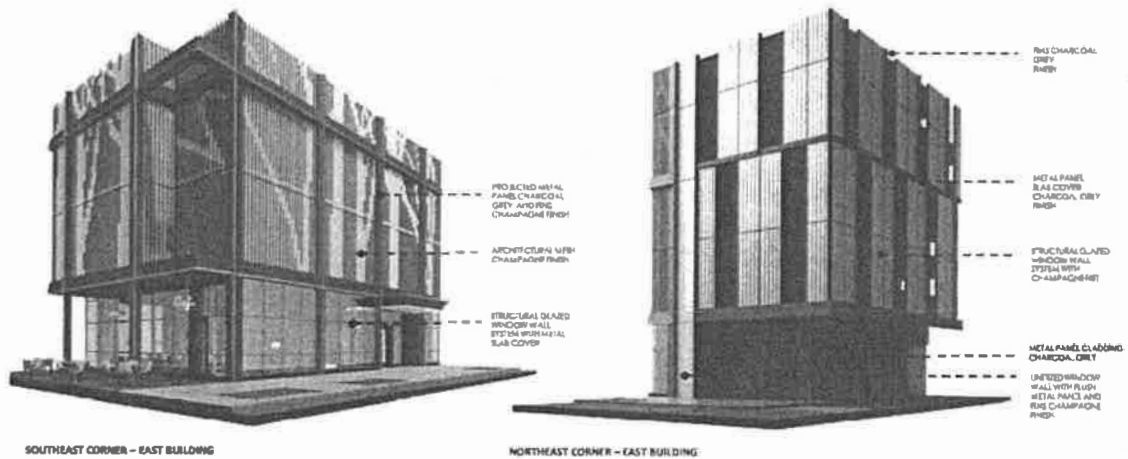
Exhibit 16

---

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

---

**FINAL FOR PUBLICATION**



**DETAIL AT BASE**  
**Exhibit 17**

---

**APPLICANT:** 400 N ELIZABETH LAND LLC  
**ADDRESS:** 400 NORTH ELIZABETH ST. CHICAGO, IL 60642  
**INTRODUCED:** 12/13/2023  
**PLAN COMMISSION:** 05/16/2024

---

*Yeas* -- Aldermen La Spata, Hopkins, Dowell, King, Hairston, Sawyer, Mitchell, Harris, Sadlowski Garza, Thompson, Cárdenas, Quinn, Burke, Lopez, Coleman, Moore, Curtis, O'Shea, Taylor, Brookins, Rodriguez, Tabares, Scott, Sigcho-Lopez, Maldonado, Burnett, Ervin, Taliaferro, Reboyras, Cardona, Waguespack, Rodriguez-Sanchez, Ramirez-Rosa, Mitts, Sposato, Nugent, Vasquez, Napolitano, Reilly, Smith, Tunney, Gardiner, Cappleman, Martin, Osterman, Hadden, Silverstein -- 47.

*Nays* -- None.

Alderman Thompson 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-G.*  
(As Amended)  
(Application No. 20712)  
(Common Address: 400 N. Elizabeth St.)

BPD 1528

[SO2021-2002]

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the C3-3 Commercial, Manufacturing and Employment District symbols and indications as shown on Map Number 1-G in the area bounded by:

North Ogden Avenue; Union Pacific Railroad; North Elizabeth Street; and the south line of vacated West Kinzie Street,

to those of the DX-5 Downtown Mixed-Use District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the DX-5 Downtown Mixed-Use District symbols and indications as shown on Map Number 1-G in the area bounded by:

North Ogden Avenue; Union Pacific Railroad; North Elizabeth Street; and the south line of vacated West Kinzie Street,

to those of a Business Planned Development.

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

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

*Business Planned Development No. 1528.*

*Planned Development Statements.*

1. The area delineated herein as Business Planned Development Number 1528 ("Planned Development") consists of approximately 62,169 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). Mark Goodman & Associates, Inc. is the "Applicant" for this Planned Development pursuant to authorization from the Property owner.
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 "Zoning Ordinance"), the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the 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 Chicago Department of Transportation ("CDOT") 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
- Installation of northbound and southbound actuated left turn arrows on Ogden Avenue at Elizabeth Street
- Installation of southbound actuated left turn arrows, LED signal heads, and countdown pedestrian signals on Ogden Avenue at Hubbard Street
- Ogden Avenue and Hubbard Street intersection incandescent signal heads and countdown pedestrian signals to be replaced with LED signal heads
- 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.

In addition, owing to the unique infrastructure challenges in the adjacent area, the Applicant has agreed to establish and fund an escrow in the amount of \$500,000 (the "Escrow Amount") prior to the issuance of any building permits (the "Traffic Mitigation and Neighborhood Beautification Fund"). The Traffic Mitigation and Neighborhood Beautification Fund will fund work to be performed by or at the direction of, and with the approval of, CDOT. These improvements will be determined by CDOT and could include the following in the discretion of CDOT and to the extent that required approvals can be obtained and that funds allow:

- If and when warranted, installation of a traffic signal at the intersection of Racine Avenue and Hubbard Street.
- Signal modification from eastbound and westbound approaches to northbound and southbound approaches during weekday morning peak hours at intersection of Ogden Avenue and Grand Avenue.
- Conversion of southbound Racine Avenue to one way at Kinzie Street.
- Improved visibility of stop signs at Grand Avenue and Racine Avenue.
- Landscaping along Hubbard Street north of Union Pacific railroad tracks.
- Repairs to sidewalks and viaduct and installation of lighting and public art at Elizabeth Street viaduct.
- Creation of pedestrian park at Racine Avenue and Kinzie Street.

The Applicant's responsibility shall be limited to the Escrow Amount and any sums remaining in the Traffic Mitigation and Neighborhood Beautification Fund sixty (60) months following the issuance of a Certificate of Occupancy shall be remitted to the Applicant.

4. This plan of development consists of these 17 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Solomon Cordwell Buenz and dated October 21, 2021 (the "Plans"): an Existing Land-Use Map; a Planned Development Property Line and Boundary Map; an Existing Zoning Map; a Site Plan/Landscape Plan; Base, Middle and Top Details; and Building Elevations (North, South, East and West). 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 thereof, 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 Zoning Ordinance, this Planned Development ordinance shall control.
5. The following uses are permitted in the area delineated herein as a Business Planned Development: general and limited restaurant, tavern, outdoor patio (rooftop and at grade), general retail, food and beverage retail sales, liquor sales, medical service, office, personal service, incidental and accessory uses and accessory parking.
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 DPD. Off-premises signs are prohibited within the boundary of the Planned Development.

7. For purposes of height measurement, the definitions in the 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 62,169 square feet and a base FAR of 5.0.

The Applicant acknowledges that the project has received a bonus FAR of 3.1, pursuant to Section 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 8.1. 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 of the Zoning Ordinance, a Part II review fee shall be assessed by DPD. 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. Final landscape plan review and approval will be by 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 13-32-125 of the Municipal Code, or any other provision of that code.
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 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.
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 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

---

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

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.

16. Prior to issuance of building permits, the Applicant will enter into a development and maintenance agreement (the "DEMA") with the City for the construction, maintenance, and management of the pedestrian walkway as noted on the Plans. The DEMA obligations shall be binding upon the Applicant, its successors and assigns. The Commissioner is hereby authorized to enter into the DEMA and all other documents contemplated by this Statement 16 and, in his/her sole discretion, may modify by minor change the foregoing requirements, without further City Council approval, for the DEMA(s) so as to permit alternate forms of achieving compliance with the Applicant's construction, maintenance and management obligations such as, by means of example and not limitation, one or more restrictive covenants or owners' reciprocal easement and operation agreements in form and substance acceptable to the City which expressly grant the City necessary enforcement, self-help and lien rights as may be necessary to assure compliance with this statement.
17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of DPD shall initiate a zoning map amendment to rezone the Property to the DX-5 Downtown Mixed-Use District.

[Existing Land-Use Map; Boundary and Property Line Map; Existing Zoning Map; Site Plan; North, South, East and West Building Elevations; Northeast, Northwest, Southeast and Southwest Corners; Northeast and Southwest Corners at Base; North Building Window Wall; South Building Curtain Wall; North Elevation at Top of Building; and Southwest Corner referred to in these Plan of Development Statements printed on pages 41649 through 41661 of this *Journal*.]

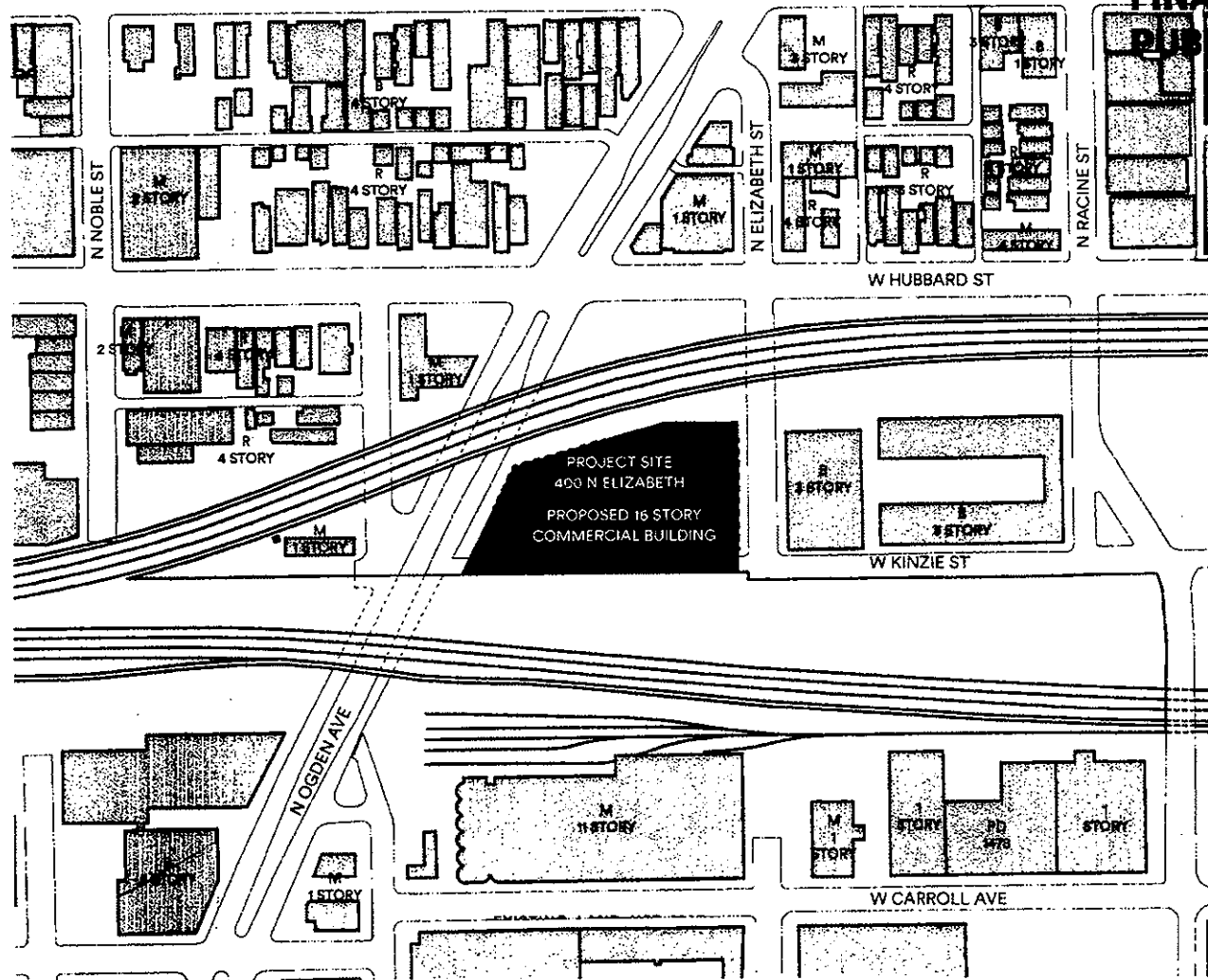
Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

*Business Planned Development No. 1528.*

*Bulk Regulations And Data Table.*

Gross Site Area (square feet):	78,048
Area in Public Rights-of-Way (square feet):	15,879
Net Site Area (square feet):	62,169
Maximum Unit Count:	0
Maximum Floor Area Ratio:	8.1
Minimum Off-Street Parking Spaces:	123
Bicycle Parking Spaces:	28
Minimum Off-Street Loading Spaces:	2 (10 feet by 25 feet)
Maximum Building Height:	270 feet
Minimum Setbacks:	In conformance with the plans

**FINAL FOR PUBLICATION**



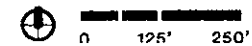
**EXISTING LAND USE MAP**

Applicant: **MARK GOODMAN & ASSOCIATES, INC.**  
Address: 400 North Elizabeth Street Chicago IL.  
Introduced: May 26, 2021  
Plan Commission: October 21, 2021

11/17/2021

REPORTS OF COMMITTEES

41649

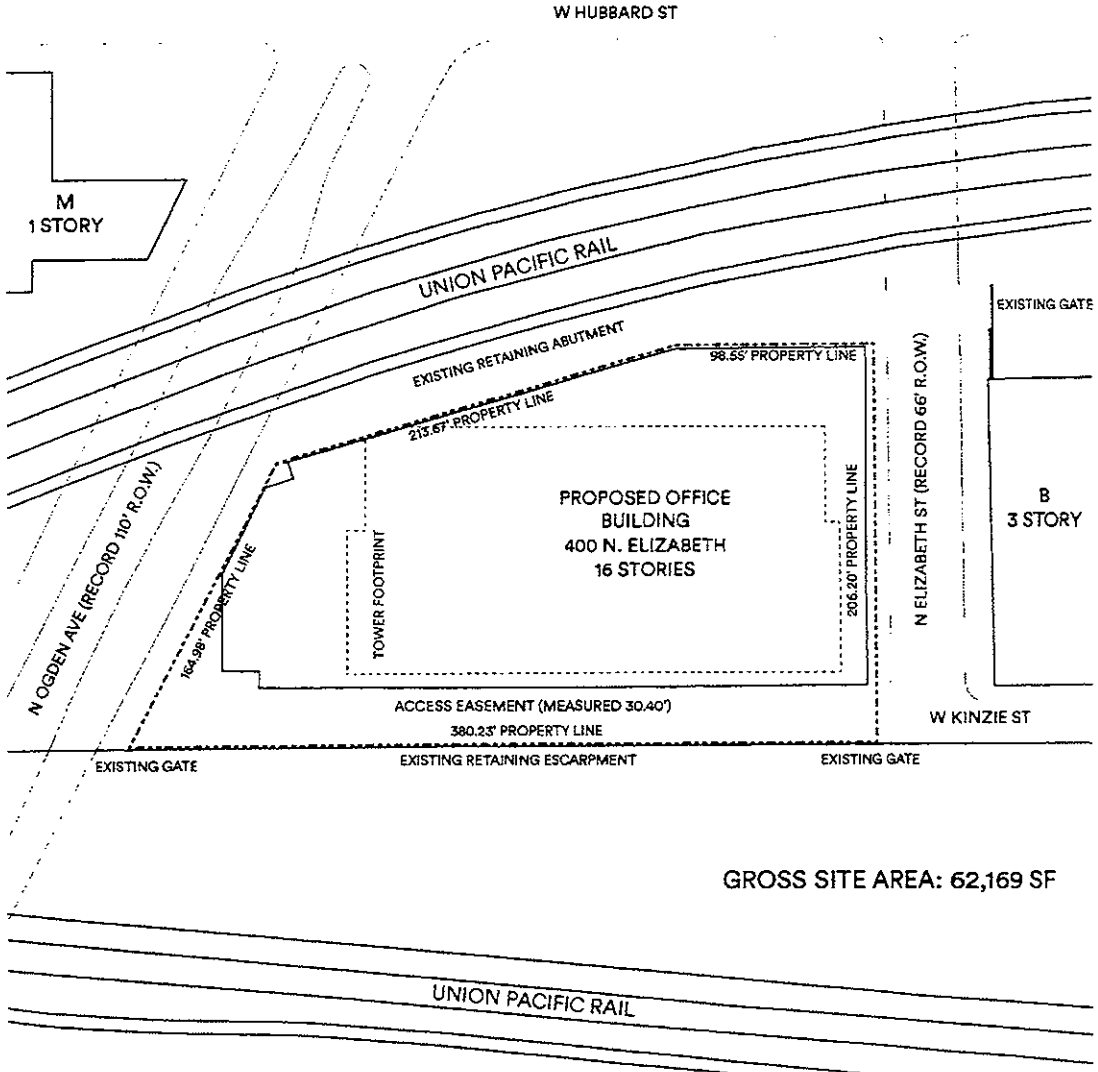


**FINAL FOR PUBLICATION**

41650

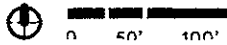
JOURNAL--CITY COUNCIL--CHICAGO

11/17/2021



Applicant: MARK GOODMAN & ASSOCIATES, INC.  
 Address: 400 North Elizabeth Street Chicago IL.  
 Introduced: May 26, 2021  
 Plan Commission: October 21, 2021

**PLANNED DEVELOPMENT BOUNDARY  
AND PROPERTY LINE MAP**





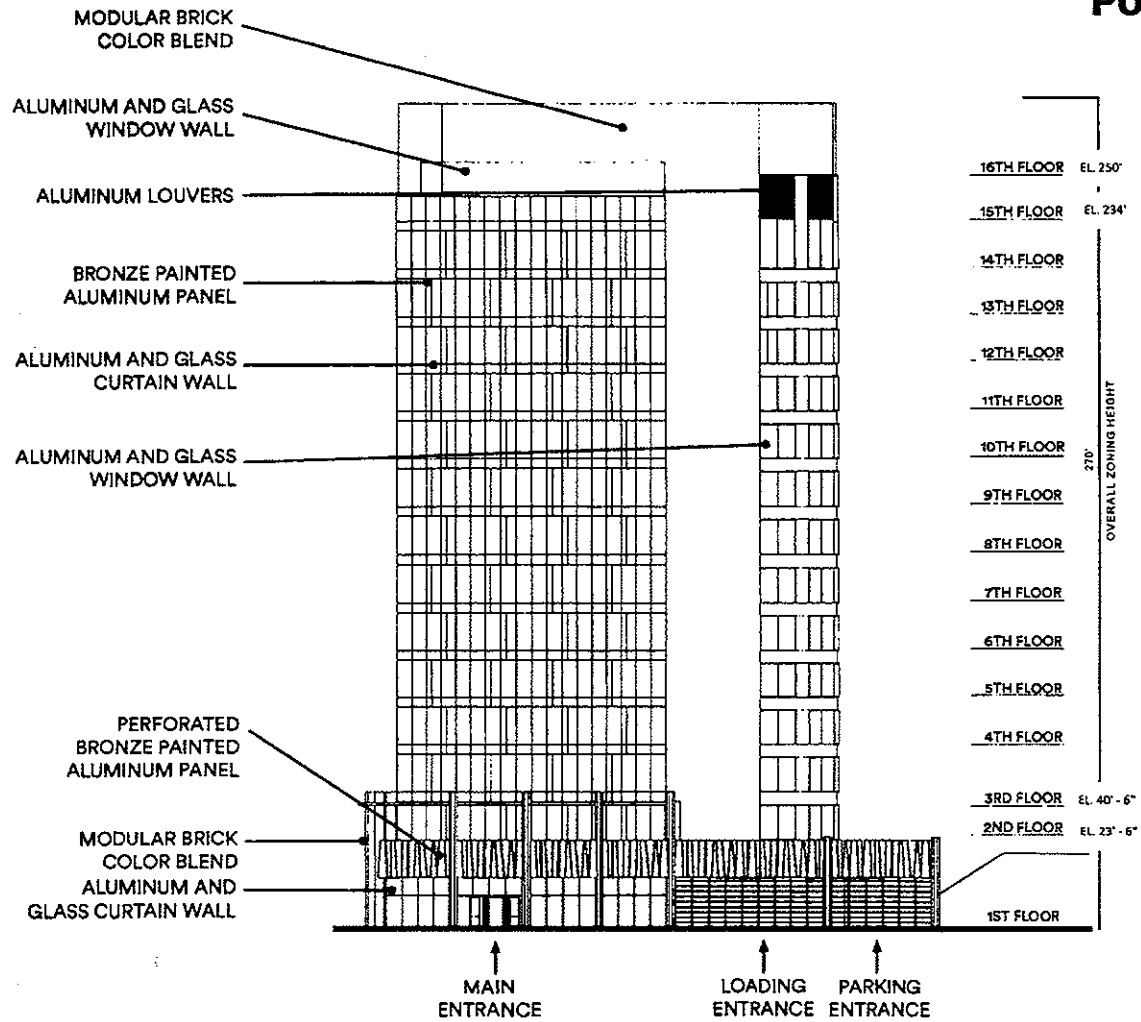


**FINAL FOR PUBLICATION**

11/17/2021

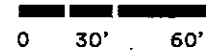
REPORTS OF COMMITTEES

41653



**EAST ELEVATION**

Applicant: **MARK GOODMAN & ASSOCIATES, INC.**  
Address: 400 North Elizabeth Street Chicago IL.  
Introduced: May 26, 2021  
Plan Commission: October 21, 2021



**FINAL FOR  
PUBLICATION**

41654

JOURNAL--CITY COUNCIL--CHICAGO

11/17/2021

ALUMINUM AND GLASS  
WINDOW WALL

MODULAR BRICK COLOR  
BLEND

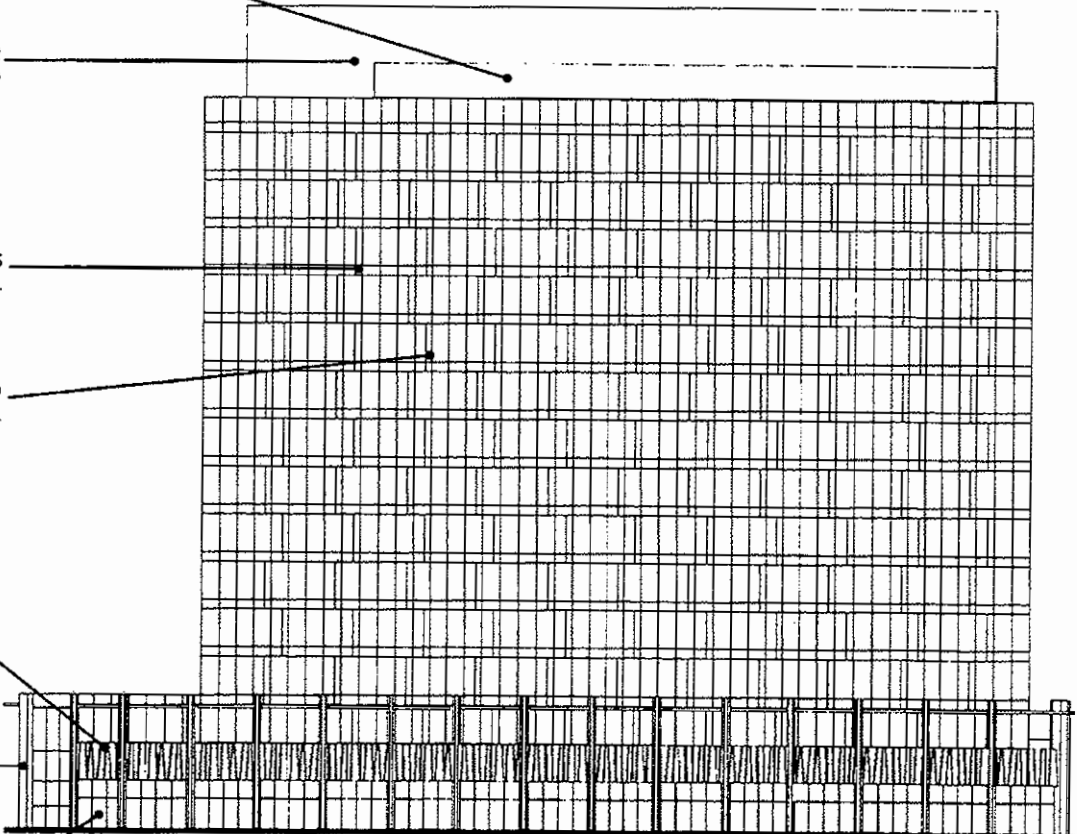
ALUMINUM AND GLASS  
CURTAIN WALL

BRONZE PAINTED  
ALUMINUM PANEL

PERFORATED BRONZE  
PAINTED ALUMINUM  
PANEL

MODULAR BRICK COLOR  
BLEND

ALUMINUM AND GLASS  
CURTAIN WALL

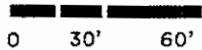


- 16TH FLOOR EL. 250'
- 15TH FLOOR EL. 234'
- 14TH FLOOR
- 13TH FLOOR
- 12TH FLOOR
- 11TH FLOOR
- 10TH FLOOR
- 9TH FLOOR
- 8TH FLOOR
- 7TH FLOOR
- 6TH FLOOR
- 5TH FLOOR
- 4TH FLOOR
- 3RD FLOOR EL. 40'-6"
- 2ND FLOOR EL. 23'-6"
- 1ST FLOOR

OVERALL ZONING HEIGHT  
270'

**SOUTH ELEVATION**

Applicant: **MARK GOODMAN & ASSOCIATES, INC.**  
Address: 400 North Elizabeth Street Chicago IL.  
Introduced: **May 26, 2021**  
Plan Commission: **October 21, 2021**

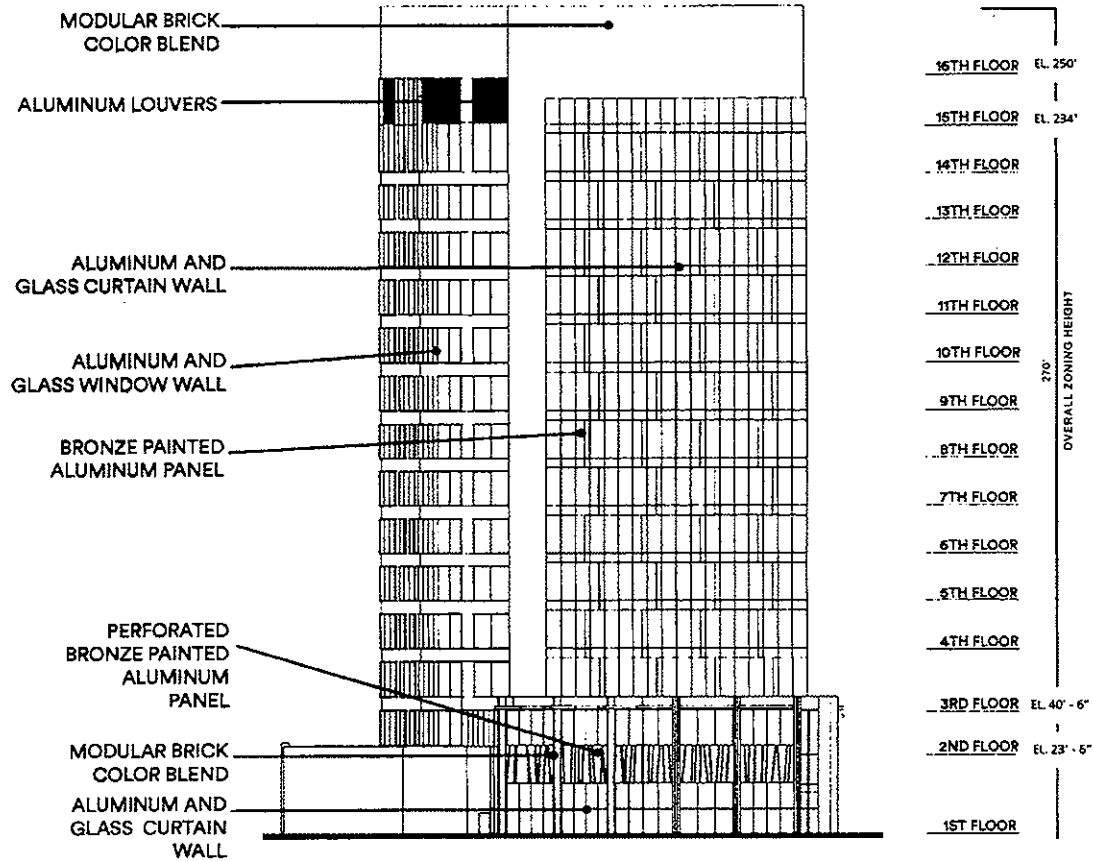


**FINAL FOR PUBLICATION**

11/17/2021

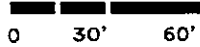
REPORTS OF COMMITTEES

41655



**WEST ELEVATION**

Applicant: MARK GOODMAN & ASSOCIATES, INC.  
 Address: 400 North Elizabeth Street Chicago IL.  
 Introduced: May 26, 2021  
 Plan Commission: October 21, 2021

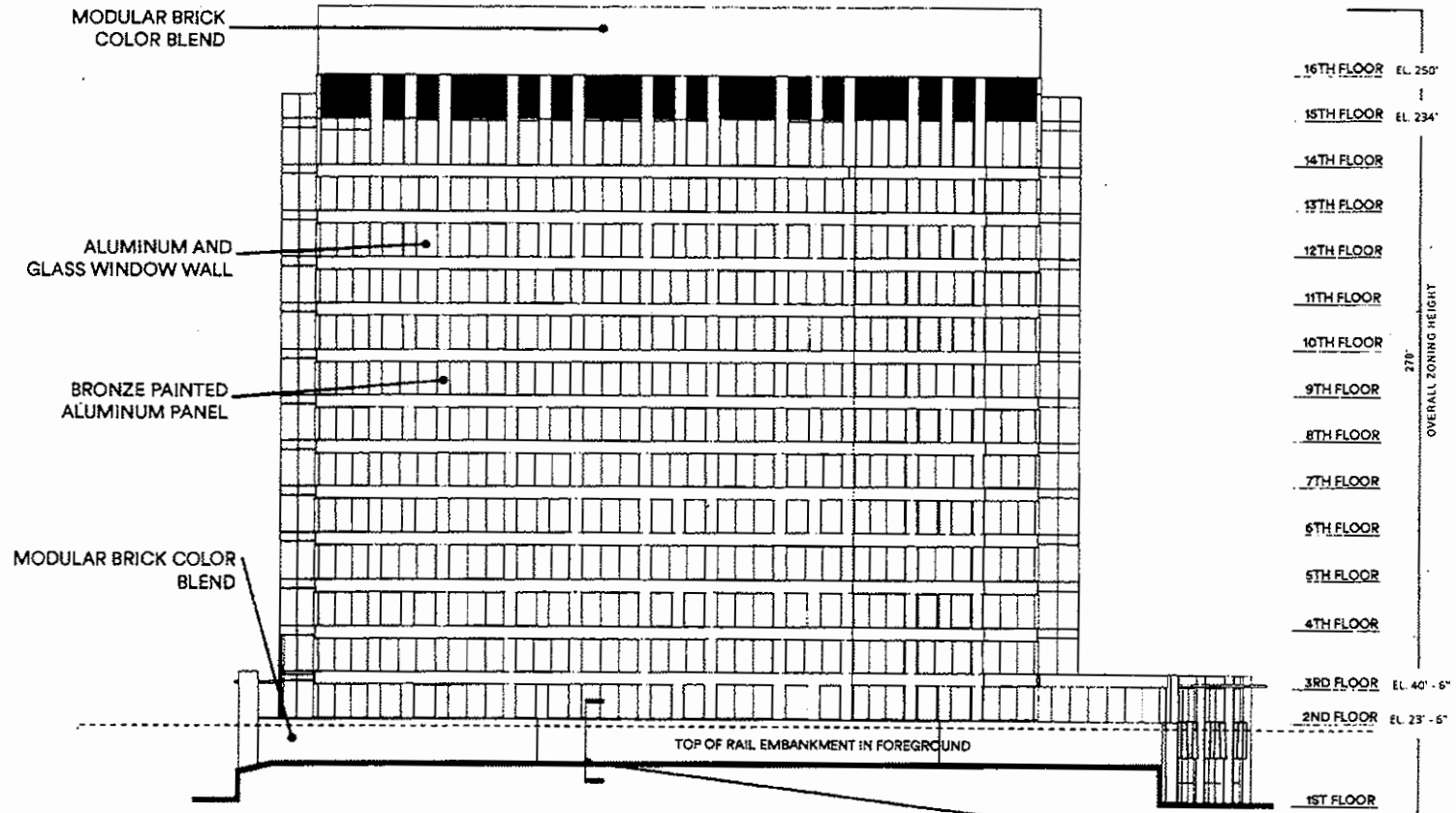


**FINAL FOR PUBLICATION**

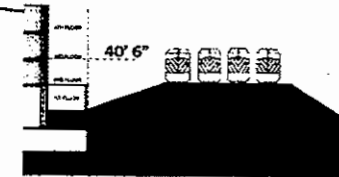
41656

JOURNAL--CITY COUNCIL--CHICAGO

11/17/2021

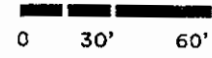


**NORTH ELEVATION**



**SECTION AT RETAINING WALL EMBANKMENT**

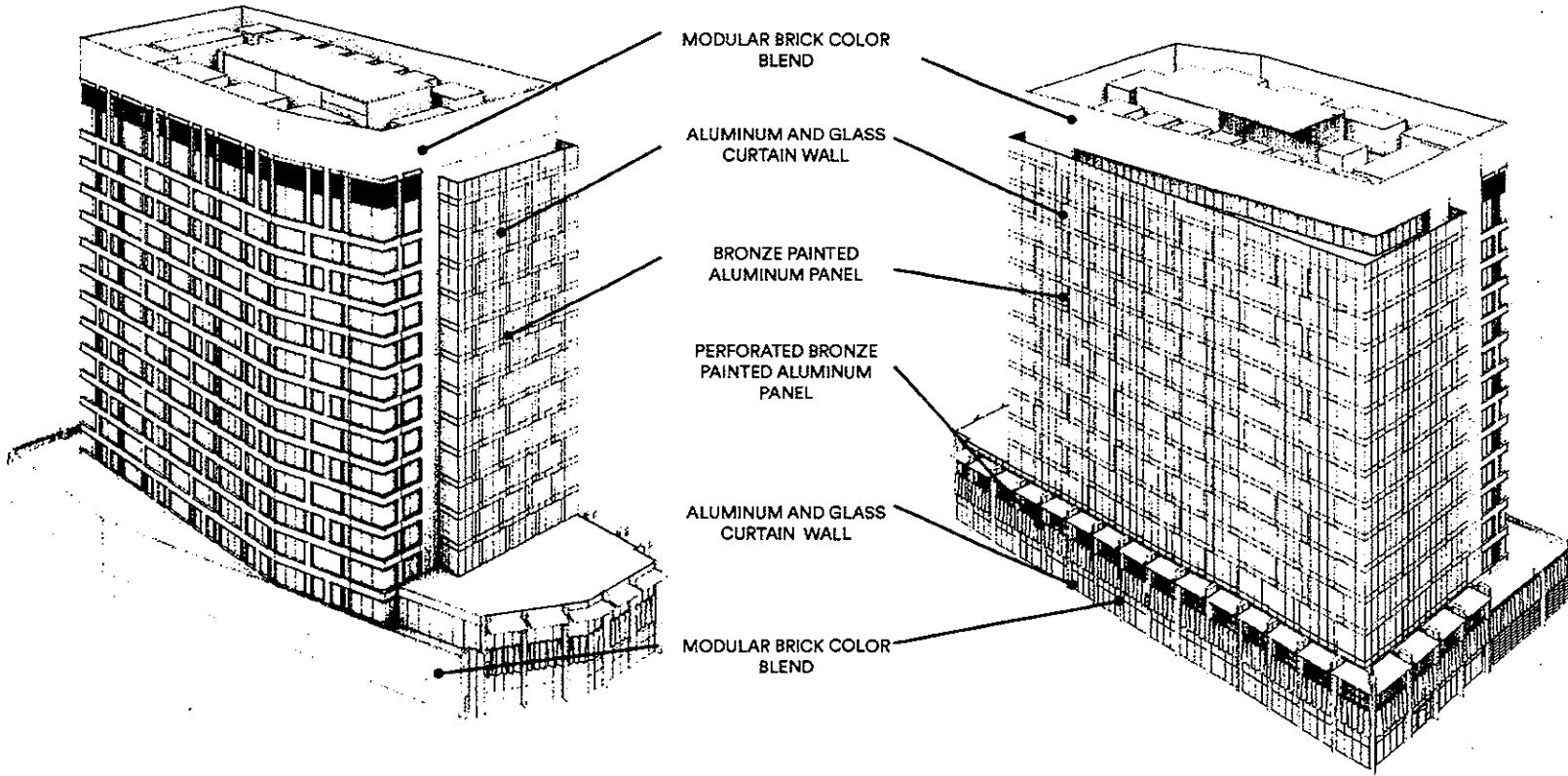
Applicant: **MARK GOODMAN & ASSOCIATES, INC.**  
Address: 400 North Elizabeth Street Chicago IL.  
Introduced: May 26, 2021  
Plan Commission: October 21, 2021



**FINAL FOR  
PUBLICATION**

1/11/2021

REPORTS OF COMMITTEES



**NORTHWEST CORNER**

**SOUTHEAST CORNER**

Applicant: **MARK GOODMAN & ASSOCIATES, INC.**  
Address: 400 North Elizabeth Street Chicago IL.  
Introduced: May 26, 2021  
Plan Commission: October 21, 2021

41657

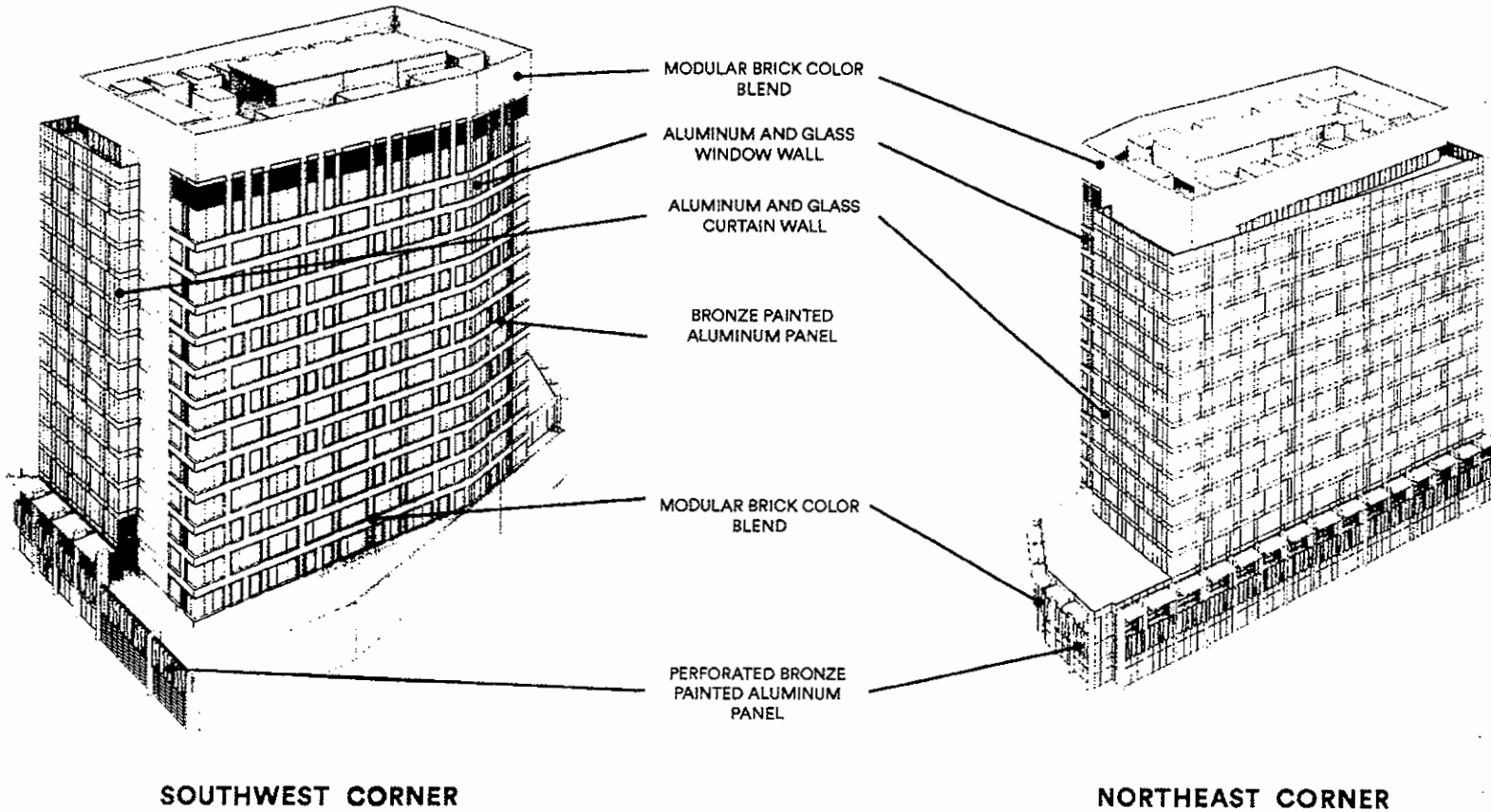


**FINAL FOR  
PUBLICATION**

41658

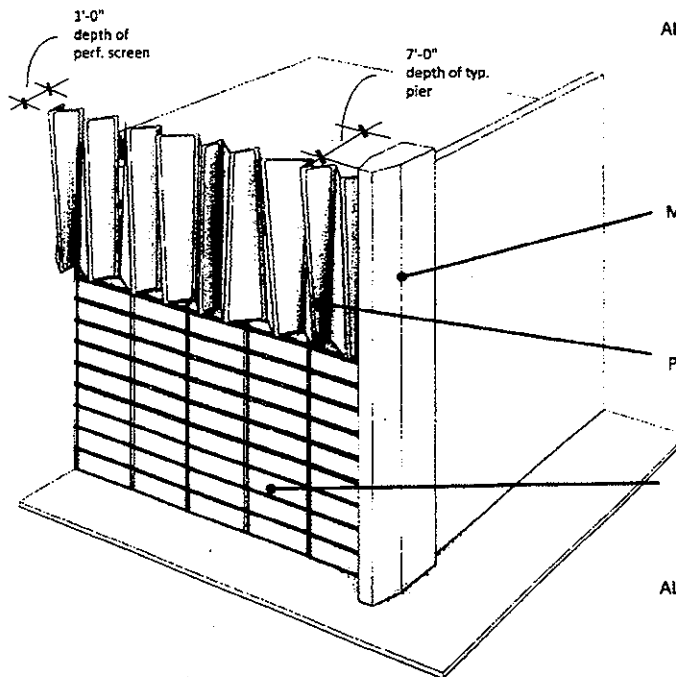
JOURNAL--CITY COUNCIL--CHICAGO

1/1/7/2021



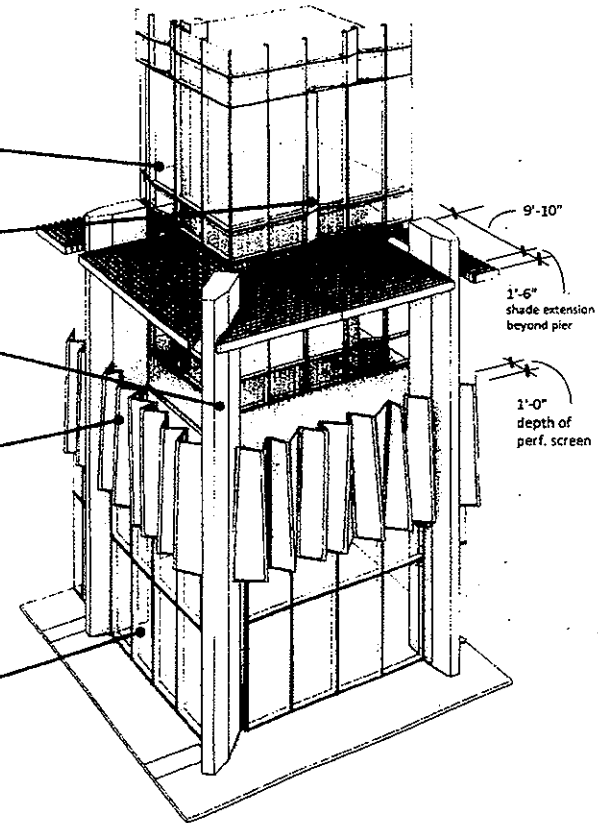
Applicant: MARK GOODMAN & ASSOCIATES, INC.  
Address: 400 North Elizabeth Street Chicago IL.  
Introduced: May 26, 2021  
Plan Commission: October 21, 2021





**NORTHEAST CORNER AT BASE**

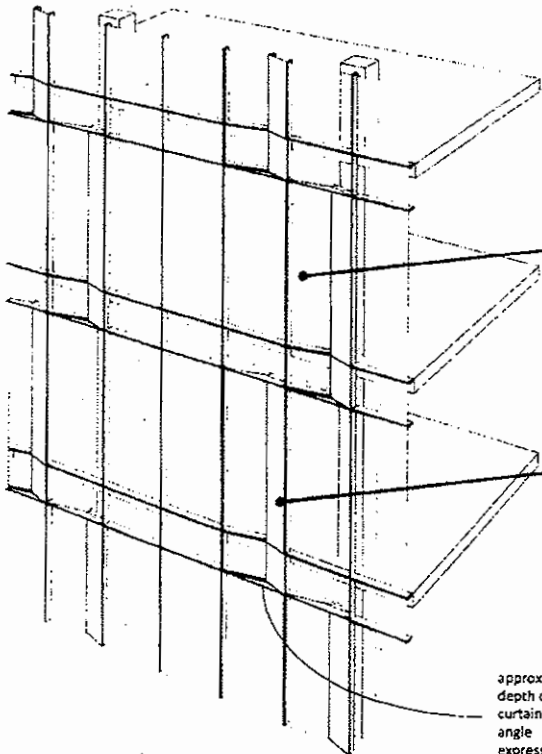
- ALUMINUM AND GLASS CURTAIN WALL
- BRONZE PAINTED ALUMINUM PANEL
- MODULAR BRICK COLOR BLEND
- PERFORATED BRONZE PAINTED ALUMINUM PANEL
- ALUMINUM AND GLASS OVERHEAD DOOR
- ALUMINUM AND GLASS CURTAIN WALL



**SOUTHWEST CORNER AT BASE**

Applicant: **MARK GOODMAN & ASSOCIATES, INC.**  
Address: 400 North Elizabeth Street Chicago IL.  
Introduced: May 26, 2021  
Plan Commission: October 21, 2021

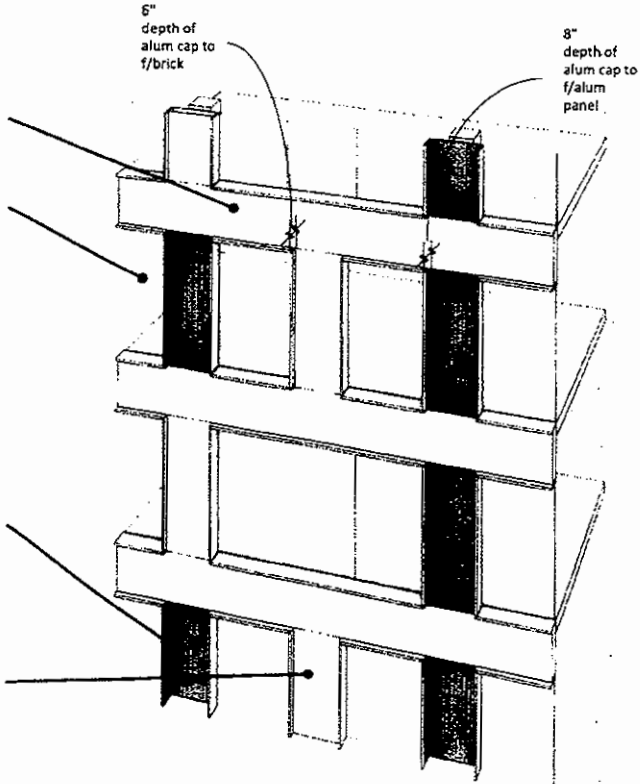




approx. 6" depth of curtainwall angle expression

**SOUTH BUILDING CURTAIN WALL**

- MODULAR BRICK COLOR BLEND
- ALUMINUM AND GLASS WINDOW WALL
- ALUMINUM AND GLASS CURTAIN WALL
- BRONZE PAINTED ALUMINUM PANEL
- MODULAR BRICK COLOR BLEND



6" depth of alum cap to f/brick

8" depth of alum cap to f/alum panel

**NORTH BUILDING WINDOW WALL**

Applicant: **MARK GOODMAN & ASSOCIATES, INC.**  
 Address: 400 North Elizabeth Street Chicago IL.  
 Introduced: May 26, 2021  
 Plan Commission: October 21, 2021

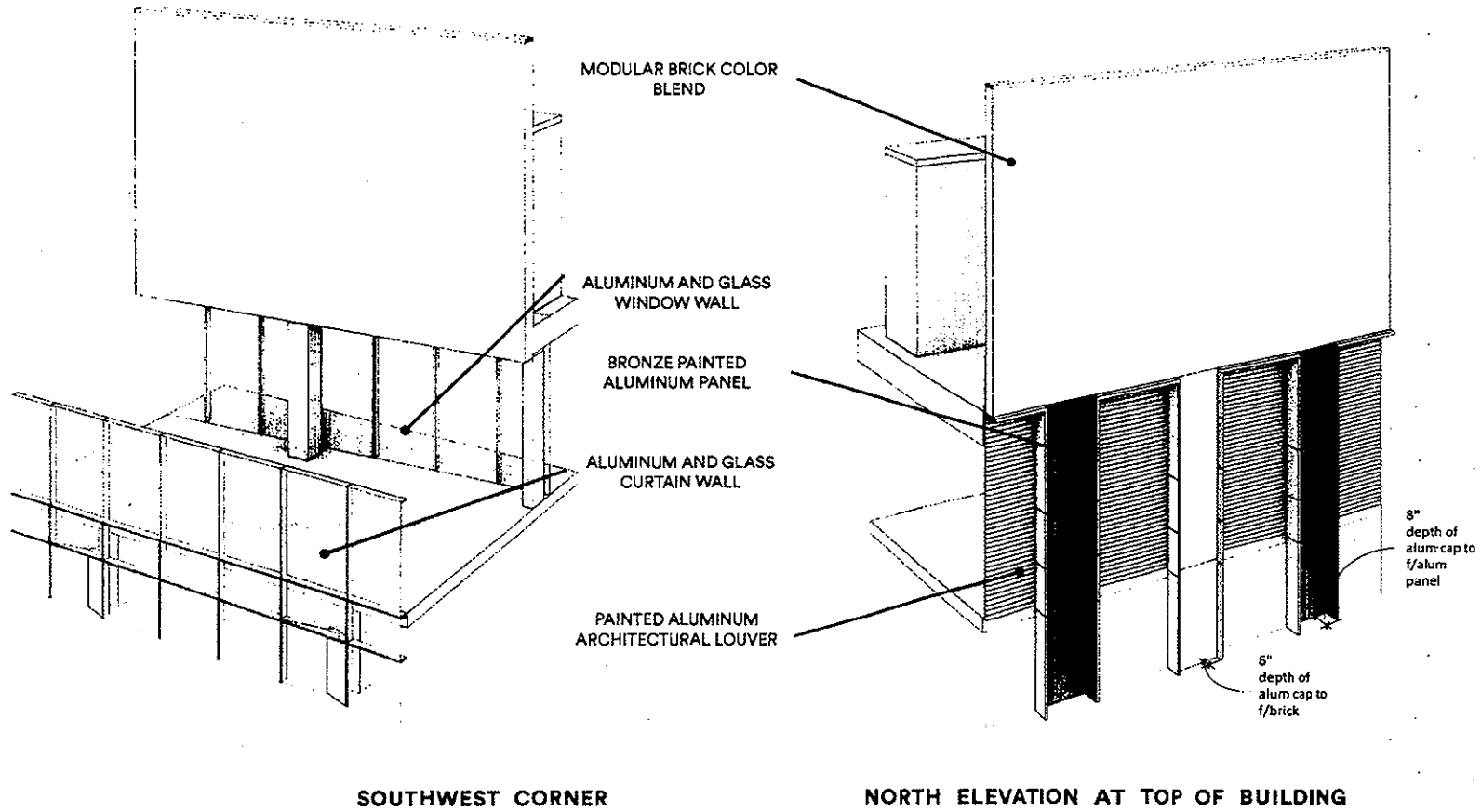


**FINAL FOR  
PUBLICATION**

1/14/2021

REPORTS OF COMMITTEES

41661



**SOUTHWEST CORNER**

**NORTH ELEVATION AT TOP OF BUILDING**

Applicant: **MARK GOODMAN & ASSOCIATES, INC.**  
Address: **400 North Elizabeth Street Chicago IL.**  
Introduced: **May 26, 2021**  
Plan Commission: **October 21, 2021**

