

# PD 1551

## Table of Contents

<b>04/19/2023 PD Amendment</b> .....	<b>2</b>
Ordinance .....	2
Statements .....	2
Bulk Table .....	9
ARO .....	10
Exhibits .....	22
<b>10/26/2022 PD Adoption</b> .....	<b>28</b>
Ordinance .....	28
Statements .....	28
Bulk Table .....	34
ARO .....	35
Exhibits .....	47

*Reclassification Of Area Shown On Map No. 3-F.*  
(As Amended)  
(Application No. 22063)  
(Common Address: 330 W. Chestnut St.)

RBPD 1551, GA

[SO2023-44]

*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 Residential-Business Planned Development Number 1551 symbols and indications as shown on Map Number 3-F in the area bounded by:

North Orleans Street; a line 143.36 feet north of and parallel to West Chestnut Street; the public alley east of and parallel to North Orleans Street; and West Chestnut Street,

to those of Residential-Business Planned Development Number 1551, as amended.

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

Plan of Development Statements attached to this ordinance read as follows:

*Residential-Business Planned Development No. 1551, As Amended.*

*Plan Of Development Statements.*

1. The area delineated herein as Planned Development Number 1551, as amended ("Planned Development") consists of approximately 14,377 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). DK Chestnut LLC is the "Applicant" for this planned development and 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, assigns or grantees.

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

Ingress or egress shall be pursuant to the plans and may be subject to the review and approval of the Department of Planning and Development ("DPD") and CDOT. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of CDOT.

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 these 17 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Fitzgerald Associates and dated March 16, 2023 (the "Plans"): an Existing Zoning Map; a Land-Use Map; a Planned Development Boundary and Property Line Map; a Street Scape Site Plan; 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 Residential-Business Planned Development 1551: dwelling units located above the ground floor; office; animal services (excluding overnight boarding and kennels); business equipment sales and service; business support services (excluding day labor employment agency); communication service establishments; eating and drinking establishments; financial services (excluding payday loan and pawn shops); food and beverage retail sales; medical service; personal service; general retail sales; participant sports and recreation; co-located wireless communication facilities, accessory and non-accessory parking; and incidental and 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 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 purposes 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 14,377 square feet and a base FAR of 5.0.

The Applicant acknowledges that the project has received a bonus FAR of 2.86, pursuant to Section 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 7.86. 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.

The Plans are hereby approved in their entirety and no further approvals shall be required under this Planned Development or the Zoning Ordinance for the improvements to be undertaken in accordance with the Plans, other than Part II approval (per Section 17-13-0610 of the Zoning Ordinance). Further, the Applicant shall be permitted to construct a surface non-accessory parking lot on the Property prior to commencement of construction of the project shown in the Plans.

10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by 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. In the event the Applicant does not proceed with the south hotel tower depicted on the East and West Elevations, the Applicant shall have the right to incorporate the square footage allocated to such hotel to create additional office square footage consistent with the elevations for office floors shown in the P.D., which modification shall be subject to approval pursuant to Section 17-13-0611.
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 (i) 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.

16. The Applicant acknowledges and agrees that the rezoning of the Property from the Residential-Business Planned Development 1551 to Residential-Business Planned Development 1551, 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 128 dwelling units. The Applicant intends to construct a 128-unit rental building (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 25.6 affordable units (20 percent of 128) and half of those affordable units are Required Units. Pursuant to Subsection (T) of the ARO, the Applicant must 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 all 26 affordable units in the rental building in the P.D., 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 9 units) must be affordable to households at or below 50 percent of the AMI, of which one-sixth (or 2 of the 9 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.

If 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 after the passage of this P.D., DOH may adjust the AHP as requested, in accordance with the ARO, without amending the P.D., provided however, the Applicant must update and resubmit the revised AHP to DOH for review and approval and, at DOH's request, provide an informational presentation to Plan Commission on such change. Prior to the issuance of any building permits for any residential building in the P.D., 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 against the P.D. and will constitute a lien against such property. The Commissioner of DOH may enforce remedies for any breach of this Statement 16, 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.

17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Zoning Administrator of DPD shall initiate a zoning map amendment to rezone the Property to the DX-5 Downtown Mixed-Use District.

[Floors 2, 3, 4, 5, 6, 7, 8 and 9 Plans; Site/Landscape Plan; Roof Plan; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 62824 through 62837 of this *Journal*.]

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

*Residential-Business Planned Development No. 1551, As Amended.*

*Bulk Regulations And Data Table.*

Gross Site Area (square feet):	25,095
Area of Public Rights-of-Way (square feet):	10,718
Net Site Area (square feet):	14,377
Maximum Floor Area Ratio:	7.86
Maximum Number of Dwelling Units:	128
Minimum Off-Street Parking Spaces:	11
Minimum Bicycle Parking Spaces:	80
Minimum Off-Street Loading:	1
Maximum Building Height:	125 feet, 8 inches
Minimum Setbacks:	In conformance with the plans

**ARO Affordable Housing Profile Form (AHP)**

Submit this form for projects that are subject to the ARO or Pilsen/Little Village Pilot Ordinances. More information is online at [www.cityofchicago.gov/ARO](http://www.cityofchicago.gov/ARO). Submit completed to the Department of Housing (DOH), 121 N LaSalle Street, 10th Floor, Chicago, IL 60602. E-mail: [ARO@cityofchicago.org](mailto:ARO@cityofchicago.org).

**FINAL FOR PUBLICATION**

Date: 8/25/2022

**DEVELOPMENT INFORMATION**

Development Name: 330 W. Chestnut  
Development Address: 330 W. Chestnut  
Zoning Application Number, if applicable:

ARO remains unchanged from initial approval.

Ward: 27

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

Type of City Involvement  
*check all that apply*

- City Land
- Planned Development (PD)
- Financial Assistance
- Transit Served Location (TSL) project
- Zoning increase

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

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

**DEVELOPER INFORMATION**


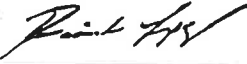
Developer Name DK Chestnut LLC  
 Developer Contact Gordon Ziegenhagen  
 Developer Address 55 E. Monroe St., Suite 3900, Chicago, IL 60603  
 Email [gziegen@draperandkramer.com](mailto:gziegen@draperandkramer.com) Developer Phone 312-795-2232  
 Attorney Name Rich Klawiter, DLA Piper Attorney Phone 312-368-7243

**TIMING**

Estimated date marketing will begin March 2024  
 Estimated date of building permit\* March 2023  
 Estimated date ARO units will be complete June 2024

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

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

	8/25/2022
Developer or their ag	Date
	9/19/2022
ARO Project Manager, DOH	Date



ARO Web Form

**FINAL FOR  
PUBLICATION**

**Applicant Contact Information**

Name: Gordon Ziegenhagen  
Email: gziegen@draperandkramer.com

**Development Information**

**Address**

Printed Date: 08/25/2022

Number From: 324    Number To: 332    Direction: W  
Street Name: Chestnut Street                      Postal Code: 60610

**Development Name**

330 W. Chestnut

Are you rezoning to downtown?: Yes  
Is your project subject to the ARO Pilots?: 2021 ARO

**Information**

Ward. 27                      ARO Zone: Downtown

**Details**

ARO Trigger: DP  
Total Units 128  
Development Type: Rent  
TSL Project: TSL-or FAR doesn't exceed 3.5  
Date Submitted: 08/25/2022

**FINAL FOR  
PUBLICATION**

**Requirements**

Affordable Units: 25 6 (20% of 128 DUs) \*On-site aff. Units: 7

How do you intend to meet your required obligation

On-Site: 26 Off-Site: 0

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

Total Units: 26 In-Lieu Fee Owed: 0

# FINAL FOR PUBLICATION

4/19/2023

REPORTS OF COMMITTEES

62823

Project Name:	330 W. Chestnut
Zoning Application number, if applicable:	
Address:	330 W. Chestnut
Is this a For Sale or Rental Project?	Rental
Anticipated average gsf/rent/price?	
Total Units in Project:	128
Total Affordable units:	26

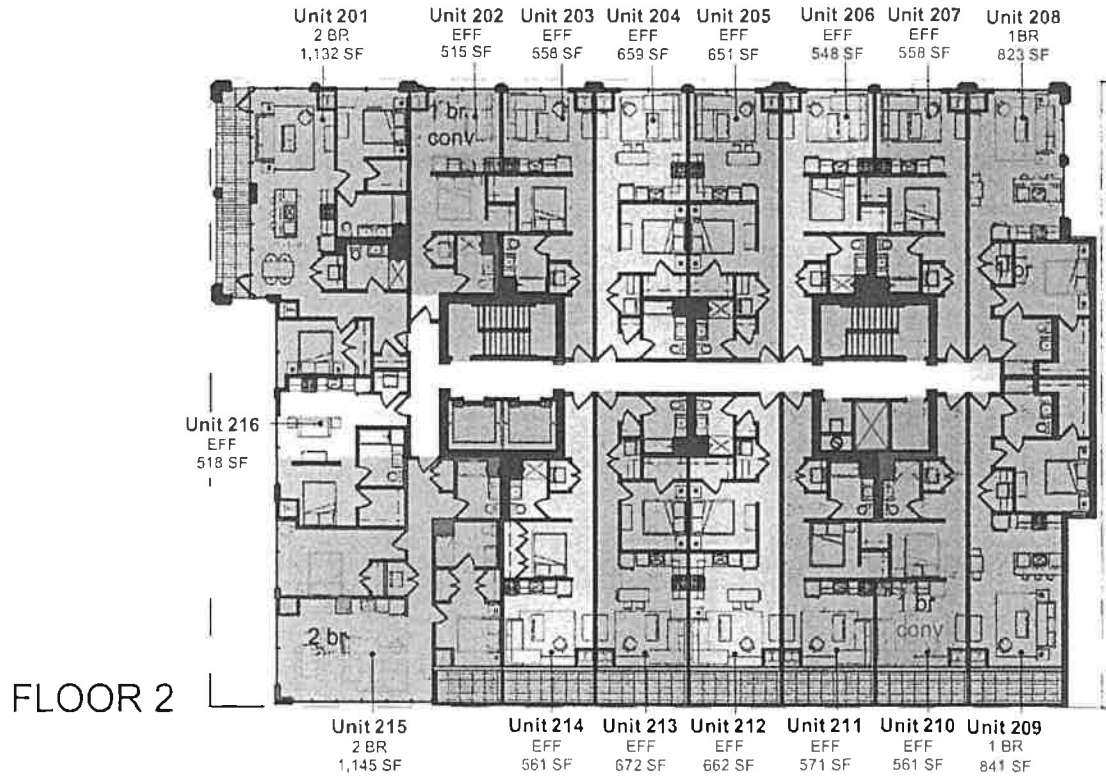
unit type	market rate			ARO			affordable v market square footage*
	how many?	% of total	avg square footage	how many?	% of total	avg square footage	
studio	0	0%	-	0	0%	-	-
one-bed	89	87%	622	23	88%	618	99%
two-bed	13	12%	1,126	2	17%	1,141	100%
three-bed	0	0%	-	0	0%	-	-
four-bed	0	0%	-	0	0%	-	-

\*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

All projects with proposed ARO units must complete this tab

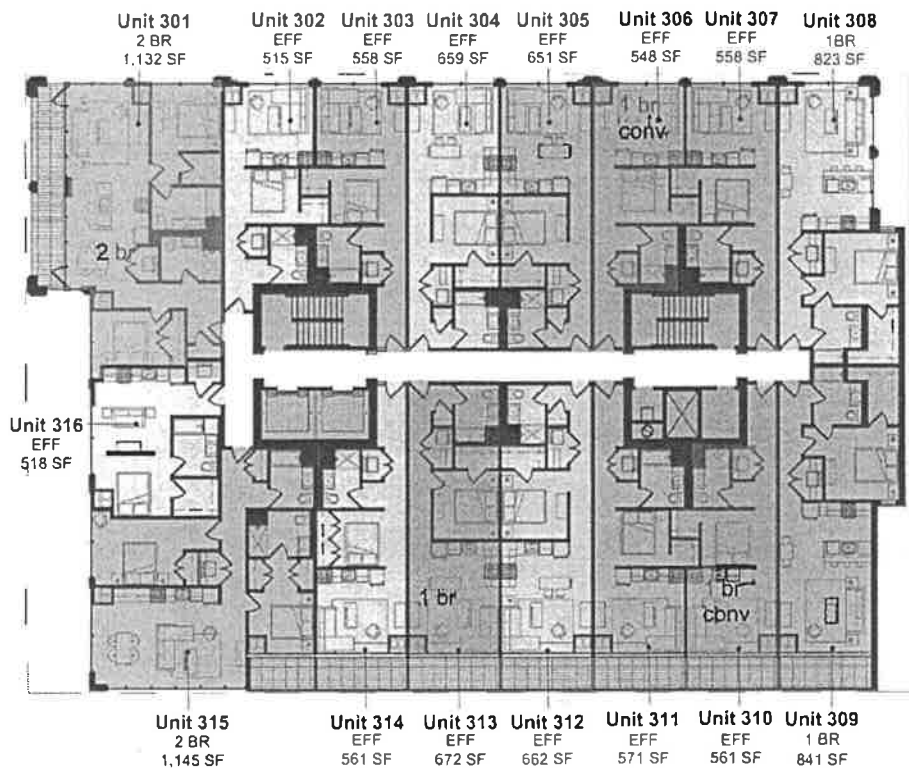
	Market Rate (Units)	Affordable Units
Parking	Available for rent	Available for rent
Laundry	In-unit	In-unit
Appliances		
Refrigerator <i>type/energy star/make/model/color</i>	Energy Star TBD	Energy Star TBD
Dishwasher <i>type/energy star/make/model/color</i>	Energy Star TBD	Energy Star TBD
Stove/Oven <i>type/energy star/make/model/color</i>	Energy Star TBD	Energy Star TBD
Microwave <i>type/energy star/make/model/color</i>	Energy Star TBD	Energy Star TBD
Bathrooms How many? Full bath? Half bath?	1 Bedroom/1 Bath 2 Bedroom/2 Bath	1 Bedroom/1 Bath Bedroom/2 Bath
Exterior Countertops material	Solid Surface	Solid Surface
Flooring material	LVT Plank	LVT Plank
HVAC	VTAC unit	VTAC unit
Other	-	-

**FINAL FOR PUBLICATION**



**AFFORDABLE UNIT LOCATIONS**

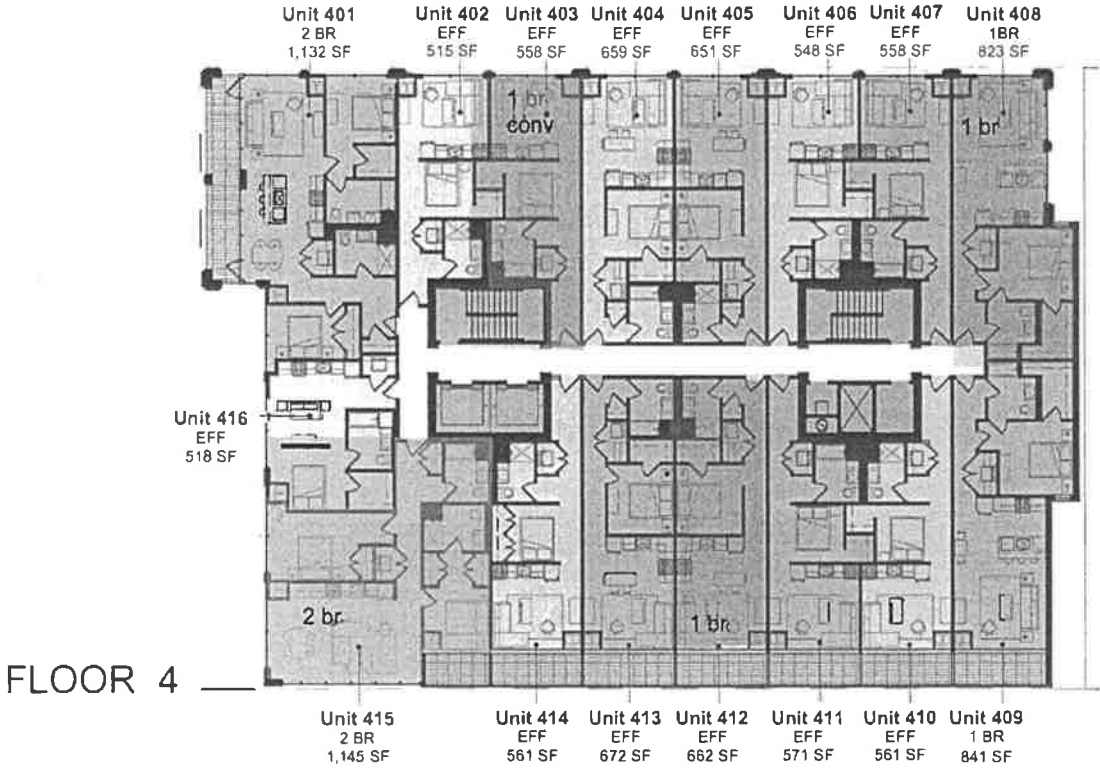
**FINAL FOR  
PUBLICATION**



FLOOR 3

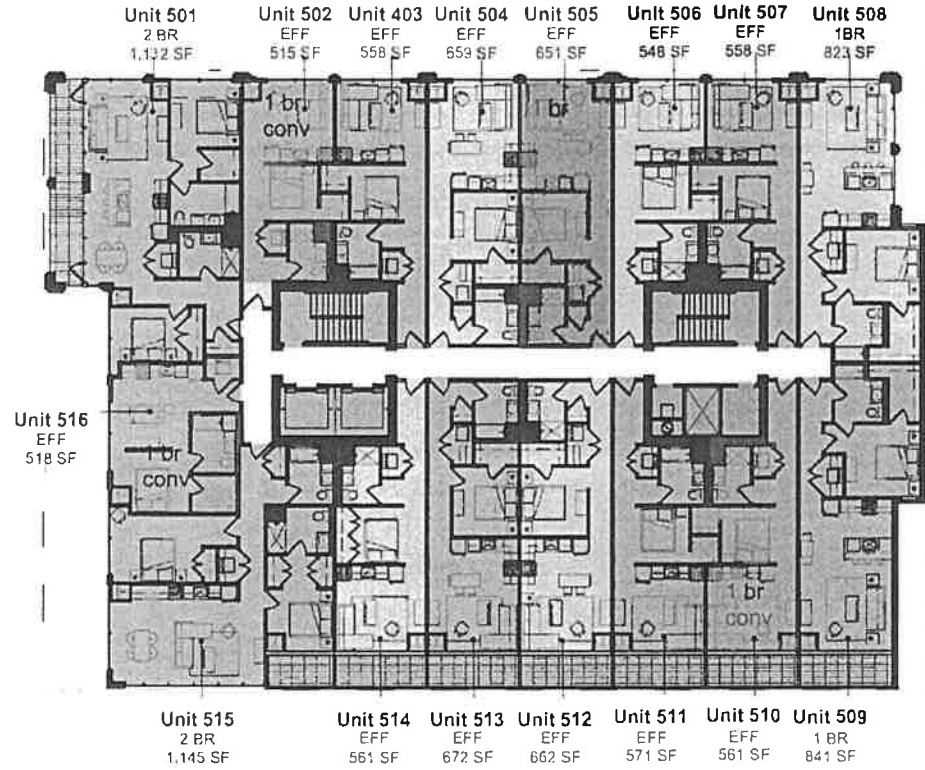
**AFFORDABLE UNIT LOCATIONS**

**FINAL FOR PUBLICATION**



**AFFORDABLE UNIT LOCATIONS**

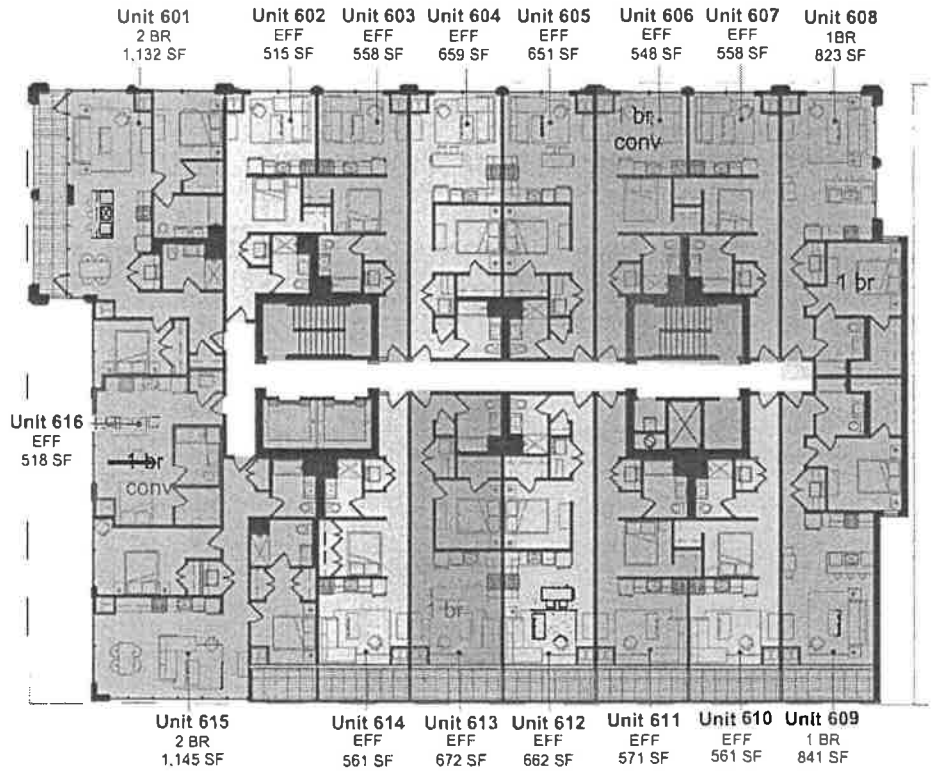
**FINAL FOR PUBLICATION**



FLOOR 5

**AFFORDABLE UNIT LOCATIONS**

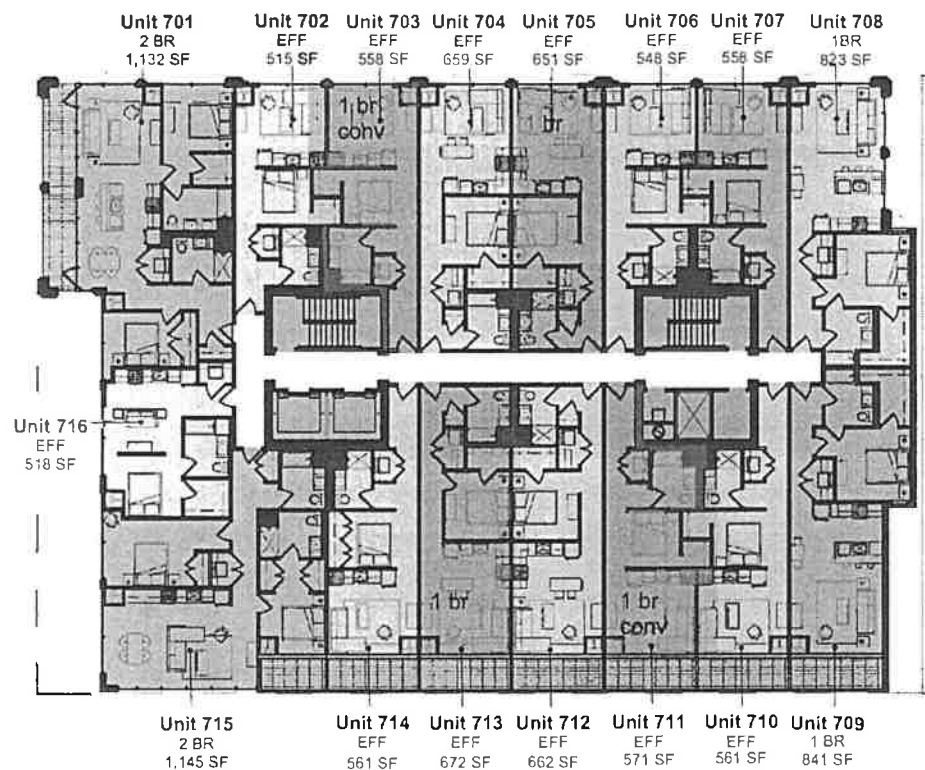
**FINAL FOR PUBLICATION**



FLOOR 6

**AFFORDABLE UNIT LOCATIONS**

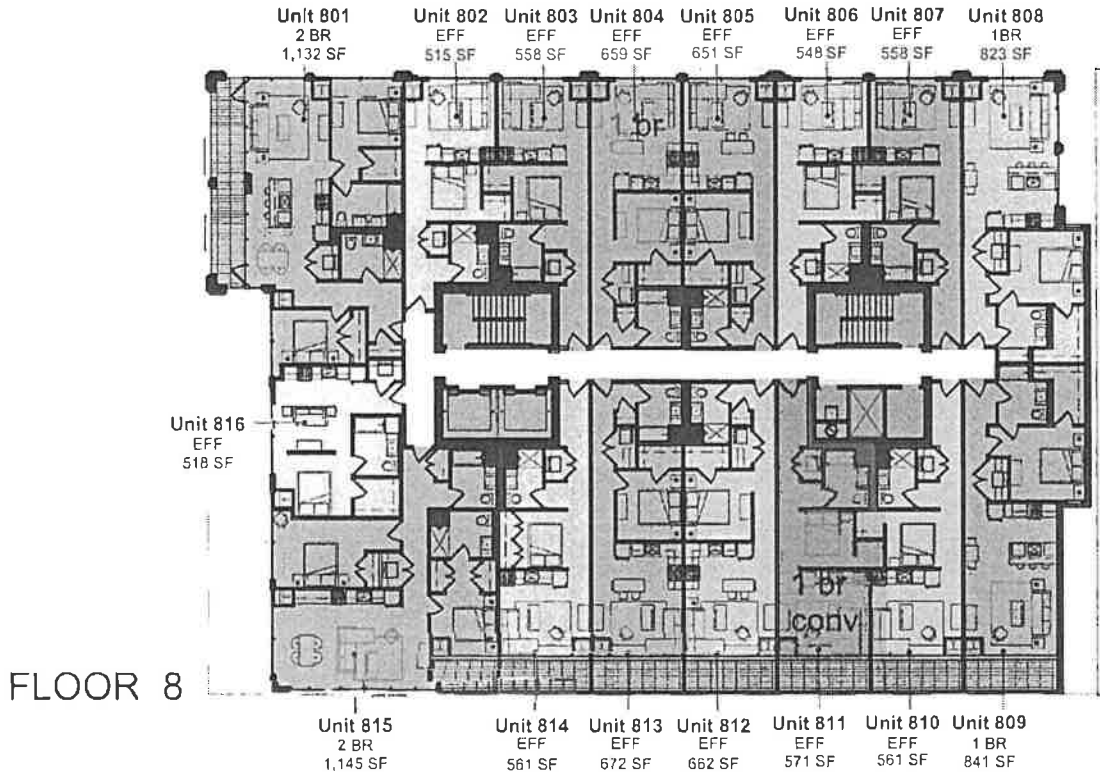
**FINAL FOR PUBLICATION**



FLOOR 7

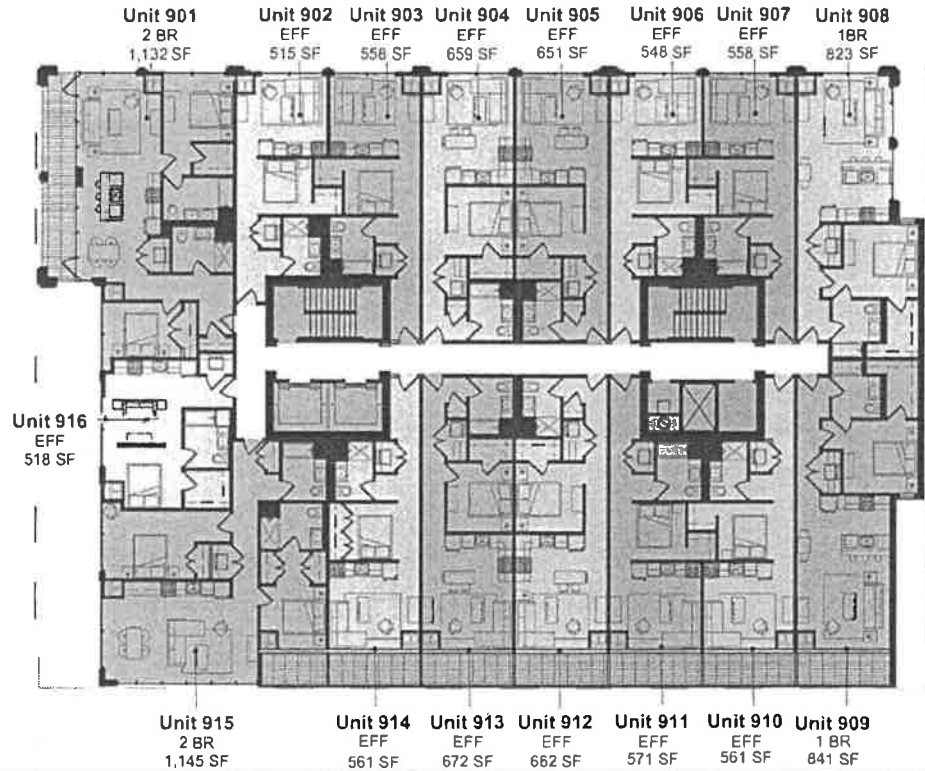
**AFFORDABLE UNIT LOCATIONS**

**FINAL FOR PUBLICATION**



**AFFORDABLE UNIT LOCATIONS**

**FINAL FOR  
PUBLICATION**

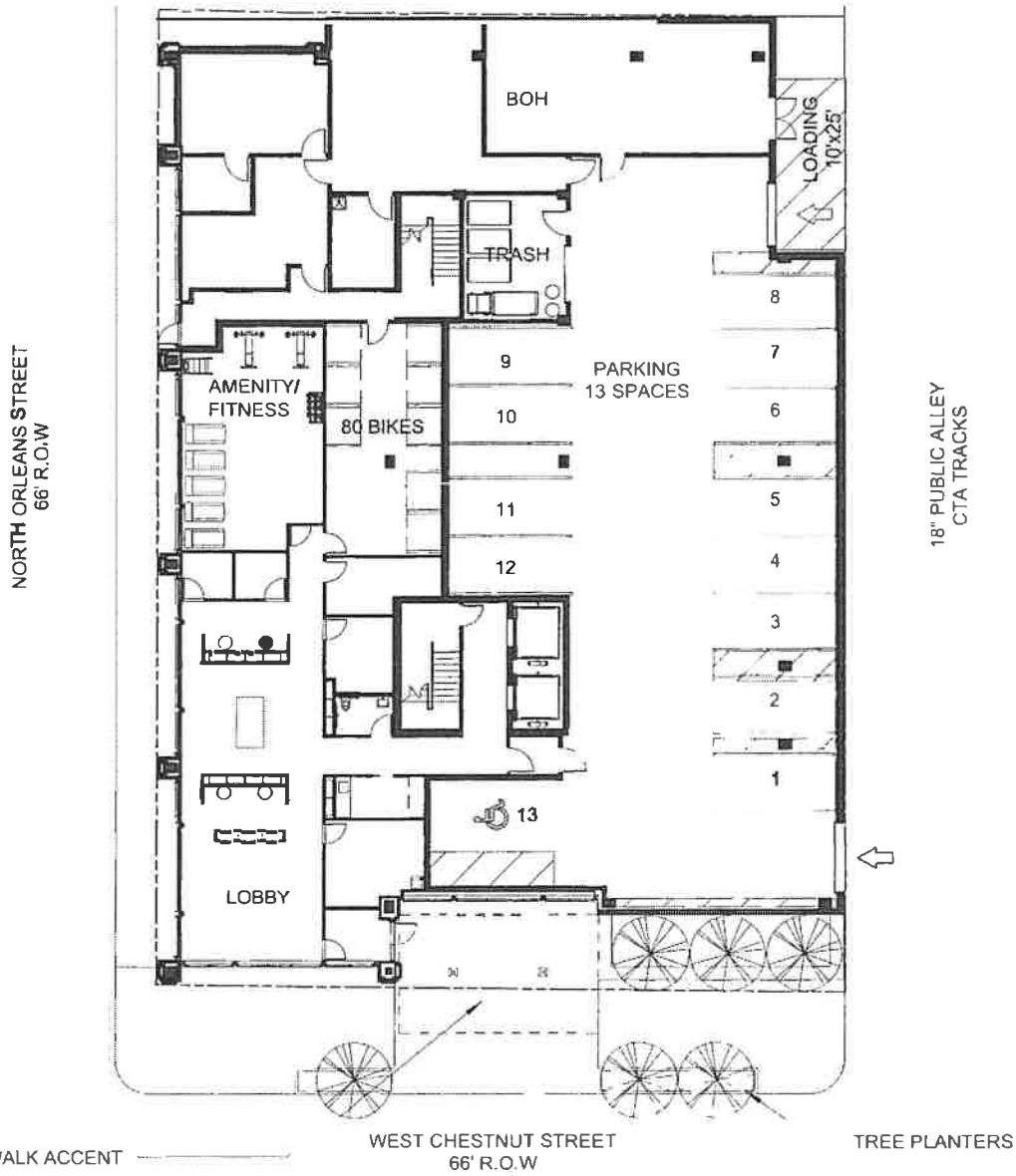


FLOOR 9

**AFFORDABLE UNIT LOCATIONS**

# Planned Development No. - SITE/LANDSCAPE PLAN

**FINAL FOR  
PUBLICATION**



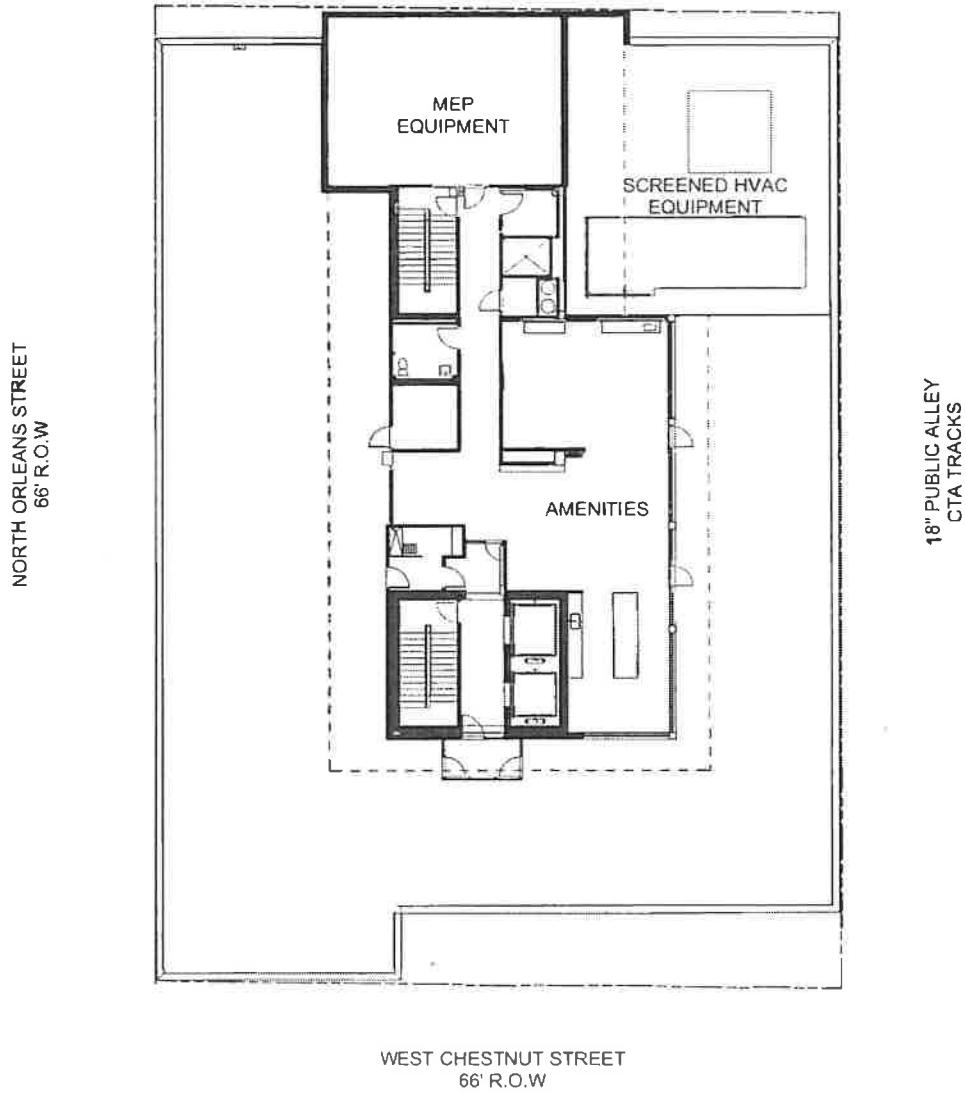
Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago IL, 60610  
 Introduced: January 18, 2023  
 CPC Date: October 20, 2022  
 Amended:



PD-04

# Planned Development No. - ROOF PLAN

**FINAL FOR  
PUBLICATION**



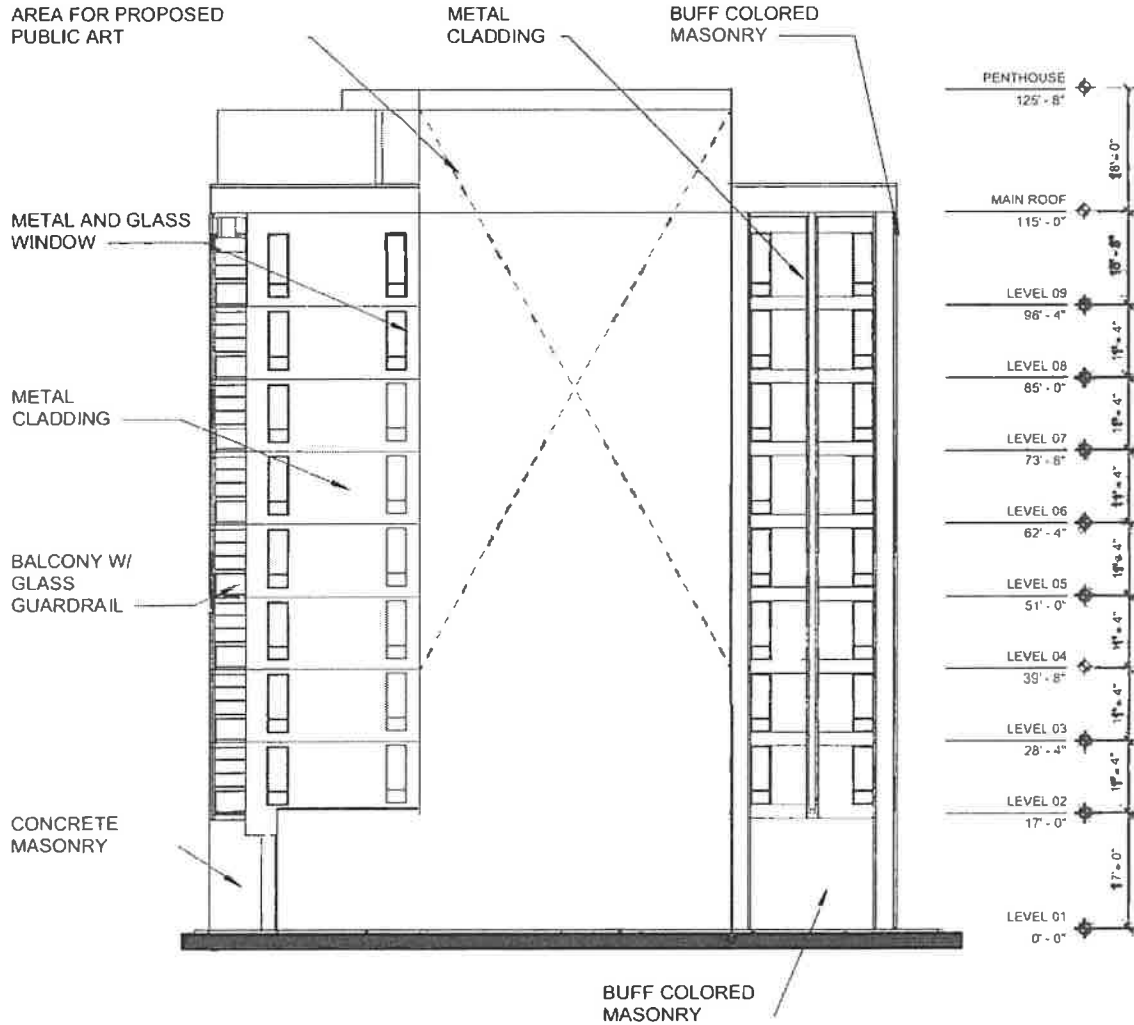
Applicant: DK Chestnut LLC  
Address: 330 West Chestnut Street  
Chicago IL, 60610  
Introduced: January 18, 2023  
CPC Date: October 20, 2022  
Amended:



PD-05

# Planned Development No. - NORTH ELEVATION

**FINAL FOR  
PUBLICATION**



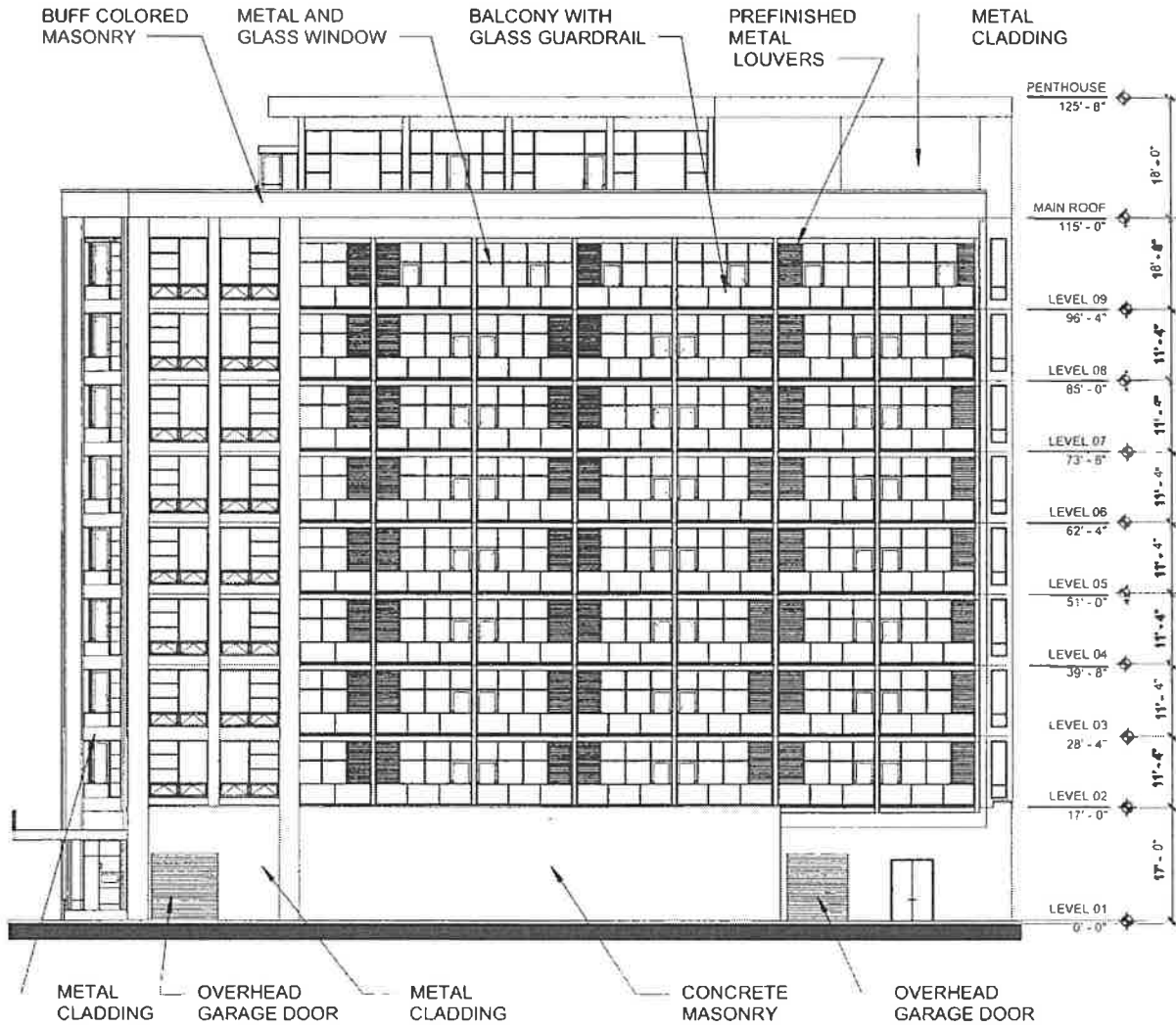
Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago IL, 60610  
 Introduced: January 18, 2023  
 CPC Date: October 20, 2022  
 Amended:



PD-06

# Planned Development No. - EAST ELEVATION

**FINAL FOR  
PUBLICATION**



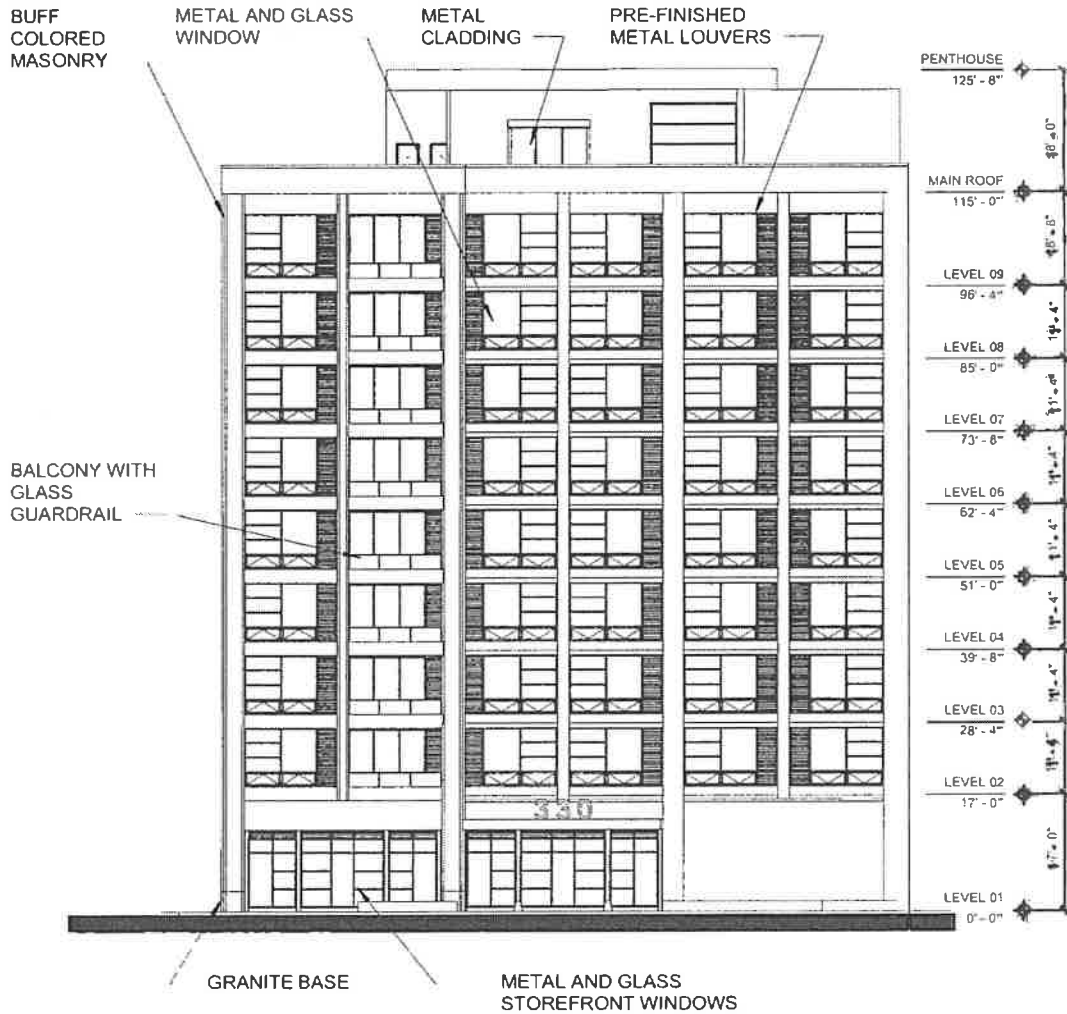
Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago IL, 60610  
 Introduced: January 18, 2023  
 CPC Date: October 20, 2022  
 Amended:



PD-07

# Planned Development No. - SOUTH ELEVATION

**FINAL FOR  
PUBLICATION**



Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago IL, 60610  
 Introduced: January 18, 2023  
 CPC Date: October 20, 2022  
 Amended:



PD-08

# Planned Development No. - WEST ELEVATION

**FINAL FOR  
PUBLICATION**



Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago IL, 60610  
 Introduced: January 18, 2023  
 CPC Date: October 20, 2022  
 Amended:



PD-09

*Reclassification Of Area Shown On Map No. 3-F.*

(As Amended)

(Application No. 20993)

*B.BPD 1551*

(Common Address: 330 W. Chestnut St.)

[SO2022-1113]

*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 C1-5 Neighborhood Commercial District symbols and indications as shown on Map Number 3-F in the area bounded by:

North Orleans Street; a line 143.36 feet north of and parallel to West Chestnut Street; the public alley east of and parallel to North Orleans Street; and West Chestnut 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 3-F in the area bounded by:

North Orleans Street; a line 143.36 feet north of and parallel to West Chestnut Street; the public alley east of and parallel to North Orleans Street; and West Chestnut Street,

to those of a Residential-Business Planned Development.

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. 1551.*

*Planned Development Statements.*

1. The area delineated herein as Planned Development Number 1551 ("Planned Development") consists of approximately 14,377 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). DK Chestnut LLC is the "Applicant" for this Planned Development and 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, assigns or grantees.

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

Ingress or egress shall be pursuant to the plans and may be subject to the review and approval of the Department of Planning and Development ("DPD") and CDOT. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of CDOT.

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 these 17 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Fitzgerald Associates and dated \_\_\_\_\_ (the "Plans"): an Existing Zoning Map; a Land-Use Map; a Planned Development Boundary and Property Line Map; a Street Scape Site Plan; Building Elevations (North, South, East and West); and the Affordable Housing Profile Form (AHP). 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 Residential-Business Planned Development: dwelling units located above the ground floor; office; animal services (excluding overnight boarding and kennels); business equipment sales and service; business support services (excluding day labor employment agency); communication service establishments; eating and drinking establishments; financial services (excluding payday loan and pawn shops); food and beverage retail sales; medical service; personal service; general retail sales; participant sports and recreation; co-located wireless communication facilities; accessory parking; and incidental and 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 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 purposes 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 14,377 square feet and a base FAR of 5.0.

The Applicant acknowledges that the project has received a bonus FAR of 2.55, pursuant to Section 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 7.55. 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, including Section 17-13-0800. 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. In the event the Applicant does not proceed with the south hotel tower depicted on the East and West Elevations, the Applicant shall have the right to incorporate the square footage allocated to such hotel to create additional office square footage consistent with the elevations for office floors shown in the P.D., which modification shall be subject to approval pursuant to Section 17-13-0611.
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 (i) 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.
16. The Applicant acknowledges and agrees that the rezoning of the Property from the C1-5 Neighborhood Commercial District to the DX-5 Downtown Mixed-Use District and then to a Residential-Business Planned Development 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 128 dwelling units. The Applicant intends to construct a 128-unit rental building (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 25.6 affordable units (20 percent of 128) and half of those affordable units are Required Units. Pursuant to subsection (T) of the ARO, the Applicant must 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 all 26 affordable units in the rental building in the P.D., 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 9 units) must be affordable to households at or below 50 percent of the AMI, of which one-sixth (or 2 of the 9 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.

If 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 after the passage of this P.D., DOH may adjust the AHP as requested, in accordance with the ARO, without amending the P.D., provided, however, the Applicant must update and resubmit the revised AHP to DOH for review and approval and, at DOH's request, provide an informational presentation to the Plan Commission on such change. Prior to the issuance of any building permits for any residential building in the P.D., 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 against the P.D. and will constitute a lien against such property. The Commissioner of DOH may enforce remedies for any breach of this Statement 16, 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.

- 17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Zoning Administrator of DPD shall initiate a zoning map amendment to rezone the Property to the DX-5 Downtown Mixed-Use District.

[Floors 2, 3, 4, 5, 6, 7, 8 and 9 Plans; Site/Landscape Plan; Roof Plan; and North, South, East and West Building Elevations referred to in these Plan of Development Statements printed on pages 53534 through 53547 of this Journal.]

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

Residential-Business Planned Development No. 1551.

*Bulk Regulations And Data Table.*

Gross Site Area (square feet):	25,095
Area of Public Rights-of-Way (square feet):	10,718
Net Site Area (square feet):	14,377
Maximum Floor Area Ratio:	7.55
Maximum Number of Dwelling Units:	128
Minimum Off-Street Parking Spaces:	11
Minimum Bicycle Parking Spaces:	80
Minimum Off-Street Loading:	1
Maximum Building Height:	115 feet
Minimum Setbacks:	In conformance with the plans

FINAL FOR PUBLICATION 16

ARO Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the ARO or Pilsen/Little Village Pilot Ordinances. More information is online at www.cityofchicago.gov/ARO. Submit completed to the Department of Housing (DOH), 121 N LaSalle Street, 10th Floor, Chicago, IL 60602. E-mail: ARO@cityofchicago.org.

Date: 8/25/2022

DEVELOPMENT INFORMATION

Development Name: 330 W. Chestnut
Development Address: 330 W. Chestnut
Zoning Application Number, if applicable:
Ward: 27
If you are working with a Planner at the City, what is his/her name? Joshua Son

- Type of City Involvement: City Land, Financial Assistance, Zoning increase, Planned Development (PD), Transit Served Location (TSL) projec

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

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

DEVELOPER INFORMATION

Developer Name DK Chestnut LLC
Developer Contact Gordon Ziegenhagen
Developer Address 55 E. Monroe St., Suite 3900, Chicago, IL 60603
Email gziegen@draperandkramer.com Developer Phone 312-795-2232
Attorney Name Rich Klawiter, DLA Piper Attorney Phone 312-368-7243

TIMING

Estimated date marketing will begin March 2024
Estimated date of building permit\* March 2023
Estimated date ARO units will be complete June 2024

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

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

Developer or their ag 8/25/2022
Date 9/19/2022
Date

ARO Project Manager, DOH



AFFORDABLE REQUIREMENTS ORDINANCE

ARO Web Form

**FINAL FOR  
PUBLICATION****Applicant Contact Information**

Name: Gordon Ziegenhagen

Email: gziegen@draperandkramer.com

**Development Information****Address****Printed Date: 08/25/2022**

Number From: 324    Number To: 332    Direction: W

Street Name: Chestnut Street

Postal Code: 60610

**Development Name**

330 W. Chestnut

Are you rezoning to downtown?: Yes

Is your project subject to the ARO Pilots?: 2021 ARO

**Information**

Ward: 27

ARO Zone: Downtown

**Details**

ARO Trigger: DP

Total Units 128

Development Type: Rent

TSL Project: TSL-or FAR doesn't exceed 3.5

Date Submitted: 08/25/2022

Requirements

**FINAL FOR  
PUBLICATION**

Affordable Units: 25.6 (20% of 128 DUs) \*On-site aff. Units: 7

How do you intend to meet your required obligation

On-Site: 26 Off-Site: 0

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

Total Units: 26 In-Lieu Fee Owed: 0

# FINAL FOR PUBLICATION

Project Name	330 W. Chestnut
Zoning Application number, if applicable	
Address	330 W. Chestnut
is this a For Sale or Rental Project?	Rental
Anticipated average psf rent/price**	
Total Units in Project	12#
Total Affordable units	26

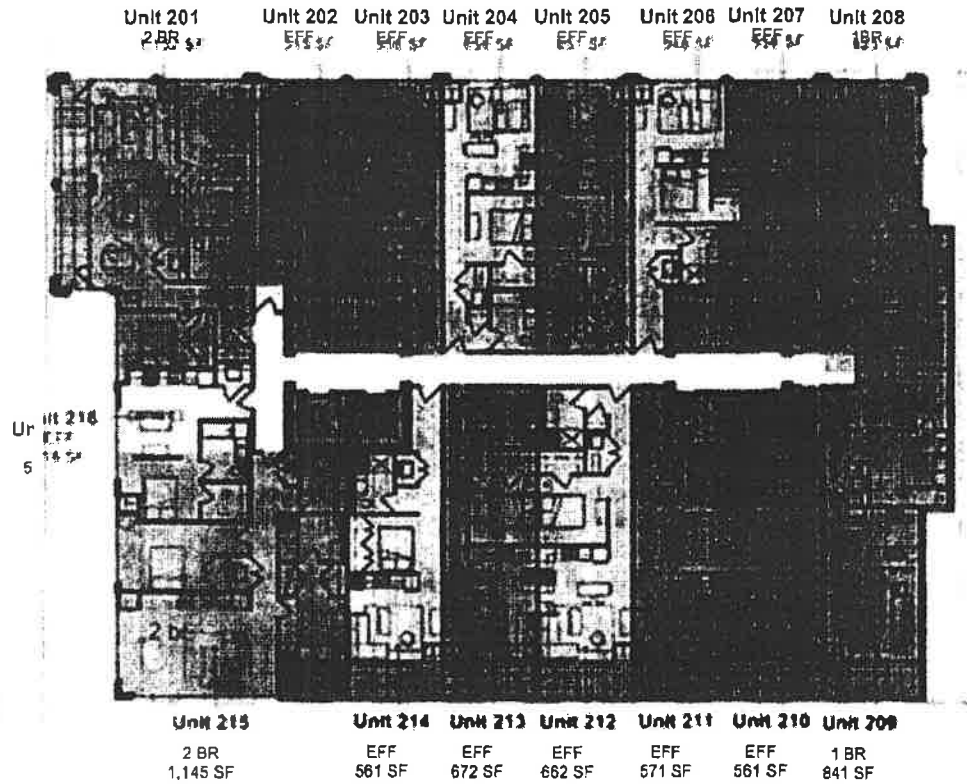
Summary							
unit type	market rate			ARO			
	how many?	% of total	avg. square footage	how many?	% of total	avg. square footage	affordable v. market square footage*
studio	0	0%	-	0	0%	-	-
one-bed	89	87%	622	23	88%	618	99%
two-bed	13	13%	1,138	3	12%	1,141	100%
three-bed	0	0%	-	0	0%	-	-
four-bed	0	0%	-	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

All projects with proposed ARO units must complete this tab

	Market Rate Units	Affordable Units
Parking	Available for rent	Available for rent
Laundry	In-unit	In-unit
Appliances		
Refrigerator <i>age/EnergyStar/make/model/color</i>	Energy Star TBD	Energy Star TBD
Dishwasher <i>age/EnergyStar/make/model/color</i>	Energy Star TBD	Energy Star TBD
Stove/Oven <i>age/EnergyStar/make/model/color</i>	Energy Star TBD	Energy Star TBD
Microwave <i>age/EnergyStar/make/model/color</i>	Energy Star TBD	Energy Star TBD
Bathroom(s) <i>how many?</i> <i>Half bath? Full bath?</i>	1 Bedroom/1 Bath 2 Bedroom/2 Bath	1 Bedroom/1 Bath Bedroom/2 Bath
Kitchen countertops <i>material</i>	Solid Surface	Solid Surface
Flooring <i>material</i>	LVT Plank	LVT Plank
HVAC	VTAC unit	VTAC unit
Other		

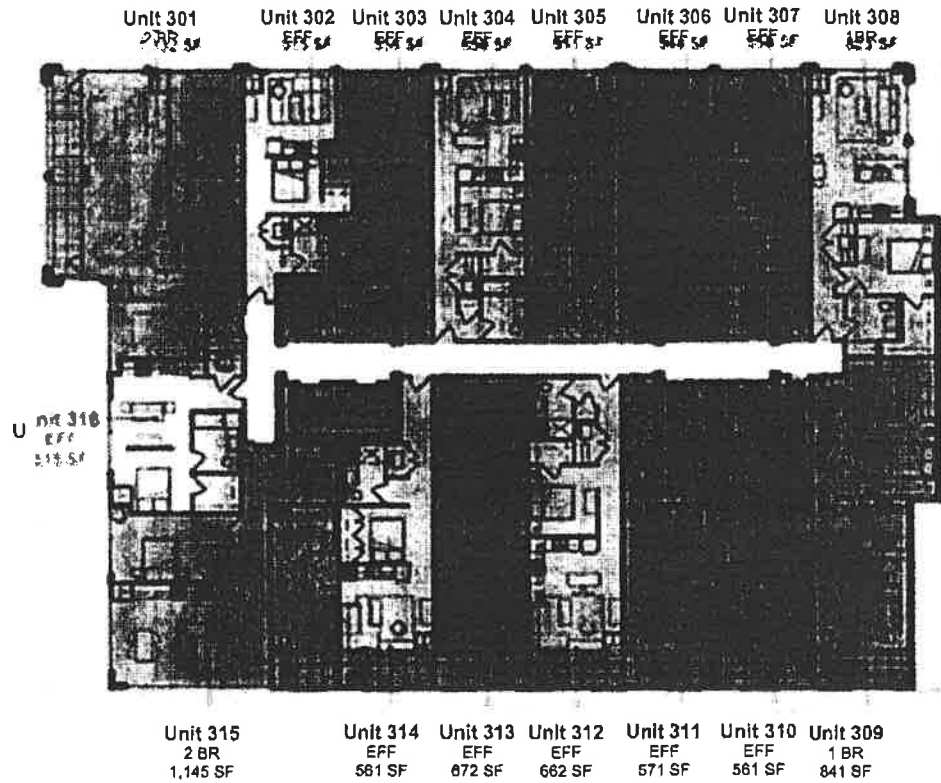
FINAL FOR PUBLICATION



FLOOR 2

**AFFORDABLE UNIT LOCATIONS**

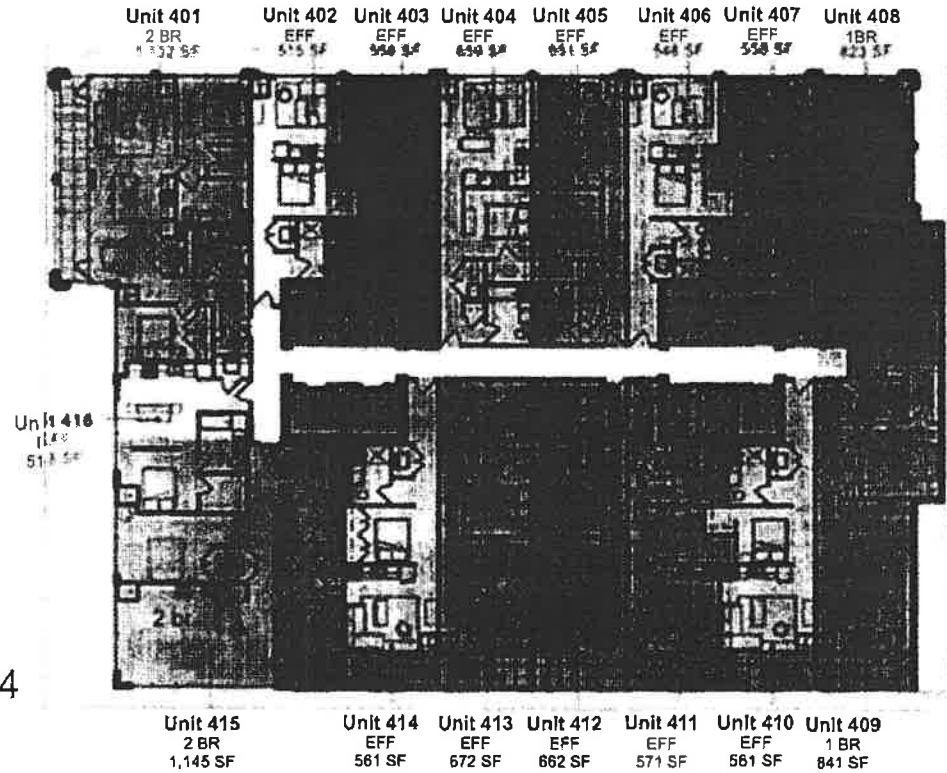
FINAL FOR PUBLICATION



FLOOR 3

**AFFORDABLE UNIT LOCATIONS**

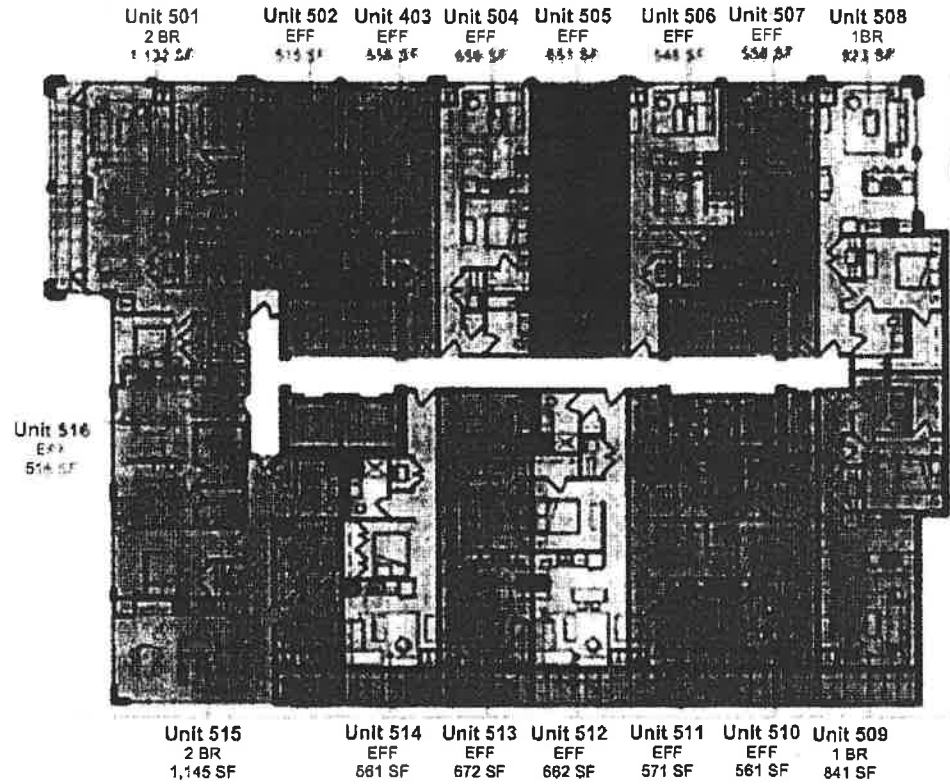
FINAL FOR PUBLICATION



FLOOR 4

**AFFORDABLE UNIT LOCATIONS**

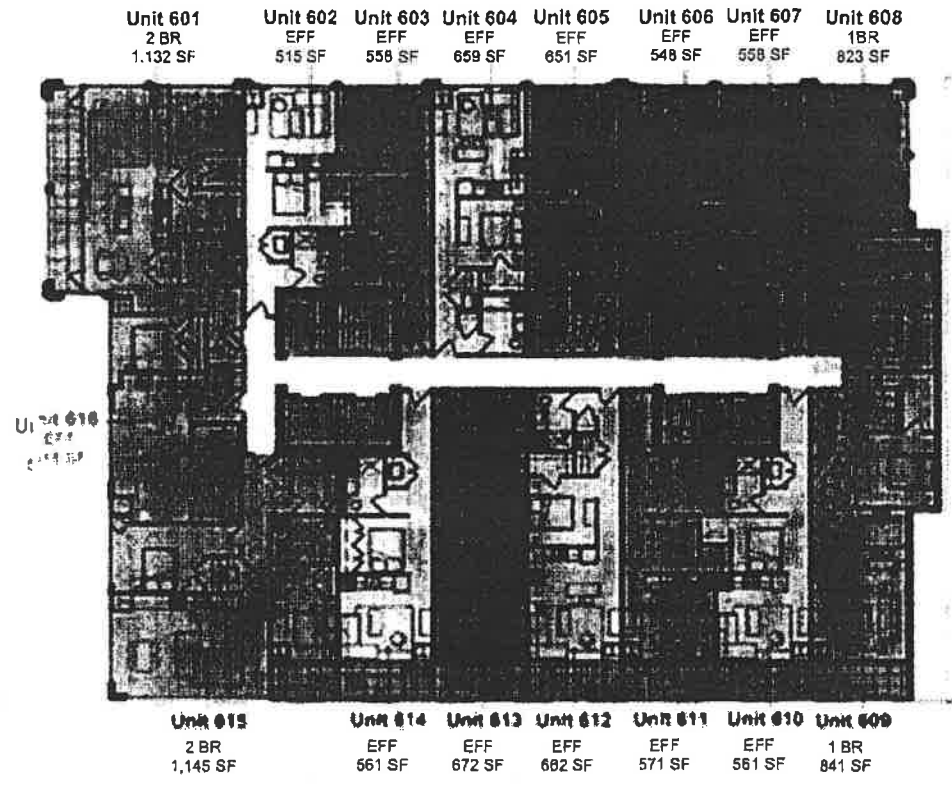
FINAL FOR PUBLICATION



FLOOR 5

AFFORDABLE UNIT LOCATIONS

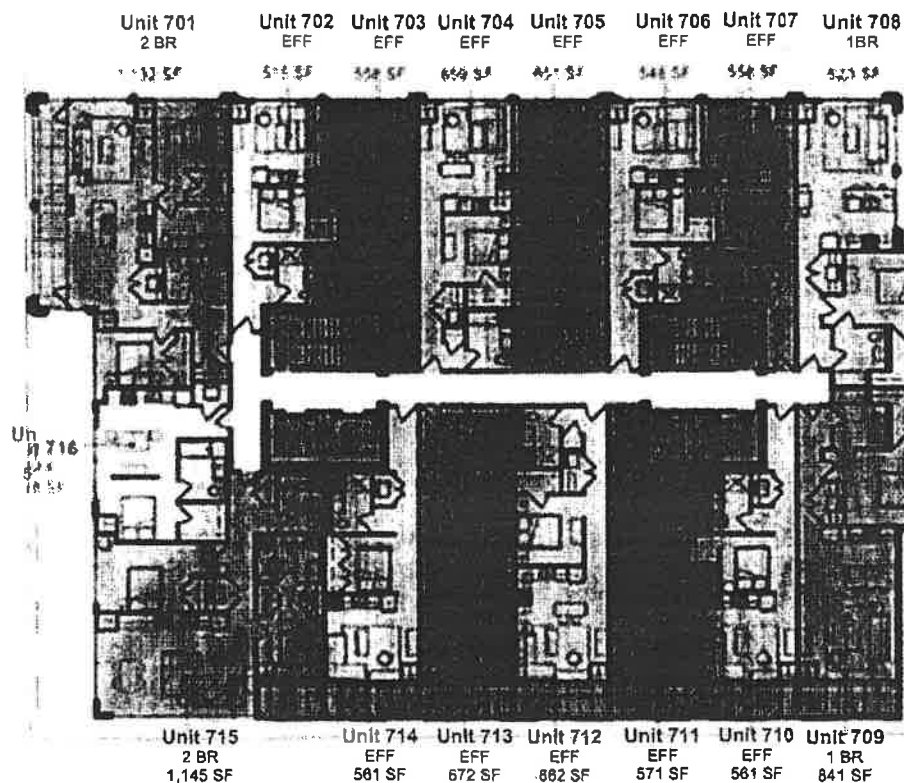
FINAL FOR PUBLICATION



FLOOR 6

**AFFORDABLE UNIT LOCATIONS**

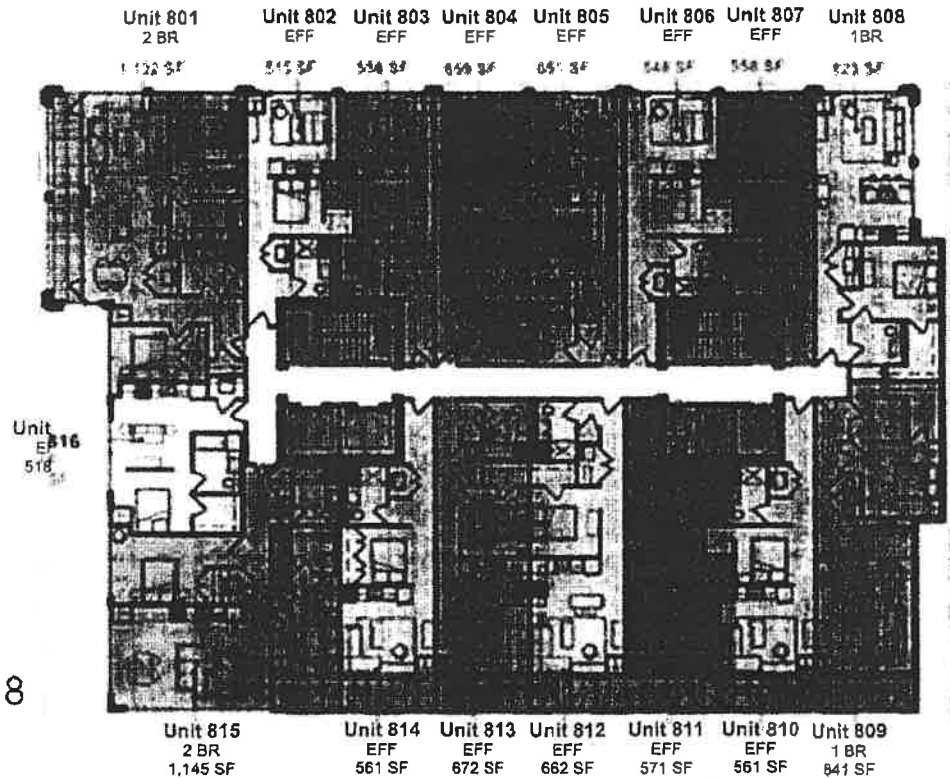
FINAL FOR PUBLICATION



FLOOR 7

AFFORDABLE UNIT LOCATIONS

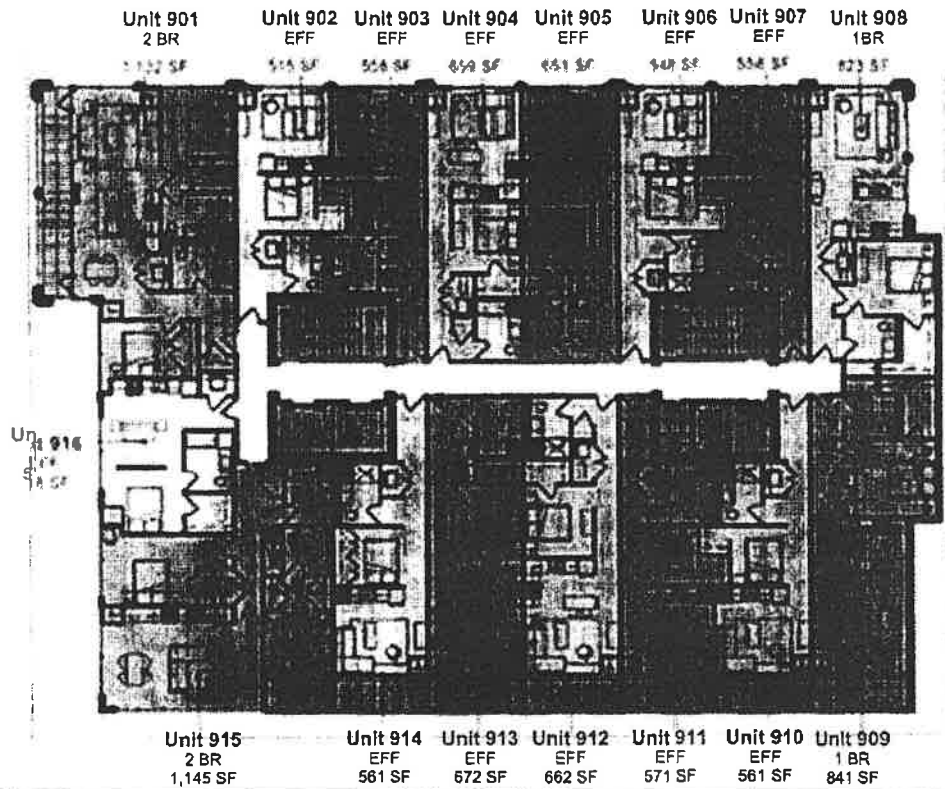
FINAL FOR PUBLICATION



FLOOR 8

AFFORDABLE UNIT LOCATIONS

FINAL FOR PUBLICATION

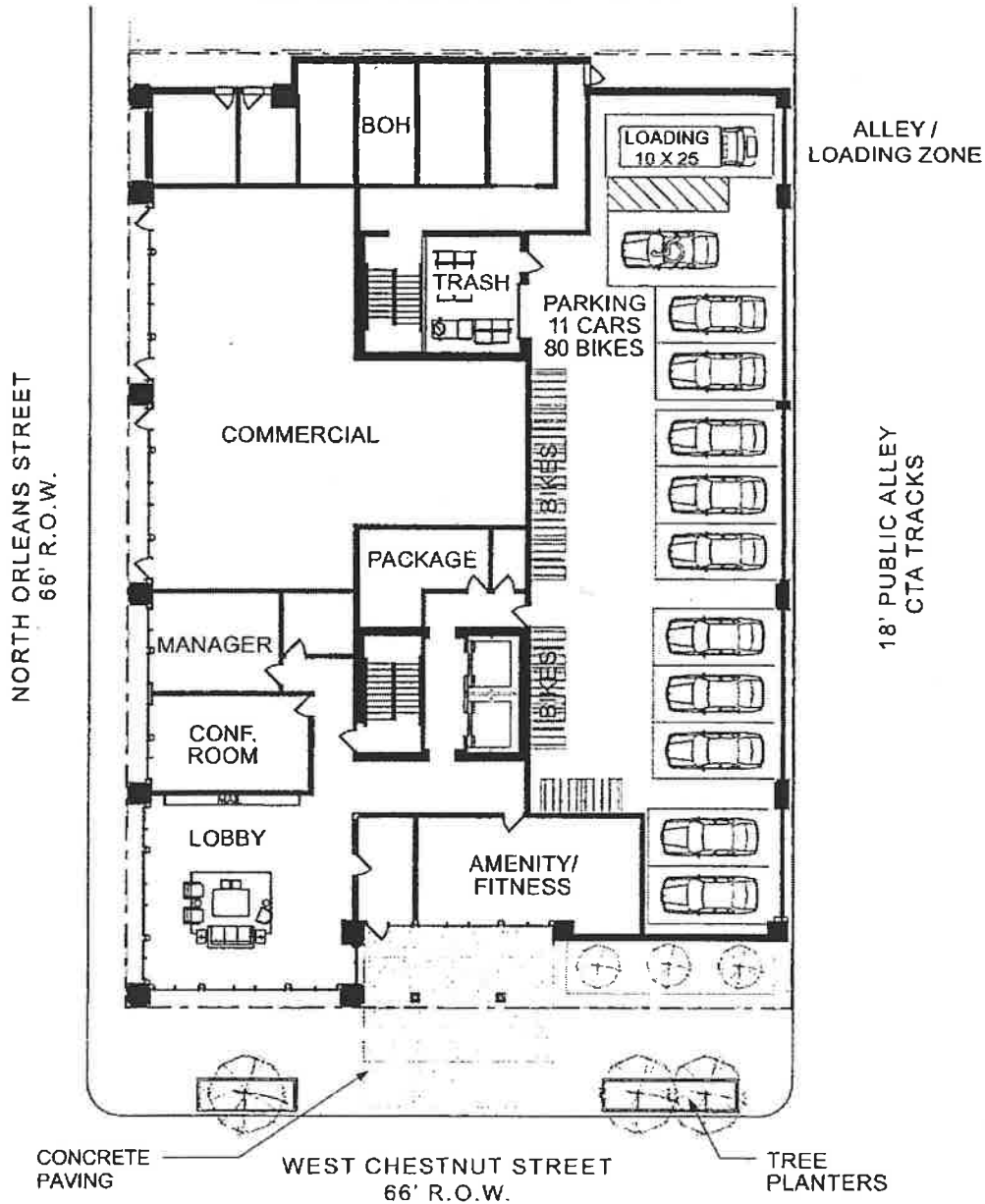


FLOOR 9

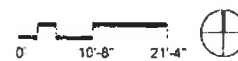
AFFORDABLE UNIT LOCATIONS

FINAL FOR <sup>17</sup>  
PUBLICATION

Planned Development No. -  
SITE/LANDSCAPE PLAN



Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago, IL 60610  
 Introduced: April 27, 2022  
 CPC Date: October 20, 2022

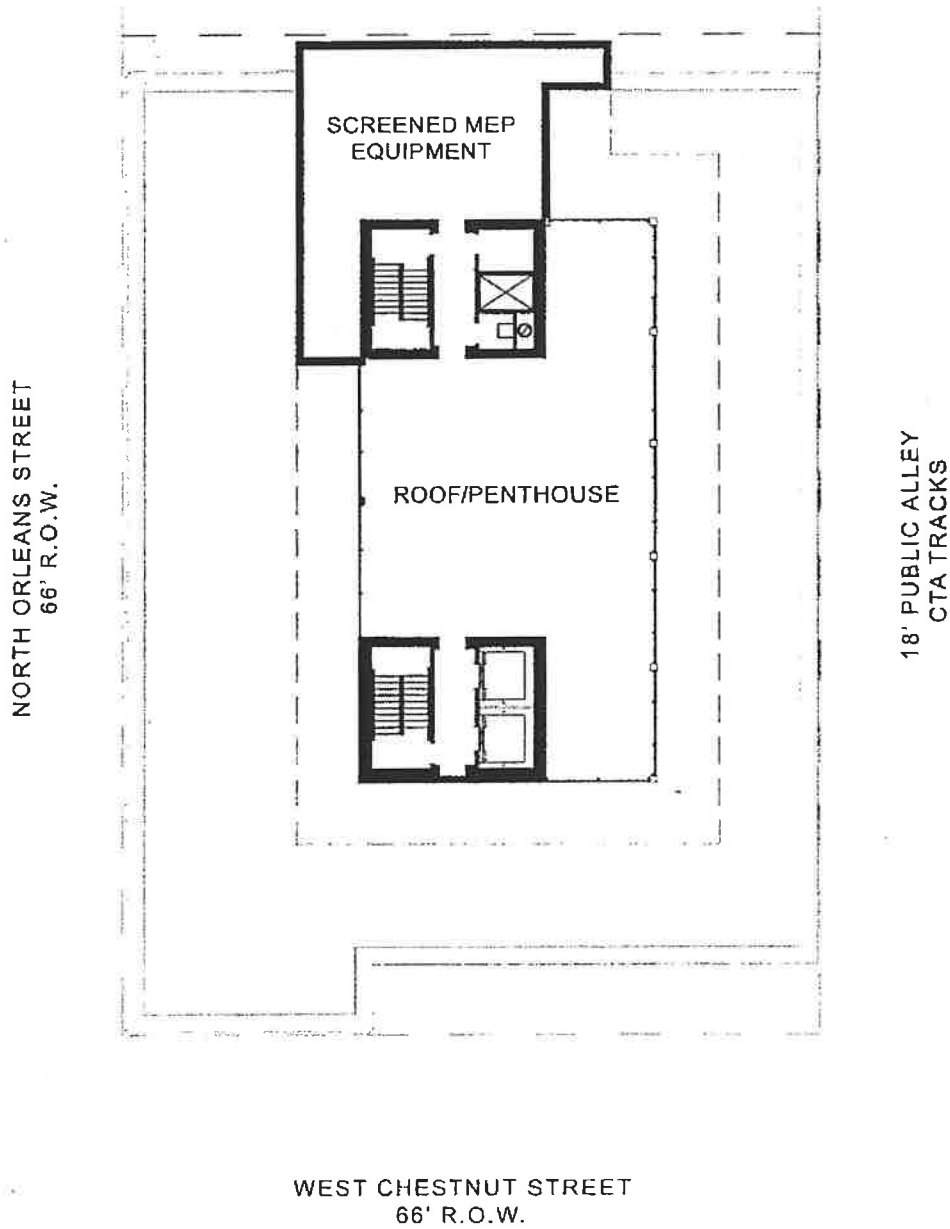


PD-04

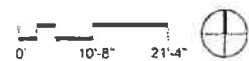
**FINAL FOR PUBLICATION**

Planned Development No. -

ROOF PLAN



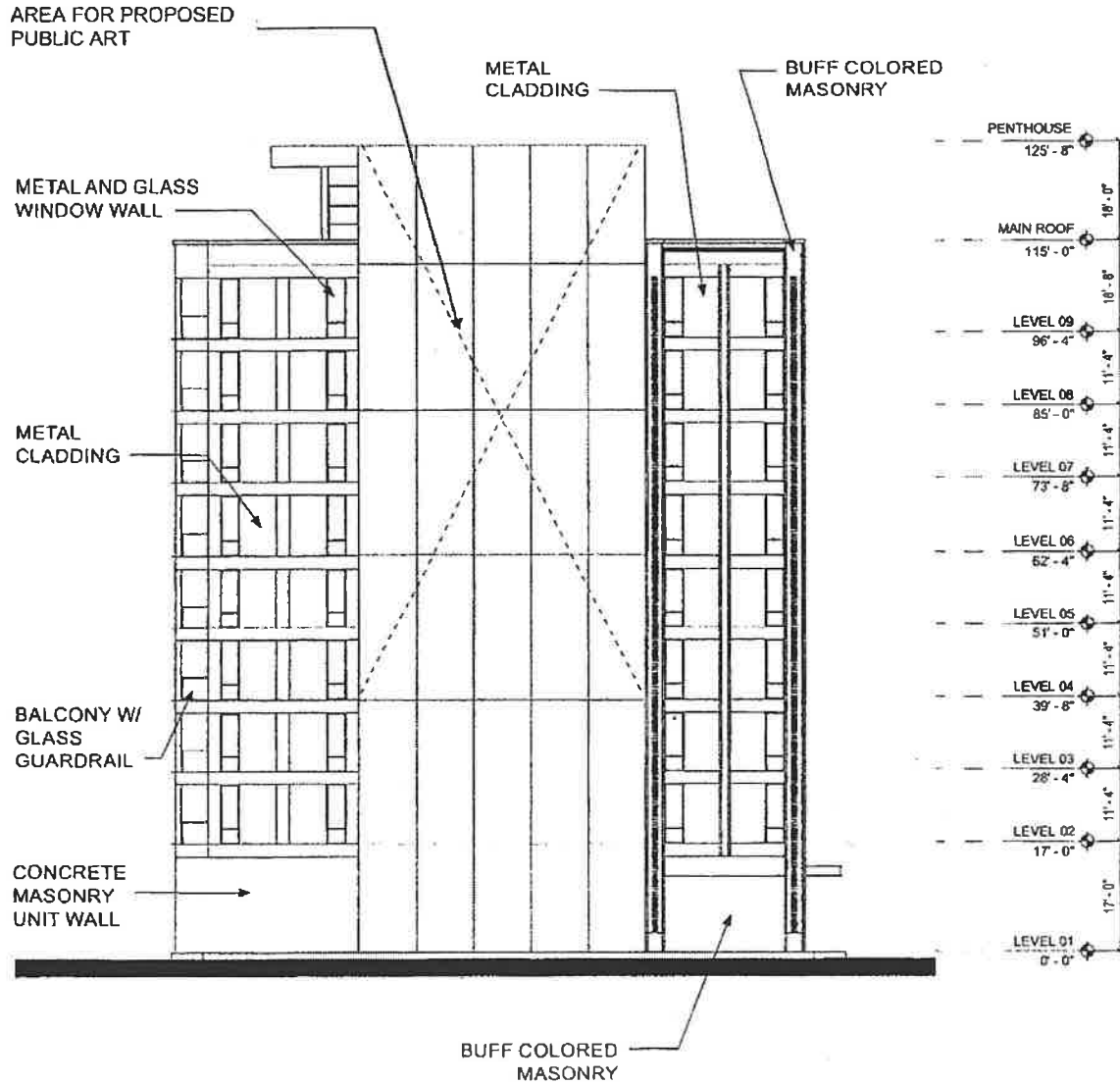
Applicant: DK Chestnut LLC  
Address: 330 West Chestnut Street  
Chicago, IL 60610  
Introduced: April 27, 2022  
CPC Date: October 20, 2022



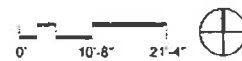
PD-05

FINAL FOR PUBLICATION LLD 175

# Planned Development No. - NORTH ELEVATION



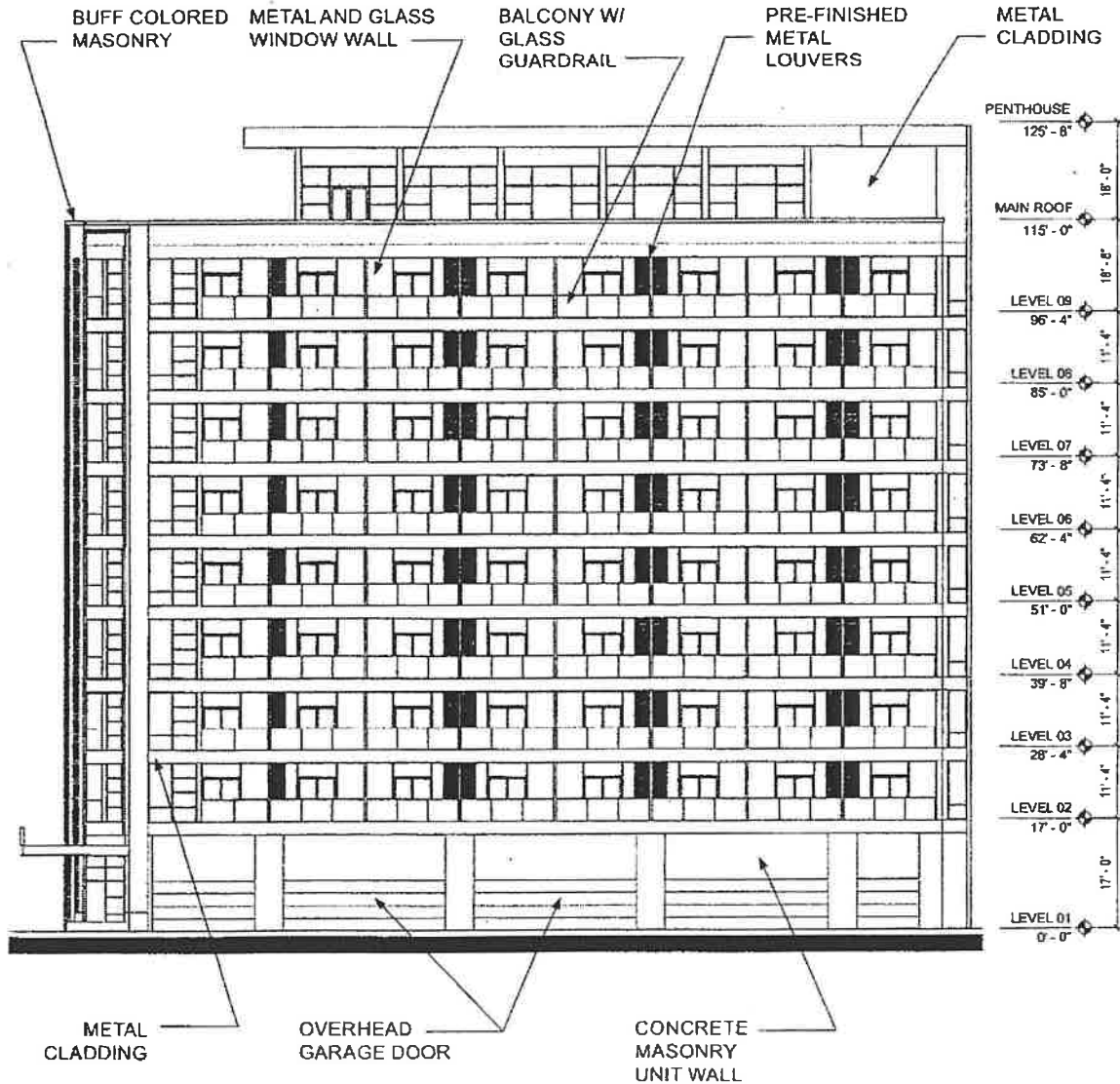
Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago, IL 60610  
 Introduced: April 27, 2022  
 CPC Date: -  
 Amended: -



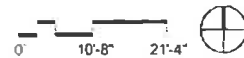
PD-06

FINAL FOR PUBLICATION

Planned Development No. - EAST ELEVATION



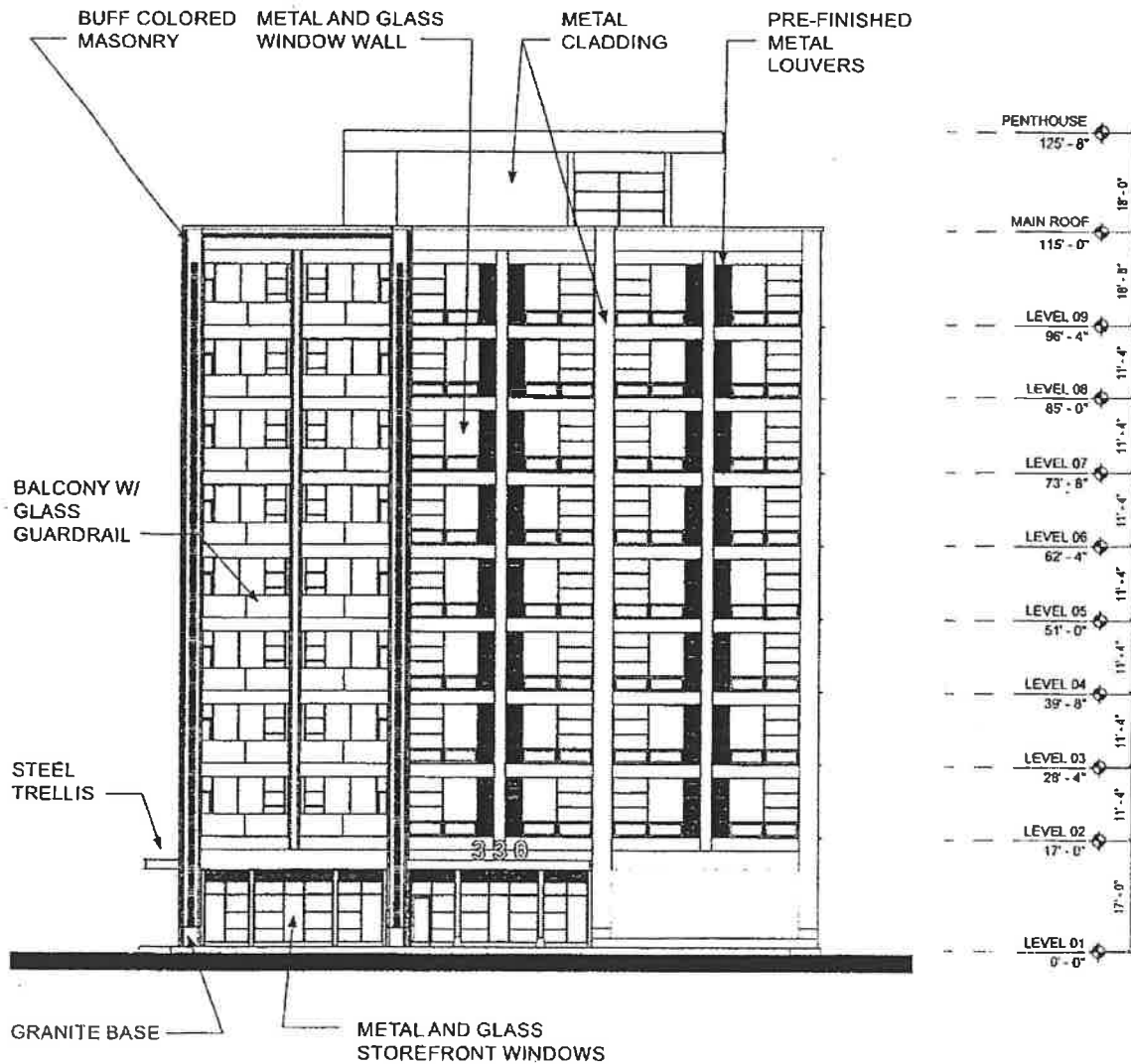
Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago, IL 60610  
 Introduced: April 27, 2022  
 CPC Date: October 20, 2022



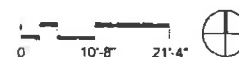
PD-07

FINAL FOR PUBLICATION 17

Planned Development No. - SOUTH ELEVATION



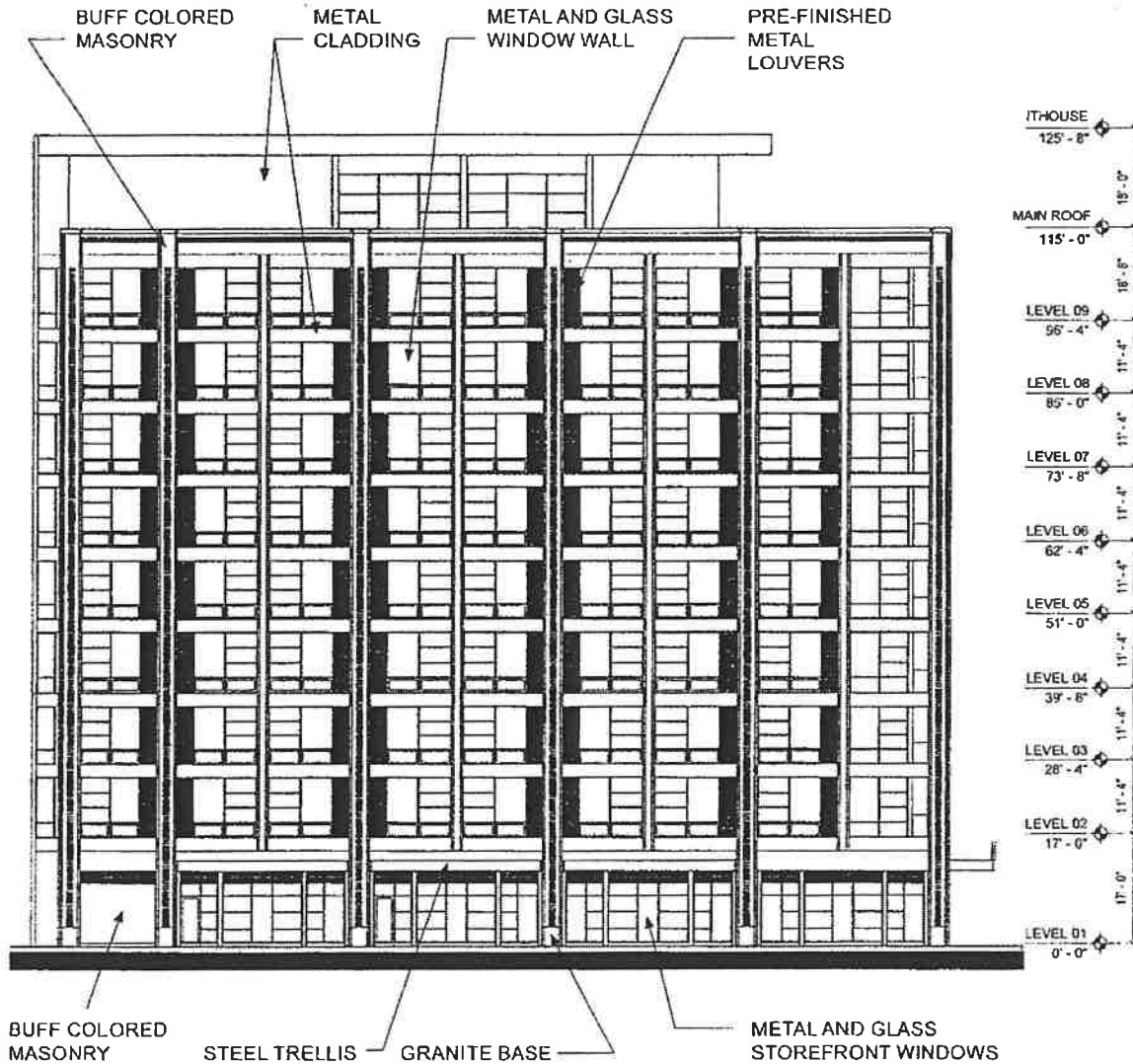
Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago, IL 60610  
 Introduced: April 27, 2022  
 CPC Date: October 20, 2022



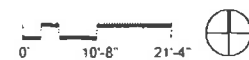
PD-08

FINAL FOR PUBLICATION 17E

Planned Development No. - WEST ELEVATION



Applicant: DK Chestnut LLC  
 Address: 330 West Chestnut Street  
 Chicago, IL 60610  
 Introduced: April 27, 2022  
 CPC Date: October 20, 2022



PD-09