

FINAL FOR PUBLICATION

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing Residential Planned Development No. 1320 District symbols and indications as shown on Map No. 1-F in the area generally bounded by:

A line beginning at a point 125.79 feet north of the north line of the Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way as measured along the east line of North Halsted Street and extending 419.88 feet east to a point on the west line of North Union Avenue 126.7 feet north of the north line of the railroad right-of-way; North Union Avenue; the north line of the Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way; and North Halsted Street

to the designation of Residential Planned Development No. 1320, as amended, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

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

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Residential Planned Development No. 1320, As Amended

Planned Development Statements

1. The area delineated herein as Residential Planned Development Number 1320, as amended (“Planned Development”), consists of approximately 53,013 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (“Property”), and is owned and controlled by the Applicant, Onni 352 N. Union Chicago LLC.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
3. Applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assigns or grantees.

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

Ingress or egress shall be pursuant to the plans 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.

4. This plan of development consists of 16 Statements, a Bulk Regulations Table, and a Site Landscape Plan prepared by Daniel Weinbach & Partners Ltd. dated October 10, 2023. Incorporated by reference herein is Residential Planned Development No. 1320, as amended, approved by the City Council on June 27, 2018 and published in the City Council Journal of Proceedings at pages 80853 through 80871 including an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary Map; Site Plan -- Ground Level/Enlarged; Amenity Deck -- Halsted Level; a Green Roof Plan; and Building Elevations (North, South, East and West) prepared by Pappageorge Haymes Partners dated June 21, 2018. Also incorporated by reference herein is the Minor Change Approval and exhibits thereto dated February 25, 2019. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control.

APPLICANT: Onni 352 N. Union Chicago LLC
ADDRESS: 354 N. Union
DATE OF INTRODUCTION: September 13, 2023
PLAN COMMISSION: December 21, 2023

FINAL FOR PUBLICATION

This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the 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 Planned Development: dwelling units located above the ground floor, lodging, including hotel keys, accessory parking, 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 the Department of Planning and Development. Off-premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the 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 site shall be in accordance with the attached Bulk Regulations 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 Table has been determined using a net site area of 53,013 square feet and a base FAR of 5.0. The Applicant acknowledges that the project has received a bonus FAR of 1.13, pursuant to Section 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 6.13. 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.

It is currently anticipated that the 10 percent to the Local Impact Fund shall be utilized for the future development of a Chicago Park District open space located at the southwest corner of North Milwaukee Avenue and West Erie Street. Any modification of the

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ADDRESS: 354 N. Union
DATE OF INTRODUCTION: September 13, 2023
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FINAL FOR PUBLICATION

allocation of the Local Impact Fund shall be subject to Section 17-4-1005-G but in no event shall such modification cause a delay in the issuance of Part II Approval, building permit or certificate of occupancy for the Planned Development.

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 the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II Approval.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II Reviews are conditional until final Part II Approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 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, conserves energy and maximizes the preservation of natural resources. At the time of a hearing before the Chicago Plan Commission, all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development. The Applicant shall provide open space at the southwest corner of the Property, which will be open to the public during hours typical of the Chicago Park District parks, but the open space will be maintained and owned by the Applicant or its successors.

APPLICANT: Onni 352 N. Union Chicago LLC
ADDRESS: 354 N. Union
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FINAL FOR PUBLICATION

15. The Applicant acknowledges and agrees that the rezoning of the Property from DS-5 to DX-5, and then to this Planned Development, triggered the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO") when it was approved by City Council on April 13, 2016. Because the project was approved by City Council before the first anniversary of the ARO publication date, the in-lieu fee was set at \$140,000 per unit. This fee will be updated at payment to reflect the current Consumer Price Index. Under the ARO, any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10 percent of the housing units in the residential housing project as affordable units (the "Affordable Units"), or provide the Affordable Units in an approved off-site location; (ii) pay a fee in lieu of the development of the Affordable Units; or (iii) any combination of (i) and (ii); provided, however, with one exception that doesn't apply here, residential housing projects with 20 or more units ("Larger Projects") must construct a minimum of 25 percent of the Affordable Units (the "Required Units") on-site or off-site (i.e., the developer may not pay a fee in lieu of the development of the Required Units). This Planned Development is located in a "downtown district" within the meaning of the ARO and is a larger project subject to the minimum construction requirement. The Applicant agreed to satisfy its affordable housing obligation by providing the Required Units in the rental building to be constructed in the Planned Development, and paying a fee in lieu of the remaining 75 percent of the Affordable Units, as set forth in the Affordable Housing Profile Form attached hereto. The Applicant agreed that the Affordable Units must be affordable to households earning no more than 60 percent of the Chicago-area median household income, as updated annually. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required Affordable Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must make the in-lieu payment and execute and record an affordable housing agreement in accordance with Section 2-45-115(K)(2) to secure the Applicant's obligation to construct the Required Units. The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for any breach of this Statement, including any breach of any affordable housing agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.
16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a zoning map amendment to rezone the Property to Residential Planned Development No. 1320, as approved by the City Council on June 27, 2018, and as modified by a minor change on February 25, 2019.

APPLICANT: Onni 352 N. Union Chicago LLC
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Residential Planned Development No. 1320, As Amended

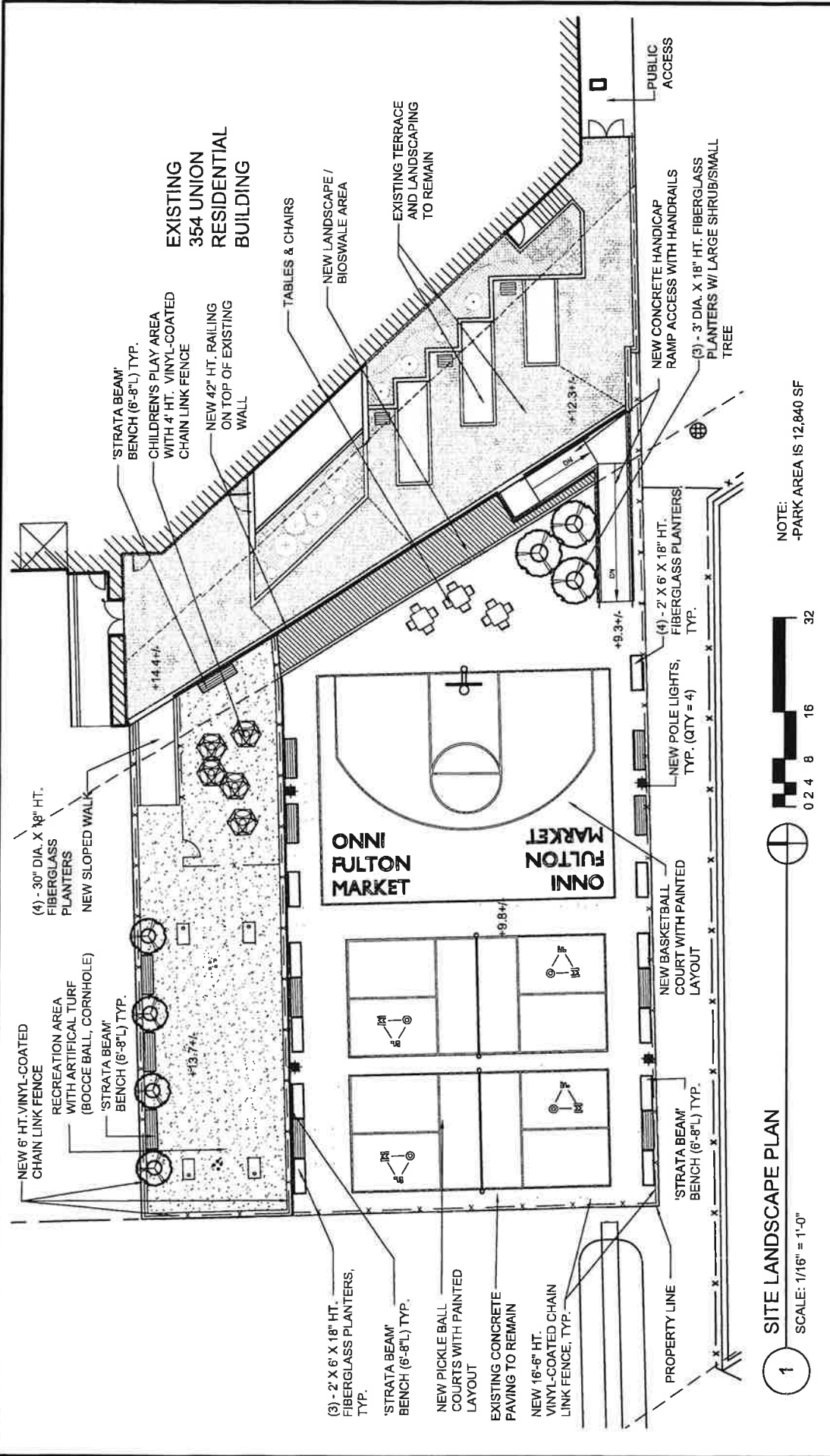
Bulk Regulations and Data Table

Gross Site Area:	61,345 square feet (1.41 acres)
Area of Public Right-of-Way:	8,332 square feet (.191 acre)
Net Site Area:	53,013 square feet (1.217 acres)
Maximum Floor Area Ratio:	6.13
Maximum Number of Dwelling Units	373 (includes units used as hotel keys)
Maximum Number of Hotel Keys:	56*
Minimum Number of Off-Street Parking Spaces:	170
Minimum Number of Bicycle Parking Spaces:	116
Minimum Off-Street Loading:	2 (10 feet by 25 feet)
Minimum Setbacks:	In accordance with Site Plan
Maximum Building Height:	450 feet

* For each dwelling unit used as a hotel key, the maximum number of dwelling units shall be reduced by one unit.

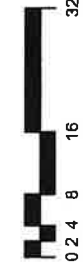
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1 SITE LANDSCAPE PLAN

SCALE: 1/16" = 1'-0"



NOTE:
-PARK AREA IS 12,840 SF

DANIEL WEINBACH & PARTNERS, LTD.
1110 N. WABASH AVE. SUITE 700
CHICAGO, IL 60610
TEL: 312.726.1000

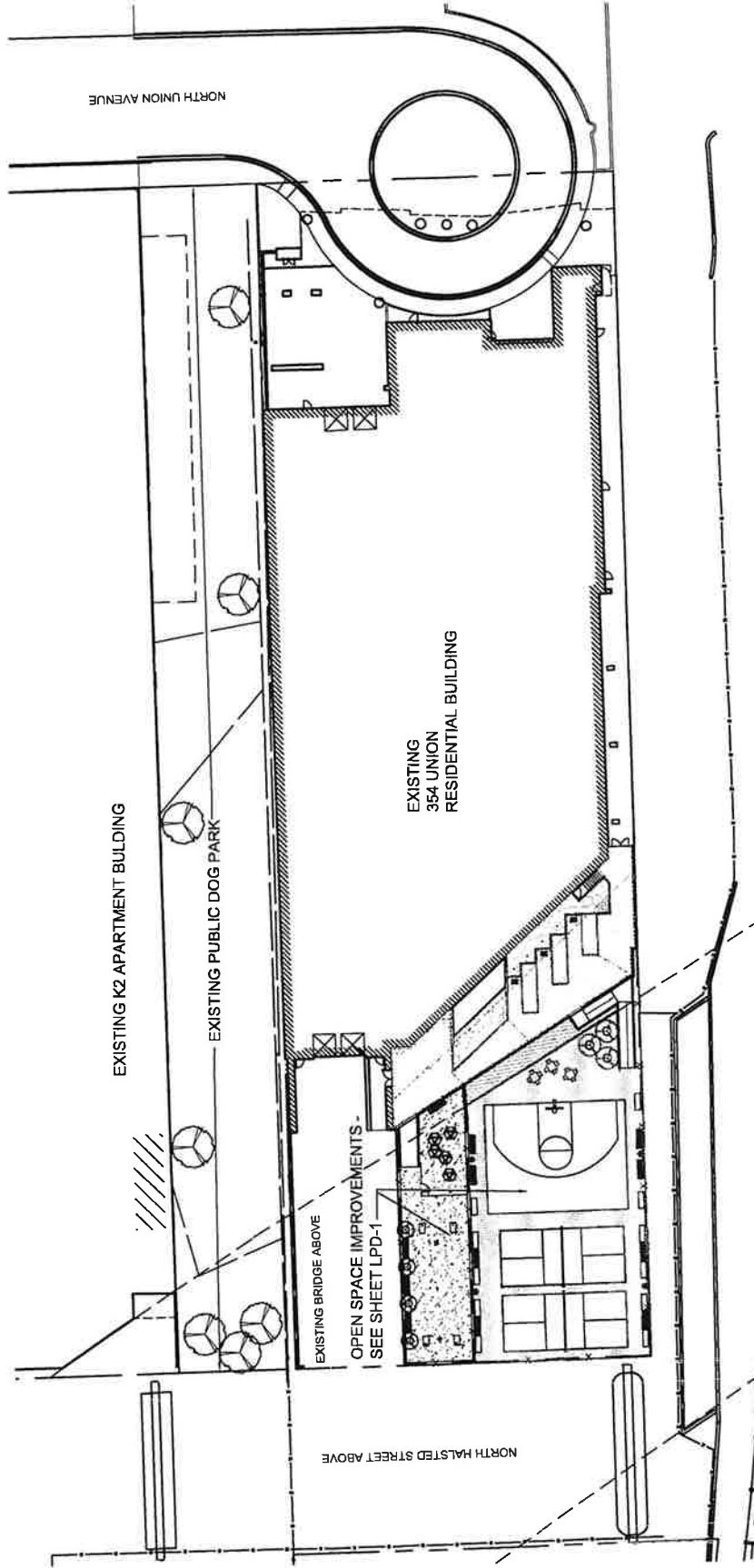
APPLICANT: ONNI 352 N. UNION CHICAGO LLC
ADDRESS: 354 N. UNION, CHICAGO, IL
REVISED: OCTOBER 10, 2023
PLAN COMMISSION: DECEMBER 21, 2023

354 N. UNION OPEN SPACE
SITE LANDSCAPE PLAN

LPD-1

ISSUE #	ISSUANCE	DATE
1	PD AND IMPROVEMENT	10/10/23

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1 OVERALL SITE PLAN

SCALE: 1" = 40'



DANIEL WEINBACH & PARTNERS, LTD.
Landscape Architects
1141 North Dearborn Street, Suite 708
Chicago, IL 60610
Tel: 312.733.7282

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ADDRESS: 354 N. UNION, CHICAGO, IL
REVISED: OCTOBER 10, 2023
PLAN COMMISSION: DECEMBER 21, 2023

354 N. UNION OPEN SPACE
OVERALL SITE PLAN

LPD-0

ISSUE #	ISSUANCE	DATE
1	PERMITS/REVISION	10/10/23



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

MEMORANDUM

(Application 22249)

To: Chairman,
City Council Committee on Zoning

From: C. Boatright
Cierra Boatright
Chicago Plan Commission

Date: December 21, 2023

Re: Proposed Amendment to Residential Business Planned Development #1320
354 North Union Avenue

On Thursday, December 21, 2023, the Chicago Plan Commission recommended approval of the proposed Planned Development, submitted by Onni 352 N Union Chicago LLC. A copy of the proposed ordinance, planned development statements, bulk table and exhibits are attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, Bureau of Zoning recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Fernando Espinoza at 312-744-0755 or via email @ james.gwinner@cityofchicago.org.

Cc: PD Master File (Original PD, copy of memo)