

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1480, AS AMENDED
PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number 1480 (Planned Development) consists of approximately 20,450 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (Property). 1140 W Erie LLC is the owner of the Property and the “Applicant” for this Planned Development.
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 title holders 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 title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation (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
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & 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

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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 18 Statements; a Bulk Regulations Table; an Existing Land Use Map; an Existing Zoning Map; a Planned Development Property Line Boundary Map; a Site Plan; a Landscape Plan; and Building Elevations (North, South, East and West) prepared by FitzGerald Associates and dated _____, submitted herein. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Chicago Zoning Ordinance, this Planned Development shall control.
5. The following uses are permitted in the area delineated herein as a Planned Development: Dwelling Units Above the Ground Floor, Lodging (including Hotel subject to future site plan approval, see Statement 17), Vacation Rental, and Shared Housing Unit), General and Limited Restaurant, Tavern, Outdoor Patio (at grade), Financial Services (except Payday Loan and Pawn Shop), General Retail, Food and Beverage Retail Sales, Liquor Sales, Medical Service, Office, Personal Service (all), Consumer Repair or Laundry Service, Animal Service (except Shelter/Boarding Kennel), incidental and accessory uses and accessory parking.
6. On-Premise 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-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a net site area of 20,450 square feet and an FAR of 5.0.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

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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, Assets, Information and Services, and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities (MOPD) to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time the Part II review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.
15. The Applicant acknowledges 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% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% 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 forgoing, 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

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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 B3-5 Community Shopping District to a Residential-Business Planned Development for construction of the Project triggered the requirements of Section 2-44-080 of the Municipal Code (the "Affordable Requirements Ordinance" or the "ARO"). The Applicant further acknowledges and agrees that the Property is located in the Near North/Near West Pilot Area, pursuant to Section 2-44-090 of the Municipal Code (the "Near North/Near West ARO Pilot Area Ordinance" or the "Pilot"). The Near North/Near West Pilot Area is divided into two zones: the Near North Zone and the Near West Zone. The Property is located in the Near North Zone. In the Near North Zone, pursuant to the ARO, the percentage of units in a residential housing project required to be affordable for a period of 30 years, whether rental or for-sale, is increased from 10% to 20%. Any developer of a residential housing project in the Near North Zone must provide the first 10% of units required to be affordable (the "First Units") either: (i) in the residential housing project, or (ii) with the approval of the commissioner of the Department of Housing ("DOH"), subject to the transition provisions of Section 2-44-040(c), in consultation with the commissioner of the Department of Planning and Development ("DPD") as appropriate, in an off-site location within two miles of the Property and in the same or a different higher income area or downtown district, or (iii) any combination of (i) and (ii). In addition, the developer must provide the second 10% of units required to be affordable (the "Additional Units") either: (i) in the residential housing project, or (ii) with the approval of the commissioner of DOH (subject to the transition provisions of Section 2-44-040(c)), in consultation with the commissioner of DPD as appropriate, in an off-site location anywhere within the Near North/Near West Pilot Area, regardless of distance from the project or income area, or (iii) any combination of (i) and (ii). The project has a total of 113 housing units. As a result, the Applicant's affordable housing obligation is 23 affordable units (20% of 113, rounded up), consisting of 11 First Units and 12 Additional Units. Applicant has agreed to satisfy its affordable housing obligation by providing 6 (six) First Units in the rental building to be constructed in the Planned Development, and 5 (five) First Units and the Additional Units off-site, to be approved by the DOH in consultation with DPD as appropriate, as set forth in the Affordable Housing Profile Form attached hereto. In accordance with the ARO Pilot, the Applicant is required to lease the First Units to households earning up to 60% of the Chicago Primary Metropolitan Statistical Area median income ("AMI") at prices affordable to households at such income level, and the Additional Units to households earning up to 80% or 100% of AMI, as determined by rule and approved by the Commissioner at prices affordable to households at such income level. If the Applicant subsequently reduces (or increases) the number of housing units in the project, or elects to build a for-sale project instead of a rental project, or (with the Commissioner's approval) elects to construct off-site units instead of on-site units, the Applicant shall update and resubmit the Affordable Housing Profile Form to DOH for review and approval. DOH may adjust the requirements to reflect any such change without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including, without limitation, excavation or foundation permits, the Applicant must execute and record an affordable housing agreement in accordance with Section 2-44-080(L). The terms of the affordable housing agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the affordable housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner may enforce remedies for any breach of this Statement 16, including any breach of any affordable housing agreement, and enter into settlement agreements with

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respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

17. Prior to the Part II Approval (Section 17-13-0610 of the Chicago Zoning Ordinance) for the “Hotel Use” the Applicant shall submit a site plan and floor plans identifying which units will be converted to hotel use for review and approval by the Department of Planning and Development (DPD). Review and approval by DPD is intended to assure that specific development components substantially conform with the Planned Development (PD) and to assist the City in monitoring ongoing development.

No Part II Approval for the Hotel Use shall be granted until Site Plan approval has been granted. Following approval by DPD, the approved Site Plan Approval Submittals, supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of the PD.

After approval of the Site Plan, changes or modifications to the plans may be made pursuant to the provisions of Statement 12. In the event of any inconsistency between approved plans and the terms of the PD, the terms of the PD shall govern. Any Sub Area Site Plan Approval Submittals shall, at a minimum, provide the following information:

- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned floor plans indicating which units will be dedicated as a hotel use;
- fully-dimensioned building elevations;
- fully-dimensioned landscape plan(s);
- statistical information applicable to the site, including floor area, the applicable floor area ratio, uses to be established, building heights and setbacks;
- An updated traffic study; and,
- Approvals from CDOT, MOPD, and Fire.

Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the PD.

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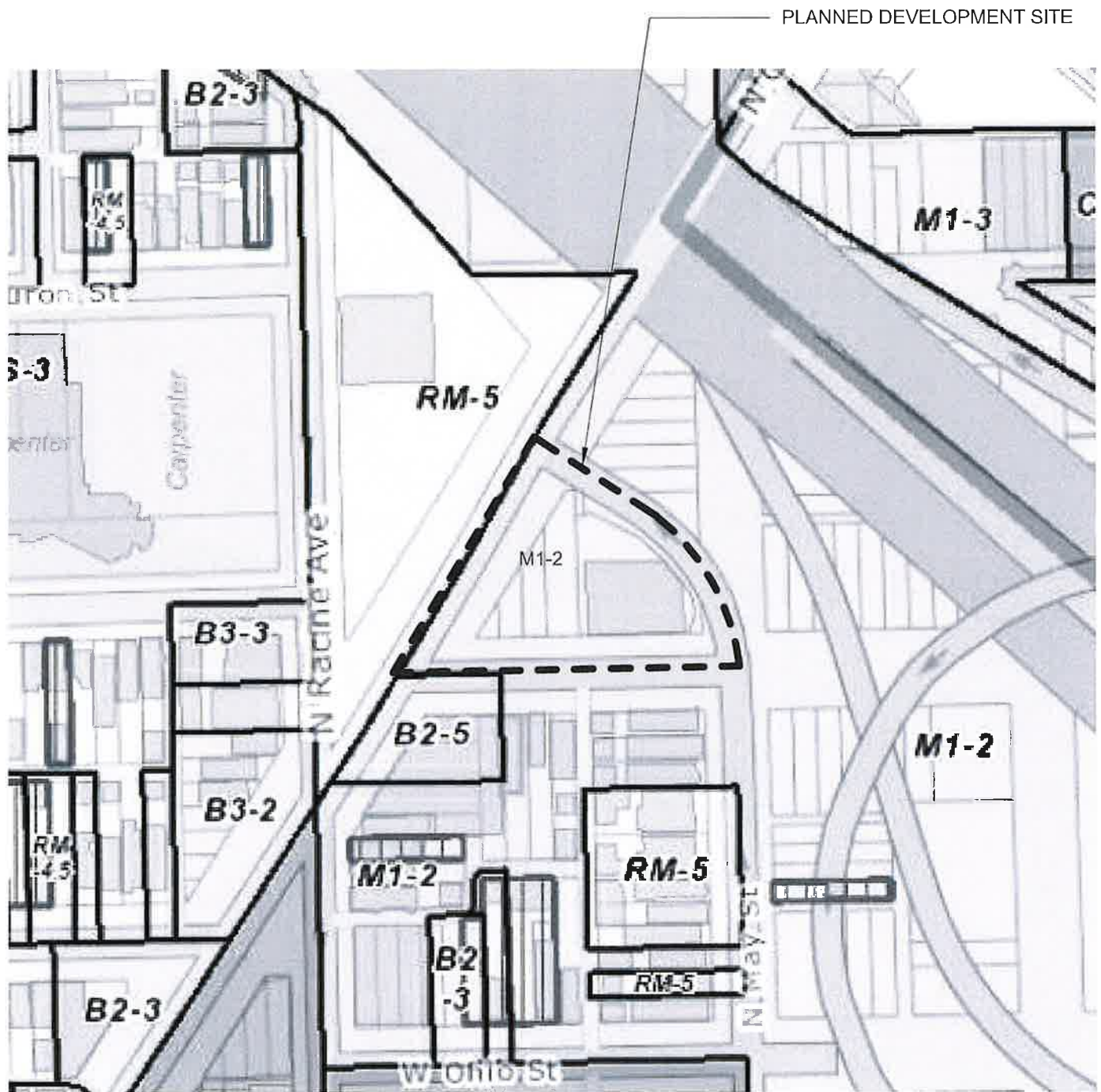
RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 1480, AS AMENDED
BULK REGULATIONS AND DATA TABLE

Gross Site Area (sf):	57,820
Area of Public Rights-of-Way (sf):	37,370
Net Site Area (sf):	20,450
Maximum Floor Area Ratio:	5.0
Maximum Permitted Dwelling Units:	113
Maximum Permitted Dwelling Units and Hotel Keys:	113*
Minimum Off-Street Parking Spaces:	29
Minimum Off-Street Loading Spaces:	1 (10'x25')
Minimum Number of Bicycle Parking Spaces:	93
Maximum Building Height:	108'
Minimum Setbacks:	In accordance with plans

* Hotel Use must be approved through Site Plan Approval (see Statements 5 & 17). The total number of combined Dwelling Units and Hotel Keys shall not exceed 113.

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Planned Development No. - EXISTING ZONING MAP

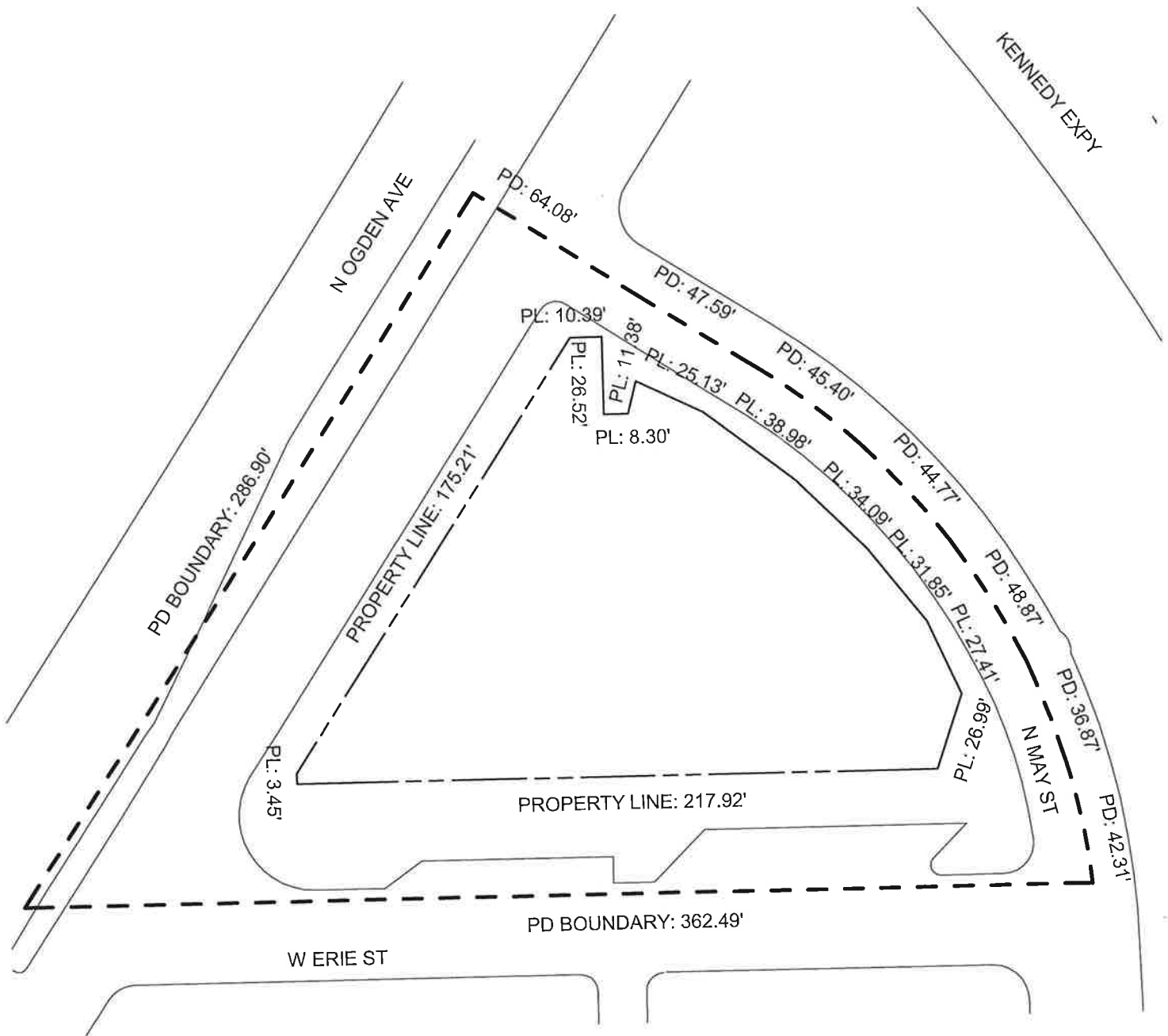


Applicant: 1140 W Erie LLC
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CPC Date:



Planned Development No. - PLANNED DEVELOPMENT PROPERTY LINE, BOUNDARY MAP



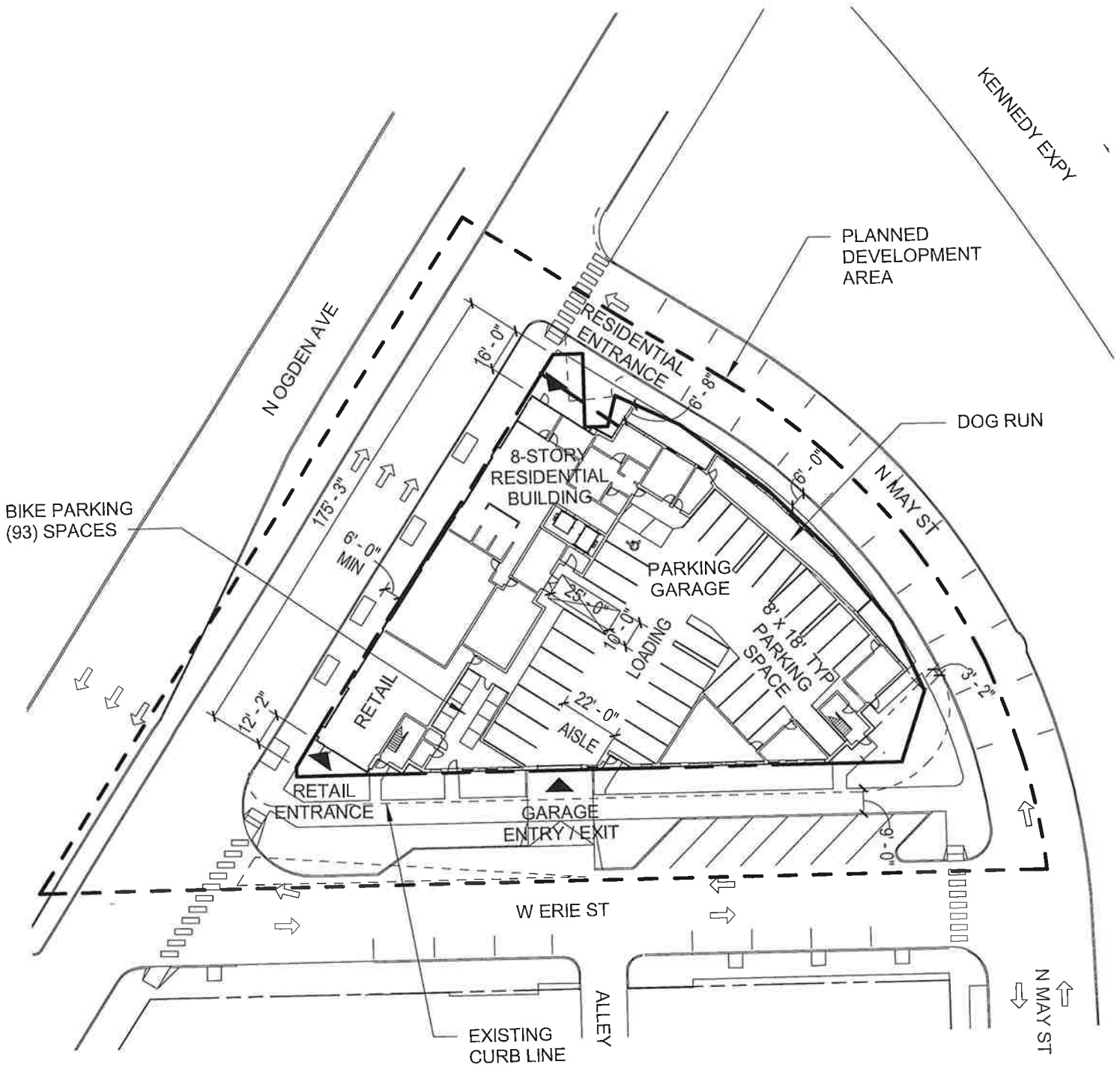
NET SITE AREA = 20,450 SF
 AREA IN RIGHT OF WAY = 31,495 SF
 GROSS SITE AREA = 51,945 SF

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Planned Development No. - SITE PLAN

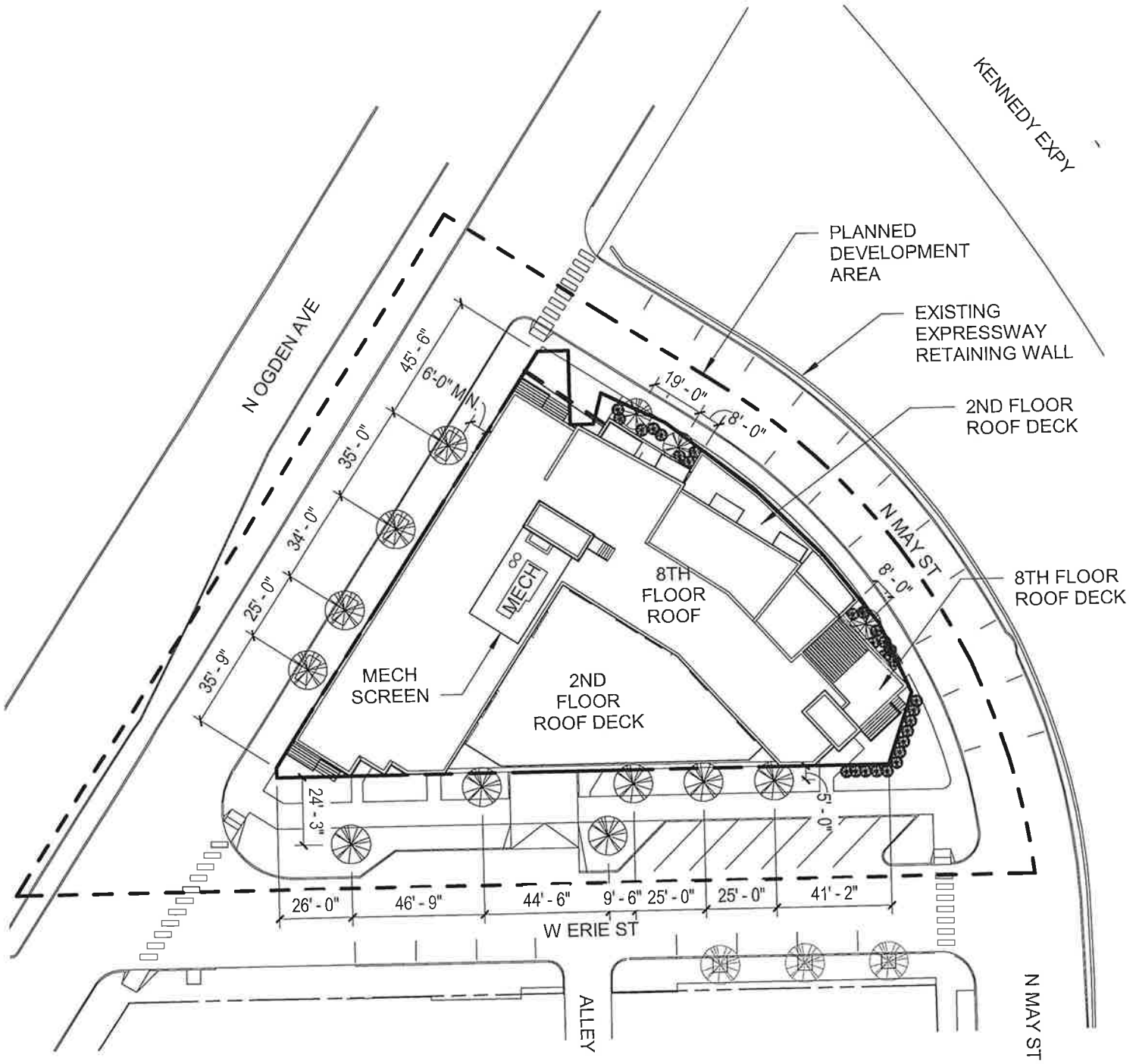


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Planned Development No. - LANDSCAPE PLAN

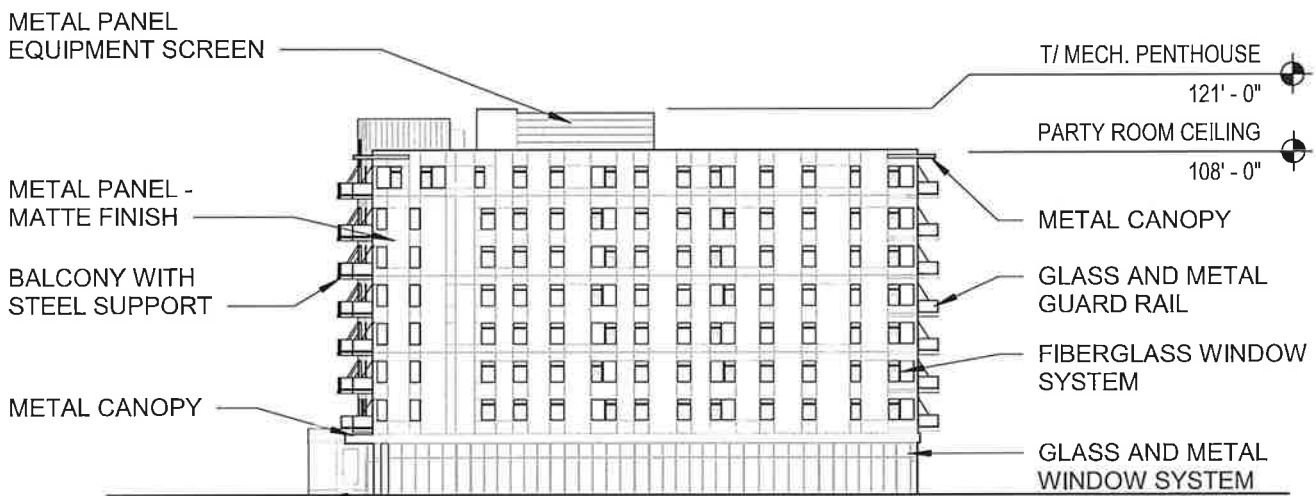


Applicant: 1140 W Erie LLC
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Planned Development No. - NORTH-WEST ELEVATION

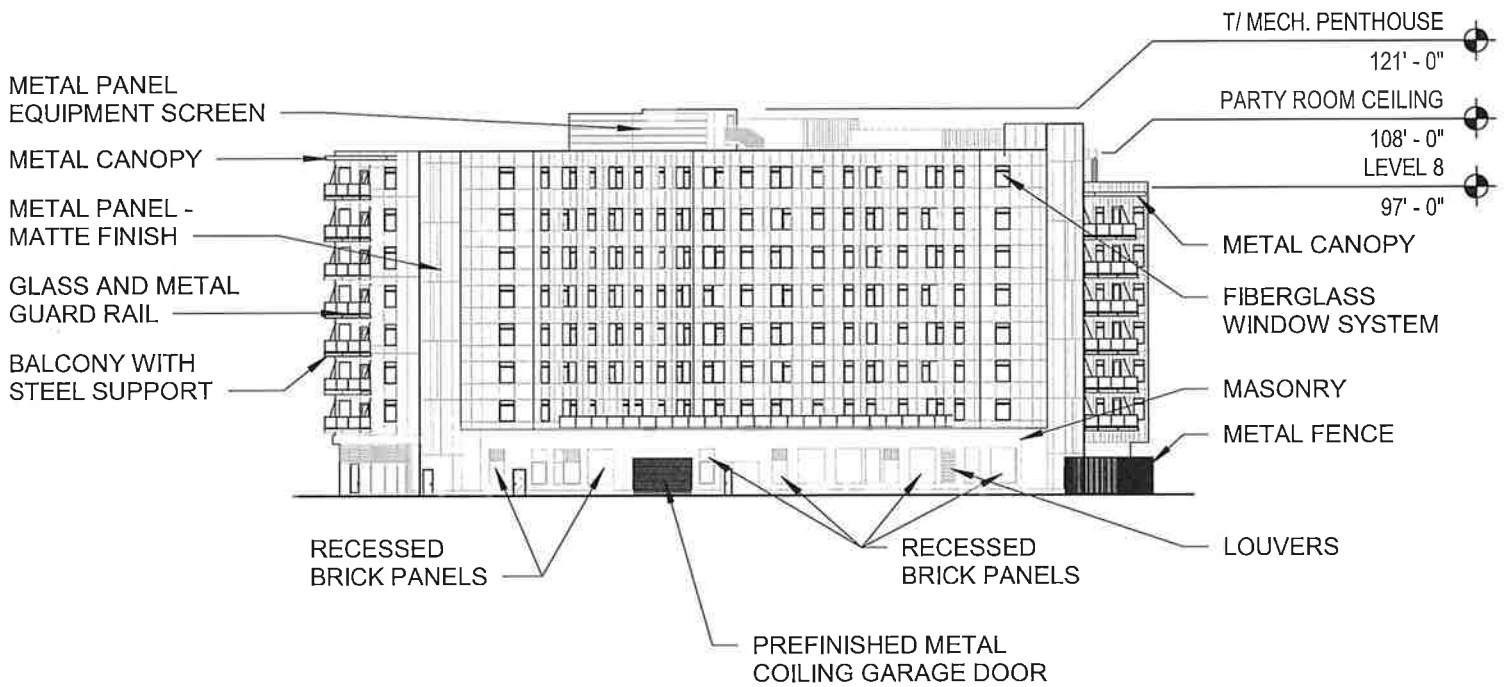


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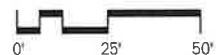


Planned Development No. - SOUTH ELEVATION

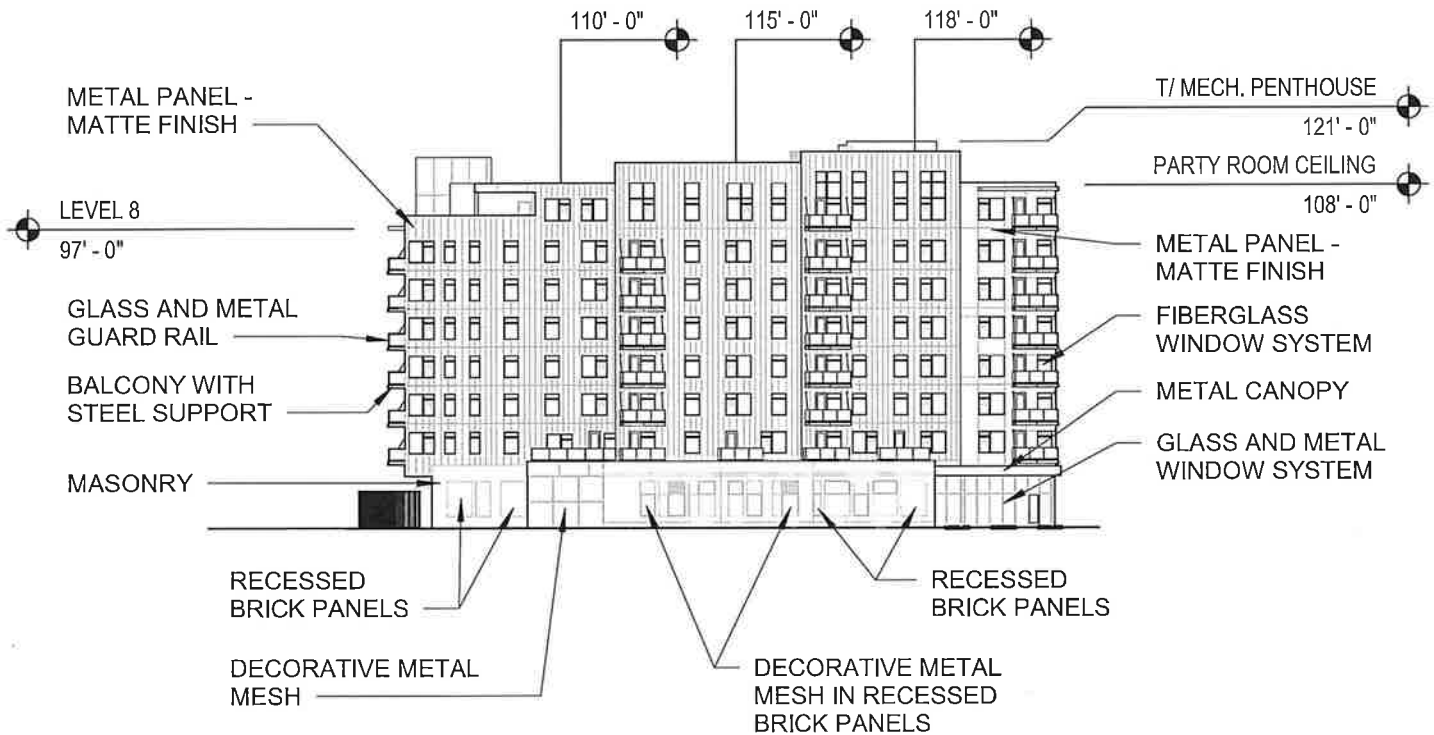


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Planned Development No. - NORTH-EAST ELEVATION

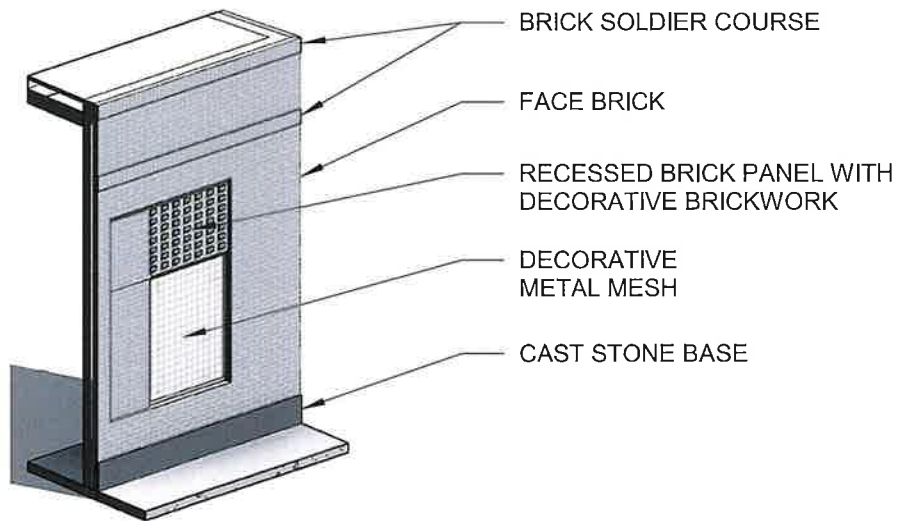


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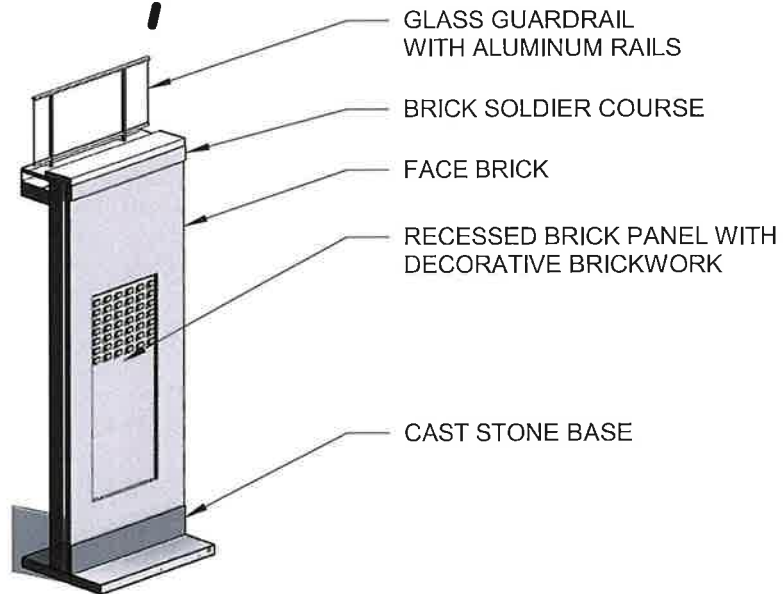
Planned Development No. - MASONRY PODIUM FACADE DETAIL



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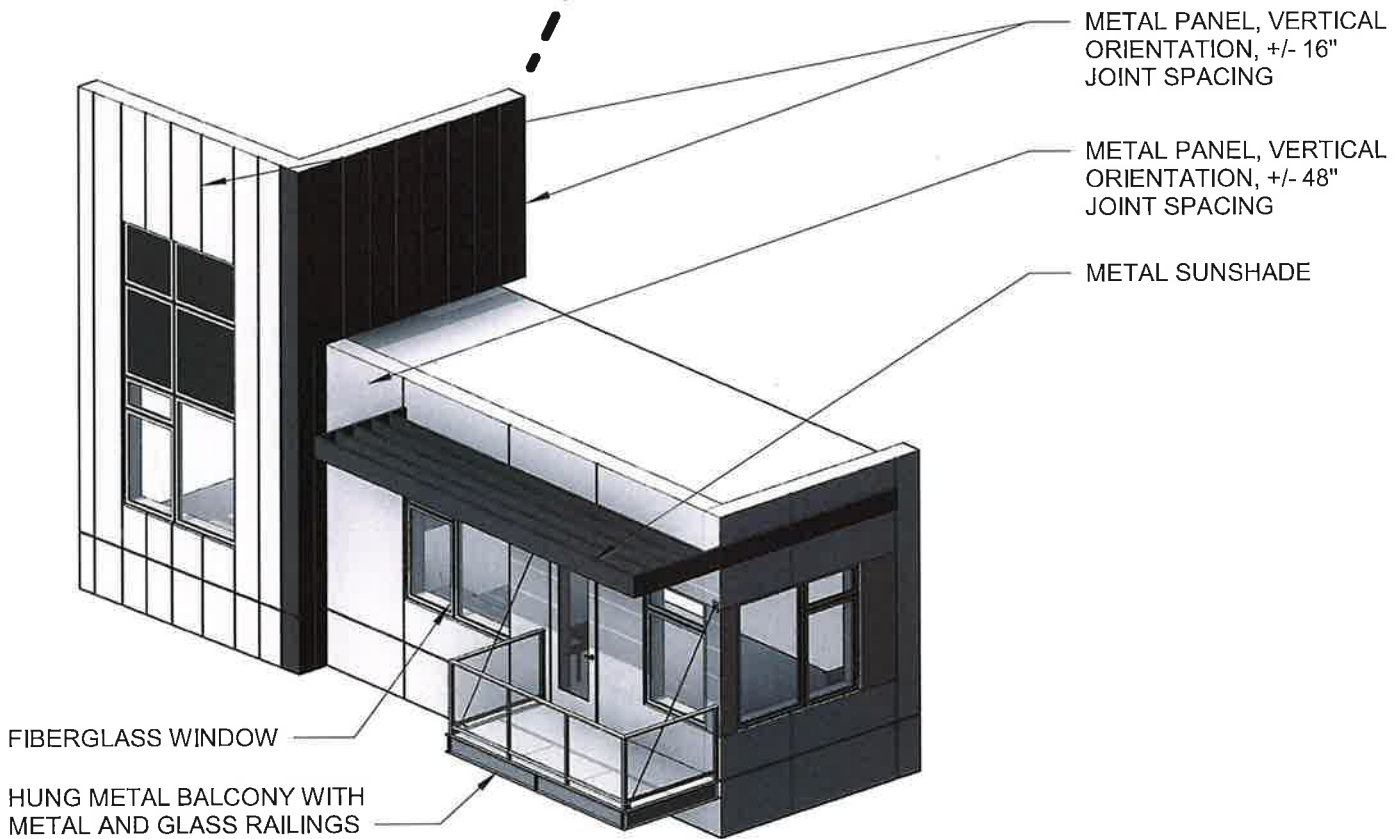
Planned Development No. - MASONRY PODIUM FACADE DETAIL



Applicant: 1140 W Erie LLC
Address: 1140 W. Erie Street

Introduced: June 12, 2024
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Planned Development No. - METAL PANEL FACADE DETAIL



Applicant: 1140 W Erie LLC
Address: 1140 W. Erie Street

Introduced: June 12, 2024
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