

City of Chicago

Office of the City Clerk Document Tracking Sheet



SO2022-1836

Meeting Date:

Sponsor(s):

Type:

Title:

Committee(s) Assignment:

6/22/2022

Misc. Transmittal

Ordinance

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Zoning Reclassification Map No. 3-F at 426-448 E Ontario St and 427-441 E Erie St - App No. 21044 Committee on Zoning, Landmarks and Building Standards

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#-2/044 INTRO DATE JUNE 22, 2022

ORDINANCE

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

SECTION 1: Title 17 of the Municipal Code of Chicago, Chicago Zoning Ordinance, is amended by changing all the Residential Business Planned Development 252 symbols and indications as shown on Map No. 3-F in the area bounded by:

East Erie Street; a line 407.5 feet east of and parallel to North McClurg Court; a line 109.13 feet south of and parallel to East Erie Street; a line 507.5 feet east of and parallel to North McClurg Court; East Ontario Street; a line 245 feet east of and parallel to North McClurg Court,

to those of a Residential Business Planned Development 252, as amended, which is hereby established in the area described, subject to such use and bulk regulations as are set forth in the Plan of Development attached herewith and made a part thereof and to no others.

SECTION 2: This ordinance shall take effect upon its passage and due publication.

Address: 426-448 E. Ontario St. and 427-441 E. Erie St.

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Residential Business Planned Development Number 252, As Amended

Plan Of Development Statements

- 1. The area delineated herein as Planned Development Number 252, as amended, (Planned Development) consists of approximately 46,376 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (Property) and is owned or controlled by the Applicant, AH-441 Erie 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 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 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

Applicant: AH-441 Erie LLC Address: 426-448 E. Ontario St. & 427-441 E. Erie St. Introduced: June 22, 2022 Plan Commission: March 16, 2023

- 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 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 17 Statements: a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; Planned Development Boundary and Property Line Map; Overall Site Plan; Open Area Calculations; F.A.R Calculations; Landscape Plan; Ground Floor Plan; Floor Plans (Sixth thru Tenth); Green Roof Plan; Sixth Floor Rooftop Landscape Details; and, Building Elevations (North, South, East and West) prepared by NORR Architects, dated March 16, 2023, submitted herein. This amendment makes no change to the previously approved PD 252 Exhibit Dog Run Plan – Auxiliary Tower 12th Floor plan dated April 11, 2007 (City Council Journal of Proceedings page 103568) which is incorporated herein by reference. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. 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 252, as amended: dwelling units located above the ground floor, general retail sales, office, hotel, eating and drinking establishments, co-located wireless communication facilities, food and beverage retail sales, medical service, personal service, day care, financial services, accessory parking and non-accessory parking (adherent to section 17-10-0503) and accessory and related uses.
- 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.

Applicant: AH-441 Eric LLC Address: 426-448 E. Ontario St. & 427-441 E. Eric St. Introduced: June 22, 2022 Plan Commission March 16, 2023

- 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 46,376 square feet and based on an FAR of 17.0.
- 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. The Applicant shall provide a minimum of twenty-eight and five-tenths percent (28.5%) green roof (three thousand six hundred sixteen (3,616) square feet) as depicted on the Plans.
- 11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.
- 12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, 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. It is acknowledged that the demising walls for the interior spaces are illustrative only and that the location and relocation of demising walls or division of interior spaces shall not be deemed to require any further approvals pursuant hereto.
- 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 Applicant: AH-441 Erie LLC
 Address. 426-448 E. Ontario St. & 427-441 E. Erie St.
 Introduced: June 22, 2022
 Plan Commussion March 16, 2023

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 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 No. 252 to the Residential-Business Planned Development No. 252, as amended, is an "entitlement" that triggers the requirements of Section 2-44-085 of the Municipal Code of Chicago (the "ARO"). The PD is located in a "downtown district" within the meaning of the ARO and permits the construction of 45 additional units. The 671 dwelling units previously permitted plus the 45 additional dwelling

Applicant: AH-441 Erie LLC Address: 426-448 E. Ontario St. & 427-441 E. Erie St. Introduced: June 22, 2022 Plan Commission: March 16, 2023

units permits the construction of 716 total dwelling units in the PD, of which 615 units have been built. The Applicant intends to construct 101 hotel rooms (the "Project"). If hotel rooms are converted to residential dwelling units, the ARO may apply and the Applicant must consult with DOH to determine their ARO obligation.

17. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to Residential-Business Planned Development No. 252, dated April 11, 2007.

Applicant: AH-441 Erie LLC Address: 426-448 E. Ontario St. & 427-441 E. Erie St. Introduced: June 22, 2022 Plan Commission: March 16, 2023

Residential-Business Planned Development Number 252, As Amended

Plan of Development Bulk Regulations and Data Table

Gross Site Area, 62,101 square feet (1.42 acres) = Net Site Area, 46,376 square feet (1.06 acres) + Area Remaining in Public Right-of-Way, 15,725 square feet (0.36 acres).

Net Site Area:	46,376 square feet (1.06 acres)
Maximum Floor Area Ratio:	17.0
Maximum Number of Dwelling Units:	716
Maximum Number of Hotel Keys:	101*
Maximum Site Coverage:	In accordance with Site Plan (existing)
Minimum Building Setbacks:	None (existing)
Minimum Number of Off-Street Parking Spaces:	369
Minimum Bicycle Parking:	75 Spaces
Minimum Number of Street Loading Berths:	4 at 10 feet by 25 feet (existing)
Maximum Building Height:	570 feet (existing)

*The 101 hotel rooms are included in the Maximum Number of Dwelling Units of 716 units.

Green Roof Calculations

Roof Level	Roof Areas
Auxiliary Roof:	
Gross Area:	3,585 square feet
Mechanical Area:	360 square feet excluded
Net Area:	3,225 square feet
Green Grid:	104 count at 15 square fect each = 1,560 square feet
	1,560 square feet (48% of net)
Main Roof:	
Gross Area:	10,954 square feet
Mechanical Area:	5,577 square feet excluded
Net Area:	5,377 square feet
Planters:	30 count at 30- square feet each = 900 square feet
· · · · · · · · · · · · · · · · · · ·	900 square feet = 17% of Net Roof Area
6 th Floor Roof North:	
Net Area:	2,042 square feet
Green Roof:	1,120 square feet
	1,120 square feet = 55% of Net Roof Area
6 th Floor Roof South:	
Net Area:	2,042 square feet
Green Roof:	940 square feet
	940 square fect – 46% of Net Roof Area

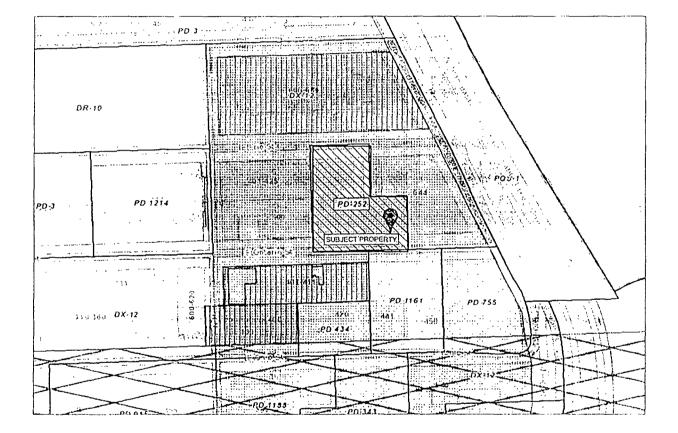
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Net Roof Area Totals:

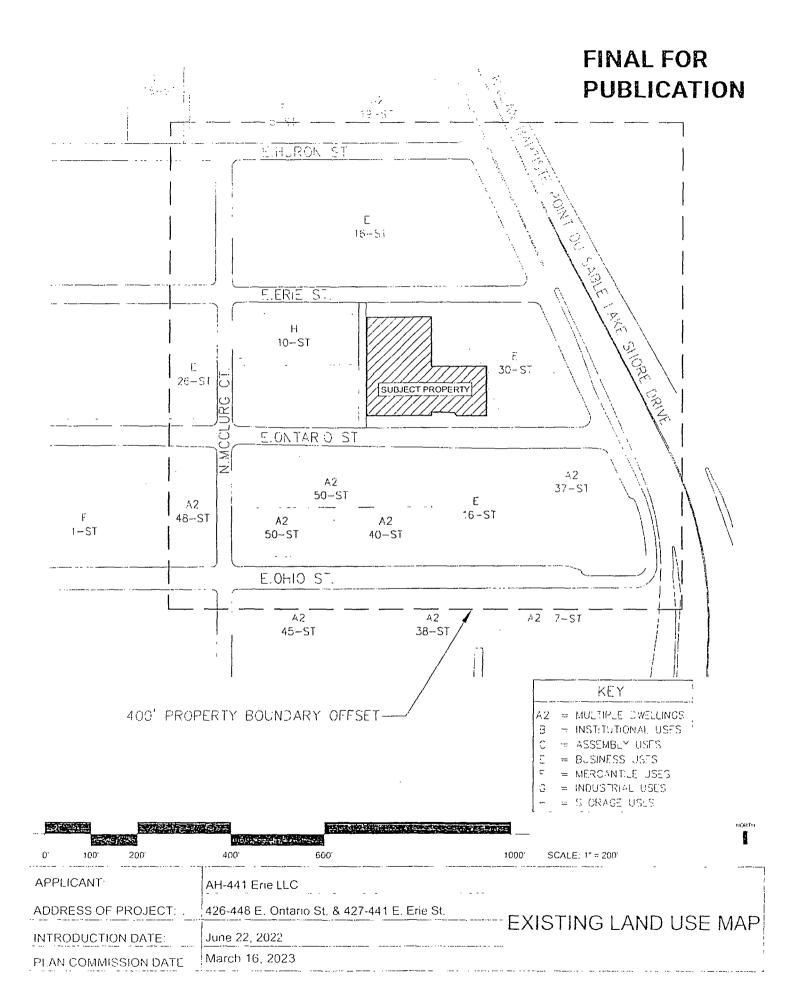
Main Roof:	5,377 square feet net
Auxiliary Roof:	3,225 square feet net
6 th Floor North Roof:	2,042 square feet net
6 th Floor South Roof:	2,042 square feet net
Net Roof Total Area:	12,686 square feet net
Green Roof:	
Main Roof:	900 square feet (17% of net)
Auxiliary Roof:	1,560 square feet (48% of net)
6 th Floor Roof North:	1,120 square feet (55% of net)
6 th Floor Roof South:	940 square feet (46% of net)
Total Area Provided:	4,520 square feet = 35.6% of Net Roof Area
Green Roof Required:	3,616 square feet = 28.5% of Net Roof Area

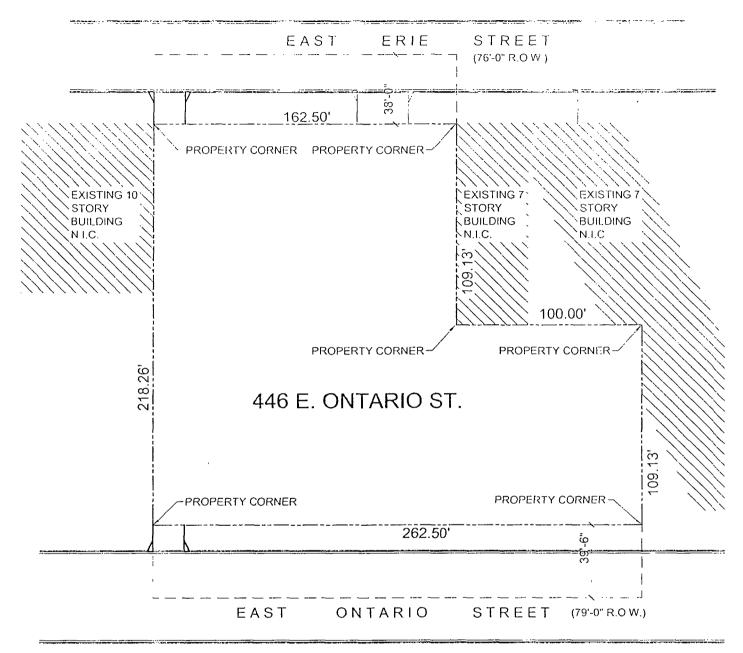
Applicant: AH-444 Frie LLC Address: 425-448 F. Ontario St. & 427-441 E. Erie St. Jatroduced, fene 22, 2012 Plan Commission, March 16, 2023

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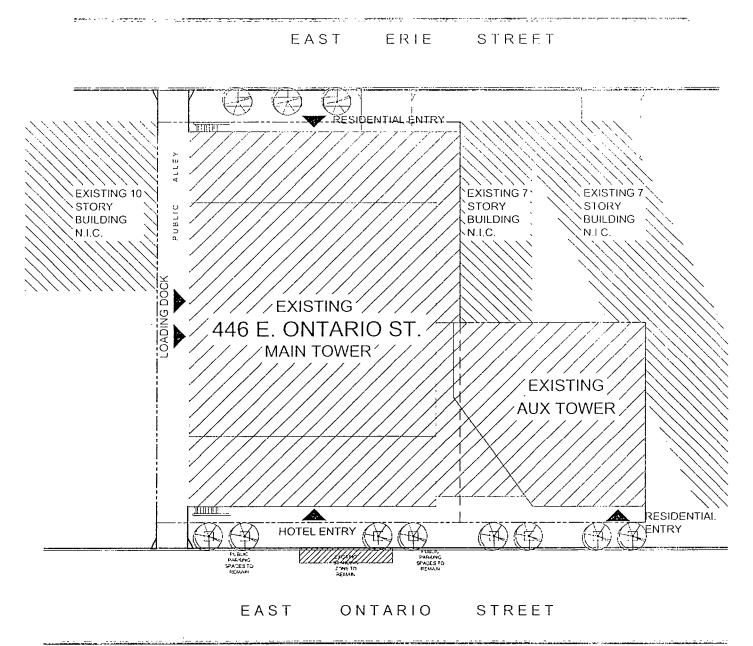


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APPLICANT:	AH-441 Erie LLC	
ADDRESS OF PROJECT:	426-448 E Ontario St. & 427-441 E. Erie St.	EXISTING ZONING MAI
INTRODUCTION DATE:	June 22, 2022	
PLAN COMMISSION DATE	March 16, 2023	

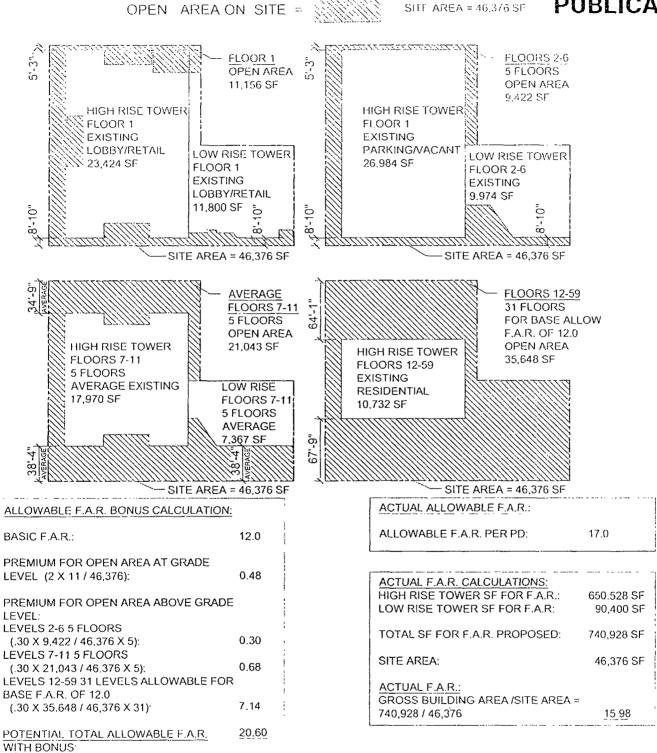




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ADDRESS OF PROJECT.	426-448 E. Ontario St &	427-441 E. Erie St.	
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PLAN COMMISSION DATE	March 16, 2023	·····	



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APPLICANT	AH-441 Erie I	LC		
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PLAN COMMISSION DATE	March 16, 20	23		



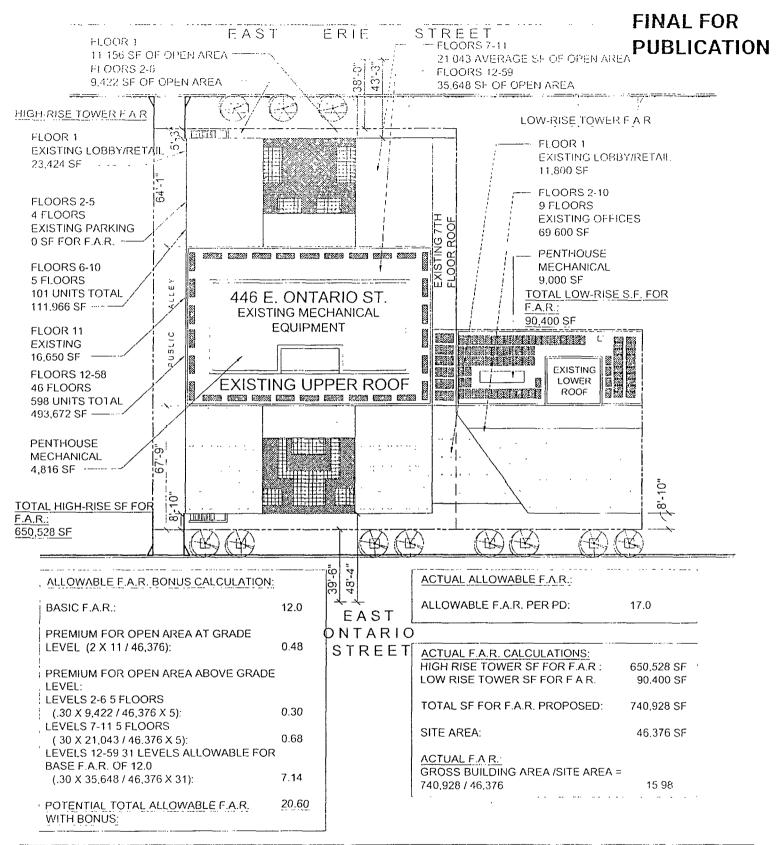
 APPLICANT
 AH-441 Erie LLC

 ADDRESS OF PROJECT
 426-448 E. Ontario St. & 427-441 E. Erie St.
 OPEN AREA

 INTRODUCTION DATE.
 June 22, 2022
 CALCULATIONS

 PLAN COMMISSION DATE
 March 16, 2023

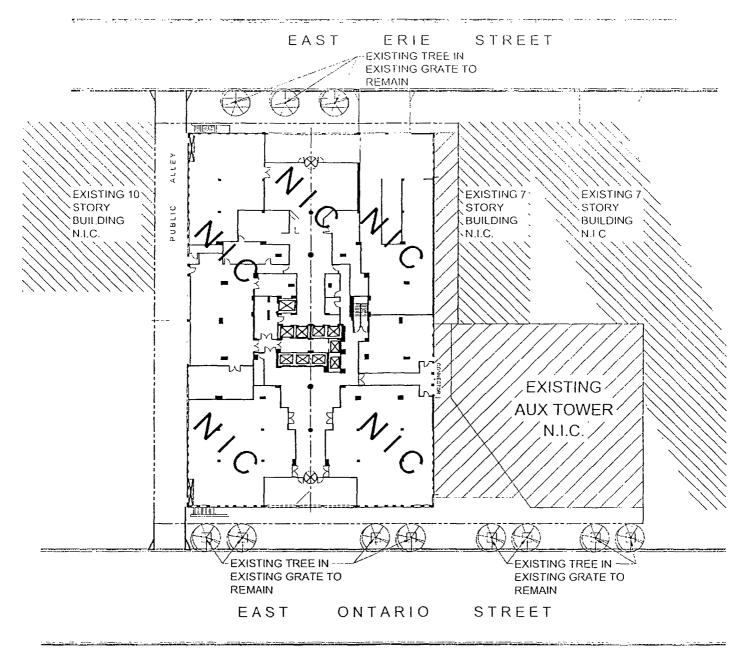
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APPLICANT:	AH-441 Erie LLC		
ADDRESS OF PROJECT	426-448 E. Ontario St. & 427-441 E. Erie St	F.A.R CALCULATIONS	
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PLAN COMMISSION DATE.	March 16, 2023	- -	
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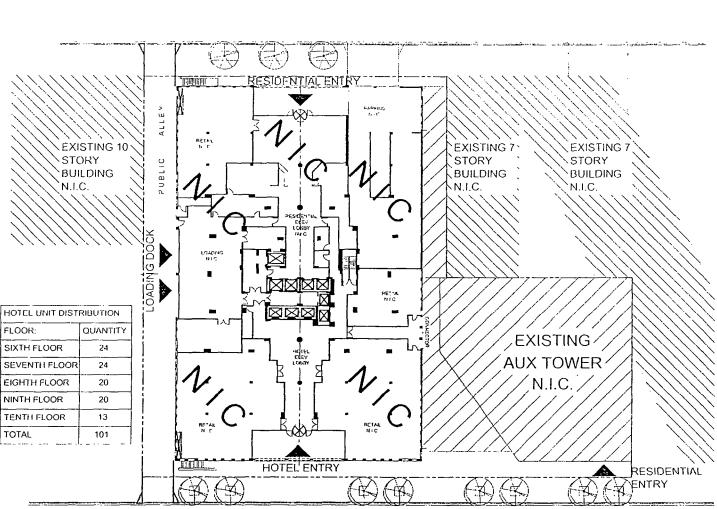
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ADDRESS OF PROJECT	426-448 E. Ontario St. & 427-441 E.		
INTRODUCTION DATE	June 22, 2022	LANDSCAPE PLAN	
PLAN COMMISSION DATE	March 16, 2023		

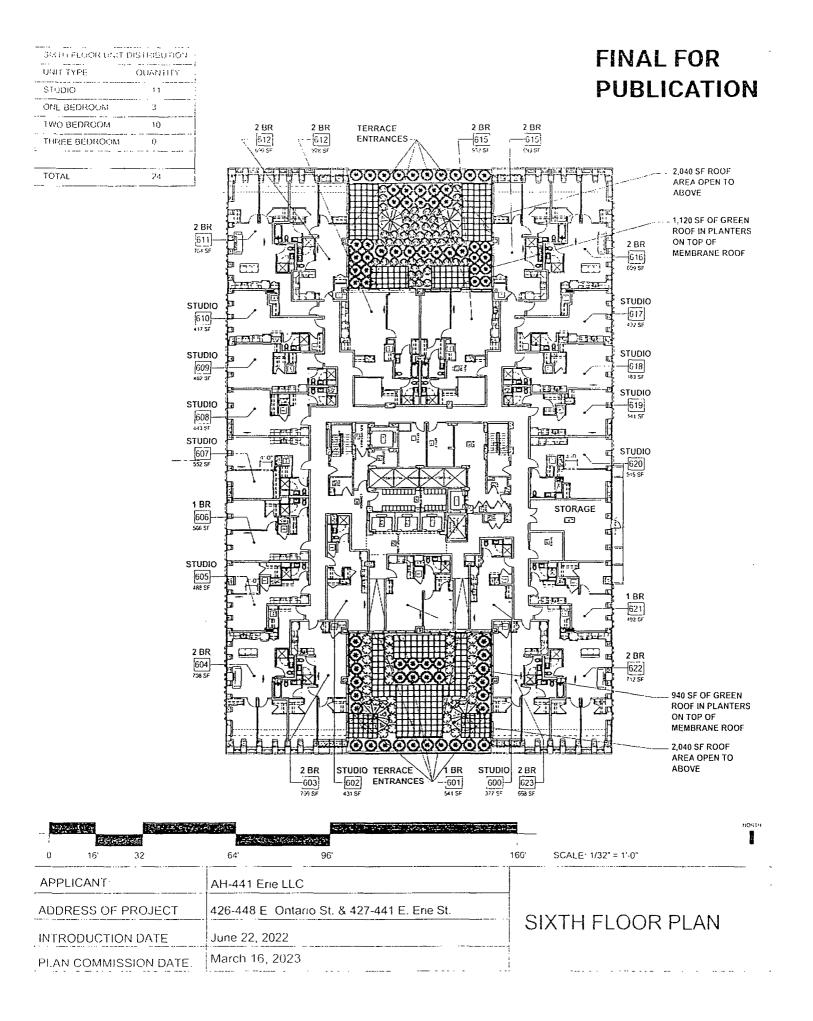
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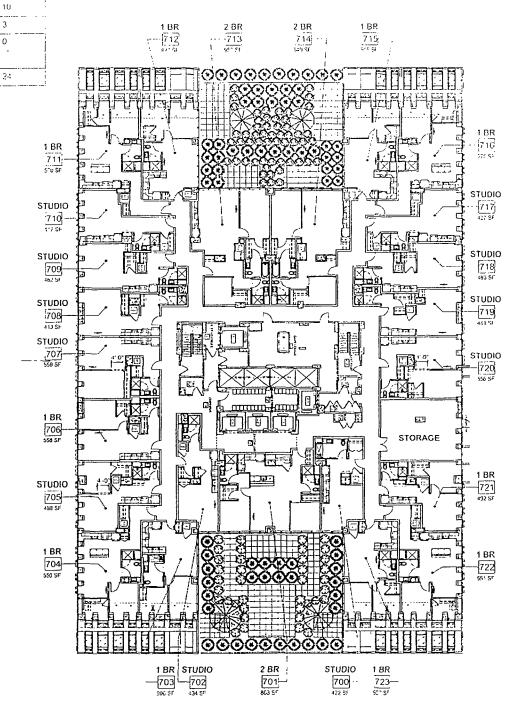


EAST ERIE STREET

EAST ONTARIO STREET

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APPLICANT.	AH-441 Erie LLC		
ADDRESS OF PROJECT	426-448 E. Ontario St. & 427-441 E		
INTRODUCTION DATE	June 22, 2022	GROUND FLOOR PLAN	1
PLAN COMMISSION DATE	March 16, 2023		;





SECONDERFLOOR OF ALL DISTRIBUTION

UNIT TYPE

ONE BEDROOM

TWO BEDROOM

THREE BEDROOM

STUDIO

TOTAL

QUANTITY

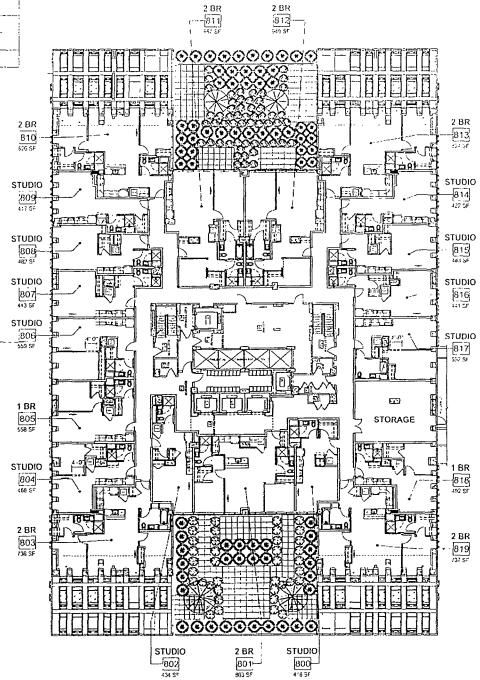
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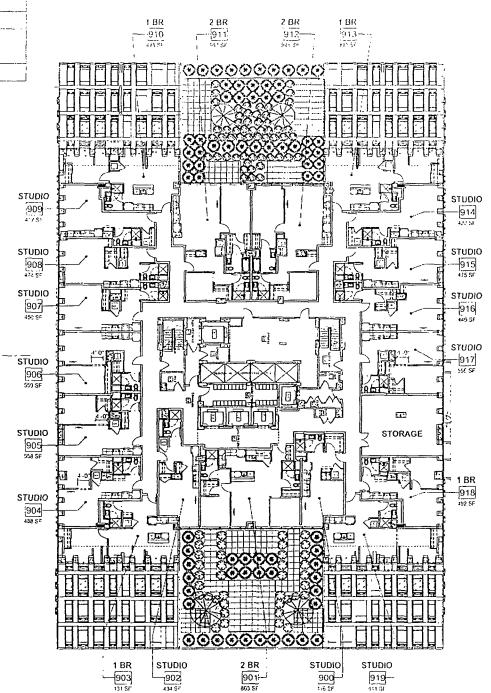
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ADDRESS OF PROJECT	426-448 E. Ontario St. & 427-441 E. Er	SEVENTH FLOOR PLA	
INTRODUCTION DATE	June 22, 2022		- N 17
PLAN COMMISSION DATE	March 16, 2023		

EIGHTH ELOOR UNP	
UNITIYEE	QUANTITY
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ONE BEDROOM	2
TWO BEDROOM	7
THREE BEDROOM	0
TOTAL	20
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PLAN COMMISSION DATE	March 16, 2023	: : :	



NEED FLOOR UNIT DISTRIBUTION

QUANTITY

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UNIT TYPE

TWO BEDROOM

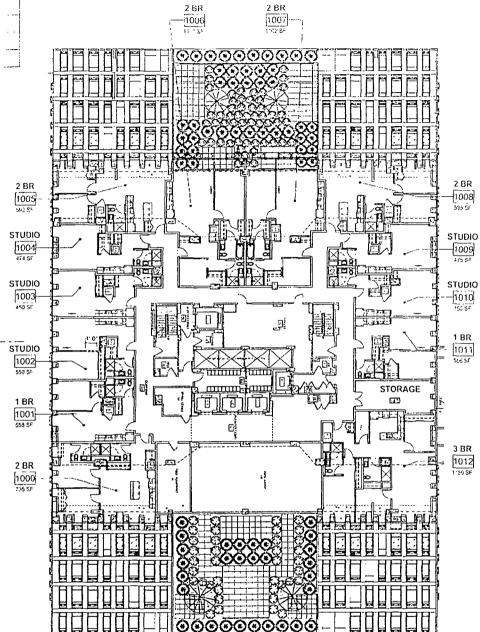
THREE BEDROOM

STUDIO ONE BEDROOM

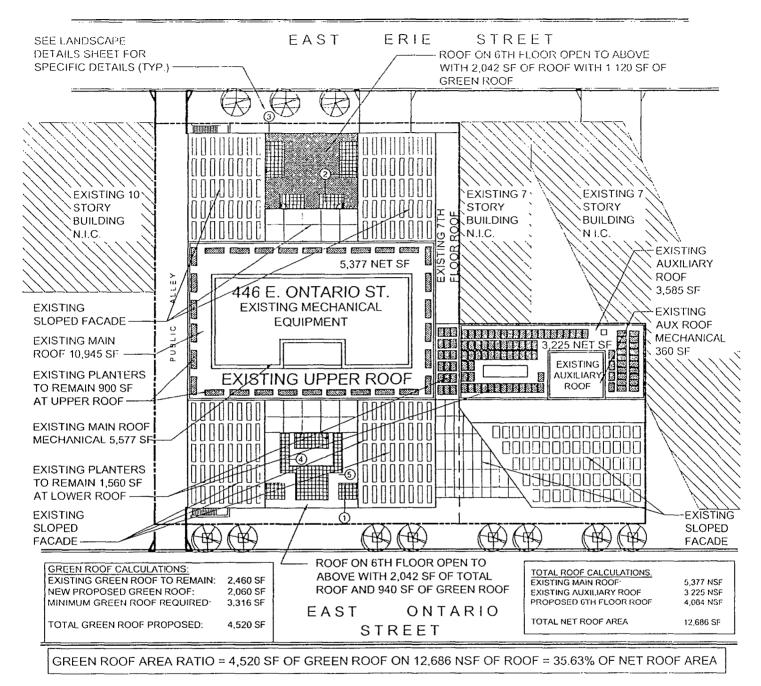
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PLAN COMMISSION DATE:	March 16, 2023		

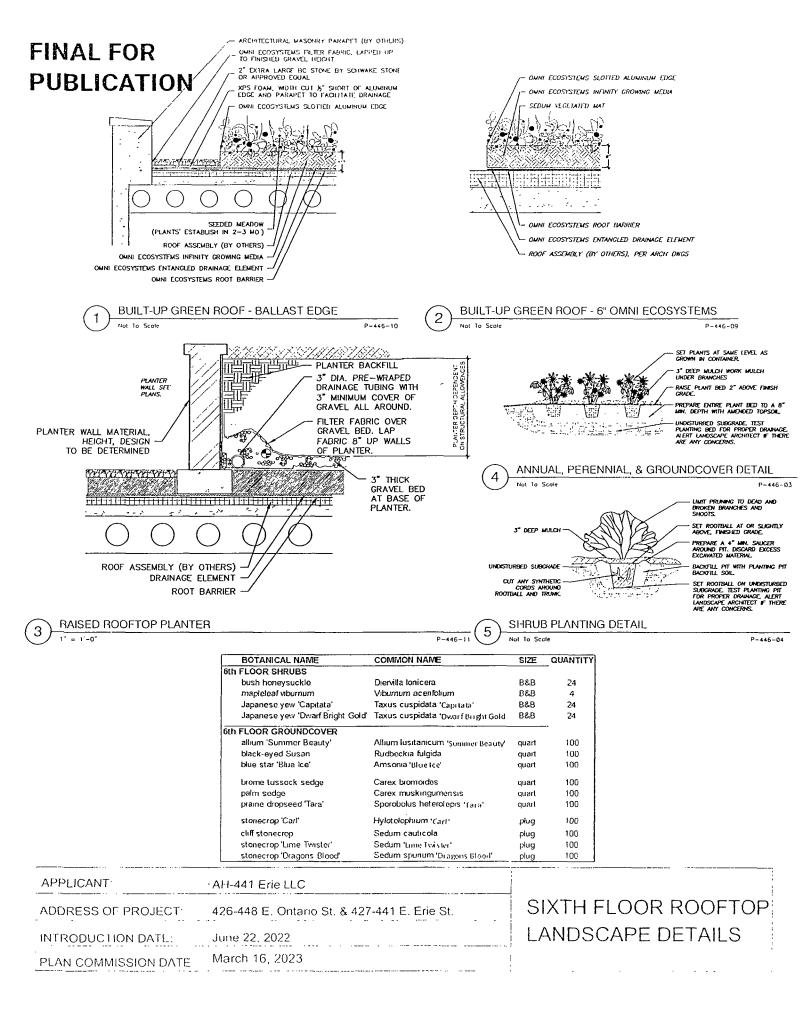
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ONE BEDROOM	2
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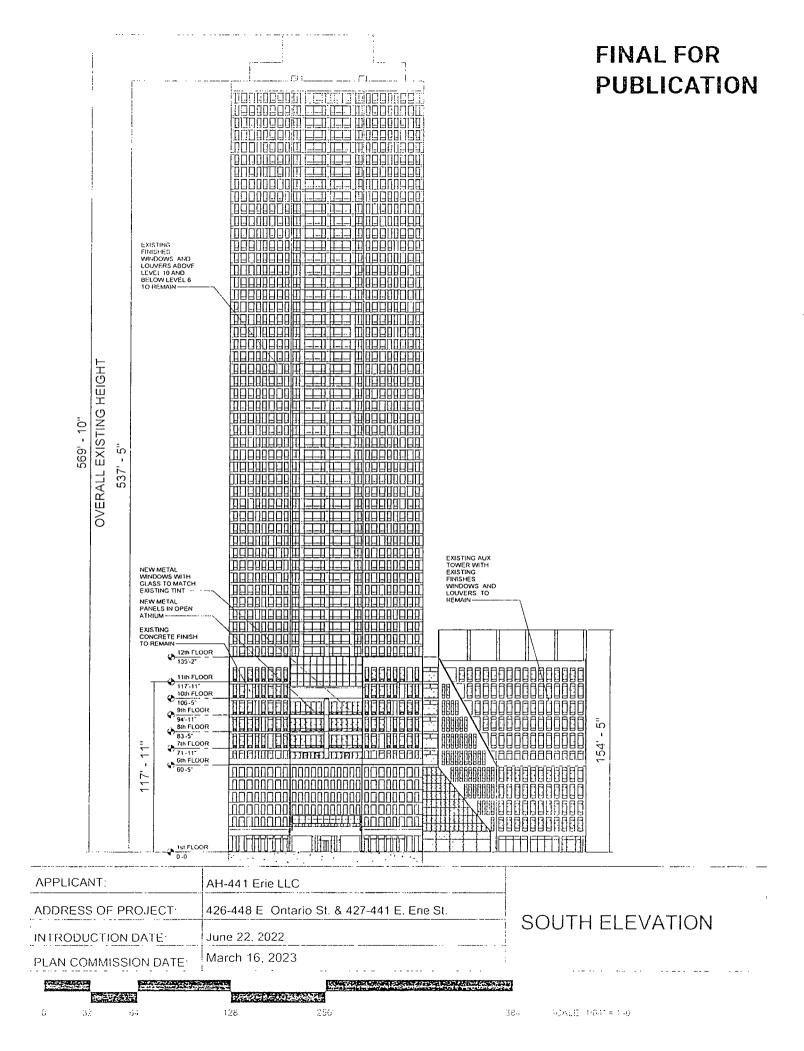


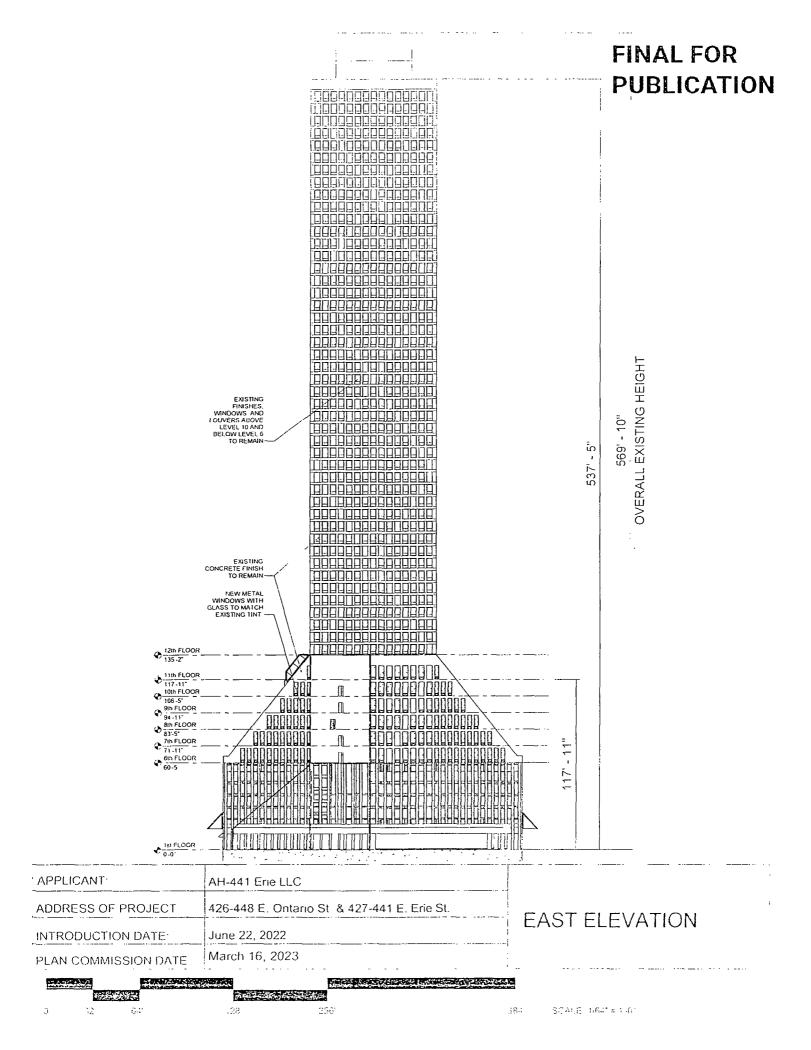
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APPLICANT	AH-441 Erie LLC		1
ADDRESS OF PROJECT	426-448 E. Ontario St. & 427-441 E. Erie St.		1
INTRODUCTION DATE	June 22. 2022	TENTH FLOOR PLAN	
PLAN COMMISSION DATE	March 16, 2023	· · · · · · · · ·	

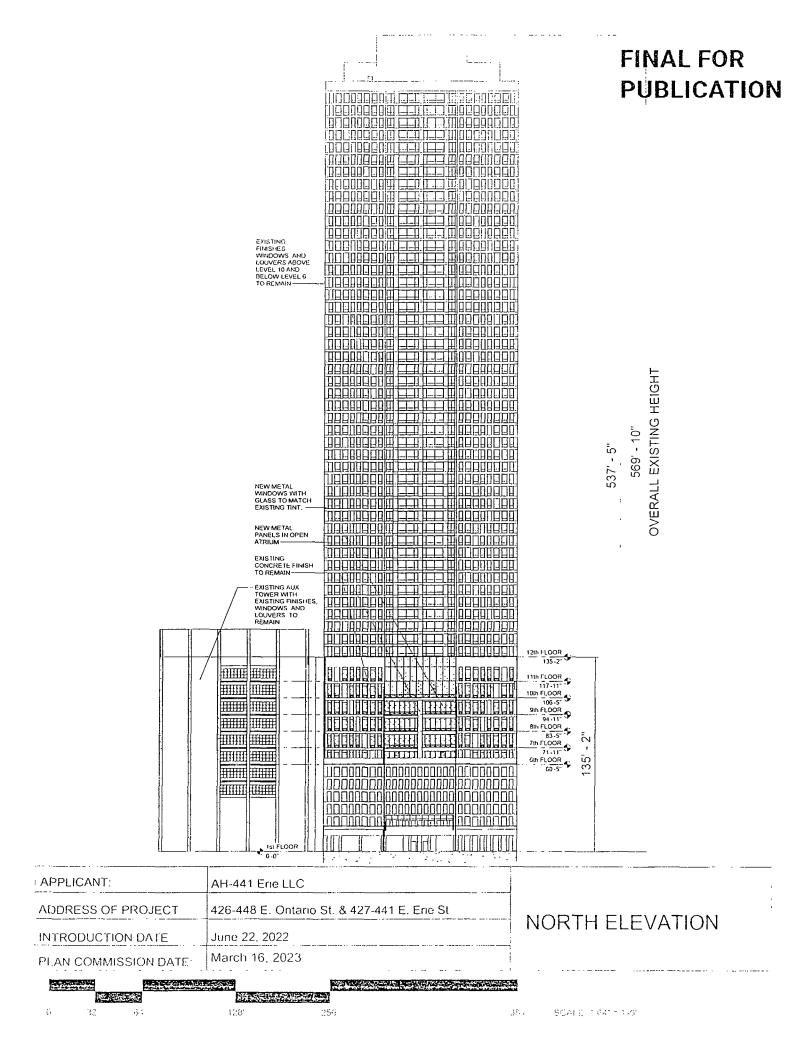


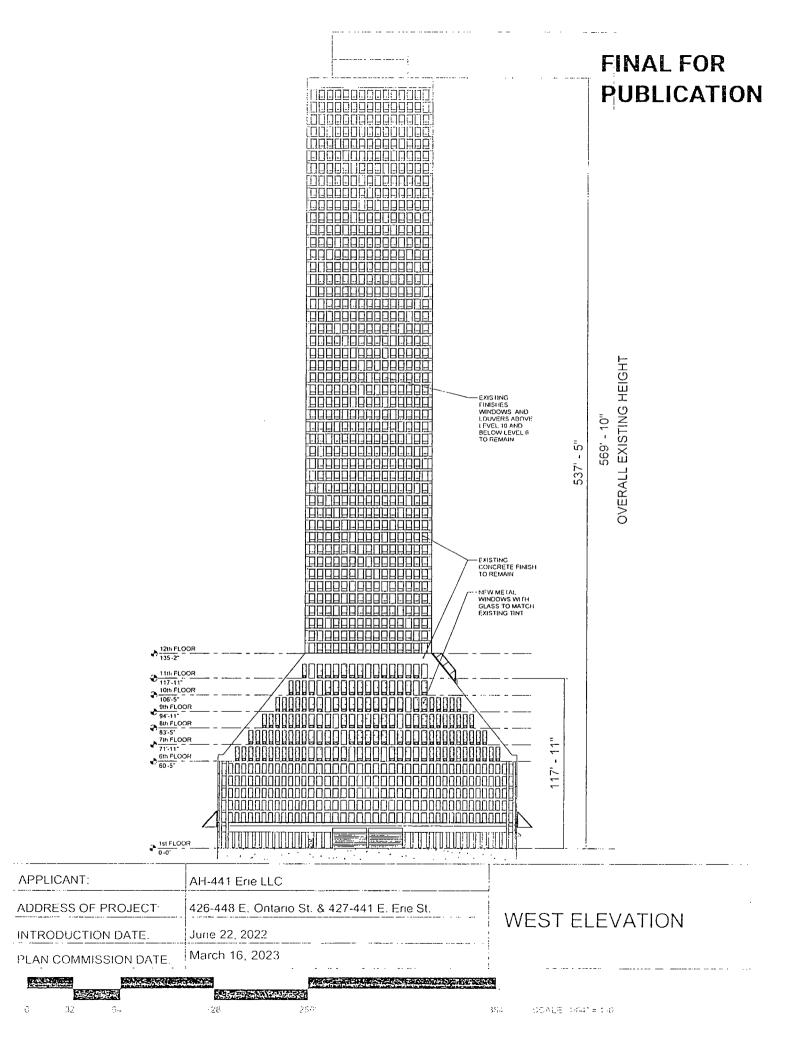
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APPLICANT	AH-441 Erie LLC		
ADDRESS OF PROJECT	426-448 E. Ontario St. & 4	GREEN ROOF PLAN	
	June 22, 2022		
PLAN COMMISSION DATE	March 16, 2023		













Application #21044 To Clerk

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

To: Alderman Tom Tunney Chairman, City Council Committee on Zoning

From: Maurice D. Cox

Chicago Plan Commission

Date: March 16, 2023

Re: Proposed Amendment to Residential-Business Planned Development No. 252 (426-448 E. Ontario Street and 427-441 East Erie Street)

On March 16, 2023, the Chicago Plan Commission recommended approval of the proposed amendment to Residential-Business Planned Development No. 252, submitted by AH-441 Erie LLC, for the property generally located at 426-448 East Ontario Street and 427-441 East Erie Street. The applicant proposes to add hotel as a permitted use to allow for the renovation of an existing mixed-use office building by converting 100,000 square feet of office space into 101 hotel rooms. 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 Emily Thrun at 312-744-0756.

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