



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Text

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File #: SO2021-1957, Version: 1

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# FINAL FOR PUBLICATION

## ORDINANCE

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

SECTION 1: That the Chicago Zoning Ordinance be amended by changing all DX-12 Downtown Mixed-Use District symbols and designations as shown on Map No. 1-E in the area bounded by

the alley next north of and parallel to East Ontario Street; a line 50.56 feet west of and parallel to North St. Clair Street; East Ontario Street; a line 178.41 feet west of and parallel to North St. Clair Street,

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

SECTION 2: This Ordinance shall be in force and effect from and after its passage and due publication.

Address: 148 - 158 E. Ontario St.

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## PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Business Planned Development Number \_\_\_\_\_, (Planned Development) consists of approximately 12,801 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, RIU 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 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 arc 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
- Pavement markings
- Sidewalks

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## FINAL FOR PUBLICATION

- 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 Sixteen (16) Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; a Green Roof Plan; Building Elevations (North, South, East and West); and Building Section Plan prepared by Lucien LaGrange Studios and dated July 15,, 2021, submitted herein. 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 lodging; office; general retail sales; eating and drinking establishment (all); food and beverage retail sales; accessory loading; co-located wireless communications facilities; and related and ancillary 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.
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 12,801 square feet and a base FAR of 12.

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## FINAL FOR PUBLICATION

The Applicant acknowledges that the project has received a bonus FAR of 6.40, pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 18.40. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17-4-1003-B & 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% to the Neighborhoods Opportunity Fund, 10% to the Citywide Adopt-a-Landmark Fund and 10% 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, 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.

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.
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

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## FINAL FOR PUBLICATION

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 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.

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16. 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 the DX-12 Downtown Mixed Use District.

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## Business Planned Development No. Bulk Regulations and Data Table

Gross Site Area (square feet): Area of Public Right-of-Way (sf): Net Site Area (square feet): Maximum Floor

Area Ratio (FAR): Maximum Number of Hotel Rooms: Minimum Off-Street Parking Spaces: Minimum Off-Street Loading Spaces: Maximum Building Height: Minimum Setbacks:

18,698 sf 5,897 sf 12,801 sf 18.40 (235,538 sf) 388 Rooms None

2(10 feet by 25 feet) berths 345 feet

In substantial conformance with the Plans

#### BULK REGULATIONS & DATA TABLE

Applicant.	RIU Chicago, LLC
Address:	148-158 E. Ontario St.
Introduced.	May 26, 2021
Plan Commission	July 15, 2021

# FINAL FOR PUBLICATION

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EXISTING ZONING MAP

Applicant Address Introduced Plan Commission  
RIU Chicago, LLC 148-158 E.Ontario St. May 26, 2021 July 15, 2021

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JL  
E. HURON ST.

40 STORIES. HOTEL

38 STORIES. RESIDENTIAL

2 STORIES, RETAIL

3 STORIES, RETAIL

4 STORIES, RETAIL

9 STORIES, RETAIL

24 STORIES, INSTITUTIONAL/ OFFICE

24 STORIES. INSTITUTIONAL

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9 STORIES; J INSTITUTION

E. ERIE ST.

22 STORIES; HOTEL /

} 4  
STORIES,  
RETAIL  
9 STORIES,  
COMMERCIAL

4 STORIES: COMMERCIAL

5 STORIES, RETAIL

11 STORIES, OFFICE

18 STORIES. OFFICE

4 STORIES, INSTITUTIONAL

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28 STORIES, HOTEL / OFFICE

26 STORIES, OFFICE

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E. ONTARIO ST.

27 STORIES. OFFICE

4 STORIES. RETAIL

26 STORIES, HOTEL

20 STORIES. HOTEL

2 STORIES, INSTITUTIONAL

5 4 5 7 STORIES. OFFICE  
STORIES STORIES,STORIES.  
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EXISTING LAND USE MAP

Applicant Address ■ Introduced Plan Commission ■  
RIU Chicago, LLC 148-158 E Ontario St May 26, 2021 July 15, 2021

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**E. ERIE ST.**

ONE WAY TRAFFIC

11-STORY BUILDING  
3-STORY BUILDING

127.85'  
PLANNED DEVELOPMENT BOUNDARY!  
127.60'



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5-STORY BUILDING

18-STORY  
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15-STORY BUILDING

PLANNED DEVELOPMENT PROPERTY LINE AND BOUNDARY MAP

Applicant- RIU Chicago, LLC  
Address. 148-158 E Ontario St  
Introduced: May 26, 2021  
Plan Commission July 15, 2021

PROPERTY BOUNDARY 127.85' | 2  
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E. ONTARIO ST. | PLANNED DEVELOPMENT BOUNDARY ,  
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## PUBLIC ALLEY

SITE PLAN

Applicant. RIU Chicago, LLC  
Address: 148-158 E Ontario St  
Introduced: May 26, 2021  
Plan Commission July 15, 2021

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THE 2 EXISTING TREES SIT HIGH IN THE TREE PITS. UJHICW WILL NOT ALLOT FOR THE ADDITION OF TREE GRATES AROUND THEM TREE FITS ARE TO BE CLEANED AND W-CHEDED UITH SHREDDDED HARDWOOD BARK IH-CH.

LANDSCAPE PLAN

Applicant: Address: Introduced Plan Commission ■  
RIU Chicago, LLC 148-158 E.Ontario St. May 26, 2021 July 15, 2021