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Legislation Details (With Text)

File #: SO2019-5518
Type: Ordinance
Status: Passed
File created: 7/24/2019
In control: City Council
Final action: 10/16/2019
Title: Zoning Reclassification Map No. 1-F at 1-39 W Wacker Dr, 200-240 N State St, 2-40 W Lake St and 209-241 N Dearborn St - App No. 20117
Sponsors: Misc. Transmittal
Indexes: Map No. 1-F
Attachments: 1. O2019-5518.pdf, 2. SO2019-5518.pdf

Date	Ver.	Action By	Action	Result
10/16/2019	1	City Council	Passed as Substitute	Pass
7/24/2019	1	City Council	Referred	

ORDI NANCE

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 be amended by changing all the Business Planned Development Number 381 District symbols and indications as shown on Map No. 1-F in the area bounded by

West Wacker Drive; North State Street; West Lake Street; and North Dearborn Street,

to those of Business Planned Development Number 381, as Amended which is hereby established in the area described above, subject in such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part hereof and to no others.

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

Common Address of Property: 1-39 West Wacker Drive, 200-240 North State Street,
2-40 West Lake Street, and 201-241 North Dearborn Avenue

FINAL,

BUSINESS PLANNED DEVELOPMENT No. 381, AS AMENDED PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Business Planned Development No. 381 as amended, and which is legally described on Exhibit A attached hereto and a made part hereof this Planned Development consisting of approximately one_hundred thousand, seven hundred and fifty-eight (100,758) square feet or 2.31 acres of property (the Property) as shown on which is depicted on the attached Planned Development Boundary and Property Line Map (Property) and is an owned or controlled by the ("Applicant") CWI Chicago Hotel, LLC an owner of Subarea B.
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 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 Sec. 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 adjustments to 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 Department 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

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for work in the public way and in compliance with Municipal Code of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by CDOT.

4. This Plan of Development consists of seventeen (17) Statements: a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map, Existing Land-Use Map, Site Plan/Landscape Plan, Sub-Area Map, Floor Plans and Building Elevations (north, east and west), prepared by DXU Architects and dated August 26, 2019 submitted herein. In any instance where any provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and

Applicant CWI Chicago Hotel, I.L.C
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2-40 West Lake Street, and 201-241 North Dearborn Avenue
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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 Sub Areas, and the following uses shall be allowed in this Business Planned Development No. 381 as Amended:

Sub-Area A: offices uses, retail uses, restaurant uses, service uses, off-street parking and loading, and incidental/ accessory uses

Suba-Area B: hotel and meeting uses, personal services uses, office uses, restaurant uses, retail uses, service uses, financial uses, off-street parking and loading and incidental/accessory 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 of any measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations established by the (FAA) Federal Aviation Administration.
8. The maximum permitted floor area ratio (F.A.R.) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definition 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 100,758 square feet and a maximum FAR of 17.5.
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 corresponding regulations and guidelines, including Section 17-13-0880. 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 Stockpiles promulgated by the Commissioners of the Department of Street and Sanitation, Fleet. Fleet and Facility Management and Buildings, under Section 13-32-085, or any other provision of the Municipal Code of Chicago.

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12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-061 1-A by the Zoning Administrator upon the application for such modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors.

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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 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. List all aspects of the proposed Planned Development that bring it into compliance with the Sustainable Development Policy, including other major sustainable elements of the project. All aspects of the proposed planned development that brings it into compliance with the Sustainable Development Policy, including other major sustainable elements of the project.
15. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Woman-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 residents hiring (measured against the total construction 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

Applicant	CWI Chicago Hotel, LLC
Address	1 -39 West Wacker Drive, 200-2-10 North Slate Street, 2-10 West Lake Street, and 201-211 North Dearborn Avenue
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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 residents' 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 utilized in planned development projects. All such information will be provided in a form acceptable to 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. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to a DC-16 Downtown Core District.

BUSINESS PLANNED DEVELOPMENT No. 381, AS AMENDED

Applicant Address
CWI Chicago Hotel. 1.1.C
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2- 40 West Lake Street., and 201-2-11 North Dearborn Avenue
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BULK REGULATIONS AND DATA TABLE

Gross Site Area: Area in Public R.O.W.: Net Site Area:

169,006 square feet 68,248 square feet 100,758 square feet

Net Site Area of Sub-Areas: Sub-Area A: Sub-Area B:

Total Net Site Area (A+B):

Maximum Floor Area Ratio: Sub-Area A: Sub-Area B:

50,379 Sq. ft. 50,379 Sq. ft. 100,758 Sq. ft.

17.5 (1,768,302 sq.ft.) 25.8 (1,299,778 sq. ft.) 9.3 (468,524 sq. ft.)

Minimum number of Off-Street Parking Spaces to be provided: (Existing)

51 spaces (Hotel)

142 spaces (Offices, Retail)

Minimum number of Off-Street Loading Spaces to be provided: (Existing)

offices-6, hotel and retail-3 for a total- 9 spaces

existing, no change

600 hotel rooms, suites containing two or more separate rooms with sleeping accommodates may replace hotel rooms at a ratio of 1 suite for each 1.5 hotel rooms. The hotel area shall contain no more than 500,000 square feet

Exhibit "A"

Applicant Address

Introduced

CWI Chicago Hotel, LLC

1- 39 West Wacker Drive, 200-210 North State Street,

2- 40 West Lake Street, and 201-241 North Dearborn Avenue

July 24, 2019

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Business Planned Development Number 381, As Amended Legal
Descriptions of Sub-Area A and B

PARCEL 1 (SUB-AREA A) (17-09-426-031)

LOT 2 IN THE LEO BURNETT RESUBDIVISION OF A TRACT OF LAND IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD, PRINCIPAL MERIDIAN FN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1990 AS DOCUMENT 90117294.

EXCEPTING THEREFROM THE BUILDING AND IMPROVEMENTS LOCATED THEREON FOR AS LONG AS THE LEASE REFERENCED IN THE MEMORANDUM OF WHICH RECORDED OCTOBER 11, 1988 AS DOCUMENTS 88465178, 88465175, AND 0331431120, AS ASSIGNED PURSUANT TO DOCUMENTS 0331431119, AND 0518122183, REMAINS IN FULL FORCE AND EFFECT.

PARCEL 2 (SUB-AREA B) (17-09-426-030, AND 032, 033)

LOTS 1, 3, AND 4 IN THE LEO BURNETT RESUBDIVISION OF A TRACT OF LAND IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN FN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1990 AS DOCUMENT 90117294, ALL IN COOK COUNTY ILLINOIS.

PARCEL 2A:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE RECIPROCAL CROSS-ACCESS EASEMENT AGREEMENT DATED DECEMBER 15, 1997 AND RECORDED FEBRUARY 3, 1998 AS DOCUMENT 98090502 BY AND AMONG 35 W. WACKER VENTURE L.L.C. A DELAWARE LIMITED LIABILITY COMPANY, COLE TAYLOR BANK, AS SUCCESSOR TRUSTEE TO HARRIS TRUST AND SAVINGS BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED SEPT. 24, 1986 AND KNOWN AS TRUST NUMBER 43770 AND LEO BURNETT COMPANY, INC. FOR THE PURPOSE OF AN EASEMENT TO PASS ON, OVER, OR THROUGH THE MOTEL EASEMENT AREA FOR THE PURPOSES OF PASSAGE BETWEEN THE HOTEL PROPERTY AND THE OFFICE PROPERTY AS DEFINED IN SAID DOCUMENT.

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