

STANDARD PLANNED DEVELOPMENT STATEMENTS

The Planned Development Statements describe the legal regulations and conditions that will control the development of the proposed project. The following statements shall be included in the ordinance; any proposed changes to these statements must be discussed and reviewed with the Chicago Department of Planning and Development. Based on the scope of the project, additional statements (listed at the end of this document) may be required. The following statements must be included in the ordinance:

1. The area delineated herein as Planned Development Number TBD, (Planned Development) consists of approximately TBD 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, TBD.

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:

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- 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 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 TBD Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Right of Way Adjustment map (if applicable); Site Plan (Sub-Area Map, if applicable); Floor Plans (typical, if applicable); Landscape Plan; a Green Roof Plan; and, Building Elevations (North, South, East and West) prepared by (name of architecture firm) and dated (date of Plan Commission presentation), 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 TBD: (list uses as they are defined in the Chicago Zoning Ordinance). The following uses shall be prohibited: (list uses as they are defined in the Chicago Zoning Ordinance).
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.

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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 TBD square feet and a base FAR of TBD.
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 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

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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. 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 (underlying zoning that formed the basis of this Planned Development).

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PROJECT SPECIFIC PLANNED DEVELOPMENT STATEMENTS

In certain cases, additional Planned Development statements may be required based on the scope of the project. Please review the list below and discuss the any relevant statements with the Department of Planning and Development (DPD).

Planned Developments subject to Industrial Corridor Conversion Area Fees:

The Applicant acknowledges that the Property is located in the TBD Industrial Corridor Conversion Area, and has undergone a “rezoning” within the meaning of Chapter 16-8 of the Municipal Code (the “Industrial Corridor System Fund Ordinance”). As a result of this rezoning, the Planned Development is subject to the conversion fee provisions of the Industrial Corridor System Fund Ordinance. The purpose of the conversion fee is to mitigate the loss of industrial land and facilities in conversion areas by generating funds for investment in receiving industrial corridors in order to preserve and enhance the city's industrial base, support new and expanding industrial uses, and ensure a stable future for manufacturing and industrial employment in Chicago. The Applicant is required to pay the conversion fee in full 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 conversion fee 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 amount of the conversion fee due prior to the issuance of a building permit shall be calculated based on the fee rate in effect at the time of payment. The Applicant shall record a notice against the Property to ensure that the requirements of the Industrial Corridor System Fund Ordinance are enforced in accordance with Section 16-8-100.

Planned Developments seeking North Branch Industrial Corridor Floor Area Ratio Bonus:

The permitted Floor Area Ratio (FAR) identified in the Bulk Regulations Table has been determined using a Net Site Area of TBD square feet and a base FAR of TBD. The improvements to be constructed on the Property will be subject to the following North Branch Corridor Overlay Subdistrict A floor area bonus criteria; otherwise more specifically described in Section 17-7-0407 and other referenced portions of the Municipal Code of Chicago.

Planned Developments seeking Floor Area Ratio Bonuses:

The permitted Floor Area Ratio (FAR) identified in the Bulk Regulations Table has been determined using a Net Site Area of TBD square feet and a base FAR of TBD. The improvements to be constructed on the Property will be subject to the following Neighborhood Opportunity Fund floor area bonus criteria; otherwise more specifically described in Sections 16-14-010, 17-4-1000 and other referenced portions of the Municipal Code of Chicago:

1. The minimum floor area bonus for any “D” district is 0.5 FAR.
2. Each of the following D districts shall have the following maximum floor area bonus:

- a. DR-3, DX-3, DS-3 = 2.75 FAR
 - b. DR-5, DX-5, DS-5 = 3.1 FAR
 - c. DR-7, DX-7 = 4.5 FAR
 - d. DX-10, DR-10 = 3.8 FAR
 - e. DX-12, DC-12 = 6.4 FAR
 - f. DX-16, DC-16 = No Maximum FAR
3. Neighborhoods Opportunity Fund shall be designated to receive 80% of bonus payment.
 4. Local Impact Fund shall be designated to receive 10% of bonus payment.
 5. Citywide Adopt-a-Landmark Fund shall be designated to receive 10% of bonus payment.

Neighborhoods Opportunity Fund

All funds deposited in the Neighborhoods Opportunity Fund shall be used for projects located in, or directly benefiting, qualified investment areas. The Neighborhoods Opportunity Fund may be used to finance improvements in the following categories:

1. commercial establishments that provide goods and services which may include grocery stores, retail establishments and restaurants that sell food primarily for consumption on premises, and;
2. cultural establishments that provide recreational and educational opportunities; and,
3. incubation, mentoring and training of small businesses that otherwise qualify as authorized uses under (a) or (b) above.

The Neighborhoods Opportunity Fund may be used for the following costs when they are necessary, or desirable for, or in support of, one or more authorized uses:

1. acquisition, rehabilitation or demolition of substandard, obsolete or vacant buildings;
2. planning, design and construction, not to exceed 30% of total project costs;
3. planning, design and construction of public infrastructure directly related to projects under subsections (a) and (b) of this section;
4. financing related to projects under subsections (a), (b) and (c) of this section;
5. job support used to recruit, hire and retain job seekers who reside in qualified investment areas for identified jobs created by projects funded under subsections (a), (b) or (c) of this section; and,
6. business incubation, mentoring and training.

Local Impact Fund

All funds deposited in the Local Impact Fund shall be used for specific improvements located within one mile of the Planned Development (PD). Funds derived from multiple PDs can be used for a common local improvement project, provided such project is located within one mile of each PD. If the PD does not identify specific improvements, then DPD, in consultation with the alderman of the ward in which the PD is located, may allocate such funds to eligible improvements located anywhere in

the downtown area. The Local Impact Fund may be used to finance improvements in the following categories:

1. Off-Site Park and Open Space – funds may be distributed to the Chicago Park District, the Chicago Department of Transportation (CDOT) or another City department or sister agency to support the creation or improvement of pocket parks, improvements to the Chicago Riverwalk or other public park spaces.
2. Pedestrian, Streetscape and Infrastructure Improvements – funds may be distributed to CDOT or another City department or sister agency to support pedestrian, streetscape and infrastructure improvements that the applicant is not otherwise obligated to undertake. Qualifying pedestrian, streetscape and infrastructure improvements may include, without limitation, raised planters, special pavers, decorative or historic street lighting, pedestrian lighting, flag and banner poles, hanging baskets, bicycle infrastructure and facilities and bridge house improvements. Plans should demonstrate the maximum use of trees without obstructing the public way or views of retail uses. Street lighting components should be selected from the City’s lighting palette. Pavement treatments and materials should reflect those generally used in the immediate area.
3. Transit Infrastructure Improvements – funds may be distributed to the Chicago Transit Authority, CDOT or another City department or sister agency to support improvements to transit stations and other public transit infrastructure. Qualifying improvements may include, without limitation, new access easements, improvements, remediation and repairs to connecting passageways, mezzanines, concourse areas, tracks and other public transit structures and facilities.
4. Local Adopt-a-Landmark – funds may be distributed to property owners of buildings, structures, works of art or other objects that have been designated as “Chicago Landmarks” under the Chicago Landmarks Ordinance or which have been identified as contributing to the historic or architectural significance of any district designated as a “Chicago Landmark” under the Chicago Landmarks Ordinance, to support specific restoration projects.
5. Alternative Use of Local Impact Funds – upon the recommendation of the Commissioner of DPD, after consultation with the Chicago Board of Education and the alderman of the ward in which the PD is located, the PD may allocate funds to the Public Schools Capital Improvement Program to support construction of new schools, school expansions or related improvements.
6. In-Kind Provision of Local Improvements – in lieu of the required cash contribution to the Local Impact Fund, the PD may provide for applicants to undertake specific local improvement projects, including infrastructure improvements, themselves. DPD shall review proposals for in-kind improvements on a case-by-case basis in consultation with the alderman of the ward in which the PD is located; applicant shall submit project documentation, including but not limited to, detailed site-specific cost estimates for the improvements, appropriate drawings, detailed construction commitments, a construction schedule and a performance bond for completion

of the improvements. If a proposal for in-kind improvements is approved, the applicant shall enter into an agreement with the applicable City department or sister agency specifying the type of improvements to be provided, the value of the improvements, the timeline for completion of the improvements and any other terms or conditions the Commissioner of DPD deems necessary or desirable.

Any sister agency that receives funds under the Neighborhood Opportunity Bonus, either through DPD or directly from the applicant, must enter into an agreement with the City regarding the manner in which the funds will be used. Any funds that have not been used upon completion of the local improvement project shall be returned to the Local Impact Fund and will be eligible to be applied to other approved local improvement project costs.

The Commissioner of DPD, or the Commissioner's designee, is authorized to execute all agreements with sister agencies and landmark property owners on behalf of the City; all such agreements must be in a form approved by the corporation counsel.

Changes to local improvements or local landmark restoration projects specified in a PD, or the substitution of one type of local improvement or landmark for another, or the manner in which payments are made or satisfied, shall be deemed minor changes and may be permitted by the Zoning Administrator, in consultation with the alderman of the ward in which the PD is located.

Citywide Adopt-a-Landmark

All funds deposited in the Citywide Adopt-a-Landmark Fund, or those combined with funds from the Local Impact Fund and/or the Neighborhoods Opportunity Fund, shall be used to support restoration of buildings, structures, works of art or other objects that have been designated as "Chicago Landmarks" under the Chicago Landmarks Ordinance; or, have been identified as contributing to the historic or architectural significance of any district designated as a "Chicago Landmark" under the Chicago Landmarks Ordinance, subject to the following criteria and guidelines:

1. Restoration projects must be consistent with landmark guidelines.
2. Except as provided in paragraph 5 below, the Commission on Chicago Landmarks must approve the scope of work and associated budget for the restoration project pursuant to its standard review and approval procedures.
3. Funds must be used for substantial interior or exterior renovation work that is visible from a public street or within a portion of the interior that is open to the public; such work must exceed normal maintenance work.
4. DPD will give priority to projects that have not been completed and that address exterior envelope issues. DPD may also establish other funding priorities by rule. For projects that have not been completed, the property owner of the landmark receiving the funds must enter into an agreement with the City and the Commission on Chicago Landmarks regarding the manner in which the funds will be used. All agreements must be in a form approved by

the Corporation Counsel. Any funds that have not been used upon completion of the restoration project shall be returned to the Citywide Adopt-a-Landmark Fund will be eligible to be applied to other approved landmark restoration project costs.

5. Completed projects under \$30,000 are eligible for adoption, provided DPD has previously approved the scope of work and budget for such projects.

Standard Density Bonus PD Statement

The Applicant acknowledges that the project has received a bonus FAR of [____], pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is [____]. 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.

Alternative Payment Scenarios

Usage of Local Impact Funds

In this case, the Applicant will contribute the Local Impact portion of the bonus payment for construction of [identify specific local improvement project] (the "Project") The Project is located within one mile of the Planned Development site, as required by Sec. 17-4-1005-C. The Applicant must make such payment, or the applicable portion thereof in the case of a phased development, prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. The City must enter into an intergovernmental agreement regarding the manner in which the funds will be used.

Payment of Local Impact Funds to Sister Agency

In this case, the Department of Planning and Development has directed the Applicant to contribute the Local Impact portion of the bonus payment to [identify sister agency] for construction of [identify specific local improvement project] (the “Project”) The Project is located within one mile of the Planned Development site, as required by Sec. 17-4-1005-C. The Applicant must make such payment, or the applicable portion thereof in the case of a phased development, prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. The City and the [sister agency] must enter into an intergovernmental agreement regarding the manner in which the funds will be used.

Payment of Local Impact Funds to Landmark Owner

In this case, the Department of Planning and Development has directed the Applicant to contribute the Local Impact portion of the bonus payment to [identify landmark property owner] (the “Landmark Owner”) for construction of [identify specific landmark project] (the “Landmark Project”). The Landmark Project is located within one mile of the Planned Development site, as required by Sec. 17-4-1005-C. The Applicant must make such payment, or the applicable portion thereof in the case of a phased development, prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. The Landmark Owner shall enter into an agreement with the City and the Commission on Chicago Landmarks regarding the manner in which the funds will be used. The agreement must be in a form approved by the Corporation Counsel.

Payment of Local Impact and Citywide Adopt-a-Landmark Funds to Landmark Owner

In this case, the Department of Planning and Development has directed the Applicant to contribute the Local Impact and Citywide Adopt-a-Landmark portions of the bonus payment (the “Landmark Funds”) to [identify landmark property owner] (the “Landmark Owner”) for construction of [identify specific landmark project] (the “Landmark Project”). The Landmark Project is located within one mile of the Planned Development site, as required by Sec. 17-4-1005-C. The Applicant must deposit the Landmark Funds, or the applicable portion thereof in the case of a phased development, with a third party escrow agent prior to the issuance of the first building permit for the Planned Development or applicable phase thereof and the City, the Landmark Owner and the escrow agent shall enter into an escrow agreement in a form acceptable to the Corporation Counsel in order to assure that the Project is completed and paid for in a timely manner.

Payment of Citywide Adopt-a-Landmark and NOB Funds to Landmark Owner

In this case, the Department of Planning and Development has directed the Applicant to contribute the Citywide Adopt-a-Landmark and Neighborhoods Opportunity portions of the bonus payment to [identify landmark property owner] (the “Landmark Owner”) for construction of [identify specific landmark project] (the “Landmark Project”). The Landmark Project is located in a qualified investment area, as that term is defined in Chapter 16-14 of the Municipal Code, and satisfies the requirements of such chapter with respect to authorized uses of the Neighborhoods Opportunity Fund and Sec. 17-4-1006-C with respect to authorized uses of the Citywide Adopt-a-Landmark Fund. The Applicant must make such payment, or the applicable portion thereof in the case of a phased development, prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. The Landmark Owner shall enter into an agreement with the City and the Commission on Chicago Landmarks regarding the manner in which the funds will be used. The agreement must be in a form approved by the Corporation Counsel.

In-Kind Improvements

In this case, the Department of Planning and Development has approved the Applicant’s proposal to construct [identify specific project] (the “Project”). Prior to the issuance of the first building permit for the Planned Development, the Applicant shall enter into an agreement with [identify applicable City department or sister agency] specifying the type of improvements to be provided, the value of the improvements, the timeline for completion of the improvements, and any other terms or conditions the Commissioner of Planning and Development deems necessary or desirable. The Applicant shall submit detailed site-specific cost estimates for the Project, drawings, detailed construction commitments, a construction schedule, and a performance bond for completion of the Project. The agreement must be in a form approved by the Corporation Counsel. The Applicant shall construct the Project in accordance with the requirements of Sec. 17-4-1005-E.

Planned Developments containing Sub-Areas

In each of the following Sub Areas, the following uses shall be permitted in this Planned Development (PD) (describe in detail which uses are permitted and which are excluded for each Sub-Area):

Sub-Area A: (list uses as they are defined in the Chicago Zoning Ordinance)

Sub-Area B: (list uses as they are defined in the Chicago Zoning Ordinance)

Planned Developments requiring Site Plan Approval

Prior to the Part II Approval (Section 17-13-0610 of the Chicago Zoning Ordinance) in Sub-Area(s) TBD, the Applicant shall submit a site plan, landscape plan and building elevations for the specific Sub-Area(s) 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. Sub-Area Site Plan Approval Submittals (Section 17-13-0800) need only include that portion of the Property for which approval is being sought by the Applicant. If the Applicant is seeking approval for a portion of the Property that represents less than an entire Sub-Area, the Applicant shall also include a site plan for that area of the Property which is bounded on all sides by either public Rights-of-Way or the boundary of the nearest Sub-Area. The site plan provided shall include all dimensioned and planned street Rights-of-Way.

No Part II Approval for any portion of the Property shall be granted until Site Plan approval has been granted. Following approval by DPD, the approved Sub-Area 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 Sub-Area Site Plan, changes or modifications may be made pursuant to the provisions of Statement TBD. 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 building elevations;
- fully-dimensioned landscape plan(s); and,
- statistical information applicable to the subject Sub-Area, including floor area, the applicable floor area ratio, uses to be established, building heights and setbacks.

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

Planned Developments that trigger the Affordable Requirement Ordinance

Pilot ARO

The Applicant acknowledges and agrees that the rezoning of the Property from TBD to TBD, and then to this Planned Development (PD), for construction of the Project triggers the requirements of Section 2-45-115 of the Municipal Code (the “Affordable Requirements Ordinance” or the “ARO”). The Applicant further acknowledges and agrees that the Property is located in the TBD Pilot Area, pursuant to Section 2-45-117 of the Municipal Code (the “TBD ARO Pilot Area Ordinance” or the “Pilot”). The TBD Pilot Area is divided into TBD (possibly NA) zones: the TBD Zone and the TBD Zone; the Property is located in the TBD Zone. In the TBD Zone, pursuant to 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 TBD % to TBD %. Any developer of a residential housing project in the Near

TBD Zone must provide the first TBD % 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 Planning and Development (the “Commissioner”), in an off-site location within TBD 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) TBD % of units required to be affordable (the “Additional Units”) either: (i) in the residential housing project, or (ii) with the Commissioner’s approval, in an off-site location anywhere within the TBD 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 TBD housing units. As a result, the Applicant’s affordable housing obligation is TBD affordable units (TBD % of TBD), consisting of TBD First Units and TBD Additional Units. Applicant has agreed to satisfy its affordable housing obligation by providing the First Units and the Additional Units in the rental building to be constructed in the Planned Development, 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 TBD % 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 TBD % or TBD % 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 the Department of Planning and Development (“DPD”) for review and approval. DPD 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 2-45-115(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 TBD, 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.

Downtown For-Sale Projects

The Applicant acknowledges and agrees that the rezoning of the Property from TBD to TBD, and then to this Planned Development (PD), triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago (Affordable Requirements Ordinance or ARO). Any developer of a residential housing project within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (Required Units) as affordable units, or with the Commissioner of the Department of Planning and Development’s (DPD) approval, provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of the Required Units; or, (iii) any

combination of (i) and (ii). The Property is located in a downtown district, within the meaning of the ARO, and the project has a total of TBD units. As a result, the Applicant's affordable housing obligation is TBD affordable units (10% of TBD rounded up/down). Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of [\$175,000] [\$150,000, if providing units on-site to the Chicago Housing Authority (CHA)] [\$225,000 if providing no units] per unit (Cash Payment) and/or providing TBD affordable units in the for-sale building to be constructed in the PD and/or providing TBD affordable units in an off-site building located at TBD and/or entering into an agreement with CHA to provide affordable units in the PD, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit TBD. The Applicant agrees that the affordable units must be affordable to households earning no more than 100% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the PD, or elects to build a rental project instead, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the requirements or number of required Affordable Units without amending the PD. Prior to the issuance of any building permits for any residential building in the PD, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(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 PD, 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 TBD, 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 PD.

Downtown Rental Projects

The Applicant acknowledges and agrees that the rezoning of the Property from TBD to TBD, and then to this Planned Development (PD), triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago (Affordable Requirements Ordinance or ARO). Any developer of a residential housing project within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (Required Units) as affordable units, or with the Commissioner of the Department of Planning and Development's (DPD) approval, provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of the Required Units; or, (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the Required Units on-site or off-site. If the developer elects to provide affordable units off-site, the off-site affordable units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a downtown district, within the meaning of the ARO, and the project has a total of TBD units. As a result, the Applicant's affordable housing obligation is TBD affordable units (10% of

TBD rounded up/down), TBD of which are Required Units (25% of TBD, rounded up/down). Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$175,000 [\$150,000, if providing units on-site to the Chicago Housing Authority (CHA)] per unit (Cash Payment) and/or providing TBD affordable units in the rental building to be constructed in the PD and/or TBD affordable units in an off-site building located at TBD and/or enter into an agreement with CHA to provide affordable units in the PD, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit TBD. The Applicant agrees that the affordable units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the PD, or elects to build a for-sale project instead, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the requirements and number of required Affordable Units without amending the PD. Prior to the issuance of any building permits for any residential building in the PD, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(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 PD, 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 TBD, 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 PD.

Higher Income Area Projects

The Applicant acknowledges and agrees that the rezoning of the Property from TBD to TBD, and then to this Planned Development (PD), triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago (Affordable Requirements Ordinance or ARO). Any developer of a residential housing project within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (the Required Units) as affordable units, or with the Commissioner of the Department of Planning and Development's (DPD) approval, provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of the Required Units; or, (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the Required Units on-site or off-site. If the developer elects to provide affordable units off-site, the off-site affordable units must be located within a two-mile radius from the residential housing project and in the same or a different higher income area or downtown district. The Property is located in a higher income area, within the meaning of the ARO, and the project has a total of TBD units. As a result, the Applicant's affordable housing obligation is TBD affordable units (10% of TBD rounded up/down), TBD of which are Required Units (25% of TBD, rounded up/down). Applicant has agreed to satisfy its affordable housing obligation by making a

cash payment to the Affordable Housing Opportunity Fund in the amount of \$125,000 [\$100,000, if providing units on-site to CHA] per unit (Cash Payment) and/or providing TBD affordable units in the rental/for sale building to be constructed in the PD and/or TBD affordable units in an off-site building located at TBD and/or entering into an agreement with the Chicago Housing Authority (CHA) to provide affordable units in the PD, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit TBD. The Applicant agrees that the affordable rental/for sale units must be affordable to households earning no more than TBD% of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the PD, the Applicant shall update and resubmit the Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the number of required Affordable Units without amending the PD. Prior to the issuance of any building permits for any residential building in the PD, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(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 PD, 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 TBD, 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 PD.

Low-Moderate Income Rental or For Sale

The Applicant acknowledges and agrees that the rezoning of the Property from TBD to TBD, and then to this Planned Development (PD), triggers the requirements of Section 2-45-115 of the Municipal Code of Chicago (Affordable Requirements Ordinance or ARO). Any developer of a “residential housing project” within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (Required Units) as affordable units; (ii) pay a fee in lieu of the development of the Required Units; or, (iii) any combination of (i) and (ii); provided, however, that residential housing projects with 20 or more units must provide at least 25% of the Required Units on-site. The Property is located in a low-moderate income area, within the meaning of the ARO, and the project has a total of TBD units. As a result, the Applicant’s affordable housing obligation is TBD affordable units (10% of TBD rounded up/down), TBD of which are Required Units (25% of TBD, rounded up/down). Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$50,000 per unit (Cash Payment) and/or providing TBD affordable units in the rental/for sale building to be constructed in the PD, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit TBD. The Applicant agrees that the affordable rental/for sale units must be affordable to households earning no more than TBD of the Chicago Primary Metropolitan Statistical Area Median Income (AMI), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the PD, the Applicant shall update and resubmit the

Affordable Housing Profile Form to DPD for review and approval; DPD may adjust the number of required Affordable Units without amending the PD. Prior to the issuance of any building permits for any residential building in the PD, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and/or execute and record an affordable housing agreement in accordance with Section 2-45-115(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 PD, 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 TBD, 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 PD.

2015 ARO PD Statement Template Addendum (City or IHDA Financing Included)

Notwithstanding the foregoing, if the Applicant receives Low-Income Housing Tax Credits, tax increment financing or other financial assistance whose affordability requirements exceed those of the Affordable Housing Ordinance from the City to develop affordable housing in any portion of the Planned Development (PD), the regulatory, redevelopment, loan or other agreement(s) to be executed by the City and the Applicant in connection with such tax credits or other financial assistance shall govern and control the Applicant's obligation to provide affordable housing for such subsidized portion of the PD.

Planned Developments along the Chicago River

Requiring Site Plan Approval

The Applicant acknowledges the importance of the Chicago River as a resource for both commerce and recreation and also acknowledges the City's goals of improving the appearance, quality and accessibility of the river, as contained in the waterway planned development guidelines contain in the Chicago Zoning Ordinance (Section 17-8-0912) and the Chicago River Design Guidelines. The Applicant also acknowledges the desirability to include wildlife habitat and other natural features in or near the water's edge. To further these goals, the Applicant agrees to: (a) provide and maintain a landscaped minimum 30-foot-wide river setback and continuous x'-wide riverside trail as indicated on the Site Plan, Public and Common Open Space Plan and Landscape Plan; and, (b) permit connection of such setback and trail to the setback and trails of adjacent properties when the river edges of the adjacent properties are similarly improved. The Applicant shall permit un-gated public access to the river setback and provide informational and wayfinding signage following the Chicago River Brand and Sign Guidelines at all entries to the riverwalk that the riverwalk is open to the public, free of charge, during normal park hours from 6:00 a.m. to 11 p.m. No Part II approval for any development parcels adjacent to the river shall be granted until Site Plan approval has been granted for the riverwalk identifying the menu and location of improvement items necessary to meet the requirements of the Chicago River Design

Guidelines, in effect at the time of Part II review. Following approval by DPD, the approved Site Plan Approval Submittal for the riverwalk with supporting materials shall be made part of the main file. All improvements within the river setback must substantially be completed prior to receipt of Certificate of Occupancy for the principal building, provided that planting may be delayed, if consistent with good landscape practice, but not longer than one year following receipt of the occupancy certificate.

No Site Plan Approval

The Applicant acknowledges the importance of the Chicago River as a resource for both commerce and recreation and also acknowledges the City's goals of improving the appearance, quality and accessibility of the river, as contained in the waterway planned development guidelines contained in the Chicago Zoning Ordinance (Section 17-8-0912) and the Chicago River Design Guidelines. The Applicant also acknowledges the desirability to include wildlife habitat and other natural features in or near the water's edge. To further these goals, the Applicant agrees to: (a) provide and maintain a landscaped minimum 30-foot-wide river setback and continuous x'-wide riverside trail as indicated on the Site Plan, Public and Common Open Space Plan and Landscape Plan; and, (b) permit connection of such setback and trail to the setback and trails of adjacent properties when the river edges of the adjacent properties are similarly improved. The Applicant shall permit un-gated public access to the river setback and provide informational and wayfinding signage following the Chicago River Brand and Sign Guidelines at all entries to the riverwalk that the riverwalk is open to the public, free of charge, during normal park hours from 6:00 a.m. to 11 p.m. The Applicant shall provide the menu of improvement items identified on the Landscape Plan with supporting documentation necessary to meet the requirements of the Chicago River Design Guidelines, in effect at the time the Part II review process. All improvements within the river setback must substantially be completed prior to receipt of Certificate of Occupancy for the principal building, provided that planting may be delayed, if consistent with good landscape practice, but not longer than one year following receipt of the occupancy certificate.

Planned Developments involving Open Space

The Applicant acknowledges that it is in the public interest to ensure that adequate open space and recreational facilities are provided to serve new residential developments. As stated in the Open Space Impact Fee Ordinance Section 16-18-080 of the Municipal Code of Chicago, in the case of larger developments which are processed as Planned Developments, developers are encouraged to provide open space and recreational facilities on-site to serve new residents instead of paying open space impact fees.

All open spaces developed for use by the public must be in compliance with the Open Space Impact Fee Administrative Regulations and Procedures promulgated by the Commissioner of the Department of Planning and Development (DPD), pursuant to Section 16-18-110.

Any open space to be dedicated to the Chicago Park District must meet Chicago Park District standards and, where applicable, the park must be designed and constructed to Chicago Park District standards. Any conveyance of open space to the Chicago Park District, measuring two or more acres, shall be approved by the Chicago Park District. A Board issued resolution must be provided to DPD prior to the issuance of any Part II approval. Any conveyance of open space to the Chicago Park District, measuring less than two acres, shall be formalized in a contract that shall be provided to DPD prior to the issuance of any Part II approval.

Planned Developments involving Historic Preservation

Chicago Landmark/Chicago Landmark District

Pursuant to the Chicago Zoning Ordinance (Section 17-8-0911), a Planned Development (PD) gives priority to the preservation and adaptive reuse of Chicago Landmark buildings. The PD includes TBD, which is designated as a Chicago Landmark or has been identified as contributing to the historic or architectural significance of any district designated as a Chicago Landmark. Work to designated Chicago Landmarks is subject to the review and approval of the Commission on Chicago Landmarks pursuant to the Chicago Landmarks Ordinance, Section 2-120-740.

Excavation, Foundation Work or Adjacent New Construction

The Applicant acknowledges that the Planned Development (PD) project includes excavation, new foundations or other work adjacent to a Chicago Landmark building TBD, a contributing building TBD in a Chicago Landmark District TBD or a building identified in the Chicago Historic Resources Survey TBD. Pursuant to the Chicago Zoning Ordinance, Section 17-8-0911, the Applicant acknowledges that it is in the public interest to promote the preservation of historic resources. The Applicant shall submit a report, stamped by an engineer, identifying any protective measures that may be required for the historic building and those measures that will be incorporated during construction as part of the project. The report shall be submitted as part of the Part II Review application to the Planning, Design and Historic Preservation Division and be subject to the review and acceptance of the Department of Planning and Development.

Chicago Historic Resources Survey (Red/Orange)

The Applicant acknowledges that the Planned Development (PD) includes a building commonly known as TBD and identified as potentially significant in the Chicago Historic Resources Survey. Pursuant to the Municipal Code of Chicago, Sections 17-8-0911 and 13-32-230, the Applicant acknowledges that PDs should give priority to the adaptive reuse of historic buildings which are color-coded red or orange in the Chicago Historic Resources Survey. Therefore, the Applicant agrees to retain and preserve the character-defining features of the building. The character-defining features are identified as TBD. In general, original features and materials of the character-defining features should be retained and preserved as much as reasonably possible, while any changes should be compatible with the building's historic character. Such work to the character-defining

features shall be subject to the review and approval of the Department of Planning and Development as a part of the Part II Review.