

RESIDENTIAL-BUSINESS-INSTITUTIONAL PLANNED DEVELOPMENT NO. _____

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential-Business-Institutional Planned Development Number _____ (“Planned Development”) consists of approximately 32,180 net square feet of property which is depicted on the attached PD Boundary and Property Line Map (“Property”). For purposes of this Planned Development, the Property consists of two sub-areas, delineated on the Sub-Area Map attached hereto as Sub-Area A and Sub-Area B. The Property is owned by Order of Friar Servants of Mary, USA Province, Inc., an Illinois not-for-profit corporation (the “Owner”). The “Applicant” for purposes of this Planned Development with respect to Sub-Area A is Illinois Franklin LLC, with the authorization of the Owner. The Owner is the “Applicant” for purposes of this Planned Development with respect to Sub-Area 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, 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 of the Zoning Ordinance.
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 Plans.

Ingress or egress shall be pursuant to the Plans 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.

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

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compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of 18 Statements, a Bulk Regulations and Data Table and the following maps and plans prepared by Fitzgerald Associates Architects and dated January 21, 2015 (collectively, the “Plans”): an Existing Zoning Map; an Existing Land-Use Area Map; a PD Boundary and Property Line Map; Sub-Area Map; Overall Site Plan; Sub-Area A: Site Plan; Sub-Area B: Site Plan; Sub-Area A: Tower - Ground Floor Plan (Illustrative); Sub-Area A: Tower - 2nd Floor Plan; Sub-Area A: Tower - 3rd-4th Floor Plans (Illustrative); Sub-Area A: Tower – 23rd Floor Plan; Sub-Area B: Priory – New 3rd Floor Plan (Illustrative); Sub-Area B: Priory – Roof Plan; Overall Landscape Plan; Sub-Area A: Landscape Plan; Sub-Area B: Landscape Plan; Sub-Area A: Green Roof Plan; Sub-Area A: Tower – West Elevation; Sub-Area A: Tower – North Elevation; Sub-Area A: Tower – East Elevation; Sub-Area A: Tower – South Elevation; Sub-Area B: Priory – West Elevation; Sub-Area B: Priory – North Elevation; and Sub-Area B: Priory – South Elevation. 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 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 and the Zoning Ordinance, this Planned Development shall control.
5. The following uses shall be permitted in this Planned Development:
 - a. Sub-Area A: dwelling units located above the ground floor; eating and drinking establishments; day care; business equipment sales and service; business support services (excluding day labor employment agency); communication service establishments; eating and drinking establishments; financial services (excluding payday/title secured loan stores and pawn shops); food and beverage retail sales; general retail sales; medical service; office; personal service; consumer repair or laundry service; co-located wireless communication facilities; accessory uses; non-accessory parking in accordance with the Bulk Regulations and Data Table; accessory parking, including parking serving uses located within Sub-Area B.
 - b. Sub-Area B: dwelling quarters and group living for clergy; religious assembly; day care; co-located wireless communication facilities; accessory uses, including without limitation parish and clergy offices, community garden, and recreational, social or community uses customarily found in conjunction with religious uses; and accessory parking.
6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the

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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 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 site shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted overall FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 32,180 square feet.
9. Upon review and determination, “Part II Review”, pursuant to Section 17-13-0610 of the Zoning Ordinance, 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 Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. 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 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning Ordinance 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.

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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 seek LEED certification and provide a green roof of not less than 50% of the net roof area of the improvements Sub-Area A, which is currently anticipated to consist of approximately 4,899 square feet of green roof.
15. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of DPD shall initiate a Zoning Map Amendment to rezone the property to the DX-5 Mixed Use District.
16. The Applicant acknowledges and agrees that the rezoning of the Property from DX-5 Mixed Use District to this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance" or "AHO"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). The Applicant further acknowledges and agrees that the project has received an affordable housing floor area bonus pursuant to Section 17-4-1004-B of the Zoning Ordinance, as set forth in the bonus worksheet attached hereto as Exhibit #1 ("Bonus Worksheet") and Exhibit #2, the Affordable Housing Profile Form, and as a result is also subject to the requirements of the former Section 17-4-1004-D of the Zoning Code (the "Density Bonus Provisions"). Like the ARO, the Density Bonus Provisions require on-site affordable housing or payment of a fee in lieu of providing affordable housing, but the formulas for calculating the number of required affordable units and the amount of the in lieu payment are different from the formulas in the ARO. If a planned development is subject to both the 2007 ARO and the former Density Bonus Provisions, the Applicant may elect to comply with either. In this case, the Applicant has elected to comply with the Density Bonus Provisions. In accordance with the formulas set forth in the former Section 17-4-1004-C and the Bonus Worksheet, the Applicant acknowledges and agrees that it must provide a minimum of 8,045 square feet of affordable housing floor area (the "Affordable Units") in the building receiving the affordable housing floor area bonus ("Eligible Building"), with an affordable unit mix comparable to the overall mix and approved by DPD's density bonus project manager, or make a cash payment in lieu of providing Affordable Units in the amount of \$1,106,992 ("Cash Payment"). Prior to the issuance of any building permits for the Eligible Building, including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment or, if providing Affordable Units, enter into an affordable housing agreement with the City pursuant to the former Section 17-4-1004-E9 ("Affordable Housing Agreement"). 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

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against the Eligible Building. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit. In addition to the Affordable Housing Agreement, the Applicant acknowledges and agrees that, pursuant to Section 17-4-1003-D3, the Bonus Worksheet will serve as an official record of bonuses and amenities. The Applicant must comply with the applicable affordable housing standards and requirements set forth in the former Section 17-4-1004, the terms of which are incorporated herein by this reference. Notwithstanding anything to the contrary contained in the former Section 17-4-1003-E, the Commissioner of DPD may enforce remedies for breach of the 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.

17. Pursuant to the Transit Infrastructure Improvements Bonus provisions of Section 17-4-1020 of the Zoning Ordinance, the Applicant has requested an increase in the floor area permitted on the Property based on a cash contribution for public transit infrastructure improvements. The Applicant shall make a cash contribution in the amount of One Million One Hundred Six Thousand Nine Hundred Ninety-Two Dollars (\$1,106,992.00), which corresponds to a floor area bonus of 1.0 over the net site area of 32,180 square feet. Pursuant to Section 17-4-1020-A of the Zoning Ordinance, the Applicant must enter into an agreement with the agency undertaking the improvements providing for such cash contribution. The Commissioner may require evidence that such cash contribution has been funded by the Applicant as a condition to issuance of any Part II approvals.
18. Pursuant to the Adopt-a-Landmark Bonus provisions of Section 17-4-1022 of the Zoning Ordinance, the Applicant has requested an increase in the floor area of the Property based on the proposed restoration of concrete balconies at the Marina City residential towers located at 300 North State Street (the "Landmark Project"). Pursuant to Section 17-4-1022 of the Zoning Ordinance, the Commissioner of Department of Planning and Development (the "Commissioner"), acting on behalf of the City and the Commission on Chicago Landmarks, is authorized and directed to enter into an agreement with the Marina Towers Condominium Association, which is the association of owners of the Landmark Project established pursuant to the Illinois Condominium Property Act, regarding the manner in which funds for renovation work in the Landmark Building relating to the Adopt-A-Landmark Bonus, as approved by the Commission on Chicago Landmarks, will be used. On January 7, 2016, the Commission on Chicago Landmarks approved a Scope of Work and Budget for the Landmark Project, providing for the expenditure of One Million One Hundred Six Thousand Nine Hundred Ninety-Two Dollars (\$1,106,992.00) in project costs (the "Project Costs"), which corresponds to a floor area bonus of 1.0 over the net site area of 32,180 square feet. The agreement shall be in a form approved by the Corporation Counsel and shall be executed and submitted to the Department of Planning and Development prior to the issuance of any

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approvals pursuant to Section 17-13-0610 of the Chicago Municipal Code (“Part II”). The Commissioner may require evidence that the Project Costs have been funded by the Applicant as a condition to issuance of any Part II approvals. The terms and conditions of the Landmark Project Scope of Work and Budget may be modified administratively by the Commissioner in accordance with the provisions of Statement 12 of this Planned Development and as described in the Landmark Project Scope of Work and Budget.

19. The Applicant acknowledges that the Planned Development includes a building commonly known as Assumption Church and identified as Orange (OR) (potentially significant) in the Chicago Historic Resources Survey. This Planned Development does not propose any changes to the building or its use.

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BULK REGULATIONS AND DATA TABLE

Gross Site Area (sf): 57,785

Area of Public Rights-of-Way (sf): 25,605

Net Site Area (sf):

 Sub-Area A: 15,675

 Sub-Area B: 16,505

 Overall: 32,180

Max. Floor Area Ratio (FAR):

 Sub-Area A: 15.2

 Sub-Area B: 1.2

 Overall, including bonuses: 8.0

FAR Bonuses (over total net site area; bonus floor area is allocated to Sub-Area A):

 Affordable Housing: 1.0

 Adopt-A-Landmark: 1.0

 Transit Infrastructure Improvements: 1.0

Maximum Number of Dwelling Units:

 Sub-Area A: 245

 Sub-Area B: 10

 Overall: 255

Minimum Off-Street Parking:

 Sub-Area A*: 109

 Sub-Area B: 0

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Minimum Bicycle Parking:

Sub-Area A:	50
Sub-Area B:	0

Minimum Off-Street Loading:

Sub-Area A:	1 (10' x 25')
Sub-Area B:	0

Maximum Building Height:

Sub-Area A:	298'
Sub-Area B:	69'

Minimum Setbacks:

Sub-Area A:	In substantial conformance with the Plans.
Sub-Area B:	In substantial conformance with the Plans.

*As contemplated by Section 17-10-0503 of the Zoning Ordinance, up to 25% of the number of parking spaces required for Sub-Area A as set forth on the Bulk Regulations and Data Table may be leased out on a daily, weekly or monthly basis to persons who are not residents, tenants, patrons, employees, or guests of the principal use. In addition, up to 35 parking spaces required for Sub-Area A may be allocated for use by residents, tenants, patrons, employees or guests of uses located in Sub-Area B, and for purposes of this Planned Development such allocated spaces shall be considered accessory parking.

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