



# City of Chicago



**SO2022-2629**

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	9/21/2022
<b>Sponsor(s):</b>	Misc. Transmittal
<b>Type:</b>	Ordinance
<b>Title:</b>	Zoning Reclassification Map No. 1-F at 643-741 W Chicago Ave, 641-739 N Halsted St, 632-740 W Erie St, 627-661 W Erie St, 501-531 N Desplaines St and 524-630 W Grand Ave - App No. 21129
<b>Committee(s) Assignment:</b>	Committee on Zoning, Landmarks and Building Standards

21129  
INTRO DATE  
SEPT 21, 2022

**ORDINANCE**

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

**SECTION 1:** Title 17 of the Municipal Code of Chicago, Chicago Zoning Ordinance, is amended by changing all the Air Rights Waterway Business Residential Planned Development Number 1426 symbols and indications as shown on Map No. 1-F in the area bounded by:

beginning at West Chicago Avenue; the north branch of the Chicago River; a line 74.5 feet north of the north line of West Ohio Street extended; a line 451 feet east of the centerline of North Desplaines Street extended; a line 67.50 feet north of the north line of West Ohio Street extended; a line from a point 67.50 feet north of the north line of West Ohio Street extended and 411.96 feet east of the centerline of North Desplaines Street to a point, 507.03 feet east of the centerline of North Desplaines Street and 13.0 feet south of the south line of West Ohio Street extended; a line 13.0 feet south of the south line of West Ohio Street extended; the north branch of the Chicago River; West Grand Avenue; North Desplaines Street; the westerly right-of-way line of the Chicago and Northwestern Railway; the north line of West Ohio Street; a line from a point 60.57 feet west of the westerly right-of-way line of the Chicago and Northwestern Railway along the north line of West Ohio Street to a point and from a point 55.79 feet west of the westerly right-of-way line of the Chicago and Northwestern Railway along a line 67.50 feet north of the north line of West Ohio Street to a point (said line runs diagonally to the northwest for a distance of 84.92 feet); a line 67.50 feet north of the north line of West Ohio Street; the westerly right-of-way line of the Chicago and Northwestern Railway, the south right-of-way line of relocated West Erie Street; the westerly right-of-way line of the Chicago and Northwestern Railway; the northerly right-of-way line of relocated West Erie Street; North Union Avenue; and North Halsted Street (ToB),

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to those of a Air Rights Waterway Business Residential Planned Development Number 1426, as amended which is hereby established in the area described, subject to such use and bulk regulations as are set forth in the Plan of Development attached herewith and made a part thereof and to no others.

**SECTION 2:** This Ordinance shall be in full force and effect from and after its passage, due publication and upon all approvals necessary by State of Illinois to conduct a casino gambling operation within Air Rights Waterway Business Residential Planned Development No. 1426, As Amended.

Address: 643-741 W. Chicago Ave.; 641-739 N. Halsted St.; 632-740 W. Erie St.; 627-661 W. Erie St.; 501-531 N. DesPlaines St.; and 1524-630 W. Grand Ave.

## AIR RIGHTS WATERWAY BUSINESS RESIDENTIAL PLANNED DEVELOPMENT NO. 1426, AS AMENDED

1. The area delineated herein as Air Rights Waterway Business Residential Planned Development Number 1426 ("Planned Development") consists of approximately 1,184,654 net square feet of property (27.20 acres) which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned and controlled by the Applicant, Bally's Chicago Operating Company, LLC (the "Applicant") under 99 year ground lease.
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, provided, however, (a) that for so long as the Applicant or any affiliate thereof owns or controls any part of the Property, any application to the City for any such changes or modifications (administrative, legislative or otherwise) must in all cases be additionally authorized by the Applicant and (b) such change or modification (administrative, legislative or otherwise) shall comply with the terms of any zoning rights agreement, deed restriction, or other written agreement by the Applicant or between owners or designated controlling parties of the Property or portions thereof. Where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" shall be deemed to refer solely to the condominium association of the owners of such portions of the improvements and not to the individual unit owners therein. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein including any ground or air-rights leases. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein including any ground or air-rights leases (but not including an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term "Applicant" shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder; provided, however that the Applicant's right to authorize changes or modifications to this Planned Development for so long as it owns or controls all or any portion of the Property as set forth in clause (a) of this Statement Number 2 above shall not be deemed amended or transferred to apply to a transferee (or its beneficiaries as aforesaid) unless expressly assigned in a written instrument executed by the original Applicant hereunder.

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, assign 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.

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 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. Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

The Perimeter Restoration Agreement must be 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.

- The Applicant commits to provide and fully-fund the following infrastructure improvements during the course of the development Subarea A and in accordance with Statement 8F below. All infrastructure improvements will be subject to review and approval by the Department of Transportation and must be designed and constructed in

accordance with the current Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. This includes all required pavement markings or lane reconfigurations as necessary, as approved by the Department of Transportation.

## New Streets & publicly accessible Private Drives

- Construct Jefferson Street from Grand Avenue to Chicago Avenue
- Construct Huron Street from Halsted Street to Jefferson Street contingent on the following:

The applicant commits to the design, construction and dedication of Huron Street, from Halsted Street to Jefferson Street, within 20 months following approval by the underlying property owner to reduce its clearance requirement to 19', or to a point that allows a design mutually acceptable to the Applicant and the Department of Transportation. Such approval from the underlying property owner shall be obtained in coordination with the Chicago Department of Transportation. If the approval from the underlying property owner is not obtained prior to the completion of the development of Subarea A, the design and construction of the east/west extension of Huron Street shall be completed prior to obtaining the Certificate of Occupancy of the development of parcels B-4 or B-5. The infrastructure improvement will be subject to review and approval by the Department of Transportation in a timely manner and must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago.

## Traffic Signal Improvements

- Install new traffic signal at Grand Avenue and Jefferson Street
- Install new traffic signal at Chicago Avenue and Jefferson Street with interconnect to Chicago Avenue and Halsted Street Signal
- Install new traffic signal at Grand Avenue and Desplaines Avenue
- Retime traffic signal to improve traffic flow at Division Street and Halsted Street
- Retime traffic signal to improve traffic flow at North Branch Street and Halsted Street
- Retime traffic signal to improve traffic flow at Chicago Avenue and Larrabee Street
- Full modernization of traffic signal to improve traffic flow at Ogden Avenue and Chicago Avenue
- Full modernization of traffic signal to improve traffic flow at Milwaukee Avenue and Chicago Avenue
- Full modernization of traffic signal to improve traffic flow at Milwaukee Avenue and Ogden Avenue
- Retime traffic signal to improve traffic flow at Orleans Street and Ontario Street
- Retime traffic signal to improve traffic flow at Orleans Street and Ohio Street
- Retime traffic signal to improve traffic flow at Orleans Street and Grand Avenue
- Retime traffic signal at Grand Avenue, Halsted Street, and Milwaukee Avenue

The applicant acknowledges that any traffic signal controllers requiring retiming must be upgraded to ATC 1000 controllers with all activated electrical components if not already installed and must have pedestrian count down timers, and signal arrows installed if not currently present and operable.

## Other Mobility Infrastructure

- Fund and provide space for the installation of one Divvy bike share station with no less than 23 racks.

Dedication of all public right of way for roadways throughout the site must be planned for each subarea and completed in accordance with the Development Subarea Diagram. All application fees and the construction of the public infrastructure to be dedicated are the responsibility of the Applicant. All changes or modifications to the future infrastructure improvements and / or dedications may be approved administratively, pursuant to Section 17-13-0611-A, without amending the PD. Furthermore transit way planning and implementation will continue throughout the life of the project and coordination between the Applicant and CDOT will be necessary.

The Applicant acknowledges that a roadway connecting Jefferson Street to Desplaines Street shall be dedicated between subareas C3 and D5 at a future date. The specific orientation and design of which will be determined at a later date, no later than at the time of site plan approve of those sites.

The Applicant acknowledges that, for any privately owned roadway necessary for public access and circulation, it will provide an easement for site egress of pedestrians, bicycles, and vehicular traffic within and across the site for public use, the terms of which will be determined in coordination with the City and Department of Transportation. This easement or agreement will outline the maintenance responsibilities of either party in those instances.

The Applicant acknowledges Eric Street, within the existing dedicated right of way, must be built to connect to Jefferson Street prior to the development of subareas B7 and C1.

The Applicant commits to provide and fully-fund the Subarea A traffic demand measures and infrastructure improvements, in accordance with and as detailed in this Statement 3 above (all such measures and improvements are collectively referred to herein as the "Improvements"). The funding, design and provision of all such Improvements are the responsibility of the Applicant and its successors and assigns, subject to review and installation scheduling by the Department of Transportation. The Applicant must design and construct the Improvements in accordance with the Department of Transportation Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago.

The Applicant shall enter into an agreement with the Department of Transportation to implement the provisions of this Statement 3. Such agreement shall be recorded against the Property prior to the issuance of the issuance of Part II approval for any Parcel in Subarea A. The approval of subsequent subareas may require new or updated traffic counts, traffic impact studies, and infrastructure improvements mitigating any further traffic impacts, as determined by the Department of Transportation.

A second, 23 rack Divvy station must be installed within the subsequent phases, at the direction of the Department of Transportation.

The applicant agrees to coordinate with both the Department of Transportation and Department of Planning and Development to implement future infrastructure improvements related to this PD. Roadway and signal planning and design will continue throughout the life of the project and coordination between the applicant and CDOT will be necessary. Site design and access, and right-of-way design are subject to change and CDOT approval. Modifications to site plans may be made pursuant to the minor change provisions of section 17-13-0611.

The applicant agrees to annual reporting on transportation operations and travel demand management strategies for the entertainment district, following the completion of Subarea A in the form of a memo to the Chicago Department of Transportation, coordinating with the department on implementation of any new strategies or initiatives.

4. This Plan of Development consists of 21 Statements: a Bulk Regulations Table; Existing Zoning Map, Existing Land Use Map, General Land Use Plan, Planned Development Boundary and Property Map, Right-of Way Adjustment Map, Huron / Jefferson Cross Section, Plan, Development Plan with Associated Infrastructure Requirements, Subarea and Parcelization Plan, Development Phasing Diagram, Phase 1: Interim Site Plan for Parking and Riverwalk, Phase 1: Interim Site Plan for Parking, Site Access and Load Plan: Level 1 (0.0 to 30.0 CCD), Site Access and Load Plan: Level 2 (+30.0 to 45.0 CCD), Site Level Plan: Level 1 (0.0 to + 30.0 CCD), Site Level Plan: Level 2 (+38.0 to 45.0 CCD), Site Level Plan: Level 3 (45.0 CCD), Site Section Plan (1 of 2), Site Section Plan (2 of 2), Public Open Space Plan, Generalized Landscape Plan, Bike and Pedestrian Connectivity Plan, Phase 1: Bike and Pedestrian Connectivity Plan, Transitway Accommodation Plan, Design Guidelines, Phase 1: Floor Plan L1, Phase 1: Floor Plan P1, Phase 1: Floor Plan P2, Phase 1: Floor Plan P3, Phase 1: Floor Plan – Typical Hotel Plans, One Building Section (1 of 2), Phase One Building Section (2 of 2), Phase 1 Proposed Landscape Plan, Phase 1 Riverwalk Site Sections, Phase 1: Riverwalk Site Section I-I, Phase 1: Building Elevations North / South, Phase 1: Building Elevation East / West North all prepared by Solomon Cordwell Buenz Architects dated December 12, 2022, submitted herein. 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 Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are allowed in the Planned Development delineated herein:

Subarea A: indoor participant sport and recreation uses, including casino, hotel, eating and drinking establishment (all); entertainment and spectator sports (all); dwelling units located above the ground floor, cultural exhibits and museum; food and beverage retail sales; office; general retail sales; co-located wireless communications facilities; Public and Civic uses, Commercial uses as permitted in the DX-Downtown Mixed Use District, accessory parking; water taxi; and related and ancillary uses. Printing facility, warehousing, freight and storage uses, provided such uses are only for the existing Chicago Tribune facility

Subarea B, C, and D: Residential uses including dwelling units located both on and above the ground floor; Lodging (all); co-located wireless communications facilities; Public and Civic uses, and Commercial uses, warehousing, freight and storage uses, printing facility, as permitted in the DX Downtown Mixed Use District, with accessory and non-accessory parking and related accessory uses. Printing facility, warehousing, freight and storage uses, provided such uses are only for the existing Chicago Tribune facility, and are approved pursuant to Site Plan approval, in accordance with PD Statement 12.

Interim uses within the PD shall include surface accessory and non-accessory parking.

The following uses shall be prohibited within the Planned Development: recycling facilities, drive-through facilities, payday/title secured loan store, pawn shop, gas station and free standing wireless tower. In addition, the following uses shall be permitted in all subareas subject to the review and approval of the Department of Planning and Development:

- a. other than as prohibited above, broadcast and telecommunication structures, equipment and installations including parabolic transmitting and receiving antennae;
  - b. public utility and public service uses necessary to serve the development including, but not limited to, district electrical generation and utility substations;
  - c. district cooling and heating; and
  - d. Day Care
6. On-Premise signs and temporary signs, such as business, 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. Except as provided herein, the maximum height of any building within this Planned Development shall not exceed 650 feet.
  8. The maximum permitted Floor Area Ratio ("FAR") for the Property and each subarea shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a net site area of 1,184,654 square feet and a base FAR of 5.0.

The Applicant acknowledges that the project has received a bonus FAR of 0.572 pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 5.572. 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 as planned, the bonus payment may be paid on a pro rata basis when the first building permit and each subsequent new building permit or phase of construction is issued for a development Parcel or Subarea that exceed an

FAR of 5.0, utilizing first the excess FAR transferred from Subarea A to Subareas B, C, and D on a prorata basis according to the net site area of each subarea, in accordance with Note 2 of the Bulk Table.

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. 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, pursuant to Section 17-41003-D. Such funds will be utilized pursuant to Section 17-4-1004-B (Neighborhoods Opportunity), Section 17-4-1006-C (Citywide Adopt-a-Landmark) and Section 17-41005-C (Local Impact). 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. Provided, however, the Commissioner of the Department of Planning and Development shall, at the request of the Applicant, be permitted to reduce the amount of the bonus payment for any parcel that does not seek an FAR above 5.0. Funds that become available through the Neighborhood Opportunity Local Impact Fund may be used by CDOT for the design and construction of traffic signal improvements at Ogden Avenue and the northbound Kennedy Expressway on-ramp.

- A. Portions of subareas A and B will be constructed along an elevated roadways between + 18 and + 45 feet Chicago City Datum, but may be lower or higher depending on factors such as roadway levels. For purposes of measuring height and FAR, grade shall be determined pursuant to Section 17-17-0265.
- B. Bulk and Density Regulations
  - 1. Warehousing and storage uses permitted as principal uses in Statement Number 5 shall be limited to eight hundred thousand (800,000) square feet and shall be established in accordance with the DX-5 Downtown Mixed-Use District regulations existing on the effective date of this Planned Development.
  - 2. With regard to areas devoted as a principal use to office, hotel, residential and retail sales and service uses, the following maximums shall apply;

Office, maximum floor area =	3,000,000 square feet
Hotel, maximum number of rooms/keys =	800
Residential, maximum number of dwelling units with efficiency units to be determined by MLA.	4,799 units
Retail sales and service, maximum floor area =	160,000 square feet

Provided, however, that in calculating these maximums, ballrooms, meeting rooms, exhibition space and eating facilities associated with a hotel use and located at or above grade shall be chargeable against the maximum permitted floor area for principal retail sales and service of office uses.

3. The Applicant may increase the maximum number of dwelling units allowed within this planned development by converting a portion of the maximum allowed office space and/or a portion of the maximum allowed hotel rooms/keys. The Applicant may increase the maximum amount of office space by converting a portion of the maximum dwelling units and/or a portion of the maximum number of hotel rooms/keys. The Applicant may increase the maximum number of hotel rooms/keys to one thousand and two hundred (1,200) rooms/keys by converting a portion of the maximum allowed office space and/or a portion of the maximum allowed dwelling units. The Applicant may increase the maximum amount of retail space by converting a portion of the maximum allowed office space and/or portion of the maximum allowed dwelling units. At no point can the overall square footage devoted to residential development exceed 75% of the total allowable buildable square footage within this planned development.

## Conversion Chart:

1.	Eight hundred and fifty (850) square feet of office or retail space shall be equal to one (1) dwelling unit.
2.	Two (2) Hotel rooms/keys shall be equal to one (1) dwelling unit.
3.	Two (2) Hotel rooms/keys shall be equal to (850) square feet of office space.
4.	One (1) square foot of office space shall equal one (1) square foot of retail space.

4. The number of efficiency units within this Planned Development shall not exceed thirty percent (30%) of the number of permitted dwelling units.
  5. To the extent this Planned Development does not cover all items required for development, all development shall be in general conformity with the DX-5 Downtown Mixed-Use District regulations of the Chicago Zoning Ordinance.
- C. Periphery Setbacks and Minimum Distance Between Buildings
1. Setbacks shall be in conformance with the site plans and Design Guidelines.
  2. Periphery setback and distance provisions may be adjusted where required to allow flexibility of architectural or site design arrangement, subject to the approval of the Department of Planning and Development.
- D. Parking

### 1. Minimum Requirements for uses:

Office: 0.3 spaces per one thousand (1,000) square feet.

Hotel: none for the first 15,000 square feet of meeting, conference or banquet area and then: 1 space per 1,000 square feet.

Residential: 0.35 parking spaces shall be required per dwelling unit including efficiency units

Retail: 0.5 parking space per one thousand (1,000) square feet.

2. Location. All parking spaces required to serve buildings or uses shall be located on the same parcel as the building or use served, or (a) if a residential use, within six

hundred (600) feet walking distance measured from the property line; or (b) if office use, within one thousand (1,000) feet walking distance measured from the property line. Said required accessory parking may be located within a different subarea than the use for which it serves.

3. Vehicular entrances and exits to accessory automobile parking areas shall be located in general conformance with the Site Access and Loading Plans attached hereto. Provided, however, that temporary or relocated driveways shall be permitted within the Planned Development subject to the review and approval of the Department of Transportation and the Department of Planning and Development in accordance with Statement 13 below.

4. Transit Served Locations. Any parcel within this Planned Development that qualifies as a transit served location as defined under Section 17-10-0102-B of the Zoning Ordinance may reduce the parking requirements for such subarea by the maximum amounts permitted under Section 17-10-0102-B and approval by DPD. As part of the review of such request to reduce the parking requirement for such parcel, the applicant must provide an exhibit identifying the parcel and its proximity to Public Transit. No approval can be granted without the submission of such document.

E. Loading. Except as provided in the Bulk Table, minimum off-street loading shall be provided in accordance with the regulations applicable in the DX-5 Downtown Mixed-Use District of the Chicago Zoning Ordinance existing on the effective date hereof. The location of loading berths shall be subject to the review of the Department of Transportation and the approval of the Department of Planning and Development.

F. Construction of Public Roadway and Traffic Improvements. No certificate of occupancy shall be issued for any improvement located within a subarea parcel in this Planned Development until such time as the Applicant for the certificate produces evidence that construction of the public roadway and traffic improvements (an improvement available for use by the public) related to the improvement within such parcel has been completed, is under construction or is under contract for construction, or that adequate access can be provided, all as certified by the Department of Transportation and approved by the Department of Planning and Development.

9. The Applicant acknowledges and agrees that the rezoning of the Property from Air Rights Waterway Business Residential Planned Development 1426, to Air Rights Waterway Business Residential Planned Development 1426, as amended, is an "entitlement" that triggers the requirements of Section 2-44-085 of the Municipal Code of Chicago (the "ARO"). The PD is located in a "downtown district" within the meaning of the ARO and permits the construction of up to 4,799 dwelling units in Subareas B, C and D. The Applicant intends to construct a 4,799-unit rental housing project in Subareas B, C and D.

Developers of rental projects in downtown districts with 30 or more units must provide between 10% and 20% of the units in the residential development as affordable units, depending on the average depth of affordability provided, as described in subsection (F)(2) of the ARO. Regardless of the applicable percentage of affordable units in the rental project,

developers must construct at least 25% of the affordable units on-site and another 25% on-site or off-site (collectively, the "Required Units"), and may satisfy the balance of their affordable housing obligation through: (a) the establishment of additional on-site or off-site affordable units; (b) payment of a fee in lieu of the establishment of on-site or off-site affordable units; or (c) any combination thereof. All on-site affordable units must be accessible dwelling units, as required under subsection (W)(10) of the ARO, and developers must give preference in leasing accessible units to people with disabilities, as specified in the ARO rules. All off-site affordable units must have at least two bedrooms and must be located in a downtown district, inclusionary housing area, or community preservation area, as those terms are defined in the ARO. Whether on-site or off-site, developers must give preference in leasing affordable units of two bedrooms or more to multi-person households, as specified in the ARO rules. If a residential project is located in a transit-served location, off-site units must be located in a substantially comparable transit-served location.

The Applicant has elected the 20% option as set forth in the chart in subsection (F)(2) of the ARO. As a result, the Applicant's affordable housing obligation is 960 affordable units (20% of 4,799), half of which (480 affordable units) are Required Units. The Applicant has agreed to satisfy its affordable housing obligation by providing the Required Units in the rental building(s) to be constructed in Subareas B, C and D. The Applicant agrees that the affordable rental units must be affordable to households with a range of incomes averaging 60% of the Chicago Primary Metropolitan Statistical Area Median Income ("AMI"), as updated annually, provided that (x) the maximum income level for any affordable unit may not exceed 80% of the AMI, (y) at least one-third (or 160 units) must be affordable to households at or below 50% of the AMI, of which one-sixth (or 27 of the 160 units) must be affordable to households at or below 40% of the AMI, and (z) all income levels must be multiples of 10% of the AMI. The Applicant has not yet determined how it will satisfy its remaining affordable housing obligation of 480 affordable units, but acknowledges and agrees that it must comply with (a), (b), or (c) in the preceding paragraph.

If the Applicant requests any material change to its method of compliance with the ARO for the Required Units, such as locating affordable units off-site instead of on-site or changing the target affordability level after the passage of this PD, The Department of Housing ("DOH") may adjust the Affordable Housing Profile ("AHP") form attached hereto as requested, in accordance with the ARO, without amending the PD, provided however, the Applicant must update and resubmit the revised AHP to DOH for review and approval and, at DOH's request, provide an informational presentation to the Plan Commission on such change. 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 execute and record an Inclusionary Housing Agreement ("IHA") in accordance with subsection (N) of the ARO. The terms of the IHA and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the IHA will be recorded against the applicable portion of the PD, and will constitute a lien against such property. The Commissioner of DOH may enforce remedies for any breach of this Statement 9, including any breach of any IHA, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the PD.

This statement does not include all ARO requirements and options. It is intended to provide an overview of the application of the ARO to this PD. In the event of any conflict between this statement and the terms and conditions of the ARO, the ARO shall govern.

10. The Applicant acknowledges the importance of the Chicago River as a resource for both commerce and recreation and acknowledges the City's goals of improving the appearance, quality and accessibility of the river, as contained in the waterway planned development guidelines in the Zoning Ordinance (Section 17-8-0912) and the Chicago River Corridor Design Guidelines and Standards or as amended. The Applicant also acknowledges the river development Design Guidelines of the North Branch Framework Plan that builds upon the North Branch Industrial Corridor's unique natural and built environment. To further these goals, the Applicant agrees, as set forth in the Public Open Space Plans, to: (a) provide, a river setback with an average width of between 30 ft and 60 ft with a continuous 16-ft wide multi-purpose riverwalk as shown in the Public Open Space Plan and General Landscape Plan, and where at no point is the river setback less than 30-foot; (b) provide a variety of active uses and river overlooks as indicated on said Plans; and (c) permit the connection of such riverwalk under Chicago Avenue and under Grand Avenue to the riverwalk of adjacent properties when adjacent properties are similarly improved.

The Applicant shall permit un-gated and unobstructed public access to the river setback, and provide informational and wayfinding signage at all entries that the riverwalk is open to the public, free of charge, during normal park hours from 6:00am to 11:00pm every day of the year. All improvements within the river setback for each development parcel must be substantially complete prior to receipt of Certificate of Occupancy for the first principal building located on the east side of Jefferson Street within each parcel as shown on the Development Phasing Diagram. Planting may be delayed, if consistent with good landscape practice, but not longer than one year following receipt of the occupancy certificate.

The Applicant shall also design and construct the riverfront park as depicted on the Public Open Space Plan (hereinafter the "Park"). The riverfront park will include activated programming along the east side of Jefferson Street and landscaping to minimize blank terraced walls along Jefferson Street. The riverfront park on the east side of Jefferson Street will be completed prior to receipt of Certificate of Occupancy for the first principal building within Parcel A-1.

The Linear Park over the Union Pacific Railroad ROW and on the west side of Jefferson Street is split into multiple parcels, Parcels B-3, B-6 and B-8. For constructability, that portion of the Linear Park located in Parcel B-3 will be completed prior to receipt of Certificate of Occupancy for the first principal building within Parcel B-2 or B-3; and the portion of the Linear Park located on Parcel B-6 will be completed prior to receipt of Certificate of Occupancy on first principal building within Parcel B-5; and Linear Park located on Parcel B-8 will be completed prior to receipt of Certificate of Occupancy on first principal building within Parcel B-7.

Upon completion of each Park, the Applicant shall be responsible for maintaining and managing the Park for the purposes set forth herein, including ensuring that the Park's

landscaping is well maintained, that the vegetation and plantings are kept in healthy condition and that the Park facilities and play areas are clean, well lit, litter free and clear of snow from hardscaped areas and debris. The Applicant shall provide sufficient liability insurance coverage necessary for the operation of the Park for public use. The Applicant shall permit un-gated and unobstructed public access to the Parks and shall provide informational and wayfinding signage at all entries that the Parks are open to the public, free of charge, during normal park hours from 6:00am to 11:00pm every day of the year.

Prior to issuance of building permits for the first principal building within each Parcel triggers the construction of a park or a portion thereof, the Applicant will enter into a development and maintenance agreement with the City of Chicago for the construction, maintenance, and management of any parks within such Parcel or adjacent Parcel. The development and maintenance agreement obligations shall be binding upon the Applicant, its successors and assigns, including but not limited to a master business or homeowners maintenance association whose purpose includes maintaining the Parks and/or the riverwalk. Upon completion of the Park, the parcel of land developed and devoted to open space shall be memorialized in a public access easement agreement with and for the benefit of the City of Chicago or a not for profit accredited land conservancy trust, as approved by the City, whose purpose is to hold open space public access easements. Any reasonable costs associated with establishing, monitoring, or stewardship of the public access easement shall be the responsibility of the Applicant, and would need to be contributed at the time when the easement is granted.

11. 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.
12. The Site and Landscape Plans for future development parcels and phases for each parcel 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.

Prior to the issuance by the Department of Planning and Development of a determination pursuant to Section 7-13-0610 of the Chicago Zoning Ordinance ("Part II approval") for development or redevelopment of any development parcels within the Planned Development, other than alterations to existing buildings which, unless otherwise permitted by the Department of Planning and Development, do not increase their height or alter their footprints, a site plan for the proposed development, including parking areas and related information- ("Site Plan Submittal"), shall be submitted to the Commissioner of the Department of Planning and Development for approval. Review and approval of the Site Plan Submittal by the Commissioner is intended to assure that specific development proposals conform with the Planned Development, are consistent with the intent of the Design

Guidelines and to ensure coordination of any public improvements required by this Planned Development.

At the time of presentation to the Plan Commission, the proposed development of Sub-Area A was still in a state of evolving design. The Applicant is committed to on-going discussions regarding the final design and material finishes of the proposed development and has agreed that no Part II approval for proposed work in Sub-Area A shall be granted until a Site Plan Review request is submitted to the Department of Planning and Development and the Site Plan Review has been approved by the Department of Planning and Development.

No Part II approval for Subareas B, C and D, for which a Site Plan is required hereunder shall be granted until the Site Plan Submittal has been approved by the Commissioner and reviewed by the Chicago Plan Commission at a Public hearing. The hearing conducted by the Plan Commission shall be for review purposes only and no approval or recommendation shall be required in order for the Commissioner to issue an approval of the Site Plan Submittal. Further, all Part II submittals shall be in compliance with the Chicago Landscape Ordinance. Provided the Site Plan Submittal required hereunder is in general conformance with this Planned Development and the Design Guidelines, and provided Applicant has timely provided all Site Plan Submittals, the Commissioner shall issue such site plan approval and the Plan Commission shall conduct its review hearing. Following approval of a Site Plan Submittal by the Commissioner, the approved plan shall be kept on permanent file with the Department of Planning and Development and shall be deemed to be an integral part of this Planned Development. The approved Site Plan Submittal may be changed by the provisions of Section 17-13-0611 of the Chicago Zoning Ordinance. In addition, because of the long-term phasing of the Planned Development, design aspects of the Planned Development such as phasing, parcel sizes, building footprints, vehicular access drives and tower locations may be modified during the Site Plan Submittal approval process, but shall still be considered to be in general conformance with this Planned Development provided such modifications do not violate the bulk and density regulations of this Planned Development and are consistent with the Design Guidelines. A Site Plan Submittal shall, at a minimum, provide the following information with respect to the proposed improvements:

- a. the boundaries of the property;
- b. the footprint of the improvements;
- c. location and dimensions of all parking spaces and loading berths;
- d. preliminary landscaping plan prepared by a landscape architect with final landscaping plan to be approved during Part II review;
- e. all pedestrian circulation routes;
- f. the location of any adjacent public improvements;
- g. a signage plan for any building where retail or theater uses would be present above the ground level;
- h. preliminary building sections and elevations of the improvements with a preliminary building materials list; and
- i. statistical information applicable to the property limited to the following:
  - (1) floor area and floor area ratio;

- (2) uses to be established;
- (3) building heights;
- (4) all setbacks, required and provided;
- (5) floor area devoted to all uses (e.g. office, retail etc.);
- (6) number of dwelling units;
- (7) number of parking spaces;
- (8) number of loading spaces/berths
- (9) If mutually agreed upon by DPD and the applicant a School Impact Study may be required with the first Site Plan Submittal.

A Site Plan Submittal shall include such other information as may be necessary to illustrate conformance with the applicable provisions of this Planned Development and the Design Guidelines. In addition, as part of the site plan review process for each phase of development, an updated traffic and parking study shall be submitted when it is determined by the Commissioners of the Department of Planning and Development and Department of Transportation that such an updated report is required. Changes within Subarea A may also be approved thru the Site Plan Submittal procedure in addition to minor changes approval process set forth in Section 17-13-0611.

13. In order to encourage architectural diversity and excellence in design, the Applicant will also ensure that each Site Plan Submittal substantially complies with the North Branch Framework and Design Guidelines (NBF) as part of the Part II Review process. Revisions and modifications to any previously approved site plan, landscape plan or building elevations must be substantially consistent with the NBF. Furthermore, Applicant its request, may continue to evolve the design of the building elevations within the PD. Changes to such elevations, if any, shall, if mutually agreed, be approved by the Department administratively as a Minor Change.
14. The Applicant acknowledges the potential alignments for a multi-modal trail, transit-way and other potential transportation improvements ("Transportation Improvements") through and adjacent to the Property. The Applicant has identified a conceptual location of the Transportation Improvements on the Transit Way Accommodation Plan attached hereto and agrees to provide an easement on, across and through such area of the Property as necessary to accommodate the Transportation Improvements as provided herein. The Applicant and the City of Chicago agree to cooperate on the final location of the Transportation Improvements through the Planned Development site. The Transportation Improvements are meant to improve connectivity and access to the Planned Development site and to other development sites near the Planned Development. The Transportation Improvements shall not adversely affect operations, security of the buildings or diminish the development rights within the Planned Development. In the event that the Transportation Improvements are incorporated into any of the right of ways being dedicated to the public as part of this Planned Development, the Applicant shall be permitted to recapture the square footage of such portion of right of way previously or to be dedicated and increase the net site area of the Planned Development. Any modifications that result from these Transportation Improvements shall be made pursuant to the minor change provisions of Section 17-13-0611.

15. 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.
16. 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. In addition to any other modifications that are otherwise permitted pursuant to Section 17-13-0611-A of the Chicago Zoning Ordinance, an increase in the maximum building height within any subarea by ten percent (10%) or less shall constitute a permitted modification hereunder
17. 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.
18. 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 achieve LEED Gold and 125 point on the Chicago Sustainable Development Policy matrix in connection with the development of Subarea A. For Subareas B, C and D, 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. The method of compliance must include sustainable strategies that are consistent with the North Branch Design Guidelines.

The Applicant agrees to install a stormwater management system that captures, cleans and discharges the majority of the on-site stormwater (as allowed by City regulations, approved by the Department of Water Management and technically feasible) to the Chicago River. At the time of a hearing before the Chicago Plan Commission, the Applicant agrees to be in compliance with the City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development in effect at the time the Part II review process is initiated for each improvement (phase, subarea or sub parcel) that is subject to the aforementioned Policy and must provide documentation verifying compliance.

19. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority and Women-owned Business Enterprises ("M/WBEs") and city residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the city in promoting and tracking such M/WBE and city resident participation, an applicant for planned development approval shall provide information at three points in the city approval process. First, the applicant must submit to

DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of city residents in the construction work. The city encourages goals of (i) 36% MBE and 10% 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 foregoing, 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.

20. The Applicant acknowledges that the Property is located in the North Branch Industrial Corridor Conversion Area, and is undergoing 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. For purposes of this Planned Development, the portion of the North Branch Industrial Corridor designated as NBCO-B, Central Subdistrict pursuant to 17-7-0402, shall be deemed an eligible receiving industrial corridor, in addition to all other receiving corridors referenced by definition pursuant to section 16-8-20 of the Chicago Zoning Ordinance. 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 upon issuance of the building permit for each subsequent new building or phase of construction. The amount of the conversion fee due upon 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 Sec. 16-8-100.

21. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Provided, however, this Planned Development shall not lapse and shall remain in full force and effect provided that the provisions of Section 17-13-0612-A are satisfied for any single development parcel within this Planned Development. Should this Planned Development ordinance lapse, the Zoning Administrator of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property back to the Air Rights Waterway Business Residential Planned Development 1426, dated October 31, 2018.

AIR RIGHTS WATERWAY BUSINESS RESIDENTIAL  
PLANNED DEVELOPMENT BULK REGULATIONS AND DATA TABLE  
NO. 1426, AS AMENDED

Gross Site Area:	1,671,831	sf	38.38 acres
Total Area of Existing Right-of-Way	361,238	sf	8.29 acres
Total Area of Right-of-Way to be dedicated:	125,939	sf	2.89 acres
Total Net Site Area:	1,184,654	sf	27.20 acres

Base FAR	5.0
Bonus FAR	<u>0.572</u>
Total Maximum FAR	5.572
Maximum FAR Buildable Area	6,600,892.088 sf

Net Site Area by Sub-Area:

Sub Area A:	512,290	sf
Sub Area B:	374,857	sf
Sub Area C:	75,947	sf
Sub Area D:	221,560	sf

FAR Building Areas by Sub-Area:

Sub Area A:	1,000,000	sf
Sub Area B:	3,070,892.088	sf
Sub Area C:	500,000	sf
Sub Area D:	2,030,000	sf

FAR by Sub-Area:

Sub Area A:	1.952
Sub Area B:	8.190
Sub Area C:	6.584
Sub Area D:	9.163

Maximum Building Height by Sub-Area:

Sub Area A:	650 feet
Sub Area B:	650 feet
Sub Area C:	650 feet
Sub Area D:	650 feet

Maximum Number of Residential Units by Sub-Area:

Sub Area A:	0 units
Sub Area B:	2,300 units
Sub Area C:	499 units
Sub Area D:	2,000 units

Maximum Number of Hotel Keys by Sub-Area:

Sub Area A:	500
Sub Area B:	300
Sub Area C:	0
Sub Area D:	0

Minimum Number of Parking Spaces:

Sub Area A:	2,500
Sub Area B:	per parking requirements below
Sub Area C:	per parking requirements below
Sub Area D:	per parking requirements below

Minimum Number of Loading Berths:

Sub Area A:	4 (10'x25') 2 (10'x25')
Sub Area B:	per loading requirements below
Sub Area C:	per loading requirements below
Sub Area D:	per loading requirements below

Minimum Accessory Parking Spaces  
Office:

0.3 spaces per one thousand (1,000) sf

Hotel:

1 space per 1,000 sf if more than 15,000 sf of meeting, conference, or banquet area.

Residential:

0.35 parking spaces shall be required per dwelling unit including efficiency units.

Retail:

0.5 parking spaces per one thousand (1,000) sf.

Minimum Loading Requirements:

Per DX-5 Zoning District requirements.

Minimum Number of Bike Parking Spaces:

Residential:	1 per 2 auto parking spaces
non-residential:	1 per 10 auto parking spaces

(1) Ordinance Maximums are subject to adjustment and transfer between Sub-Areas per Statements 8 and 16.

(2) In accordance with Section 17-7-0406-C of the Chicago Zoning Ordinance, the base FAR for this Planned Development shall be 5.0, provided, however, the Applicant shall have the right to develop up to a maximum of 5.572 FAR in accordance with this Planned Development. For any development parcels that exceeds 5.0 FAR, the developer shall be required to pay a floor area bonus in accordance with Statement 8 of this Planned Development. Individual development parcels may exceed an 5.572 FAR, provided the FAR for the entire property does not exceed 5.572.

- (3) Parcel sizes may be modified as provided in Statement 12.
- (4) The maximum FAR and MLA as allocated to the Sub-Areas may be transferred and shifted among the Sub-Areas pursuant to Section 17-13-0611 provided the overall FAR for the entire property does not exceed 5.572.
- (5) Minimum parking requirements of one sub-area may be satisfied by providing parking in another sub-areas which is designated for such sub-area per Statements 8 and 16.

## ARO Affordable Housing Profile Form (AHP)

Submit this form for projects that are subject to the ARO. More information is online at [www.cityofchicago.org/ARO](http://www.cityofchicago.org/ARO).

This completed form should be returned to the Department of Housing (DOH), 121 N LaSalle Street, 10th Floor, Chicago, IL 60602. E-mail: [ARO@cityofchicago.org](mailto:ARO@cityofchicago.org)

Date: December 2, 2022

### DEVELOPMENT INFORMATION

Development Name: Bally's Chicago Casino

Development Address: 777 W. Chicago Avenue, Chicago IL

Zoning Application Number, if applicable: 21129

Ward: 27th

If you are working with a Planner at the City, what is his/her name?

Noah Szafraniec

### Type of City Involvement

check all that apply

☐ City Land

☒ Planned Development (PD)

☐ Financial Assistance

☐ Transit Served Location (TSL) project

☐ Zoning increase

**REQUIRED ATTACHMENTS:** the AHP will not be reviewed until all required docs are received

- ☒ ARO Web Form completed and attached - or submitted online on
- ☐ ARO "Affordable Unit Details and Square Footage" worksheet completed and attached (*Excel*)
- ☐ If ARO units proposed, Dimensioned Floor Plans with affordable units highlighted are attached (*pdf*)
- ☐ If ARO units proposed are off-site, required attachments are included (see next page)
- ☐ If ARO units are CHA/Authorized Agency units, signed acceptance letter is attached (*pdf*)

### DEVELOPER INFORMATION

Developer Name Bally's Chicago Operating Company, LLC

Developer Contact Ameet Patel

Developer Address c/o Bally's Corporation, 100 Westminster Street, Providence RI 02903

Email [APatel@bally's.com](mailto:APatel@bally's.com)

Developer Phone 401-475-8474

Attorney Name Meg George

Attorney Phone 312-870-8021

### TIMING

Estimated date marketing will begin TBD, residential is a future phase of the development.

Estimated date of building permit\* TBD, residential is a future phase of the development.

Estimated date ARO units will be complete TBD, residential is a future phase of the development.

\*the in-lieu fee, recorded covenant and \$5,000 per unit administration fee (for off-site units) are required prior to the issuance of any building permits, including the foundation permit.

### PROPOSED UNITS MEET REQUIREMENTS (to be executed by Developer & ARO Project Manager)

*Ameet Patel*

12/07/2022

Developer or their agent

Date

*Kim Lee*

12/06/2022

ARO Project Manager

Date





AFFORDABLE REQUIREMENTS ORDINANCE

# FINAL FOR PUBLICATION

## ARO Web Form

### Applicant Contact Information

Name: Chris A Leach

Email: chris.leach@akerman.com

### Development Information

#### Address

Submitted Date: 12/02/2022

Number From: 777

Number To: N/A

Direction: W

Street Name: Chicago Avenue

Postal Code: 60654

#### Development Name

Bally's Chicago Casino

Are you rezoning to downtown?: No

#### Information

Ward: 27

ARO Geography: Downtown

#### Details

ARO Trigger: Downtown Planned Development

Total Units: 4,799

Development Type: Rent

Date Submitted: 12/02/2022

### Requirements

ARO Units: 960 affordable units (20% of 4,799 total units), of which half are required units (480 Units)

#### How do you intend to meet your ARO obligation?

On-Site: 480

Off-Site: 0

On-Site to CHA or Authorized agency: 0

Off-Site to CHA or Authorized agency: 0

Total Units: 960

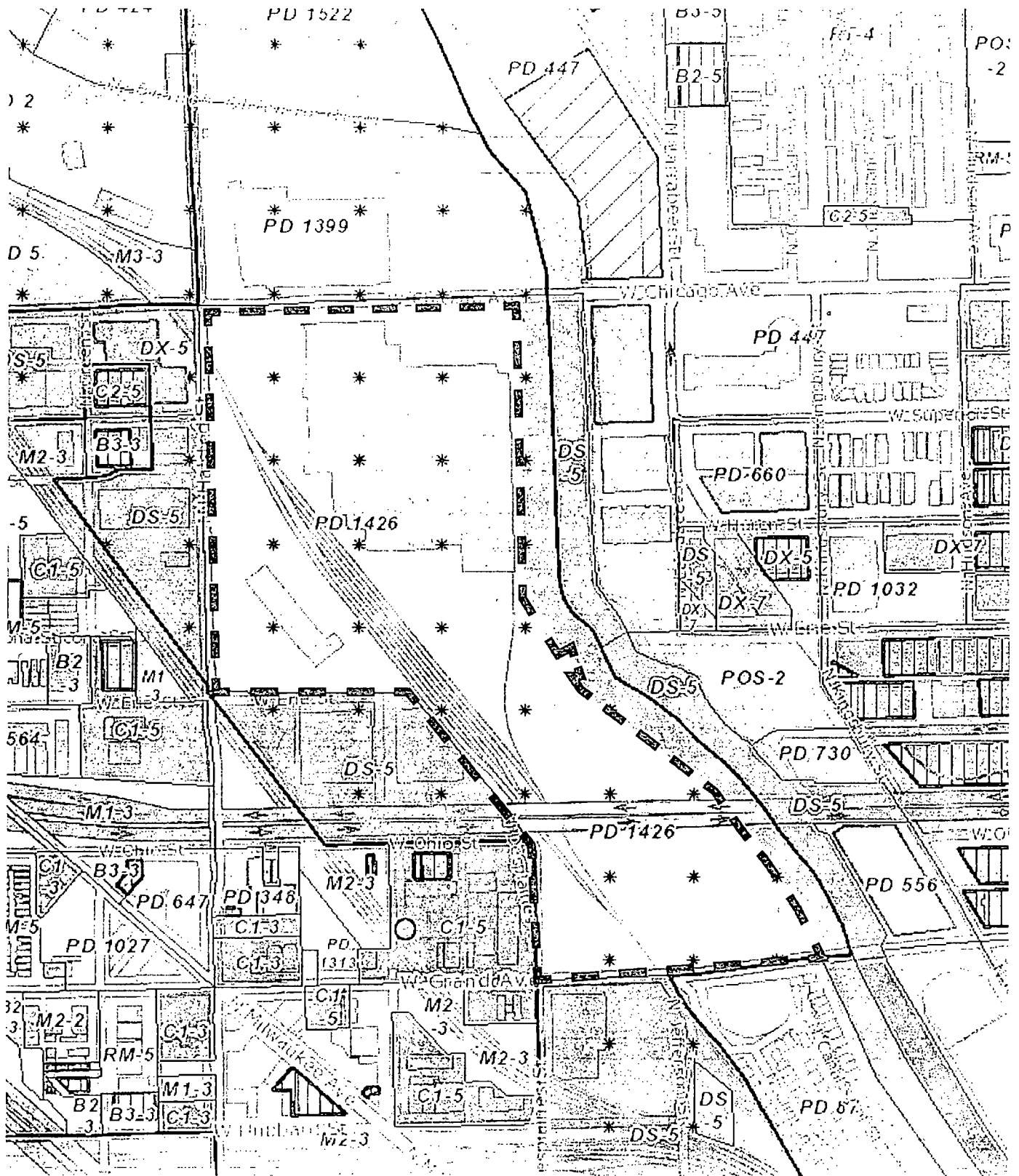
# FINAL FOR PUBLICATION

This is a preliminary approved AHP. The Applicant has not yet determined how it will satisfy its remaining affordable housing obligation of 480 affordable units, but acknowledges and agrees that it must satisfy the balance of their ARO obligation in accordance with Statement 9 of PD 1426, as amended.

Prior to the issuance of any building permits for any residential building in Subareas B, C, and D, the Applicant must make the required payment of a fee in-lieu of the establishment of on-site or off-site affordable units and execute and record an affordable housing agreement.

The in-lieu fee will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in the consumer price index in accordance with Section 2-44-085.

# FINAL FOR PUBLICATION



## EXISTING ZONING MAP

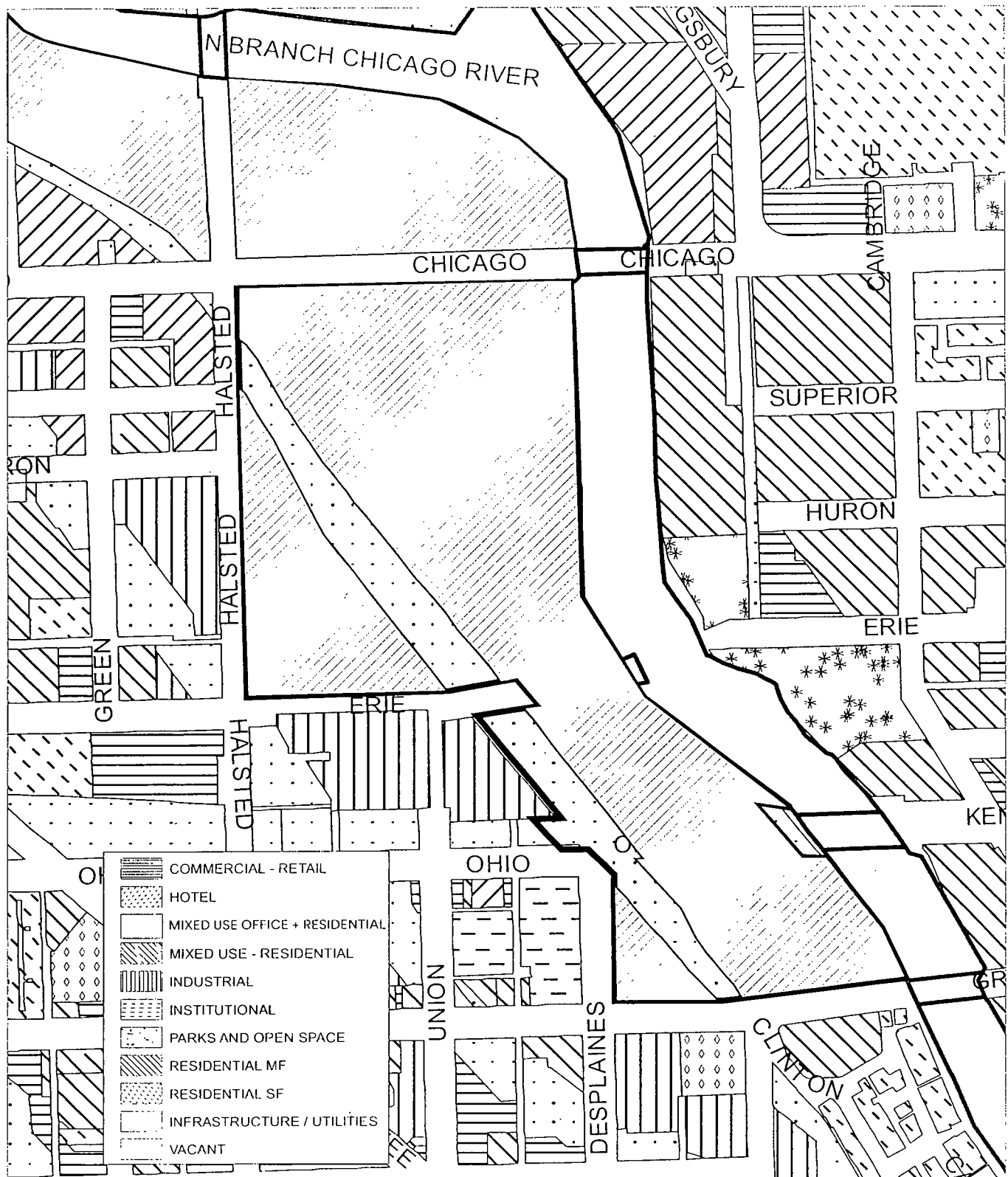
Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740  
W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; &  
524-630 W. GRAND AVE.

Introduced: September 21, 2022  
Plan Commission: December 12, 2022

0' 125' 250'



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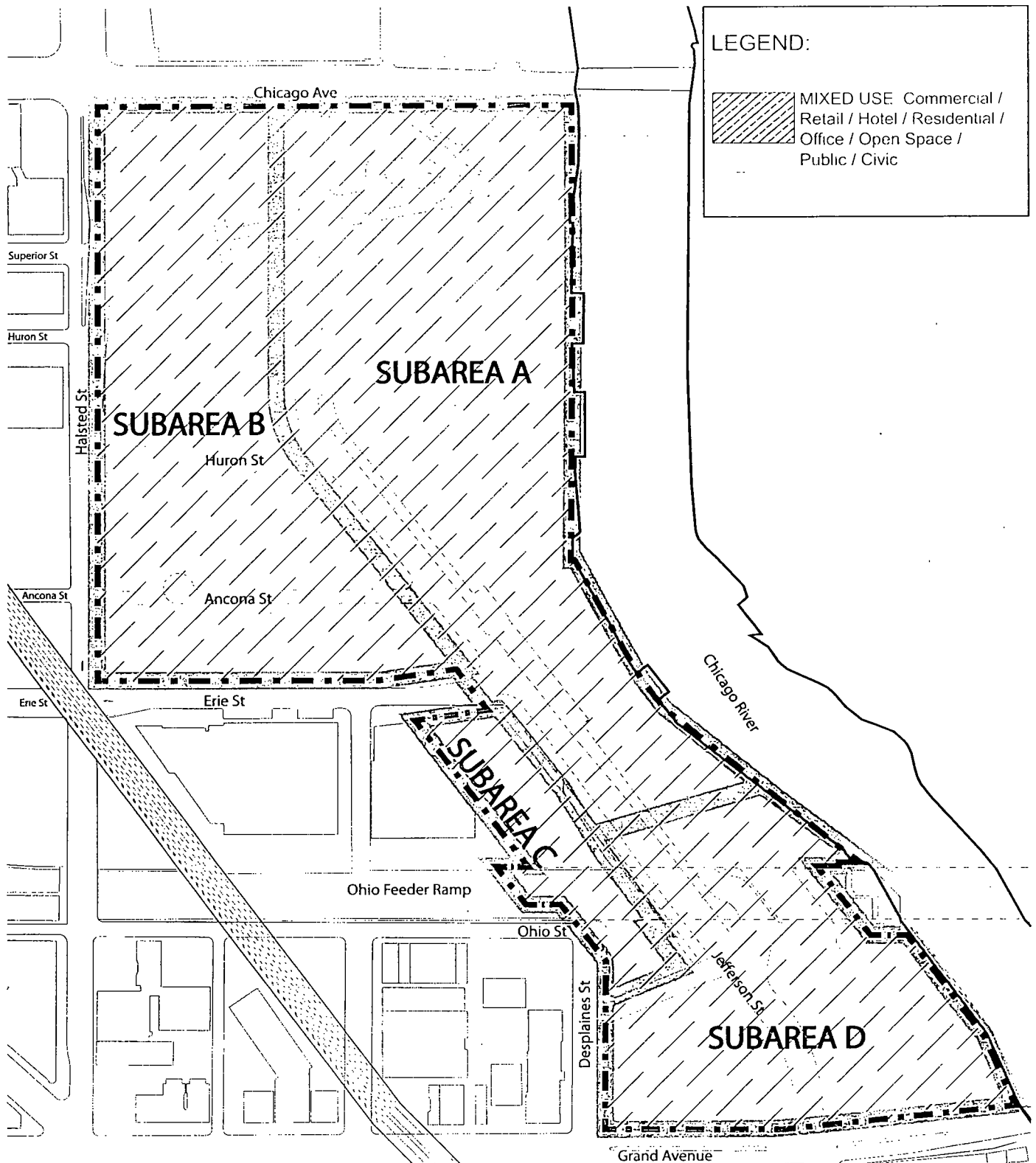


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Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
 Plan Commission: December 12, 2022





## GENERAL LAND USE PLAN

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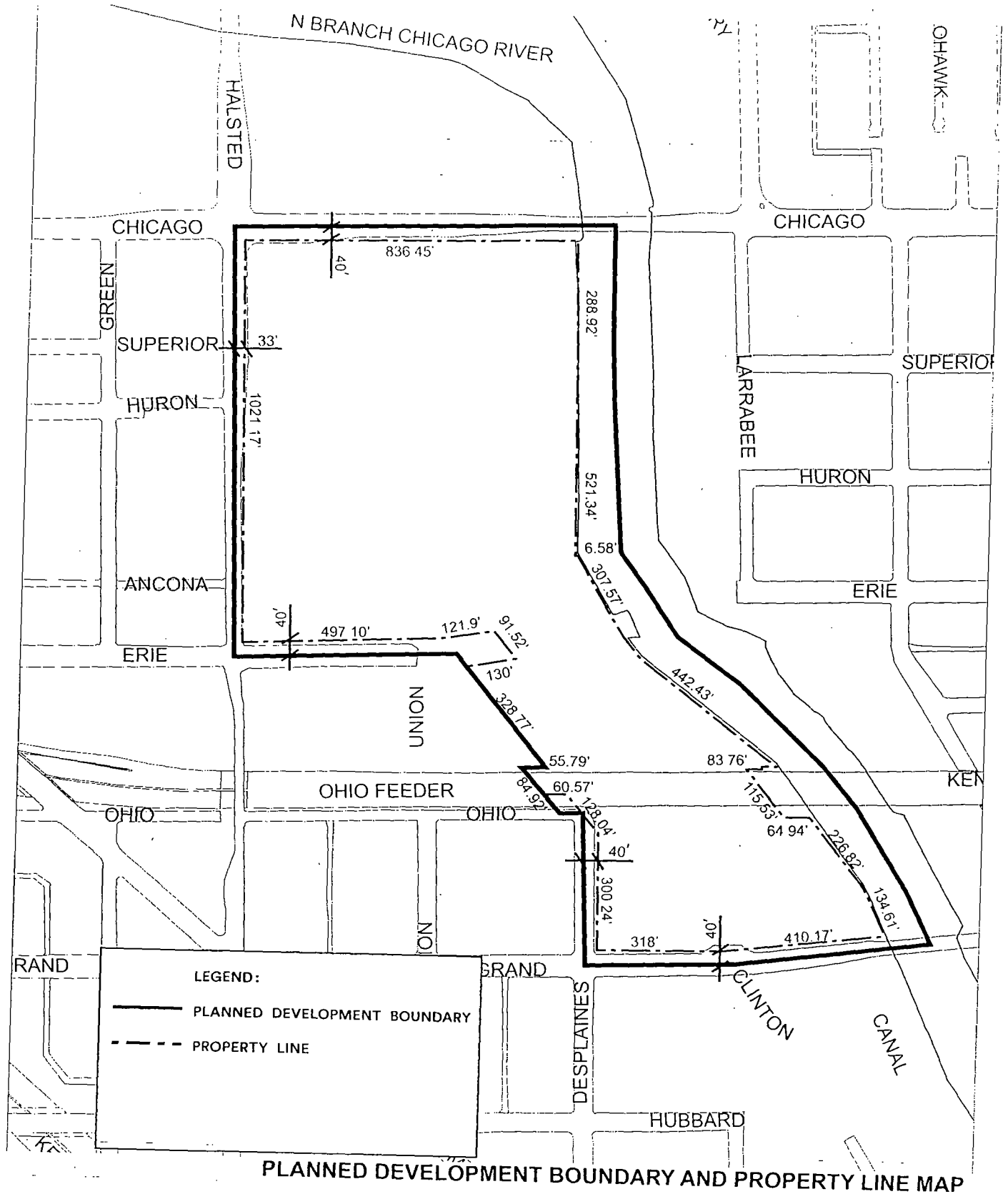


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Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
 Plan Commission: December 12, 2022

# FINAL FOR PUBLICATION



**PLANNED DEVELOPMENT BOUNDARY AND PROPERTY LINE MAP**

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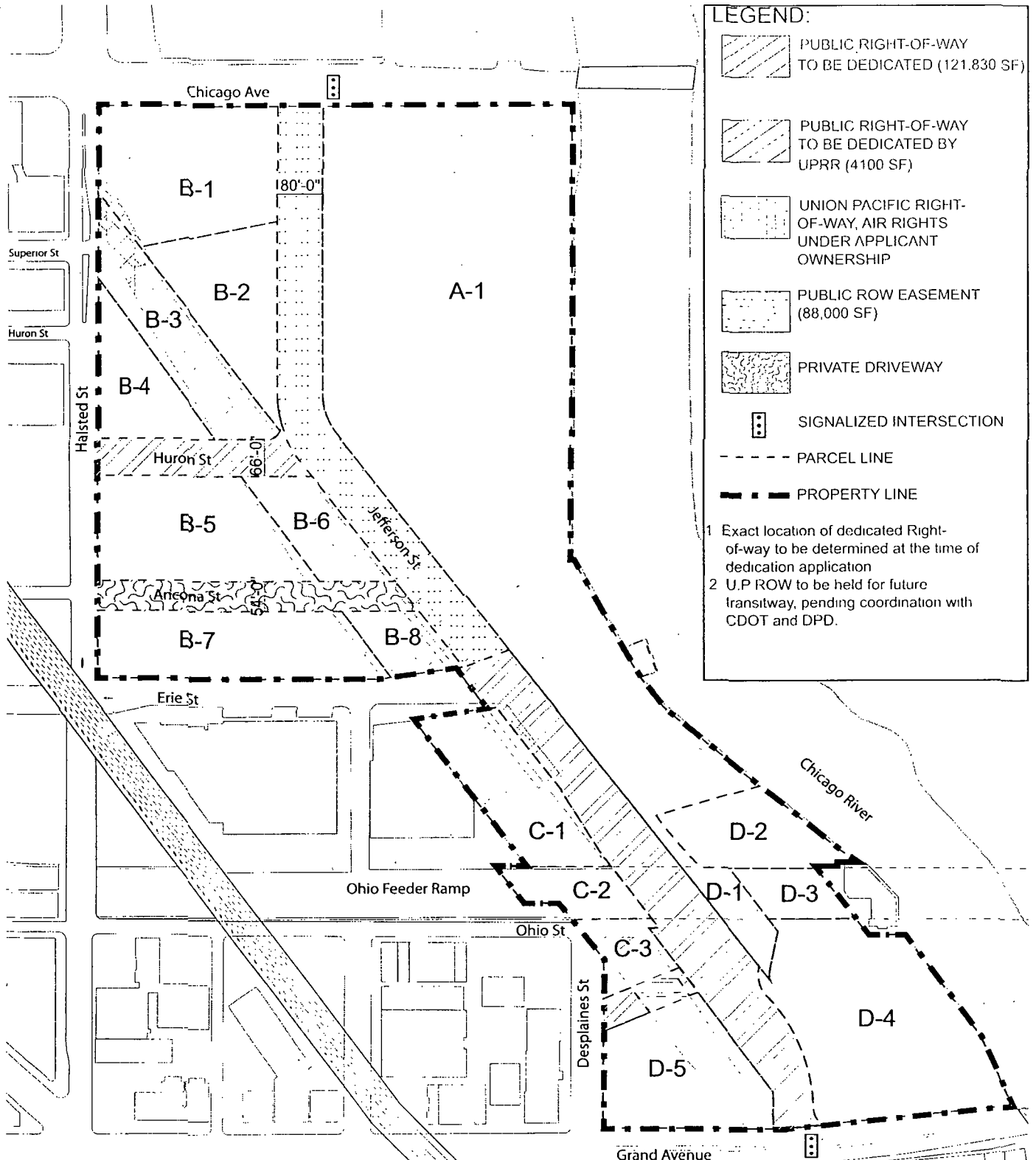
Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
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Introduced: September 21, 2022

Plan Commission: December 12, 2022



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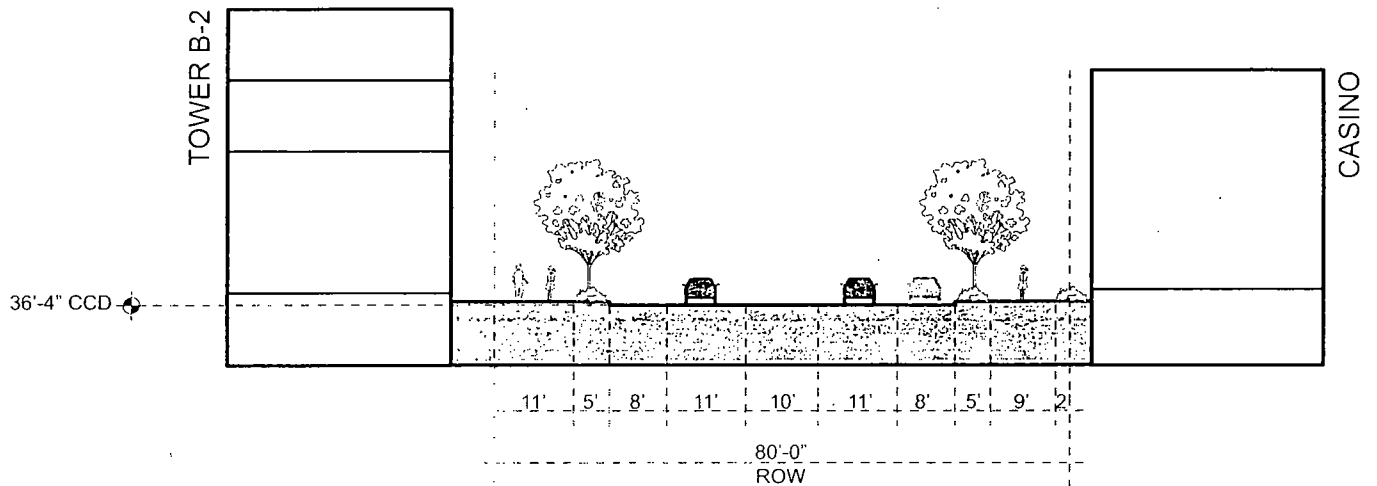
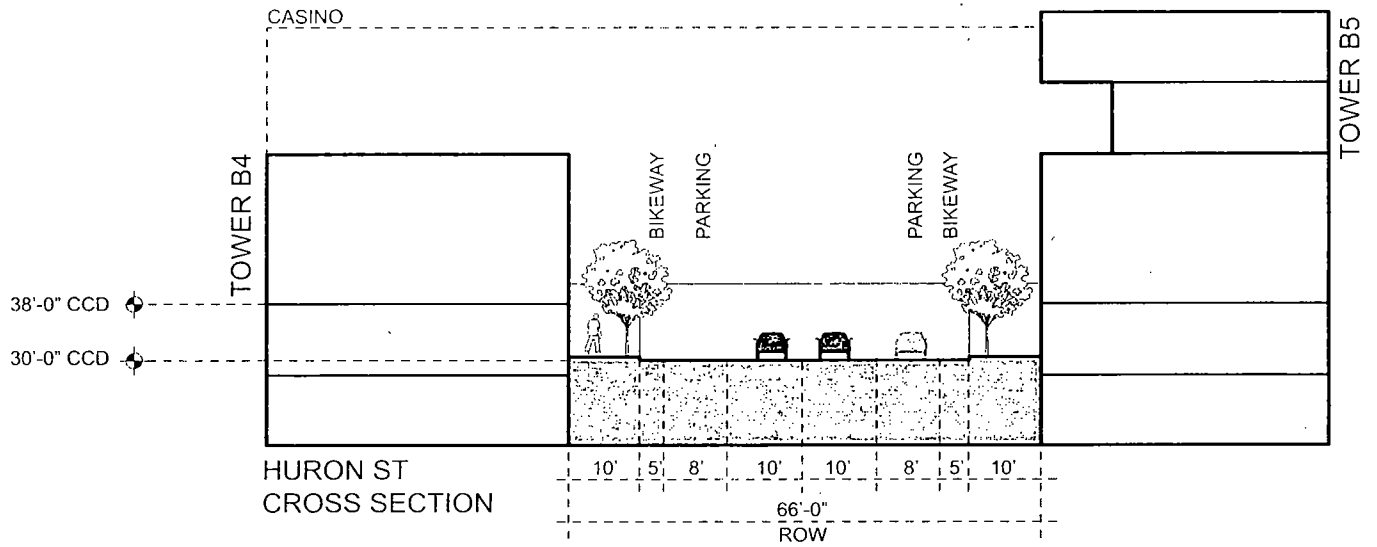


## RIGHT-OF-WAY ADJUSTMENT MAP

Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST. & 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
 Plan Commission: December 12, 2022





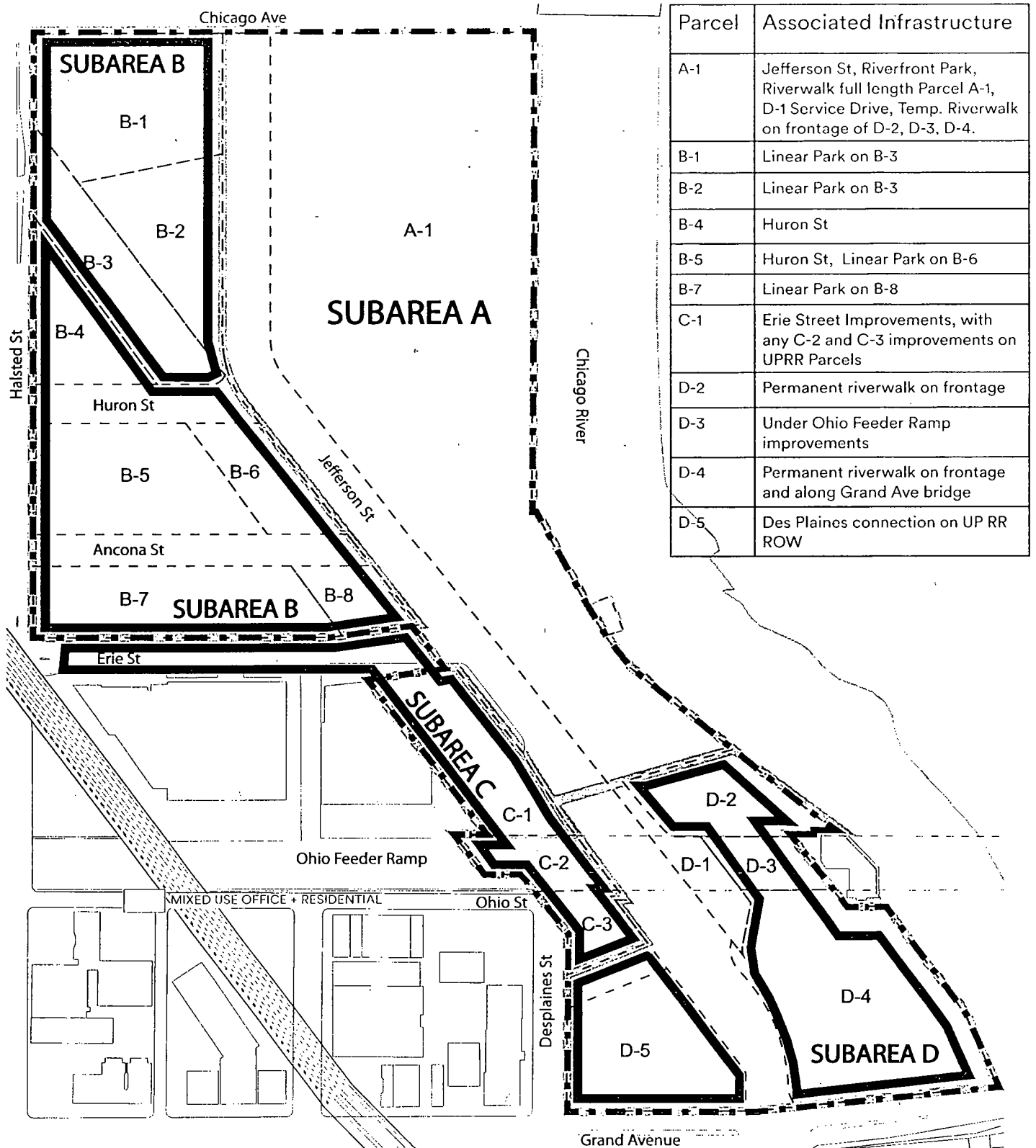
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Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
 Plan Commission: December 12, 2022



Parcel	Associated Infrastructure
A-1	Jefferson St, Riverfront Park, Riverwalk full length Parcel A-1, D-1 Service Drive, Temp. Riverwalk on frontage of D-2, D-3, D-4.
B-1	Linear Park on B-3
B-2	Linear Park on B-3
B-4	Huron St
B-5	Huron St, Linear Park on B-6
B-7	Linear Park on B-8
C-1	Erie Street Improvements, with any C-2 and C-3 improvements on UPRR Parcels
D-2	Permanent riverwalk on frontage
D-3	Under Ohio Feeder Ramp improvements
D-4	Permanent riverwalk on frontage and along Grand Ave bridge
D-5	Des Plaines connection on UP RR ROW

## DEVELOPMENT PLAN WITH ASSOCIATED INFRASTRUCTURE REQUIREMENTS

Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524 630 W. GRAND AVE.

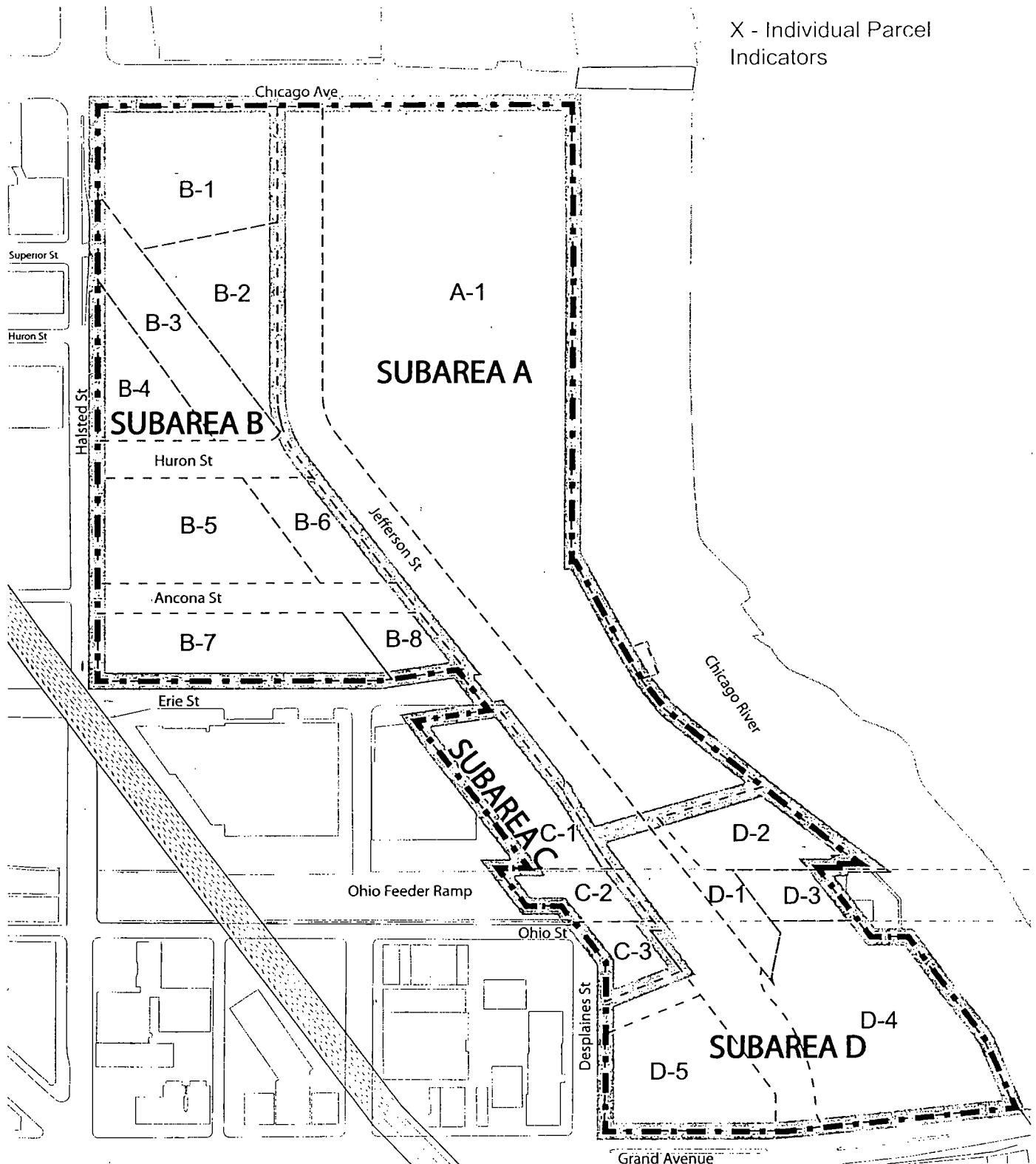
Introduced: September 21, 2022  
 Plan Commission: December 12, 2022

0' 125' 250'



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X - Individual Parcel Indicators



## SUBAREA AND PARCELIZATION PLAN

0' 125' 250'



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Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST. & 524-630 W. GRAND AVE.

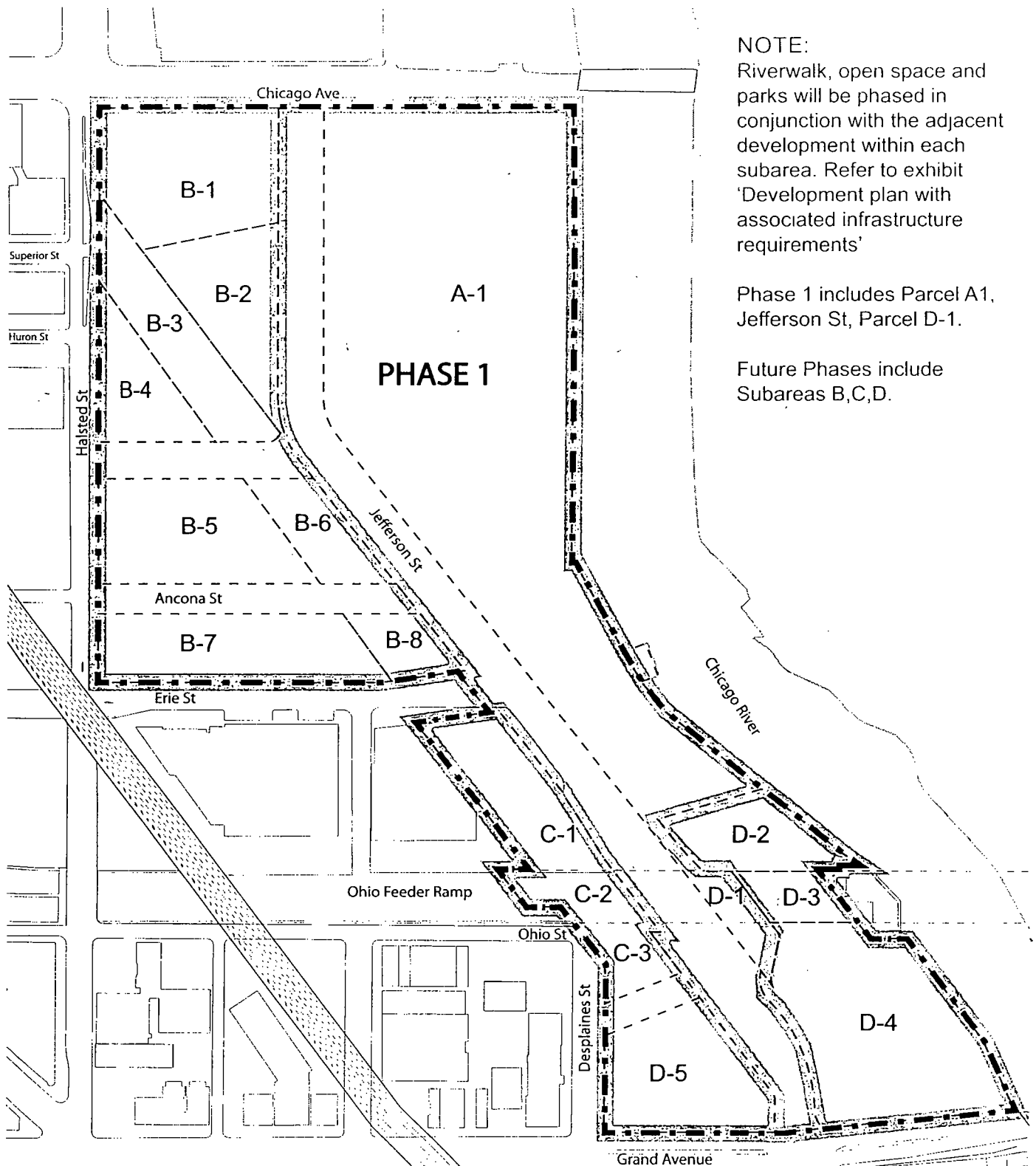
Introduced: September 21, 2022  
 Plan Commission: December 12, 2022

## NOTE:

Riverwalk, open space and parks will be phased in conjunction with the adjacent development within each subarea. Refer to exhibit 'Development plan with associated infrastructure requirements'

Phase 1 includes Parcel A1, Jefferson St, Parcel D-1.

Future Phases include Subareas B,C,D.



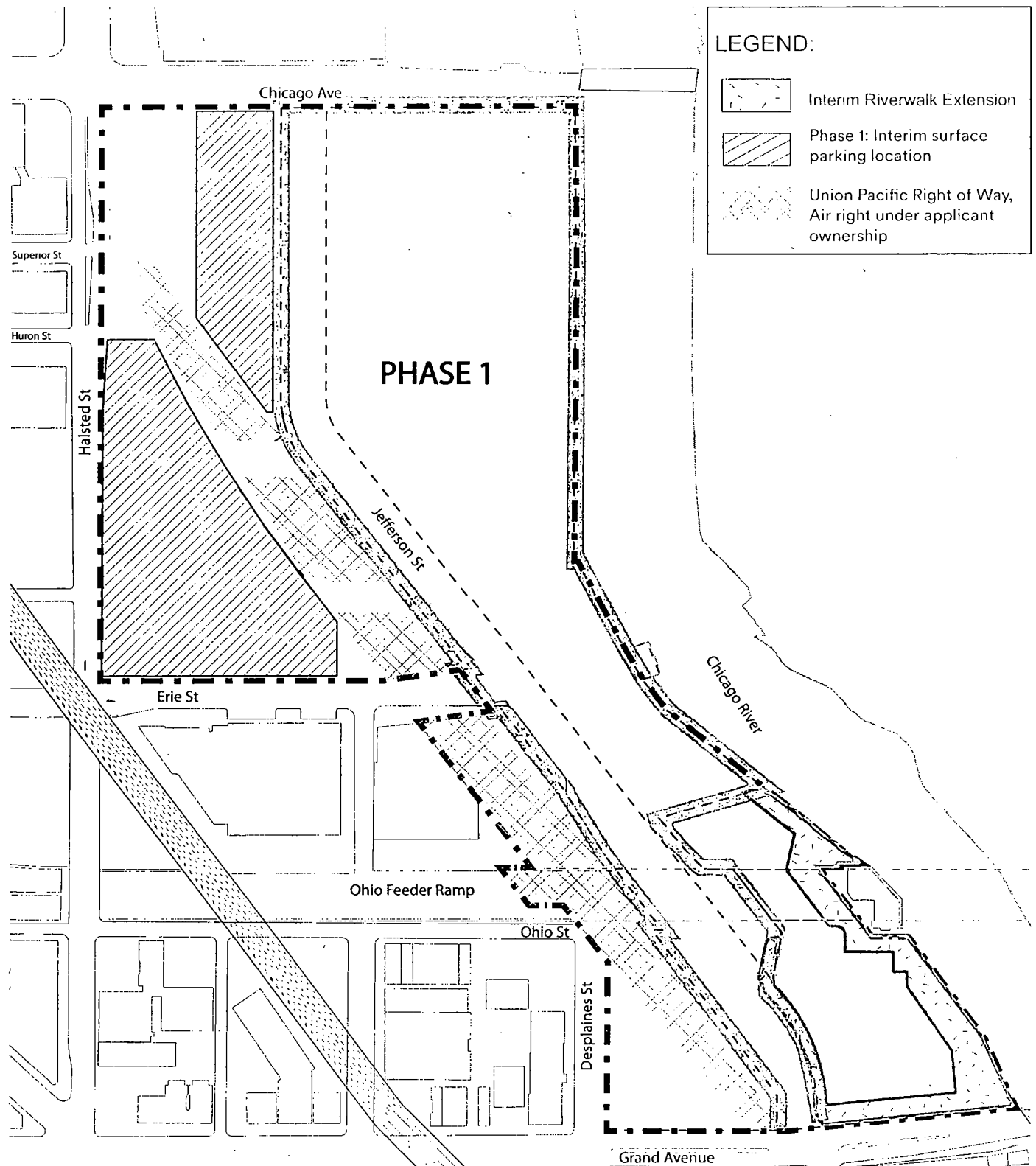
**DEVELOPMENT PHASING DIAGRAM**

0' 125' 250'

Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
 Plan Commission: December 12, 2022





Note Refer to detailed interim parking site plan

## PHASE 1 - INTERIM SITE PLAN FOR PARKING AND RIVERWALK

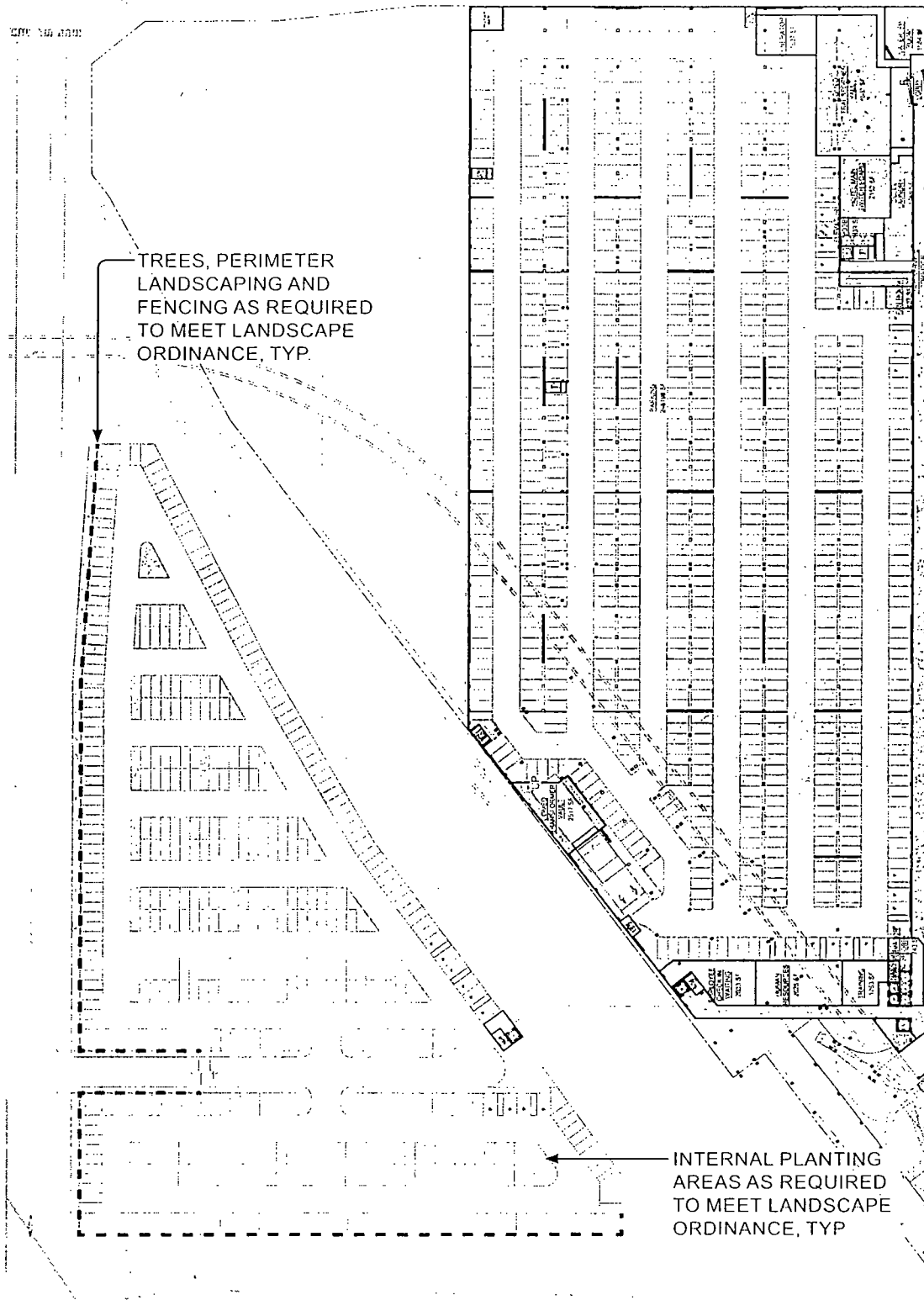
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Introduced: September 21, 2022  
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Note: Interim Parking lots to comply with City of Chicago Landscape Ordinance

## PHASE 1 - INTERIM SITE PLAN FOR PARKING

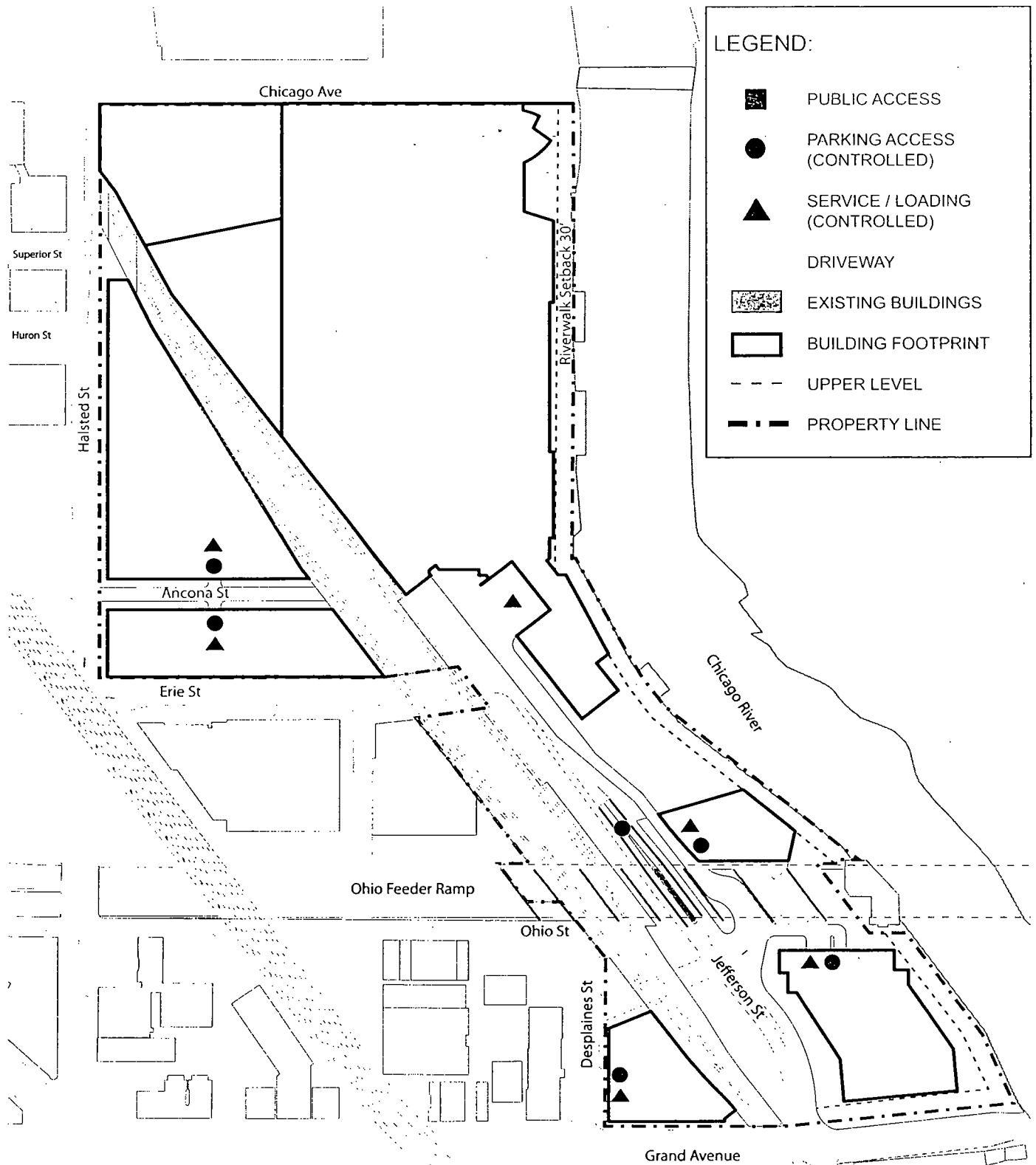
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 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST., 501-531 N. DESPLAINES ST., & 524-630 W. GRAND AVE.

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## SITE ACCESS AND LOADING PLAN LEVEL 1 (+0.0 TO +30.0 CCD)

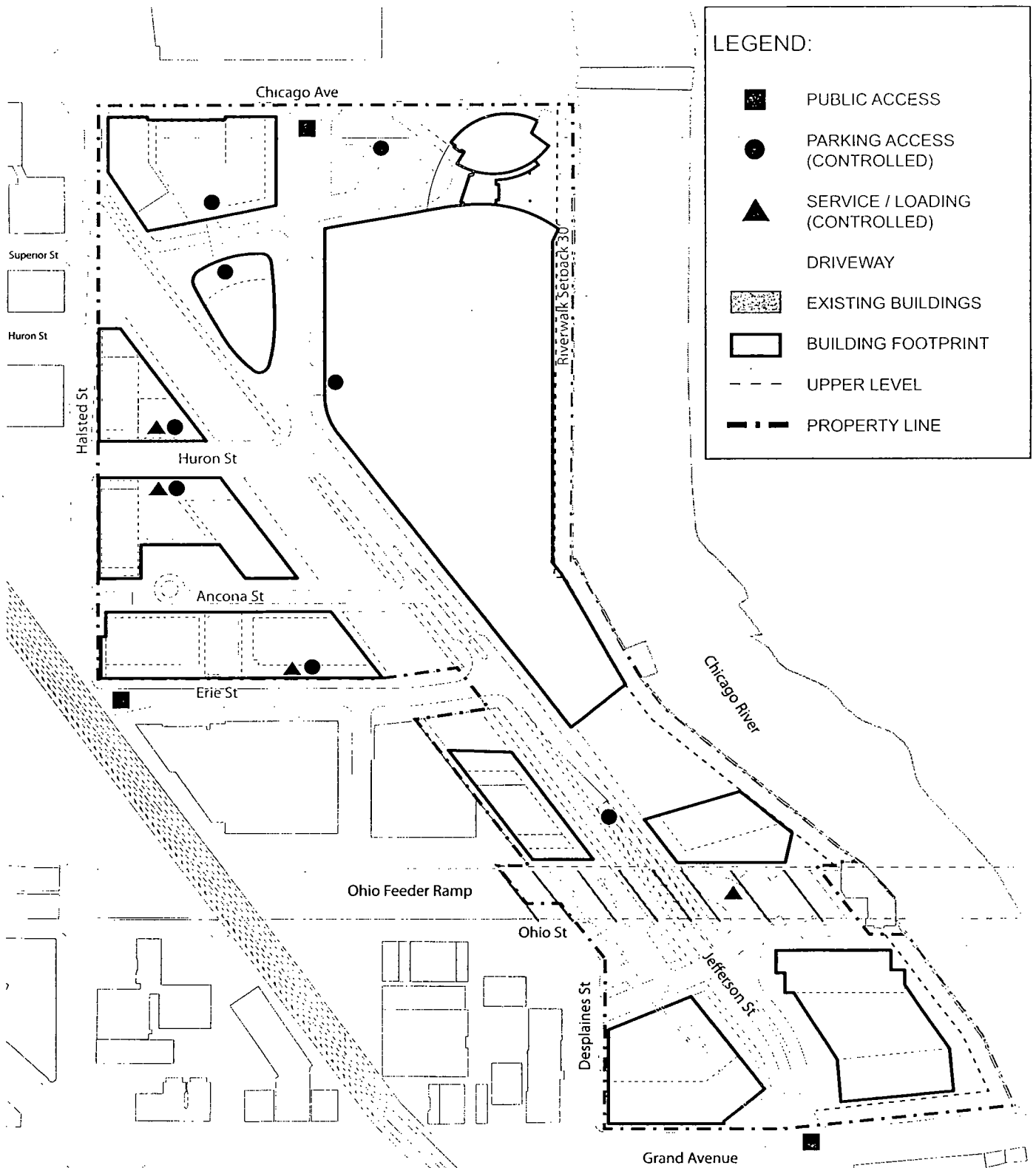
Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
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Introduced: September 21, 2022  
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0' 125' 250'



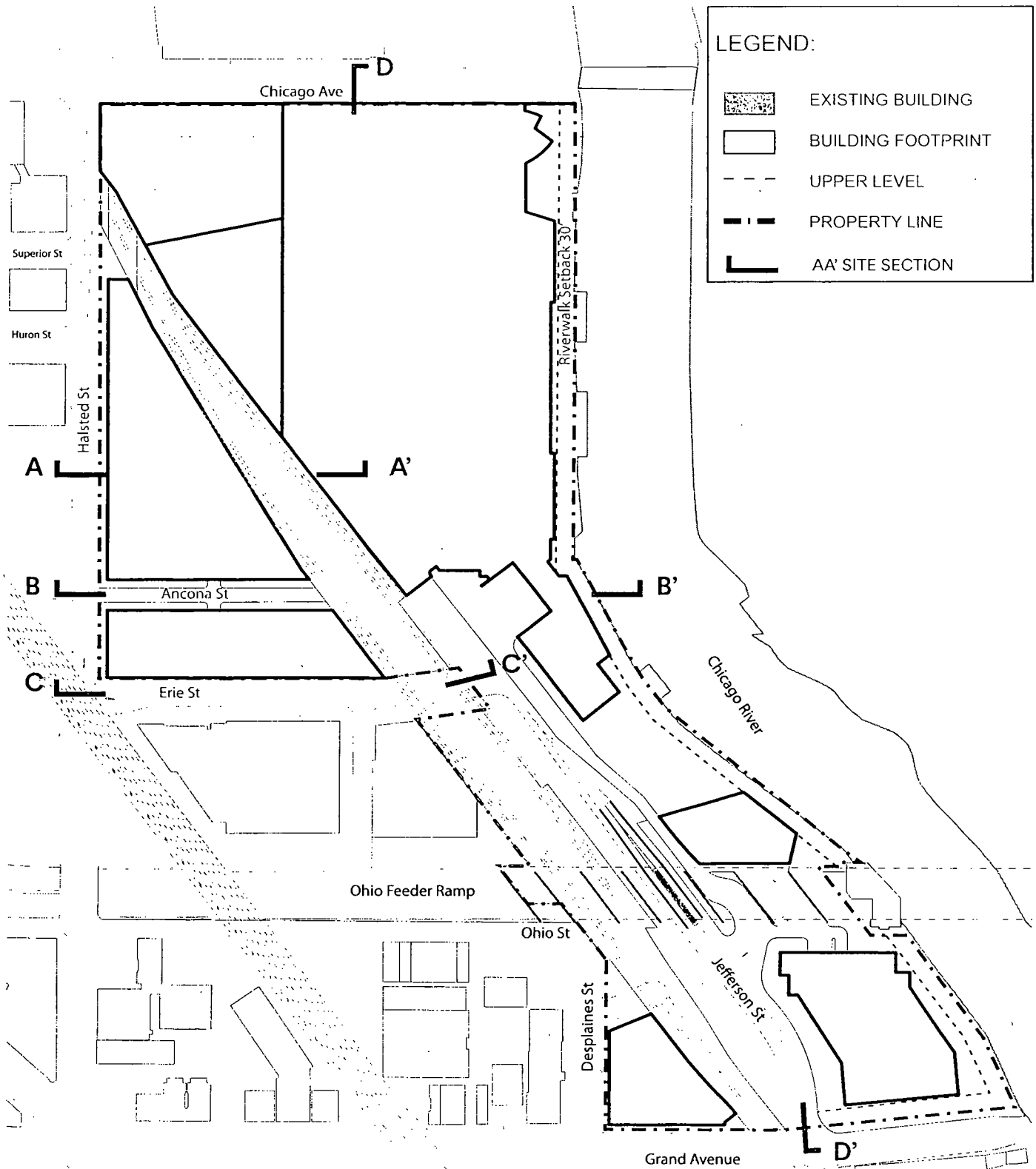
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## SITE ACCESS AND LOADING PLAN LEVEL 2 (+30.0 TO +45.0 CCD)

Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
 Plan Commission: December 12, 2022



**SITE LEVEL PLAN: LEVEL 1 (+0.0 TO +30.0 CCD)**

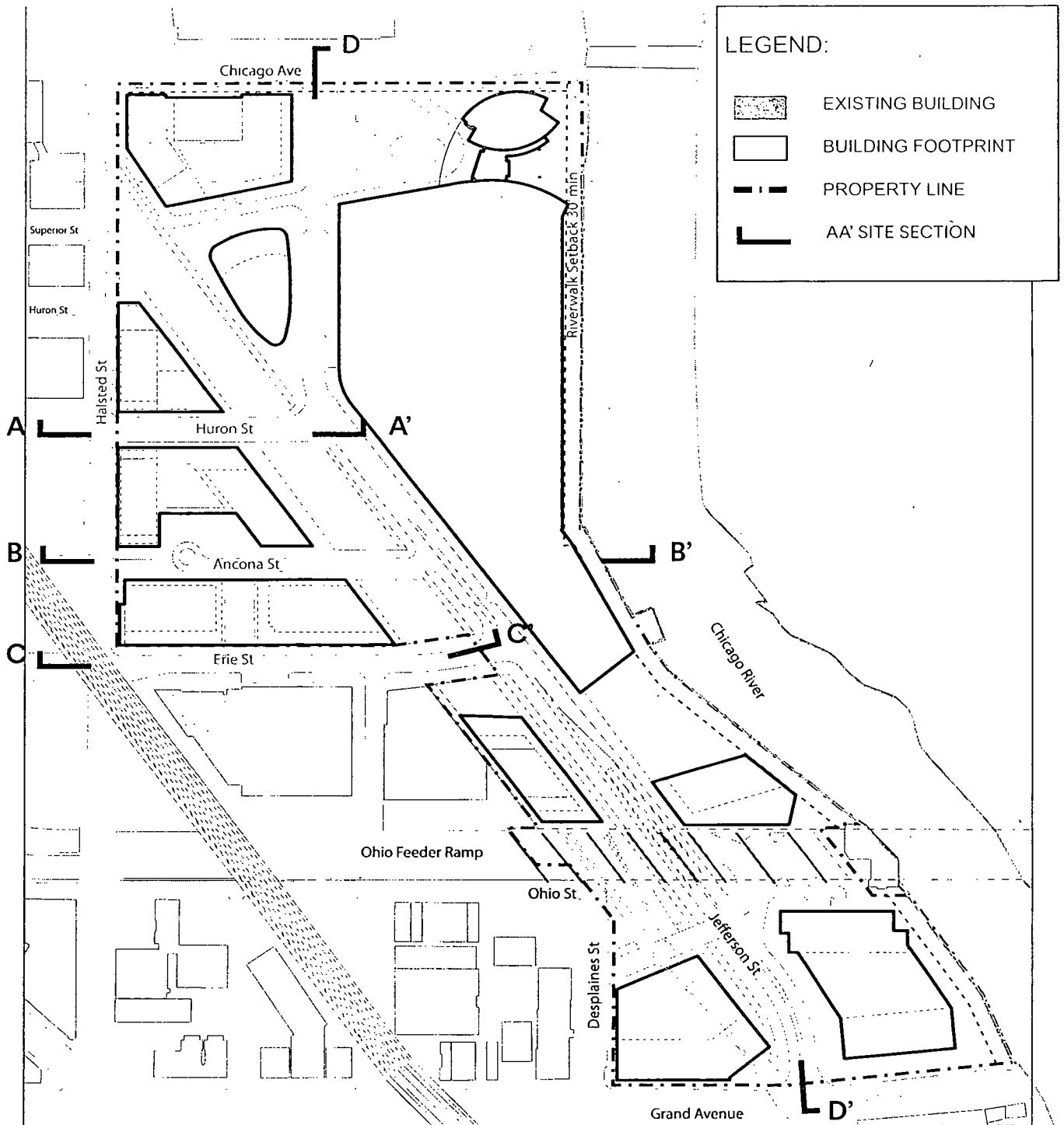
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 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST., & 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
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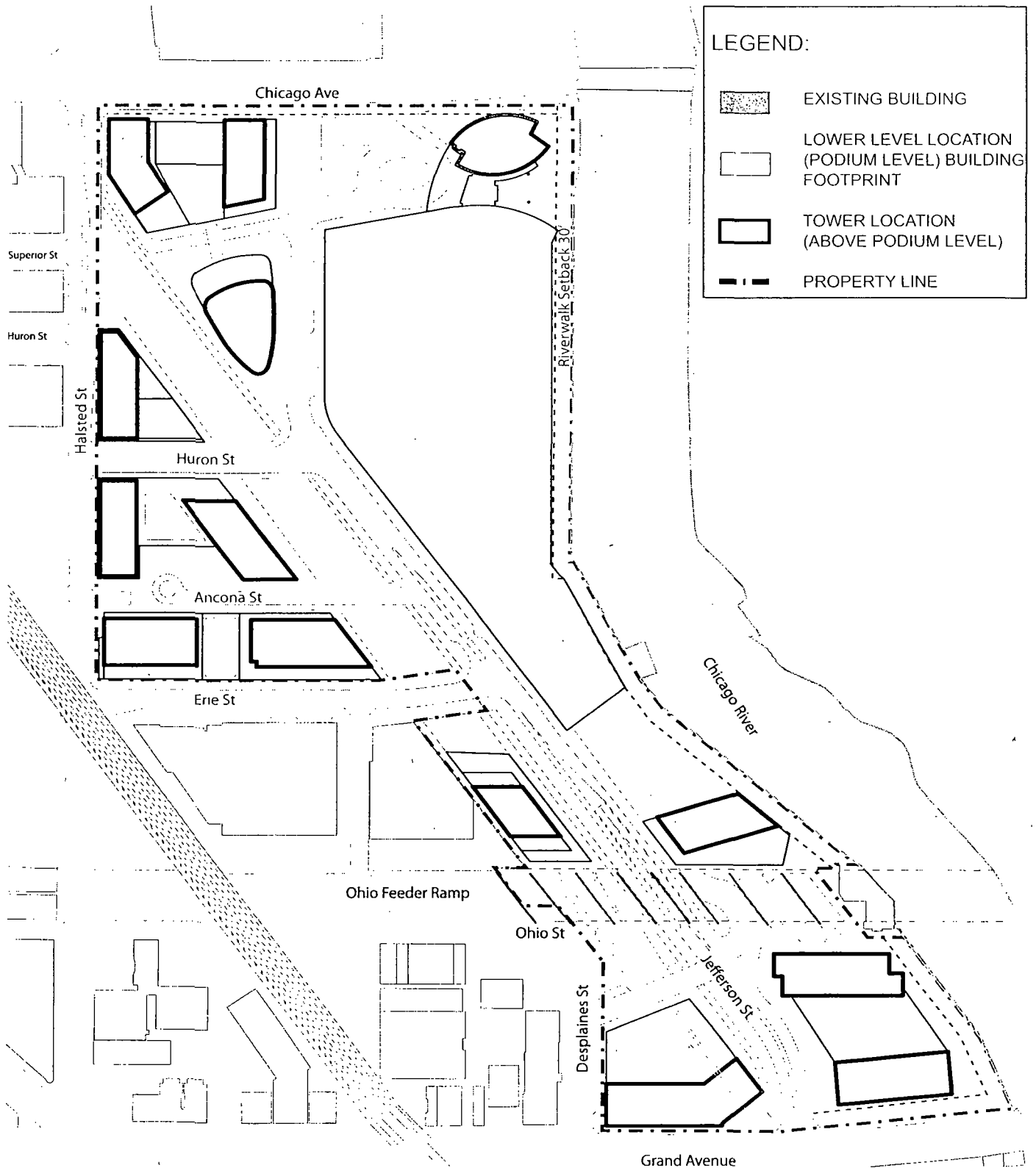


## SITE LEVEL PLAN: LEVEL 2 (+38.0 TO +45.0 CCD)

Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
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**SITE LEVEL PLAN: LEVEL 3 (+45.0 CCD)**

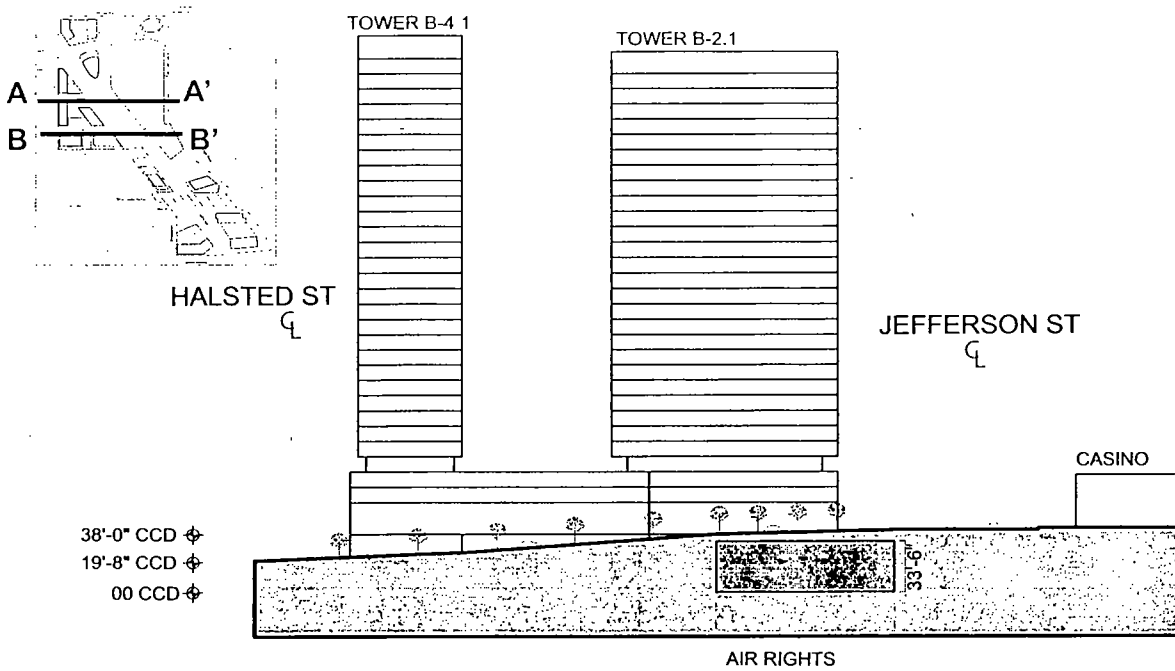
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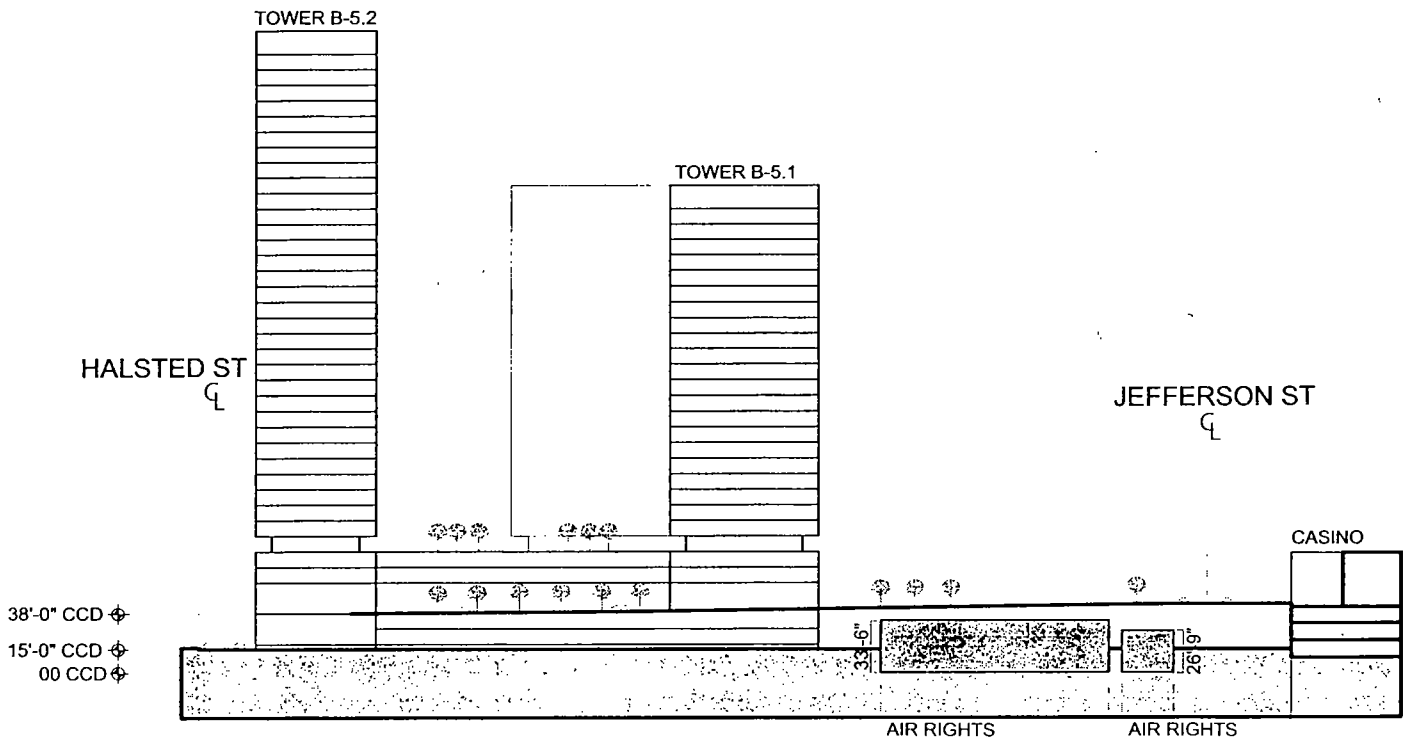
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Introduced: September 21, 2022  
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SITE SECTION AA' THROUGH HURON ST LOOKING NORTH



SITE SECTION BB' THROUGH ANCONA ST LOOKING NORTH

## SITE SECTION PLAN (1 OF 2)

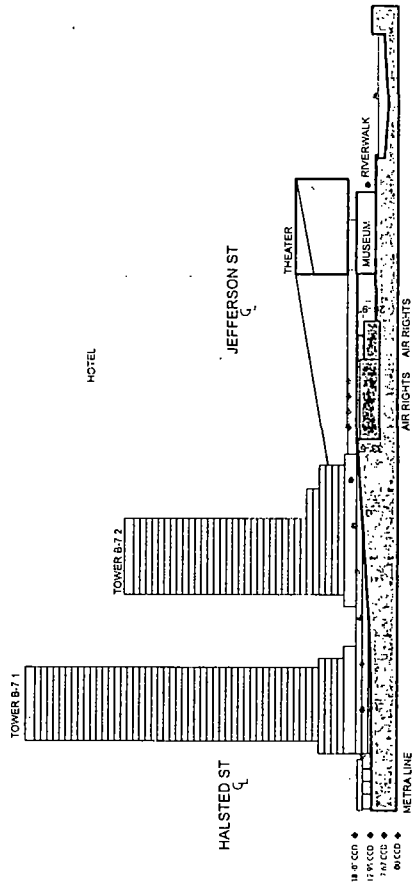
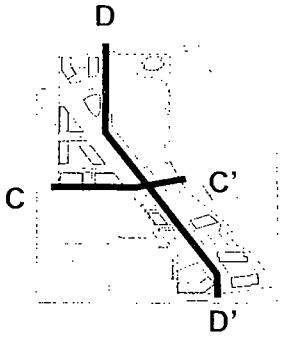
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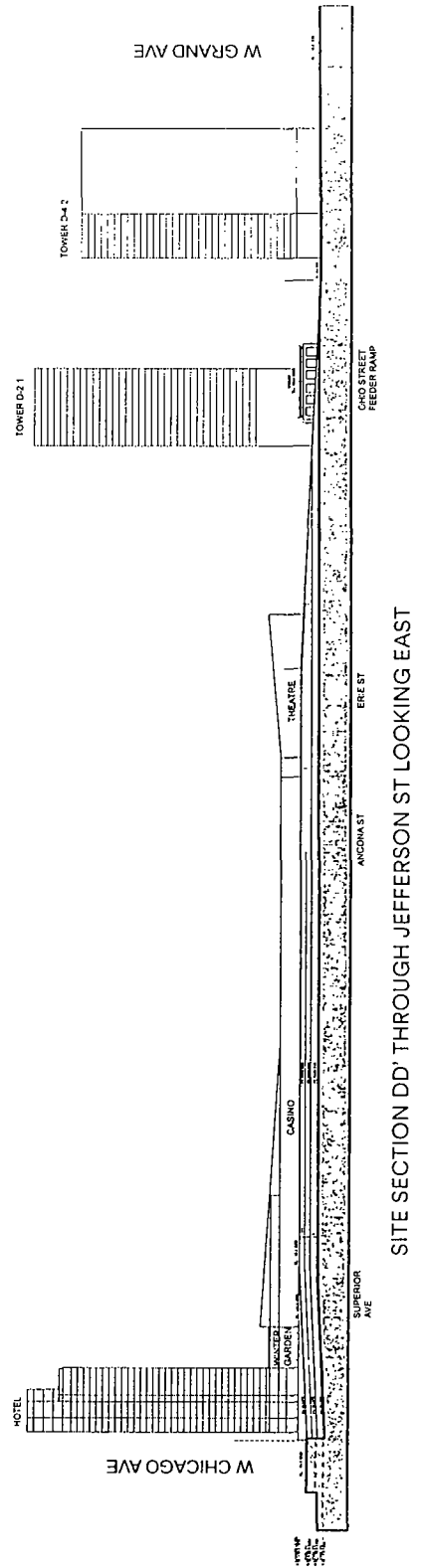
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SITE SECTION CC' THROUGH ERIE ST LOOKING NORTH



SITE SECTION DD' THROUGH JEFFERSON ST LOOKING EAST

## SITE SECTION PLAN (2 OF 2)

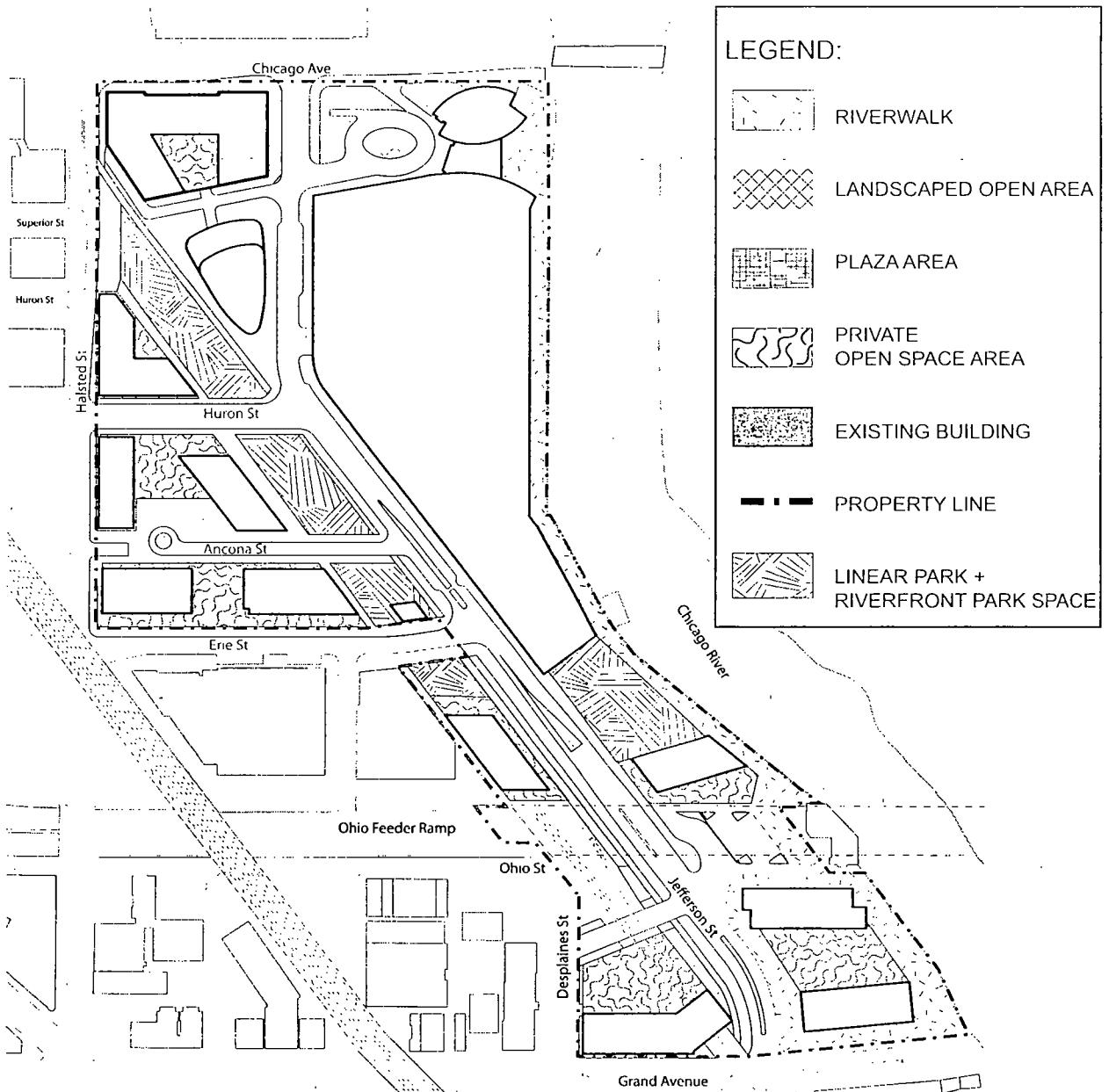
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OPEN SPACE CALCULATIONS	GSF	Acres	
<b>Publicly Accessible Open Space</b>			
- Riverwalk (includes natural areas and landscaped stormwater features)	148,793	3.42	32% of Public Open Space
- Landscaped Open Area (includes natural areas and landscaped stormwater features)	110,960	2.55	24% of Public Open Space
- Plaza Area/Elevated Plaza (includes natural areas and landscaped stormwater features)	199,045	4.57	43% of Public Open Space
<b>Subtotal: Publicly Accessible Open Space</b>	<b>465,680</b>	<b>10.54</b>	35% of Total Site Area
<b>Subtotal: Private and Common Open Space</b>	<b>123,678</b>	<b>2.84</b>	9% of Total Site Area
<b>Total Open Space (Public &amp; Private Space)</b>	<b>598,500</b>	<b>13.37</b>	45% of Total Site Area

## PUBLIC SPACE OPEN PLAN

0' 125' 250'

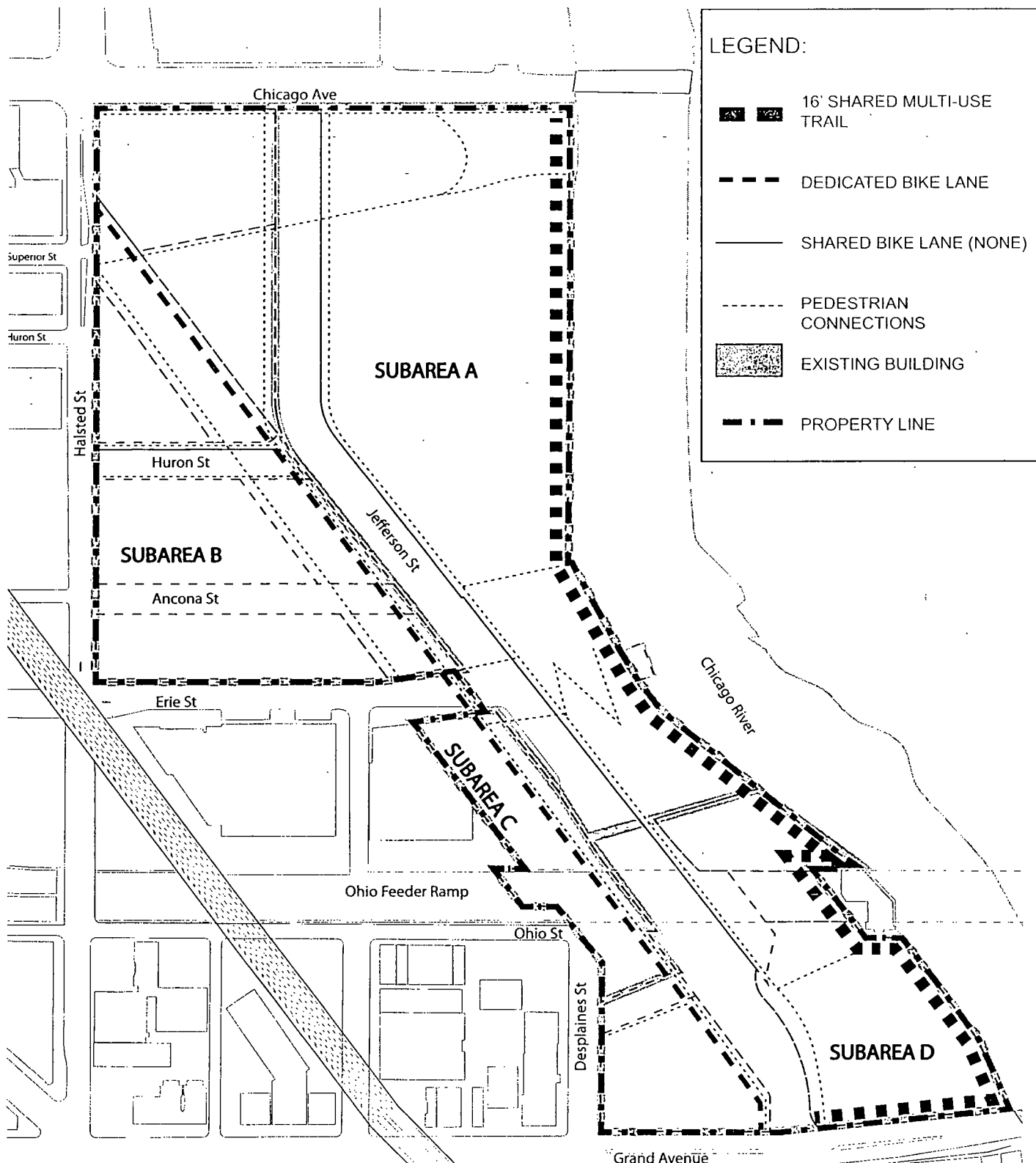


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Introduced: September 21, 2022  
 Plan Commission: December 12, 2022

Introduced: **September 21, 2022**  
Plan Commission: **December 12, 2022**



## BIKE AND PEDESTRIAN CONNECTIVITY PLAN -ULTIMATE BUILD OUT

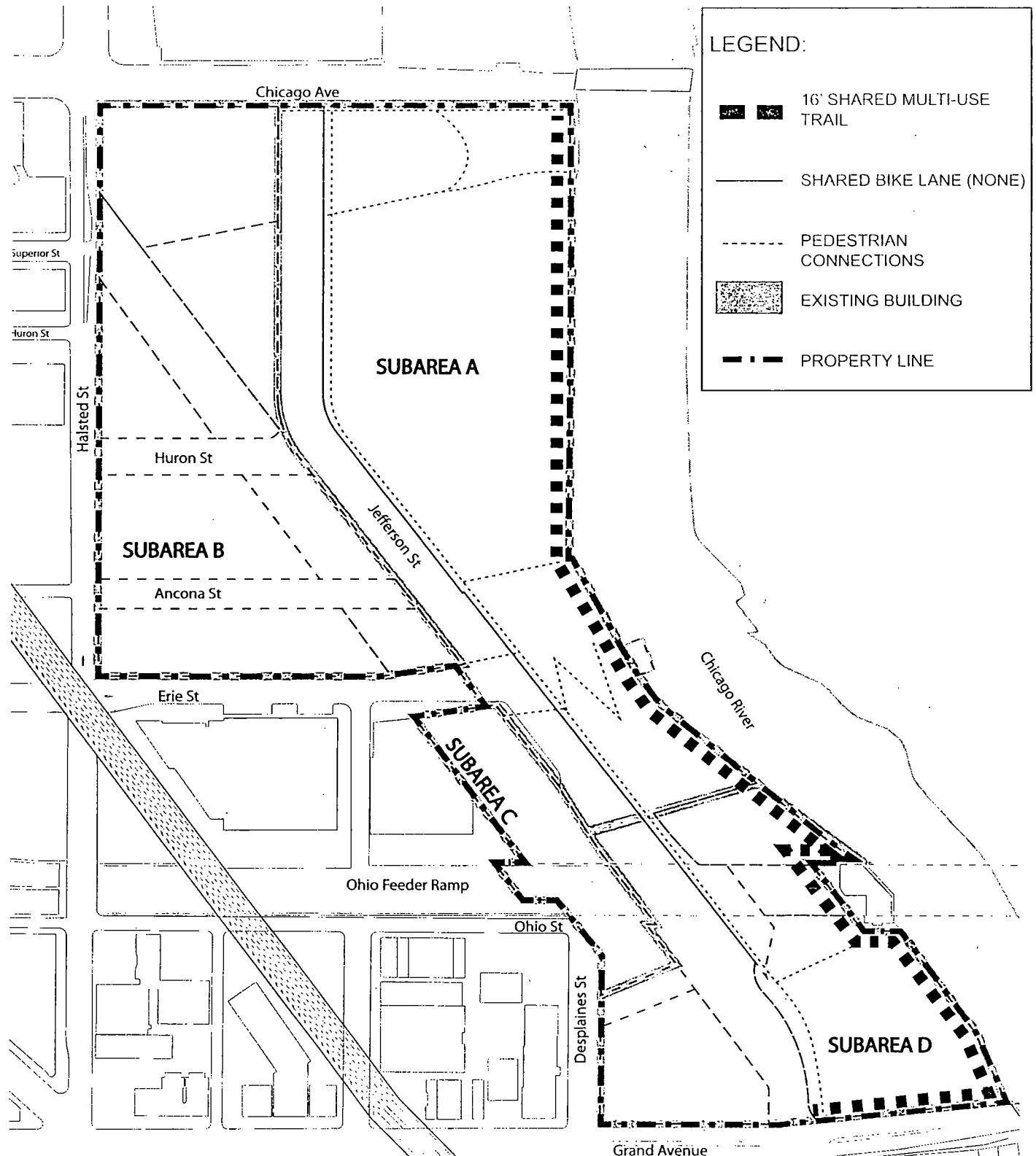
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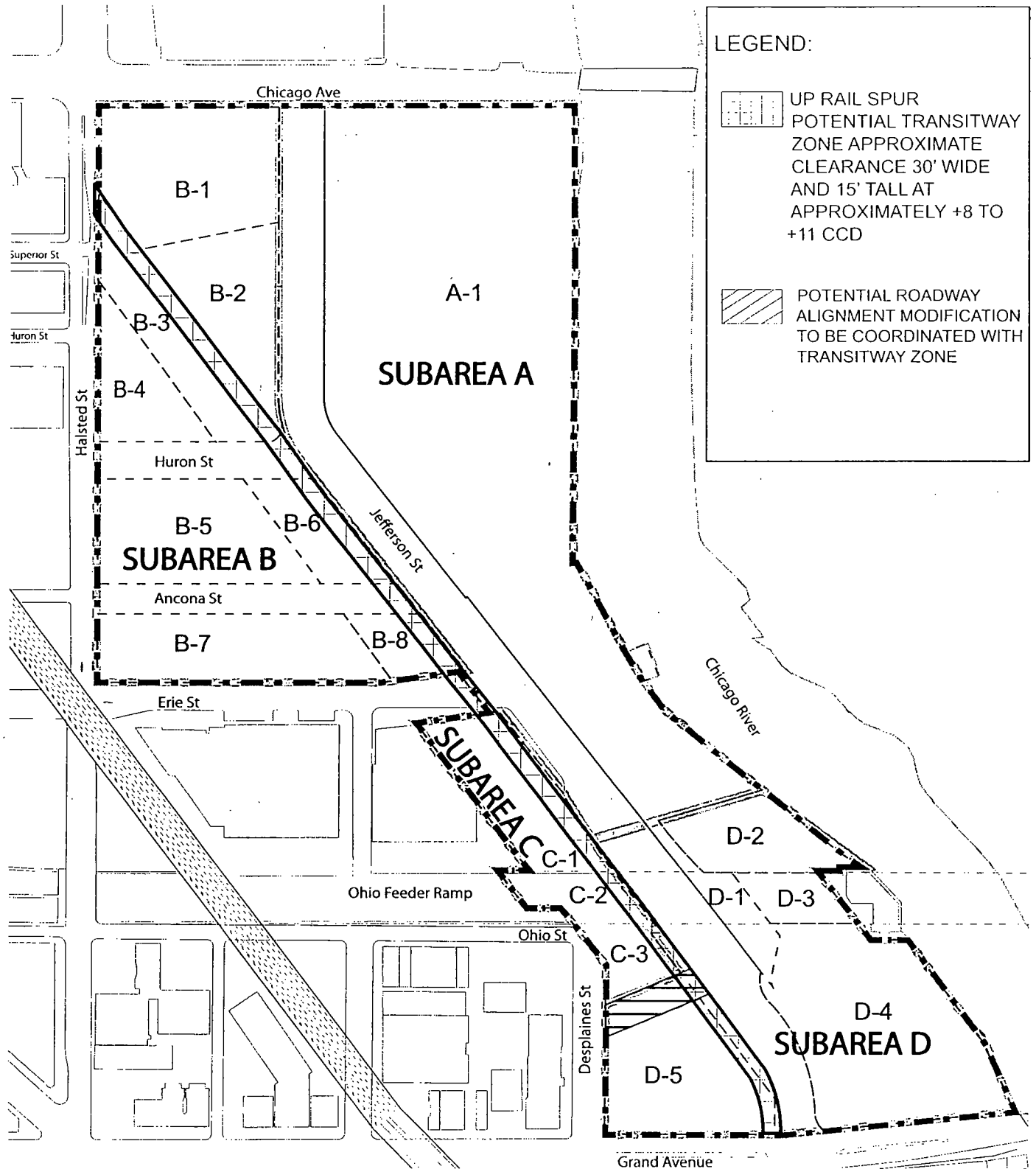


## PHASE 1-BIKE AND PEDESTRIAN CONNECTIVITY PLAN

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## TRANSITWAY ACCOMMODATION PLAN

0' 125' 250'



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 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
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All development within this planned development must substantially comply with the Design Guidelines of the North Branch Framework adopted by the Chicago Plan Commission on May 18, 2017, or as amended, the Chicago River Corridor Design Guidelines and Standards, or as amended, and with the design standards and guidelines outlined in the Zoning Ordinance, Section 17.8.0900 Standards and Guidelines. The guidelines listed below provide additional standards for buildings and public spaces to complement the specific context of this planned development.

## GENERAL DEVELOPMENT GUIDELINES

- Building siting and base design shall define the street walls along Jefferson Street, Chicago Avenue, and Halsted Street, with setbacks allowed for plazas and open spaces.
- Jefferson Street shall be developed as a central street with wide sidewalks, street trees and landscaping to promote stormwater management.
- Active ground floor uses shall be integral to buildings along the west side of Jefferson Street, Chicago Avenue, and Halsted Street, and shall include active uses such as retail, lobbies, or office space.
- Active ground-floor uses shall have direct access to publicly-accessible open spaces and the riverwalk where feasible.
- Buildings at the corner of Halsted Street and Chicago Avenue shall incorporate massing, siting, and façade designs to express and reinforce a district gateway.
- In general, vehicular pick-up and drop-off shall be oriented away from Chicago Avenue and Grand Avenue. Drop off zones on Halsted to be coordinated with CDOT and CTA. Parking and service entrances for the casino and other buildings along Jefferson Street will be provided via access drives or driveways. Pick-up and drop-off locations within the public way may be incorporated only where curbside space exists for that use.
- Curb-cuts should not exceed 20' in width and parking entries should be integrated with the building's architecture through the use of similar materials, patterns, textures, and color. Curb cuts shall be coordinated with CDOT and may be widened within CDOT's standards if required to provide adequate access for service, loading, and shuttle services.
- To preserve access to light, a minimum separation of 40' between towers is required. Where site constraints permit, towers will be oriented to maximize passive cooling, natural lighting, and energy efficiency.
- Undeveloped parcels may support interim uses including, but not limited to recreational open space, dog friendly areas, and surface parking. Interim use plan improvements and time frame will require review and approval by DPD.

## BUILDING ENVELOPE DESIGN GUIDELINES

- Building designs shall achieve a varied and distinctive skyline.
- Mechanical penthouses and any upper level parking floors shall be screened with high-quality architectural elements consistent with the overall building façade.
- Parking levels shall be screened adequately to obscure car headlights and sound from neighboring buildings.
- Podium and tower designs shall relate to each other to provide a cohesive expression.
- Podium roofs will incorporate active amenity decks and landscaping as appropriate to building uses.
- Balconies and any required ventilation shall be integrated within the design of the building façade.
- Tenant signage for each building should be considered as part of the façade design to ensure consistency of placement, size, materials, and method of illumination.

## MATERIAL GUIDELINES FOR BUILDINGS

- Buildings will not be clad with low quality materials and materials with low aesthetic value such as Exterior Insulation and Finish System (EIFS), exterior exposed Concrete Masonry Units (CMU), thin brick, or residential-type vinyl and metal siding.
- Buildings will employ architectural materials consistent with contemporary building practices, such as high quality wall systems in glass, metal, masonry, high-quality architectural concrete, or hardwood. Glazing shall not be highly reflective or mirrored and be bird friendly design.
- Building envelopes will support environmentally responsible design by reducing heat loads, improving energy efficiency, maximizing occupant comfort, and using sustainable materials.
- Podium and ground-floor level materials and design facing the streets, publicly accessible open spaces, and the riverwalk will be detailed to enhance the pedestrian environment and will be complimentary to the context.
- Ground-floor facades will have a high percentage of clear / un-tinted glazing along the primary street frontages.

## LANDSCAPE GENERAL GUIDELINES

- A riverfront publicly accessible park will connect directly to the riverwalk and include gathering places, a lawn, passive play spaces, native landscaping, opportunities for direct viewing of river, and stormwater infiltration.
- Landscaped stairs and ramps will connect the riverwalk and Jefferson Street, and provide view corridors from Halsted Street to the river. Programming will include a variety of uses such as seating, play areas, a location for public art, and a dog park.
- The space under the Ohio Feeder Ramp will be activated with recreational uses that connect to the riverwalk park spaces.
- Publicly accessible open spaces will be designed to the applicable standards of Chicago Park District Parks.
- The riverwalk will connect to the north side of Chicago Avenue using space provided by CDOT under the new Chicago Avenue Bridge.
- The riverwalk will connect to the street level intersection of Grand Avenue and Jefferson Street, and not preclude space for future Riverwalk connection under Grand Avenue bridge.
- Landscaping throughout will incorporate stormwater management best practices to detain, clean, and reduce the volume of stormwater discharge.
- Landscaped areas will enhance local habitat for wildlife through use native plantings.
- In key locations, floating wetlands can be located along the riverwalk where feasible.

## DESIGN GUIDELINES

Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
Address: 643-741 W. CHICAGO AVE. ; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

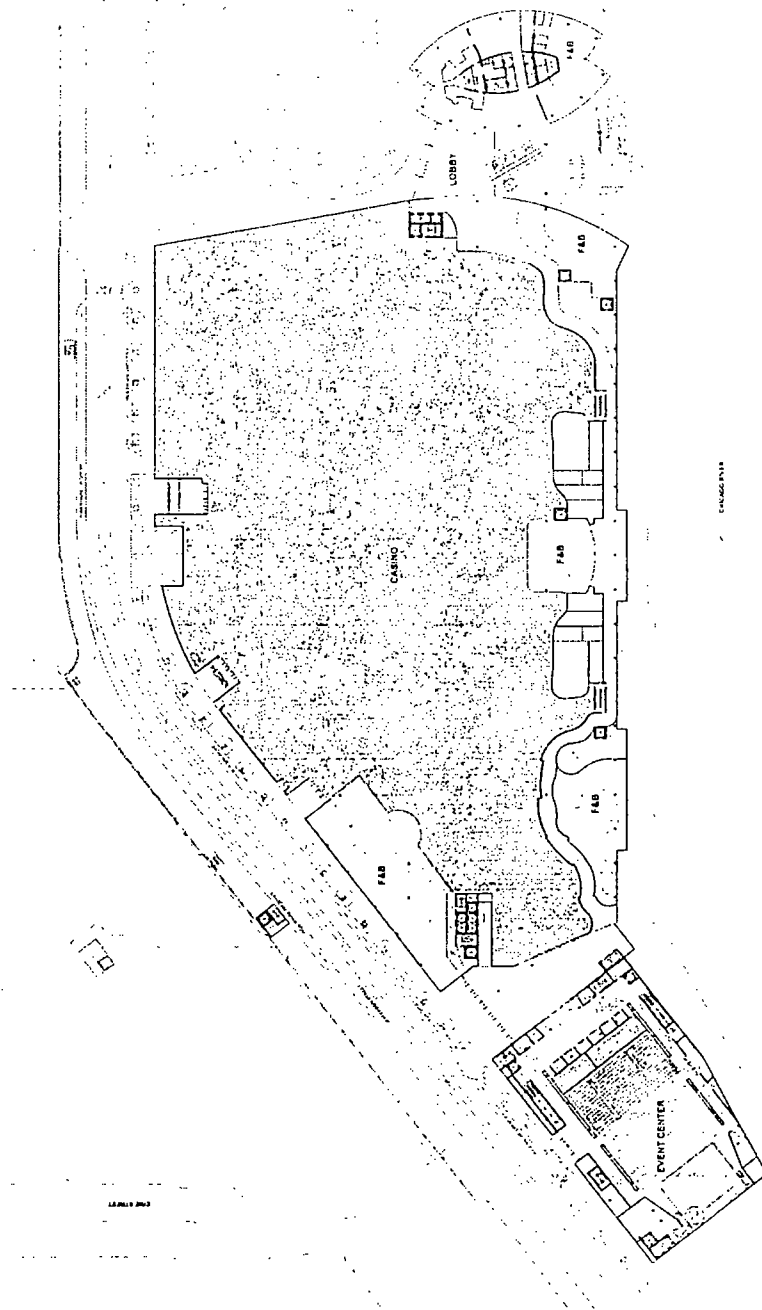
Introduced: September 21, 2022

Plan Commission: December 12, 2022

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## PHASE 1 FLOOR PLAN - L1

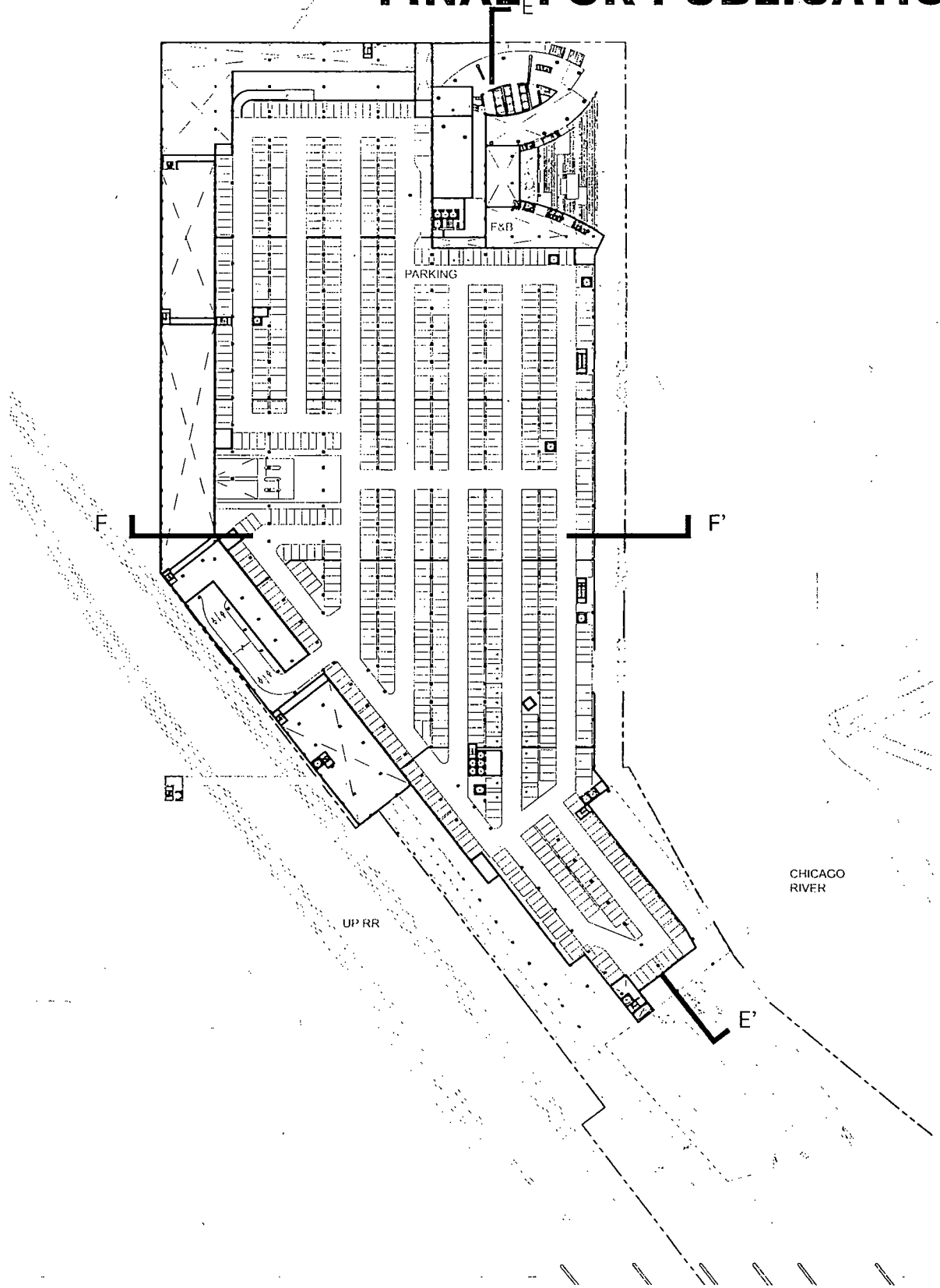
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524-630 W. GRAND AVE.

Introduced: September 21, 2022  
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## PHASE 1 FLOOR PLAN - P1

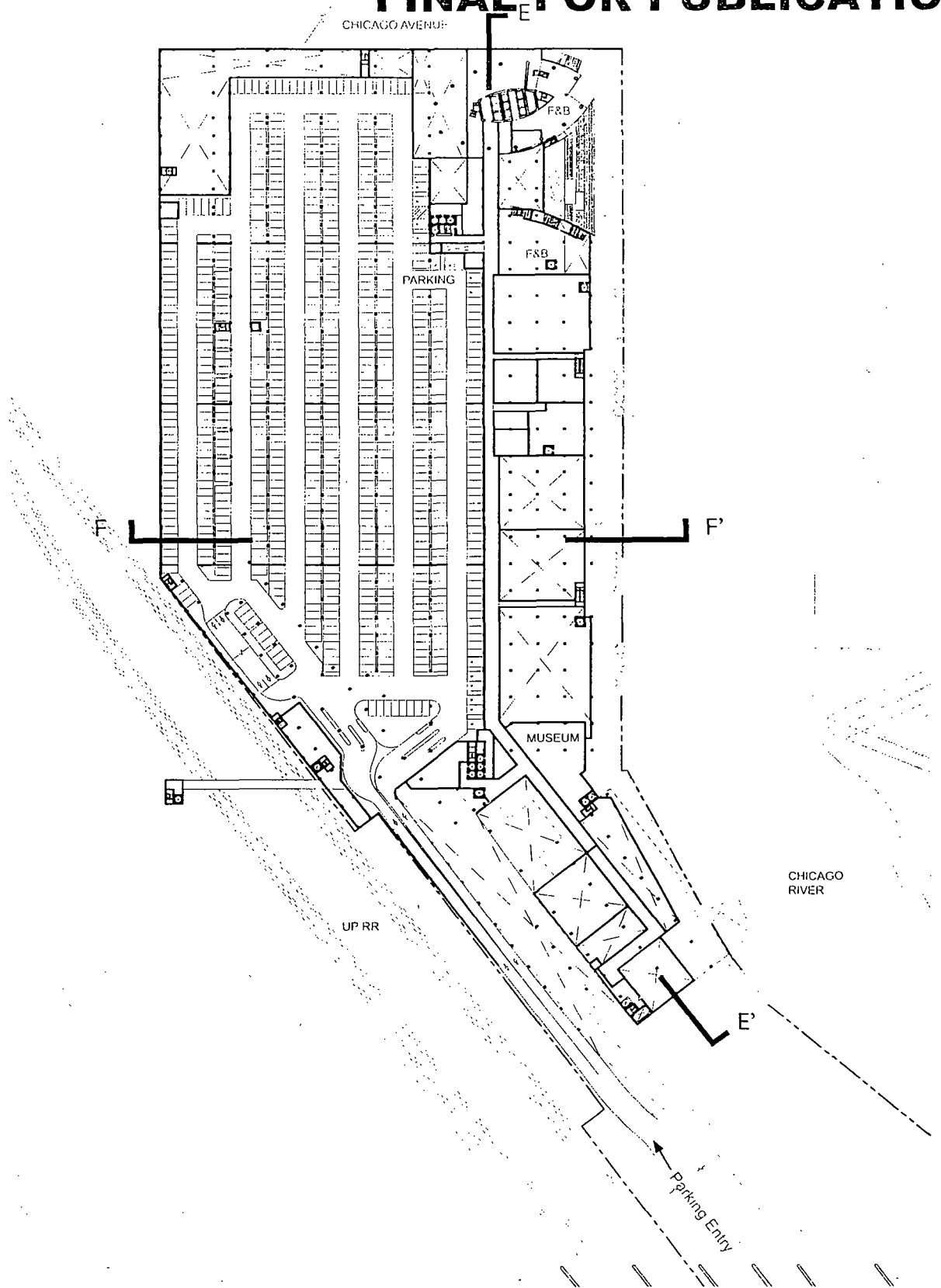
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## PHASE 1 FLOOR PLAN - P2

0' 125' 250'



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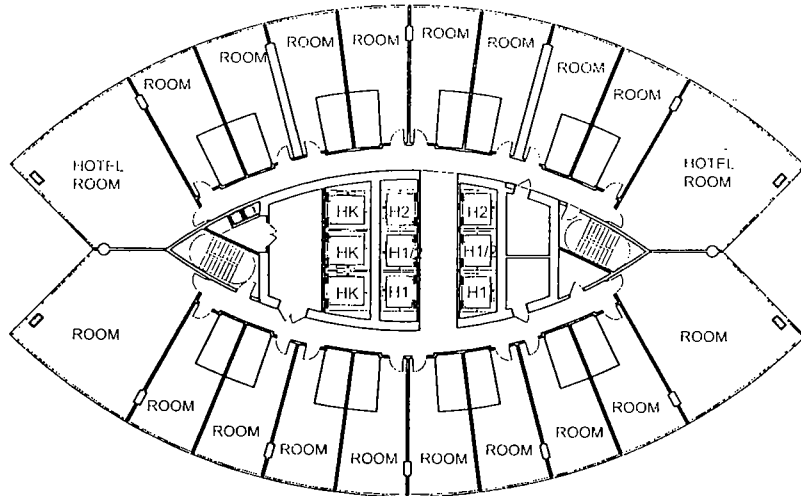
Introduced: September 21, 2022  
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## CHICAGO AVENUE

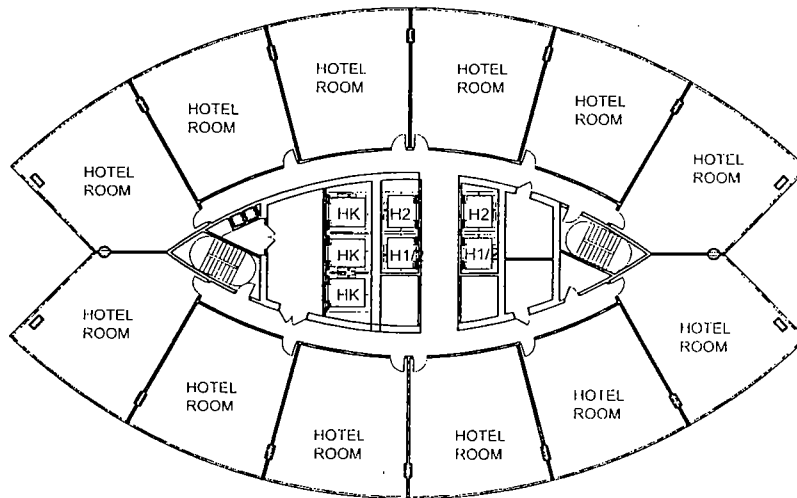


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HOTEL FLOOR PLAN 1



HOTEL FLOOR PLAN 2

## PHASE 1 FLOOR PLAN - TYPICAL HOTEL PLANS

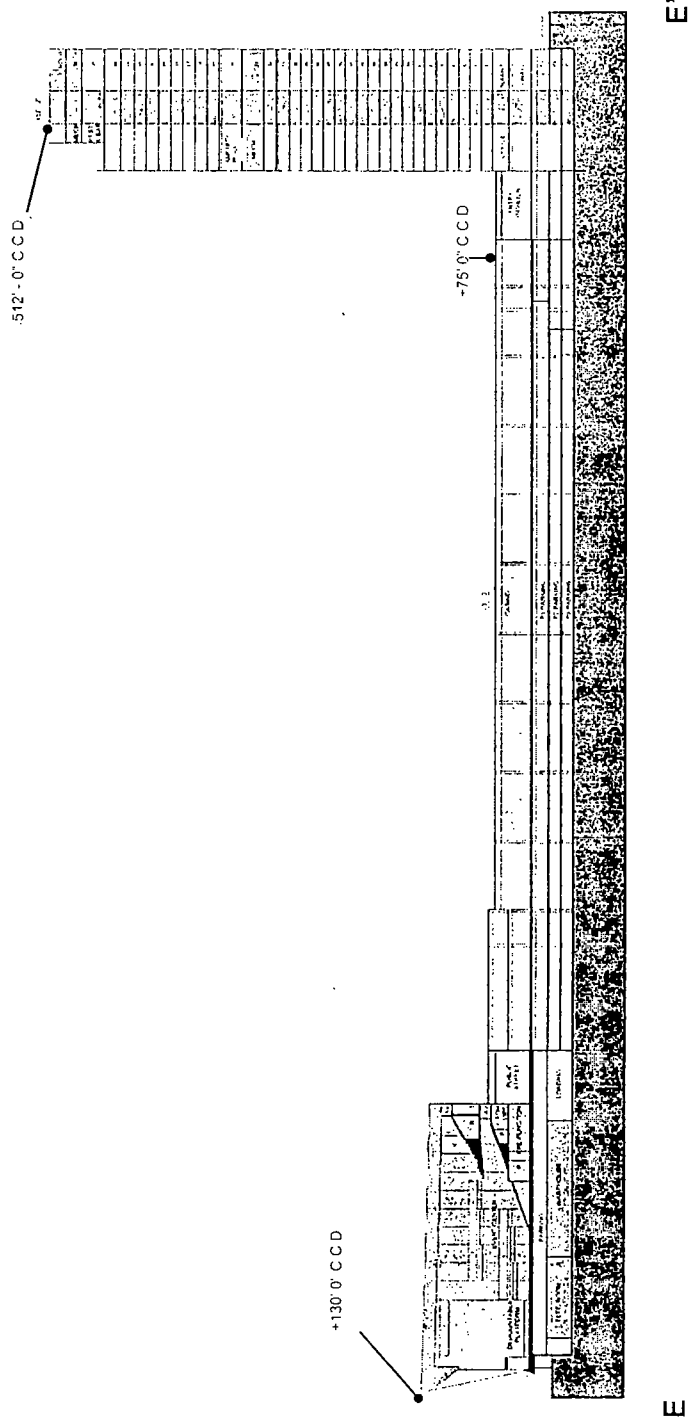
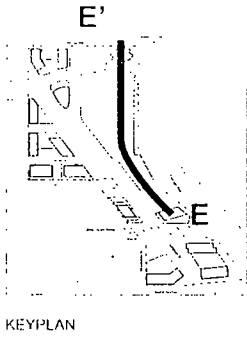
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524-630 W. GRAND AVE.

Introduced: September 21, 2022  
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EE NORTH / SOUTH BUILDING SECTION

## PHASE ONE BUILDING SECTION - 1 (OF 2)

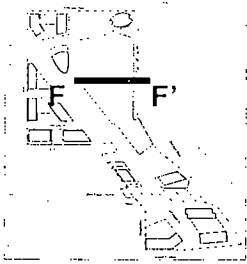
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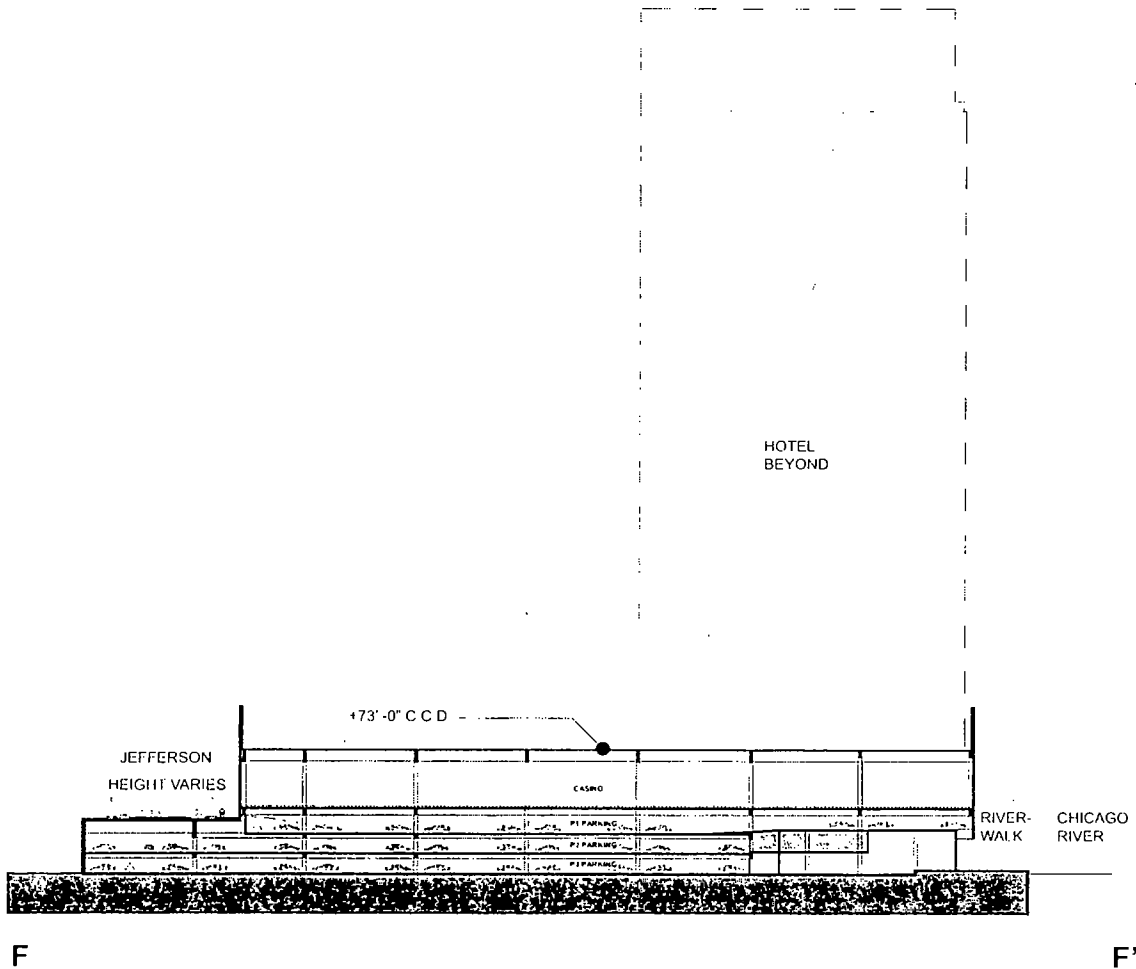
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KEYPLAN



FF EAST / WEST BUILDING SECTION

## PHASE ONE BUILDING SECTION - 2 (OF 2)

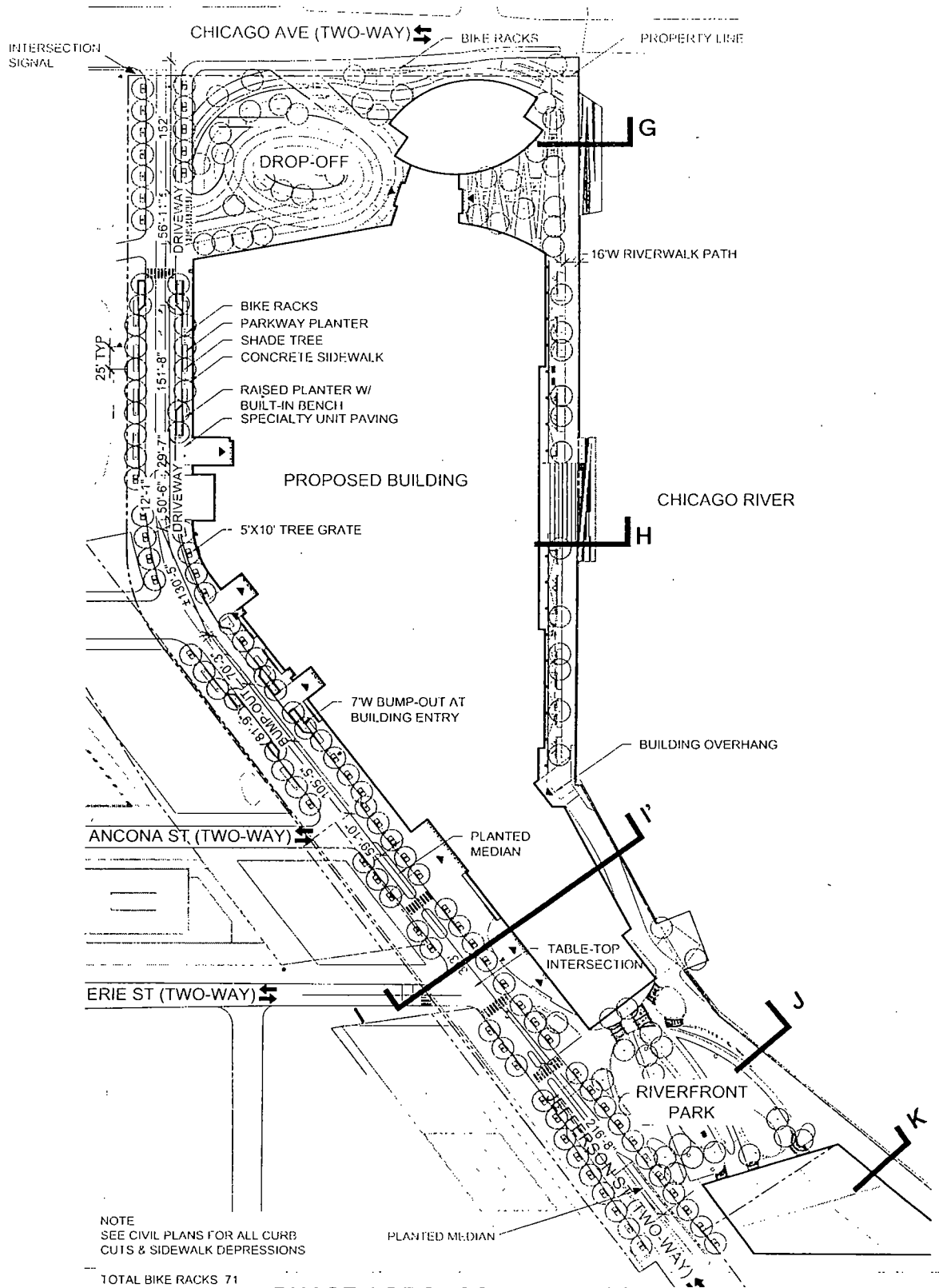
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## PHASE 1 PROPOSED LANDSCAPE PLAN

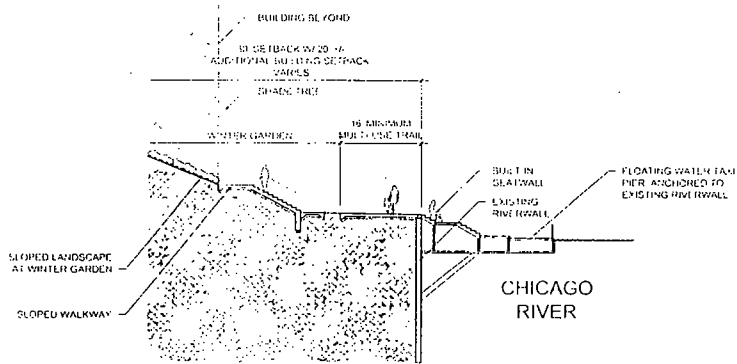
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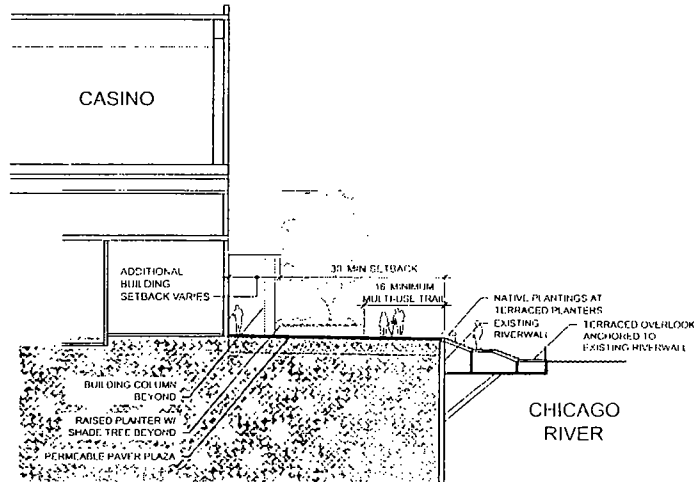
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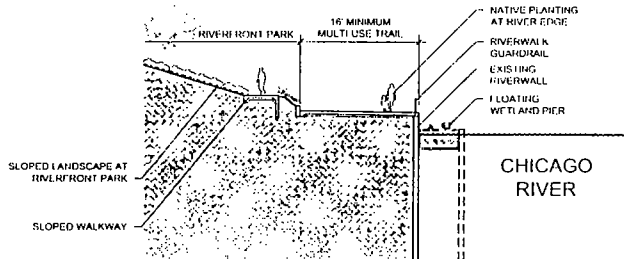
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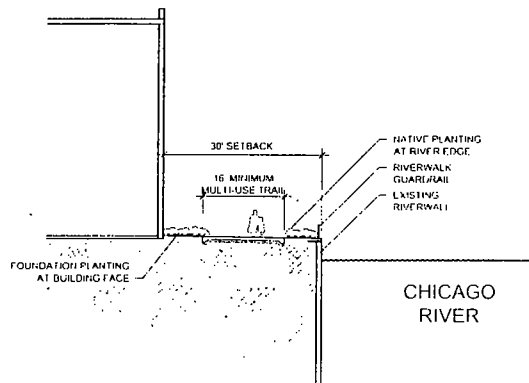
SECTION G



SECTION H



SECTION J



SECTION K

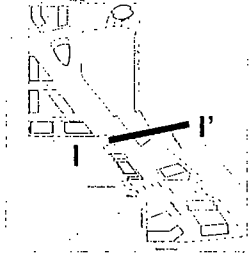
## PHASE 1 RIVERWALK SITE SECTIONS

0' 125' 250'

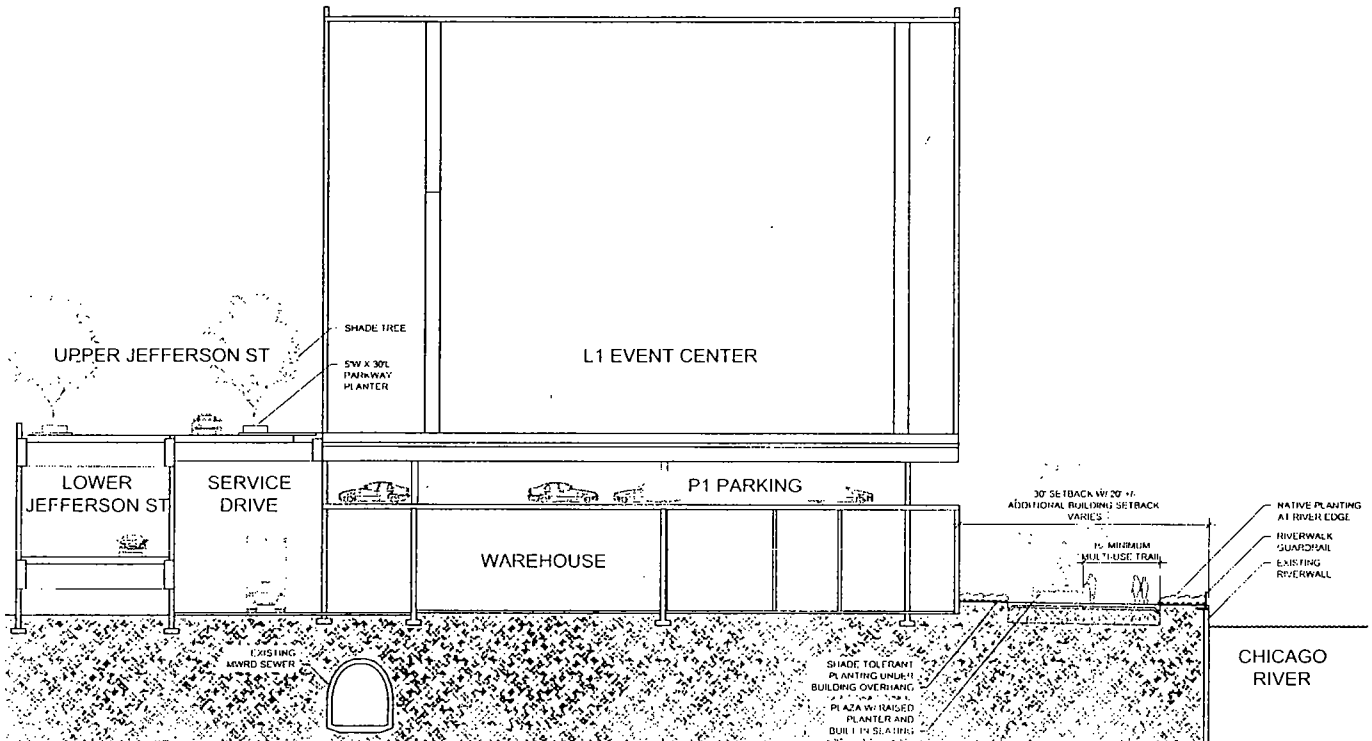
Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
 Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

Introduced: September 21, 2022  
 Plan Commission December 12, 2022





KEY PLAN



SECTION I-I'

## PHASE 1: RIVERWALK SITE SECTION I-I'

0' 125' 250'

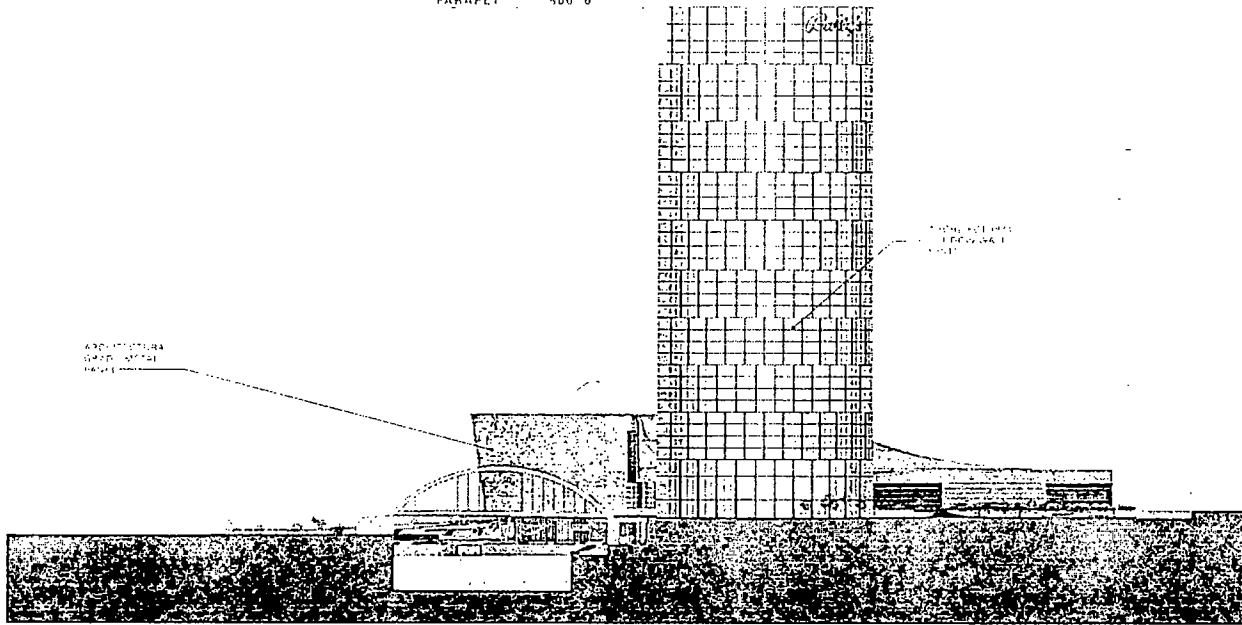


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Address: 643-741 W. CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

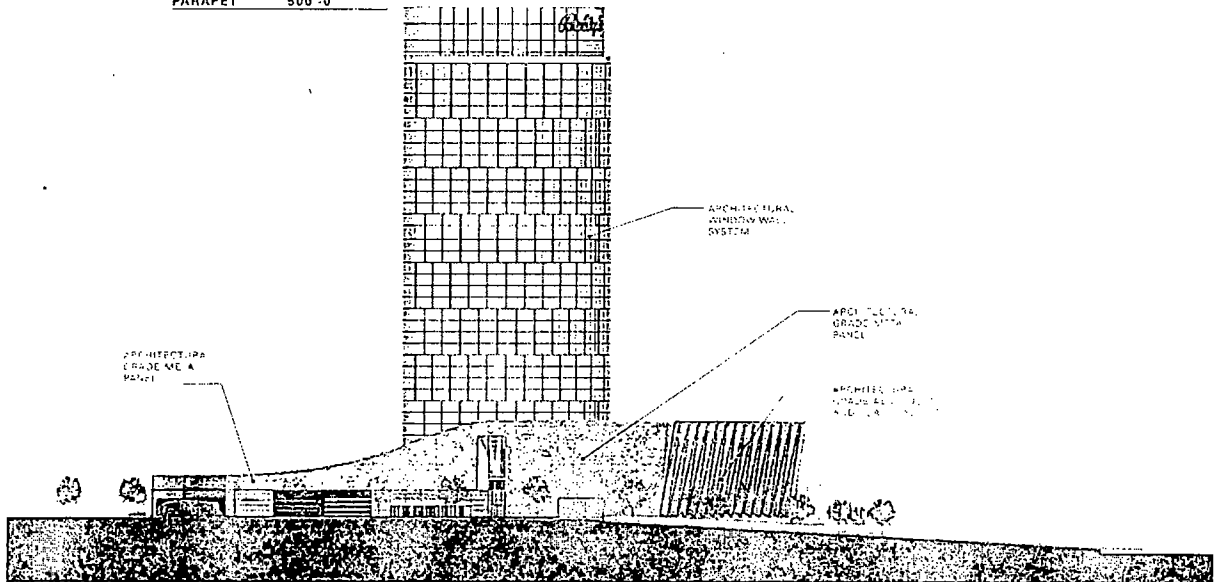
Introduced: September 21, 2022  
Plan Commission: December 12, 2022

TOP OF  
PARAPET 500'-0"



**NORTH ELEVATION**

TOP OF  
PARAPET 500'-0"



**SOUTH ELEVATION**

## PHASE ONE BUILDING ELEVATIONS - NORTH / SOUTH

0' 125' 250'



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Applicant: BALLY'S CHICAGO OPERATING COMPANY, LLC  
Address: 643-741 W CHICAGO AVE.; 641-739 N. HALSTED ST.; 632-740 W. ERIE ST.; 627-661 W. ERIE ST.; 501-531 N. DESPLAINES ST.; & 524-630 W. GRAND AVE.

Introduced: September 21, 2022

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0' 125' 250'


Introduced: September 21, 2022  
Plan Commission: December 12, 2022



DEPARTMENT OF PLANNING AND DEVELOPMENT  
CITY OF CHICAGO

**MEMORANDUM**

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

From:   
Maurice D. Cox  
Chicago Plan Commission

Date: December 12, 2022

Re: Proposed Amendment to Planned Development No. 1426 (App. No. 21129)  
643-741 W. Chicago Ave.; 641-739 N. Halsted St.; 632-740 W. Erie St.; 627- 661 W.  
Erie St.; 501-531 N. Desplaines St.; and 1524-630 W. Grand Ave.

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On Monday, December 12, 2022, the Chicago Plan Commission recommended approval of the proposed amendment to Planned Development No. 1426, submitted by Bally's Chicago Operating Company LLC. A copy of the proposed ordinance, planned development statements, bulk table and exhibits are attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, Bureau of Zoning recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Noah Szafraniec at 312-744-5798 or via email at [Noah.Szafraniec@cityofchicago.org](mailto:Noah.Szafraniec@cityofchicago.org).

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