



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
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Legislation Text

File #: SO2013-6104, Version: 1

FINAL FOR PUBLICATION

SUBSTITUTE ORDINANCE

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

SECTION 1. Title 17, of the Municipal Code of Chicago, the Chicago Zoning Ordinance be amended by changing all the Cl-2 Neighborhood Commercial District symbols and indications as shown on Map No. 14-G in the area bounded by

beginning along West 63rd Parkway; South Halsted Street; a line from a point 598.7 feet north of the north right-of-way line of West 63rd Street as dedicated and the west right-of-way line of South Halsted Street as dedicated; to a point, 588.5 feet north of the north right-of-way line of West 63rd Street as dedicated and 84.7 feet west of South Halsted Street, said line being concave running to the southwest with a length of 85.32 feet having a radius of 503.98 feet; a line from a point 588.5 feet north of the north right-of-way line of West 63rd Street as dedicated and 84.7 feet west of South Halsted Street; to a point, 580.5 feet north of the north right-of-way line West 63rd Street as dedicated and 124 feet west of South Halsted Street; a line 124 feet west of and parallel to South Halsted Street; a line 365.8 feet north of the north right-of-way line of West 63rd Street as dedicated; South Halsted Street; West 63rd Street; and South Sangamon Street (ToB),

to those of a Cl-3 Neighborhood Commercial District and a corresponding use district is hereby established in the area above described.

SECTION 2. Further, Title 17, of the Municipal Code of Chicago, the Chicago Zoning Ordinance be amended by changing all the Cl-3 Neighborhood Commercial District symbols and indications as shown on Map No. 14-G in the area bounded by

beginning at a line 387.7 feet north of and parallel to the north right-of-way line of West 63rd Street as dedicated; a line 148.93 feet west of and parallel to the west right-of-way line of South Halsted Street as dedicated; a line 361.8 feet north of and parallel to the north right-of-way line of West 63rd Street as dedicated; a line 121.93 feet west of and parallel to the west right-of-way line of South Halsted Street as dedicated; a line 365.8 feet north of and parallel to the north right-of-way line of West 63rd Street as dedicated; South Halsted Street; West 63rd Street; and a line 647.8 feet west of and parallel to the west right-of-way line of South Halsted Street as dedicated (ToB),

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

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

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BUSINESS PLANNED DEVELOPMENT NO. _____

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as a Business-Residential-Institutional Planned Development Number _____ the "Planned Development") consists of approximately 235,203 square feet of net site area (approximately 5.40 acres) of property (the "Property") including certain existing streets and alleys to be vacated within the Planned Development¹ as depicted on the attached Planned Development Boundary and Property Line Map. The Property is owned or controlled by the City of Chicago ("City"). Chicago Neighborhood Initiatives, Inc. has been authorized by the City of Chicago (the "Applicant") to file the application on its behalf.
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, the legal title holders and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications, or changes (administrative, legislative, or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assigns or grantees and approval of the City Council. Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans. Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Departments of Housing and Economic 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.

¹ Net site area includes 59,720 square feet of streets and alleys to be vacated within the Planned Development.

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4. This Plan of Development consists of these sixteen (16) Statements: a Bulk Regulations Data Table, Existing Zoning Map, Existing Land-Use Map, Planned Development Boundary and Property Line Map, Right of Way Adjustment map, and Site Plan prepared by Spaceco Inc.; Concept Building Elevations for the neighborhood grocer and retail building by Ethosworkshop; and Landscape Plans and Green Roof Plan prepared by MetroGreen, Camiros and Infrastructure Engineering Inc. all dated November 21, 2013, and submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Housing and Economic Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the 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 Cl-3 Neighborhood Commercial District uses shall be allowed within the areas delineated herein as a Business Institutional Planned Development:

Children's play center, day care, postal service, public safety services, utilities and services, minor; animal services, excluding stables; artist work or sales space; body art services; building maintenance services; business equipment sales and services, business support services excluding day labor employment agencies; employment agencies; communication service establishments; all construction sales and service; drive-through facilities including banks, pharmacies and restaurants; all eating and drinking establishments including outdoor patio located at grade and on a rooftop; all entertainment and spectator sports excluding inter-track wagering facilities; all financial services excluding payday loan stores and pawn shops; valuable objects dealer; all food

and beverage retail sales; liquor stores; liquor sales; medical service; office; high technology office; electronic data storage center; parking, accessory and non-required accessory; personal service; hair salon, nail salon, massage establishment or barbershop, yoga and dance studios, driving schools, martial arts studios, educational and test preparation services and support; repair or laundry service, consumer; dry cleaning dropoff or pick up; coin-operated laundromat; residential storage warehouse; retail sales, general; all sports and recreation, participant; all vehicles sales and service excluding vehicle storage and towing with outdoor storage; wireless communication facilities excluding freestanding towers.

No adult uses, gas stations, car washes, payday loan stores, pawn shops and urban farms are allowed.

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6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Housing and Economic Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of 235,203 square feet, including 59,720 square feet of public rights of way to be vacated.
9. Prior to the Part II Approval (per Section 17-13-0610 of the Zoning Ordinance) in either Outlot A or Outlot B, the Applicant shall submit a Site Plan, Landscape Plan and Building Elevations for the specific Outlot for review and approval by the Department of Housing and Economic Development. Review and approval by the Department of Housing and Economic Development is intended to assure that specific development

components substantially conform with the Planned Development and to assist the City in monitoring ongoing development. Outlot Site Plan Approval Submittals (per Section 17-13-0800) need only include that portion of the Property for which approval is being sought by the Applicant. The Site Plan provided shall include all dimensioned and planned street and alley Rights-of-Way.

No Part II Approval for any portion of an Outlot shall be granted until Site Plan approval has been granted. Following approval by the Department of Housing and Economic Development, the approved Outlot Site Plan Approval Submittals, supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of the Planned Development.

After approval of the Outlot Site Plan, changes or modifications may be made pursuant to the provisions of Statement No. 13. In the event of any inconsistency between approved plans and the terms of the Planned Development, the terms of the Planned Development shall govern. Any Outlot Site Plan Approval Submittals shall, at a minimum, provide the following information:

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- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned building elevations;
- fully-dimensioned landscape plan(s);
- updated traffic study; and,
- statistical information applicable to the subject Sub-Area, including floor area, the applicable FAR, uses to be established, building heights and setbacks.

Outlot Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the Planned Development.

10. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Housing and Economic 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.

11. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Housing and Economic Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
12. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
13. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
14. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all

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applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

15. 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, conserves energy and maximizes the preservation of natural resources. All development shall conform to the "City of Chicago's Sustainable Development Policy Matrix" in effect on the submittal of the Site Plans pursuant to this Planned Development. The 18,000 square foot grocery store shall be exempt from the Green Roof requirement due to its location in a Food Desert; however, the building shall exceed the

ASHRAE 90.1-2004 standards by at least 14%. The proposed 22,000 square foot retail building shall be LEED certified, include a 50% of net roof area vegetated ("green") roof (approximately 8,800 square feet), and 50% of all the Vehicular Use Areas (VUA) shall be shaded in 5 years. Net area of the roof is defined as total roof area less any roof-top equipment and any required perimeter parapet setback. Up to 10% of the green roof area may be hardscape (pathways, etc.). The buildings to be constructed on Outlots A and B shall not be required to be LEED Certified if the total square footage of the buildings on these outlots are less than 10,000 square feet.

16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Housing and Economic Development shall initiate a Zoning Map Amendment to rezone the property to C1-3 Neighborhood Commercial District.

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Business Planned Development Number

Bulk Regulations and Data Table

Gross Site Area

Existing Public Right-of-Way Area to be vacated: Existing Public Right-of-Way Area to remain: Public Right of Way to Be Opened: Net Site Area:

Maximum Floor Area Ratio: Allowed Uses:

Number of Residential Units Allowed:

Minimum Number of Off-Street Accessory Parking Spaces:

Minimum Number of Parking Spaces for Outlots A & B:

Minimum Number of Off-Street Loading Spaces: Minimum Loading for Outlots A & B: Minimum Number of Bicycle Spaces:

Maximum Building Height: Minimum Setbacks:

285,121 sq. ft. (6.546 acres) 59,720 sq.ft. (1.371 acres) 39,066 sq. ft. (0.897 acre) 10,852 sq.ft. (0.249 acre) 235,203 sq. ft. (5.4 acres) 0.50

See Statement Number 5 None

75 spaces

1 space per 400 square feet 1 @ 10'x50'

As required by Section 17-10-1101

1 for every 2 required parking spaces; maximum 50 bicycle spaces.

38 feet

As per approved Site Plans.

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EXISTING ZONING MAP

APPLICANT: CHICAGO NEIGHBORHOOD INITIATIVES, INC.
ON BEHALF OF THE CITY OF CHICAGO

ADDRESS: 800 WEST 63rd STREET INTRODUCTION DATE: SEPTEMBER 11, 2013 REVISED: NOVEMBER 21, 2013

CONSULTING ENGINEERS

UNOSUSVISORS

9575 W. Higgins Road, Suite 700,
Rosemont, Illinois 60018 Phone: (773) 678-4010 Fax: (773) 676-085

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EXISTING LAND-USE MAP

APPLICANT: CHICAGO NEIGHBORHOOD INITIATIVES, INC. ON BEHALF OF THE CITY OF CHICAGO
ADDRESS: 800 WEST 63rd STREET INTRODUCTION DATE: SEPTEMBER 11, 2013 REVISED: NOVEMBER 21, 2013

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PD BOUNDARY AND PROPERTY LINE MAP

APPLICANT: CHICAGO NEIGHBORHOOD INITIATIVES, INC. ON BEHALF OF THE CITY OF
CHICAGO

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RIGHT-OF-WAY ADJUSTMENT MAP

APPLICANT: CHICAGO NEIGHBORHOOD INITIATIVES, INC. ON BEHALF OF THE CITY OF CHICAGO
ADDRESS: 800 WEST 63" STREET INTRODUCTION DATE: SEPTEMBER 11, 2013 REVISED: NOVEMBER 21,
2013

CONSULTING ENGINEER
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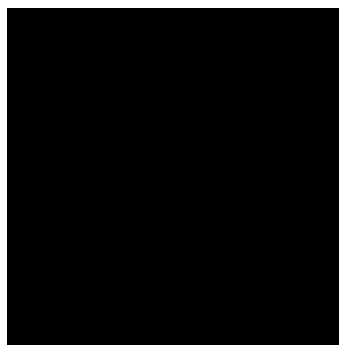
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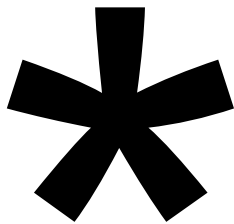
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