



# City of Chicago



SO2020-1891

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	4/22/2020
<b>Sponsor(s):</b>	Misc. Transmittal
<b>Type:</b>	Ordinance
<b>Title:</b>	Zoning Reclassification Map No. 5-G at 2015-2031 N Mendell St - App No. 20384
<b>Committee(s) Assignment:</b>	Committee on Zoning, Landmarks and Building Standards

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ORDINANCE

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the current Waterway Business Planned Development No. 1339 symbols and indications as shown on Map No. 5-G in the area bounded by:

a line from a point 1,128.05 feet north of West Cortland Avenue as measured along the easterly line of North Mendell Street and running perpendicular to North Mendell Street for a distance of 237.00 feet to its intersection with the west bank of the Chicago River; The Chicago River; a line beginning at a point 939.35 feet north of West Cortland Avenue as measured along the easterly line of North Mendell Street running southeasterly for a distance of 108.37 feet to a point 30.90 feet north of the north line of vacated West Mclean Avenue; a line from the terminus of the last described line running southeasterly for a distance of 44.89 ft. to a point 30.20 feet north of the north line of vacated West Mclean Avenue; a line from the terminus of the last described line running southeasterly for a distance of 62.00 feet its intersection with the Chicago River; and North Mendell Street

to those of Waterway Business Planned Development No. 1339, as amended which is hereby established in the area described above.

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

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## WATERWAY PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Waterway Planned Development Number 1339, as amended ("Planned Development") consists of approximately 50,729 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, 2017 Mendell Baker, LLC.

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 titleholder 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, assign or grantees. Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

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

4. This Plan of Development consists of eighteen (18) Statements: a Bulk Regulations Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Site/Landscape Plan; a Green Roof Plan and Building Elevations (North, South, East and West); and Building Section, all, but the Site/Landscape Plan (which has been modified and will be attached and made a part

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hereof) prepared by MRSA Architects, dated August 10, 2016, as published in the September 14, 2016 *Journal of the Proceedings of the City Council of the City of Chicago*, pages 32171 to 32184. 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 permitted in the area delineated herein as a Waterway Planned Development: Office, high technology office, warehouse and light industrial uses, roof-top deck, communication service establishments, accessory parking and accessory uses and Cannabis Craft Grow (including accessory Cannabis Dispensary), Cannabis Processor and Cannabis Infuser provided that Special Uses are approved pursuant to the standards under Section 17-9-0129 of the Chicago Zoning Ordinance. No cannabis business establishment which requires a special use may operate in any planned development prior to such use being reviewed and approved as a special use by the Zoning Board of Appeals (17-9-0129-6). The special use application must be filed pursuant to Section 17-13-0900, 17-13-0905-G, and the applicable rules issued by the Zoning Board of Appeals. The operator for the cannabis related uses including the Cannabis Dispensary Use must be issued all applicable State of Illinois licenses for said cannabis related uses and the Cannabis Dispensary use is subject to the standards under Section 17-9-0129-4.

6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.

7. For purposes of height measurement, the definitions in the 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 Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted Floor Area Ratio identified in the Bulk Regulations Table has been determined using a Net Site Area of 50,729 square feet and a base FAR of 1.4.

9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the

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time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.

10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

11. The Applicant acknowledges the importance of the Chicago River as a resource for both commerce and recreation and also acknowledges the City's goals of improving the appearance, quality and accessibility of the river, as contained in the waterway planned development guidelines contained in the Zoning Ordinance (Section 17-8-0912) and the Chicago River Corridor Design Guidelines and Standards. To further these goals, the Applicant agrees, as set forth in the Plans, to: (a) provide a minimum 18-foot landscaped setback from the river top of bank, which will include an 8 foot wide walkway as shown on the Landscape Plans, and (b) permit connection of such walkway and landscaped setback when adjacent properties are similarly improved or redeveloped with a riverwalk. At such time riverwalk improvements are made and public access provided on at least one adjacent riverside property, the Applicant shall: (1) widen and align the walkway to match the adjacent property riverwalk, except to the extent that a widening of the riverwalk on the Property is required, and (2) permit un-gated public access, and (3) provide signage on the riverwalk indicating that the riverwalk is open to the public during typical Chicago Park District hours. All improvements within the river setback must be substantially completed prior to receipt of occupancy for the principal building, provided that plantings may be delayed if consistent with good landscape practice, but not longer than one year following receipt of the final occupancy certificate. The Applicant and DPD agree to continue to work together on the required lighting proposed along the riverwalk prior to receipt of occupancy for the principal building.

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, Environment 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.

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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 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 and conserves energy and natural resources. The applicant has agreed to provide a 50% green roof over the net roof area (approximately 8,800 square feet) and achieve Building Certification to comply with the City of Chicago's Sustainable Development Policy.

16. The Applicant agrees to coordinate with City [both the Department of Transportation and the Department of Planning and Development] to implement future infrastructure improvements related to the North Branch Framework Plan, provided that any such future infrastructure improvements affecting the Property are mutually agreed to by the City and Applicant as to any modifications to the Property and party responsible for the costs thereof. Modifications to the site plan as a result of these infrastructure improvements may be made pursuant to the minor change provisions of Section 17-13-0611.

17. 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. As the improvements in the Planned Development have been previously constructed, the obligations contained within this Statement only shall apply to interior, tenant improvement build-out. 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, a 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 26% MBE and 6% WBE participation (measured against the total construction budget for the project or any phase thereof), and (ii) 50% city resident hiring. 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, the Applicant must submit to DPD (a) updates (if any) to the Applicant's

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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, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project, 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.

18. 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 Planning and Development shall initiate a Zoning Map Amendment to rezone the property to M3-3 (Heavy Industry District).

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WATERWAY PLANNED DEVELOPMENT 1339, as amended

PLAN OF DEVELOPMENT

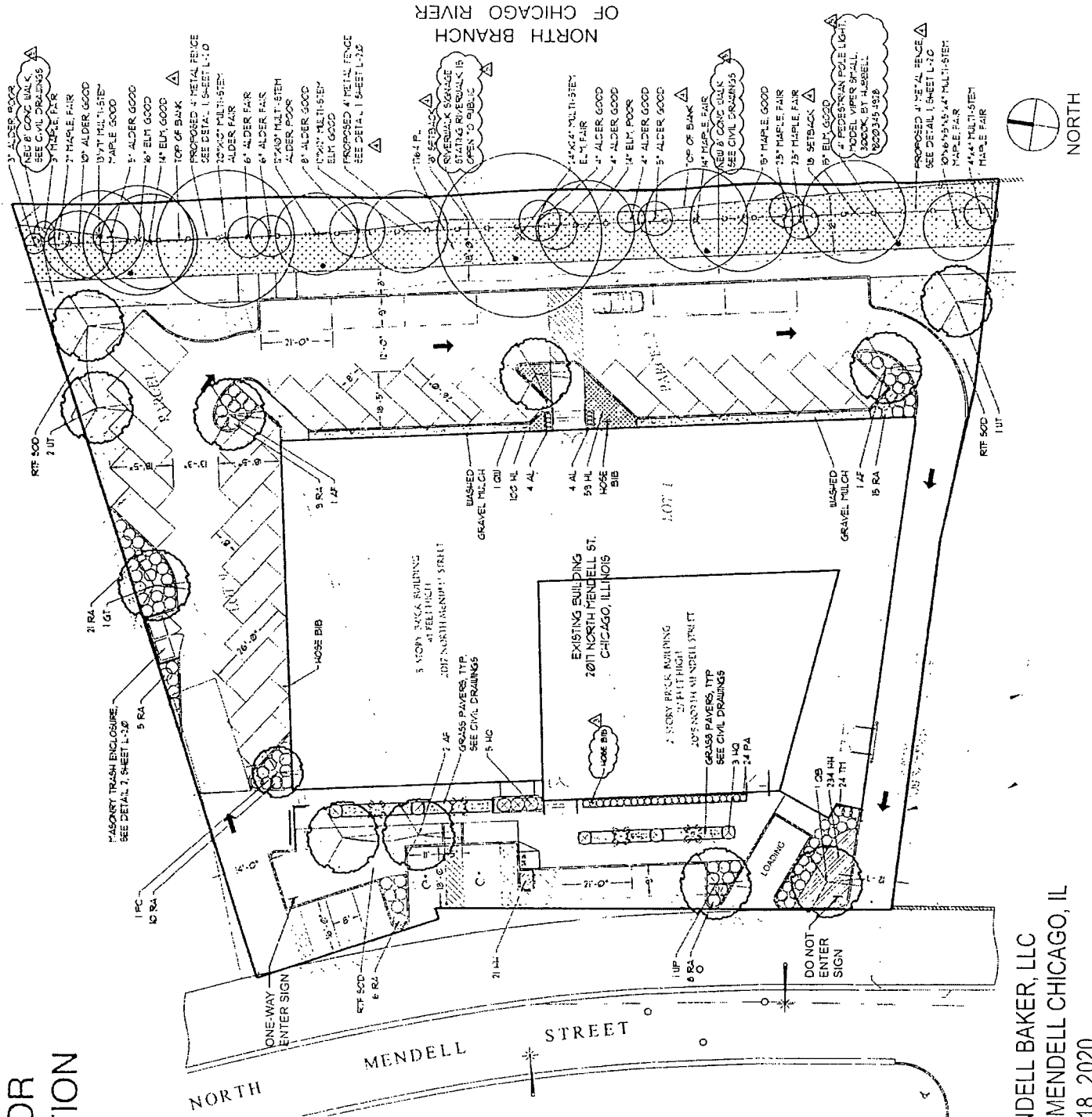
BULK REGULATIONS AND DATA TABLE

Gross Site Area:	56,956.10 sq. ft.
Net Site Area:	50,729.00 sq. ft.
Area Remaining in the Public Right of Way	6,227.10 sq. ft.
Maximum Floor Area Ratio:	1.4
Minimum Setbacks:	Per Site/Landscape Plan
Minimum Number of Parking Spaces:	44 spaces
Minimum Number of Off-Street Loading:	One berth (10 ft. x 25 ft.)
Maximum Building Height:	60 ft. 4 in.
Minimum Number of Bicycle Parking Spaces:	60 spaces

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APPLICANT: 2017 MENDELL BAKER, LLC  
 ADDRESS: 2015-31 N. MENDELL CHICAGO, IL  
 INTRO DATE: MARCH 18, 2020  
 PLAN COMMISSION DATE: SEPTEMBER 17, 2020



Application #20384

TO: CLERK

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: September 17, 2020

Re: Proposed Amendment to Waterway Planned Development 1339 – 2017 N. Mendell St.

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On September 17, 2020, the Chicago Plan Commission recommended approval of the proposed amendment to Waterway Planned Development 1339, submitted by 2017 Baker Mendell, LLC. The Applicant seeks to amend the planned development to add Cannabis Craft Grow (including accessory Cannabis Dispensary), Cannabis Processor, and Cannabis Infuser as allowed uses subject to the provisions listed under Section 17-9-0129 of the Chicago Zoning Ordinance to the planned development. No changes are proposed to the exterior of the existing four-story building. 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 Emily Thrun at 312-744-0756.

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