City of Chicago

Office of the City Clerk

Tracking Sheet

SO2010-7388

Meeting Date:	12/8/2010
Status:	Passed
Sponsor(s):	City Clerk
Type:	Ordinance
Title:	Zoning Reclassification App. No. 17102
Committee(s) Assignment:	Committee on Zoning

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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, is hereby amended by changing all the M3-3 Heavy Manufacturing District and indications as shown on Map No. 5-H in the area bounded by

North Honore Street; the alley next northeast of and parallel to North Lister Avenue; West Webster Avenue; and North Lister Avenue;

to those of a C3-3 Commercial, Manufacturing & Employment District and a corresponding use disctict is hereby established in the area above described.

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

Common Address of Property: 1820-28 West Webster Avenue

#17102
FINAL

City of Chicago
Richard M. Daley, Mayor

Department of Zoning and
Land Use Planning

Patricia A. Scudiero
Commissioner

City Hall, Room 905
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-5777 (Voice)
(312) 744-6552 (FAX)
(312) 744-2950 (TTY)
http://www.cityofchicago.org

MEMORANDUM

TO: Alderman Daniel S. Solis
Chairman, City Council Committee on Zoning

FROM: Patricia A. Scudiero
Commissioner - Department of Zoning and Land Use Planning
Zoning Administrator

DATE: November 22, 2010

RE: Proposed Zoning Map Amendment within the North Branch Industrial Corridor for the property generally located at 1820-28 West Webster Avenue.

Oh November 18, 2010, the Chicago Plan Commission recommended approval of the proposed zoning map amendment submitted by Webster Point Properties, A copy of the proposed amendment is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning hearing.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Zoning and Land Use Planning recommendation and a copy of the Resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-5777.

cc: Steve Valenziano
PD Master File (Original PD, copy of memo)

NEIGHBORHOODS Alive!
BUILDING CHICAGO TOGETHER

CHICAGO WORKS TOGETHER

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REPORT
to the
CHICAGO PLAN COMMISSION
LINDA SEARL, CHAIRMAN
from
PATRICIA A. SCUDIERO, COMMISSIONER
DEPARTMENT OF ZONING AND LAND USE PLANNING
AND ZONING ADMINISTRATOR

November 18, 2010

FOR APPROVAL: **PROPOSED MAP AMENDMENT WITHIN THE NORTH BRANCH INDUSTRIAL CORRIDOR**

APPLICANT: **WEBSTER POINT PROPERTIES, INC.**

LOCATION: **1820-28 WEST WEBSTER AVENUE**

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Zoning and Land Use Planning hereby submits this report and recommendation on a proposed Zoning Map Amendment within the North Branch Industrial Corridor for your review and recommendation to the Chicago City Council. The application was introduced to the Chicago City Council on July 28, 2010. Notice of this public hearing was published in the Chicago Sun-Times on November 3, 2010. The Applicant was separately notified of this public hearing.

The Applicant, Webster Point Properties, Inc., proposes a zoning reclassification involving property located within the North Branch Industrial Corridor. The Applicant proposes to reclassify the subject property from M3-3 Heavy Industry District to the C3-3 Commercial, Manufacturing and Employment District.

Section 17-13-0402 of the Chicago Zoning Ordinance requires a public hearing to be held by the Chicago Plan Commission on applications to rezone land within an industrial corridor from an "M" zoning district classification to any other zoning district classification.

SITE AND AREA DESCRIPTION

The Corridor is located on the north side of the City in the Logan Square community area and is generally bounded by Fullerton on the north, Kingsbury Street and the North Branch of the Chicago River on the east, Kinzie on the south, and I-90/94 on the west. The subject property is located in the northern section of the Corridor.

The subject property is located at the intersection of West Webster Avenue and North Lister Avenue and is located adjacent to a mix of land uses. East of the site is a large C3-3 zoned site and also Waterway Planned Development No. 532 operated by W.W. Grainger Inc. South of the site are several parcels zoned C1-3 Neighborhood Commercial District and C2-1 Motor Vehicle-Related Commercial District and it is bounded also on the south and west by a M3-3 Heavy Industry District. Directly north of the site is a small parcel zoned RM-5 Residential Multi-unit District. The site is also not

in the Lake Michigan and Chicago Lakefront Protection District. The site is located within the North Branch Industrial Corridor Tax Increment Financing (TIF) District.

The site consists of approximately 22,446 square feet (0.55 acres) and is improved with an existing (4) four-story (60') tall building and a parking lot. The property will remain and the proposal includes no new construction. There are 32 off-street parking spaces on the site and one existing driveway from North Lister Avenue for vehicular ingress/egress to the parking lot. The property also has one (1) loading berth for the existing building. The building has nine (9) tenants with a mix of office and businesses with a total of 30 employees. No employees will be displaced as a result of the project.

The CTA's bus route # 50 (Damen), route #73 (Armitage) and route # 74 (Fullerton) all run on streets within a half-mile of the site. Both the Damen station on the CTA's Blue Line and the Clybourn METRA Union Pacific station are approximately one mile from the site.

PROJECT DESCRIPTION

The Applicant proposes to reclassify the property to the C3-3 Commercial, Manufacturing and Employment District, to allow for retail uses within the existing building. The owner of the property is interested in attracting a commercial user; however the current zoning prohibits several types of commercial uses. The applicant's intent is to lease 4,000 square feet of retail space in the ground floor of the existing building. There will be no exterior modifications to the building or any part of the property.

RECOMMENDATION

The Department of Zoning and Land Use Planning has reviewed the project materials submitted by the Applicant. The Chicago Zoning Ordinance in Section 17-13-0400, lays out two types of review and decision making criteria for Map Amendments within Industrial Corridors. The first is that review and decision-making bodies must consider the criteria established in Section 17-13-0308 governing Zoning Map Amendments. The second set of review criteria addresses whether the proposed rezoning will adversely affect the continued viability of the industrial corridor and then proceeds to establish a series of factors to determine industrial viability in Section 17-13-0403. Such factors and an analysis of this proposal follow below:

1) The size of the district:

The district is 760 acres in size and the site consists of approximately 22,446 square feet (0.55 acres)

2) The number of existing firms and employees that would be affected:

301 companies employ approximately 15,140 individuals in the industrial corridor. The 1820-28 West Webster building has nine (9) tenants with a total of 30 employees. No employees will be displaced as a result of the project; nor would the operation of any other existing firms.

3) Recent and planned public and private investments within the district:

Public investments include a bridge and viaduct rehabilitation on North Cherry Avenue from Weed Street to West North Avenue. In addition, the Chicago Department of Transportation is leading a project that includes the Fleet Management Area

infrastructure project in the area east of Elston, north of North Avenue including Willlow, Wabansia, Concord, Ada and Throop.

Private investments include: Water Saver Faucet Company has planned a state of the art renovation and expansion of its facility. The expansion will increase the size of the facility from 79,200 sq. ft. to 124,200 sq ft. The expansion will retain 160 jobs and create 200 construction jobs. Guardian Equipment Company is a private company and is located within the North Branch Industrial Corridor. The company employees approximately 50 employees and recently constructed a new facility in 2008 located at 1140 N North Branch St.

4) The potential of the district to support additional industrial uses and increased manufacturing employment:
The North Branch Industrial corridor is situated to support additional industrial uses. There are 57 vacant properties and/or underutilized parcels in the corridor that are available for industrial development therefore this change will not substantially weaken the corridor. The corridor is accessible from I-90/94 Kennedy Expressway, the Chicago River and is well served by public transportation.

5) The proportion of land in the district currently devoted to industrial uses:
Approximately 88% of the land in the corridor is zoned for industrial uses.

6) The area's importance to the city as an industrial district:
This is an important corridor due to its proximity to CTA bus routes, main thoroughfares and expressways as well as its ability to support rail and barge transportation. There are several companies using barge/rail and many accessing the expressway for industrial operations. Prairie Materials, Ogden Ave Materials, and Ozinga use barge access for operations and A. Finkl and Sons, Big Bay Lumber, and Morton Salt use rail. However, this area (on the edge of the corridor) is adjacent to a mix of land uses and the requested zoning of this parcel would be an appropriate use for this site.

After reviewing the materials submitted by the applicant and analyzing the proposal with respect to the factors above, the Department of Zoning and Land Use Planning has concluded the following pursuant to the 17-13-0403 addressing the viability of the Industrial Corridor:

The proposed rezoning would not adversely affect the continued industrial viability of the North Branch Industrial Corridor. There are multiple vacant and/or underutilized parcels in the corridor that are available for industrial development, which are also located in the Planned Manufacturing District. The subject building is leased at approximately 80% capacity and there would be no loss of jobs or negative impact on the operations of existing companies. Therefore, the change in zoning and the redevelopment of the property will not substantially weaken the North Branch Industrial Corridor or any established industrial users.

The review and decision-making criteria of Section 17-13-0400 addressing Zoning Map Amendments within Industrial Corridors also requires review under Section 17-13-0308 covering Zoning Map Amendments:

A. **ZONING CONSISTENCY**

The site identified is located is the northern section of the North Branch Industrial Corridor. The applicant seeks to rezone the property from a M3-3 District to a C3-3 District. The North Branch (North) Industrial Corridor Tax Increment Redevelopment Plan, as adopted by the City Council in July 2, 1997, identifies the following redevelopment goal, "Consider and promote compatible commercial uses in limited instances such as where the existing adjacent land uses are already predominately commercial". Additionally, the area east of the site consists of a mix of uses, with a large C3-3 zoned site directly east of the site and also Waterway Planned Development No. 532 operated by W.W. Grainger Inc. Directly south of the site are parcels zoned C1-3, Neighborhood District and C2-1, Motor Vehicle-Related Commercial District and bounded on the west by a M3-3, Heavy Industry District. Directly north of the site is a small parcel zoned RM-5 Residential Multi-unit district.

B. **ZONING APPROPRIATENESS**

The rezoning of this very small site on the northern edge of the corridor from a M3-3 District to a C3-3 District would not adversely affect the rest of the North Branch Industrial Corridor, but would benefit the neighboring community through the addition of commercial/retail businesses. A diverse mix of industrial, commercial and residential land uses surrounds the site.

C. **DEVELOPMENT COMPATIBILITY**

The proposed commercial uses are compatible with the surrounding area. The proposed commercial use would serve as a transition from the manufacturing uses of the corridor on the east to the commercial and residential uses that are located north of the site.

D. **PROPOSED CLASSIFICATION COMPATIBILITY**

The proposed C3-3 zoning classification is compatible with the surrounding zoning classifications. The site is surrounded by a mix of uses on the north a large C3-3 parcel and also by Waterway Planned Development No. 532 operated by W.W. Grainger Inc. South of the site are several parcels zoned C1-3 Neighborhood District and C2-1 Motor Vehicle-Related Commercial District and on the west by a M3-3 Heavy Industry District. North of the site is a small parcel zoned RM-5 Residential Multi-unit District.

E. **ADEQUACY OF INFRASTRUCTURE AND CITY SERVICES**

The development site currently exists and is served by existing infrastructure to serve large manufacturing uses, residential uses and commercial uses.

Based on the foregoing, it is the recommendation of the Department of Zoning and Land Use Planning that the revised application for a Zoning Map Amendment in the North Branch Industrial Corridor be approved and that the recommendation to the City Council Committee on Zoning be: "As Revised, Passage Recommended."

Patricia A. Scudiero, Commissioner
Department of Zoning and Land Use Planning

City of Chicago
Richard M. Daley, Mayor

Department of Zoning and
Land Use Planning

Patricia A. Scudiero
Commissioner

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1820-28 WEST WEBSTER AVENUE
RESOLUTION

WHEREAS, the Applicant, Webster Point Properties, Inc., has submitted an Application requesting a change in zoning designation from M3-3 Heavy Industry District to C3-3 Commercial, Manufacturing and Employment District; and

WHEREAS, the Applicant is proposing to rezone the property to allow for commercial uses. The applicant intends to lease 4,000 square feet of retail space in the ground floor of the existing building. No changes to the exterior of the building are proposed; and

WHEREAS, the Property is located within the North Branch Industrial Corridor and Section 17-13-0400 of the Chicago Zoning Ordinance requires the Chicago Plan Commission to hold public hearings on requests to rezone land within an Industrial Corridor from an M zoning district to a non-M zoning district; and

WHEREAS, the Applicant's application to rezone the Property was introduced to the City Council on July 28, 2010; and

WHEREAS, proper legal notice of the hearing before the Chicago Plan Commission on the zoning map amendment application was published in the Chicago Sun-Times on November 3, 2010. The Applicant was separately notified of this hearing and the proposed zoning map amendment application was considered at a public hearing by this Plan Commission on November 18, 2010; and

WHEREAS, the Plan Commission has reviewed the application with respect to the provisions of the Chicago Zoning Ordinance and finds that the proposal will be consistent with said provisions; and

WHEREAS, the Department of Zoning and Land Use Planning recommended approval of the application, with the recommendation and explanation contained in the written report dated November 18, 2010, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Chicago Plan Commission has fully reviewed the application and all informational submissions associated

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with the proposed amendment, the report and recommendation of the Commissioner of the Department of Zoning and Land Use Planning, and all other testimony presented at the public hearing held on November 18, 2010, giving due and proper consideration to the Chicago Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

1. THAT the final application dated November 18, 2010 be approved as being in conformance with the provisions, terms and conditions of the corresponding zoning map amendment application; and

2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning of the final zoning map amendment application dated November 18, 2010; and

3. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Zoning and Land Use Planning be adopted as the findings of fact of the Chicago Plan Commission regarding zoning map amendment application.

Linda Searl
Chairman
Chicago Plan Commission

Approved: November 18, 2010

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#17102

CITY OF CHICAGO
APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

1. ADDRESS of the property Applicant is seeking to rezone:
1820-28 W. Webster

2. Ward Number that property is located in: 32

3. APPLICANT: Webster Point Properties, Inc. c/o Law Offices of Samuel VP Banks, 221 N. LaSalle, Suite 3800, Chicago, IL 60601
ADDRESS: 1820 W. Webster #101
CITY: Chicago STATE: IL ZIP CODE: 60426
PHONE: (312) 782-1983 CONTACT PERSON: Sylvia C. Michas, Esq.
Attorney for Applicant

4. Is the Applicant the owner of the property YES _X_ NO_____

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:
Attomey: Law Offices of Samuel VP Banks
Address: 221 North LaSalle Street #3800 Chicago, IL 60601
Phone: (312) 782-1983

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.), please provide the names of all owners as disclosed on the Economic Disclosure Statements
Moshe Blauvise (Power of Attorney) Webster Point Properties Inc.

7. On what date did the owner acquire legal title to the subject property?
June 2008

8. Has the present owner previously rezoned this property? If Yes, when?
no

9. Present Zoning: M3-3 Heavy Industry District
Proposed Zoning: C1-3 Neighborhood Commercial District

10. Lot size in square feet (or dimensions?): Oddly shaped lot = 22,445.9 sq. ft..

11. Current Use of the Property The subject property is currently improved with a 4-story brick building, consisting of commercial use at grade (car wash) and office space located on the 2nd-4th floors.

12. Reason for rezoning the property: To permit retail uses within the ground floor of the existing building.

13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC)
The existing four-story brick building shall remain. The reason for the zoning amendment is to permit the establishment and location of retail uses (in addition to the existing car wash) within the ground floor of the existing building.

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14. On May 14, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See Fact Sheet for more information)

YES_____ NO_____X_____

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COUNTY OF COOK
STATE OF ILLINOIS

I, Moshe Blauvise, as Power of Attorney on behalf of Webster Point Properties Inc., being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.

Signature of Applicant

Subscribed and Sworn to before me this

19 day of July, 2010

Notary Public

OFFICIAL SEAL
Rosalba Salinas
Notary Public - State of Illinois
My commission expires Jan. 30, 2011

For Office Use Only

Date of Introduction:_____

File Number:_____

Ward:_____

#17102
SUB.

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, is hereby amended by changing all the M3-3 Heavy Manufacturing District and indications as shown on Map No. 5-H in the area bounded by

> North Honore Street; the alley next northeast of and parallel to North Lister Avenue; West Webster Avenue; and North Lister Avenue;

to those of a C3-3 Commercial, Manufacturing & Employment District and a corresponding use disctict is hereby established in the area above described.

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

Common Address of Property: 1820-28 West Webster Avenue

17102

ORDINANCE

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SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all the M3-3 Heavy Manufacturing District and indications as shown on Map No. 5-H in the area bounded by

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Common address of property: 1820-28 West Webster Avenue

FILE # 17102

WARD 32

MAP 5-H

PAGE

Document No. PO2010- 4704

REFERRED TO COMMITTEE ON
ZONING

JUL 28 2010

City Clerk City of Chicago