



City of Chicago



SO2020-1900

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 4/22/2020

Sponsor(s): Misc. Transmittal

Type: Ordinance

Title: Zoning Reclassification Map No. 9-I at 3401-3425 N
California Ave/2704-2718 W Roscoe St - App No. 20393

Committee(s) Assignment: Committee on Zoning, Landmarks and Building Standards

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 of the Industrial Planned Development Number 1151 District symbols and indications as shown on Map No. 9-I in the area bounded by:

a line 323.03 feet north of West Roscoe Street; the west line of the North Branch of the Chicago River; West Roscoe Street; North California Avenue; a line 267 feet north of West Roscoe Street; and a line 275.79 feet east of North California Avenue

to those of a C3-2 Commercial, Manufacturing and Employment District which is hereby established in the area described above.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all the current C3-2 Commercial, Manufacturing and Employment District symbols and indications as shown on Map No. 9-I in the area bounded by:

a line 323.03 feet north of West Roscoe Street; the west line of the North Branch of the Chicago River; West Roscoe Street; North California Avenue; a line 267 feet north of West Roscoe Street; and a line 275.79 feet east of North California Avenue

to those of a Waterway Planned Development Number 1151, as amended, which is hereby established in the area described above.

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

Property Address:

3401-25 North California Avenue/2704-18 West Roscoe Street

WATERWAY PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Waterway Planned Development Number 1151, as amended, ("Planned Development") consists of approximately 169,556 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, WMS Property, 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, assigns 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.

A traffic impact study of the proposed development and revised site plans shall be completed at the Applicant's expense and reviewed and approved by CDOT prior to Part II approval. If the traffic study identifies infrastructure upgrades or improvements that are warranted and directly and solely attributed to the project, the Applicant will be responsible to fund and construct such upgrades or improvements prior to receiving any Certificate of Occupancy for the building.

In addition, the following improvements shall be implemented at the Applicant's expense:

1. Installation of stop signs at parking lot exits on Roscoe and on California facing outbound traffic.
 2. Restriping of crosswalks and stop bar pavement markings at California and Roscoe.
 3. Installation of two standard u-rack bicycle racks within the public way on the north side of W. Roscoe Street within 40 feet of the main entrance to the building at 2718 W. Roscoe.
4. This Plan of Development consists of eighteen (18) Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary Map; a Site Plan; a Planned Development Site Plan; a Landscape and Green Roof Plan; a Plant Palette and Details

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Plan; a Riverwalk Section; Building Elevations; and Building Section, all prepared by Solomon Cordwell Buenz, dated September 17, 2009 and revised on October 20, 2016, as published in the December 14, 2016 *Journal of the Proceedings of the City Council of the City of Chicago*, pages 40368 to 40378 inclusive. 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: all uses permitted within the C3 Commercial, Manufacturing and Employment District, specifically including, but not limited to colleges and universities; offices and electronic data storage center; accessory and non-accessory off street parking; and accessory uses.
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. Off-street parking shall be provided in compliance with this Planned Development. All off-street parking serving the development may be located off-site at the following locations:
 1. All or part of approximately 2703-2725 West Roscoe Street; and
 2. All or part of approximately 3231-3323 North California Avenue.
8. 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.
9. The maximum permitted floor area ratio (FAR) for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purpose 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 169,554 square feet and a base FAR of 2.2.
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 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.
11. The Site and Landscape Plans 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.

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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 13-32-085, or any other provision of the Municipal Code of Chicago.
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 applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
15. 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 contain in the Chicago Zoning Ordinance (Section 17-8-0912) and the Chicago River Corridor Design Guidelines and Standards. To further these goals, the Applicant agrees to: (a) provide a landscaped 30-foot-wide river setback and continuous riverside trail as indicated on the Site Plan, Public and Common Open Space Plan and Landscape Plan; and, (b) permit connection of such setback and trail to the setback and trails of adjacent properties when the river edges of the adjacent properties are similarly improved. The Applicant shall permit un-gated public access to the river setback and provide signage on the riverwalk 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 Certificate of Occupancy for the principal building, provided that planting may be delayed, if consistent with good landscape practice; but not longer than one year following receipt of the occupancy certificate.
16. 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 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.
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

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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 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 forgoing, 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 the previously approved PD 1151, as approved by City Council on December 14, 2016.

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WATERWAY PLANNED DEVELOPMENT, NUMBER 1151, AS AMENDED
PLAN OF DEVELOPMENT
BULK REGULATIONS AND DATA TABLE

<u>NET SITE AREA:</u>	169,556 square feet
<u>AREA REMAINING IN THE PUBLIC WAY:</u>	29,543 square feet
<u>GROSS SITE AREA:</u>	199,099 square feet
<u>MAXIMUM FLOOR AREA RATIO:</u>	2.2
<u>MAXIMUM BUILDING HEIGHT:</u>	61 feet, 2 inches (as measured in accordance with the Chicago Zoning Ordinance)
<u>MINIMUM NUMBER OF ACCESSORY OFF-STREET PARKING:</u>	414 spaces*
<u>MINIMUM NUMBER OF OFF-STREET LOADING BERTHS:</u>	2
<u>BICYCLE PARKING:</u>	50
<u>MINIMUM SETBACKS FROM PROPERTY LINE:</u>	In accordance with the Site Plan

*May be located as provided for in Statement 7 of the Planned Development Statements

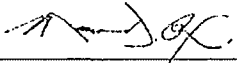
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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

MEMORANDUM

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

From: 
Maurice D. Cox
Chicago Plan Commission

Date: May 21, 2020

Re: Proposed Amendment to Planned Development 1151 (2704-2718 W. Roscoe St.)

On May 21, 2020, the Chicago Plan Commission recommended approval of the proposed amendment to Planned Development 1151, submitted by WMS Property, LLC. The applicant proposes to rezone the site from Industrial Planned Development 1151 to Waterway Planned Development 1151, as amended, to allow for "Colleges and Universities" as a permitted use. The planned development will include 427 vehicular parking spaces provided through off-site accessory parking lots and has 2 loading docks on-site. A copy of the proposed ordinance, planned development statements and bulk table 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 Eiliesh Tuffy at eiliesh.tuffy@cityofchicago.org.

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