

City of Chicago

Office of the City Clerk

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Meeting Date:

Sponsor(s):

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Title:

Committee(s) Assignment:

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7/25/2018

Taliaferro (29) Mitts (37) Ordinance

Zoning Reclassification Map No. 5-I at 5700 W Homer St Committee on Zoning, Landmarks and Building Standards

Committee on Zoning

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 Manufacturing-Business-Residential Planned Development No. 1013, as amended District symbols and indications as shown on Map No. 5-I in the area bounded by

the South line of West Homer Street; a line 170.95 feet West of and parallel to the West line of North Central Avenue; a line 117.01 feet South of and parallel to the South line of West Homer Street; a line 441.36 West of and parallel to the West line of North Central Avenue; a line 51.0 feet South of and parallel to the South line of West Homer Street; and a line 566.90 feet West of and parallel to the West line of North Central Avenue

to those of a M1-2 Limited Manufacturing/Business Park District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Manufacturing-Business-Residential Planned Development No. 1013, as amended District symbols and indications as shown on Map No. 5-I in the area bounded by

beginning at a point 50.33 feet south of the centerline of the Canadian Pacific Railroad/Metra rightof-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and the centerline of North Central Avenue; a line from a point 50.33 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and the centerline of North Central Avenue to a point 120.02 feet east of the centerline of North Central Avenue and 50.33 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad); a line 120.02 feet east of and parallel to the centerline of North Central Avenue; a line from a point 59.33 feet south of the line of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 120.02 feet east of the centerline of North Central Avenue to a point 60.33 feet south of the centerline of the Canadian, Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad/Metra right-of-way) and 175.26 feet east of the center of North Central Avenue; a line 175.26 feet east of and parallel to the centerline of North Central Avenue; a line from a point 50.33 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 175.26 feet east of the centerline of North Central Avenue to a point 520.18 feet east of the centerline of North Central Avenue and 36.02 feet south of the centerline of the Canadian Pacific Railroad/Metra rightof-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad); a line 520.18 feet east of and parallel to the centerline of North Central Avenue; a line from a point 36.02 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 520.18 feet east of the centerline of North Central Avenue; to a point 80.5 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 361.55 feet west of North Laramie

Avenue: a line 361.55 feet west of and parallel to North Laramie Avenue; a line 702.16 feet north of and parallel to West Bloomingdale Avenue; North Laramie Avenue; a line 384.16 feet north of and parallel to West Bloomingdale Avenue; the alley west of and parallel to North Laramie Avenue; a line 256.19 feet north of and parallel to West Bloomingdale Avenue; North Latrobe Avenue; a line 316.19 feet north of and parallel to West Bloomingdale Avenue; the alley next east of and parallel to North Lockwood Avenue; a line 384.16 feet north of and parallel to West Bloomingdale Avenue; a line 740.34 feet west of and parallel to North Laramie Avenue; a line from a point 740.34 feet west of North Laramie Avenue and 464 feet north of West Bloomingdale Avenue to a point 998.69 feet west of North Laramie Avenue and 534.29 feet north of West Bloomingdale Avenue; a line 534.29 feet north of and parallel to West Bloomingdale Avenue; the easterly right-of-way line of North Long Avenue; the alley next north of and parallel to West Cortland Street; a line 683.23 feet east of and parallel to the centerline of North Central Avenue; a line 115 feet north of and parallel to the alley next north of and parallel to West Cortland Street or the line thereof if extended where no alley exists; the centerline of North Central Avenue; a line 860.41 feet north of and parallel to West Bloomingdale Avenue; a line 632.9 feet west of and parallel to the centerline of West North Avenue; a line 630.14 feet west of and parallel to North Central Avenue; a line 722.14 feet north of and parallel to West Bloomingdale Avenue; a line 1,537.41 feet west of and parallel to North Central Avenue (or the easterly right-of-way line of North Monitor Avenue extended where no street exists); a line 60 feet north of and parallel to the alley next north of and parallel to West Cortland Street; a line 371.50 feet west of and parallel to the easterly right-of-way line of North Monitor Avenue extended (or a line 1,972.92 feet west of and parallel to the centerline of North Central Avenue); a line from a point 36.37 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 371.50 feet west of the easterly right-of-way line of North Monitor Avenue extended (or a line 1,972.92 feet west of the centerline of North Central Avenue) to a point 36.53 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 1,175.19 feet west of the centerline of North Central Avenue: a line 1.175.19 feet west of and parallel to the centerline of North Central Avenue; a line from a point 1,175.19 feet west of the centerline of North Central Avenue and 50.53 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) to a point 568.49 feet west of the centerline of North Central Avenue and 36.04 feet south of the centerline of the Canadian Pacific Railroad /Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad); a line from a point 36.04 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 568.49 feet west of the centerline of North Central Avenue to a point 38.29 feet south of the centerline of the Canadian Pacific Railroad right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 432.33 feet west of the centerline of North Central Avenue a line from a point 38.29 feet south of the centerline of the Canadian Pacific Railroad right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 432.33 feet west of the centerline of North Central Avenue to a point 50.13 feet south of the centerline of the Canadian Pacific Railroad right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific railroad) and 66.03 feet west of the centerline of North Central Avenue; a line from a point 50.13 feet south of the centerline of the Canadian Pacific Railroad right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and 66.03 feet west of the centerline of North Central Avenue to a point 50.33 feet south of the centerline of the Canadian Pacific Railroad/Metra right-of-way (formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad) and the centerline of North Central Avenue; and the centerline of North Central Avenue extended to the north, to the point of beginning,

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to those of Manufacturing-Business-Residential Planned Development No. 1013, as amended.

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

Common Address of Property: 5700 West Homer Street

CH Le Ald. Chifis Taliaferro, 29th Ward

Áld. Emma Mitts, 37th Ward

Plan of Development Statements referred to in this ordinance read as follows:

 Manufacturing-Business-Residential Planned Development Number 1013, As Amended.

Plan of Development Statements.

- 1. The area delineated herein as Manufacturing-Business-Residential Planned Development Number 1013, as amended (the "Planned Development") consists of approximately two million, one hundred nineteen thousand, seven hundred fifteen square (the "Property") net site area which is owned and/or controlled by the Grand Central Center for Business, L.L.C. (the "Owner"), and which is depicted on the attached Planned Development Boundary and Property Line Map. The Property is divided into three (3) subareas as shown on the Subarea Map. (See footnote Number 1).
- 2. All applicable official reviews, approvals or permits are required to be obtained by the owners or their successors, assignees or grantees. Any dedication or vacation of streets or alleys, or easements or adjustments of public rights-of-way or consolidation or resubdivision of parcels, shall require a separate submittal on behalf of the owners or their successors, assignees, or grantees and approval by the Chicago City Council.
- 3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the owners, their successors and assigns and, if different than the owners, the legal titleholders and any ground lessees and their respective successors and assigns. All rights granted hereunder to the owners shall inure to the benefit of their successors and assigns and if different than the owners, the legal titleholders and any ground lessees and their respective successors and assigns. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, at the time any application for amendments modifications or changes (administrative, legislative or otherwise) to this Planned Development is made, the Property shall be under single ownership or under single designated control. Single designated control for the purposes of this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessees of the Property, subject however to the following exceptions and conditions: (a) any change or modification to this Planned Development (including administrative changes pursuant to paragraph 12, below) applicable to or in a given subarea need only be made or authorized by the owners and/or ground lesses of such subarea, provided such change or modification does not alter the improvements permitted to be constructed in other subareas, and the corresponding documentation submitted for such change or modification shall only be required to include information related to the subject subarea; (b) with respect to Subarea C, no amendment may be sought without written approval of the master homeowners association created to manage and govern Subarea C (the individual unit owners and/or homeowners therein and/or 'sub-associations' shall not have the right to seek any such amendments) unless the rights to do so have been retained by the Owner and its successors in a private agreement or agreements recorded against the Property.

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. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral from any indebtedness) and solely with respect to the portion of the Property so transferred, the term owner 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 with respect to the portion of the Property so transferred.

4. This plan of development consists of these fifteen (15) statements and the following described exhibits, all dated August 17, 2006 (collectively, the "Plans"), all of which are incorporated herein and made a part hereof by this reference:

Exhibit 1 -- Existing Zoning Maps, Sheets IA and 1B; Exhibit 2 -- Existing Land-Use Maps, Sheets 2A and 2B;

Exhibit 3 -- Planned Development Boundary and Property Line Maps, Sheets 3A and 3B;

Exhibit 4 -- Site Plans, Sheets 4A, 4B, 4C and 4D;

Exhibit 5 -- Net Developable Area Plans, Sheets 5A and 5B; Exhibit 6 -- Landscape Plans, Sheets 6A, 6B, 6C and 6D;

Exhibit 7 -- Public Way Dedication Plans, Sheets 7A and 7B;

Exhibit 8 -- Building Elevations, Sheets 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H and 81;

Exhibit 9 -- Fencing Plan Subarea C, Sheet 9A.

In addition, the following exhibits related to Subarea A are incorporated consisting of a site plan, landscape plan, floor plans and elevations, date 08/16/2018.

Full-size sets of the Plans are on file with the Department of Planning and Development ("D.P.D."). This Planned Development is in conformity with the intent and purposes of the Chicago Zoning Ordinance (Title 17 of the Municipal Code of Chicago) and all requirements thereof and satisfies the established criteria for the approval of a planned development. These and no other zoning controls shall apply to the Property. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall govern.

- 5. The following uses shall be permitted within the area delincated herein as a Manufacturing-Business-Residential Planned Development:
 - Subarea A: All uses permitted in the M1-2 Limited Manufacturing/ Business Park District, including: business support services including exterior storage and outdoor work areas; business/trade schools; employment services: business offices; contractors/construction storage; warehousing; accessory parking and loading with related and accessory uses.

Subarea B: All uses permitted in the B3-1 Community Shopping District, including any entertainment and spectator sports (large venue) or multi-screen movie theaters; food services; restaurants (both limited and general), accessory parking, loading, and related and accessory uses.

Subarea C: A total of one hundred ninety-two (192) dwelling units, consisting without limitation of townhouses, detached singlefamily houses, detached two (2) flat multi-unit buildings, and accessory parking; open space/green space as shown on the Plans; other accessory uses; and temporary buildings for sales and construction purposes. (See footnotes (1) and (4).

- 6. Identification and on-premises (business) signs and temporary signs are permitted upon the Property subject to the review and approval of the Commissioner of D.P.D. (the "Commissioner"), consistent with the provisions of this Planned Development.
- 7. Any service drives or any other means of ingress or egress, including for emergency vehicles, shall be adequately designed and paved in accordance with the provisions of the Municipal Code and the regulations of the Chicago Department of Transportation ("C.D.O.T.") in effect at the time of review. There shall be no parking or storage of garbage receptacles within such service drives or within fire lanes. Any change to off-street parking and ingress and egress as depicted in the Plans shall be subject to the review and approval of C.D.O.T. and D.P.D.. All work proposed in the public way must be designed and constructed in accordance with the C.D.O.T. "Construction Standards for Work in the Public Way" and in compliance with the Municipal Code. Closure of all or any part of any public street or alley during demolition or construction shall be subject to the review and approval of C.D.O.T.
- 8. The height of any building and any appurtenance shall not exceed the height established in the Bulk Regulations and Data Table and Building Elevations, and shall be subject to height limitations approved by the Federal Aviation Administration.
- 9. The maximum permitted floor area ratio ("F.A.R.") for the parcels on the Property shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of F.A.R. calculations and floor area and building height measurements, the definitions in the Chicago Zoning Ordinance as of the date hereof shall apply.
- 10. Improvements of the Property, including landscaping and all entrances and exits to the parking and loading areas, shall be designed and installed in substantial conformance with the Bulk Regulations and Data Table, the Site Plan and the Landscape Plan attached hereto and made a part hereof. In addition, parkway trees and other parking lot landscaping shall be installed and maintained at all times in accordance with the applicable standards of the Chicago Zoning Ordinance and corresponding regulations and guidelines.

The owners or their successors or assignees shall construct and provide ongoing maintenance to the proposed green spaces/open spaces totaling approximately one hundred thousand (100,000) square feet (two and twenty-nine hundredths (2.29) acres) to be located within Subarea C. The square footage of these green spaces/open spaces

shall be counted in determining compliance with any open space requirements within this Planned Development and shall be included in the determination of the required Open Space Impact Fee for Subarea C of this Planned Development. All such green spaces/open spaces shall be open to the public.

11. Prior to the issuance by D.P.D. of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance ("Part II Approval") for development or redevelopment of any development parcel within the Planned Development that does not substantially conform to, or is not defined in, the Plans, a site plan ("Development Parcel Site Plan") for the proposed development, including parking areas, shall be submitted to the Commissioner for approval. No Part II Approval shall be granted until the Development Parcel Site Plan has been approved by the Commissioner. Following approval of a Development Parcel Site Plan by the Commissioner, the approved plans shall be kept on permanent file with D.P.D. and shall be deemed to be an integral part of this Planned Development. A Development Parcel Site Plan shall, at a minimum, provide the following information with respect to the proposed improvements:

the boundaries of the development parcel(s);

the site plans for the improvements;

in Subareas A and B, the location and dimensions of all loading berths curb cuts and parking spaces;

a landscaping plan, including adjacent parkways;

the location of any adjacent public improvements;

- in Subareas A and B, a sign plan which includes, but is not limited to, the size, location and type of signs proposed;
- preliminary building sections and elevations of the improvements with a preliminary building materials lists;
- statistical information applicable to the development parcel limited to the following:

floor area and floor area ratio;

uses to be established;

building heights; and

all setbacks, required and provided.

in Subareas A and B, storm water management requirements, if applicable.

A Development Parcel Site Plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of this Planned Development. Review and approval of the Development Parcel Site Plan for the development parcels by the Commissioner is intended to assure that specific development proposals conform to the approved Plan of Development.

- 12. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner upon application and after a determination by the Commissioner that such a modification is minor in nature, appropriate, and consistent with the nature of the improvements contemplated in this Planned Development and the purposes underlying the provisions hereof. Any modification of the requirements of this Planned Development by the Commissioner shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13-0611-A of the Chicago Zoning Ordinance. Such minor changes may include: changes to the Site Plan; a reallocation of dwelling units and/or floor area (including retail commercial floor area) from one subarea to another subarea, or from one development parcel to another development parcel within a subarea so long as the maximum dwelling unit count, F.A.R., or maximum retail/ commercial area, as applicable, for the Planned Development is not exceeded; a decrease in the number of dwelling units in Subarea C or an increase in the number of dwelling units in Subarea C, so long as such increase complies with Section 17-13-0611-A of the Chicago Zoning Ordinance; changes in use of the Property from one subarea to another subarea, or from one development parcel to another; development parcel; an increase in the maximum percent of land covered for the total net site area; an increase in the maximum building heights of residential buildings in Subarea C; and other changes to the Plans or plan of development. Finally, it is acknowledged that the demising walls for the interior spaces are illustrative only and that the location and/or relocation of demising walls or division of interior spaces shall not be deemed to require any further approvals pursuant hereto.
- 13. The owners acknowledge that it is in the public interest to design, construct and maintain all buildings in a manner that promotes and maximizes the conservation of energy resources. The owners shall use best and reasonable efforts to design, construct and maintain all buildings located within the Property in a manner generally consistent with the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System. The owners of Subarea A shall provide a vegetated ("green") roof totaling ten percent (10%) and of Subarea B shall provide a vegetated ("green") roof totaling fifty percent (50%) of the net roof area of any new building having floor area in excess of ten thousand (10,000) gross square feet. The term "net roof area" shall be defined as the area of the roof minus any required perimeter setbacks, rooftop structures and roof mounted equipment. (For Subarea C "green roof requirements, see Footnote 3)
- 14. The owners acknowledge that it is in the public interest to design, construct and maintain the Property in a manner that 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 ("M.O.P.D.") to ensure compliance with applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility at the time of application for a building permit.
- 15. If no development has commenced within six (6) years following adoption of this Planned Development, then this Planned Development shall expire and the zoning of the Property shall automatically convert to that of the M1-2 Limited

Manufacturing/Business Park District for Subarea A, to that of the 83-1 Community Shopping District for Subarea B, and to that of the RT3.5 Residential Two-Flat, Townhouse and Multi-Unit District classification for Subarea C. The six (6) year period may be extended for up to one (1) additional year if, before expiration, the Commissioner determines that good cause for an extension is shown.

[Exhibit 1 -- Existing Zoning Maps; Exhibit 2 -- Existing Land-Use Maps; Exhibit 3 -- Planned Development Boundary and Property Line Maps; Exhibit 4 -- Site Plans; Exhibit 5 -- Net Developable Area Plans; Exhibit 6 -- Landscape Plans; Exhibit 7 --Public Way Dedication Plans; Exhibit 8 -- Building Elevations; and Exhibit 9 -- Fencing Plan referred to in these Plan of Development Statements printed on pages 85077 through 85104 of the Journal of Proceedings dated 9/13/2006.)

Bulk Regulations and Data Table and Footnotes referred to in these Plan of Development Statements read as follows:

Manufacturing-Business-Residential Planned Development
 Number 1013, As Amended.

Plan Of Development Bulk Regulations And Data Table.

Gross Site Area:

Public Right-of-Way Area: Net Site Area:

Net Site Area (by subareas):

Subarea A:

Subarea B:

Subarea C:

Maximum Floor Area Ratio:

Subarea A: Subarea 13: Subarea C: 1,007,148 (23.12 acres) 437,658 square feet (10.04 acres) 674,919 square feet (15.49 acres) 0.31 0.18 0.20

2,228,240 square feet (52.53 acres)

2,119,715 square feet (48.66 acres)

168,525 square feet (3.90 acres)

Maximum Number of Residential Units permitted (in Subarea C, only):

192 units

0.59

Manufacturing, Business and Residential Uses and related uses as listed in Statement Number 5
 459 parking spaces 850 parking spaces 1 parking space for each dwelling unit, plus 79 guest spaces
100,000 square feet (2.29 acres)
2 spaces
1 space at 10 feet by 25 feet
1 space at 10 feet by 25 feet
0 spaces
56 feet
50 fect
38 feet
18%
18%

Subarea B: Subarea C:

20%

25.5% (excludes accessory buildings)

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Minimum Setbacks:	
Subarea A:	
Front (East) Setback:	610 feet
Side (North) Setback:	60 feet
Side (South) Setback:	225 feet
Rear (West) Setback:	270 feet

Subarea B:

Front Setback:		50 feet
Side Setbacks:		5 feet
Rear Setback:		5 feet
	/	

Subarea C: "A" Units: Front Setback: Side Setbacks: "B" Units: Front Setback: Side Setbacks:

Rear Setback:

12 feet (may include porches)2 feet39 feet

12 feet (may include porches)3 feet42 feet

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"C" Units:	
Front Setback:	12 feet (may include porches)
Side Setbacks:	2.5 feet
Rear Setback:	36 feet
"E and F Units"	
Front Setback:	9 feet
Side Setbacks:	0 feet
Rear Setback:	0 feet

Setbacks and yard requirements may be adjusted where necessary to permit conformance to the pattern of, or architectural arrangement of structures, when necessary because of technical reasons subject to the approval of the Commissioner of the Department of Planning and Development.

Notes:

- 1. All streets and alleys located in Subarea C will be "Private" and are included within the net site area as identified in Statement Number 1 of the Plan of Development and the Bulk Regulations and Data Table.
- 2. The access ramps located in Subareas A and B are included in the area of the public rights-of-way for purposes of net site area calculations as identified on the Bulk Regulations and Data Table and Statement Number 1.
- 3. In Subarca C, any townhouse building containing four (4) or more contiguous units without individual roof access shall have a vegetated ("green") roof total in twenty-five percent (25%) of the net roof area. The term "net roof area" shall be defined as the total area of the roof minus any required perimeter setbacks, roof structures and roof-mounted equipment.
- 4. All setbacks in Subarea C shall be compatible with the attached Bulk Regulations and Data Table (Minimum Setbacks). These setbacks may be adjusted by the Commissioner of Planning and Development.

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