



SECTION 2: This ordinance shall take effect upon its passage and due publication.

Common Address(es): 3236-3258 East 106th Street

final for publication

**Manufacturing-Waterway Planned Development No.\ PLANNED**

**DEVELOPMENT STATEMENTS**

1. The area delineated herein as Manufacturing-Waterway Planned Development Number ("Planned Development"), consists of approximately 929,889 square feet (21.347 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by South Chicago Property Development, 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 title holder 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 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.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Agreement") by and between the Department of Transportation's Division of

APPLICANT: South Chicago Property Development, LLC  
ADDRESS: 3236-3258 East 106th Street  
INTRODUCTION DATE: February 28, 2018  
CPC DATE: August 16, 2018

Page 1 of 7

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Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the property, which may include, but not be limited to, the following as shall be reviewed and determined by the Department of Transportation's Division of Infrastructure Management:

- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

The Perimeter Restoration Agreement must be executed prior to any Department of Transportation and Planned Development Part II review permitting. The Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with the Department of Transportation's Construction Standards for work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow the Department of Transportation's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design

Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by the Department of Transportation.

Recycling facility uses and waste-related uses shall have vehicular ingress and egress limited to the 106th Street entrance; such uses shall not allow ingress or egress from 103th Street or from the east property line, including but not limited to the existing east property line railroad crossing right-of-way easement; provided, however, that this restriction does not prohibit material movement by waterway or railroad.

4. This Plan of Development consists of 20 Statements, and:

- Bulk Regulations Table, Existing
- Zoning Map, Existing Land-Use Map,
- Planned Development Boundary and Property Line Map,
- Site Plan - Overview,
- Site Plan-North Half,
- Site Plan - South Half;
- Site Plan - Parking Area, and

APPLICANT: ADDRESS:  
 INTRODUCTION DATE: CPC DATE:  
 South Chicago Property Development, LLC 3236-3258 East 106th Street February 28, 2018 August 16, 2018

**FINAL FOR  
 PUBLICATION**

- Landscape Plan, and
- Existing Building Demolition Plan, ' ■■ . . . . .

prepared by Civil & Environmental Consultants, Inc. and dated August 16, 2018, submitted herein. Full-sized copies of the Site Plan and Landscape Plan are on file with the Department of Planning and 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 Chicago 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 Chicago Zoning Ordinance, this Planned Development shall control.

5. The following uses are permitted in the area delineated herein as a Planned Development:

- Reprocessible Construction/Demolition Material Facility. Recycling Facilities - Class V.
- Modified Transfer Station (limited to construction and demolition debris). Warehouse and Freight Movement (including Outdoor Storage or Raw Materials as a Principal use). Contractor/Construction Storage Yard, conditioned on

minor change and/or  
site plan approval. Office, conditioned on site  
plan approval.  
Wireless Communication Facilities (all, including Co-located and Freestanding Towers),  
conditioned on site plan approval.  
Accessory Uses (as defined in § 17-17-0206 of the Chicago Zoning Ordinance).  
Non-accessory parking  
Coke and Coal Bulk Material Uses and Manganese-bearing Material Operations are  
prohibited.

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 Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.

APPLICANT: South Chicago Property Development, LLC  
ADDRESS: 3236-3258 East 106th Street  
INTRODUCTION DATE: February 28, 2018  
CPC DATE: August 16, 2018

*Page 3 of 7*

## **FINAL FOR PUBLICATION**

8. Material storage piles shall be not more than 30 feet high. Each material storage pile shall also have a storey poles marked for heights from grade.
9. Prior to issuance of Part II. approval, the Applicant shall repair and paint the fence immediately west of the north-south alley along South Calumet River Street from 103<sup>rd</sup> Street to 106<sup>th</sup> Street and that continues west along 106<sup>th</sup> Street to the Norfolk Southern Railroad.

Within three years of planned development approval, the Applicant shall remove the buildings targeted for demolition as indicated on the Building Demolition Plan.

10. 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 929,889 square feet and a base FAR of 0.05.
11. Upon review and determination, and pursuant to Section 17-13-0610 of the Zoning Ordinance, Part II Review shall be assessed a fee by the Department of Planning and

Development. The fee, as determined by staff at the time of its submission, 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.

12. 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 of the Zoning Ordinance. 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.
13. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Department of Streets and Sanitation, and the Department of Fleet and Facility Management, under Section 13-32-085 of the Municipal Code, or any other provision of the Municipal Code.
14. The Applicant acknowledges that the Planned Development project will require air quality monitors and a meteorological station on site. Four air monitors will be required unless the final regulations allow a reduced amount or based on air modeling approved by the Chicago Department of Public Health (CDPH). A monitoring plan will be developed in coordination with the CDPH and will detail the specific

APPLICANT: South Chicago Property Development, LLC  
ADDRESS: 3236-3258 East 106th Street  
INTRODUCTION DATE: February 28, 2018  
CPC DATE: August 16, 2018

Page 4 of 7

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meteorological and monitoring equipment, monitoring locations, monitoring parameters, frequency and averaging time, record keeping and data quality procedures. The monitoring plan will also include establishment of action-level PM10 (particulate matter less than 10 microns) concentrations that, if determined downwind of the facility, will trigger mitigation actions, as described in the plan, by the facility. The Applicant shall submit documentation verifying compliance of the installation of air monitors, installation of a meteorological station, and submittal of a plan from CDPH prior to the issuance of Part II approval. CDPH will make the air monitoring data publicly available in coordination with the operator.

15. 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.
16. 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.

17. 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.
18. 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. 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, an M/WBE Participation Proposal. The M/WBE Participation

APPLICANT: South Chicago Property Development, LLC  
ADDRESS: 3236-3258 East 106th Street  
INTRODUCTION DATE: February 28, . 2018  
CPC DATE: August 16, 2018

Page 5 of 7

## FINAL FOR PUBLICATION

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 (measured against the total construction work hours for the project or any phase thereof). 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 for the project or any phase thereof, 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 for the project or any phase thereof, the Applicant must provide DPD with the actual level of M/WBE and city resident participation in the project or any phase thereof, 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.

19. Changes and expansions in Planned Development shall be subject to Site Plan Review pursuant to this section. Prior to the Part II Approval (Section 17-13-0610 of the Chicago Zoning Ordinance) of changes and expansions, the Applicant shall submit a site plan, landscape plan and building elevations for review and approval by DPD. Review and approval by DPD is intended to assure that specific development components substantially conform with the Planned Development (PD) and to assist the City in monitoring ongoing development. The Site Plan Approval Submittal (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 Rights-of-Way.

No Part II Approval for changes and expansions shall be granted until Site Plan Approval has been granted. Following approval by DPD, the approved Site Plan

APPLICANT: South Chicago Property Development, LLC  
ADDRESS: 3236-3258 East 106th Street  
INTRODUCTION DATE: February 28, 2013  
CPC DATE: August 16, 2018

Page 6 of 7

## FINAL FOR PUBLICATION

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 PD.

After approval of the Site Plan, changes or modifications may be made pursuant to the provisions of Statement 15. In the event of any inconsistency between approved plans and the terms of the PD, the terms of the PD shall govern. Any Site Plan Approval Submittals shall, at a minimum, provide the following information:

- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned building elevations;
- fully-dimensioned landscape plan(s); and,
- statistical information applicable to the building expansion, including floor area, the applicable floor area ratio, uses to be established, building heights, and setbacks.

Site Plan Approval Submittals shall include all other information deemed necessary by either the Department of Planning and Development, Department of Transportation or Fire

Department to illustrate substantial conformance to the PD.

- 20. This Planned Development shall be governed by Section 17-13-0612. 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 pre-existing Planned Manufacturing District No. 6.

APPLICANT: South Chicago Property Development, LLC  
 ADDRESS: 3236-3258 East 106th Street  
 INTRODUCTION DATE: February 28, 2018  
 CPC DATE: August 16, 2018

Page 7 of 7

**FINAL FOR**  
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*Manufacturing- Waterway  
 Planned Development No.*

BULK REGULATIONS AND DATA TABLE

**Gross Site Area:**

**Area in Adjoining Right-of-Way: Area in Calument River:**

**Net Site Area:**

1,339,625 sq.ft. ( 30.754 acres )

17,903 sq.ft. ( 0.411 acres )

391,833 sq.ft. ( 8.995 acres )

929,889 sq. ft. ( 21.347 acres )

**Maximum Floor Area Ratio (FAR):**

**Minimum Number of Off-Street Parking Spaces:**

**Minimum Number of Bicycle Spaces:**

**Minimum Setbacks from Property Lines:**

**Maximum Building Height: Maximum Material Pile Heights:**

80 feet 30 feet

APPLICANT: South Chicago Property Development, LLC

ADDRESS: 3236-3258 East 106th Street

INTRODUCTION DATE: February 28, 2018

CPC DATE: August 16, 2018

APPLICANT: ADDRESS:

INTRODUCTION DATE: CPC DATE:

South Chicago Property Development, LLC 3236-3258 East 106<sup>th</sup> Street, Chicago, Illinois February 28, 2018 August 16, 2018

**FINAL FOR  
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## DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

### MEMORANDUM

To: Alderman Daniel S. Solis  
Chairman, Citj Council Committee on Zoning

From:

David Reffman Commissioner  
Department of Planning and Development

Date: August 16, 2018

Re: Proposed Planned Development (3236-3258 East 106<sup>th</sup> Street)

On August 16, 2018, the Chicago Plan Commission recommended approval of a proposed Planned Development submitted by South Chicago Property Development, LLC. The project involves rezoning the property from PMD 6 (Planned Manufacturing District No. 6) to a Manufacturing-Waterway Planned Development prior to constructing a reprocessable construction/demolition material facility, a Class V recycling facility to handle Type D recyclable material, and a modified transfer station on the site. 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 and Land Use recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-0756.

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

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO. ILLINOIS 60602