



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: SO2016-98, Version: 1

**FINAL FOR
PUBLICATION**

SUBSTITUTE ORDINANCE

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

SECTION I. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Business Planned Development No. 300 District symbols and indications as shown on Map No. 3-H in the area bounded by

West Blackhawk Street; North Ashland Avenue; the public alley next northeast of and parallel to North Milwaukee Avenue; a perpendicular line to the northeast line of North Milwaukee Avenue and 493.51 feet southeast of the east line of North Paulina Street (as measured along the northeast line of North Milwaukee Avenue); North Milwaukee Avenue; and North Paulina Street,

to those of a Business Planned Development No. 300 as amended which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part of thereof and to no others.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Business Planned Development No. 300 District symbols and indications as shown on Map No. 3-H in the area bounded by

North Milwaukee Avenue; the southeast line of Mautene Court; the public alley next southwest of and parallel to North Milwaukee Avenue; the northwest line of North Mautene Court,

to those of a POS-2 Park and Open Space District.

SECTION 3. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Business Planned Development No. 300 District symbols and indications as shown on Map No. 3-H in the area bounded by

the public alley next southwest of and parallel to North Milwaukee Avenue; a line 385 feet southeasterly of and parallel to North Paulina Street; a line 194.50 feet southwesterly of and parallel to the alley next southwesterly of and parallel to North Milwaukee Avenue; the vacated alley per Document No. 87203267 next southeast of and parallel to North Paulina

Street (running in a northeasterly direction); the vacated alley per Document No. 87203267 next southwest of and parallel to North Milwaukee Avenue (running in a northwesterly direction); a line 100 feet north of and parallel to West Division Street; the public alley next east of and parallel to North Paulina Street; the public alley next southeast of and parallel to North Paulina Street (running in a northeasterly direction); a line 50 feet southwest of and parallel to the public alley next southwest of and parallel to North Milwaukee Avenue; North Paulina Street,

to those of 133-2 Community Shopping District.

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SECTION 4. This ordinance shall be in force and effect from and after its passage and due publication.

Common Address of Property: 1323-63 N. Paulina St.; 1603-59 W. Blackhawk St;
1242-1362 K. Ashland Ave.; 1259-1315 K. Milwaukee Ave;
1257-59 N. Paulina Street

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BUSINESS PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Business Planned Development Number 300 consists of approximately 380,179 square feet of Net Site Area. CP West Division LLC is the applicant with authorization from the property owner for purposes of amending this planned development for the single purpose of removing a tract of land from Subarea 13 within the boundaries of Planned Development Number 300 and adjusting the exhibits and Bulk Regulations and Data Table to reflect that removal.
2. The requirements, obligations and conditions contained within the planned development shall be binding upon the applicant, its successors and assigns and, if different than the applicant, the legal titleholders and any ground lessees. 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 lessees of the property. Any applications for amendments, modifications or changes (administrative, legislative or otherwise) to the planned development shall be made or authorized by the applicant or its successors or assigns.

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 for any indebtedness) and solely with respect to the portion of the property so transferred, the term "Applicant" 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.

3. The plan of development consists of these sixteen (16) statements; a Bulk Regulations and Data Table; an Existing

Zoning Map; a Property Line and Boundary Map; and a Generalized Land-Use Plan dated July 21, 2016. These and no other zoning controls shall apply to the property. The planned development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a planned development. In any instance where a provision of the planned development conflicts with the Chicago Building Code, the Building Code shall control. In case of conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

4. The following uses shall be permitted within the area delineated herein as Business Planned Development Number 300: general merchandise uses; retail drug stores; food stores; department stores; discount stores; catalogue stores; service type business uses; restaurants, including sale of alcoholic beverages for consumption on the premises; amusement establishments; package liquor stores; schools; clubs and meeting halls; recreational uses, including health and exercise clubs; day care centers; professional and business offices, including clinics; residential self-storage; parking and related uses. Non-enclosed outdoor storage and gas stations are prohibited.
5. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees.

Applicant: CP West Division LLC
Address: 1323-63 N. Paulina St.; 1603-59 W. Blackhawk St; 1242-1362 N. Ashland Ave.: 1259-1315 N. Milwaukee Ave.; 1257-59 N. Paulina Street
Introduced: January 13, 2016
Plan Commission: July 21, 2016

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6. Any dedication or vacation of streets and alleys, or easements or adjustments of right-of-way or consolidation or resubdivision of parcels shall require a separate submittal on behalf of the Applicant or its successors, assignees or grantees.
7. Off-street parking and off-street loading facilities shall be provided in compliance with this plan of development, subject to the review of the Department of Transportation and the approval of the Department of Planning and Development. Ingress and egress from such off-street facilities shall be from North Ashland Avenue and North Paulina Street.
8. Any service drives or any other ingress or egress shall be adequately designed and paved in accord with the regulations of the Department of Transportation and in compliance with the Municipal Code of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas. Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago and shall have a minimum width of eighteen (18) feet to provide ingress and egress for emergency vehicles. There shall be no parking within such paved areas. Closure of all or part of any public street or alley during demolition or construction shall be subject to review and approval of the Chicago Department of Transportation.
9. For purposes of building height measurement and calculation, the definitions of the Chicago Zoning

Ordinance shall apply. In addition to the maximum height of any building or any appurtenance attached thereto, the height of any improvement shall also be subject to height limitations as approved by the Federal Aviation Administration. For purposes of floor area and floor area ratio ("F.A.R.") calculations, the definitions of the Chicago Zoning Ordinance shall apply. Business establishments shall be unrestricted with respect to maximum gross floor areas, subject only to aggregate maximum floor area ratio.

10. Identification signs shall be permitted within the area delineated herein as Business Planned Development Number 300, subject to the review and approval of the Department of Planning and Development. Off-premise signs shall not be permitted in the planned development.
11. The information in the tables and maps attached hereto sets forth data concerning the generalized land-use plan of the area delineated herein as Business Planned Development Number 300, and stipulates the land-use and development controls applicable to the site. Notwithstanding any statement to the contrary, this planned development shall be subject to the provisions of Chapter 17-11 of the Chicago Zoning Ordinance governing landscaping and screening. In any instance where a provision of the planned development conflicts with landscape and screening provisions of the Chicago Zoning Ordinance, the Chicago Zoning Ordinance shall control. Nothing in this planned development is intended to waive the applicability of the landscape and screening provisions of the Chicago Zoning Ordinance.
12. The plan of development attached hereto shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Developments", as promulgated by the Commissioner of the Department of Planning and Development. The terms, conditions and exhibits of this planned development may be modified administratively by the Commissioner of the Department of Planning and Development upon written application and a determination by the Commissioner of the Department of Planning and Development that such modification is minor, appropriate and consistent with the nature of the improvements contemplated by the planned development and the purposes underlying the provisions hereof. Any such

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modification of the requirements of the planned development by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the planned development as contemplated by Section 17-13-061 1-A of the Chicago Zoning Ordinance.

13. It is in the public interest to design, construct and renovate all buildings in a manner that provides healthier environments, reduces operating costs and conserves energy and resources. All new development and buildings located within the planned development shall be designed, constructed, and maintained in accord with the City's Sustainable Development Policy in effect at the time.
14. It is in the public interest to design, construct and maintain the project in a manner that promotes, enables and

maximizes universal access throughout the property. Plans for all new 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 all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

15. All further development within the planned development shall comply with the Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings under Section 13-32-125 of the Municipal Code of Chicago, or any other provision of that Code.

16. The City of Chicago established a Part II Review Fee in the amount of Zero and 25/100 Dollars (\$0.25) per square foot for the total buildable square feet (floor area). The Part II Review Fee will be assessed by the Department of Planning and Development during the actual Part II Review. The fee as determined by the Department of Planning and Development staff at that time is final and binding on the Applicant and must be paid to the Department of Planning and Development prior to the issuance of any Part II approval.

Applicant: CP West Division LLC
Address: 1323-63 N. Paulina St.; 1603-59 W. Blackhawk St; 1242-1362 "N. Ashland Ave.; 1259-1315 N. Milwaukee Ave.; 1257-59 N. Paulina Street
Introduced: January 13, 2016
Plan Commission: July 21, 2016

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BULK REGULATIONS AND DATA TABLE

Net Site Area 380,179 square feet
Area of Public Rights-of-Way (sf)- 96,428 square feet
Gross Site Area: 476,607 square feet
Maximum Floor Area Ratio: 1.05
Minimum Number of Parking Spaces: 295
Minimum Number of Loading Berths: 6
Minimum Setbacks at Property Line: 0
Maximum Percentage of Land Coverage: 57%

Applicant: CP West Division LLC
Address: 1323-63 N. Paulina St.; 1603-59 W. Blackhawk St; 1242-1362 N. Ashland Ave.; 1259-1315 N. Milwaukee Ave.; 1257-59 N. Paulina Street

Introduced: January 1.3,2016
Plan Commission: July 2], 2016

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Department of Planning and Development
CITY OF CHICAGO

MEMORANDUM

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

David L. Rieifman Secretary

Chicago Plan Commission

July 22, 2016

RE: Proposed Amendment to Planned Development No. 300 for property generally located at 1323 North Paulina Avenue.

On July 21, 2016, the Chicago Plan Commission recommended approval of the proposed amendment submitted by CP West Division, LLC. 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 Planning and Development, bureau of Planning and Zoning 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)

12] NORTH LASALLE STKEET. ROOM 1000. CHICAGO, ILLINOIS 60602