



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
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www.chicityclerk.com

Legislation Text

File #: SO2021-4546, Version: 1

Final for Publication

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 Commercial/Residential/Waterway Planned Development Number 796 symbols and indications as shown on Map No. 15-J in the area bounded by

North Lincoln Avenue; North McCormack Boulevard; a line 877 feet south of and parallel to West Devon Avenue; and the North Channel of the Chicago River,

to those of Commercial/Residential/Waterway Planned Development Number 796, as amended, which is hereby established in the area described above and subject to such use and bulk regulations set forth in the Plan of Development attached hereto and to no others.

SECTION 2. This ordinance takes effect after its passage and due publication.

Common Street Address: 6111-6199 N. Lincoln Avenue; 6231-6257 N. McCormick Boulevard

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COMMERCIAL/RESIDENTIAL/WATERWAY PLANNED DEVELOPMENT 796, AS AMENDED STATEMENTS

1. The area delineated herein as Commercial/Residential/Waterway Planned Development Number 796, (Planned Development) consists of approximately 448,909 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, TCB-Lincoln Village, LLC, a Delaware limited liability company and TCB-LV GL, LLC, a Delaware limited liability company.
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.
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, assignees 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 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

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- 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.

4. This Plan of Development consists of 17 Statements: a Bulk Regulations Table; and the following maps attached to the Planned Development, as published in the City Council Journal of Proceedings on October 10, 2001 at page numbers 68806-68816 - Existing Zoning Map, Boundary and Property Line Map, Existing Land Use Map, Concept "NNN" Site Plan, Landscape Plan, Building Elevations (1 of 3), Building Elevations (2 of 3), Building Elevations (3 of 3), Site Plan, Independent Elderly Housing Building Elevations (Page 1 of 2) and Independent Elderly Housing Building Elevations (Page 2 of 2), incorporated by reference. Full size copies of these materials 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 Commercial/Residential/ Waterway Planned Development 796: residential units for seniors; Day Care; Postal Service; Animal Services (excluding Sheltering/Boarding/Kenneling/Stabling), Artist Work or Sales Space; Business Equipment Sales and Service; Business Support Services (excluding Day Labor Employment Agency); Communication Services Establishments;

Construction Sales and Service (Building Material Sales) Drive-Through Facility (only with site plan approval) Restaurant (Limited, General); Outdoor patio (if located at grade level); Entertainment and Spectator Sports (Indoor Special Event including incidental liquor sales, and Small venues (1 - 149 occupancy); Financial Services (Bank, Savings Bank, Savings and Loan Association, Currency Exchange, and Credit Union, Automated Teller Machine Facility-walk-up only (drive-up facilities only with Site Plan Approval); Food and Beverage Retail Sales (Liquor Store (packaged goods) use is only permitted for premises of 10,000 square feet or greater); Medical Service; Office (Electronic Data Storage Center); Parking, Non-Accessory; Personal Service (Hair Salon, Nail Salon, or Barbershop, massage establishment); Repair or Laundry Service, Consumer (Dry cleaning drop-off or pick-up (no on-premise plant), Coin-operated

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laundromat); Retail Sales, General; Sports and Recreation Indoor (restricted to physical fitness centers); Valuable Objects Dealer; Vehicle Sales and Service (Auto Supply/Accessory Sales and indoor vehicle showroom); Manufacturing, Production and Industrial Services (Limited (catering); Wireless Communication Facilities (Co-located); Accessory 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. 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.
8. 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 448,909 square feet and a base FAR of 0.6.
9. Upon review and determination, Part II Review, pursuant to Section 17-13-0610, 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.
10. 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.
11. 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.

12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A, 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.
13. Prior to the Part II Approval (per Section 17-13-0610 of the Zoning Ordinance) for any new buildings in the Planned Development or any use requiring site plan approval in accordance with Section 5, the Applicant shall submit a site plan, landscape plan and building elevations

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for the specific building or use for review and approval by the Department of Housing and Economic Development. Review and approval by the Department of Housing and Economic Development is intended to assure that specific development components substantially conform with the Planned Development and to assist the City in monitoring ongoing development. Site Plan Approval Submittals need only include that portion of the Property for which approval is being sought by the Applicant. If the Applicant is seeking approval for a portion of the Property that represents less than an entire Sub-Area, the Applicant shall also include a site plan for that area of the Property which is bounded on all sides by either public Rights-of-Way or the boundary of the nearest Sub-Area. The site plan provided shall include all dimensioned and planned street Rights-of-Way.

No Part II Approval for any portion of the Property shall be granted until Site Plan approval has been granted. If the Site Plan Approval Submittals substantially conform to the provisions of the Planned Development, the Department of Housing and Economic Development shall approve the submittal in a prompt and timely manner. Following approval by the Department of Housing and Economic Development, the approved Site Plan 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 Planned Development.

After approval of the Site Plan, changes or modifications may be made pursuant to the provisions of Statement TBD. In the event of any inconsistency between approved plans and the terms of the Planned Development, the terms of the Planned Development 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 subject Sub-Area, including floor area, the applicable FAR, uses to be established, building heights and setbacks.

Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to

the Planned Development.

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 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. For any new construction in the Planned Development, 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

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review process is initiated for each improvement that is subject to the aforementioned Policy and must provide documentation verifying compliance.

16. 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 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 (i) 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.

17. 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 Commercial/Residential/Waterway Planned Development 796.

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COMMERCIAL/RESIDENTIAL/WATERWAY PLANNED DEVELOPMENT NUMBER 796, AS AMENDED BULK REGULATIONS AND DATA TABLE

Gross Site Area:	511,559 square feet (11.74 acres)
Area Remaining in Public Right of Way	62,650 square feet (1.43 acres)
Net Site Area:	448,909 square feet (10.3 acres)
Maximum Floor Area Ratio:	0.6
Maximum Number of Dwelling Units:	109 Dwelling Units
Minimum Off-Street Loading Spaces	1-Retail 1- Residential
Minimum Number of Off-Street Parking Spaces:	421-Retail 38 Residential
Minimum Required Setbacks:	In accordance with Site Plan
Maximum Building Heights	In accordance with the Building Elevations

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

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

Date: February 17, 2022

Re: Proposed Amendment to Planned Development 796 - 6111-6199 N. Lincoln Avenue; 6231-6257 N. McCormick Boulevard

On February 17, 2022, the Chicago Plan Commission recommended approval of the proposed amendment to Planned Development 796, submitted by TCB-Lincoln Village LLC and TCB-LV GL LLC. The Applicant proposes to amend existing Planned Development 796 to permit non-retail uses. 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 recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Michael Berkshire at 312-744-0363.

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

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