



# Office of the City Clerk

City Hall  
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Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Text

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File #: SO2014-837, Version: 1

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# 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, Chicago Zoning Ordinance, is amended by changing all the Residential-Business Planned Development No. 675 symbols and indications as shown on Map No. 4-E in the area bounded by:

a line approximately 100 feet south of and parallel to the south right-of-way line of East Cullerton Street (or the line thereof extended where no street exists); the west right-of-way line of the Illinois Central Railroad; East Cermak Road; South Calumet Avenue;  
a line 100.01 feet north of and parallel to the north right-of-way line of East Cermak Road; a line 187.73 feet west of and parallel to the west right-of-way line of South Calumet Avenue; East 21st Street; South Calumet Avenue

to those of Residential-Business Planned Development No. 675, as amended, which is hereby established in the area described, subject to such use and bulk regulations as are set forth in the attached Plan of Development.

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

### **Business Planned Development No. 675, as amended Bulk Regulations and Data Table**

**Gross Site Area:**

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

**Net Site Area (By Subarea):**

Subarea 1: Subarea 2:

**Total Net Site Area:**

**350,315.7 39,633.3**

249,503.0 61,179.3

**310,682.3**

sq. ft. sq. ft.

sq. ft. sq. ft. sq. ft.

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

Subarea 1: Subarea 2:

5.0 10.0

**Total Maximum Floor Area Ratio:**

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

Subarea 1:

Office/Commercial:

Data Center: Subarea 2: Total:

1.50 spaces /1,000 sf of floor area 0.10 spaces /1,000 sf of floor area

70 spaces

**Minimum Number of Loading Berths (By Subarea):**

Subarea 1: Subarea 2:

4 Existing 2

**Minimum Setbacks from Property Lines (By Subarea):**

Subarea 1: Subarea 2:

0ft

In accordance with Site Plan

**Maximum Building Height:**

Subarea 1:

**Subarea 2: Minimum Bicycle Spaces:**

**Subarea 2: Green Roof:**

Subarea 2:

Existing Building 310 feet

7 bicycle spaces

50 % of net roof area

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Business Planned Development No. 675, as amended FINAL FOR PfiPJ fCAT'OH

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Business Planned Development Number 675 ("Planned Development") consists of approximately 310,682.3 net square feet (7.1 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, CenterPoint Properties Trust (Subarea 2), and Digital Lakeside LLC (Subarea 1).
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 (or any subarea of this Planned Development, as applicable) are made, shall be under single ownership or designated control. Single designated control is defined 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 Plans, and subject to review and approval by the Department of Business Affairs and Consumer Protection.

Ingress or egress shall be pursuant to the Plans 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.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of these 17 Statements and the following exhibits: Bulk Regulations Table, Existing Zoning Map, Surrounding Land-Use Map, Planned Development Boundary and Property Line Map, Subarea Map, Site Plan for Subarea 2,

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Landscape Plan for Subarea 2, Green Roof Plan for Subarea 2, and Building Elevations for Subarea 2 prepared by Archideas and dated April 23, 2014 and the Site Plan for Subarea 1, Landscape Plan for Subarea 1 and Building Elevations for Subarea 1 dated May 20, 1998 (the "Subarea 1 Original Exhibits"). Also incorporated herein by reference with respect to Subarea 1 are the approved administrative relief requests granted on May 28, 1999 and November 17, 1999 and the Site Plans, Landscape Plans and Building Elevations referred to in such approved administrative relief requests (collectively, the "Subarea 1 Administrative Relief")- To the extent that there is a conflict between the Subarea 1 Administrative Relief and the Subarea 1 Original Exhibit, the Subarea 1 Administrative Relief shall control. Except as revised and superseded by the Subarea 1 Administrative Relief, the Subarea 1 Original Exhibits are in full force and effect. The Subarea 1 Original Exhibits as modified by the Subarea 1 Administrative Relief are collectively referred to as the "Approved Subarea 1 Plans".

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 Business Planned Development:

Sub Area 1:

High Technology Office; Electronic Data Storage Center; Data centers / "carrier hotels" for internet service providers; Retail Sales, General Eating and Drinking Establishments<sup>1</sup>; Office<sup>1</sup>; Co-Located Wireless Communication Facilities; Parking: Accessory; and other accessory and related uses, including but not limited to rooftop antennas and microwave dishes (excluding taverns).

Sub Area 2:

High Technology Office; Electronic Data Storage Center; Data centers / "carrier hotels" for internet service providers; Retail Sales, General; Eating and Drinking Establishments<sup>1</sup>; Office, Co-Located Wireless Communication Facilities; Parking: Accessory; and other accessory and related uses, including but not limited to rooftop antennas and microwave dishes (excluding taverns).

<sup>1</sup> Subject to Site Plan Review and approval, as provided in Part 17-13-0800 of the Chicago Zoning Ordinance.

All off-street parking spaces within the Planned Development that serve the Planned Development shall be designated as accessory parking.

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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 Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply; however, in addition to the other exclusions from Floor Area for purposes of determining FAR permitted by the Zoning Ordinance, floor area in excess of 5,000 square feet devoted to mechanical and/or electrical equipment within the building shall be

excluded, regardless of ownership. Mechanical and electrical equipment shall include but not be limited to generators and batteries (and related electrical equipment) used as power or back-up power for permitted uses. The permitted FAR identified in the Bulk Regulations Table has been determined using a net site area of 310,682.3 square feet.

9. 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.
10. The Site and Landscape plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. (Notwithstanding the foregoing, buildings and structures in Subarea 1 existing prior to the approval of this amendment, comprising the former Donnelley Lakeside Press Building at 350 E. Cermak and the 3-level parking structure and generator and storage tank uses along Calumet Avenue in the northern portion of Subarea 1, shall comply with the Approved Subarea 1 Plans.) 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 Department of Streets and Sanitation, and the Department of Fleet and Facility Management, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The terms and conditions of development under this the Planned Development ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning

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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.

13. 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.
14. 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. Buildings and structures in Subarea 1 existing prior to the approval of this amendment, comprising the former Donnelley Lakeside Press Building at 350 E. Cermak and the 3-level parking structure and generator and storage tank uses along Calumet Avenue in the northern portion of Subarea 1, shall comply with the Approved Subarea 1 Plans. All proposed or new developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development. Aspects of the proposed Planned Development that bring it into compliance with the Sustainable Development Policy include the following: The project in Sub Area 2 shall obtain LEED Certification and will include a minimum of 50% net area green roof (12,529 s.f. total green area).

15. Prior to the Part II Approval (per Section 17-13-0610 of the Zoning Ordinance) for new development proposed in Subarea 1, the Applicant shall submit a site plan, landscape plan and building elevations for the specific Sub-Area(s) for review and approval by the Department of Planning and Development. Review and approval by the Department of Planning and Development is intended to assure that specific development components substantially conform with the Planned Development and to assist the City in monitoring ongoing development. Sub-Area 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 new development proposed in Subarea 1 shall be granted until Site Plan approval has been granted. If the Sub-Area Site Plan Approval Submittals substantially conform to the provisions of the Planned Development, the Department of Planning and Development shall approve the submittal in a prompt and timely manner. Following approval by the Department of Planning and Development, the approved Sub-

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Area 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 Sub-Area Site Plan, changes or modifications may be made pursuant

to the provisions of Statement No. 12. 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 Sub Area 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.

Sub Area Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the Planned Development. It is understood that no additional Site Plan Approval is applicable with respect to development shown on the plans and exhibits referred to in Statement 4.

16. Recognizing that data centers are permitted uses in both Sub-Area 1 and Sub-Area 2 and that residents in the community adjacent to the Planned Development have expressed concerns about noise levels and air quality relating to mechanical equipment operated as a part of such use, each owner of a data center shall identify an on-site contact for residents to notify respecting such concerns. When specific concerns are identified and are on-going, the owner, through its identified contact, shall arrange meeting(s) among owner's representatives (specifically including on-site property manager), community residents, the Department of Planning and Development and the affected Alderman to identify the underlying source(s) for such concerns and review and implement acceptable solutions. This provision shall not modify each property's obligation to comply with applicable laws, ordinances and regulations.
17. 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:
  - a) With respect to Subarea 1, Residential-Business Planned Development No. 675 as adopted on May 20, 1998, as amended by administrative change letters dated May 28, 1999 and November 17, 1999, to the extent applicable to Subarea 1.
  - b) With respect to Subarea 2, the DX-7 Downtown Mixed-Use District.

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**Existing Zoning Map**

**Zoning Map**

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## **Surrounding Land Use Map**

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## **Planned Development Boundary and Property Line Map**

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## Sub-Area Map

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## Site/Landscape Plan - SubArea 2

(EXISTING TWO WAY) CERMAK RD.

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RoofPlan-SubArea2

Green Roof Area Calculation

Gross Roof Area = 56,307

GSF Net Roof Area = 25,058

GSF

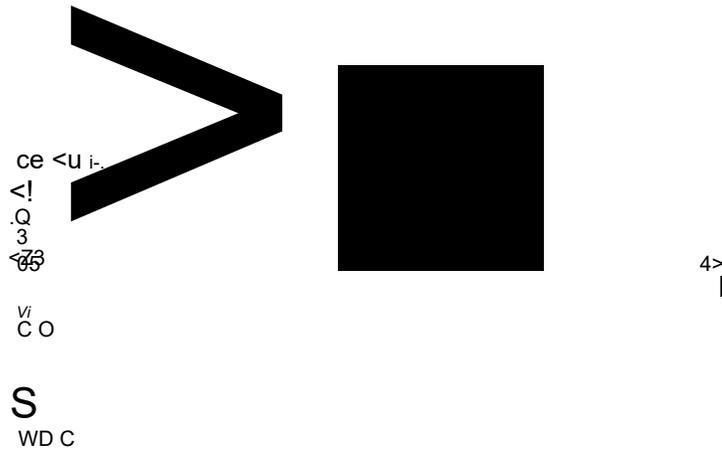
Total Green Roof Area = 12,529 GSF (50% of Net Area)

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Also incorporated herein by reference with respect to Subarea 1 are the approved administrative relief requests granted on May 28, 1999 and November 17, 1999 and the Site Plans, Landscape Plans and Building Elevations referred to in such approved administrative relief requests (collectively, the "Subarea 1 Administrative Relief). To the extent that there is a conflict between the Subarea 1 Administrative Relief and the above Exhibit, the Subarea 1 Administrative Relief shall control.

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Elevation for Subarea 1  
(2 of 4 - East Elevation)

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