



# Office of the City Clerk

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

## Legislation Text

**File #:** SO2021-2057, **Version:** 1

FINAL FOR  
PUBLICATION

ORDINANCE

*/s/* *T/r* **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 B3-3 Community Shopping District symbols and indications as shown on Map No S-G in the area bounded by

a line 52 feet south of and parallel with West 35<sup>th</sup> Street; South Halsted Street; a line 234 53 feet south of and parallel with West 35<sup>th</sup> Street; and the alley next west and parallel with South Halsted Street

to those of a C3-2 Commercial, Manufacturing and Employment District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the C3-2 Commercial, Manufacturing and Employment District symbols and indications as shown on Map No. 8-G in the area bounded by

a line 52 feet south of and parallel with West 35<sup>th</sup> Street; South Halsted Street; a line 234.53 feet south of and parallel with West 35<sup>th</sup> Street; and the alley next west and parallel with South Halsted Street

to those of a Business Planned Development.

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

Addresses: 3506 to 3520 South Halsted Street

BUSINESS PLANNED DEVELOPMENT NO. FINAL FOR PUBLICATION

### PLANNED DEVELOPMENT STATEMENTS

- The area delineated herein as Business Planned Development No. (the "Planned Development" ) consists of a net site area of approximately 27,369 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"). The Property is comprised of three parcels which are owned by Bridgeport News, Inc., and Illinois corporation, FCok Cheung Chin, an individual, and the City of Chicago. Our Revival Chicago, LLC (the "Applicant") makes this application with the consent of the City of Chicago, Kok Cheung Chin and Bridgeport News, Inc.
- 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.
- 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, assigns 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.

Prior to Part II Approval, the Applicant shall submit and the Department of Transportation shall approve a traffic study. The Applicant agrees that it will be responsible for the curb extensions, signage and crosswalk improvements shown on the approved site plan. If the traffic study identifies infrastructure upgrades or improvements that are warranted by and attributed to the Ramova Theater redevelopment project (such as left turn signal at 35th/Halsted or crosswalk count downs), the developer will be responsible for payment of such upgrades and improvements.

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

Applicant Our Revival Chicago, LLC  
Address: 3506 to 3520 South Halsted Street, Chicago, Illinois  
Introduced May 26, 2(121  
Plan Commission July 15, 2021  
116629000001 4S2I-1115-5614 6 1

FINAL FOR PUBLICATION

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.

4. This Planned Development consists of 17 Statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land Use Map; a Planned Development Boundary and Property Line Map; a Site Plan; Basement, Level 1, and Level 2 Plans, Elevations (east, south, and west); a Combined Signage Elevation; a Landscape Plan; and a Proposed Curb Extension Geometry Plan, all prepared by O'Riley Office, LLC and dated July 15, 2021 (collectively, the "Plans"). In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Chicago 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 within the Planned Development: Eating and drinking establishments (general restaurants, taverns, at grade outdoor patios); entertainment and spectator sports (large venues, 1000)- occupancy); banks (excluding drive-thru facilities, pay day loan stores and pawn shops); food and beverage retail sales including liquor sales as an accessory use; amusement arcades; limited manufacturing (including but not limited to brewing of beer and distilling of spirits); general retail sales; co-located wireless communications facilities i.e., no free standing towers); and incidental and related uses.

Applicant Our Revival Chicago, LLC  
Address- 3506 to 3520 South Halsted Street, Chicago, Illinois  
Introduced May 26, 2021  
Plan Commission<sup>1</sup> July 15, 2021  
116629 000001 4821-1115-5614 6 2

FINAL FOR PUBLICATION

6. On-premise signs and temporary<sup>1</sup> 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. Both the "Ramova" marquee sign and the projecting two-sided roof sign, as shown on the Combined Sign Elevation exhibit to this planned development, while non-conforming, may remain pursuant to Section 17-1 5-0503 of the Chicago Municipal Code. The balance of any signage on the property shall conform to the total sign area limitations applicable to the subject property under Section 17-12-1003-E, including the total sign area calculations of the "Ramova" marquee and projecting two-sided roof signs referenced above and depicted on the Combined Sign Elevation exhibit. The non-confirming "Ramova" marquee sign and the projecting two-sided roof sign may add sponsorship signage; but, shall not be enlarged nor otherwise altered. If the Applicant requests additional sponsorship signage, a sponsorship agreement and sign plan must be submitted to the Department of Planning and Development for review as a minor change, pursuant to Section 17-13-0611. Such sponsorship signage must conform to all of the applicable on-premise sign restrictions and regulations found in Chapter 17-12; such square footage will be counted towards the allowed totals found in Section 17-12-1003-E. No dynamic image display signs are permitted to either supplement the "Ramova" marquee and projecting two-sided roof signs referenced above and depicted on the Combined Sign Elevation exhibit or for sponsorship purposes. .
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, if any, 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. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 22,369 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 and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. The Site and Landscape Plan shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. 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,

Applicant Our Revival Chicago, LLC  
Address- 3506 to 3520 South Halsted Street, Chicago, Illinois  
Introduced May 26, 2021  
Plan Commission<sup>1</sup> July 15, 2021  
116629 000001 1821-1115-5614 6 3

FINAL FOR PUBLICATION

Environment and Buildings, under Section 13-32-085 of the Municipal Code, or any other provision of that Code.

12. 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 titleholders 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 and enables universal access throughout the Property as required by law. 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. 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.
15. The Applicant acknowledges that the Planned Development (PD) includes a building commonly known as the Ramova Theater and is identified as potentially significant in the Chicago Historic Resources Survey. Pursuant to the Municipal Code of Chicago, Sections 17-8-0911 and 13-32-230, the Applicant acknowledges that PDs should give priority to the adaptive reuse of historic buildings which are color-coded red or orange in the Chicago Historic Resources Survey. Therefore, the Applicant consents to designate this building as a Chicago Landmark and retain and preserve the character-defining features that include exterior elevations and rooflines visible from the public right-of-way. The Applicant agrees to prepare and deliver to the Department of Planning and Development a Preliminary Summary of Information prior to the issuance of a Certificate of Completion by the Department's Financial Incentives Division per the terms of the Redevelopment Agreement, in a form acceptable to the department's Historic Preservation Division, for the purposes of landmark designation of the Ramova Theater as a Chicago Landmark.
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 MAVBE 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 MAVBE Participation

Applicant                      Our Revival Chicago, LLC  
Address                        3506 to 3520 South Halsted Street, Chicago, Illinois  
Introduced                    May 26, 2021  
Plan Commission            July 15, 2021  
116629 000001 4R21-1115-5614.6 4

FINAL FOR PUBLICATION

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 (j) 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 of the Zoning Ordinance. Should this Planned Development ordinance lapse due to the passage of time, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone this Planned Development to C3-2, Commercial, Manufacturing, and Employment District.

Applicant Our Revival Chicago, LLC  
Address 3506 to 3520 South Halsted Street, Chicago, Illinois  
Introduced May 26, 2021  
Plan Commission July 15, 2021  
116629000001 4821-1115-5614 6 5

FINAL FOR PUBLICATION

BUSINESS PLANNED DEVELOPMENT NO. \_ BULK REGULATIONS AND DATA TABLE

GROSS SITE AREA:	35,034 sf
AREA IN THE PUBLIC RIGHT OF WAY:	7,665 sf
NET SITE AREA:	27,369 sf
MAXIMUM PERMITTED FAR:	1.43
MINIMUM NUMBER OF OFF STREET PARKING SPACES:	0'
<u>MINIMUM NUMBER OF OFF STREET LOADING BERTHS</u>	<u>1 10' x 25'</u>
SETBACKS FROM THE PROPERTY LINE:	In accordance with the Site and Landscape Plans
MAXIMUM BUILDING HEIGHT:	35 feet

<sup>1</sup> No off street parking is required. The Applicant, however, shall use good faith efforts to provide at least 50 parking spaces within 600 feet of the planned development boundaries.

Applicant. Our Revival Chicago, LLC  
Address 3506 to 3520 South Halsted Street, Chicago, Illinois  
Introduced May 26, 2021  
Plan Commission. July 15, 2021  
116629000001 4821-1115-56146 6

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