



Office of the City Clerk

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

Legislation Text

File #: SO2017-3796, Version: 1

FINAL FOR PUBUCATI

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 CI-1 Neighborhood Commercial District symbols and indications as shown on Map No. 1-G in the area bounded by

West Fulton Market; North Morgan Street; a line 100.52 feet south . of the south line of West Fulton Market; and a line 31.52 feet west of the west line of North Morgan Street

to those of a DX-3 Downtown Mixed-Use District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the DX-3 Downtown Mixed-Use, District and the indications as shown on Map 1-G in the area bounded by:

West Fulton Market; North Morgan Street; a line 100.52 feet south of the south line of West Fulton Market; and a line 31.52 feet west of the west line of North Morgan Street

to those of a Business Planned Development, 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 thereof and to no others.

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

Common Address: 1001 West Fulton Market

**FINAL FOR PL'S/
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BU6WBSS PLANNED DEVELOPMENT NO.

PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Business Planned Development No. _____ (the "Planned Development") consists of a net site area of approximately 3,168 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Profwrty?"). The Property is owned by Vequity LLC Series XITI Fulton, an Illinois limited liability company (the "Applicant").
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant, its successors and assigns. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, the Property shall be under single ownership or under single designated control. Single designated control is defined in Section 17-8-0400. 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", "ground lessee" or "titleholder" 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 with respect to the portion of the Property so transferred.
3. All applicable official reviews, approvals or permits are required to be obtained by any owner of the Property, as applicable, or its successors, assigns or grantees, which require such reviews, approvals or permits. 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 applicable Property owner, its successors, assigns or grantees, seeking such action.

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 Plans (as defined below) 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

Applicant: Vequity LLC Series XIII Fulton
Address: 1001 West Fulton Market
Introduced: May 24, 2017
Plan Commission: September 20, 2017

FINAL FOR PUBLICATION

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 18 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; and Elevations (North, South, East and West), all prepared by Uekis Associates and dated September 20, 2017 (collectively, the "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 within the area delineated as Business Planned Development: Animal services; eating and drinking establishments; sports and recreation, participant - indoor; financial services (excluding payday/title secured loan store, pawn shop and drive thru facilities); food and beverage retail sales; medical service; office; personal service; consumer repair or laundry services (except for plant on premises); general retail sales; wireless communications facilities (excluding freestanding towers); and related or 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 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 3,168.39 square feet.
9. The Applicant acknowledges that the project has received a bonus FAR of 1.3 pursuant to Sec. 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 4.3. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17.4-1003-B & C, prior to the issuance of the first building permit for any building in the Planned Development. The bonus payment will be recalculated at the time of payment (including partial payments for phased developments) and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C.3.

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The bonus payment will be split between three separate funds, as follow: 80% to the Neighborhoods Opportunity Fund, 10% to the Citywide Adopt-a-Landmark Fund and 10% to the Local Impact Fund. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property owner to finance specific landmark restoration projects; or, (c) approve proposals for in-kind improvements to satisfy the Local Impact portion of the payment.

10. In this case, the Applicant will contribute the Local Impact portion of the bonus payment for construction of the Skinner Park Field House (the "Project"). The Project is located within one mile of the Planned Development site, as required by Sec. 17-4-1005-C. The Applicant must make such payment, or the applicable portion thereof in the case of a phased development, prior to the issuance of the first building permit for the Planned Development or applicable phase thereof. The City must enter into an intergovernmental agreement regarding the manner in which the funds will be used.
11. 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.
12. The Site 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.
13. 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.
14. Subject to the provisions of Statement No. 2 of this Planned Development, 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.
15. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and ensures universal access throughout the Property. Plans for all new buildings and improvements on the Property constructed after the date hereof 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.

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16. The Applicant acknowledges the city's ongoing and evolving initiatives to enhance awareness of, and support and encourage participation by, Minority and Women's Business Enterprise certified contractors and local city residents. To assist the city in promoting such MBE, WBE and local city resident involvement, the Applicant may provide the Department of Planning and Development with any preliminary outreach plans designed to elicit MBE, WBE and local city resident participation, such submission may include copies of certified letters, and receipts of such, sent to MBE/WBE contractor associations and the ward office of the alderman in which this project is proposed to be located. In conjunction with the Applicant's submission for Part II permit reviews, the Applicant will provide DPD (and upon request, the full Plan Commission) with all responses to any preliminary outreach plans and certified letters, updates on any associated communications or meetings and anticipated percentages of MBE, WBE and local city resident participation. Prior to issuance of their Certificate of Occupancy, the Applicant will provide DPD with actual level of MBE and WBE certified contractor and local city resident participation. All such details will be provided in a form acceptable to the Zoning Administrator or Commissioner of the Department of Planning and Development.
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. 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 Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rzone this Business Planned Development to DX-3 Downtown Mixed-Use District.

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INSTITUTIONAL PLANNED DEVELOPMENT NO. BULK REGULATIONS AND DATA

TABLE

GROSS SITE AREA:

AREA IN THE PUBLIC RIGHT OF WAY:

NET SITE AREA:

MAXIMUM PERMITTED FAR:

MAXIMUM NUMBER OF DWELLING UNITS:

MINIMUM NUMBER OF OFF STREET PARKING SPACES:

MINIMUM NUMBER OF BIKE PARKING SPACES:

MINIMUM NUMBER OF OFF STREET LOADING BERTHS:

SETBACKS FROM THE PROPERTY LINE:

MAXIMUM BUILDING HEIGHT:

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

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

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(Chicago Plan Commission Date: September

20, 2017

Re: Proposed Planned Development for the property generally located at 1001 West Fulton Market

On September 20, 2017, the Chicago Plan Commission recommended approval of the proposed planned development submitted by Vequity LLC Series XIII Fulton. A copy of the proposed planned development is 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 744-9476.

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

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