



# Office of the City Clerk

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

## Legislation Text

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File #: SO2018-4928, Version: 1

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# Final for Publication

## ORDINANCE

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

SECTION I. That the Chicago Zoning Ordinance be amended by changing all of the C3-5 Commercial...Manufacturing, and Employment District ...and Business Planned Development Number 1292 symbols and indications as shown on Map Number 3-G in the area bounded by:

West Blackhawk Street; North Dayton Street; a line extending westward a distance of approximately 261.44 feet from a point on the west right of way line of North Dayton Street located approximately' 231.05 feet south (measured along said west line of North Dayton Street) of the intersection of the south line of West. Blackhawk Street and the west line of North Dayton Street; a line extending northeastwardly a distance of approximately 174.93 feet from a point on the east right of way line of North Kingsbury Street located approximately 226.93 feet southeasterly (measured along said east line of North Kingsbury Street) of the intersection of the south line of West Blackhawk Street and the east line of North Kingsbury Street; and North Kingsbury Street,

to those of Business Planned Development Number 1292, 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 apart thereof and to no others.

SECTION 2. This Ordinance shall be in force and effect from and after its passage and due publication.

Address: 1463-1483 North Kingsbury Street / 835-919 West Blackhawk Street / (450-1472 North Dayton Street, Chicago, Illinois

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## **BUSINESS PLANNED DEVELOPMENT NO. 1292, AS AMENDED** **PLANNED DEVELOPMENT STATEMENTS**

1. The area delineated herein as Business Planned Development Number 1292, as amended (the "Planned Development"), consists of approximately 122.317 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property") and is owned or controlled by the Applicant, The Shops at Big Deahl LLC.
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, 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.

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
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

Applicant: Address:

Introduced:

Plan Commission:

The Shops at Big Deahl LLC

1463-1483 North Kingsbury Street / 835-919 West Blackhawk Street / 1450-1472 North Dayton Street June 27, 2018

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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.ofpublic way.... improvements and restoration must be approved by the Department of Transportation.

The applicant commits to provide and fully fund the installation of a new signal at the intersection of North Halsted and West Blackhawk Streets to be operational prior to the issuance of the certification of occupancy for the buildings to be constructed in Sub-Area A. The applicant shall fully fund, design, and construct the signal at its sole cost. All plans and any improvement must be reviewed and approved by CDOT.

4. This Plan of Development consists of 16 Statements and a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land Use Map; a Demo Site Plan; a Planned Development Property Line, Boundary Map, and Sub -Area Map; a Phasing Plan - Phase One; a Phasing Plan -Phase Two; a Phasing Plan - Phase Three; a Site Plan; a Landscape Plan; Site Plan - Sub-Area "A"; a Site Plan - Sub-Area "B"; a Site Plan - Sub-Area "C"; a Site Plan Sub-Area "D"; Ground Floor Plans; Level 2 Floor Plans; Level 2.5 Parking Plan; Green Roof Plan; North Elevation; West Elevation; East Elevation; South Elevation; Park Elevation - East; and Park Elevation - West, all prepared by CallisonRTKL Associates, dated June 19, 2018 and revised October 18, 2018, submitted herein. 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 within the Planned Development:

Sub-Area A: art sales area (gallery); business support services (excluding day labor employment agencies); offices; general retail sales; eating and drinking establishments, restaurants, taverns, and patios; financial services (excluding payday/title loan stores and pawn shops); personal service uses; temporary construction parking and construction staging; interim parking and landscaping; and related accessory uses, non-accessory parking (as set forth in the attached Bulk Regulations and Data Table) and off-street accessory parking and off-street loading.

Sub-Area B: publicly-accessible open space.

Sub-Area C: Lodge or Private Club; Community Centers, Recreation Buildings and Similar Assembly Use; and related Accessory Uses, including without limitation Day Care, Religious Assembly, Entertainment and Spectator Sports (excluding Inter-Track Wagering Facility), office,

Applicant: The Shops at Big Deahl LLC  
Address: 1463-1483 North Kingsbury Street / 835-919 West Blackhawk Street / 1450-1472 North  
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personal service, retail sales, sports and recreation (including Outdoor, Indoor and Children's Play Center), and off-street accessory parking and loading.

Sub-Area D: Indoor Participant Sports and Recreation; art sales area (gallery); business support services (excluding day labor employment agencies); offices; general retail sales; eating and drinking establishments, restaurants, taverns, and patios; financial services (excluding payday/title loan stores and pawn shops); personal service uses; related accessory uses, off-street accessory parking and off--street loading. - - - - -

- 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 122,317 square feet and a base FAR of 5.0.

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.

The Applicant intends to use Sub-Area A for temporary construction staging and construction parking during construction of the improvements to be developed in Sub-Areas C and D, and during construction of the project located at 1535 North Dayton, which is being constructed by the Applicant's affiliate in sequence with development of this Planned Development. Within six (6) months after issuance of the final Certificate of Occupancy for the improvements proposed in Sub-Areas C and D, and for the project located at 1535 North Dayton (whichever is last) either of the following conditions must be fulfilled: (i) Part II Review, pursuant to Section 17-13-0610 of the Municipal Code, for the improvements proposed for Sub-Area A, as depicted in the exhibits associated with this PD, must have commenced; or (ii) the improvements depicted in the Sub-Area A Interim Site/Landscape Plan, as described in the exhibits associated with this PD must be completely installed (or otherwise provided by the following June 1st, if the above deadline for installing such

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Introduced:

Plan Commission:

The Shops at Big Deahl LLC

1463-1483 North Kingsbury Street / 835-919 West Blackhawk Street / 1450-1472 North Dayton Street June 27, 2018  
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improvements occurs at such a time when seasonal weather conditions would not allow completion of the Sub-Area A Interim Site/Landscape Plan).

The Applicant or its successors or assignees shall, at its own cost, construct the proposed open space depicted in Sub-Area B on the attached Landscape Plan (hereinafter, the "Open Space"). The Open Space shall be substantially complete no later than 6 months after issuance of the last final certificate of occupancy for the improvements to be constructed in Sub-Area C and Sub-Area D. The Applicant

- - shall be responsible for maintaining, repairing, replacing, and managing the Open Space, including

ensuring that the landscaping is well maintained, that the vegetation and plantings are kept in healthy condition. The Open Space shall be open to the public during normal park hours from 6:00am to 11:00pm every day, and the Applicant shall post a sign visible from the public right of way stating the same.

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. 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. 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 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

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project, and of city residents in the construction work. The city encourages goals of 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.

16. 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 a C3-5 Commercial, Manufacturing, and Employment District.

Applicant: The Shops at Big Deahl LLC  
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**BUSINESS PLANNED DEVELOPMENT NO. 1292, as amended BULK  
REGULATIONS AND DATA TABLE**

Gross Site Area (sf):	
Subarea A:	72,146 square feet
Subarea B:	22,171 square feet
Subarea C:	28,550 square feet
Subarea D:	37,209 square feet
Total	160,076 square feet
Area of Public Rights-of-Way (sf):	
Subarea A:	17,669 square feet
Subarea B:	4,016 square feet
Subarea C:	3,762 square feet
Subarea D:	12,312 square feet
Total	37,759 square feet
Net Site Area	
Subarea A:	54,477 square feet <sup>1</sup>
Subarea B:	18,155 square feet
Subarea C:	24,788 square feet
Subarea D:	24,897 square feet
Total	122,317 square feet
Permitted Floor Area Ratio	5.0
Subarea A:	9.67
Subarea B:	0
Applicant: Address:	

Introduced:  
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The Shops at Big Deahl LLC  
1445-1483 North Kingsbury Street / 835-919 West Blackhawk Street / 1440-1472 North Dayton Street / 834-866 West Eastman Street  
June 27, 2018 October 18, 2018

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Subarea C:	1.69
Subarea D:	1.72
Maximum Number of Dwelling Units	0 dwelling units
Maximum Number of Total Parking Spaces to be provided	
Subarea A:	468, of which up to 55 may be non-accessory parking spaces
Subarea B:	0
Subarea C:	65



Subarea D: 17  
Minimum Number of Bicycle Parking Spaces: 130  
Subarea A: 30  
Subarea B: 20  
Subarea C: 0  
Subarea D: 80  
Minimum Off-Street Loading Spaces: Three (3) spaces at 10 feet by 50 feet  
Subarea A: Three (3) spaces at 10 feet by 50 feet  
Subarea B: -  
Subarea C: -  
Subarea D: -  
Setbacks from Property Line: In compliance with the attached Site Plan  
Maximum Building Height  
Subarea A: 90 feet as measured by Section 17-17-0311-A of the Chicago Zoning Ordinance

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Subarea B: 0  
Subarea C: 70 feet as measured by Section 17-17-03 11 -A of the Chicago Zoning Ordinance  
Subarea D: 80 feet, as measured by Section 17-17-0311-A of the Chicago Zoning Ordinance

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Introduced: June 27, 2018  
Plan Commission: October 18, 2018

BUSINESS PLANNED DEVELOPMENT NO. 1292. AS AMENDED

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**EXISTING LAND-USE MAP**    pj paj f Qr  
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Applicant: The Shops At Big Deahl, LLC  
Address: 1463-1483 N Kingsbury St. / 835-919 W Blackhawk St. / 1450-1472 N Dayton St.  
Introduction Date: June 27, 2018  
Chicago Plan Commission Date: October 18, 2018

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY  
OF CHICAGO

**MEMORANDUM**

To:

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

From

David c.'Reifman Chicago Plan  
Commission

Date: October 18, 2018

Re: Proposed Amendment to Planned Development #1292 for the property generally located at 1450 North  
Dayton Street

On October 18, 2018, the Chicago Plan Commission recommended approval of the proposed amendment to planned development #1292 submitted by, The Shops at Big Deahl LLC. A copy of the proposed amendment to the 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