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Legislation Details (With Text)

File #: SO2014-4190
Type: Ordinance
Status: Passed
File created: 5/28/2014
In control: City Council
Final action: 9/10/2014
Title: Zoning Reclassification Map No. 7-F at 3012-3038 N Broadway Ave and 3013-3027 N Waterloo Ct - App No. 18059
Sponsors: Misc. Transmittal
Indexes: Map No. 7-F
Attachments: 1. O2014-4190.pdf, 2. SO2014-4190.pdf

Date	Ver.	Action By	Action	Result
9/10/2014	1	City Council	Passed as Substitute	Pass
9/4/2014	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
7/24/2014	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
5/28/2014	1	City Council	Referred	

**FINAL FOR
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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 the RM5 Residential Multi-Unit District and B3-2 Community Shopping District symbols and indications as shown on Map No. 7-F in an area bounded by:

a line 61.46 feet south of and parallel to West Barry Avenue; North Broadway Avenue; a line 104 feet north of and parallel to West Wellington Avenue; a line 100.41 feet west of and parallel to North Broadway Avenue; a line 128 feet north of and parallel to West Wellington Avenue; North Waterloo Court; a line 270.96 feet north of and parallel to West Wellington Avenue; a line 79.92 feet east of and parallel to North Waterloo Court; a line 223.44 feet north of and parallel to West Wellington Avenue; the alley next east of and parallel to North Waterloo Court; a line 269.91 feet north of and parallel to West Wellington Avenue; a line being 51.91 feet in length from a point 269.91 feet north of West Wellington Avenue and 180.29 feet east of the North Waterloo Court to a point being

125.76 feet south of West Barry Avenue and 224.56 feet west of North Broadway Avenue;
a line 125.76 feet south of and parallel to West Barry Avenue; a line 140.38 feet west of
and parallel to North Broadway Avenue,

to the designation of B3-2 Community Shopping District and a corresponding use district is hereby established in the area above described.

SECTION 2: Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance is hereby amended by changing all B3-2 Community Shopping District symbols and indications established in Section 1 above to the designation 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 after its passage and due publication.

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PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Business Planned Development Number _____, ("Planned Development") consists of approximately 75,094 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, 3030 North Broadway 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 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.

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. Notwithstanding Section 17-3-0504-G of the Chicago Zoning Ordinance, one driveway will be permitted from North Broadway Avenue into the site, as depicted on the Site Plan.

The Applicant agrees to provide and fully fund the installation of a traffic signal at the intersection of Broadway and the site access driveway and to fully modernize the existing traffic signal at Broadway and Wellington. This work shall be completed prior to the granting of the final occupancy certificate.

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.

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4. This Plan of Development consists of Fifteen Statements: a Bulk Regulations Table; a Planned Development Boundary and Property Line Map; an Existing Land-Use Map; an Existing Zoning Map; Site Plan; Landscape Plan / Roof Plan; Landscape Plan / Site Plan; and Building Elevations (North, South, East and West) prepared by Antunovich & Associates and dated August 21, 2014, submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations 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 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 allowed in the area delineated herein as a Business Planned Development: general retail sales, -physical fitness centers, personal services, medical services, accessory parking and related 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 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 75,094 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. 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,

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Environment and Buildings, 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 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 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. All developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Housing and Economic Development. The proposed Planned Development shall be in compliance with the Sustainable Development Policy by obtaining LEED Certification and by providing a green roof of at least fifty percent (50%) of Net Roof Area, with a minimum square footage of 19,741 square feet.
15. 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 Housing and Economic Development shall initiate a Zoning Map Amendment to rezone the property to B3-2 Community Shopping District.

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