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Legislation Details (With Text)

File #: SO2019-1384
Type: Ordinance **Status:** Passed
File created: 3/13/2019 **In control:** City Council
Final action: 6/12/2019
Title: Zoning Reclassification Map No. 8-K at 4207-4257 W 35th Pl - App No. 19981
Sponsors: Misc. Transmittal
Indexes: Map No. 8-K
Attachments: 1. O2019-1384.pdf, 2. SO2019-1384.pdf

Date	Ver.	Action By	Action	Result
6/12/2019	1	City Council	Passed as Substitute	Pass
3/13/2019	1	City Council	Referred	

Publication

Final for

Reclassification Of Area Shown On Map No. 8-K (As Amended) (Application No. 19981) (Common Address: 4207 W. 35th Pl. through 4257 W. 35th Pl.)

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 M2-1 Light Industry District symbols and indications as shown on Map • No. 8-K in the area bounded by:

A line 891.97 feet south of and parallel to West 33rd Street; a line 2,351.83 feet west of and parallel to South Pulaski Road; a line 1,621.96 feet south of and parallel to West 33rd Street; a line 3,033.27 feet west of and parallel to South Pulaski Road;

to those of an M3-1 Heavy Industry District.

SECTION 2. Further, that the Chicago Zoning Ordinance is hereby amended by changing all of the M3-1 Heavy Industry District symbols and indications established in the area above described in Section 1 to those of Business Planned Development No. 1425, as amended, so that the new boundaries of Business Planned Development No. 1425 are:

A line 891.97 feet south of and parallel to West 33rd Street; a line 1,290.89 feet west of and parallel to South Pulaski Road; a line 1,030 feet south of and parallel to West 33rd Street; a line 1,396.83 feet west of and parallel to South Pulaski Road; a line 1,130 feet south of and parallel to West 33rd Street; a line 1,276.83 feet west of and parallel to South Pulaski Road; a line 1,621.96 feet south of and parallel to West 33rd Street; a line 3,033.27 feet west of and parallel to South Pulaski Road;

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 hereof and to no others.

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

Plan of Development Statements referred to in this ordinance read as follows:

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Final

Business Planned Development No. 1425, as Amended. Planned Development Statements.

Statements 1 through 17 are incorporated herein:

1. The area delineated herein as Business Planned Development Number 1425, as amended, (the "Planned Development") consists of approximately One Million One Hundred Sixty-Nine Thousand Nine Hundred Eighty Five (1,169,985) square feet or 26.85 acres of net site area which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"). The Property is owned by the Applicant, The Peoples Gas Light and Coke Company. The gross site area consists of approximately One Million Two Hundred Twenty-Three Thousand Eight Hundred Five (1,223,805) square feet or 28.09 acres of gross site area.
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 holders 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 the 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, assignees 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.

4. The plan of development consists of seventeen (17) statements; a Bulk Regulations and Data Table; PD Boundary and Property Line Map; Existing Zoning Map; Existing Land Use Map; Overall Site Plan; Enlarged Site Plan - Logistics Facility; Overall Landscape Plan/A/UA Plan and Calculations, Enlarged Landscape Plan - Logistics Facility; Elevations - Logistics Facility (N, S, E and W) and Central Shop Elevations and Streetscape Elevations set forth in Business Planned Development 1425 initially approved by the Chicago City Council on June 27, 2018 at page 80811 et seq. of the June 27, 2018 Journal of Proceedings of the Chicago City Council, and dated June 21, 2018 are submitted herein. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This

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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 Chicago Zoning Ordinance, this Planned Development shall control.

5. The following uses shall be permitted in the area delineated herein as a Planned Development: major and minor utilities and services, vehicle storage and towing; motor vehicle repair shop, limited manufacturing, office, freestanding wireless communication facilities as well as accessory parking and accessory uses including but not limited to fueling stations, waste-related uses, warehouses, open outdoor storage yard area and pipe bundle spaces and meter shop to receive, test, repair and transport new and removed meters, and tool repair.
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 Planned 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 1,169,985 square feet (approximately 26.85 acres).
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, 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.
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 of the Municipal Code, or any 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 Chicago 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.

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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 shall fund and install a traffic signal at the intersection of West 35th Place and South Pulaski Road prior to the issuance of a Certificate of Occupancy for the Central Shop portion of the Planned Development. The Applicant shall coordinate the design of the intersection, left-turn arrows, and the signal design with the Chicago Department of Transportation in order to properly design for pedestrians, bicycles, trucks, vehicular traffic, CTA bus stops, and on-street parking.
15. 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.
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 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 project, and of City residents in the construction work. The City encourages (i) 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

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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, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to M3-1 (Heavy Industry District).

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PD 1425 Amendment fa' Bulk Regulations and Data Table'w/

Net Site Area:	1,169,985 square feet (26.85 acres)
Gross Site Area:	1,223,805 square feet (28.09 acres)
Maximum Floor Area Ratio for Total	0.25
Net Site Area:	
Maximum Number of Dwelling Units:	None Permitted
Minimum Number of Off-Street	480 auto, including 13 accessible spaces.
Parking Spaces:	
Maximum Fleet Vehicles	500
Minimum Number of Off-Street	5 (10' X 50')
Loading Berths:	
Minimum Required Building Setbacks:	In substantial accordance with Site and Landscape ' Plan.
Maximum Permitted Building Height:	45'
Maximum Freestanding Wireless	150' measured from immediate grade elevation.
Communication Facility Height:	
Minimum Number of Bicycle Spaces:	22

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