



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2019-374
Type: Ordinance
Status: Passed
File created: 1/23/2019
In control: City Council
Final action: 3/13/2019
Title: Zoning Reclassification Map No. 90-B at 4301 W Chicago Ave
Sponsors: Mitts, Emma
Indexes:
Attachments: 1. SO2019-374.pdf, 2. O2019-374.pdf

Date	Ver.	Action By	Action	Result
3/13/2019	1	City Council	Passed as Substitute	Pass
2/28/2019	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
1/23/2019	1	City Council	Referred	

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SUBSTITUTE ORDINANCE

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

SECTION 1: ' That Title 17 of the Municipal Code of Chicago, Chicago Zoning Ordinance, be amended by changing all of Planned Manufacturing District #9 symbols and indications as shown on Map No. 90-B in the area legally described as:

THAT PART OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 88 DEGREES 10 MINUTES 37 SECONDS WEST, ' ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 2350.00 FEET; THENCE SOUTH 01 DEGREES 36 MINUTES 04 SECONDS EAST, 50.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF WEST CHICAGO AVENUE , AS MONUMENTED AND

EQUIPPED, FOR A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 10 MINUTES 37 SECONDS WEST, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, 1626.29 FEET TO THE EAST RIGHT OF WAY LINE OF NORTH KILBOURN AVENUE, DEEDED TO THE CITY OF CHICAGO PER DOCUMENT NUMBER 20302748; THENCE SOUTH 01 DEGREES 52 MINUTES 12 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE, 69.47 FEET TO THE NORTHEASTERLY RIGHT OF WAY OF NORTH KILBOURN AVENUE, DEEDED TO THE CITY OF CHICAGO PER SAID DOCUMENT NUMBER 20302748; THENCE SOUTH 57 DEGREES 26 MINUTES 57 SECONDS EAST, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, 782.25 TO THE NORTHEASTERLY CORNER OF NORTH KILBOURN AVENUE, ALSO, BEING THE NORTHWEST CORNER OF LOT 14 IN NORTHWESTERN CENTER INDUSTRIAL DISTRICT RECORDED JULY 1, 1971 AS DOCUMENT 21532046); THENCE ALONG NORTHEASTERLY LINE OF SAID LOT 14, SOUTH 57 DEGREES 28 MINUTES 11 SECONDS EAST, 137.55 FEET; THENCE NORTH 32 DEGREES 31 MINUTES 49 SECONDS EAST, 42.00 FEET; THENCE SOUTH 57 DEGREES 28 MINUTES 11 SECONDS EAST, ALONG A LINE THAT IS 42.00 FEET NORTHEASTERLY OF AND PARALLEL WITH MOST NORTHERLY LINE OF SAID LOT 14, 81.34 FEET, TO THE POINT OF INTERSECTION WITH THE SAID PARALLEL LINE AND THE LINE THAT IS 42 FEET NORTHEAST OF AND PARALLEL WITH THE NORTHERLY LINE OF LOTS 14 AND 15 IN SAID NORTHWESTERN CENTER INDUSTRIAL DISTRICT; THENCE SOUTH 67 DEGREES 14 MINUTES 29 SECONDS EAST, ALONG SAID PARALLEL LINE WITH NORTHERLY LINE OF LOTS 14 AND 15, 875.26 FEET, TO THE POINT OF INTERSECTION WITH A LINE THAT IS 42.00 FEET NORTHEAST OF AND PARALLEL WITH THE NORTHERLY LINE OF LOT 16 IN SAID NORTHWESTERN CENTER INDUSTRIAL DISTRICT; THENCE SOUTH 76 DEGREES 12 MINUTES 09 SECONDS

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EAST, ALONG SAID PARALLEL LINE, 605.00 FEET TO A LINE THAT IS 1743.23 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 01 DEGREES 36 MINUTES 04 SECONDS WEST, ALONG SAID PARALLEL LINE, 711.97 FEET TO A POINT OF CURVATURE WHICH IS 465.01 FEET SOUTH OF THE NORTH LINE OF THE AFORESAID NORTHEAST QUARTER AS MEASURED ALONG SAID PARALLEL LINE; THENCE NORTHERLY ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET, HAVING A CHORD BEARING OF NORTH 38 DEGREES 54 MINUTES 25 SECONDS WEST, A CHORD DISTANCE OF 121.21 FEET, FOR AN ARC LENGTH OF 130.22 FEET; THENCE NORTH 76 DEGREES 12 MINUTES 46 SECONDS WEST, 553.14 FEET; THENCE NORTH 01 DEGREES 36 MINUTES 04 SECONDS WEST, 169.46 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

to the designation of an Institutional 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 and made a part thereof and to no others.

SECTION 2: Section 17-6-0400 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

17-6-0403-F Use Table and Standards

(Omitted text is unaffected by this ordinance.)

17-6-0403-F Use Table and Standards.													
USE	PMD (Planned Manufacturing District) H												
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Use	No. 2	No. 3	No. 4	No. 5	No. 6	No. 7	No. 8 L.	No. 10	No. 11	No. 12	No. 13	No. 14	use
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P = permitted by right S = special use approval req'd
PD = planned development approval req'd - = not allowed

P	Drive-In Facility						S	S	S	J	S	S	-	-	-	-
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(Omitted text is unaffected by this ordinance)

17-6-0403-G Supplemental Use Standards

(Omitted text is unaffected by this ordinance) 5. Eating and Drinking

Establishments. Eating and drinking establishments shall not be

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larger than 4,000 square feet and shall not provide entertainment, except that: (a) in PMD 3 and PMD 9^ the maximum floor area limit is 8,000 square feet, there is no entertainment restriction, and the Zoning Board of Appeals is authorized to increase the maximum floor area to 12,000 square feet if reviewed and approved in accordance with the special use procedures of Sec. 17-13-0900; and (b) these floor area and entertainment limits do not apply in B subdistricts, except in PMD 4B.

(Omitted text is unaffected by this ordinance)

SECTION 3: To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or any portion thereof, is in conflict with any provision of this ordinance, the provisions of this ordinance shall control. The provisions of this ordinance are declared to be separate and severable. The invalidity of any provision of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

SECTION 4: This ordinance shall take effect upon its passage and approval. Common

Address: 4301 W. Chicago Avenue

Emma Mitts, Alderman

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PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number TBD, (Planned Development) consists of approximately 1,369,340 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, Alderman Emma Mitts, on behalf of the City of Chicago.
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 Chicago Department of Transportation (CDOT).

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

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- 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.

Prior to issuance of a certificate of occupancy for any building on the site, the Applicant shall submit a traffic study that contemplates the full extent of the proposed development reflected in the site plan conditionally approved by CDOT, and which details the anticipated vehicular and pedestrian impact of such project on both the subject site and area infrastructure. The traffic study shall be reviewed and approved by CDOT before the adoption of the finalized Site Plan. Further, the Applicant shall cooperate with CDOT to ensure the site plan is consistent with surrounding public way and CDOT plans. The study and site plan shall detail the specific improvements and necessary infrastructure upgrades on or around the site to accommodate anticipated traffic volumes, including the results of traffic signal warrant studies, if necessary. Accordingly, the Applicant or its successors and assigns, agrees to fund the design and installation of the traffic improvements identified by the study at its sole cost.

4. This Plan of Development consists of 17 Statements: a Bulk Regulations Table; an Existing Zoning Map and Land Use Map; a Planned Development Boundary Map; Site Plan; Enlarged Site Plan; Landscape Plan; Landscape Plan Typical Section; Site Details - Ornamental fence; Site Detail - Precast Wall; Primary Training Building Elevations - South, North, East and West) and Apparatus Bay Building Elevations - South, East, North and West) prepared by AECOM and dated February 21, 2019, 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 in the area delineated herein as a Planned Development: Public Safety Services; Office; Restaurants (including drive thru restaurants), Limited and General (up to' 12,000 square feet in aggregate); accessory parking; and all accessory and related uses, including but not limited to, indoor and outdoor public safety scenario training type uses and community meeting room spaces.
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

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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 1,369,340 square feet and a base FAR of .5.
 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, if applicable. 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, 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. Applicant and DPD, at either party's request, may continue to evolve the design of the building elevations for the Primary Training Building or the Apparatus Bay Building, and substantial changes to such elevations, if any, shall, if mutually agreed, be approved by DPD administratively as a Minor Change. , ,
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13. Prior to the Part II Approval (Section 17-13-0610 of the Chicago Zoning Ordinance) for development proposed in Lots 1 or 2 on the Site Plan (Commercial/Restaurant Out-Lots), the Applicant shall submit a site plan, landscape plan and building elevations for the specific outlot(s) for review and approval by the Department of Planning and Development (DPD). Review and approval by DPD is intended to assure that specific development components substantially conform with the Planned Development (PD) and the Chicago Zoning

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Ordinance and to assist the City in monitoring ongoing development. Site Plan Approval Submittals (Section 17-13-0800) need only include that portion of the Property for which approval is being sought by the Applicant. The site plan provided shall include all dimensioned and planned street Rights-of-Way.

No Part II Approval for any portion of the Property shall be granted until Site Plan approval has been

granted. Following approval by DPD, the approved Site Plan Approval submittals, supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of the PD.

After approval of the Lot 1 or Lot 2 Site Plans, changes or modifications may be made pursuant to the provisions of Statement 12. In the event of any inconsistency between approved plans and the terms of the PD, the terms of the PD shall govern. Any outlot Site Plan Approval Submittals shall, at a minimum, provide the following information:

- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned building elevations;
- fully-dimensioned landscape plan(s); and,
- statistical information applicable to the subject Sub-Area, including floor area, the applicable floor area ratio, uses to be established, building heights and setbacks.

Outlot Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the PD.

In addition, at DPD's request, the proposed accessory training buildings (accessory to the Primary Training Building or the Apparatus Bay Building), may also be reviewed in accordance with Section 17-13-0610, as appropriate.

14. 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.
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

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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 goals of (i) 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. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to Planned Manufacturing District 9.

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PLAN OF DEVELOPMENT
BULK REGULATIONS AND DATA TABLE ,

Gross Site Area:

Net Site Area:

Area Remaining in the Public Right of Way

Maximum Floor Area Ratio:

Minimum Setbacks:

Minimum Number of Parking Spaces: Minimum Number of Off-Street Loading: Maximum Building Height:

Maximum Freestanding Tower Height:
In substantial conformance with Site/Landscape Plans

380 spaces

One berth (10 ft. x 25 ft.)

70'

180'

Minimum Number of Bicycle Parking Spaces:

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF
CHICAGO

MEMORANDUM

To: Alderman James Cappleman
Chairman, City Council Committee on Zoning

From:

David L. Reifman Commissioner Department of Planning and Development

Date: February 21, 2019

Re: Proposed Institutional Planned Development located at 4301 W. Chicago Avenue

On February 21, 2019, the Chicago Plan Commission recommended approval of a proposed Institutional Planned Development, submitted by the Applicant, Alderman Emma Mitts, on behalf of the City of Chicago, for the property generally located at 4301 W. Chicago Avenue. The applicant is proposing to construct a public safety training campus to accommodate police, fire and other emergency personnel training needs in addition to two commercial/restaurant out-lots to be located on West Chicago Avenue.

A copy of the proposed ordinance, planned development statements, exhibits, bulk table, staff report and Chicago Plan Commission resolution are attached. I would very much appreciate your assistance in having this matter heard at the next possible City Council Committee on Zoning. If you have any questions in this regard, please do not hesitate to contact me at 744-9476. Thank you.

Cc: Anna Robles, Dan Klaiber
PD Master File (Original PD, copy of memo)

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