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Legislation Details (With Text)

File #: SO2022-2354
Type: Ordinance **Status:** Passed
File created: 7/20/2022 **In control:** City Council
Final action: 9/21/2022
Title: Zoning Reclassification Map No. 12-I at 2833 W 47th St, 2749-2757, 2749-2745 W 47th St and 4717-4723 S California Ave - App No. 21090
Sponsors: Misc. Transmittal
Indexes: Map No. 12-I
Attachments: 1. O2022-2354.pdf, 2. SO2022-2354.pdf

Date	Ver.	Action By	Action	Result
9/21/2022	1	City Council	Passed as Substitute	Pass
9/20/2022	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
7/20/2022	1	City Council	Referred	

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the C3-3, Commercial, Manufacturing and Employment District, B3-1, Community Shopping District and M1-2, Limited Manufacturing/Business Park District symbols and indications as shown on Map No. 12-1 in the area bounded by:

West 47th Street; a line 49.9 feet east of and parallel to South California Avenue; a line 97.85 feet south of and parallel to West 47th Street; a line 99.9 feet east of and parallel to South California Avenue; West 47th Street; a line 149.9 feet east of and parallel to South California Avenue; a line 97.85 feet south of and parallel to West 47th Street; South Fairfield Avenue; a line 273.62 feet south and parallel to West 47th Street; a line 127.8 feet west of and parallel to South Fairfield Avenue; a line 249.71 feet south of and parallel to West 47th Street; South California Avenue; West 47th Place; a line 350 feet west of and parallel to South California Avenue; a line 311 feet south of and parallel to West 47th Street; and a line 329 feet west of and parallel to South California Avenue

to those of a C3-3, Commercial, Manufacturing and Employment District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the C3-3, Commercial, Manufacturing and Employment District symbols and indications as shown on Map No. 12-1 in the area bounded by:

West 47th Street; a line 49.9 feet east of and parallel to South California Avenue; a line 97.85 feet south of and parallel to West 47th Street; a line 99.9 feet east of and parallel to South California Avenue; West

47th Street; a line 149.9 feet east of and parallel to South California Avenue; a line 97.85 feet south of and parallel to West 47th Street; South Fairfield Avenue; a line 273.62 feet south and parallel to West 47th Street; a line 127.8 feet west of and parallel to South Fairfield Avenue; a line 249.71 feet south of and parallel to West 47th Street; South California Avenue; West 47th Place; a line 350 feet west of and parallel to South California Avenue; a line 311 feet south of and parallel to West 47th Street; and a line 329 feet west of and parallel to South California Avenue

to those of Business Planned Development No. _____ which is hereby established in the area described above, 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.

Address: 2833 W. 47th Street; 2749-2757 and 2749-2745 W. 47th Street and 4717-4723 S. California Avenue

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PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number TBD, (Planned Development) consists of approximately 236,165 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, Healthy Brighton Title Molding Corporation, an Illinois not-for-profit corporation.
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

FINAL FOR PUBLICATION

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.

4. This Plan of Development consists of 17 Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; an Existing Aerial Map; a Planned Development Boundary and Property Line Map; a Sub-Area Map; Site Plan;; Landscape Plan; Landscape Plan Schedules; Building Elevations (North, South, East and West); 3D Massing (Northeast, Southeast and Southwest) prepared by Urban Works and dated August 18, 2022; Sustainable Matrix; Traffic Impact Study prepared by Terra Engineering Ltd. And dated August 18, 2022, and Project Narrative 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 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. In each of the following Sub-Areas, the following uses shall be permitted in this Planned Development:
Sub-Area A: Medical Service; Day Care (Adult); Restaurant, Limited; Outdoor patio (if located at grade level); Retail Sales, General; and Accessory Parking.
Sub-Area B: Medical Service; Day Care (Adult); Restaurant, Limited; Outdoor patio (if located at grade level); Retail Sales, General; and Accessory Parking. Sub-Area C: Accessory Parking.
Sub-Area D: Medical Service; Office; Retail Sales, General and Community Garden.
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.

FINAL FOR PUBLICATION

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 191,925 square feet and a base FAR of 2.0.
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.
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.

FINAL FOR PUBLICATION

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 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 foregoing, 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 Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to (underlying zoning that formed the basis of this Planned Development).
17. Prior to the Part II Approval (Section 17-13-0610 of the Chicago Zoning Ordinance) in Sub-Area D, the Applicant shall submit a site plan, landscape plan and building elevations for the specific Sub-Area(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 to assist the City in monitoring ongoing development. Sub-Area 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. If the Applicant is seeking approval for a portion of the Property that represents less than an entire Sub-Area, the Applicant shall also include a site

FINAL FOR PUBLICATION

plan for that area of the Property which is bounded on all sides by either public Rights-of-Way or the boundary of the nearest Sub-Area. 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 Sub-Area 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 Sub-Area Site Plan, changes or modifications may be made pursuant to the provisions of Statement 17. In the event of any inconsistency between approved plans and the terms of the PD, the terms of the PD shall govern. Any Sub Area 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.

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

FINAL FOR PUBLICATION

BUSINESS PLANNED DEVELOPMENT NO.
BULK REGULATIONS AND DATA TABLE

Gross Site Area (sf):

Area of Public Right-of-Way (sf):

Net Site Area (si):

Subarea A (sf):

Subarea 13 (sl):

Subarea C (sl):

Subarea D (sl): Maximum Floor Area Ratio:

Subarea A:

Subarea B:

Subarea C:

Subarea D: Minimum Setbacks: Sub-Area A and B:

West 47th Street

South California Avenue

48th Place

Western boundary Sub-Area C and D:

West 47th Street

South Fairfield Avenue

Southern boundary

South California Avenue Maximum Building Height:

Subarea A:

Subarea B:

Subarea C:

Subarea D:

34' 34'

2.36,165 44,241 191,924 69,758 68,962 43,620 9,584 2.00 .50 1.00 0.00 2.00

14'-8" 8'-7" 2 .1'-5 5/8" 115'-3"

20'-7" 6'-0" 8'-3" 6'-0"

to top of parapet wall to top of parapet wall N/A N/A

FINAL FOR PUBLICATION

Minimum Number of Off-Street Parking and Loading:

Subarea A:

Cars Bikes 69 18

Subarea B:

Cars Bikes 66 14

Loading 1

Subarea C:

Cars Bikes 94 0

Loading 0

Subarea D:

Cars Bikes 0 0

Loading 0

Footnote 1. For the survey, there is 77,223 square feet in the existing right-of-way adjacent to the Property. The Applicant proposes to dedicate 17,136 square feet of the Property to the existing right-of-way resulting in a total Area of Public Rights-of-Way of 94,359 square feet

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Department of Planning and Development city of chicago

MEMORANDUM

To: Alderman Thomas Tunney
Chairman, City Council Committee on Zoning

From: / ^ ^ ^ ^ j ^ ^ J
' Maurice D. Cox ^ Chicago Plan
Commission

Date: August 19, 2022

Re: Proposed Business Planned Development for 2833 W. 47th Street, 2749-2757 and 2749-2745 W. 47th Street, and 4717-4723 S. California Avenue

On August 18, 2022, the Chicago Plan Commission recommended approval of the proposed Business Planned Development for property generally located at 2833 W. 47th Street, 2749-2757 and 2749-2745 W. 47th Street, and 4717-4723 S. California Avenue, submitted by Healthy Brighton Title Holding Corp NFP. A copy of the proposed Business 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 Nolan Zaroff at 3 12-744-4054.

Cc: Noah Szafraniec

PD Master File (Original PD, copy of memo)

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