



Office of the City Clerk

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

Legislation Text

File #: SO2019-2660, Version: 1

Final for Publication

ORDINANCE

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 RS-2 Residential Single-Unit District symbols and indications as shown on Map 9-L in the area bounded by:

North Central Avenue; West Waveland Avenue; the public alley next east of and parallel to North Central Avenue; a line 287.06 feet south of and parallel to West Waveland Avenue; a line 83.28 feet east of and parallel to North Central Avenue and a line 303.34 feet south of and parallel to West Waveland Avenue

to those of a C3-5 Commercial, Manufacturing and Employment District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the C3-5 Commercial, Manufacturing and Employment District symbols and indications as shown on Map 9-L in the area bounded by:

North Central Avenue; West Waveland Avenue; the public alley next east of and parallel to North Central Avenue; a line 287.06 feet south of and parallel to West Waveland Avenue; a line 83.28 feet east of and parallel to North Central Avenue and a line 303.34 feet south of and parallel to West Waveland Avenue

to those 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 and after its passage and due publication.

Address: 3631-57 North Central Avenue / 5547-57 West Waveland Avenue, Chicago, IL

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Publication

BUSINESS PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number _____, (the "Planned Development"⁷⁾) consists of approximately 37,614 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"). Portage Park Capital, LLC is the owner of the Property and the "Applicant" for this Planned Development.
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 "Zoning Ordinance"), the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development, 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, 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 | | | | | |

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

Applicant: Portage Park Capital, LLC .
Address: 363 [-57 North Central Avenue / 5547-57 West Waveland Avenue, Chicago, IL
Introduced: April 10, 2019 Plan
Commission: May 16, 2019

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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 Planned Development consists of these 16 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by DDCA Architects and dated May 16, 2019 (the "Plans"): an Existing Zoning Map; an Existing Land Use Map; a Planned Development Boundary and Property Line Map; a Site Plan; and Building Elevations (North, South, East and West), and a Landscape Plan and Landscape Details prepared by Manhard Consulting Ltd. 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 thereof, 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 permitted in the area delineated herein as a Business Planned Development: Office; Business Equipment Sales and Service; Business Support Services; Communication Service Establishments; Eating and Drinking Establishments (all, including Taverns); Animal Services (kenneling, boarding, stabling); Sports and Recreation, Participant; Indoor Special Event including incidental liquor sales; Financial Services; Food and Beverage Retail Sales; Medical Service; Personal Service; General Retail Sales; Participant Sports and Recreation; Limited and Artisan Manufacturing, Production and Industrial Services; Residential Storage Warehouse; Co-located Wireless Communication Facilities; accessory parking, non-accessory parking and incidental 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 DPD. 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 Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted overall FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 37,614 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 DPD. 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

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DPD. 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 13-32-125 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. 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 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

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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 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of DPD shall initiate a Zoning Map Amendment to rezone the property to the C3-5 Commercial, Manufacturing and Employment District.

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BUSINESS PLANNED DEVELOPMENT NO.
BULK REGULATIONS AND DATA TABLE

Gross Site Area (sf):	55,015
Area of Public Rights-of-Way (sf):	17,401
Net Site Area (sf):	37,614
Maximum Floor Area Ratio:	3.4
Accessory Off-Street Parking Spaces:	18
Minimum Off-Street Loading Spaces:	(3) 10ft x 25ft
Maximum Building Height:	50'
Minimum Setbacks:	in conformance with the Plans
Dwelling Units:	0

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF
CHICAGO

MEMORANDUM

Alderman James Cappleman
Vice Chairman, City Council Committee on Zoning

From

David L. Reifman Chicago Plan
Commission

Date: May 16, 2019

Re: Proposed Planned Development for the property generally located at 3631 North Central Avenue

On May 16, 2019, the Chicago Plan Commission recommended approval of the proposed planned development submitted by, Portage Park Capital LLC. A copy of the proposed 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 Vaienziano
PD Master File (Original PD, copy of memo)