



Office of the City Clerk

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

Legislation Text

File #: O2021-1329, Version: 1

ORDINANCE

Whereas, On December 1, 2020, the Committee on Zoning, Landmarks and Building Standards of the City Council of the City of Chicago met to consider an ordinance changing PMD 2 Planned Manufacturing District to Business Planned Development for the property generally located at 1020 North Elston Avenue; and

Whereas, At the committee meeting, a substitute ordinance was offered and accepted by the committee in lieu of the original ordinance, and the committee considered and recommended passage of the substitute ordinance ("SO2020-4556"); and

Whereas, Because of an administrative error, the document that was reported out of the committee to the City Council during the City Council meeting on December 16, 2020, then transmitted to the City Clerk and published in the Journal of Proceedings of the City Council of the City of Chicago for the regular meeting held on Wednesday, December 16, 2020, on pages 25845 through 25859, was not the final and complete ordinance; and

Whereas, The ordinance transmitted to the City Clerk was an early draft of the ordinance, not the final version; and

Whereas, It is necessary to correct this error by striking the ordinance passed on December 16, 2020 and replace it with this ordinance, which supersedes SO2020-4556, because it is accurate and complete; now, therefore,

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

SECTION 1. This Ordinance shall be in full force and effect following due passage and approval, and shall be deemed to apply retroactively to the effective date of SO2020-4556.

SECTION 2. SO2020-4556 is hereby repealed and replaced in its entirety with the following:

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#20483 Intro E September 9,

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

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•PlannMIWanUf^tini symbols and indications as shown on MaD 3-G intheiarea-boundediby:., .

.■■■'■■>" ..West Cortez Street, North Elston Avenue, West Augusta Boulevard, the public alley west of and ,.
' .■ jpayalleitb.Nohh-ElstbnAvenue, the public alleysouthof and parallel toiWest Cortez Street, and the;.'

\ tojhbse of.a Business Planned-Development which is hereby established in the area above described, subject
, tb.suchuse and'bulk regulations as,are set forth in the Plan of Development, herewith?^ .
part thereof and to no others. . " . 7" ' }' Y; . '■'./..
,v:...-jz*] : SECTION 2. This 'OrBinance,shall be in force and effect from and after its passage.and due ;
, ' publication.. -' ;: ".■■•Wy": ■ '■,

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BUSINESS PLANNED DEVELOPMENT NO.
PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Manufacturing District Number 2 (the "Planned Development") consists of approximately 56,150 square feet of net site area which is depicted on the attached Planned Development Boundary and Property Line Map (Property) and is owned or controlled by the Applicant, Skyfall Owner, 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.
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

Applicant:	Skyfall Owner, LLC
Address:	1020 N. Elston, Chicago, Illinois
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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 16 Statements and a Bulk Regulations Table; an Existing Zoning Map, Existing Land Use Map; a Site Plan; a P.D. Boundary & Property Line Map and Building Elevations (North, South, East, West) prepared by CRTKL and dated October 15, 2020, 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: Light Equipment Sales/Rental, Motor Vehicle Repair Shop, Vehicle Storage and Towing, Animal Services, Building Maintenance Services, Business Support Services, Urban Farm (Indoor Operation), Communication Service Establishments, Eating and Drinking Establishments (max 4,000 sf), Small Venue, Financial Services (max 3,000 sf), Food and Beverage Retail Sales (max 3,000 sf), Medical Service (max 9,000 sf), Office, Consumer Repair or Laundry Service (max 3,000 sf), General Retail Sales (max 20% of floor area), Manufacturing, Production and Industrial Service (All, except Intensive), Warehouse and Freight Movement, Wireless Communication Facilities, incidental and accessory uses and accessory parking.
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 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 56,150 square feet and a base FAR of 3.0.
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.

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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.
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 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

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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.

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 the PMD 2 Planned Manufacturing District.

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BUSINESS PLANNED DEVELOPMENT NO. BULK REGULATIONS AND DATA
TABLE*

Gross Site Area (sf):	87,198
Area of Public Rights-of-Way (sf):	31,048
Net Site Area (sf):	56,150
Maximum Floor Area Ratio:	3.0
Maximum Number of Dwelling Units:	0
Loading Berth:	4(10'x25')
Maximum Building Height:	Existing to remain
Minimum Setbacks:	Per plans

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EXISTING ZONING MAP 1020 n. elston avenue

APPLICANT: SKYFALL OWNER LLC ADDRESS: 1020 N. ELSTON AVE. COUNCIL INTRODUCTION: SEPTEMBER 9, 2020
PLANNING COMMISSION:

UNMARKED PARCELS PART OF HIGHWAY

1029-1047 N THROOP 1 STORY (C)

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EXISTING LAND USE MAP 1020 n. elston avenue

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P.D. BOUNDARY & PROPERTY LINE MAP

1020 N. ELSTON AVENUE CHICAGO, IL 60642

APPLICANT: SKYFALL OWNER LLC ADDRESS: 1020 N. ELSTON AVE. COUNCIL INTRODUCTION: SEPTEMBER 9, 2020
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NORTH ELEVATION

APPLICANT: SKYFALL OWNER LLC ADDRESS. 1020 N. ELSTON AVE. COUNCIL INTRODUCTION. SEPTEMBER 9, 2020
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Z

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OF

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SOUTH ELEVATION

APPLICANT: SKYFALL OWNER LLC ADDRESS: 1020 N. ELSTON AVE. COUNCIL INTRODUCTION: SEPTEMBER 9, 2020
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EAST ELEVATION

EXIST. GLAZING, TYP. EXIST. MAN DOOR EXIST. OH DOOR

WEST ELEVATION

1/i6" = r-
o"

EXTERIOR ELEVATIONS 1020 n. elston avenue

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

To] Alderman Tom Tunney
Chairman, City Council Committee on Zoning

Fromf
MauriceD^o& Chicago Plan Commission

Date: October 15, 2020

Re: Proposed Business Planned Development - 1020 N. Elston Ave.

On October 15, 2020, the Chicago Plan Commission recommended approval of the proposed Business Planned Development, submitted by Skyfall Owner, LLC. The Applicant proposes to rezone the property from PMD-2 (Planned Manufacturing District) to PD (Business Planned Development) to allow for light equipment sales/rental as a permitted use. A copy of the proposed ordinance, planned development statements, bulk table and exhibits are 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 recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Joshua Son at 312-744-2780.

Cc: PD Master File (Original PD, copy of memo)

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