



Office of the City Clerk

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

Legislation Text

File #: SO2021-3929, 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 Institutional-Business Planned Development No. 1189 and MI-2 Limited
Manufacturing/ Business Park District symbols and indications as shown on Map No. 5-
G in the area bounded by

Beginning at a point 100 feet southwest of and parallel to North Clybourn Avenue; a line 230.22 feet southeast of the intersection of North Ashland Avenue and North Clybourn Avenue as measured along the westerly right-of-way line of North Clybourn Avenue and perpendicular thereto; North Clybourn Avenue; a line 280.22 feet southeast of the intersection of North Ashland Avenue and North Clybourn, as measured along the westerly right-of-way line of North Clybourn Avenue and perpendicular thereto; a line 100 feet southwest of and parallel to North Clybourn Avenue; a line 380.22 feet southeast of the intersection of North Ashland Avenue and North Clybourn Avenue, as measured along the westerly right-of-way of North Clybourn Avenue and perpendicular thereto; North Clybourn Avenue; a line 702.71 feet southeast of the intersection of North Ashland Avenue and North Clybourn Avenue, as measured along the westerly right-of-way line of North Clybourn Avenue and perpendicular thereto; a line 138.11 feet southwest of and parallel to North Clybourn Avenue; the alley next north of West Webster Avenue; the easterly right-of-way line of North Dominick Street; a line 453.6 feet north and northwest of West Webster Avenue, as measured along the easterly right-of-way line of North Dominick Street and perpendicular thereto; a line from a point 216 feet north of West Webster Avenue and 152 feet east of North Ashland Avenue, to a point 284 feet north of West Webster Avenue and 50 feet east of North Ashland Avenue (said curved line being concave and running to the northwest having an arc length of 120.76 feet and a radius of 478.34 feet); a line from a point 284 feet north of West Webster Avenue and 50 feet east of North Ashland Avenue to a point 303 feet north of West Webster Avenue and 53 feet east of North Ashland Avenue; a line from a point 303 feet north of West Webster Avenue and 53 feet east of North Ashland Avenue, to a point 316 feet north of West Webster Avenue and 11 feet east of North Ashland Avenue; a line from a point 316 feet north of West Webster Avenue and 11 feet east of North Ashland Avenue, to a point 412.56 feet south of the intersection of North

Clybourn Avenue and North Ashland Avenue, as measured along the east bridge line of North Ashland Avenue and the east right-of-way line of North Ashland Avenue; and centerline of North Ashland Avenue,

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to those of a C2-2 Motor Vehicle-Related Commercial District and a corresponding use district which is hereby established in the area described above.

SECTION 2. Title 17 of the Municipal Code - Chicago Zoning Ordinance, be amended by changing all the C2-2 Motor Vehicle-Related Commercial District symbols and indications within the area hereinabove described to the designation of Institutional-Business Planned Development No. 1189, As Amended, 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 attached and made a part thereto and to no others.

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

Common address of property: 2258-2274 North Clybourn Avenue

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INSTITUTIONAL-BUSINESS PLANNED DEVELOPMENT NO. 1189. AS AMENDED, PLANNED DEVELOPMENT STATEMENTS

1. *The area delineated herein as Institutional-Business Planned Development Number 1189, As Amended (the "Planned Development"), consists of approximately 178,313 square feet (4.093 acres) of property (net site area), which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property"), and is owned and controlled by the Applicant - The Salvation Army.*
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, if applicable, 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:

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- Full width of streets
- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway & landscaping

The Perimeter Restoration Agreement, if applicable, 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 these eighteen (18) Statements: a Bulk Regulations and Data Table; a Plat of Survey; an Existing Zoning Map; a Vicinity Map; a Planned Development Boundary and Property Line Map; Layout (Site) Plan; and a Landscape Plan and Details, prepared, in relevant part, by V3 Companies, Ltd., and dated July 21, 2022, submitted herein. Full-sized copies of the Plat of Survey; Planned Development Boundary and Property Line Map; Layout (Site) Plan; Vicinity and Location Map; Demolition Plan; Grading, Erosion Control and Utility Plan; Landscape Plan and Details, 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 controls.

5. The following uses are permitted in the area delineated herein as Institutional-Business Planned Development No. 1189, As Amended: retail sales (ARC Family Store), food and beverage retail sales; restaurant (limited or general); office, group living and medical service (adult rehabilitation center) with accessory uses, public and civic uses - religious assembly, community service, motor vehicle repair shop (not including body work or painting), and accessory and non-accessory off-street parking and loading. The following uses shall be prohibited: hospital, postal service, animal shelter, body art services, urban farm, entertainment and spectator sports, financial services, undertaking, personal services, sports and recreational, and industrial uses.

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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. Off-street parking and loading facilities shall be provided in compliance with this Planned Development subject to the review of the Department of Transportation and the approval of the Department of Planning and Development.

The Applicant shall restrict semi-tractor trailer vehicle traffic accessing the subject site to the three (3) access driveways along North Clybourn Avenue. Egress by the semi-tractor trailer vehicles shall be restricted to the alleyway located southwest of and parallel to North Clybourn Avenue. Semi-tractor trailer vehicles shall be prohibited from accessing the subject site from North Dominick Street, with the limited exception of occasional large-scale machinery deliveries and during construction of any improvements anticipated herein. The use of the curb cut on North Dominick Street shall be limited to employees, retail customers and donors, and The Salvation Army Box Trucks only.

8. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building or any appurtenance attached shall not exceed the height established in the Bulk Regulations and Data Table and also shall be subject to height limitations, if any, established by the Federal Aviation Administration.
9. 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 Chicago Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of 178,313 square feet and a base FAR of 2.2.

10. 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.
11. 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.

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12. The Applicant acknowledges the importance of the Chicago River as a resource for both commerce and recreation and also acknowledges the City's goals of improving the appearance, quality, and accessibility of the river, as contained in the Waterway Planned Development Guidelines contain in the Chicago Zoning Ordinance (Section 17-8-0912) and the Chicago River Design Guidelines. To further these goals, the Applicant agrees to: (a) provide landscaped screening along the river frontage as indicated on the original Layout (Site) Plan, Public and Common Open Space Plan and Landscape Plan from the creation of this Planned Development; and, (b) not impede the development of a continuous riverside trail at which time the riverside trail is developed. All improvements within the river setback must be substantially completed prior to receipt of final occupancy certificate for the principal building {ARC Family Store), provided that planting may be delayed, if consistent with good landscape practice, but not longer than one year following receipt of the occupancy certificate.
13. 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.
14. 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.
15. 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.

16. 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. The proposed commercial-retail building (ARC Family Store) shall provide a vegetated ("green") roof totaling a minimum of 50 percent of the net roof area or 15,552 square feet and obtain a LEED's certification.

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17. 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 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.

18. 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 Institutional-Business Planned Development No. 1189 (dated 02/15/2012).

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INSTITUTIONAL-BUSINESS PLANNED DEVELOPMENT NO.1189, AS AMENDED

BULK REGULATIONS AND DATA TABLE

Gross Site Area:

Area in Public Right-of-Way: Net Site Area:

213,244 square feet (4.895 acres) 34,931 square feet (0.802 acres) 178,313 square feet (4.093 acres)

Permitted Floor Area Ratio:

Planned Development Statement No. 5

Maximum Retail/Commercial Area:

Maximum Number of Transitional Residence Beds/Rooms (allowed):

Minimum Off-Street Vehicular Parking Spaces:

Minimum Off-Street Loading Spaces: The Salvation Army Store: Maintenance Facility:

Setbacks from Property Line:

Maximum Percentage of Site Coverage: Maximum Building Height:

150 beds/30 rooms 160 spaces
[145 spaces (existing) + 15 spaces (added)]

1 at 10 feet by 25 feet; 1 at 10 feet by 50 feet; and

In substantial compliance with the original Site Plan from initial approval of PD 1189

In substantial compliance with the attached Layout Plan, as well as the original Site Plan (PD 1189, dated 02/15/2012)

In substantial compliance with the original Site Plan (PD 1189, dated 02/15/2012)

In substantial compliance with the original Site Plan (PD 1189, dated 02/15/2012)

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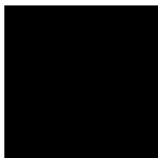
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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

MEMORANDUM

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

From: X..'
Maurice D. Cox Chicago Plan
Commission

Date: July 21, 2022

Re: Proposed Amendment to Planned Development 1189 - 2258-2276 N Clybourn Avenue

On July 21, 2022, the Chicago Plan Commission recommended approval of the Proposed Amendment to Planned Development 1189, submitted by The Salvation Army, for the property generally located at 2258-2276 N Clybourn Avenue. The applicant proposes to rezone the site from an M1-2 Limited Manufacturing/Business Park District to a C2-1 Motor Vehicle-Related Commercial District, then to Institutional-Business Planned Development 1189 - as amended, in order to permit the expansion of the existing planned development boundary and to allow for the establishment of a new accessory surface parking lot. A copy of the proposed ordinance 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 recommendation and a copy of the resolution. If you have any questions in this regard, please do not hesitate to contact Paul Reise at 312-744-2379.

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

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