



# Office of the City Clerk

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

## Legislation Text

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File #: SO2021-5077, Version: 1

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# 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 Business Planned Development No. 646 symbols and indications as shown on Map 5-G in the area bounded by:

North Magnolia Avenue; North Clybourn Avenue; a line 365.64 feet southeasterly of and parallel to North Magnolia Avenue, as measured along the southwest right-of-way line of North Clybourn Avenue; a line 338.20 feet east of the intersection of North Kingsbury Street and West Cortland Street, as measured at the north right-of-way line of West Cortland Street and perpendicular thereto; West Cortland Street; and North Kingsbury Street,

to those of the B3-1 Community Shopping District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the B3-1 Community Shopping District symbols and indications as shown on Map 5-G in the area bounded by:

North Magnolia Avenue; North Clybourn Avenue; a line 365.64 feet southeasterly of and parallel to North Magnolia Avenue, as measured along the southwest right-of-way line of North Clybourn Avenue; a line 338.20 feet east of the intersection of North Kingsbury Street and West Cortland Street, as measured at the north right-of-way line of West Cortland Street and perpendicular thereto; West Cortland Street; and North Kingsbury Street,

Business Planned Development No. 646, as amended

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

Address: 1967 N. Kingsbury St, Chicago, IL

EASTM 85748117.6

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## **BUSINESS PLANNED DEVELOPMENT NO. 646, AS AMENDED** **PLANNED DEVELOPMENT STATEMENTS**

1. The area delineated herein as a Manufacturing-Business Planned Development consists of approximately 91,931 square feet currently. Following a separate dedication, the Planned Development will consist of 88,593 square feet of site area. Alloy Property Company 2, LLC is the "Applicant" for purposes of this amendment and the owner of Subarea A.
2. 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 easements, or adjustments of right-of-way or consolidation or resubdivision of parcels, shall require a separate submittal on behalf of the Applicant or its successors, assignees or grantees and approval by the City Council.
3. 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 holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property shall be under single ownership or under single designated control at the time any applications for amendments, modifications or changes (administratively, legislative or otherwise) to this Planned Development are made. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
4. This Plan of Development consists of these 17 statements and the following: a Bulk Regulations and Data Table; a Zoning Map; a Land Use Map; a PD Boundary and Property Line Map; a Right of Way Adjustment Map; an Overall Site Plan; an Overall Landscape Plan; and Building Elevations dated June 16, 2022, prepared by Space Architects and, with respect to Subarea B, a Site/Landscape Plan and Building Elevations dated June 19, 1997, prepared by Sonoc, Flutter, Lee. The Planned Development is applicable to the area delineated hereto and these and no other zoning controls shall apply.
5. The following uses shall be permitted within the area delineated herein as "Manufacturing-Business Planned Development".

Sub-Area A: Eating and Drinking Establishments; Drive Through Facility; Outdoor Patio (at grade); Food and Beverage Retail Sales; Medical Service; Office; Personal Service; General Retail Sales and accessory and incidental uses.

Sub-Area B: All uses permitted as permitted uses or special uses (with the exception of auto service stations, auto laundries, bars, taverns or other businesses selling alcoholic beverages to be consumed on premises except for restaurants selling liquor incidental to their food service, stand-alone liquor stores, movie theaters, video arcades or adult uses) in Planned Manufacturing

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District Number 1, Subdistrict B (Buffer Area), valet parking servicing neighborhood businesses shall be permitted during off-hours of the retail center.

6. Business identification signs shall be permitted within the Planned Development subject to the review and approval of the Department of Planning and Development. Temporary signs, such as construction and marketing signs shall be permitted, subject to the review and approval of the Department of Planning and Development. Off-premise signs are prohibited within the boundary of Subarea A.
7. Any service drives or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of the City of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such emergency areas. Ingress and egress shall be subject to the review and approval of the Department of Transportation and the Department of Planning and Development. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation, Bureau of Traffic.

Subarea A: 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 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.

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8. In addition to the maximum height of the buildings and any appurtenance thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations as approved by the Federal Aviation Administration.
9. For purposes of Floor Area Ratio (F.A.R.) calculations, 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 91,931 square feet and a maximum FAR of 0.57.
10. The improvements on the Property shall be designed, installed and maintained in substantial conformance with the Site/Landscape Plan and Building Elevations and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.
11. 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. Notwithstanding the provisions of Section 17-13-0611-A of the Chicago Zoning Ordinance, such minor changes may include a reduction in the minimum required distance between structures, a reduction in periphery setbacks or an increase in the maximum percent of land coverage.
12. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in

a manner which promotes and maximizes the conservation of energy resources. The Applicant shall use best and reasonable efforts to design, construct and maintain all buildings located within this Planned Development in an energy efficient manner, generally consistent with the most current energy efficiency standards published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers ("A.S.H.R.A.E.") and the Illuminating Engineering Society ("I.E.S."). Copies of these standards may be obtained from the Department of Planning and Development.

Subarea A: 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.

13. Subarea A: 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.
14. Subarea A: The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation,

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Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

15. Subarea A: 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. Subarea A: 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.

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17. This Planned Development shall be governed by Section 17-13-0612. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to Business Planned Development No. 646, as it existed prior to this amendment.

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**BUSINESS PLANNED DEVELOPMENT NO. 646, AS AMENDED BULK  
REGULATIONS AND DATA TABLE**

Gross Site Area (sf):	128,149
Area of Public Rights-of-Way (sf) (existing):	36,218
Net Site Area (sf):	91,931
Subarea A:	
Existing:	19,045
Area to be separately dedicated:	3,338
Total following dedication:	15,707
Subarea B:	72,886*
Maximum Floor Area Ratio:	0.57
Subarea A:	1.0
Subarea B:	0.485
Minimum Off-Street Parking Spaces:	
Subarea A:	5
Subarea B:	3 per 1,000 sf of gross building area.
Minimum Off-Street Loading Berths:	
Subarea A:	1
Subarea B:	1



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Maximum Building Height: In accordance with Building Elevation

Minimum Setbacks: In accordance with Site Plan.

\* Current survey reveals an error in previously identified Subarea B Net Site Area. The survey confirms the accurate and correct Subarea B Net Site Area is 72,886 sf. To assure that no change in the development rights of Subarea B results from the decrease in Net Site Area, the FAR of Subarea B has been correspondingly increased from 0.47 to 0.485 FAR.

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## Application #20867

### DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

#### MEMORANDUM

Alderman Thomas Tunney  
Chairman, City Council Committee on Zoning

From:

Chicago Plan Commission Date: June 16,2022

Re: Proposed Amendment to Business Planned Development #646 1967-1983 N. Kingsbury Street  
(Application #20867)

On June 16, 2022, the Chicago Plan Commission recommended approval of an amendment to Business Planned Development #646 submitted by Alloy Property Company 2 LLC. A copy of the proposed ordinance, planned development statements, bulk table and exhibits 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 me at 744-9476.

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

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