



# Office of the City Clerk

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

## Legislation Text

File #: SO2022-2635, Version: 1

FINAL FOR PUBLICATION

### ORDINANCE

#### **mc it oiiDAiNi i) uv i iii: city council. or inf. city or ctiicaco:**

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the Waterway-Business Planned Development Number 1222 symbols and indications as shown on Map 7-H in the area bounded by:

a line 523.39 feet southeasterly from and parallel with the northwesterly line of vacated Snow Street, extending northeasterly from the centerline of North Elston Avenue a distance of 312.63 feet; a line parallel with North Damen Avenue extending from the previous point a distance of 257.83 feet to the westerly dock line of the north branch of the Chicago River; the north branch of the Chicago River, a line 25 feet west of and parallel to North Damen Avenue, running a distance of 41 feet; a line from and perpendicular to the previous point running 25 feet easterly to the east line of North Damen Avenue; North Damen Avenue to a point 355.08 feet south of the north branch of the Chicago River; a line extended west to a point 19.98 feet from the westerly line of North Damen Avenue; a line approximately 294.92 feet in length and parallel with the northwesterly line of vacated Snow Street extended in a southwesterly direction from the previous point to North Elston Avenue; and North Elston Avenue,

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

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the Waterway-Business Planned Development Number 1222 symbols and indications as shown on Map 7-H in the area bounded by:

a line 523.39 feet southeasterly from and parallel with the northwesterly line of vacated Snow Street, extending northeasterly from the centerline of North Elston Avenue a distance of 312.63 feet; a line parallel with North Damen Avenue extending from the previous point a distance of 257.83 feet to the westerly dock line of the north branch of the Chicago River; the north branch of the Chicago River; a line 5.08 feet southeasterly from and parallel with the northwesterly line of vacated Snow Street; and North Elston Avenue,

to those of Waterway-Business Planned Development Number 1222, as amended.

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

Address: 2501 N. F. K. Avenue, Chicago, IL

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WATL KWW-BL'SIM.SS PLANNED DEVELOPMENT NO. 1 222, as amended (LAN NTT)  
DEVELOPMENT STATEMENTS

1. The area delineated herein as Waterway-Business Planned Development Number 1 222, as amended, ("Planned Development") consists of approximately 221,217 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). Delta Real Estate Moldings, LLC is the owner of the Property and is 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 pennies 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 Chicago Department of Transportation ("CDOT") on behalf of the Applicant or its successors, assigns or grantees and approval by the Chicago City Council.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the plans.

All ingress or egress shall be subject to the review and approval of the Departments of Planning and Development and Transportation prior to granting any Part II Approval. Any changes to the Site Plan as a result of both the Departments' review shall be processed as a minor change pursuant to Section 17-13-0611 of the Zoning Ordinance and a stamped CDOT plan. 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.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II Approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of (i) these 16 Statements; (ii) a Bulk Regulations and Data Table, and (iii) the following exhibits and plans attached hereto prepared by Gensler and dated September 21, 2022, and November 17, 2022 (the "Plans"): an Existing Zoning Map; an Existing Land Use Map; a Planned Development Boundary and Property Line Map; an Overall Site Plan; a Landscape Plan; Building Elevations (north, south, east and west); and a Green Roof Plan. 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 (hereof, and satisfies the established criteria for approval as a Planned Development.

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Plan Commission: November 17, 2022

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In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, the Planned Development Ordinance shall control.

5. The following uses are permitted in the area delineated herein as Waterway-Business Planned Development No. 1222, as amended: All types of Vehicle Sales and Service uses, including without limitation motor vehicle sales and service, repair, washing and cleaning, and outdoor storage of vehicle inventory (excluding vehicle storage and towing with outdoor storage as a principal use); incidental and accessory uses and accessory parking. The following uses are not allowed, heavy equipment sales or rental; RV or boat storage.
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. The maximum allowed sign area in the Planned Development shall be calculated as five times the street frontage.
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 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 221,217 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 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

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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.

M. 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 buildings constructed pursuant to this PD shall be certified under the Leadership in Energy and Environmental Design ("LEED") Green Building Rating System and shall include a green roof which covers a minimum of 50 percent of each building's net roof area, consisting of a green roof area of approximately 34,000 square feet. All buildings constructed in this Planned Development shall conform to the City of Chicago Sustainable Development Policy Matrix in effect on the date of approval of this Planned Development.

15. 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 contained in the Zoning Ordinance, and the Chicago River Corridor Design Guidelines and Standards. To further these goals, the applicant agrees to: (a) provide a landscaped 30-foot-wide river setback and continuous riverside trail as indicated on the Site Plan and Landscape Plan; and (b) permit public access and connection of such setback and trail to the setback and trail of either adjacent property when the river edge of either adjacent property is similarly improved. All improvements within the river setback must be substantially completed prior to receipt of a Certificate of Occupancy for the principal building, provided that planting may be delayed, if consistent with good landscape practice, but not longer than one year following receipt of the occupancy certificate.

16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to the M3-3 Heavy Industry District. The City acknowledges that, for purposes of Section 17-13-0612 of the Zoning Ordinance, construction of the improvements contemplated by this Planned Development did commence and were completed in the timeframes required by Section 17-13-0612-A.

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AND DATA TAB! I.

Gross Silo Area (Total):'	238/149 sf
Area ol' Public Rights-of-Way (Total):	17.232 sf
Net Site Area (Total):	221,217 sf
Maximum Floor Area Ratio:	1.0
Minimum Off-Street Accessory Parking Spaces:	152
Minimum Number of Bicycle Spaces	0
Maximum Building Height:	90 feet
Minimum Setbacks:	As per approved Site Plan

<sup>1</sup> Excludes area within the north branch of the Chicago River.  
: The property formerly designated as Subarea IJ has been, by this amendment, removed from the boundaries of the I.D. - --

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LAN NED DEVELOPMENT BOUNDARY AND PROPERTY LINE MAP

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**LEGEND**

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TO REMAIN

BOUNDARY LINE PROPERTY LINE

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EXISTING ZONING MAP

EXISTING-! AND USE MAP

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## PLANNED DEVELOPMENT NO. 1222, AS AMENDED OVERALL SITE PLAN

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## PLANNED DEVELOPMENT NO.1222, AS AMENDED

### LANDSCAPE PLAN publication

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TREES REQUIRED PER I I IE CHICAGO RIVER CORRIDOR PI AN

NOTE

- EXISTING TREE ON RIVERBANK TO REMAIN
- EXISTING RIVERBANK WI TH NATIVE ORNAMENTAL GRASSES AND PERENNIALS WITH EROSION CONTROL
- ASPHALT RIVERWALK
- 30' RIVER OFFSET

19 TOTAL TREES IN THE RIVER SETBACK WILL BE A COMBINATION OF GOOD EXISTING TREES AND NEW TREES

-EXISTING TOP OF BANK

- RIVER RIDGE

NATIVE ORNAMENTAL  
EXCLUDED FROM PARKING COUNTS  
Brasses and perennials

NORTH

VEHICULAR USE AREA PLANTING REQUIREMENTS VEHICULAR USE AREA PLANTING REQUIREMENTS  
18 710 S.F. JO 7.11 11

Applicant: Delta Real Estate Holdings, LLC Address. 2501 N Elston Avenue Date Introduced September 21, 2022

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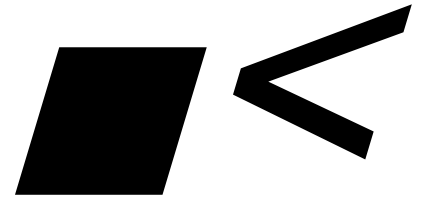
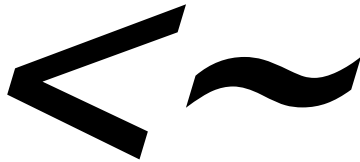
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PLANNED DEVELOPMENT NO. 1222, AS AMENDED GREEN ROOF PLAN  
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APPLICATION 21 131

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF  
CHICAGO

MEMORANDUM

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

From: ■■■" / '< / '•-v' r: - • ( J' Maurice D.  
Cox " / Cliicago Plan Commission

Date: November 17, 2022

Re: Proposed Waterway-Business Planned Development No. 1222, as amended - 2501 N. Elston Avenue

On November 17, 2022, the Chicago Plan Commission recommended approval of the proposed Waterway-Business Planned Development No. 1222, submitted by Delta Real Estate Holdings, LLC. The Applicant proposes to rezone all of Waterway-Business Planned Development No. 1222 to C3-3 (Commercial, Manufacturing and Employment District) and then back to Waterway-Business Planned Development No. 1222, as amended. The applicant seeks to remove a portion of land from the Planned Development boundaries. No new construction or site improvements are proposed as part of this amendment request. 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 Carmen Martinez at 312-744-5920.

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