City of Chicago

O2019-6905

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	9/18/2019
Sponsor(s):	Nugent (39)
Type:	Ordinance
Title:	Correction of City Council Journal of Proceedings of June 12, 2019
Committee(s) Assignment:	Committee on Committees and Rules

JOURNAL CORRECTION

WHEREAS, On June 12, 2019, the City Council of the City of Chicago passed an ordinance amending Business Planned Development Number 29 for the property located at 5033 North Elston Avenue, which was introduced on March 13, 2019 as Application No. 19982 / Document No. O2019-1385; and

WHEREAS, It was discovered that an error was made in the publication of said ordinance, which appears on pages 1940 through 1950 of said Journal of Proceedings; and

WHEREAS, It is necessary and advisable to correct said errors; now, therefore,

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

SECTION 1. The ordinance to amend Business Planned Development Number 29 is hereby amended by replacing it in its entirety with the ordinance attached hereto as Exhibit A.

SECTION 2. This ordinance shall be in force and effect upon passage and approval.

Samantha Nugent
Alderman, 39th Ward

2019 SEP 17 PM 1:36

HHRC

Exhibit A

Including:

Ordinance, PD Statements, Bulk Regulations & Data Table, and Exhibits marked "Final for Publication"

(16 pages)

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 the Business Planned Development Number 29 symbols and indications shown on Map Number 13-K in the area bounded by:

> West Foster Avenue; the east line of North Keating Avenue; the northwest line of West Winnemac Avenue; a line 628.89 feet south of West Foster Avenue; the west line of the right of way of the Chicago and Northwestern Railroad; a line 10 feet west of the east line of the Edens Expressway; North Elston Avenue; a line 25 feet northwest of West Winnemac Avenue; and the east line of the Edens Expressway,

to those of Business Planned Development Number 29, as amended, which is hereby established in the area described above subject to such use and bulk regulations as are set forth in the Plan of Development attached hereto and to no others.

SECTION 2: This ordinance shall be in force and effect from and after its passage and due publication.

ADDRESS: 5033 North Elston, Chicago, Illinois

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BUSINESS PLANNED DEVELOPMENT NO. 29,
AS AMENDED

PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Business Planned Development Number 29, as amended (the "Planned Development"), consists of approximately 341,810 square feet of net site area (the "Property"), together with certain portions of existing adjacent rights of way, as depicted on the attached Planned Development Boundary and Property Line Map. The Planned Development is divided into Subareas (each, a "Subarea," and collectively, the "Subareas") as indicated on the attached Subarea Map. GBF Elston LLC is the owner of all property within Subarea I and, for purposes of this amendment to the Planned Development, is the "Applicant."

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.

   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 Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Planned Development consists of these fifteen (15) statements and a Bulk Regulations Table; an Existing Zoning Map, a Sub-Area I Site Plan (2 pages), Sub-area I Landscape Plan, Sub-Area I Landscape Plan Details, Building Elevations (4 pages) prepared by Camburas & Theodore, Ltd. and dated March 13, 2019, 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 shall be permitted within the area delineated herein as Business Planned Development: General merchandise uses; banks, financial institutions and restaurants, drive-through facilities, retail, office, and service type business and professional uses; tire, battery and auto-mobile accessory facilities (herein defined as facilities engaged in the repair, maintenance, installation and sale of tires, batteries, mufflers and shock absorbers, and in vehicular tune-ups, oil changes and lubrication, brake work, and front end alignment and alignment component replacement provided that said activity takes place in an enclosed building); such other uses permitted by B3-1 General Service Districts (except for amusement establishments, second-hand stores and rummage shops, pawn shops, crematories and mausoleums, taverns and sale of automobile fuel); parking, loading, ingress and egress and uses accessory to the aforesaid uses.

6. Stationary business or identification signs are permitted within the area delineated herein as Business Planned Development. Not more than two (2) business identification pylon signs shall be permitted in Sub-area I, and the face area of such pylon signs may equal but shall not exceed a combined total of 1400 gross square feet, provided that the face area of any such individual pylon sign may not exceed 700 gross square feet. In the event of a conflict between the provisions of Section 8.9-3 and Section 8.9(6) as to permitted wall signs in Sub-area I, the provisions of Section 8.9-3 shall govern. Other signs may be permitted within the area delineated herein as Business Planned Development, subject to the review of the Department of Planning.

7. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building or improvement shall also be subject to height limitations 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 341,810 square feet and a base FAR of 0.58.

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.

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

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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 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

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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.

Applicant:	GBF Elston, LLC
Address:	5033 North Elston
Introduced:	March 13, 2019
Plan Commission:	TBD

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BUSINESS PLANNED DEVELOPMENT NO. 29, AS AMENDED

PLANNED DEVELOPMENT USE, BULK REGULATIONS & DATA

SUB-AREA	Net Site Area		F.A.R.	% of Land Coverage	Min. No. of Off-Street	
	Sq. Ft.	Acres			Parking Spaces	Loading Spaces
I	263,098	6.04	0.37	37	217	3
II	78,712	1.81	1.4	30	In accordance with the B3-1 requirements of the Chicago Zoning Ordinance	
Total	341,810	7.85	.58	36		

GROSS SITE AREA = Net Site Area + Area in Public Right of Way

GROSS SITE AREA = 7.85 acres + 2.69 acres = 10.54 acres

PERIPHERY SETBACKS AT PROPERTY LINES:

North - 5'

South - 5'

East - 5'

West - 5'

Applicant: GBF Elston, LLC
Address: 5033 North Elston
Introduced: March 13, 2019
Plan Commission: TBD

EAST\162716693.2

Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: MARCH 13,2019
Plan Commission: TBD

1 AERIAL EXHIBIT
1" = 160'-0"

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Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: MARCH 13,2019
Plan Commission: TBD

1 PD EXISTING ZONING MAP
1" = 300'-0"

SUB-AREA I
SITE PLAN
SCALE: 1"=100'

Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: **MARCH 13, 2019**
Plan Commission: TBD

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Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: MARCH 13, 2019
Plan Commission: TBD

SUB-AREA I LANDSCAPE PLAN

Scale: 1"=50'

Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: **MARCH 13, 2019**
Plan Commission: TBD

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Plant List

Shade Trees

Key	Qty.	Size	Botanical Name	Common Name	Remarks	Origin
GTS	12	3"	Gleditsia triacanthos var inermis 'Skyline'	Skyline Thornless Honeylocust	BB	Native Cultivar
GYD	6	3"	Gymnocladus dioicus	Kentucky Coffeetree	BB	Native Cultivar

Total shade trees: 18 Total native trees and native cultivars: 18 Percentage of native trees + cultivars: 100%

Ornamental Trees

Key	Qty.	Size	Botanical Name	Common Name	Remarks	Origin
AML	4	3"	Amelanchier laevis 'Cumulus'	Cumulus Serviceberry	BB	Native Cultivar
BET	2	10'	Betula populifolia 'Whitespire'	Whitespire Birch	BB/Clump	Native Cultivar

Total orn. trees: 6 Total native orn. trees and cultivars: 6 Percentage of native orn. trees + cultivars: 100%

Shrubs

Key	Qty	Size	Botanical Name	Common Name	Remarks	Origin
ARM	78	24"	Aronia melanocarpa Low Scape 'UC165'	Low Scape Mound Chokeberry	BB	Native Cultivar
ARB	46	30"	Aronia arbutifolia 'Brilliantissima'	Brilliant Red Chokeberry	BB	Native Cultivar
BUX	49	24"	Buxus x microphylla 'Glencoe'	Chicagoland Green Boxwood	BB	Non-Native
HYI	40	24"	Hydrangea arborescens 'Incredibal'	Incrediball Smooth Hydrangea	BB	Native Cultivar
JBC	42	24"	Juniperus horizontalis 'Blue Chip'	Blue Chip Juniper	BB	Native Cultivar
RHG	36	24"	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	BB	Native Cultivar
VBM	26	30"	Viburnum dentatum 'Christom'	Blue Muffin Viburnum	BB	Native Cultivar

Total shrubs: 317 Total native shrubs and native cultivars: 268 Percentage of native shrubs + cultivars: 85%

Perennials, Ornamental Grasses and Vines

Key	Qty.	Size	Botanical Name	Common Name	Remarks	Origin
ACH	28	#1	Achillea 'Moonshine'	Moonshine Yarrow	Container	Non-Native
ALL	92	#1	Allium 'Summer Beauty'	Summer Beauty Allium	Container	Non-Native
GEU	79	#1	Geum triflorum	Prairie Smoke	Container	Native
PAT	9	#1	Parthenocissus tricuspidata	Boston Ivy	Container	Non-Native
SPO	259	#1	Sporobolus heterolepis	Prairie Dropseed	Container	Native

Total perennials: 467 Total native peren. and native cultivars: 338 Percentage of native perennials + cultivars: 72%

Chicago Sustainability Policy Compliance

1. 60% of the species types must be native (straight species or cultivars). — In compliance
2. The landscape plan must provide at least 3 of the following plant structure types: trees, shrubs, forbs or graminoides, excluding turf grass. — In compliance
3. 40% of the landscaped area must be dedicated to the production of food for the landscaped areas larger than 500 square feet. — NA

Parking Lot and Vehicular Use Area Calculations

Vehicular Use Area	New Development Areas:	19,190 square feet
Internal landscape area (7.5 percent) required:	1,439 square feet required
Internal landscape area provided:	5,432 square feet provided
One tree / 125 square feet of required internal landscape area:	12 trees required 15 trees provided

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SUB-AREA I : LANDSCAPE PLAN - DETAILS

Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: **MARCH 13, 2019**
Plan Commission: TBD

1 BUILDING ELEVATION - NORTH WEST
1/8" = 1'-0"

Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: MARCH 13, 2019
Plan Commission: TBD

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1 BUILDING ELEVATION - NORTH EAST
1/8" = 1'-0"

Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: MARCH 13, 2019
Plan Commission: TBD

1 BUILDING ELEVATION - SOUTH EAST
1/8" = 1'-0"

Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: MARCH 13, 2019
Plan Commission: TBD

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1 BUILDING ELEVATION - SOUTH WEST
1/8" = 1'-0"

Applicant: GBF Elston LLC
Address: 5033 North Elston
Introduced: MARCH 13, 2019
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