

# PD 1143

## Table of Contents

<b>12/23/2009 Minor Change</b> .....	<b>2</b>
<b>07/29/2009 PD Adoption</b> .....	<b>3</b>
Ordinance .....	3
Statements .....	4
Bulk Table .....	8
Exhibits .....	9



City of Chicago  
Richard M. Daley, Mayor

Department of Zoning and  
Land Use Planning

Patricia A. Scudiero  
Commissioner

City Hall, Room 905  
121 North LaSalle Street  
Chicago, Illinois 60602  
(312) 744-5777 (Voice)  
(312) 744-6552 (FAX)  
(312) 744-2950 (TTY)

<http://www.cityofchicago.org>

December 23, 2009

Mr. Scott R. Borstein  
Neal & Leroy, LLC  
203 North LaSalle Street  
Suite 2300  
Chicago, IL 60601-1243

Re: **Administrative Relief request for Business Planned Development  
No. 1143, The Metropolis at 39<sup>th</sup> and State, Proposed Roundy's Grocery  
Store**

Dear Mr. Borstein:

Please be advised that your request for a minor change to Business Planned Development No. 1143 has been considered by the Department of Zoning and Land Use Planning pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement 16 of the Planned Development.

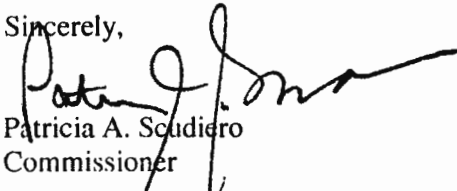
You are requesting design changes to the proposed Roundy's grocery store as follows:

- On the south elevation, replace the proposed polycarbonate panels with perforated stainless steel panels and additional glass storefronts and there will also be slight changes to the spacing of the storefronts and clearstory.
- On the north elevation, remove the proposed polycarbonate panels and expand the precast paneled area and also slight changes to the spacing of the storefronts and clearstory.
- On the east elevation, replace the graphic panels and banners with enlarged clearstory and false storefront elements. There are no changes to the west elevation. The proposed changes are a result of maintenance concerns regarding the polycarbonate panels and further design refinements. The overall appearance and aesthetics of the building will remain unchanged. Revised elevations, prepared by RTKL Architects and dated November 16, 2009, shall be inserted into the main file.

With regard to your request, the Department of Zoning and Land Use Planning has determined that allowing these design refinements will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, will not change the character of the development, and therefore, would constitute a minor change.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 1143, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

Sincerely,

  
Patricia A. Scudiero  
Commissioner

PAS:HG:tm  
c: Mike Marmo, Erik Glass, Main file



~~Reclassification Of Area Shown On Map Number 8-K.  
(Application No. 16861)  
(Common Address: 3116 S. Pulaski Rd.)~~

[O2009-4831]

~~Be It Ordained by the City Council of the City of Chicago:~~

~~SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all the R88 Residential Single-Unit (Detached House) District symbols and indications as shown on Map Number 8-K in the area bounded by:~~

~~a line 131.0 feet south of and parallel to West 31<sup>st</sup> Street; South Pulaski Road; a line 160 feet south of and parallel to West 31<sup>st</sup> Street; and the public alley next west of and parallel to South Pulaski Road,~~

~~to those of a B3-1 Community Shopping District.~~

~~SECTION 2. This ordinance takes effect after its passage and approval.~~

*Reclassification Of Area Shown On Map Number 10-F.*

(As Amended)

(Application No. 16738)

*BPD 1143*

(Common Address: 3900 -- 3958 S. State St., 3901 -- 3959 S. Dearborn St.,  
3900 -- 3958 S. Dearborn St., 3901 -- 3959 S. Federal St., 3900 --  
3958 S. Federal St. And 1 -- 111 W. Pershing Rd.)

[SO2009-4832]

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, be amended by changing all the RT4 Residential Two-Flat Townhouse and Multi-Unit District, B3-2 Community Shopping District and M1-3 Limited Manufacturing/Business Park District symbols and indications as shown on Map Number 10-F in the area bounded by:

West Pershing Road; South State Street; West 40<sup>th</sup> Street; South Federal Street; a line 566.78 feet south of and parallel to West Pershing Road; and the east right-of-way line of Metra (formerly known as the Chicago Rock Island and Pacific Railroad),

to those of a B3-2 Community Shopping District and a corresponding use district is hereby established in the area above described.

SECTION 2. That the Chicago Zoning Ordinance be made by changing all the B3-2 Community Shopping District symbols and indications within the area hereinabove described to the designation of Business Planned Development Number 1143, 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 herewith attached and made a part thereof and to no others.

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

Plan of Development Statements referred to in this ordinance read as follows:

*Business Planned Development No. 1143.*

*Plan Of Development Statements.*

1. The area delineated herein as a Business Planned Development ("Planned Development") consists of approximately four hundred fifteen thousand seven hundred ninety-five (415,795) square feet (nine and fifty-five hundredths (9.55) acres) of net site area which is depicted on the attached Planned Development Boundary Line and Right-of-Way Adjustment Map. The property is controlled by the Applicant, Metropolis 39<sup>th</sup> & State, L.L.C.
2. The Applicant ("Applicant") shall obtain all applicable official reviews, approvals or permits which are necessary to implement this Planned Development. Because of the potential phased nature of this Planned Development, the building permit for each building or improvement contemplated by this Planned Development may be obtained separately and at different times or together in groups at the discretion of the Applicant. Any dedication or vacation of streets or alleys, or easements, or adjustments of right-of-way, or consolidation or re-subdivision of parcels, shall require a separate submittal on behalf of the Applicant or their 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 titleholders and 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 titleholder or any ground lessors. Furthermore, pursuant to the requirements of Article 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for the purpose of this paragraph has the same meaning stated in Section 17-8-0400 of the Chicago Zoning Ordinance.

4. This plan of development consists of the following eighteen (18) statements: a Bulk Regulations and Data Table; an Existing Zoning and Land-Use Map; a Boundary Line and Right-of-Way Adjustment Map; Site Plan and Landscape Plan; a Green Roof Plan; and Building Elevations prepared by RTKL dated July 15, 2009. Full size sets of the Site and Landscape Plans and Building Elevations are on file with the Department of Zoning and Land Use Planning. The Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago and all requirements thereof, and satisfies the established criteria for approval as a Planned Development.
5. The uses permitted within the area delineated herein as a "Business Planned Development" shall include retail, commercial, parking, and all other uses as permitted within the B3-2 Community Shopping District, including accessory uses and such other related uses.
6. On-premises business identification and temporary construction signs shall be permitted within the area delineated herein as a "Business Planned Development", subject to the review and approval of the Department of Zoning and Land Use Planning. Off-premise signs are prohibited within the boundary of the Planned Development.
7. Off-street parking and off-street loading facilities shall be provided in compliance with this Planned Development, subject to review and approval of the Departments of Transportation and Department of Zoning and Land Use Planning. A minimum of two percent (2%) of all required parking spaces shall be designated for parking for the handicapped.
8. Ingress or egress shall be subject to the review and approval of the Department of Transportation and the Department of Zoning and Land Use Planning. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Applicant shall design and install, at its expense, a traffic signal and any associated pavement markings, signage and handicap ramps required pursuant to the American With Disabilities Act at the intersection of West Pershing Road and the South Dearborn Street access drive as indicated on the Site Plan in order to facilitate traffic flow exiting the Business Planned Development at this location.
9. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall not exceed the height established in the Bulk Regulations and Data Table and Building Elevations and shall also be subject to height limitations established by the Federal Aviation Administration.
10. The maximum permitted floor area ratio ("F.A.R.") shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of F.A.R. calculations and

floor area measurements, the definitions in the Chicago Zoning Ordinance shall apply. The permitted F.A.R. identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of four hundred fifteen thousand seven hundred ninety-five (415,795) square feet.

11. Building B3, as identified on the Site Plan, has not been fully designed as of the date of this Planned Development. Accordingly, prior to issuance by the Department of Zoning and Land Use Planning of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance ("Part II Approval") for construction of this structure, building elevations for this structure and plans for any adjacent improvements shall be submitted to the Department of Zoning and Land Use Planning for approval ("Site Plan Approval"). Site Plan Approval is intended to assure that the specific components thereof substantially conform with the character of this Planned Development. Provided the submitted plans substantially conform to the character and provisions of this Planned Development, the Department of Zoning and Land Use Planning shall approve same within thirty (30) days from submission thereof. Following approval thereof by the Department of Zoning and Land Use Planning, said Site Plan Approval and each of them, shall be kept on permanent file with the Department of Zoning and Land Use Planning and shall be deemed to be an integral part of this Planned Development. After approval, the Site Plan Approval may be changed or modified pursuant to the provisions of Statement Number 16 of this Planned Development. In the event of any inconsistency between a Site Plan Approval and the terms of this Planned Development in effect at the time of approval of such Site Plan Approval or of the changes or modifications thereto, the terms of this Planned Development shall govern.

The plans required for Site Plan Approval submittals shall, at a minimum, include the following information:

- (a) building elevations;
- (b) statistical information applicable to the particular structure including:
  - (1) floor area and floor area ratio; and
  - (2) uses to be established;
- (c) a site plan (including footprints of the proposed Improvement Plans);
- (d) a landscape plan, including species and size of landscape material;
- (e) location and depiction of all parking spaces and loading berths, if any, including relevant dimensions; and
- (f) location and depiction of all drives, roadways and vehicular routes.

Any Site Plan Approval shall include such other information as may be necessary to illustrate substantial conformance with the applicable provisions of this Planned Development.

12. The City of Chicago established a Part II Review Fee in the amount of Zero and 25/100 Dollars (\$0.25) per square feet for the total buildable square feet (floor area ratio). The Part II Fee will be assessed by the Department of Zoning and Land Use Planning during the actual Part II Review. The fee as determined by the Department of Zoning and Land Use Planning staff at that time is final and binding on the Applicant and must be paid to the Department of Zoning and Land Use Planning prior to the issuance of any Part II Approval.
13. The Applicant shall obtain the applicable official reviews, approvals and permits from the various City Departments and/or Committees regarding the use of the public way for any encroachments of public way space including encroachments on, over or under the street, sidewalk, parkway or alley. Such approval and permits shall require a separate submittal on behalf of the Applicant or its successors, assignees, or grantees and approval by the City Council.
14. The Applicant acknowledges that it is in the public interest to design, construct and renovate all buildings in a manner that provides healthier environments, reduces operating costs and conserves energy and resources. All buildings located on the property shall be Leadership Energy and Environmental Design ("L.E.E.D.") Green Building Rating System Certified. The Applicant shall provide a vegetative ("green") roof totaling one hundred percent (100%) of the net roof area of the buildings (other than the grocery store) or fifty-two thousand seventy-four (52,074) square feet of vegetative green roofs. Grocery uses are exempted from the green roof requirement because this Planned Development is located within a "food desert".
15. The Applicant acknowledges that it is in the public interest to design, construct and maintain the building and all other Improvement Plans in a manner that promotes, enables and maximizes universal access throughout the subject property. Plans for all buildings and Improvement Plans on subject property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote a high standard of accessibility. No building permit shall be issued by the Department of Construction and Permits until the Director of M.O.P.D. has approved detailed construction drawings for the building or improvement proposed.
16. The terms, conditions and exhibits of this Planned Development Ordinance may be modified administratively by the Commissioner of the Department of Zoning and Land Use Planning upon the application for such a modification by the Applicant and after a determination is made by the Commissioner of the Department of Zoning and Land Use Planning that such a modification is minor, appropriate and consistent with the nature of the plans contemplated in this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of this Planned Development pursuant to the terms of this Statement by the Commissioner of the Department of Zoning and Land Use Planning shall be deemed to be a minor change of the Planned Development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance.
17. The Applicant will comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of Streets and Sanitation, the Commissioner of Environment and the Commissioner of Buildings under Section 13-32-125 of the Municipal Code of Chicago or any other provisions of that Code.

18. Unless substantial construction on the property has commenced within six (6) years following adoption of this Planned Development, and unless completion is thereafter diligently pursued, then this Planned Development shall expire and the zoning of the Property shall automatically revert back to a B3-2 Community Shopping District.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary Property Line and Right-of-Way Adjustment Map; Site Plan; Landscape Plan; Plant List; Street Detail and Section; Landscape Tabulations; Green Roof Plan; and Building Elevations referred to in these Plan of Development Statements printed on pages 68829 through 68843 of this *Journal*.]

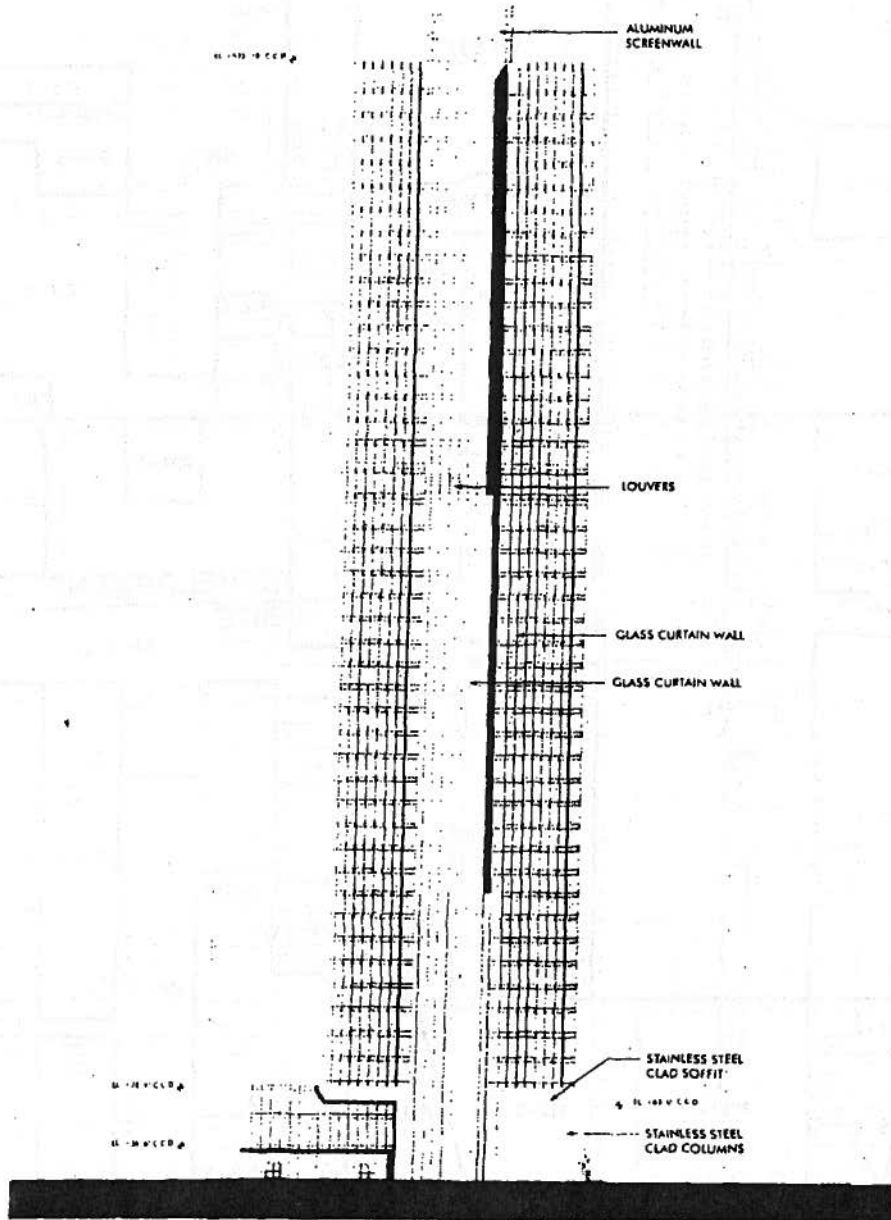
Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

*Business Planned Development Number 1143.*

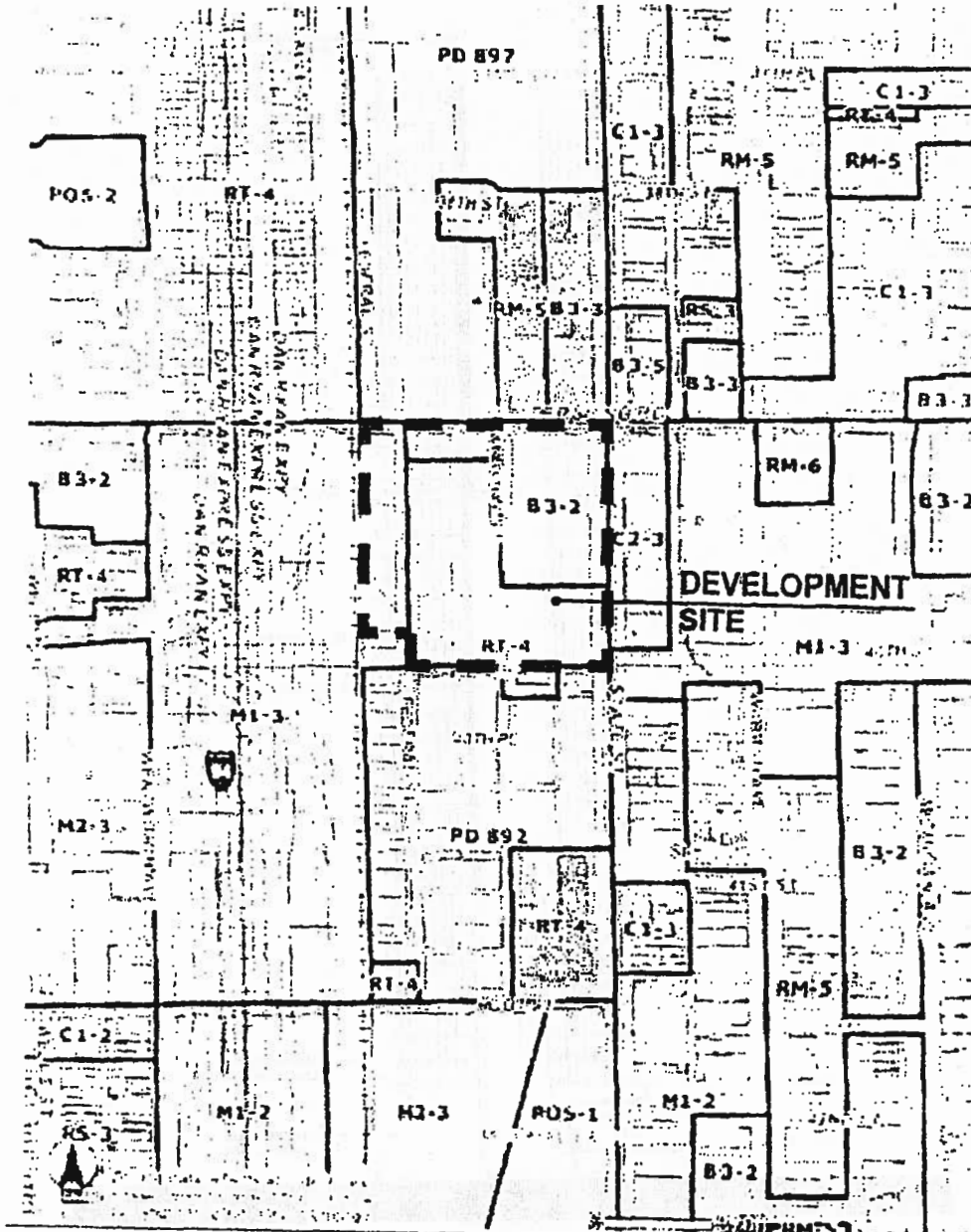
*Bulk Regulation And Data Table.*

Gross Site Area:	486,824 square feet (11.18 acres)
Net Site Area:	415,795 square feet (9.55 acres) (Includes vacated areas of West Pershing Road, South Dearborn Street, South Federal Street and West 40 <sup>th</sup> Street)
Public Area Right-of-Way:	71,029 square feet (1.63 acres)
Maximum Floor Area Ratio:	2.2
Minimum Number of Off-Street Loading Spaces:	2
Minimum Number of Off-Street Parking Spaces:	450 (including (14) accessible spaces)
Minimum Number of Bicycle Parking Spaces:	51
Maximum Building Height:	40 feet (as measured in accordance with the Chicago Zoning Ordinance)
Minimum Required Setback:	In accordance with the Site Plan
Maximum Percent of Site Coverage:	In accordance with Site Plan

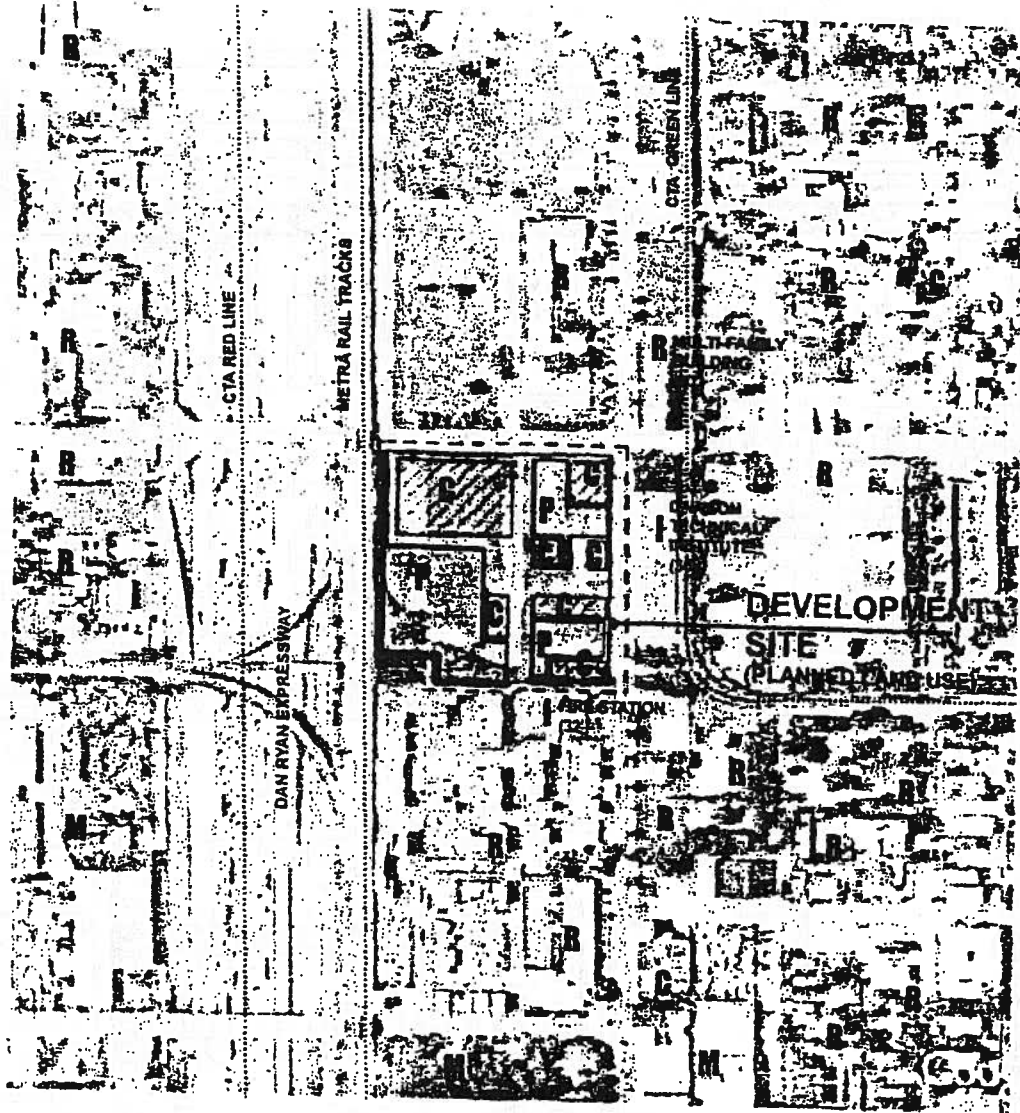
Existing Zoning Map.



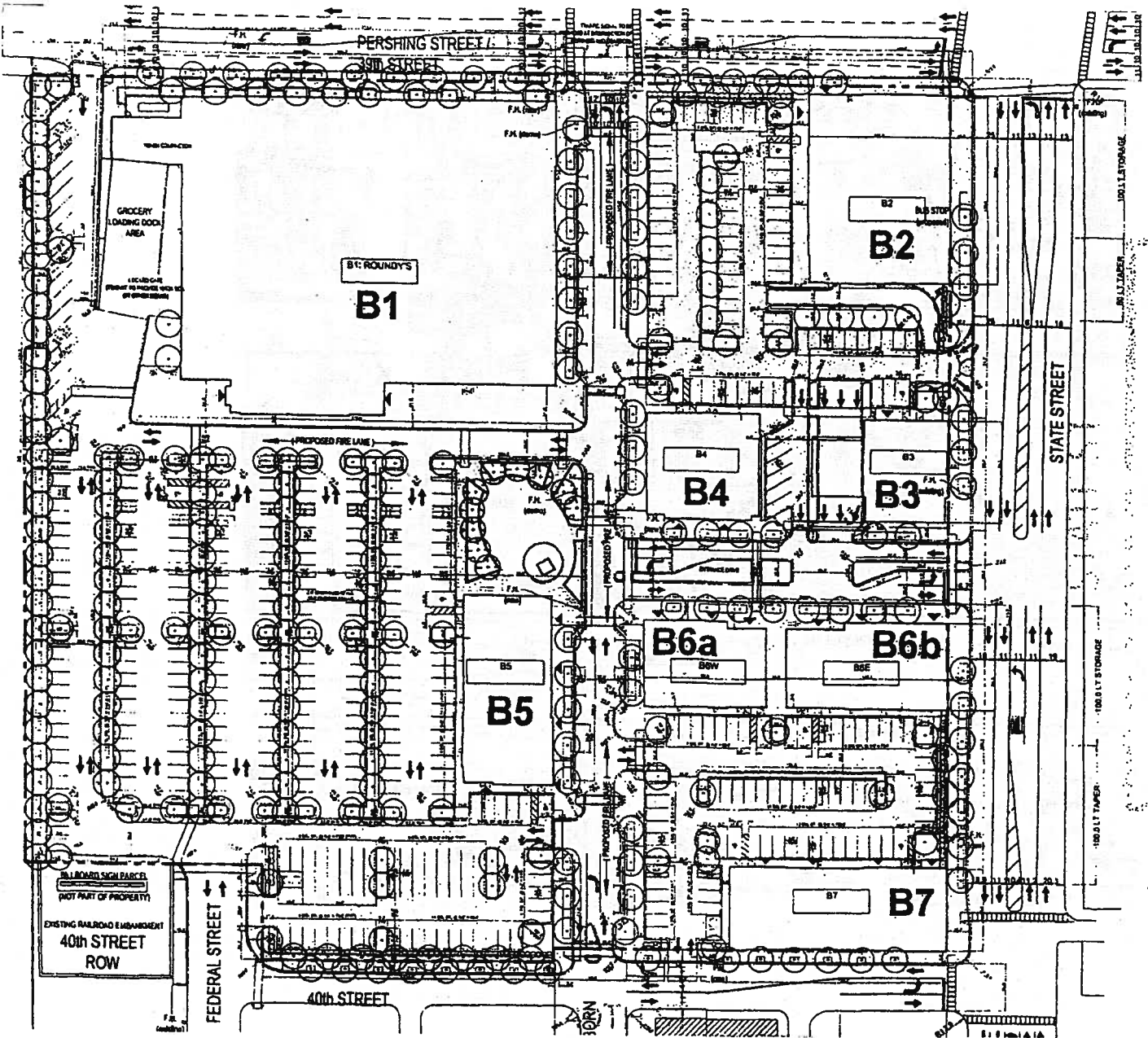
Existing Land-Use Map.



Planned Development Boundary Property Line  
And Right-Of-Way Adjustment Map.



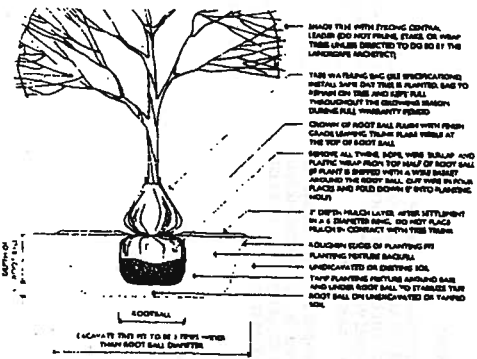
Site Plan.



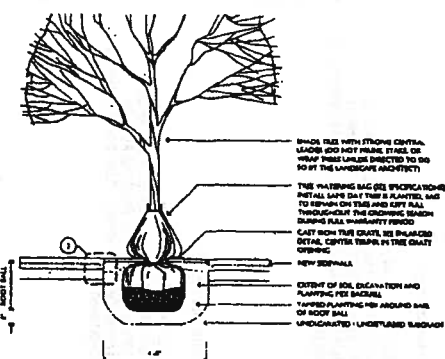




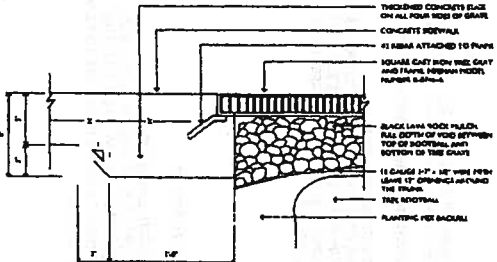
Street Detail And Section.



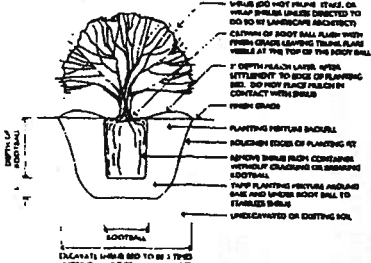
1 DECIDUOUS TREE INSTALLATION DETAIL SCALE 1/4" = 1'-0"



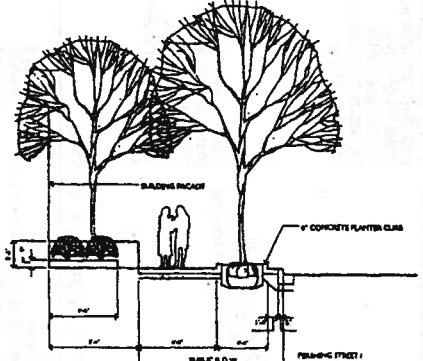
2 DECIDUOUS TREE IN TREE GRATE NOT TO SCALE



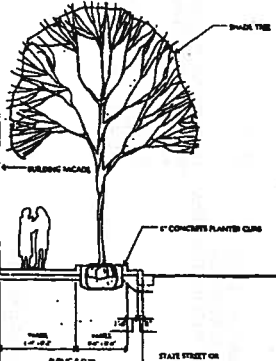
3 TREE GRATE INSTALLATION DETAIL SCALE 1/4" = 1'-0"



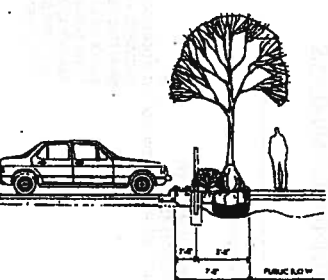
4 SHRUB INSTALLATION DETAIL NOT TO SCALE



5 PARKWAY PLANTER SECTION NOT TO SCALE



6 PARKWAY PLANTER SECTION NOT TO SCALE



7 VEHICULAR USE AREA SCREENING SECTION SCALE 1/4" = 1'-0"

Landscape Tabulations.

LANDSCAPE ORDINANCE ANALYSIS

PARKWAY PLANTING

PERSHING STREET / 39TH STREET

LENGTH (LINEAR FEET) 675'-1"  
 NUMBER OF TREES REQUIRED (1 PER 25 LF) 26  
 NUMBER OF EXISTING TREES TO REMAIN 0  
 NUMBER OF ADDITIONAL TREES TO BE PROVIDED 17 ADDITIONAL TREES ARE PROVIDED + 6 TREES HAVE BEEN PROVIDED ALONG BUILDING B1. ADDITIONAL TREES BEYOND THIS NUMBER CANNOT BE PROVIDED DUE TO OFFSET REQUIREMENTS.

STATE STREET

LENGTH (LINEAR FEET) 626'-0"  
 NUMBER OF TREES REQUIRED (1 PER 25 LF) 25  
 NUMBER OF EXISTING TREES TO REMAIN 0  
 NUMBER OF ADDITIONAL TREES TO BE PROVIDED 13 ADDITIONAL TREES ARE PROVIDED. ADDITIONAL TREES BEYOND THIS NUMBER CANNOT BE PROVIDED DUE TO OFFSET REQUIREMENTS.

40TH STREET

LENGTH (LINEAR FEET) 506'-2"  
 NUMBER OF TREES REQUIRED (1 PER 25 LF) 20  
 NUMBER OF EXISTING TREES TO REMAIN 0  
 NUMBER OF ADDITIONAL TREES TO BE PROVIDED 15 ADDITIONAL TREES ARE PROVIDED. ADDITIONAL TREES BEYOND THIS NUMBER CANNOT BE PROVIDED DUE TO OFFSET REQUIREMENTS.

FEDERAL STREET

LENGTH (LINEAR FEET) 68'-9"  
 NUMBER OF TREES REQUIRED (1 PER 25 LF) 3  
 NUMBER OF EXISTING TREES TO REMAIN 0  
 NUMBER OF ADDITIONAL TREES TO BE PROVIDED 0 ADDITIONAL TREES ARE PROVIDED. ADDITIONAL TREES BEYOND THIS NUMBER CANNOT BE PROVIDED DUE TO OFFSET REQUIREMENTS.

VEHICULAR USE AREA INTERNAL PLANTING

TOTAL VEHICULAR USE AREA 196,721 SF  
 INTERNAL PLANTING AREA REQUIRED (10% OF 196,721) 19,672 SF  
 INTERNAL PLANTING AREA PROPOSED 31,566 SF  
 NUMBER OF TREES REQUIRED (19,672 / 125) 157  
 NUMBER OF EXISTING TREES TO REMAIN 0  
 NUMBER OF ADDITIONAL TREES TO BE PROVIDED 200

BICYCLE PARKING

TOTAL PARKING REQUIRED 50  
 TOTAL PARKING PROVIDED 51

VEHICULAR USE AREA SCREENING

PERSHING STREET / 39TH STREET

LENGTH (LINEAR FEET) 130'-7"  
 NUMBER OF TREES REQUIRED (1 PER 25 LF) 6  
 NUMBER OF EXISTING TREES TO REMAIN 0  
 NUMBER OF ADDITIONAL TREES TO BE PROVIDED 6  
 SCREENING VEHICULAR USE AREA IS SCREENED FROM PUBLIC R.O.W. BY A CONTINUOUS HEDGE OF DECIDUOUS SHRUBS.

STATE STREET

LENGTH (LINEAR FEET) 170'-4"  
 NUMBER OF TREES REQUIRED (1 PER 25 LF) 7  
 NUMBER OF EXISTING TREES TO REMAIN 0  
 NUMBER OF ADDITIONAL TREES TO BE PROVIDED 6  
 SCREENING VEHICULAR USE AREA IS SCREENED FROM PUBLIC R.O.W. BY A CONTINUOUS HEDGE OF DECIDUOUS SHRUBS.

40TH STREET

LENGTH (LINEAR FEET) 239'-5"  
 NUMBER OF TREES REQUIRED (1 PER 25 LF) 10  
 NUMBER OF EXISTING TREES TO REMAIN 0  
 NUMBER OF ADDITIONAL TREES TO BE PROVIDED 9  
 SCREENING VEHICULAR USE AREA IS SCREENED FROM PUBLIC R.O.W. BY A CONTINUOUS HEDGE OF DECIDUOUS SHRUBS.

FEDERAL STREET

LENGTH (LINEAR FEET) 39'-2"  
 NUMBER OF TREES REQUIRED (1 PER 25 LF) 2  
 NUMBER OF EXISTING TREES TO REMAIN 0  
 NUMBER OF ADDITIONAL TREES TO BE PROVIDED 2  
 SCREENING VEHICULAR USE AREA IS SCREENED FROM PUBLIC R.O.W. BY A CONTINUOUS HEDGE OF DECIDUOUS SHRUBS.

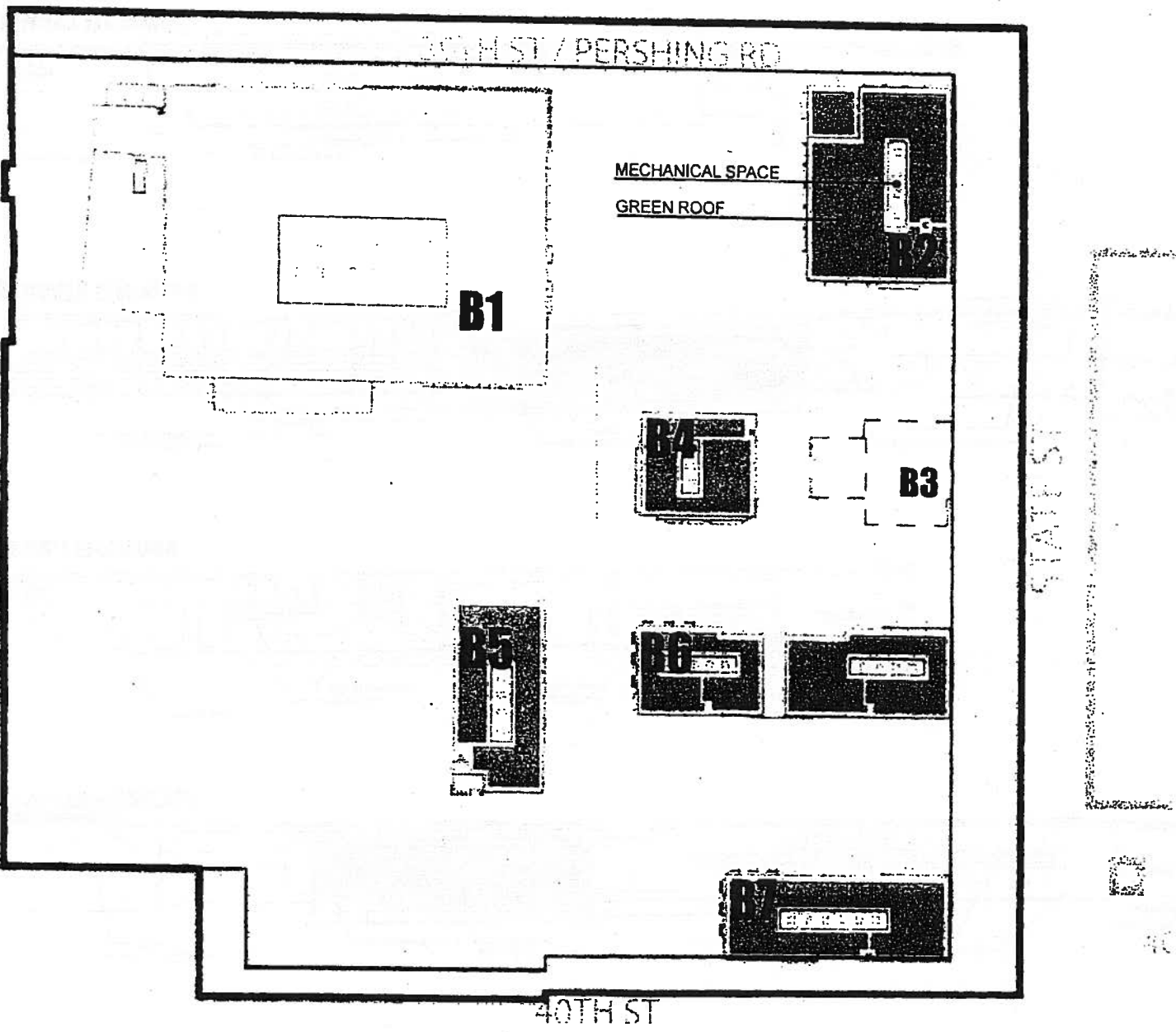
NOTE

EXTENSIVE GREEN ROOFS WILL BE LOCATED ON BUILDINGS B2 - B7. THE EXTENT OF GREEN ROOFS WILL BE 100% OF AVAILABLE AREA.

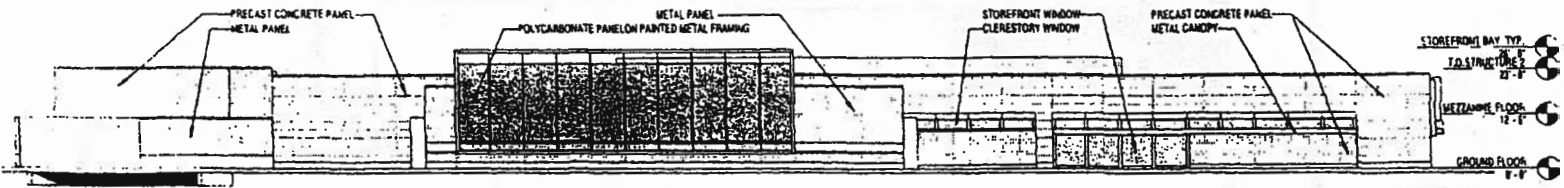
PAVING IN THE B1 PARKING LOT WILL BE HIGH ALBEDO, HAVING A SOLAR REFLECTIVE INDEX OF AT LEAST 29.

PLANNING  
 LANDSCAPE ARCHITECTURE  
 URBAN DESIGN  
**WOLFF LANDSCAPE ARCHITECTURE**  
 181 NORTH MICHIGAN STREET  
 SUITE 200  
 CHICAGO, ILLINOIS 60611  
 TEL: 312.544.1100  
 FAX: 312.544.1101  
 WWW.WOLFFLANDSCAPE.COM

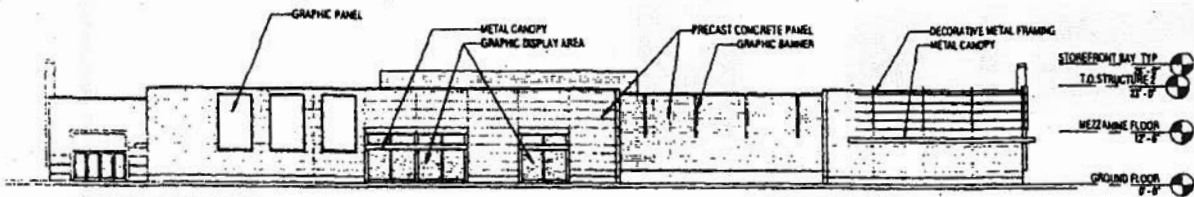
Green Roof Plan.



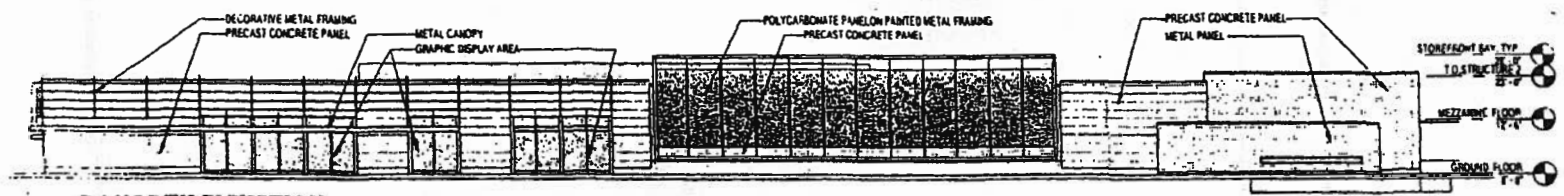
Building B1 Elevations.



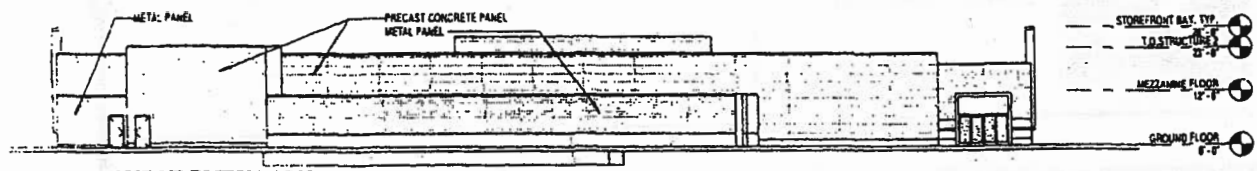
**B1 SOUTH ELEVATION**



**B1 EAST ELEVATION**

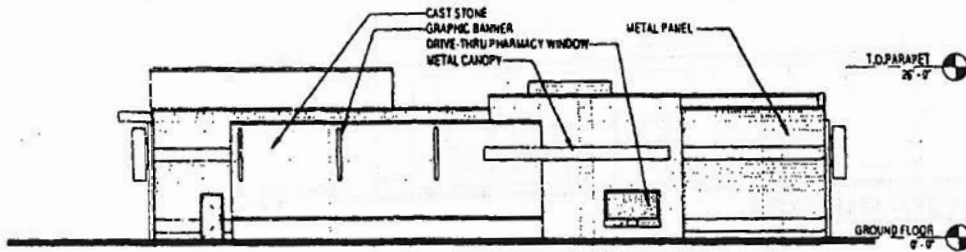


**B1 NORTH ELEVATION**

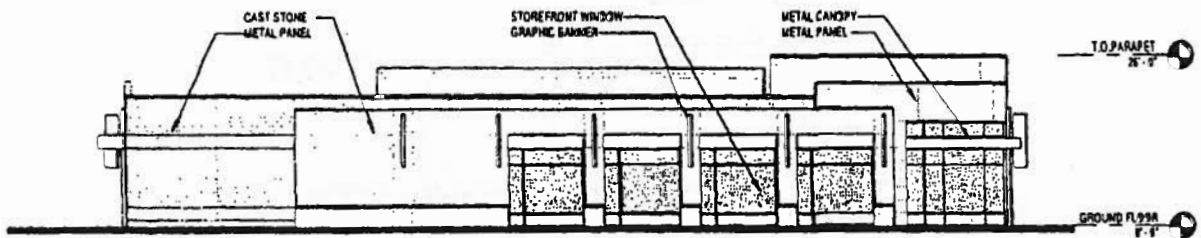


**B1 WEST ELEVATION**

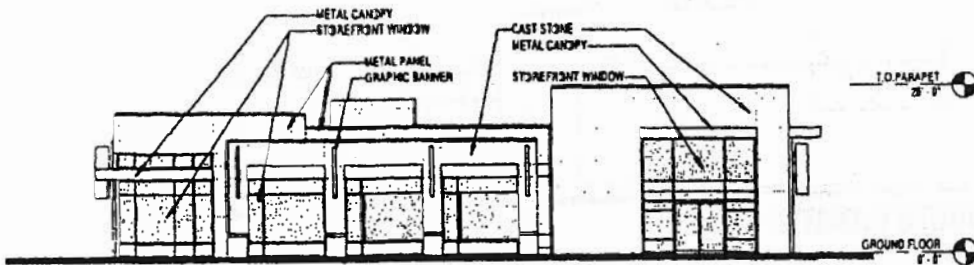
Building B2 Elevations.



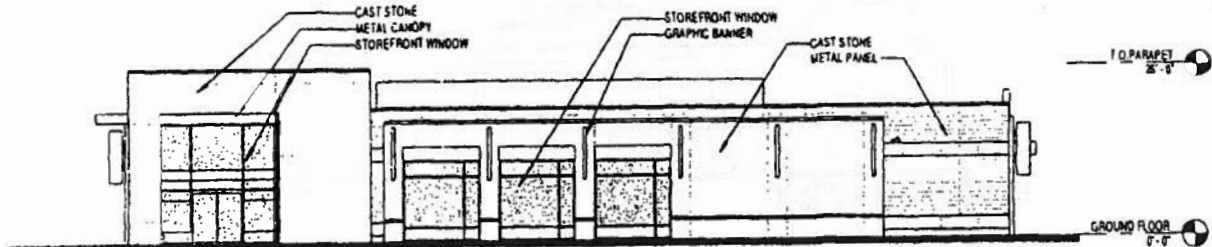
**B2 SOUTH ELEVATION**



**B2 EAST ELEVATION**

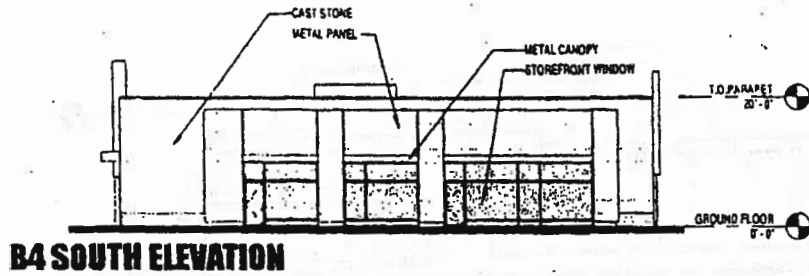


**B2 NORTH ELEVATION**

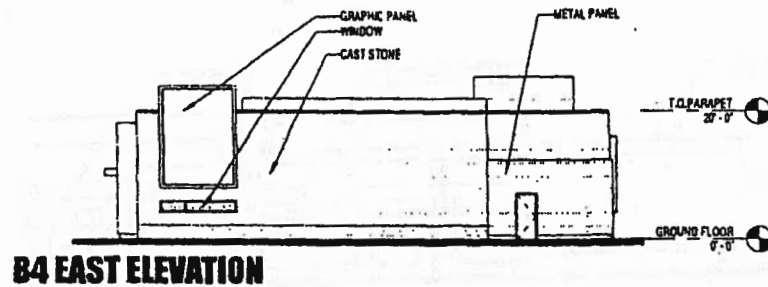


**B2 WEST ELEVATION**

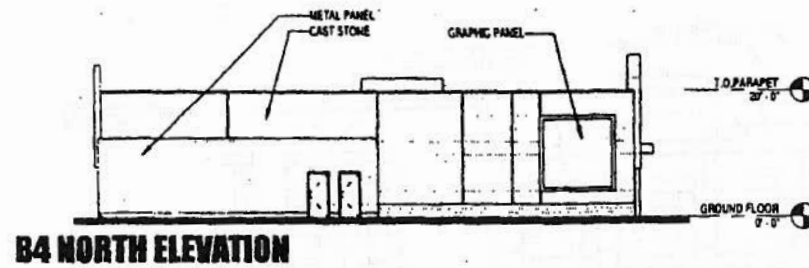
Building B4 Elevations.



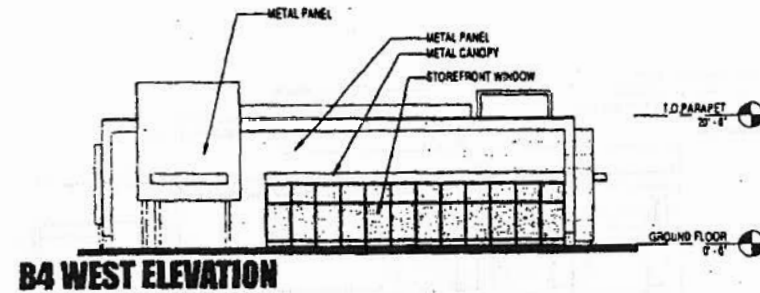
**B4 SOUTH ELEVATION**



**B4 EAST ELEVATION**

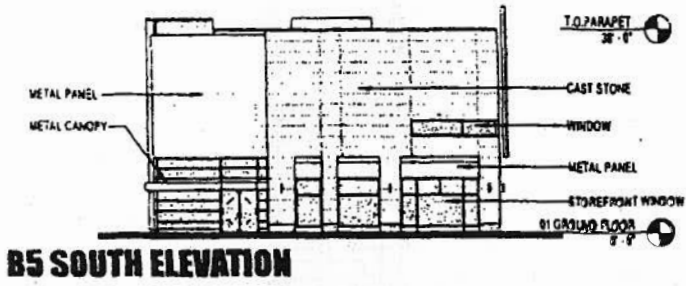


**B4 NORTH ELEVATION**

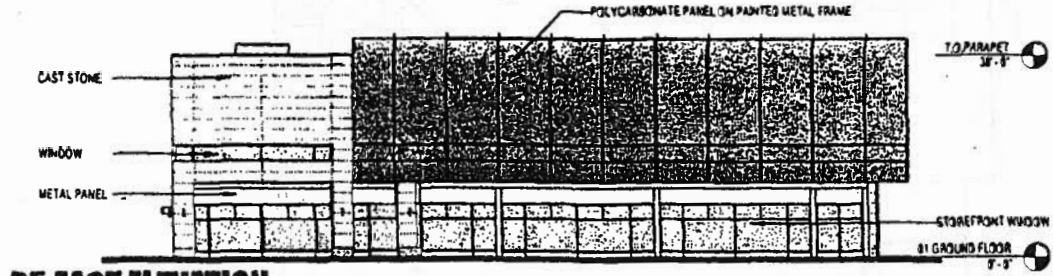


**B4 WEST ELEVATION**

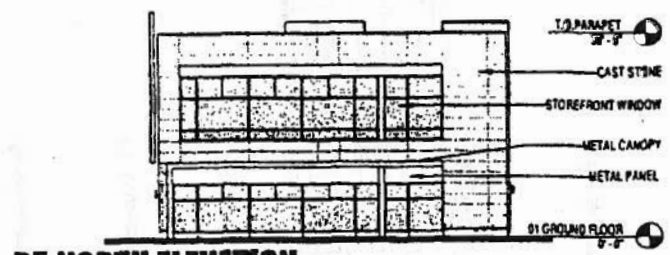
Building B5 Elevations.



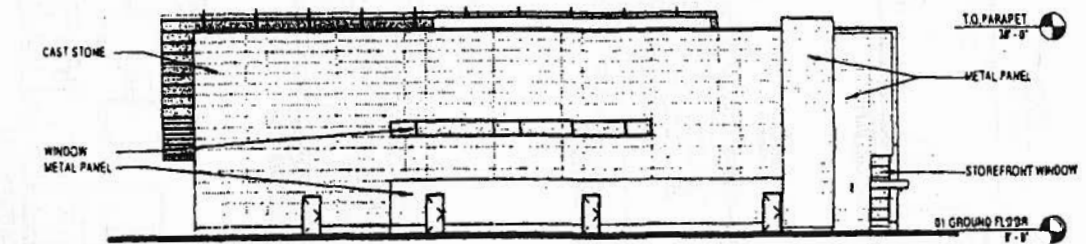
**B5 SOUTH ELEVATION**



**B5 EAST ELEVATION**

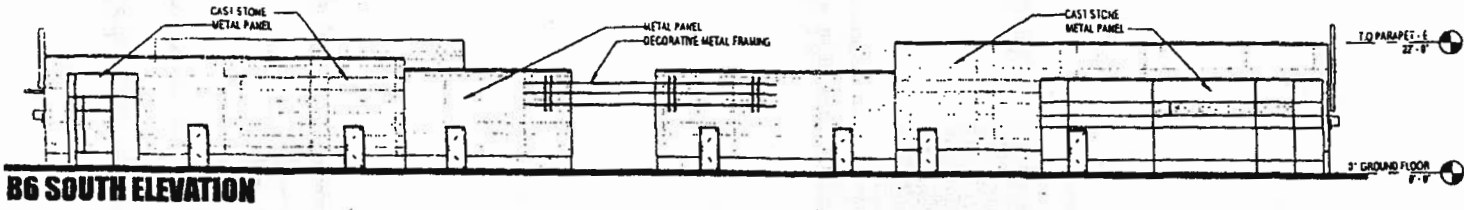


**B5 NORTH ELEVATION**

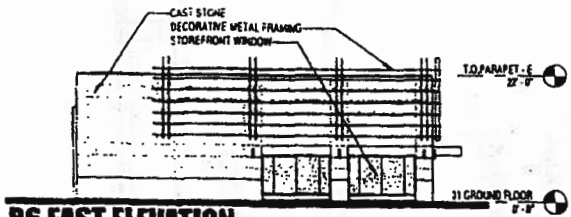


**B5 WEST ELEVATION**

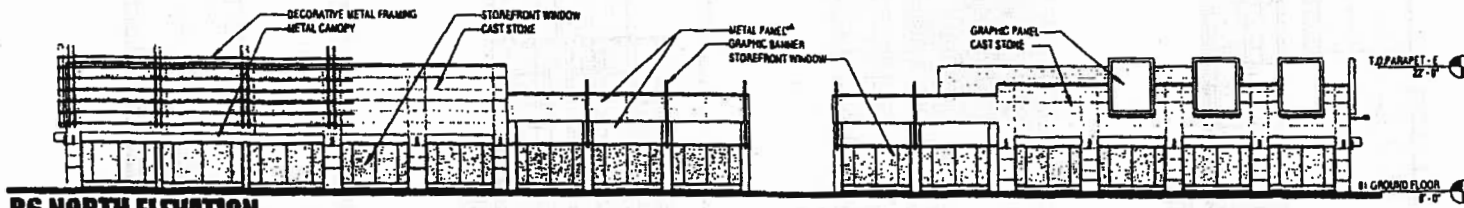
Building B6 Elevations.



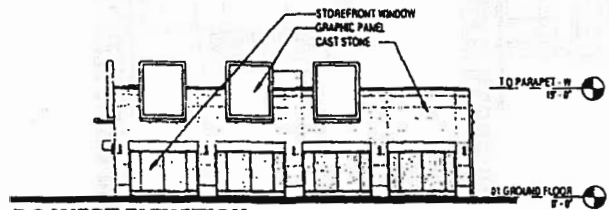
**B6 SOUTH ELEVATION**



**B6 EAST ELEVATION**

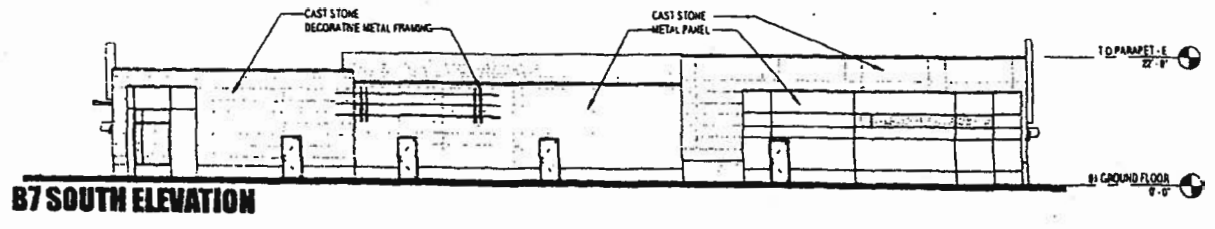


**B6 NORTH ELEVATION**

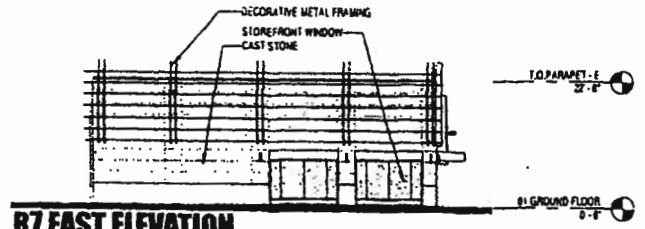


**B6 WEST ELEVATION**

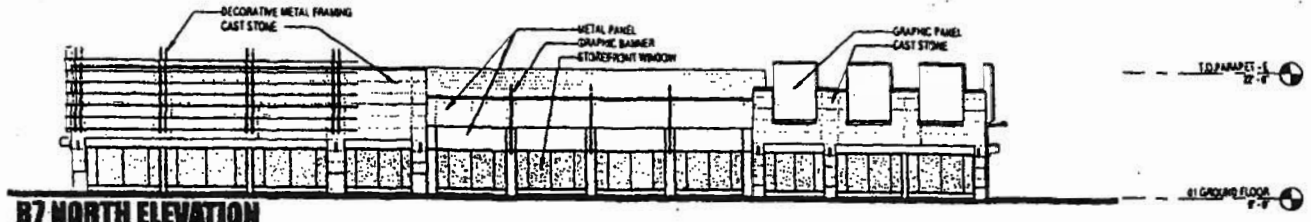
Building B7 Elevations.



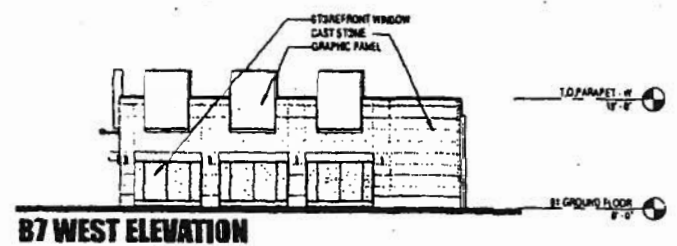
**B7 SOUTH ELEVATION**



**B7 EAST ELEVATION**



**B7 NORTH ELEVATION**



**B7 WEST ELEVATION**