

PD 1160

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DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

CITY OF CHICAGO

December 16, 2011

Matthew B. Letson, P.E.
Project Manager
McDonough Associates Inc.
130 East Randolph Street
Suite 1000
Chicago, IL 60601-6214

Re: Administrative Relief request for Waterway Industrial Planned Development No. 1160, 2835 E. 106th Street

Dear Mr. Letson:

Please be advised that your request for a minor change to Waterway Industrial Planned Development No. 1160 has been considered by the Department of Housing and Economic Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 13 of the Planned Development.

You are requesting, on behalf of the property owner, Asphalt Operating Services of Chicago (AOSC), the following site and landscaping modifications:

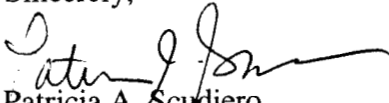
- On the north side of South Deering Slip, the barge dock was relocated to the east because the existing slip elevations at the original dock location did not provide sufficient freeboard for barge operations. As a result of the relocated dock and pursuant to security requirements of the Environmental Protection Agency, the fence running parallel to the dock wall was shifted to the south side of the access roadway and the fence east of the dock was extended east to the Calumet River. The landscaping was adjusted accordingly.
- On the south side of South Deering Slip, environmental remediation activities at the southeast corner of the slip (Parcel 5) prevented AOSC Contractors from accessing the site to complete the proposed improvements. The remediation activities involved the placement of a three-foot thick soil engineered barrier. Pursuant to a recommendation from the Environmental Protection Agency that trees and shrubs with taproots that would penetrate the engineered barrier should be avoided, the trees and shrubs that were to be planted in Parcel 5 were relocated to the west of Parcel 5. Access to Parcel 5 was recently obtained and it will be seeded and covered with an erosion control blanket within the next few weeks, weather permitting. A Proposed Improvement Plan, dated December 9, 2011, along with a Plant List and Details and Seed Mixes information, dated February 24, 2010, shall be inserted into the main file.

It should be noted that the dock and fencing modifications have been completed and therefore, AOSC is currently not in compliance with the Planned Development. This administrative relief request is a result of their inability to obtain an occupancy placard. Please be advised that in the future, the property owner must request and receive approval for any changes before those changes can occur.

With regard to your request, the Department of Housing and Economic Development has determined that allowing these modifications 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 increase the number of dwelling units, and 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 Waterway Industrial Planned Development No. 1160, I hereby approve the foregoing minor change, but no other changes to this Planned Development.

Sincerely,



Patricia A. Scudiero
Zoning Administrator

PAS: HG: tm

C: Mike Marmo, Erik Glass, Ron Daye, Michael Hoskins, Main file

16990

3/10/2010

REPORTS OF COMMITTEES

87165

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-1 Community Shopping District symbols and indications as shown on Map Number 19-G in the area bounded by:

a line 139.11 feet north of West Chase Avenue (as measured along the easterly right-of-way line of North Sheridan Road and parallel to West Chase Avenue); a line from a point 139.11 feet north of West Chase Avenue (as measured along the easterly right-of-way line of North Sheridan Road and 167.73 feet east of North Sheridan Road) to a point 93 feet north of West Chase Avenue and 140 feet east of North Sheridan Road (as measured along the north right-of-way of North Chase Avenue); a line 140 feet east of North Sheridan Road (as measured along the north right-of-way line of West Chase Avenue and perpendicular thereto); West Chase Avenue; and North Sheridan Road,

to those of an RT4 Residential Two-Flat, Townhouse and Multi-Unit District and a corresponding use district is hereby established in the area above described.

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

Reclassification Of Area Shown On Map No. 26-B.
(As Amended)
(Application No. 16990)
(Common Address: 2835 E. 106th St.)

WIPID 1160

[SO2010-880]

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 the PMD 6 designation as shown on Map Number 26-B the area bounded by (legally described as follows:

Part of the west half of Section 18, Township 37 North, Range 15 East of the Third Principal Meridian, in the City of Chicago, Cook County, Illinois, more particularly described as follows:

commencing at the northwest corner of said Section 18; thence north 89 degrees, 30 minutes, 51 seconds east (this and all subsequent bearings based on the Illinois Coordinate System of 1983, east, zone), 447.54 feet along the north line of said Section 18 to the northerly extension of the east line of the second parcel of land described to the Calumet Western Railway Company in Document 9575635 in the office of the Recorder of Cook County, Illinois and the point of beginning of this description; and thence continuing north 89 degrees, 30 minutes, 51 seconds east, 883.35 feet

along said north line to the east line of the west half of the northwest quarter of said Section 18; thence south 00 degrees, 01 minutes, 09 seconds east, 335.06 feet along said line; thence south 89 degrees, 30 minutes, 51 seconds west, 765.38 feet; thence south 01 degrees, 01 minutes, 22 seconds east, 599.98 feet; thence north 88 degrees, 57 minutes, 40 seconds east, 754.96 feet to said east line of the west half of the northwest quarter; thence south 00 degrees, 01 minutes, 09 seconds east, 1,099.23 feet to a line 100.00 feet north of and parallel with the north line of the south Deering Slip; thence north 89 degrees, 40 minutes, 15 seconds east, 330.82 feet to the westerly channel line of the Calumet River as established by Document 16818160 in said office of the Recorder (said line also being the westerly line of the Calumet River as established by the United States Government Survey recorded in the Recorder's Office of Cook County, May 17, 1889, as Document 1102284, in Block 39 of Plats at pages 1 to 9, inclusive); thence south 00 degrees, 55 minutes, 19 seconds west, 352.33 feet along said westerly channel line; thence south 88 degrees, 39 minutes, 59 seconds west, 1,374.94 feet to a railroad spike; thence south 26 degrees, 33 minutes, 56 seconds west, 136.73 feet to a $\frac{5}{8}$ inch rebar with cap stamped "DLZ 184-002815"; thence south 05 degrees, 01 minutes, 34 seconds west, 357.18 feet to a $\frac{5}{8}$ inch rebar with cap stamped "DLZ 184-002815" on the east line of the first parcel of land described to the Calumet Western Railway Company in said Document 9575635; thence north 01 degrees, 04 minutes, 06 seconds west, 1,604.17 feet along said east line; thence northerly 361.82 feet along said east line being a curve concave to the east having a radius of 1,384.70 feet and a chord bearing north 06 degrees, 25 minutes, 03 seconds east, 360.79 feet; thence north 13 degrees, 54 minutes, 11 seconds east, 377.40 feet partly along the east line of said first parcel and along the easterly line of a parcel of land described to the Calumet Western Railway Company in Document 12017354 in said office of the Recorder; thence north 13 degrees, 53 minutes, 25 seconds east, 143.97 feet to the easterly line of said second parcel of land described in Document 9575635; thence north 13 degrees, 54 minutes, 27 seconds east, 210.86 feet along said easterly line; and thence northerly 219.08 feet along said easterly line, being a curve concave to the southeast, having a radius of 1,213.10 feet and a chord bearing north 19 degrees, 04 minutes, 53 seconds east, 218.78 feet to the point of beginning, containing 53.350 acres, more or less,

to the designation of Waterway-Industrial Planned Development, which is hereby established in the area described, subject to such use and bulk regulations as set forth in the Plan of Development attached hereto and made a part hereof and to no others.

SECTION 2. 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:

Waterway-Industrial Planned Development No. 1160 Statements.

1. The area delineated herein as Manufacturing Planned Development (the "Planned Development") consists of approximately two million three hundred twenty-three thousand nine hundred twenty-six (2,323,926) square feet (fifty-three and thirty-five hundredths (53.35) acres), which is depicted on the attached Site Plan (the "Property"). Asphalt Operating Services of Chicago, L.L.C., and Illinois limited liability company, is the contract purchaser of the Property, which has applied for the subject planned development (the "Applicant").
2. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any required dedication or vacation of streets or alleys or easements or any adjustments of the adjacent rights-of-way 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 applicable within this Planned Development shall be binding upon the Applicant, its successors and assigns, grantees and lessees, and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns.
4. This plan of development consists of these fifteen (15) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; Aerial Context Map; Proposed PD Boundary Map; a Survey of the Planned Development Area; Landscape Plans, and a Site Plan dated January 21, 2010, prepared by McDonough Associates Inc.. The Planned Development is applicable to the area delineated hereto and these and no other zoning controls shall apply. In any instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Building Code shall apply. This 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 following uses shall be permitted within the area delineated herein as "Waterway-Industrial Planned Development": all uses permitted in the PMD 6 District, subject to the provisions of Sections 17-5-0203.5, 17-8-0500 and 17-13-06000 of the Chicago Zoning Ordinance; accessory parking, loading, accessory and related uses.
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 Zoning and Land Use Planning (D.Z.P.). Off-premise signs are prohibited within the boundary of the Planned Development except the identification signs for adjacent property users sharing the 106th Street entrance are permitted subject to the appropriate administrative review by the D.Z.P.
7. Ingress and egress shall be subject to the review and approval of the Chicago Department of Transportation ("C.D.O.T.") and the D.Z.P.. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of C.D.O.T.

8. For purposes of building height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations established by the Federal Aviation Administration.
9. The maximum permitted floor area ratio shall be 3.0 in accordance with the attached Bulk Regulations Table. For purposes of floor area ratio ("F.A.R.") calculations, the definition in the Chicago Zoning Ordinance shall apply. The permitted F.A.R. identified in the Bulk Regulations Table has been determined using a net site area of two million three hundred twenty-three thousand nine hundred twenty-six (2,323,926) square feet.
10. The Site and Landscape Plans shall be in substantial conformance with the Chicago Landscape Ordinance and any other applicable regulations and guidelines. Final landscape plan review and approval will be by the D.Z.P.. Any interim approval of the Site Plan and Landscape Plan are conditional until final Part II. Landscaping shall be installed and maintained in accordance with the provisions of the Chicago Zoning Ordinance.

All work proposed in the public way must be designed and constructed in accordance with C.D.O.T. 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 C.D.O.T.. Applicant shall pay for the costs of one (1) new traffic signal that is to be located on South 106th Street at the property's new driveway entrance, subject to the Chicago Department of Transportation ("C.D.O.T.") approval.

11. Upon Part II Review, a Part II Review Fee shall be assessed by the D.Z.P. pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance and Land Use Ordinance. The fee as determined by staff at the time is final and binding on the Applicant and must be paid to the Chicago Department of Revenue prior to the issuance of any Part II approval.
12. The applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of the Chicago Department of Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings under Section 13-32-125 of the Municipal Code of Chicago or any other similar provisions of that Code.
13. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of D.Z.P. upon the written application for such a modification by the Applicant or its successors or assigns; and after a determination by the Commissioner of D.Z.P. that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated by this Planned Development and the purposes underlying the provisions hereof. Any modification of the requirements of the Planned Development shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13-0611-A of the Chicago Zoning Ordinance.

16990

- 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. All developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the D.Z.P.. The warehouse office building identified in the Planned Development exhibits will achieve L.E.E.D. certification from the U.S. Green Buildings Council.
- 15. Unless substantial construction of the improvement contemplated within the Planned Development has connected 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 that Property shall automatically revert to the prior use and bulk regulations of the PMD6 District. The six (6) year period may be extended for up to one (1) additional year if, before expiration of the six (6) year period, the Commissioner of D.Z.P. that there exists good cause for an extension.

[Aerial Map; Existing Land-Use Map; Planned Development Boundary Map;
 Site Plan; Overall Landscape Plan; Landscape Plan; and Building
 Elevations referred to in these Plan of Development
 Statements printed on pages 87170
 through 87180 of this *Journal*.]

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

Waterway-Industrial Planned Development No. _____

Amended Project Description, Bulk Regulations And Data Table.

a)	Proposed Land-Use:	Liquid Asphalt Processing Facility
b)	F.A.R.:	3.0
c)	Density (Lot Area per Dwelling):	N/A
d)	Off-Street Parking:	20
e)	Setbacks:	20 feet landscape setback along East 106 th Avenue
f)	Building Heights:	
	(Office/Warehouse Building):	19 feet
	(Shop/Heater Building):	18 feet, 6 inches
	(Scale Building):	15 feet, 4 inches

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Existing Land-Use Map.

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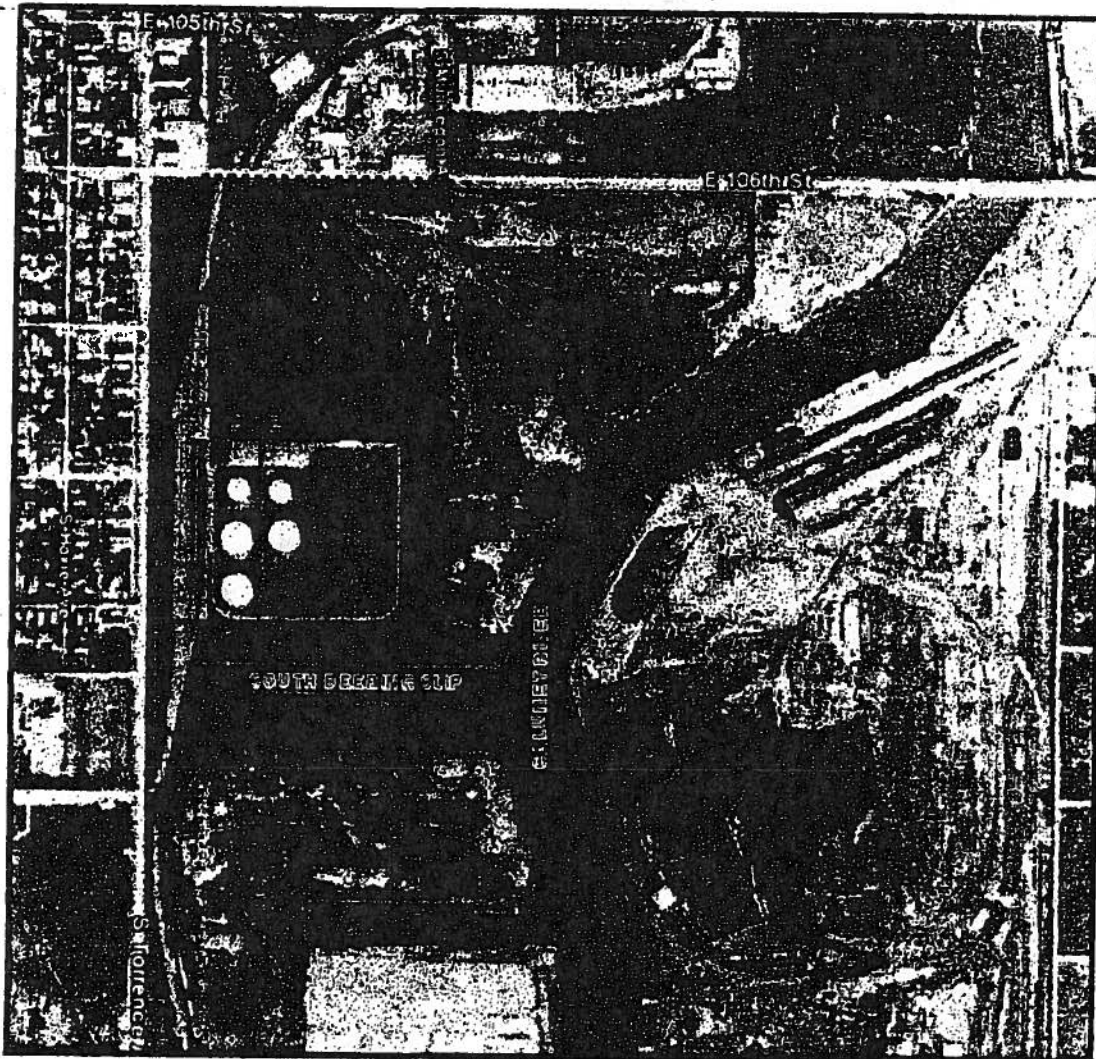
Existing Land Use Map



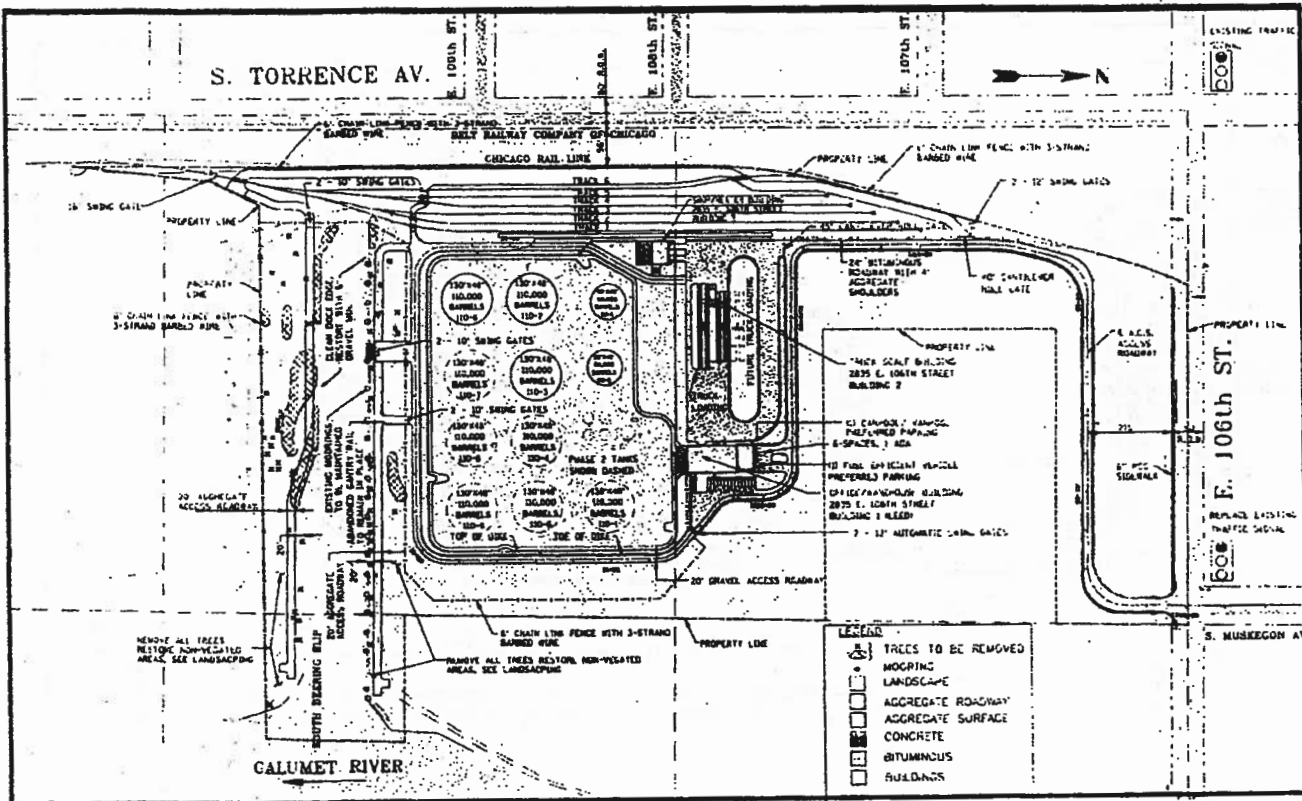
Zoning data reflects all ordinances passed prior to December 2nd, 2009
Copyright (c) 2010, City of Chicago

Planned Development Boundary Map.

PD Boundary Map



Site Plan



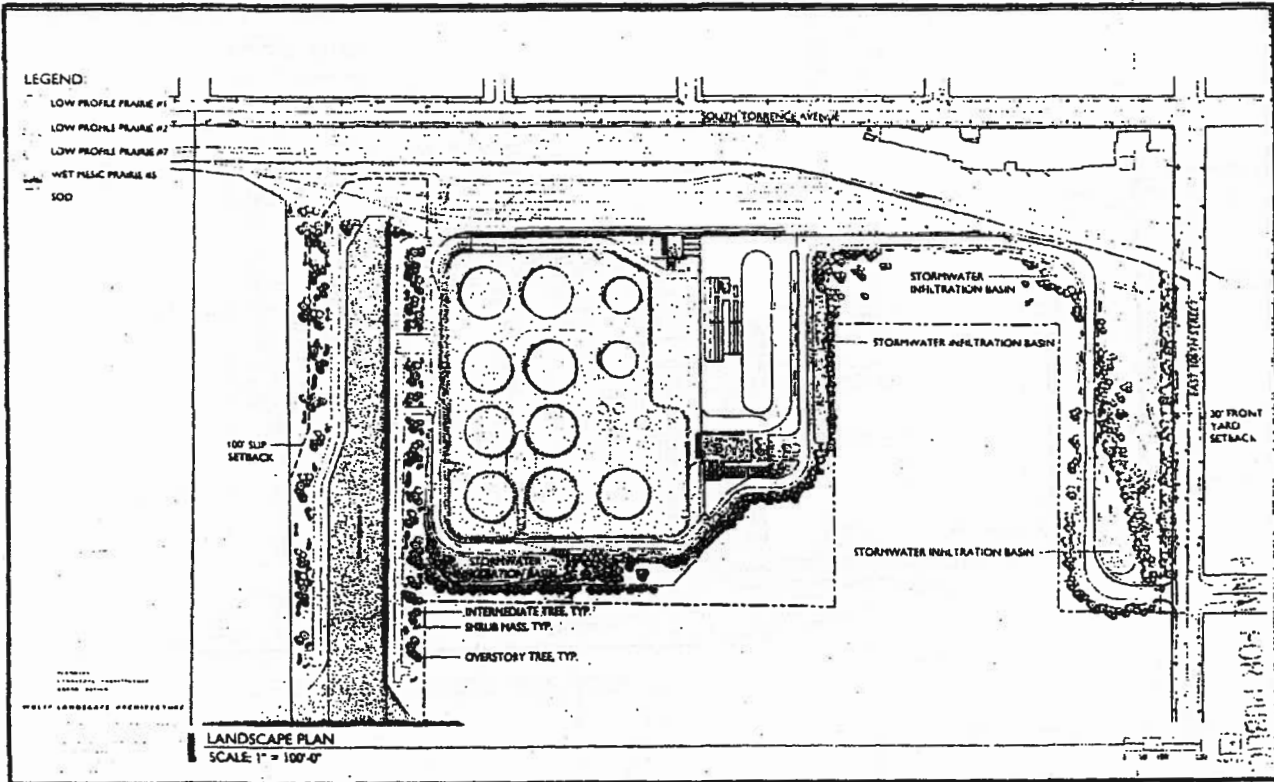
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Site Plan.

Overall Landscape Plan



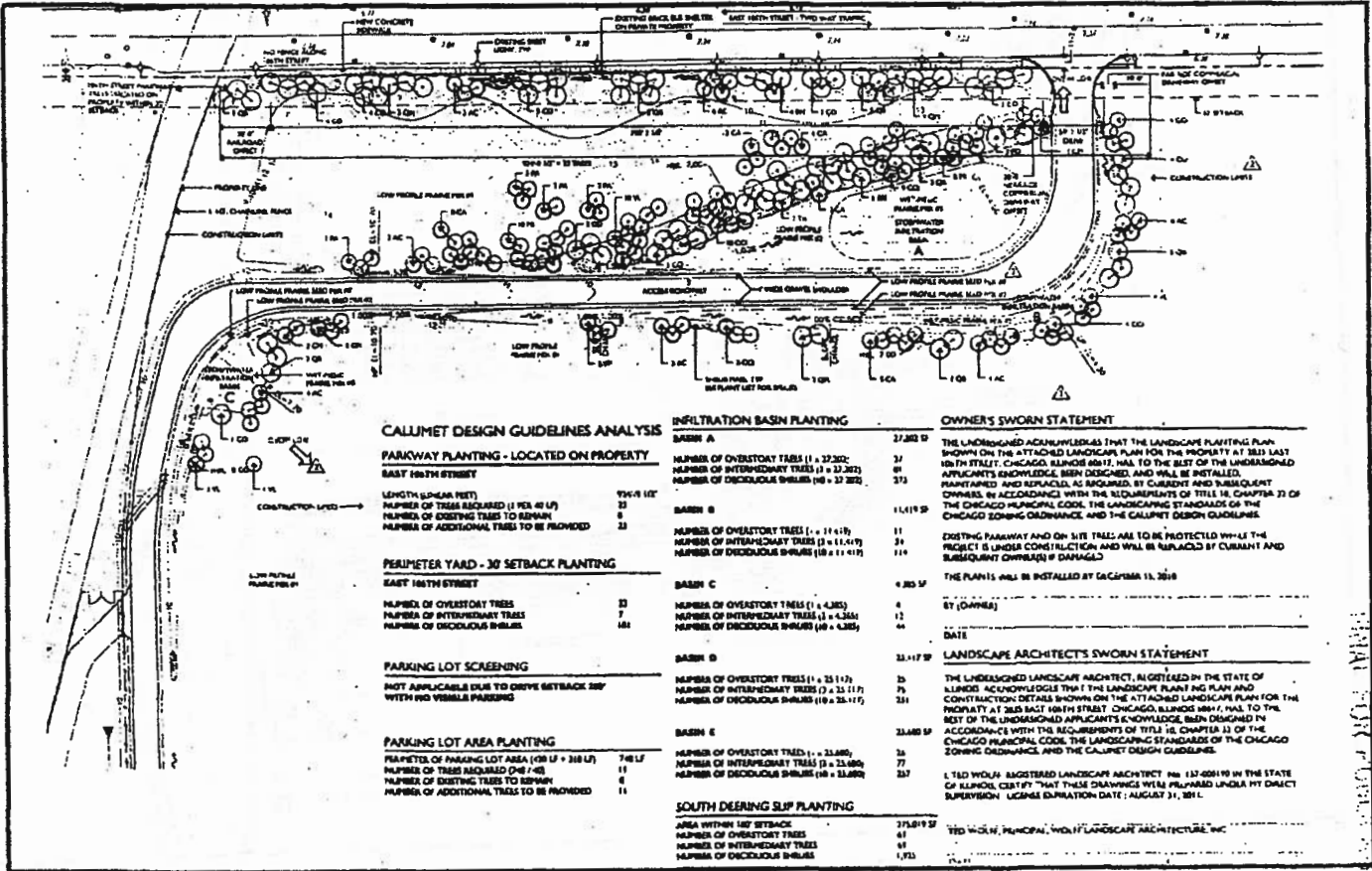
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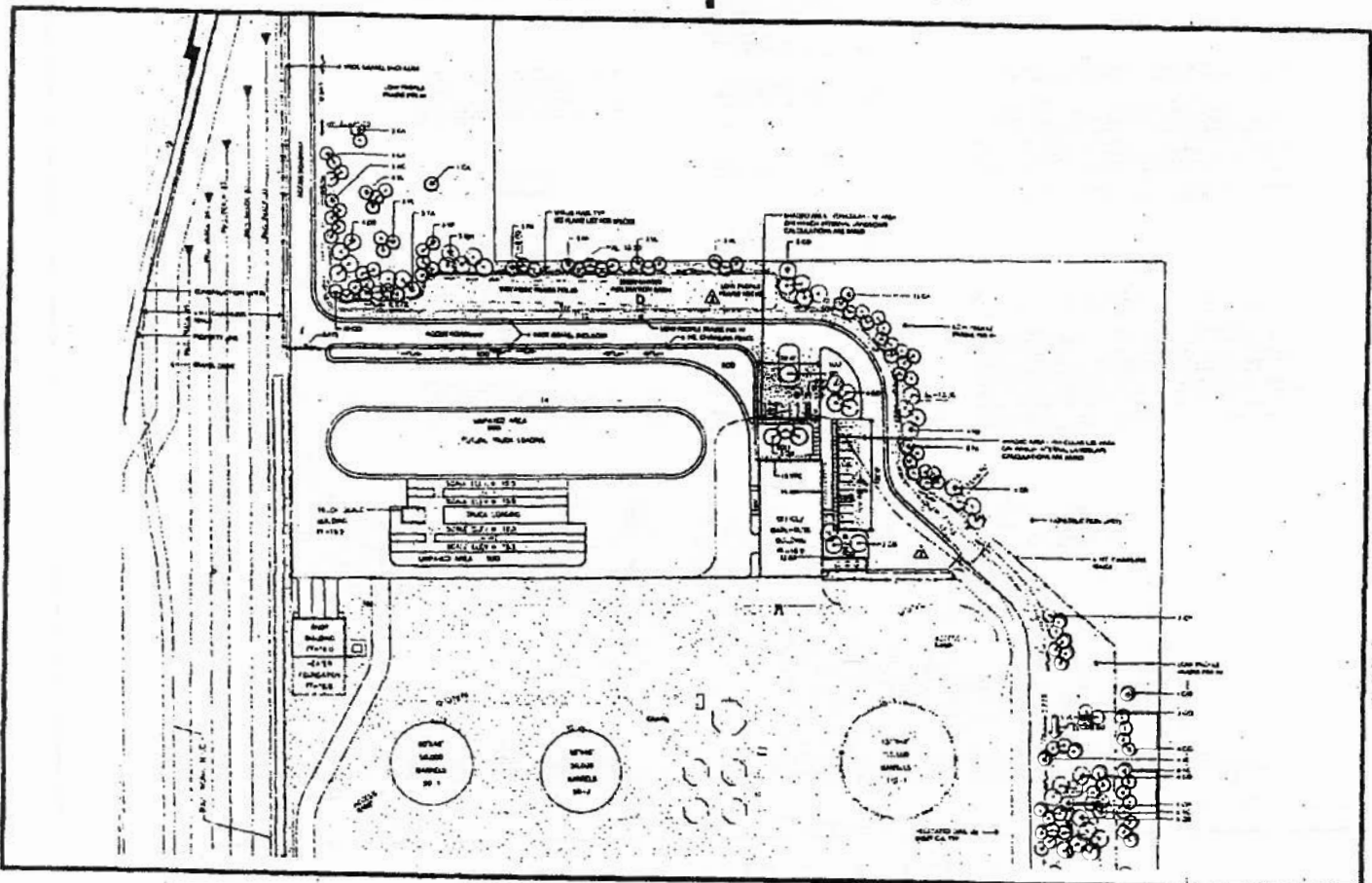
Overall Landscape Plan.

Landscape Plan

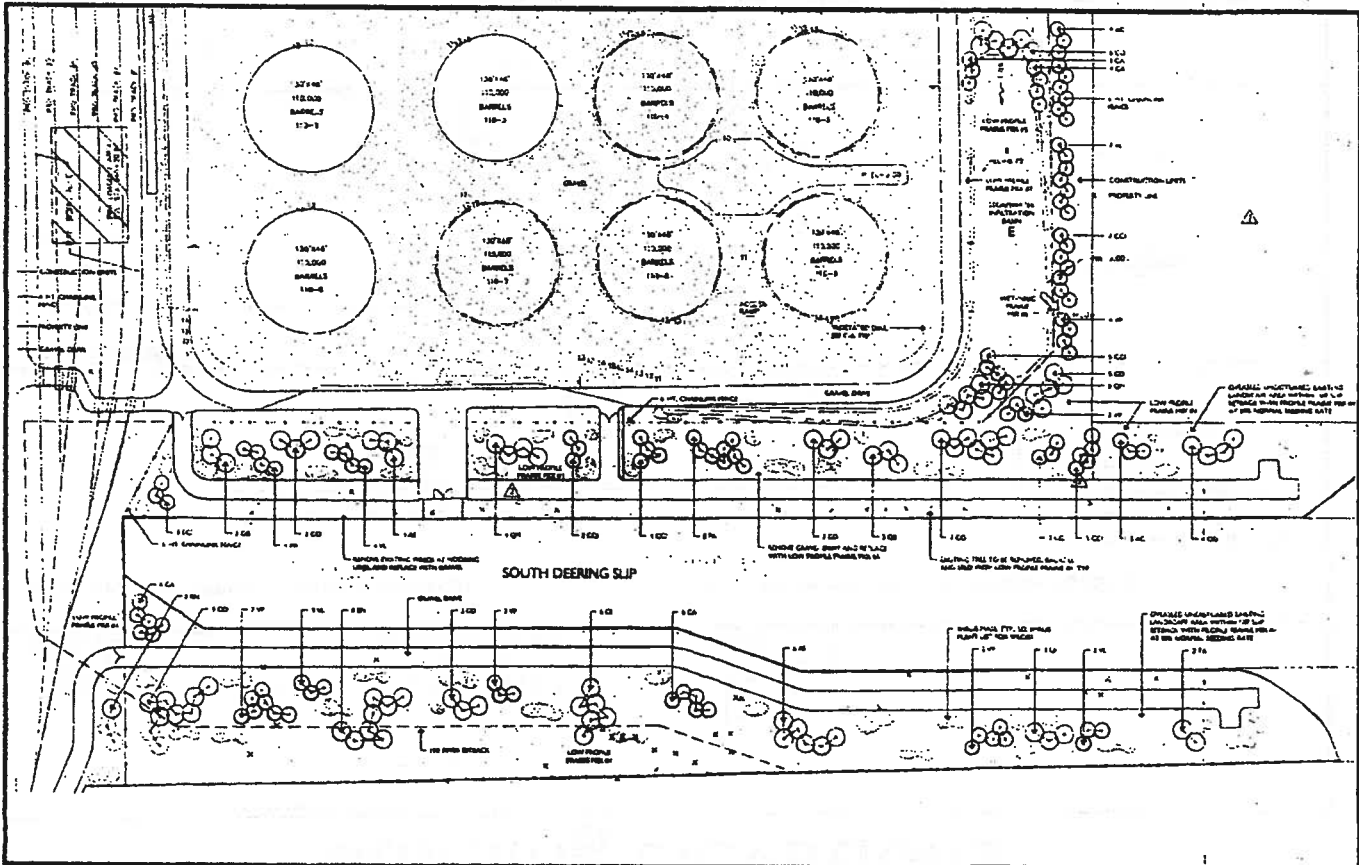


Landscape Plan
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Landscape Plan

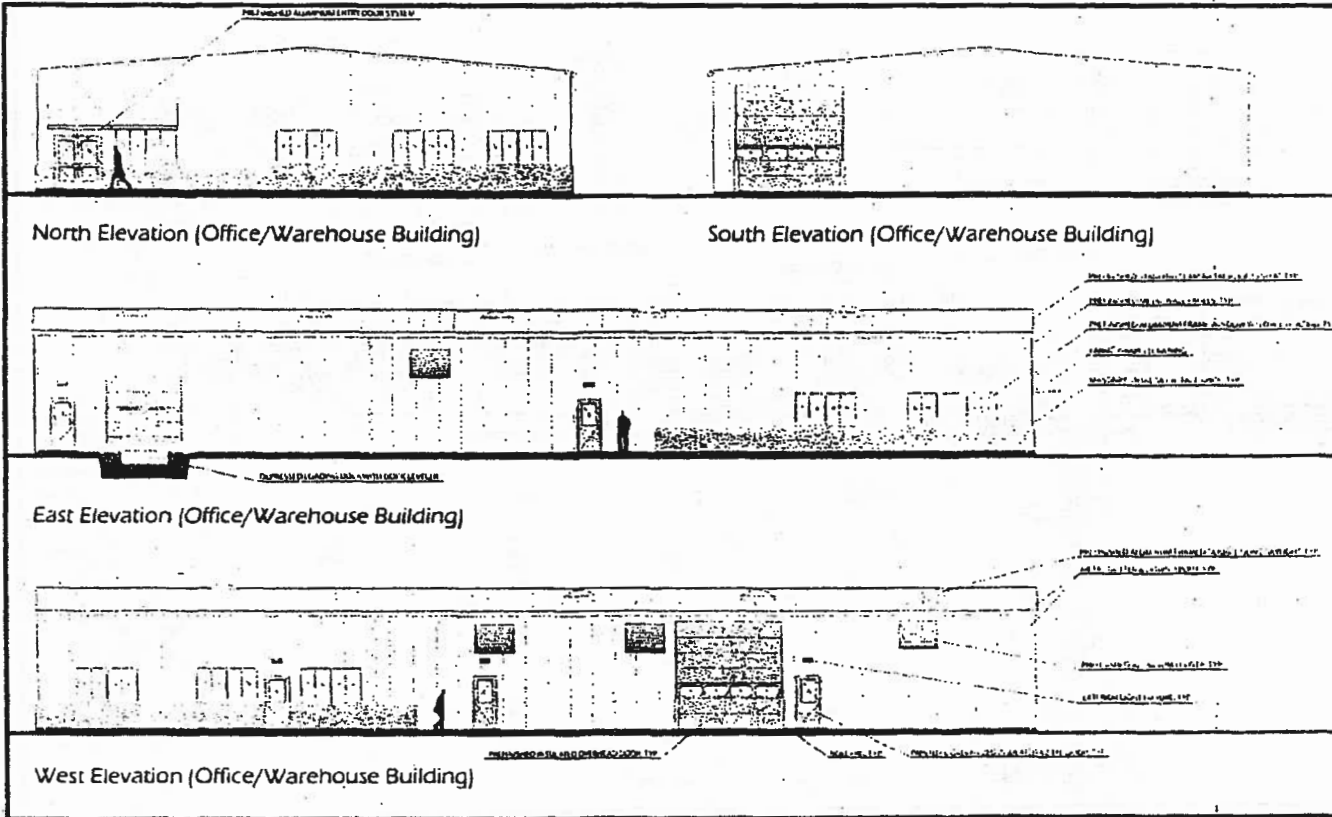


Landscape Plan



Landscape Plan.
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Building Elevations



Building Elevations.

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Building Elevations

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Building Elevations.

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