

PD 1176

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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

November 9, 2016

Ronald B. Grais
Sugar Felsenthal Grais & Hammer LLP
30 N. LaSalle Street
Suite 3000
Chicago, IL 60602

Re: One-year sunset extension for Planned Development No. 1176, 977 W. Cermak Road

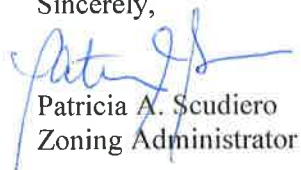
Dear Mr. Grais:

Please be advised that your request for a one-year sunset extension to the six-year construction period for Waterway Industrial Planned Development No. 1176 has been considered by the Department of Planning and Development pursuant to Section 17-13-0612-B of the Chicago Zoning Ordinance and Statement No. 18 of the Planned Development. Your client, Cermak Morgan LLC is the sole owner of the property within PD 1176.

PD 1176 was approved by the Chicago City Council on December 8, 2010. Statement No. 18 of the Planned Development contains the sunset provisions, which requires substantial construction of the improvements contemplated on the property within six years of the effective date of the ordinance. It also states that the six year period may be extended for up to one additional year if, before expiration, good cause is shown for an extension.

Cermak Morgan LLC continues to market the property, unfortunately the demand for industrial space within this area has been insufficient thus far. Therefore, you are requesting an additional one year extension. Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Planned Development No. 1176, I hereby approve a one-year sunset extension from December 8, 2016 to December 8, 2017.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

PAS:PM:tm

C: Mike Marmo, Erik Glass, Main file

109864

JOURNAL--CITY COUNCIL--CHICAGO

12/8/2010

17096

Reclassification Of Area Shown On Map No. 6-G.
(As Amended)
(Application No. 17096)
(Common Address: 977 W. Cermak Rd.)

WI PD 1176

[SO2010-7387]

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 of the Planned Manufacturing District Number 11 District symbols and indications as shown on Map Number 6-G in the area bounded by:

the intersection of the south line of West Cermak Road with the east line of South Morgan Street, said point being also the northwest corner of Lot 60 in Greene's South Branch Addition to Chicago aforesaid; thence north 88 degrees, 24 minutes, 07 seconds east (basis of bearings assumed), along said south line of West Cermak Road, a distance of 280.65 feet; thence south 01 degree, 35 minutes, 52 seconds east, a distance of 100.00 feet; thence south 08 degrees, 17 minutes, 29 seconds west, a distance of 190.55 feet to a point on the west line of said Joy's Canal and the east line of said Lots 61 through 70; thence south 01 degree, 38 minutes, 56 seconds east along said line a distance of 759.92 feet; thence north 88 degrees, 21 minutes, 04 seconds east, a distance of 30.00 feet to a point in a line 30.00 feet east of and parallel with the west line of Joy's Canal (now filled) aforementioned; thence south 01 degree, 38 minutes, 56 seconds east along the last described parallel line, a distance of 341.31 feet to the northerly line of the south branch of the Chicago River as improved; thence south 82 degrees, 12 minutes, 29 seconds west along said northerly line of the south branch of the Chicago River, as improved, a distance of 39.85 feet to an angle point; thence south 82 degrees, 56 minutes, 56 seconds west along said northerly line of the south branch of the Chicago River, as improved, a distance of 113.65 feet to an angle point; thence south 37 degrees, 45 minutes, 16 seconds west along said northerly line of the south branch of the Chicago River, as improved, a distance of 232.69 feet; thence north 02 degrees, 10 minutes, 29 seconds east, a distance of 506.65 feet, to a point on the north line of Lot 72 in Greene's South Branch Addition to Chicago aforesaid; thence north 88 degrees, 23 minutes, 56 seconds east along the north line of Lot 72 aforesaid and its easterly extension a distance of 111.37 feet, to a point on the east line of South Morgan Street, said point also being the northwest corner of Lot 69 in Greene's South Branch Addition to Chicago aforesaid; and thence north 01 degree, 34 minutes, 31 seconds west along said east line of South Morgan Street, a distance of 900.01 feet to the point of beginning, in Cook County, Illinois,

to those of a Waterway Industrial Planned Development.

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

Plan of Development Statements attached to this ordinance read as follows:

Waterway Industrial Planned Development No. 1176

Plan Of Development Statements.

1. The area delineated herein as a Waterway Industrial Planned Development (the "Planned Development"), consists of approximately three hundred eighty-nine thousand and thirty-six (389,036) square feet or eight and nine hundredths (8.9) acres of real property depicted on the attached Planned Development Boundary, Property Line and Right-of-Way Adjustment Map (the "Property"). The Property is owned or controlled by The Cermak-Morgan LLC (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 dedication or vacation of streets, alleys or easements or any adjustment of 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 prior to Part II approval.
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 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 titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property shall, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, be under single ownership or under single designated control, subject to the last sentence of this statement. Single designated control is defined in Section 17-8-0400 of the Chicago Zoning Ordinance ("Zoning Ordinance").
4. This Planned Development consists of eighteen (18) statements, a Bulk Regulations and Data Table and the following exhibits prepared by Lohan Anderson, all last dated October 21, 2010: a Planned Development Boundary Map, an Existing Land-Use Map and Existing Zoning Map; a Schematic Site Plan; Illustrative Riverwalk Landscape Plan; Illustrative Riverwalk Section, Building A Elevations, Building B, Elevations and a Bulk and Data Table. 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. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall govern. In case of a conflict between the terms of this Planned Development ordinance and the Zoning ordinance, this Planned Development ordinance shall control.
5. The following uses are permitted in the Planned Development: all permitted uses in PMD-11 District A.
6. On-premises 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 Planning (DZP). Off-premises 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 the Planned Development, subject to review and approval of the Department of Transportation and the Department of Zoning and Planning.
8. The terms and conditions of development under this the Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A of the Zoning Ordinance by the Commissioner of the Department of Zoning and Planning upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessors.
9. 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 established by the Federal Aviation Administration.
10. Ingress or egress shall be subject to the review and approval of the Department of Transportation and the Department of Zoning and 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 Department of Transportation "Construction Standards for Work in the Public Way" and in compliance with the Municipal Code. Closure of all or any part of any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.
11. The maximum permitted floor area ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of floor area ratio calculations and floor area measurements, the definitions in the Chicago Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 389,036 square feet.
12. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Zoning and Planning. 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.
13. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of the 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 provision of that Code.
14. The improvements on the Property shall be designed, constructed and maintained in substantial conformance with the Site Plans, Landscape Plan and Building Elevations,

and in accordance with the parkway and tree and parking lot landscaping provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.

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 provided in the Waterway Planned Development guidelines contained in the Chicago Zoning Ordinance (Section 17-8-0912). To further these goals, the Applicant agrees to: (a) provide a landscaped thirty (30) foot wide river setback and continuous riverside trail as indicated on the Site Plans and Landscape Plan; and (b) permit connection of such setback and trail to the setbacks and trails of adjacent properties when the river edges of the adjacent properties are similarly improved. At such time as similar river edge improvements are made and public access is provided on at least one adjacent riverside property, the Applicant shall permit ungated public access from the east or west riverside property, as the case may be, to the river improvements in the thirty (30) foot river setback area of the Property, free of charge, during typical Chicago Park District hours. All improvements within the thirty (30) foot river setback area must be substantially complete prior to receipt of an occupancy certificate for the principal building on the Property, provided that planting may be delayed if consistent with good landscaping practice, but not longer than one (1) year following receipt of the occupancy certificate.
16. 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. At the time of a hearing before the Chicago Plan Commission, all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Zoning and Planning.
17. 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 ("MOPD") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
18. Unless substantial construction of the improvements contemplated on the Property by this Planned Development has commenced within six (6) years of the effective date hereof and unless completion of those improvements is thereafter diligently pursued, then this Planned Development shall expire and the zoning of the Property shall automatically revert to the PMD Number 11 District A. This six (6) year period may be extended for up to one (1) additional year if, before expiration, the Commissioner of the Department of Zoning and Planning determines that good cause for an extension is shown.

[Vicinity and Existing Land-Use Map and Existing Zoning Map; Boundary Map; Schematic Site Plan; Site Plan Details; Illustrative Riverwalk Landscape Plan; Illustrative Riverwalk Section; Illustrative Building A Elevations; Illustrative Building B Elevations; and Chicago Builds Green Form referred to in these Plan of Development Statements printed on pages 109869 through 109880 of this *Journal*.]

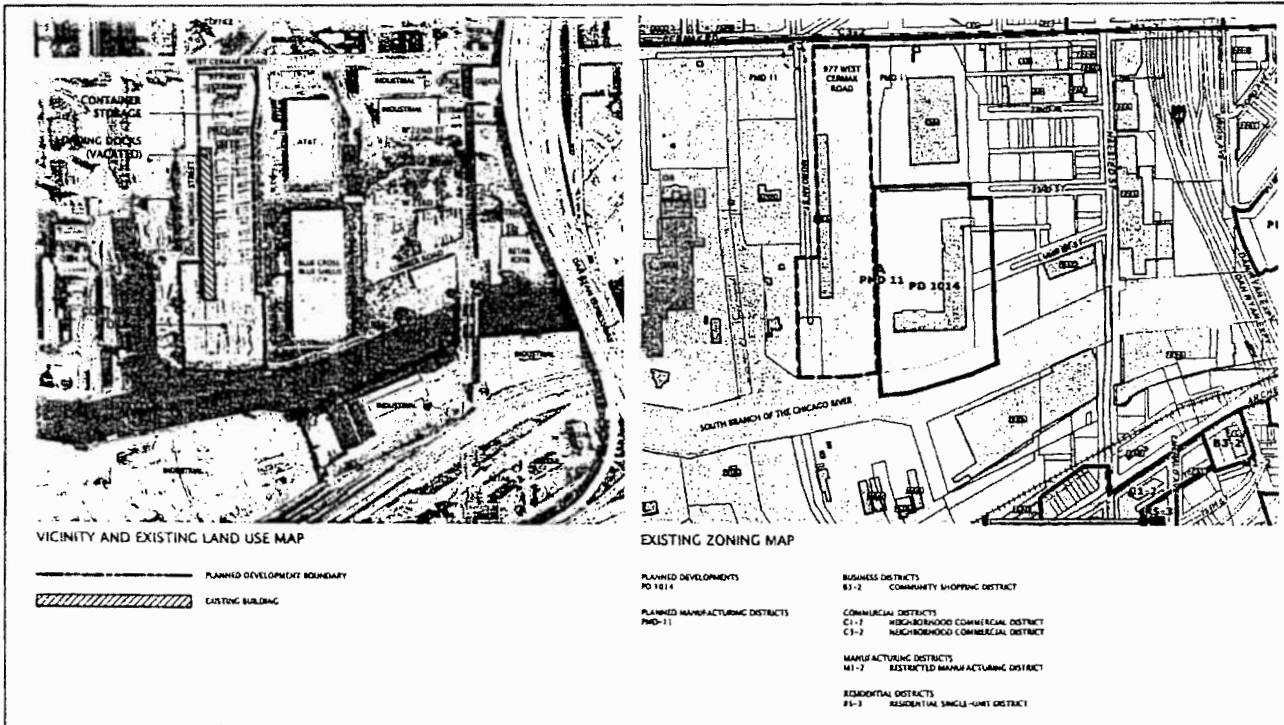
Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

Waterway Industrial Planned Development.

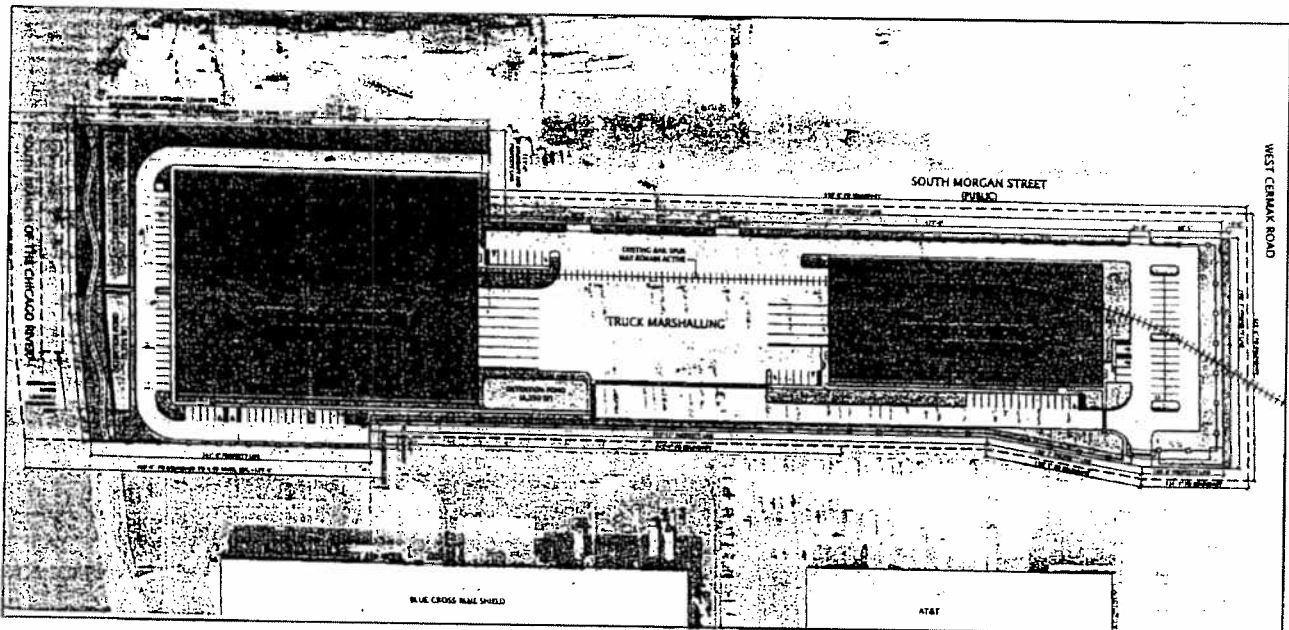
Bulk Regulations And Data Table.

General Description of Land-Use:	See Statement Number 5 of this Planned Development
Maximum Permitted FAR	0.39
Gross Site Area = Net Site Area + Area remaining in the Public Right-of-Way	
Net Site Area:	389,036 square feet (8.9131 acres)
Gross Site Area:	419,905 square feet (9.6396 acres)
Setbacks from Property Line:	
Cermak Road:	10 feet
Morgan Street:	None
East Property Line:	None
Chicago River:	30 feet to bank
Maximum Percentage of Site Coverage:	In conformance with the Site Plans
Minimum Number of Off-Street Parking Spaces:	110
Minimum Number of Off-Street Loading Berths:	(12) Per this Planned Development
Maximum Building Height:	40 feet

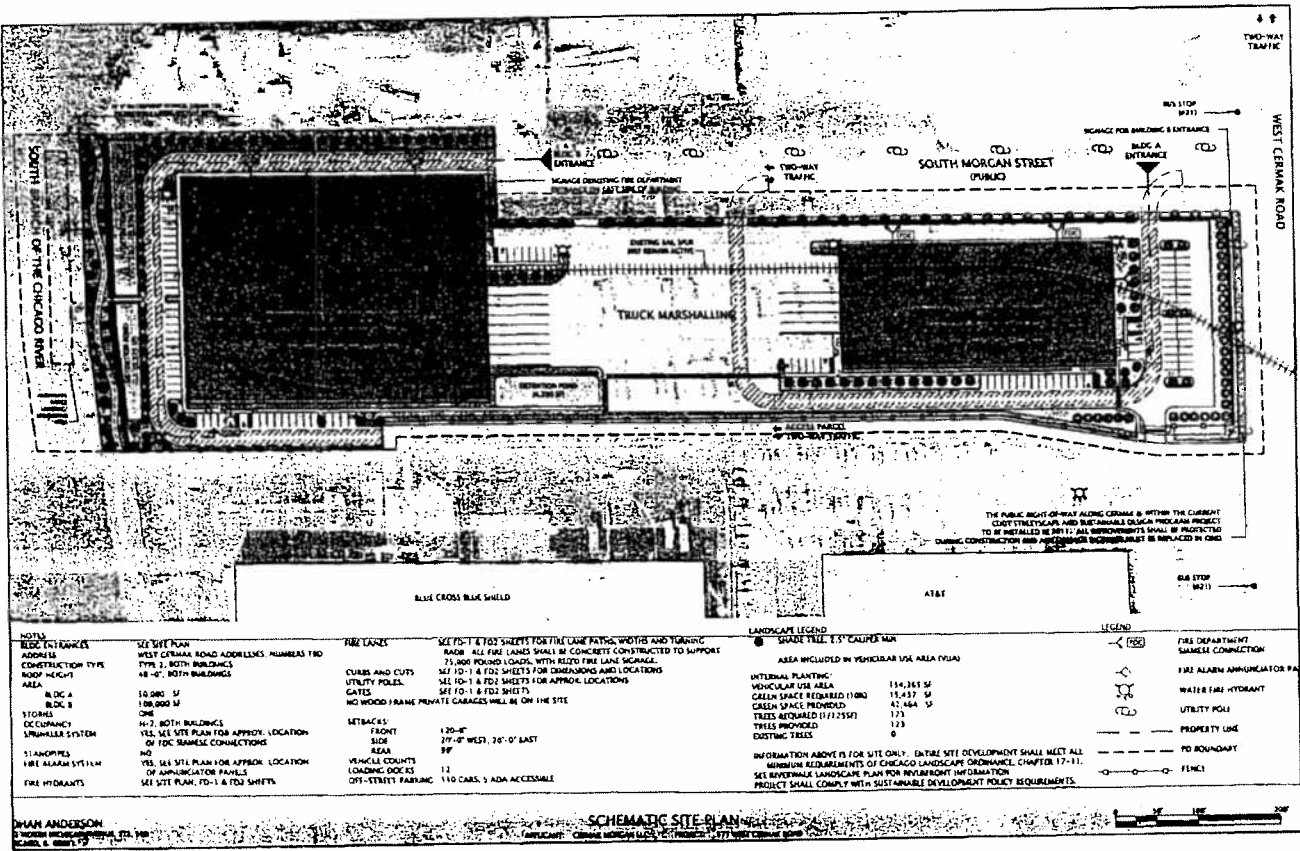
Vicinity And Existing Land-Use Map
And Existing Zoning Map.



Boundary Map.



Schematic Site Plan

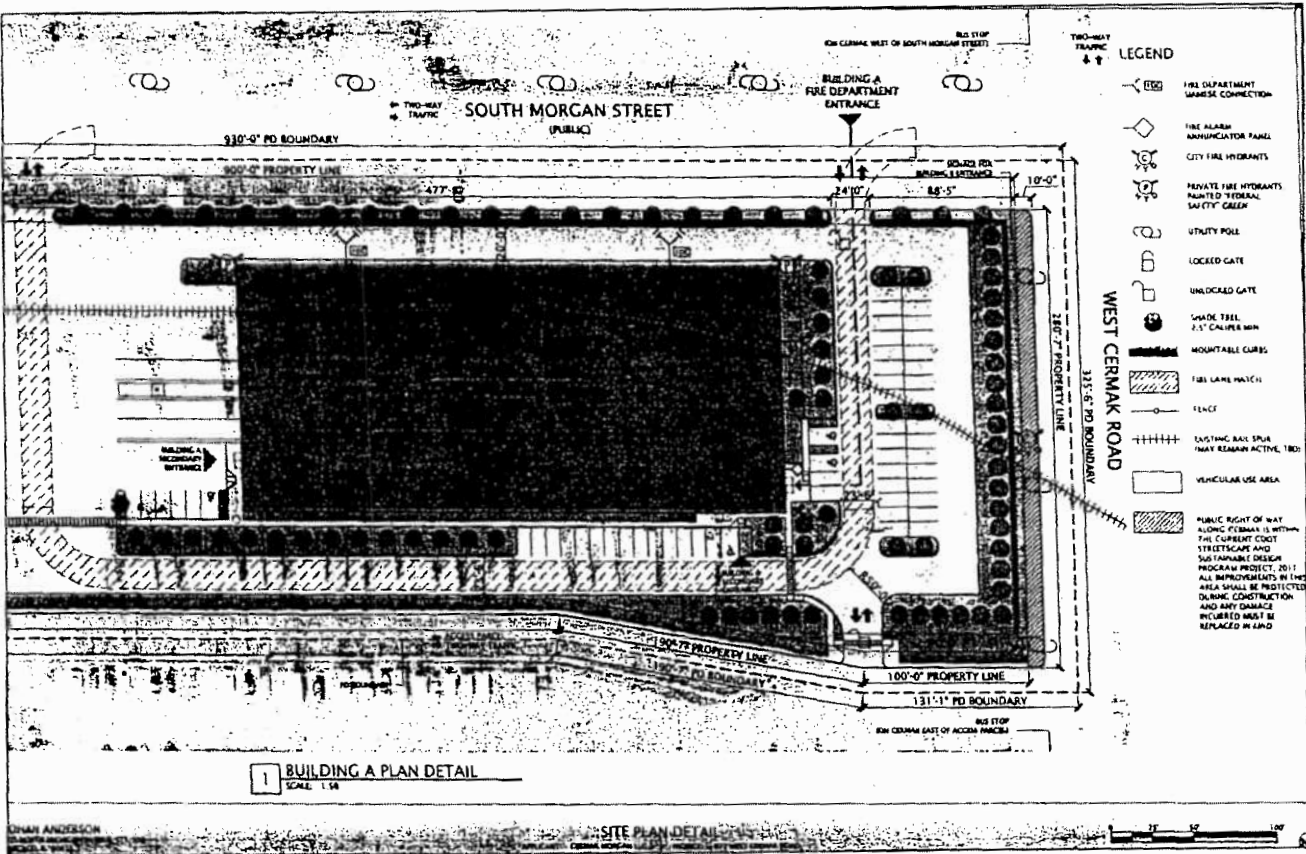


NOTES	LANDSCAPE LEGEND	LEGEND
<p>BLDG. FOOTPRINTS SEE SITE PLAN</p> <p>ADDRESS WEST CERMARK ROAD ADDRESSES: NUMBERS 180</p> <p>CONSTRUCTION TYPE TYPE 2, BOTH BUILDINGS</p> <p>ROOF HEIGHT 18'-0", BOTH BUILDINGS</p> <p>AREA BLDG. A 10,980 SF BLDG. B 108,000 SF</p> <p>STORIES ONE</p> <p>OCCUPANCY H-2, BOTH BUILDINGS</p> <p>SPRINKLER SYSTEM YES, SEE SITE PLAN FOR APPROX. LOCATION OF FIRE SERVICE CONNECTIONS</p> <p>SI ALARMS NO</p> <p>FIRE ALARM SYSTEM YES, SEE SITE PLAN FOR APPROX. LOCATION OF NOTIFICATION PANELS</p> <p>FIRE HYDRANTS SEE SITE PLAN, FD-1 & FD-2 SHEETS</p>	<p>FIRE LANES SEE FD-1 & FD-2 SHEETS FOR FIRE LANE PATTERNS AND TURNING RADIUS. ALL FIRE LANES SHALL BE CONCRETE CONSTRUCTED TO SUPPORT 75,000 POUNDS LOADS, WITH REEDED FIRE LANE SIGNAGE.</p> <p>CURBS AND CUTS SEE FD-1 & FD-2 SHEETS FOR DIMENSIONS AND LOCATIONS</p> <p>UTILITY POLES SEE FD-1 & FD-2 SHEETS FOR APPROX. LOCATIONS</p> <p>GATES SEE FD-1 & FD-2 SHEETS</p> <p>NO WOOD FRAME PRIVATE GARAGES WILL BE ON THE SITE</p> <p>METRICES FRONT 120'-0" SIDE 277'-0" WEST, 267'-0" EAST REAR 88'</p> <p>VEHICLE COUNTS LOADING DOCKS 12 OFF-STREET PARKING 110 CARS, 5 ADA ACCESSIBLE</p>	<p>SHADE TREE: 1.5" CALIBER MAX</p> <p>AREA INCLUDED IN VEHICULAR USE AREA (VUA)</p> <p>INTERNAL PLANTING: VEHICULAR USE AREA 134,261 SF GREEN SPACE REQUIRED (10%) 15,437 SF GREEN SPACE PROVIDED 47,484 SF TREES ACCOUMD (11/1-25/17) 123 TREES PROVIDED 123 EXISTING TREES 0</p> <p>INFORMATION ABOVE IS FOR SITE ONLY. ENTIRE SITE DEVELOPMENT SHALL MEET ALL MINIMUM REQUIREMENTS OF CHICAGO LANDSCAPE ORDINANCE, CHAPTER 12-111. SEE SEPARATE LANDSCAPE PLAN FOR NEIGHBORHOOD INFORMATION. PROJECT SHALL COMPLY WITH SUSTAINABLE DEVELOPMENT POLICY REQUIREMENTS.</p>

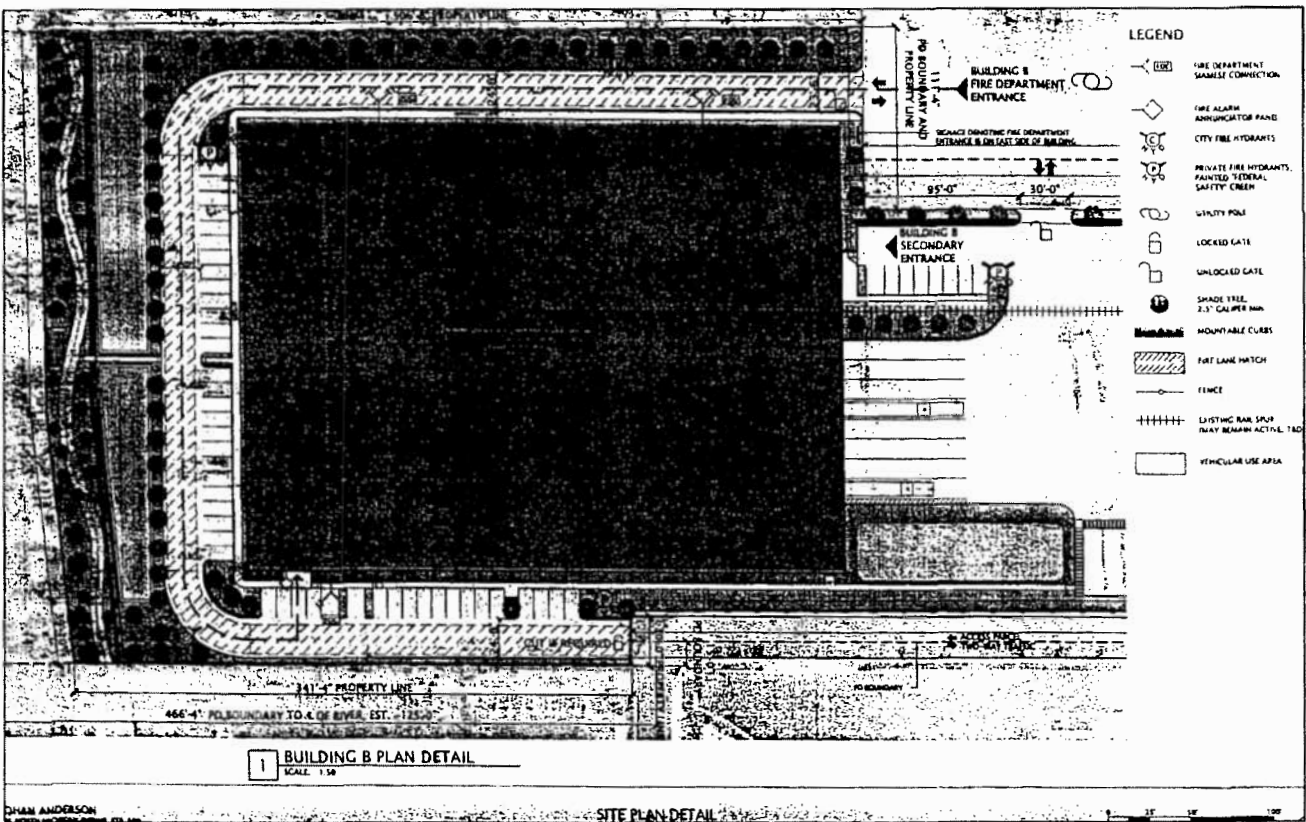
SHAWN ANDERSON
3700 N. MICHIGAN AVE., SUITE 200
CHICAGO, IL 60641, 773-334-1111

SCHEMATIC SITE PLAN
DATE: 12/8/2010
PROJECT: CHICAGO MORGAN STREET PROJECT, 177 WEST CERMARK ROAD

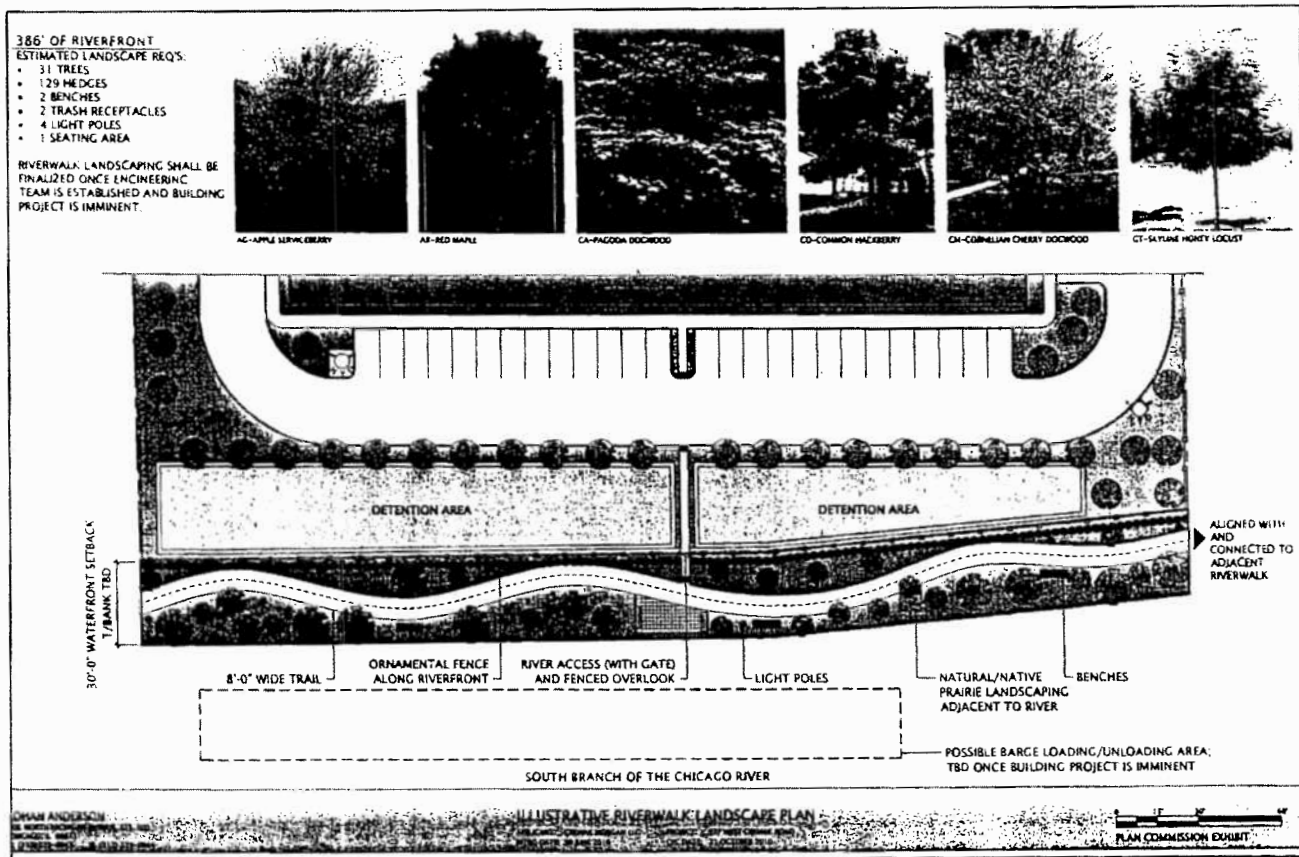
Site Plan Detail.
(Page 1 of 2)



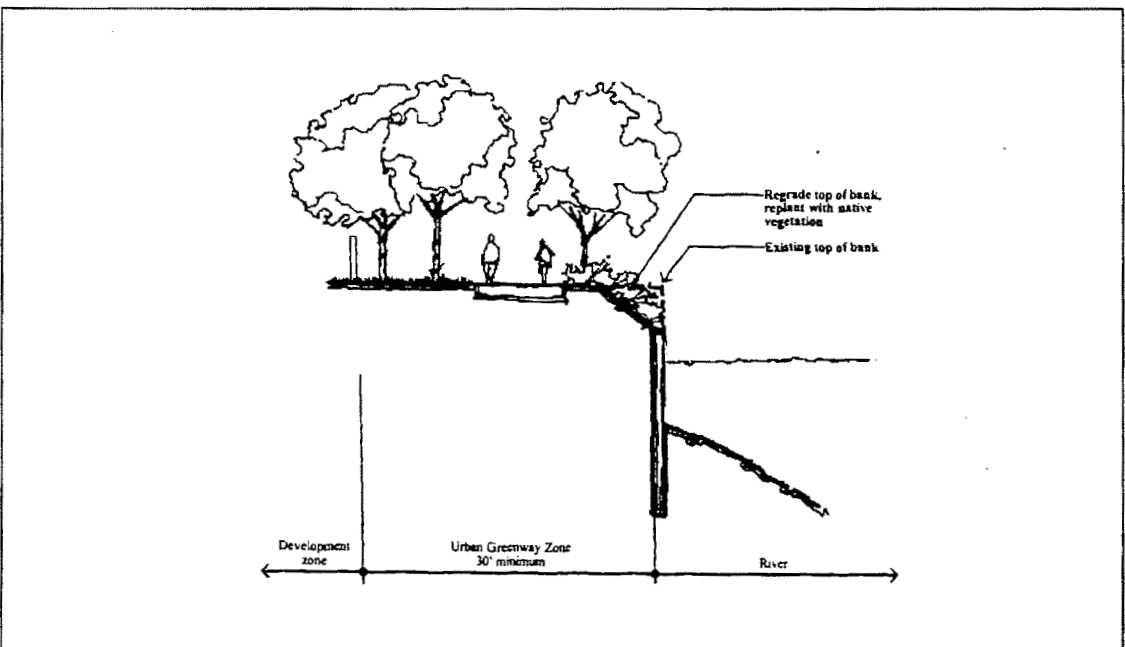
Site Plan Detail.
(Page 2 of 2)



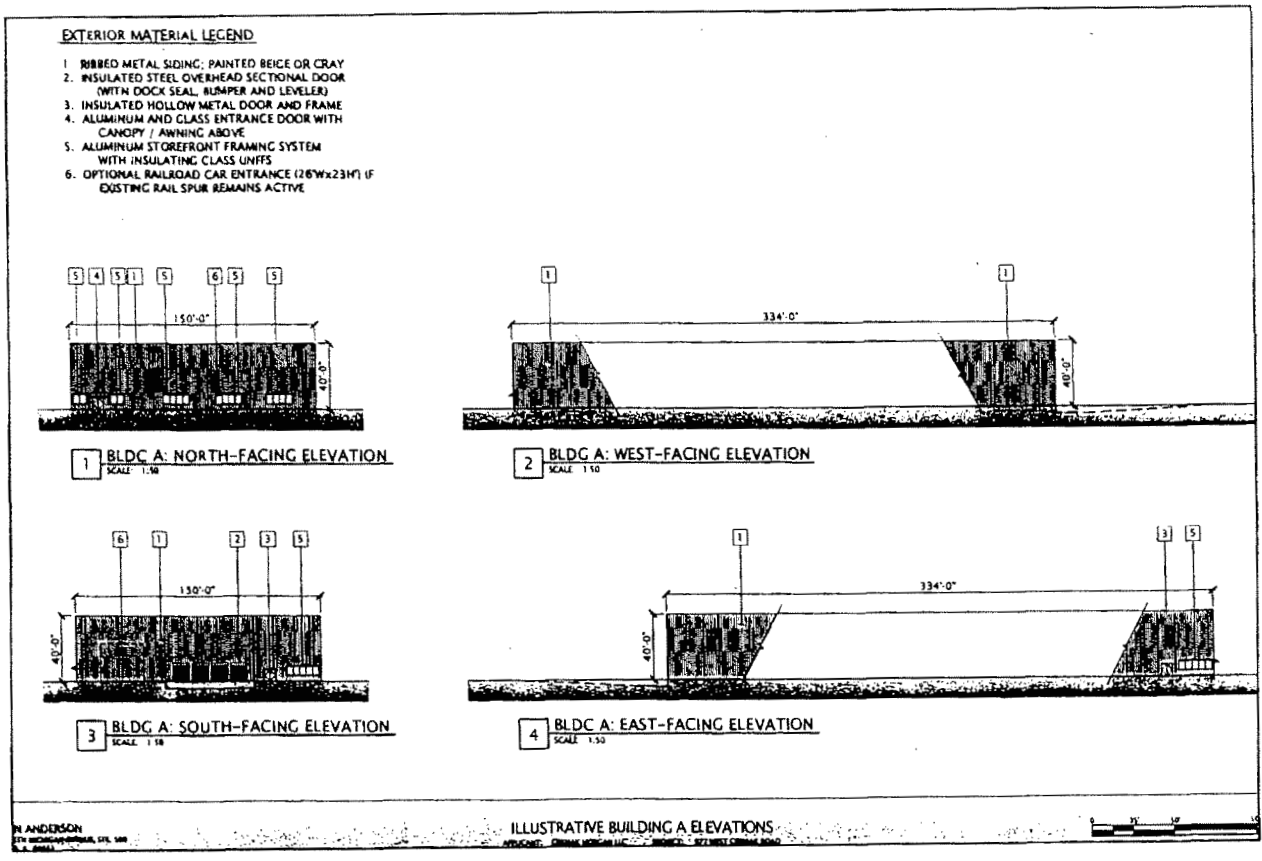
Illustrative Riverwalk Landscape Plan.



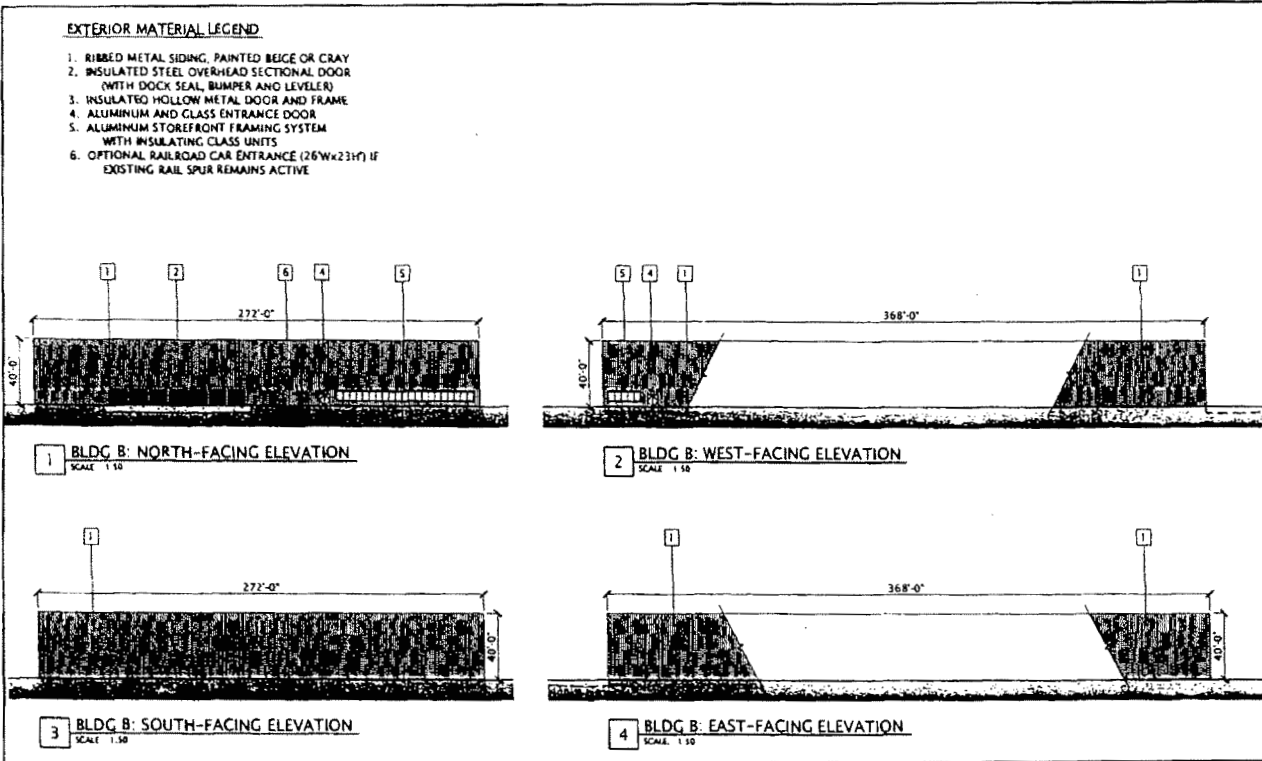
Illustrative Riverwalk Section.



Illustrative Building A Elevations.



Illustrative Building B Elevations.



Chicago Builds Green.
(Page 1 of 3)

CHICAGO BUILDS GREEN

Project Name: 977 West Cermak Road

Project Location: * Street Number (if the address only includes one street number, please fill only the cell "From"):
From: 977 To: Direction: w Street Name: Cermak Select Street Type: Rd

Ward No: 25 Community Area No:

Project Type: Planned Development Redevelopment Agreement Zoning Change
PD No: Water RDA No: From: To:
 Public project Landmark

Project Size: Total land area in sq.ft: 419,192 sf Total building(s) footprint in sq.ft: 150,000 Total vehicular use area in sq.ft: 154,365

DPD Project Manager: Enter First Name Last Name: Fernando Espinoza

BG/GR Matrix: Select project category: Industrial

Financial Incentives: Check applicable: TIF Empowerment Zone Grant Class L GRIF Ind. Dev. Revenue Bonds Class 6b SBIF Bank Participation Loan DDH Land Sale Write Down

Density Bonus: Check applicable: Public plaza & pocket park Water features in a plaza or pocket park Chicago Riverwalk improvements Setbacks above the ground floor Winter gardens Lower level planting terrace Indoor through-block connection Green roof Sidewalk widening Underground parking and loading Arcades Concealed above-ground parking

Chicago Builds Green.
(Page 2 of 3)

Landscaping:

7' Landscape Setback	Square footage	8,618	8,618
Interior Landscape Area	Square footage	15,437	42,464
No. of Interior Trees		123	123
No. of Parkway Trees		45	45

Open Space:

River Setback	Square footage	11,386	11,386
Private Open Space	Square footage	0	0
Privately developed Public Open Space	Square footage	237	287

Stormwater Management (At-grade volume control):

Permeable paving	Square footage	0
Raingarden	Check applicable	<input type="checkbox"/>
Filter strip		<input type="checkbox"/>
Bioswale		<input type="checkbox"/>
Detention pond		<input type="checkbox"/>
Native landscaping	Square footage	TBD
Rain-water collection cistern/barrel	Gallons	0
Total impervious area reduction	Square footage	0

Other sustainable surface treatments:

Green roof	Square footage	0	0
Energy Star roof	Square footage	0	0
High-albedo pavement	Square footage	0	0

Transportation:

No. of accessory parking spaces	110	110
Total no. of parking spaces (Accessory + Non-Acc)		110
No. of parking spaces dedicated to car sharing services (E.g. i-Go, Zip-Car)	0	0
No. of bicycle parking	0	0
Within 600 ft of CTA or Metra station entrance		<input checked="" type="checkbox"/>

Chicago Builds Green.
(Page 3 of 3)

Building Certification:

- Energy Star building
- LEED certification
- LEED Certified
- LEED Silver
- LEED Gold
- LEED Platinum
- Chicago Green Homes
- Chicago Green Homes (one-star)
- Chicago Green Homes (two-star)
- Chicago Green Homes (three-star)

Energy efficiency strategies not captured above:
(i.e. Other than Energy Star Roof - or Energy Star Building Certification)

The information above is based on schematic and illustrative site planning. Sustainable strategies will be determined once a building project is imminent and an engineering team is in place. The goal for this PD application is to offer as much site flexibility as possible for future users interested in the site.

Other sustainable strategies and/or Project Notes:

The information above is based on schematic and illustrative site planning. Sustainable strategies will be determined once a building project is imminent and an engineering team is in place. The goal for this PD application is to offer as much site flexibility as possible for future users interested in the site.