

**REPORT
to the
CHICAGO PLAN COMMISSION
LINDA SEARL, CHAIRMAN
from
PATRICIA A. SCUDIERO, COMMISSIONER
DEPARTMENT OF ZONING AND LAND USE PLANNING
and
ZONING ADMINISTRATOR**

OCTOBER 15, 2009

FOR APPROVAL: PROPOSED BUSINESS PLANNED DEVELOPMENT

APPLICANT: JAMES MCHUGH CONSTRUCTION CO.

**LOCATION: 2206-2236 SOUTH INDIANA AVENUE
 109-133 EAST CERMAK ROAD**

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Zoning and Land Use Planning hereby submit this report and recommendation on a proposed Business Planned Development for your review and recommendation to the Chicago City Council.

The application for the amendment to the Chicago Zoning Ordinance was introduced into the City Council on May 13, 2009. Proper legal notice of the public hearing on the application was published in the Chicago Sun Times on September 29, 2009. The Applicant was separately notified of this hearing.

BACKGROUND

The Applicant, James McHugh Construction Co., proposes to adopt a Business Planned Development in order to construct a six-story building to be utilized as an electronic data storage center. This development is being submitted by the Applicant as an elective Planned Development pursuant to Section 17-8-0603 which allows a Planned Development for a building that is at least 50% of the height of a building that triggers a mandatory planned development. The Applicant proposes to construct a building 136 feet in height. A mandatory planned development is required for a non-residential building exceeding 150 feet in the underlying zoning district.

SITE AND AREA DESCRIPTION

The approximately 63,262 square foot (1.45 acres) site is located in the Near South Area and is currently zoned DS-5 Downtown Service District. The site is bounded by East Cermak Road on the north, South Indiana Avenue on the east, a line 394.58 feet south of

East Cermak Road on the south, and a twenty (20) foot wide public alley on the west. The site is currently vacant.

Across Cermak Road (to the north of the site) is Residential-Business Planned Development No. 681, which allows 336 dwelling units and approximately 27,000 square feet of retail/commercial space. To the east of the site, the Metropolitan Pier and Exposition Authority has constructed the approximately 1.9 million square foot McCormick Place West Hall. A vacant two-story former automobile repair shop is located to the south of the site. A vacant lot is located directly west of the site along Michigan Avenue. A series of older buildings are located along Michigan Avenue within the Motor Row Historic District.

The site is located within the 24th/Michigan Tax Increment Financing District. The site is not located in an Industrial Corridor. The site is not located in a Landmark District.

The site is served by the CTA # 21 Cermak and the # 4 Cottage Grove Bus Lines.

PROJECT DESCRIPTION

The Applicant proposes to construct a 6-story (136 foot tall) approximately 316,000 square foot building. The building will be composed of pre-cast architectural concrete panels, tinted spandrel glass panels, and glass store fronts. The building will function as an Electronic Data Storage Center and is designed to contain an extensive array of information technology hardware. The ground floor will contain entrance lobbies at the north (Cermak Road) and south ends, offices, loading dock and heating and ventilation mechanical equipment. Floors 2 through 6 will contain additional information technology hardware.

LANDSCAPING

The Applicant proposes to install 7 new, 4" caliper trees in parkway planters along Cermak Road and to install 13 new 4" caliper trees in parkway planters along Indiana Avenue. The parking lot will be improved with eleven (11) trees.

ACCESS/CIRCULATION

A two-way driveway will provide access from Indiana Avenue. An exit to the alley at the western edge of the property will also be provided. A total of three (3) loading berths will be provided on-site. Due to the limited number of personnel who will occupy the building (estimated to be 16 at peak time) twenty-four (24) automobile parking spaces are being provided within a surface parking lot.

SUSTAINABILITY

The proposed building is design to achieve the U.S. Green Building Council LEED Certification rating. A green roof covering 18,720 square feet or 69% of the net roof area will be installed upon the building.

BULK/USE/DENSITY

The proposed building will contain an electronic data storage Center which is classified as "office" under the Zoning Ordinance and is a permitted use in the DS-5 District. The DS-5 District does not have a building height limit. The Applicant is proposing an overall Floor Area Ratio (FAR) of 5.0 which conforms to the underlying DS-5 District.

The proposed development is compatible with the character of the surrounding area in terms of uses and building scale. The surrounding area contains a large mix of uses including convention/exhibition, office and residential uses.

RECOMMENDATION

The Department of Zoning and Land Use Planning has reviewed the proposal with regards to the proposed Business Planned Development and has concluded that the proposed development would be appropriate for the following reasons:

1. The project meets the criteria and objectives set forth in Chapter 17-8-0100 et seq. and Chapter 17-13-0600 et seq. of the Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare.
2. The Applicant's proposal seeks to establish the maximum FAR at 5.0 which conforms to the underlying zoning district and is consistent with other developments in the area. The requested use is a permitted use in the DS-5 District.
3. The proposed amendment to the Planned Development has been reviewed by the Chicago Department of Transportation's Project Review Committee and all requested changes have been made. The Department of Zoning and Land Use Planning has circulated copies of this application to other city departments and agencies and no comments have been received which have not been addressed in the revised application.
4. The project would comply with the requirements for access in case of fire and other emergencies.
5. The project will further affirm Chicago as a major digital hub, specifically for the healthcare industry, by providing highly secure medical data storage that aims to exceed the requirements of federal government mandates.

Based on the foregoing, it is the recommendation of the Department of Zoning and Land Use Planning that the revised application for a Business Planned Development be approved and that the recommendation to the City Council Committee on Zoning be "As-Revised, Passage Recommended".

Patricia A. Scudiero, Commissioner
Department of Zoning and Land Use Planning
and Zoning Administrator

RESOLUTION

- WHEREAS,** the Applicant, James McHugh Construction Co., proposes to establish a Business Planned Development. The application was introduced to City Council on May 13, 2009; and
- WHEREAS,** the property is located at 2206-2236 South Indiana and 109-133 East Cermak Road. This development is being submitted by the Applicant, as an elective Business Planned Development pursuant to Section 17-8-0603 which allows a Planned Development for a building that is at least 50% of the height of a building that triggers a mandatory planned development. The property is currently zoned DS-5 and will be rezoned to Business Planned Development.
- WHEREAS,** The Applicant proposes to construct a 6-story (136 foot tall) approximately 316,000 square foot building. The building will be composed of pre-cast concrete. The building will function as an electronic data storage center and include 24 parking spaces; and
- WHEREAS,** proper legal notice of a hearing before the Chicago Plan Commission was published in the Chicago Sun-Times on September 29, 2009. The Applicant was separately notified of this hearing; and
- WHEREAS,** the Plan Commission has reviewed the Application with respect to the provisions of the Chicago Zoning Ordinance regarding a Planned Development and finds that the proposal would be consistent; and
- WHEREAS,** the Department of Zoning and Land Use Planning recommended approval of the Application which recommendation and the reasons therefore are contained in the Departments' written report dated October 15, 2009, a copy of which is attached hereto and made a part hereof; and
- WHEREAS,** the Chicago Plan Commission has fully reviewed the Application and all information and submissions associated with the proposed development, the report and recommendation of the Commissioner of the Department of Zoning and Land Use Planning, and all other testimony presented at the public hearing held

on October 15, 2009, giving consideration to the Planned Development standards and guidelines contained in the Chicago Zoning Ordinance; and

NOW THEREFORE BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

1. THAT this Plan Commission recommend approval of the attached Planned Development Ordinance to the City Council Committee on Zoning and forward the report of the Commissioner of the Department of Zoning and Land Use Planning dated October 15, 2009 as the findings of this Plan Commission regarding same.
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning of the final Planned Development application dated October 15, 2009; and
3. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Zoning and Land Use Planning be adopted as the findings of fact of the Chicago Plan Commission regarding both applications.

Linda Searl, Chairman
Chicago Plan Commission

BPD# _____
Approved: October 15, 2009