

**Reclassification Of Area Shown On Map Number 9-J.  
(As Amended)**

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

**SECTION 1.** That the Chicago Zoning Ordinance be amended changing all the M1-1 Restricted Manufacturing District symbols and indications as shown on Map No. 9-J in the area bounded by:

a north property line located approximately thirty-three (33) feet south of the center line of the Addison Street right-of-way; a west property line located approximately thirty-three (33) feet east of the center line of the Central Park Avenue right-of-way; a south property line located approximately twenty-two (22) feet north of the center line of partially vacated Eddy Street right-of-way; and an east property line located approximately four hundred fifty-five (455) feet east of the center line of the Central Park Avenue right-of-way,

to those of a B4-1 Restricted Service District and a corresponding use district is hereby established in the area above described. The above described area shall be a part of a B4-1 Planned Development, the boundaries of which are as follows:

a north property line located approximately thirty-three (33) feet south of the center line of the Addison Street right-of-way; a west property line located approximately thirty-three (33) feet east of the center line of the Central Park Avenue right-of-way; a south property line located approximately twenty-two (22) feet north of the center line of partially vacated Eddy Street right-of-way for approximately four hundred twenty-two (422) feet; the remaining south property line abutting the adjoining M1-1 zoned property to the south; and an east property line located approximately three hundred fifty (350) feet west of the center line of the North Kimball Avenue right-of-way.

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

Plan of Development attached to this ordinance reads as follows:

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Business Planned Development No. 634

*Plan Of Development Statements.*

1. The area delineated herein as a Business Planned Development (the "Planned Development") consists of approximately 323,691 square feet (approximately 7.4 acres) of property which is depicted on the attached Property Line and Planned Development Boundary Map (the "Property") and is owned by the Applicant, Kmart Corporation.
2. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees, or grantees.
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 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 11.11-1 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 purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessors.

Nothing herein shall be construed to mean that any individual owner, or any ground lessors, of the Property or any portion thereof is relieved of obligations imposed hereunder or rights granted herein or is not subject to City action pursuant to this Planned Development. In addition, nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein, except any assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness, and solely with respect to the portion of the Property so transferred, the term Applicant shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall

thereafter be released from any and all obligations or liabilities hereunder.

4. This Plan of Development consists of Sixteen Statements; Existing Zoning and Street System Map; a Property Line Planned Development Boundary Map; a Generalized Land Use Map; an Existing Land Use Map; a Table of Use and Bulk Regulations Related Controls; a Site Plan; a Landscape Plan; and Elevation Plans, all as prepared by Arcline Associates Ltd., dated June 1993. Full size sets of the Site Plan, Landscape Plan and Elevation Plan are on file with the Department of Planning and Development. The Planned Development is applicable to the area delineated here and these and no other zoning controls shall apply to the Property. 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 following uses shall be permitted within the area delineated herein as "Planned Development": retail uses, service uses, park and related uses permitted in the B4-1 Business District except automobile service stations, crematories, mausoleums and radio towers.
6. Business and business identification signs shall be permitted within the Planned Development subject to the review and approval of the Commissioner of the Department of Planning and Development. One (1) pylon sign a maximum of thirty (30) feet in height shall be permitted within the Planned Development subject to the review and approval of the commissioner of the Department of Planning and Development. Temporary signs, such as construction and market signs shall be permitted, subject to the review and approval of the Commissioner of the Department of Planning and Development. The existing advertising billboard sign will be removed after an amortization period of seven (7) years. During this period, Applicant will:
  - a. Make contributions for improvement of Athletic Field Park of the Chicago Park District, 3546 West Addison Street during calendar year 1993 in the amount of Five Thousand and no/100 Dollars (\$5,000.00) and thereafter, during each successive calendar year, an amount equal to ten percent (10%) of the net income received by Applicant from the billboard sign.
  - b. Make an annual contribution of One Thousand and no/100 Dollars (\$1,000.00) to the Chicago Public Schools, Murray Elementary School, 3539 West Grace Street, adopted by the Board of Education.

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program and in addition, provide an annual Five Hundred Dollar (\$500.00) merchandise certificate redeemable at the Addison Street Kmart Store.

- c. Contribute Two Hundred Fifty and no/100 Dollars (\$250.00) annually to the book fund for the Independence Branch of the Chicago Public Library, 3718 West Irving Park Road.
- d. Make the billboard sign available for use by not-for-profit organizations approved by the City of Chicago for public service announcements ("P.S.A.s") for a total of seventy (70) days during the period that this billboard remains in place; there will be no additional costs to Applicant for the preparation or installation of the P.S.A.s on the billboard sign.
- e. Use its best efforts to fill positions which become available in the store at 3443 -- 3535 West Addison Street with employees who are residents of the City of Chicago with particular emphasis on those residing within three miles of the store.
- f. Incorporate into its plan for the redevelopment of the store at 3443 -- 3535 West Addison Street a requirement that contractors use their best efforts to insure significant opportunities for minority and women business enterprises and minority and women construction workforces.

Applicant will report annually on December 1 to the Department of Planning and Development concerning its compliance with the foregoing and on or before January 15, 2001, commence demolition of the billboard sign without compensation from the City of Chicago.

7. Any dedication or vacation of streets or alleys, or easements, or any adjustment of right-of-way shall require a separate submittal on behalf of the Applicant or its successors, assignees, or grantees.
8. Off-street parking and loading facilities shall be provided in compliance with this Planned Development subject to the review and approval of the Commissioner of the Department of Planning and Development and the Department of Transportation, Bureau of Traffic Engineering and Operations. A minimum of two percent of all parking spaces provided within the Planned Development shall be designated and designed for the handicapped.
9. Any service drives or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Streets and Sanitation in effect at the time of construction and in compliance with the Municipal Code of the City

of Chicago, to provide ingress and egress for motor vehicles including emergency vehicles. There shall be no parking within such paved areas. Ingress and egress shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic Engineering and Operations and of the Commissioner of the Department of Planning and Development. There shall be no on-street parking or loading. Passenger and delivery truck loading and unloading space shall be provided in the interior. Major loading and trash collection shall be provided for at the loading areas described on the Site Plan. Subject to the review and approval of the Department of Transportation, Bureau of Traffic Engineering and Operations, the parking lot entrance/exit on Addison Street shall be moved east to better align with St. Lawrence Avenue and a traffic light shall be designed and installed with a left-hand turnbay at this intersection, and Addison Street shall be widened to accommodate such left-hand turnbay on the south side (Applicant's side) of Addison Street, all at Applicant's expense.

10. Height restrictions of any building or any appurtenance thereon shall, in addition to the Table of Use and Bulk Regulations, be subject to:
  - a. Height limitations as certified on form FAA-117 or similar forms involved in the same subject matter and approved by the Federal Aviation Administration; and
  - b. Airport zoning regulations as established by the Department of Planning and Development, Department of Aviation, and Department of Law, and approved by the City Council.
11. For purposes of Floor Area Ratio (F.A.R.) calculations, the definitions in the Chicago Zoning Ordinance shall apply.
12. This Planned Development shall be subject to the "Rules, Regulations and Procedures Related to the Planned Development" as promulgated by the Commissioner of the Department of Planning and Development.
13. The improvements on the Property, including all on-site exterior landscaping and all entrances and exits to and from the parking and loading areas, shall be designed, installed and maintained in general conformance with the Site Plan, Elevations Plan and Landscape Plan.
14. The terms, conditions and exhibits of this Planned Development Ordinance may be modified administratively by the Commissioner of the Department of Planning and Development upon the request

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the Applicant and after a determination by the Commissioner that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated in this Planned Development. Any such modification shall be deemed to be a minor change in the Planned Development Ordinance as contemplated by Section 11.11-3(c) of the Chicago Zoning Ordinance.

15. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which promotes and maximizes the conservation of energy resources. The Applicant shall use reasonable efforts to design, construct and maintain all buildings located within this Planned Development in an energy efficient manner, generally consistent with most current energy efficiency standards published by the American Society of Heating, Refrigerating and Air Conditioning Engineers ("A.S.H.R.A.E.") and the Illuminating Engineering Society ("I.E.S."). Copies of these standards may be obtained from the Department of Planning and Development.
16. Unless substantial construction has commenced within three (3) years following adoption of this Planned Development, and unless completion is thereafter diligently pursued, then this Planned Development shall expire; provided, however, that if the City Council amends the Chicago Zoning Ordinance to provide for a shorter expiration period which is applicable to all Planned Developments, then this Planned Development shall expire upon the expiration of such shorter time period as provided by said Amendatory Ordinance (the first day of which as applied to this Planned Development shall be the effective date of the Amendatory Ordinance). If this Planned Development expires under the provisions of this section, then the zoning of this Planned Development shall automatically revert to the original B4-1 Restricted Service District and M1-1 Restricted Manufacturing District classifications.

[Existing Zoning and Street System Map, Property Line and Planned Development Boundary Map, Generalized Land Use Map, Existing Land Use Map, Site Plan, Landscape Plan and Elevations attached to this Plan of Development printed on pages 37215 through 37221 of this Journal.]

Table of Bulk Regulations and Related Controls attached to this Plan of Development reads as follows:

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Business Planned Development No. \_\_\_\_\_

## Table Of Bulk Regulations And Related Controls.

Net Site Area	Generalized Description Of Permitted Uses	Maximum Floor Area Ratio	Maximum Percent Of Site Coverage
<u>Square Feet</u> <u>Acres</u>			
<u>323,691 square feet</u> <u>7.43 acres</u>	See Statement Number 3	0.37	See Approved Site Plan
Gross Site Area, 368,890 square feet (8.47 acres) = Net Site Area, 323,691 square feet (7.43 acres) plus Area in Public Rights-of-Way, 45,199 square feet (1.09 acres).			
Maximum Floor Area Ratio for Total Net Site Area:		0.37.	
Minimum Number of Off-Street Parking Spaces:		400.	
Minimum Number of Off-Street Loading Berths:		4 at 10 feet x 50 feet.	
Maximum Percent of Site Coverage:		In accordance with Approved Site Plan.	
Minimum Required Building Setbacks:		In accordance with Approved Site Plan.	
Maximum Permitted Building Height:		In accordance with approved Elevations Plan.	



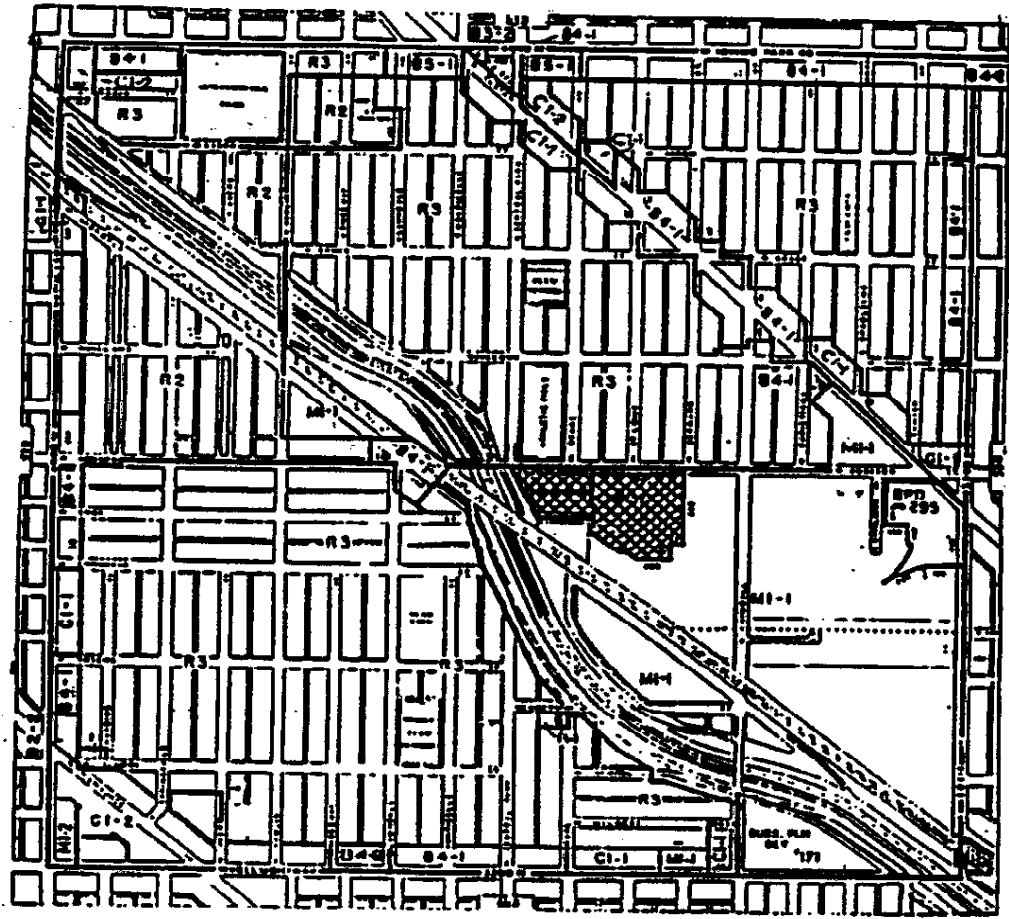


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## Existing Zoning And Street System Map.



### LEGEND



PLANNED DEVELOPMENT



ZONING BOUNDARIES

Applicant: **Kensel Corporation**  
 a Michigan Corporation

Address: **3443-3535 Addison Street, Chicago, Illinois**

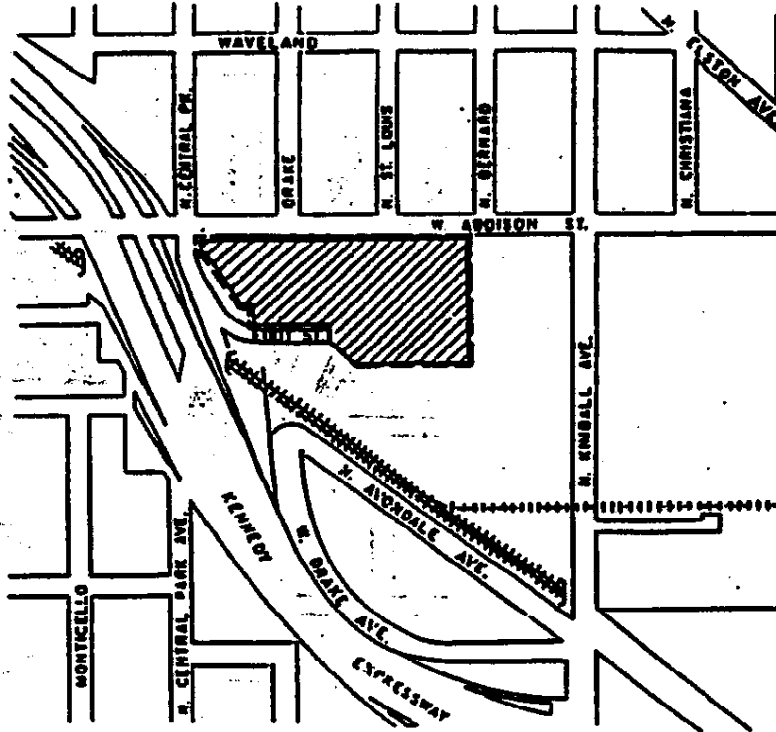
Date: **June 10, 1993**

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Generalized Land Use Map.



LEGEND

- EXISTING PROPERTY LINE
- - - PLANNED DEVELOPMENT BOUNDARY
- ▨ ANY USE PERMITTED IN STATEMENT NO. 5

Applicant: Komet Corporation  
a Michigan Corporation

Address: 3443-3535 Addison Street, Chicago, Illinois

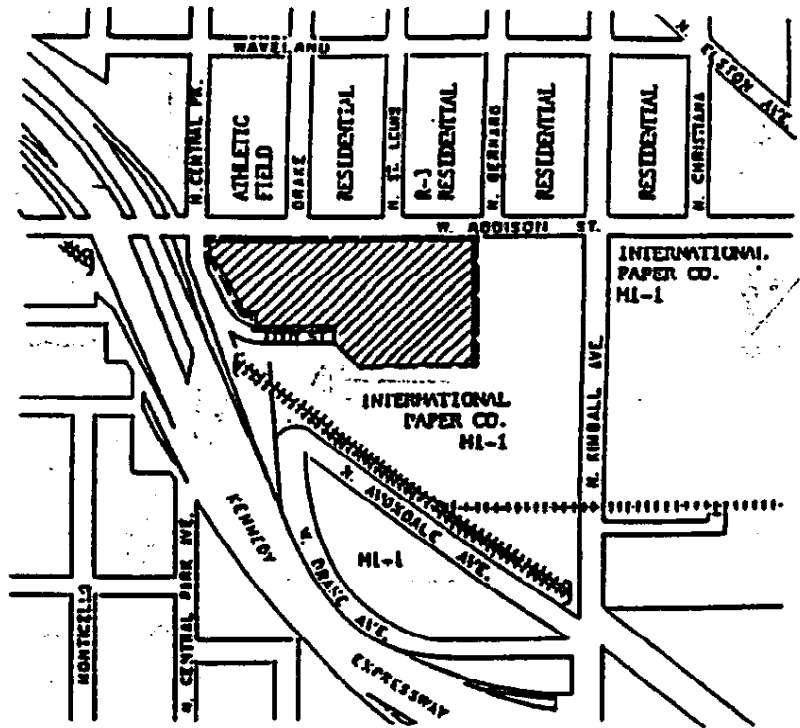
Date: June 10, 1993

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Existing Land Use Map.



LEGEND

-  EXISTING PROPERTY LINE
-  PLANNED DEVELOPMENT BOUNDARY
-  PLANNED DEVELOPMENT

Applicant: **Komet Corporation  
a Chicago Corporation**

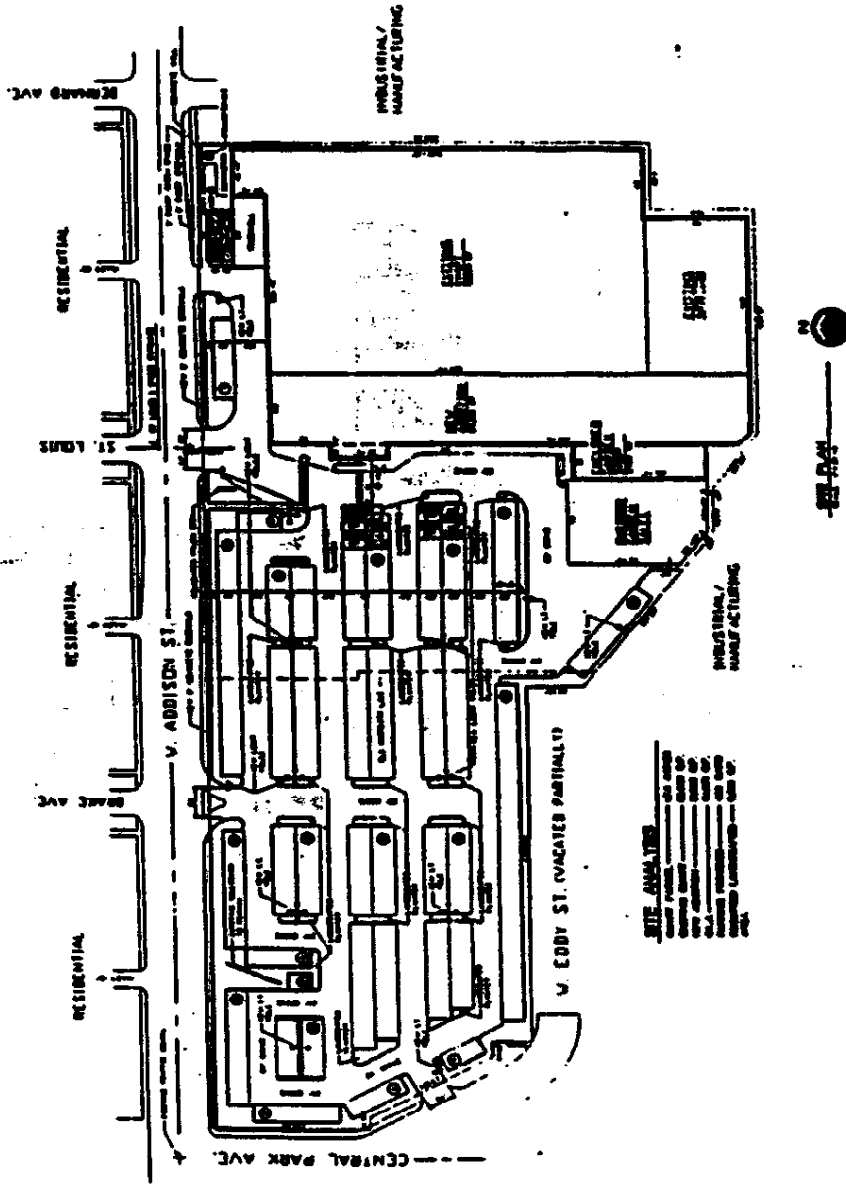
Address: **3663-3535 Addison Street, Chicago, Illinois**

Date: **June 10, 1993**

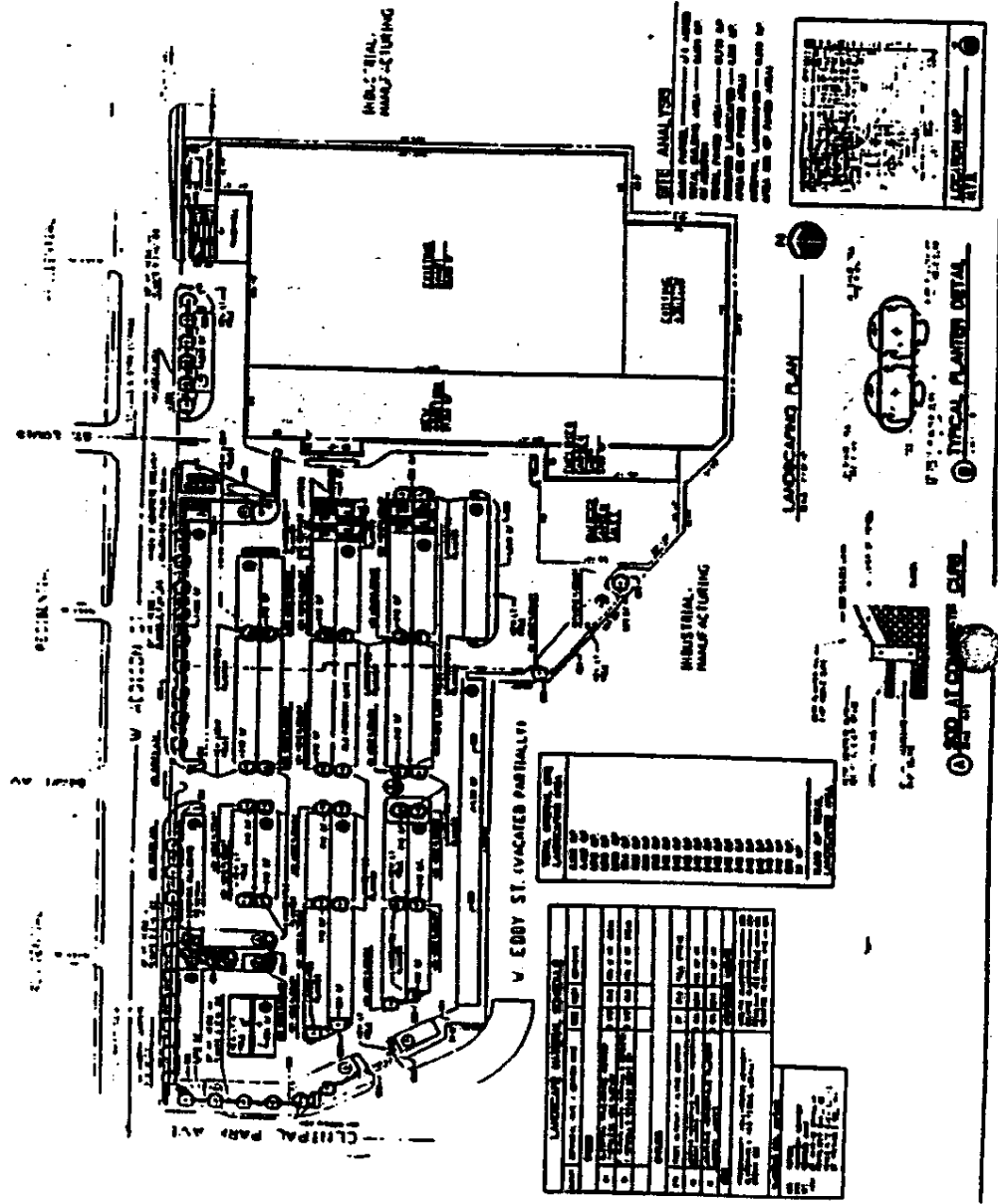
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### Landscape Plan.



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## Planned Development Elevations.

