



Office of the City Clerk



SO2012-1313

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date: 3/14/2012

Sponsor(s): Mendoza, Susana A. (Clerk)

Type: Ordinance

Title: Zoning Reclassification App No. 17444 at 7501-7559 S Ashland Ave, 1500-1534 W 76th St and 7500-7558 S Laflin St

Committee(s) Assignment: Committee on Zoning, Landmarks and Building Standards

2

ORDINANCE

FINAL FOR PUBLICATION

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 M1-2, Limited Manufacturing/Business Park District symbols and indications as shown on Map No. 18-G in the area bounded by

South Ashland Avenue, West 76th Street, South Laflin Street, and a line approximately 630.23 feet north of and parallel to West 76th Street,

to those of a B3-1, Community Shopping District and a corresponding use district is hereby established in the area above described.

SECTION 2. Title 17, of the Municipal Code, the Chicago Zoning Ordinance, be amended by changing all the B3-1, Community Shopping District symbols and indications as shown on Map No. 18-G in the area bounded by

South Ashland Avenue, West 76th Street, South Laflin Street, and a line approximately 630.23 feet north of and parallel to West 76th Street,

to the designation of Business Planned Development Number _____

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 attached and made a part thereto and to no others.

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

PLANNED DEVELOPMENT
BULK REGULATIONS AND DATA TABLE

FINAL FOR PUBLICATION

Site Area

Gross Site Area: 289,787.68 sq. ft. (6.65 acres)
Net Site Area: 222,918.11 sq. ft. (5.12 acres)
Public Right-of-Way: 66,869.57 sq. ft. (1.53 acres)

Net Site Area:

Sub Area A: 162,803 sq. ft. (3.74 acres)

Sub Area B1: 28,819 sq. ft. (0.66 acres)

Sub-Area B2: 31,296 sq. ft. (0.72 acres)

Maximum Height : 25'-0"

Max. Floor Area Ratio

Sub Area A: 0.20

Sub Area B1: 0.15

Sub Area B2: 0.17

Total F.A.R: 0.52

Proposed Sub-Area 'A' Building Setbacks

Front: per site plan

Side: 8.5'

Rear: 8.5'

Sub-Area 'B' Building set backs: per underlying zoning

Parking Spaces

Sub Area A: 130

Sub Area B: 45

Total: 175

Loading Spaces:

Sub Area A: 2

Sub Area B: per underlying zoning

Bicycle Spaces: 30

APPLICANT: Gendell Partners 75th / Ashland LLC
ADDRESS: 7501 – 7559 S. Ashland Ave.; 1500 – 1534 W. 76th St.; and
7500 – 7558 S. Laflin St.
INTRODUCTION DATE: March 14, 2012
REVISED DATE: September 20, 2012

BUSINESS PLANNED DEVELOPMENT
PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number ___ (“Planned Development”) consists of approximately 222,918.11 sq. ft. (5.12 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map (the “Property”) and is controlled by the Applicant, Gendell Partners 75th / Ashland LLC (the “Applicant”) for purposes of this Planned Development.
2. 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 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 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined section 17-8-0400 of the Zoning Ordinance.
3. 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 or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assign or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans, and subject to review and approval by the Department of Business Affairs and Consumer Protection.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Departments of Housing and Economic Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the 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 of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of seventeen (17) Statements: a Bulk Regulations Table; the following plans pertaining to the Applicant’s residential and commercial retail project (the “Project”) prepared by Environmental Design International, Inc. dated

APPLICANT: Gendell Partners 75th / Ashland LLC

ADDRESS: 7501 – 7559 S. Ashland Ave.; 1500 – 1534 W. 76th St.; and 7500 – 7558 S. Laflin St.

DATE: March 14, 2012

REVISED: September 20, 2012

FINAL FOR PUBLICATION

September 20, 2012: an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Sub-Area Map; Site Plan; Landscape Plan; and the following plans pertaining to the Walmart store prepared by BRR Architecture dated September 20, 2012: Building Elevations (North, South, East and West), submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Housing and Economic Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. 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 shall be permitted on the Property: Sub Area A: Retail Sales (General), Liquor Sales, Drive through Facilities, Co-located Wireless Communication Facilities Uses. Sub Area B: Uses permitted in the Commercial Use Group, Gas Stations, Drive Thru Facility, Day Care, Personal Service, Financial Services, Employment Agency, Office, Personal Service, Medical Service, Auto Supply, and Co-located Wireless Communication Facilities Uses. The following are prohibited uses: Residential uses, Loan Store, Pawn Shop, Undertaking, Lodging, Urban Farm, and Non-Accessory Parking, Residential Storage Warehouses, Uses in the Industrial use category, Freestanding Wireless Communication Towers, Sports, and Recreation (Participant).
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 Housing and Economic Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. 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.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply.
9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Housing and Economic Development. 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.
10. Prior to the Part II Approval (per Section 17-13-0610 of the Zoning Ordinance) in Sub-Areas B1 and B2, the Applicant shall submit a site plan, landscape plan and building

APPLICANT: Gendell Partners 75th / Ashland LLC

ADDRESS: 7501 – 7559 S. Ashland Ave.; 1500 – 1534 W. 76th St.; and 7500 – 7558 S. Laflin St.

DATE: March 14, 2012

REVISED: September 20, 2012

elevations for the specific Sub-Area(s) for review and approval by the Department of Housing and Economic Development. Review and approval by the Department of Housing and Economic Development is intended to assure that specific development components substantially conform with the Planned Development and to assist the City in monitoring ongoing development. Sub-Area Site Plan Approval Submittals need only include that portion of the Property for which approval is being sought by the Applicant. If the Applicant is seeking approval for a portion of the Property that represents less than an entire Sub-Area, the Applicant shall also include a site plan for that area of the Property which is bounded on all sides by either public Rights-of-Way or the boundary of the nearest Sub-Area. The site plan provided shall include all dimensioned and planned street Rights-of-Way.

No Part II Approval for any portion of the Property shall be granted until Site Plan approval has been granted. Following approval by the Department of Housing and Economic Development, the approved Sub-Area Site Plan Approval Submittals, supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of the Planned Development.

After approval of the Sub-Area Site Plan, changes or modifications may be made pursuant to the provisions of Statement 13. In the event of any inconsistency between approved plans and the terms of the Planned Development, the terms of the Planned Development shall govern. Any Sub Area Site Plan Approval Submittals shall, at a minimum, provide the following information:

- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned building elevations;
- fully-dimensioned landscape plan(s); and,
- statistical information applicable to the subject Sub-Area, including floor area, the applicable FAR, uses to be established, building heights and setbacks.

Sub Area Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the Planned Development.

11. The Site and Landscape plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Housing and Economic Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
12. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

APPLICANT: Gendell Partners 75th / Ashland LLC

ADDRESS: 7501 – 7559 S. Ashland Ave.; 1500 – 1534 W. 76th St.; and 7500 – 7558 S. Laflin St.

DATE: March 14, 2012

REVISED: September 20, 2012

FINAL FOR PUBLICATION

13. 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 Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
14. 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 to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
15. 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 Housing and Economic Development.
16. The Applicant agrees to design and fund the installation of a traffic signal at the intersection of S. Ashland Avenue and W. 75th Place. This signal shall be operational prior to the issuance of the Certificate of Occupancy for the Wal-Mart store in Sub Area A.
17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Unless substantial construction of the proposed improvements as contemplated in this Planned Development has commenced within six (6) years following the adoption of this Planned Development, and is diligently pursued, then this Planned Development shall expire. If this Planned Development expires under the provision of this section, then the Commissioner of the Department of Housing and Economic Development shall initiate a Zoning Map Amendment to rezone the property to B3-1, Community Shopping District.

APPLICANT: Gendell Partners 75th / Ashland LLC

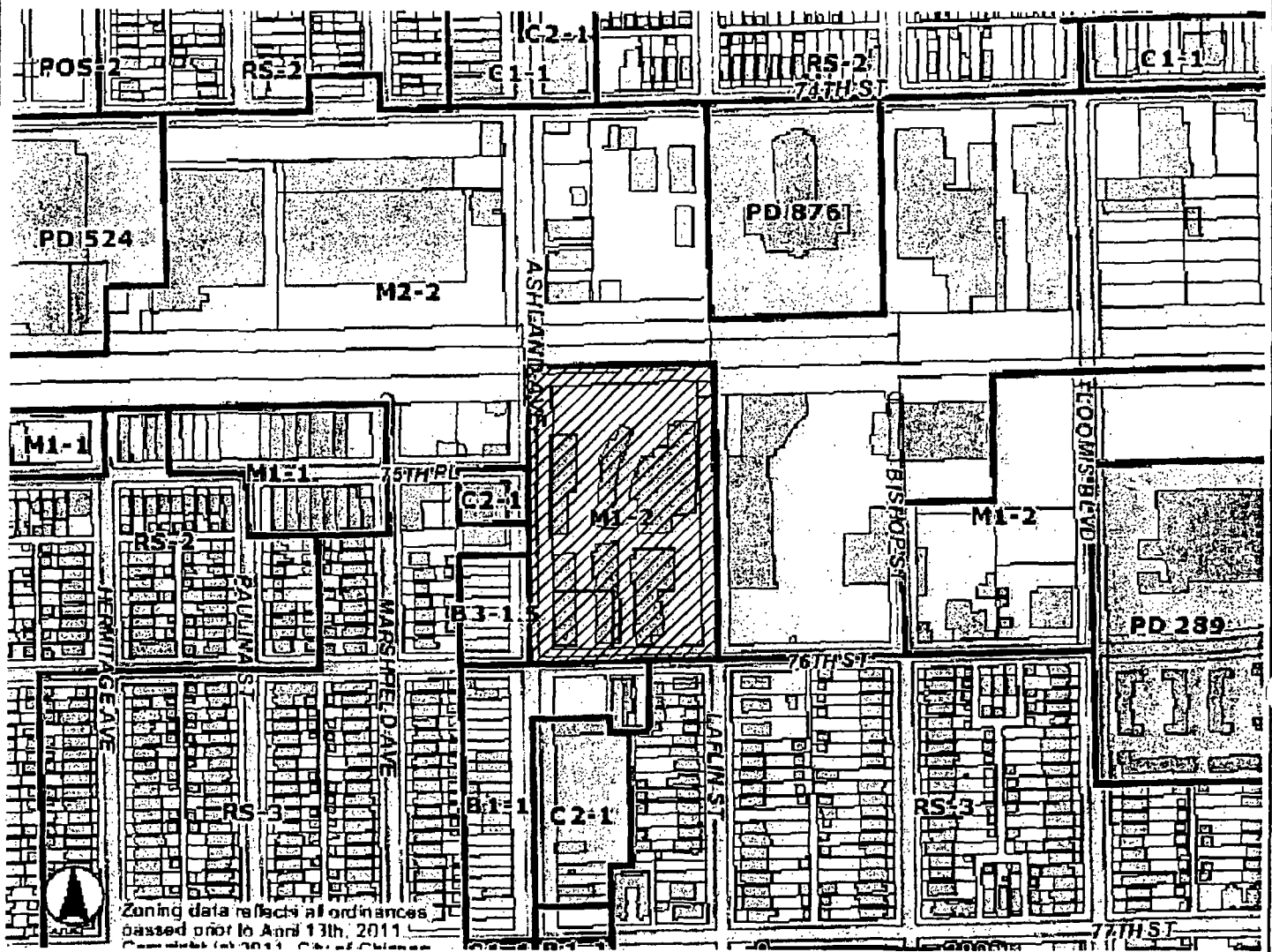
ADDRESS: 7501 – 7559 S. Ashland Ave.; 1500 – 1534 W. 76th St.; and 7500 – 7558 S. Laflin St.

DATE: March 14, 2012

REVISED: September 20, 2012

EXISTING ZONING MAP

A:\1610.007 76th & Ashland\03 Civil\03 Misc Exhibits\Existing Zoning Map.dwg 8/28/2012 3:58 PM



Zoning data reflects all ordinances passed prior to April 13th, 2011.



N.T.S.

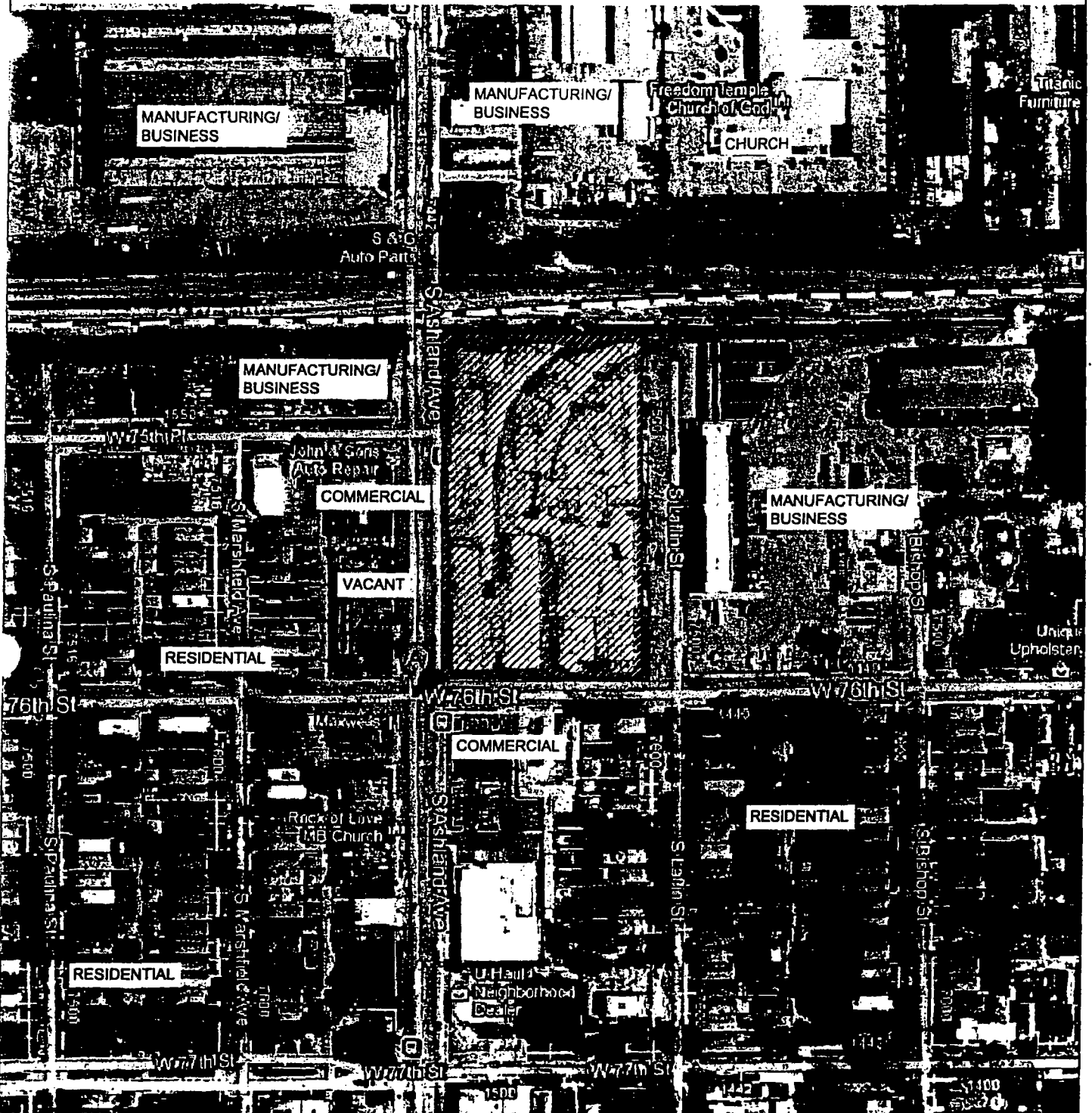
PLOT DATE: 8/28/2012 3:58 PM PLOTTED BY: KELSEY TAYLOR

APPLICANT: GENDELL PARTNERS 75TH/ASHLAND LLC
 ADDRESS: 7501-7559 S. ASHLAND AVE., 1500-1534 W. 76TH ST. AND 7500-7558 S. LAFLIN ST.
 INTRODUCTION DATE: MARCH 14, 2012
 REVISED DATE: SEPTEMBER 20, 2012

SURROUNDING LAND USE MAP

\\1610.007 76th & Ashland\03 Misc Exhibits\Surrounding Land Use Map.dwg 8/28/2012 4:02 PM

DATE: 8/28/2012 4:03 PM PLOTTED BY: KELSEY TAYLOR



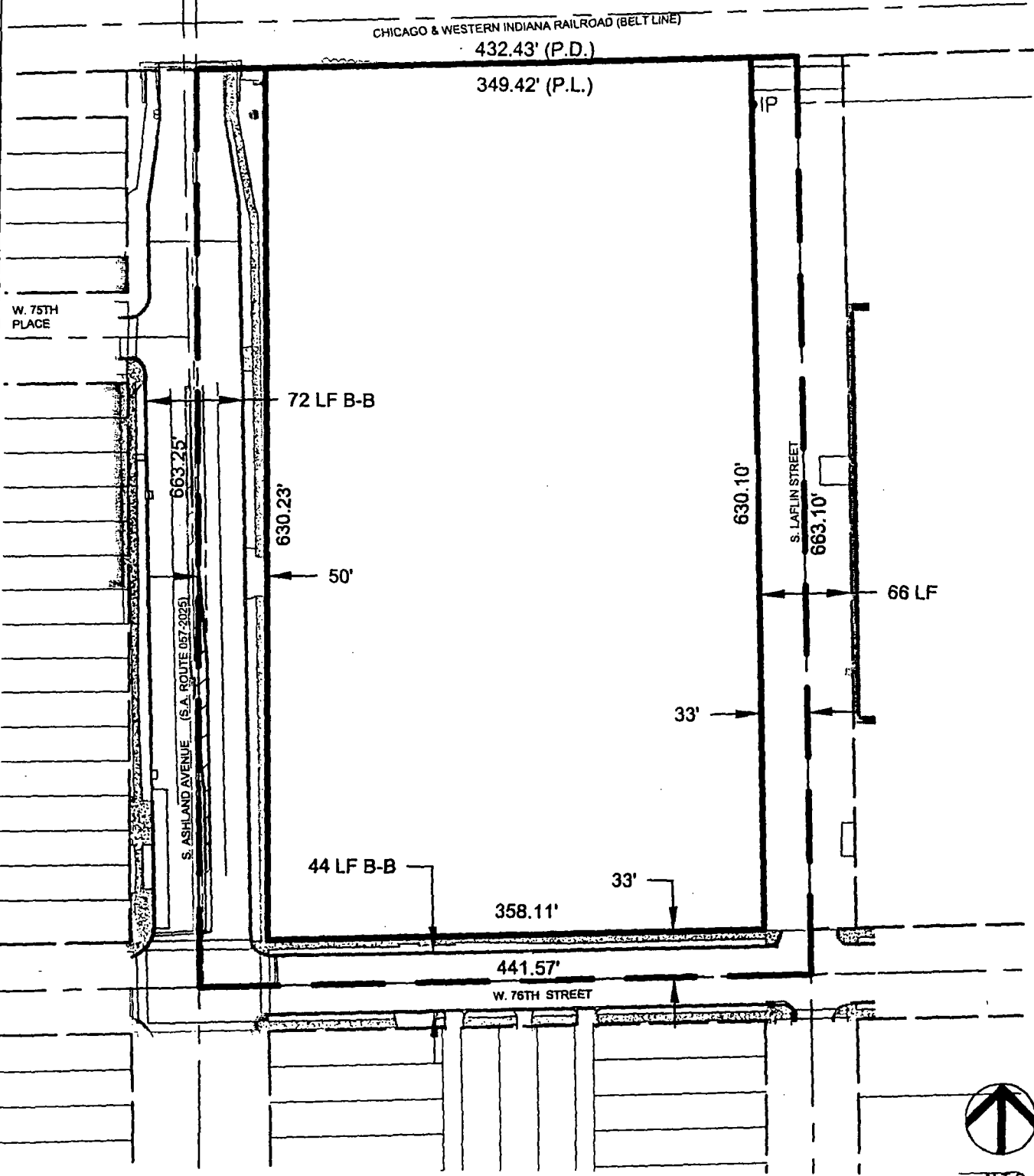
N.T.S.

APPLICANT: GENDELL PARTNERS 75TH/ASHLAND LLC
 ADDRESS: 7501-7559 S. ASHLAND AVE., 1500-1534 W. 76TH ST. AND 7500-7558 S. LAFLIN ST.
 INTRODUCTION DATE: MARCH 14, 2012
 REVISED DATE: SEPTEMBER 20, 2012

**P.D. BOUNDARY LINE &
R.O.W. ADJUSTMENT MAP**

K:\1610.007 76th & Ashland\05 Misc Exhibits\Property Line Map.dwg 8/28/2012 4:05 PM

PLOT DATE: 8/28/2012 4:06 PM PLOTTED BY: KELSEY TAYLOR




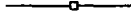





N.T.S.

APPLICANT: GENDELL PARTNERS 75TH/ASHLAND LLC
 ADDRESS: 7501-7559 S. ASHLAND AVE., 1500-1534 W. 76TH ST. AND 7500-7558 S. LAFLIN ST.
 INTRODUCTION DATE: MARCH 14, 2012
 REVISED DATE: SEPTEMBER 20, 2012

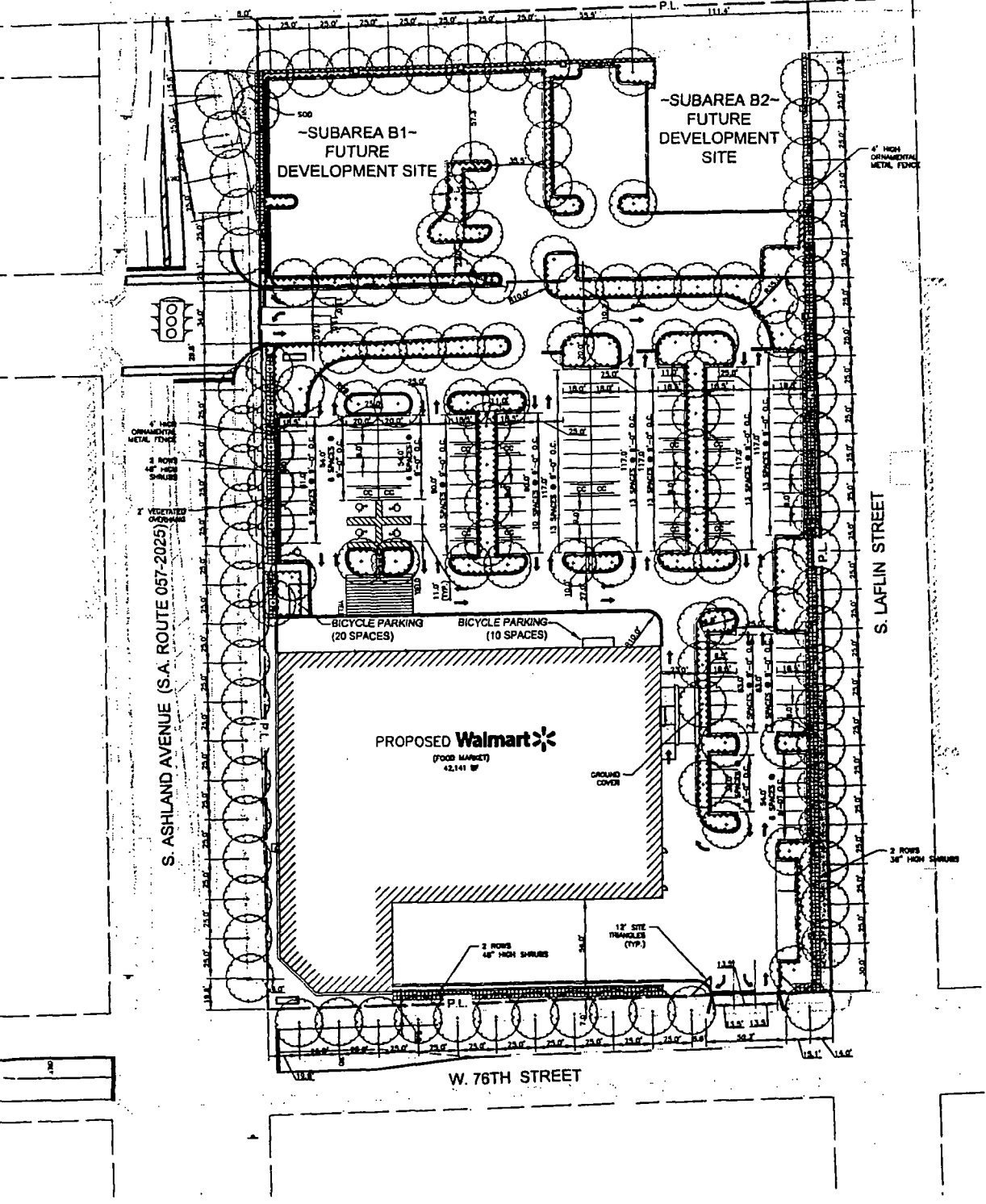
PARKING LOT VEHICULAR USE AREA CALCULATIONS:

130 SPACE PARKING LOT W/S ACCESSIBLE SPACES
 TOTAL VEHICULAR USE AREA: 104,276
 REQUIRED INTERNAL LANDSCAPED AREA: 10% x 104,276 = 10,427.6
 ACTUAL LANDSCAPE AREA: 26,440

REQUIRED INTERNAL TREE PLANTING: 10,427.6/125 = 83
 ACTUAL TREE PLANTING: 83

-  PROPERTY LINE
-  4' HIGH ORNAMENTAL METAL FENCE
-  CART CORRAL
-  SHADE TREE
-  SOD
-  SHRUBS
-  GROUND COVER

CHICAGO & WESTERN INDIANA RAILROAD (BELT LINE)



A:\1610.007 76th & Ashland\03 Civil\03 Misc Exhibits\EXHIBITS FOR CDOT REVIEW\1610.007 Landscape Plan.dwg, 9/6/2012 3:38:27 PM

A:\1610.007 76th & Ashland\03 Civil\03 Misc Exhibits\EXHIBITS FOR CDOT REVIEW\1610.007 Landscape Plan.dwg, 9/7/2012 3:04 PM

PLOT DATE: 9/7/2012 3:04 PM PLOTED BY: SHELBY DUNN

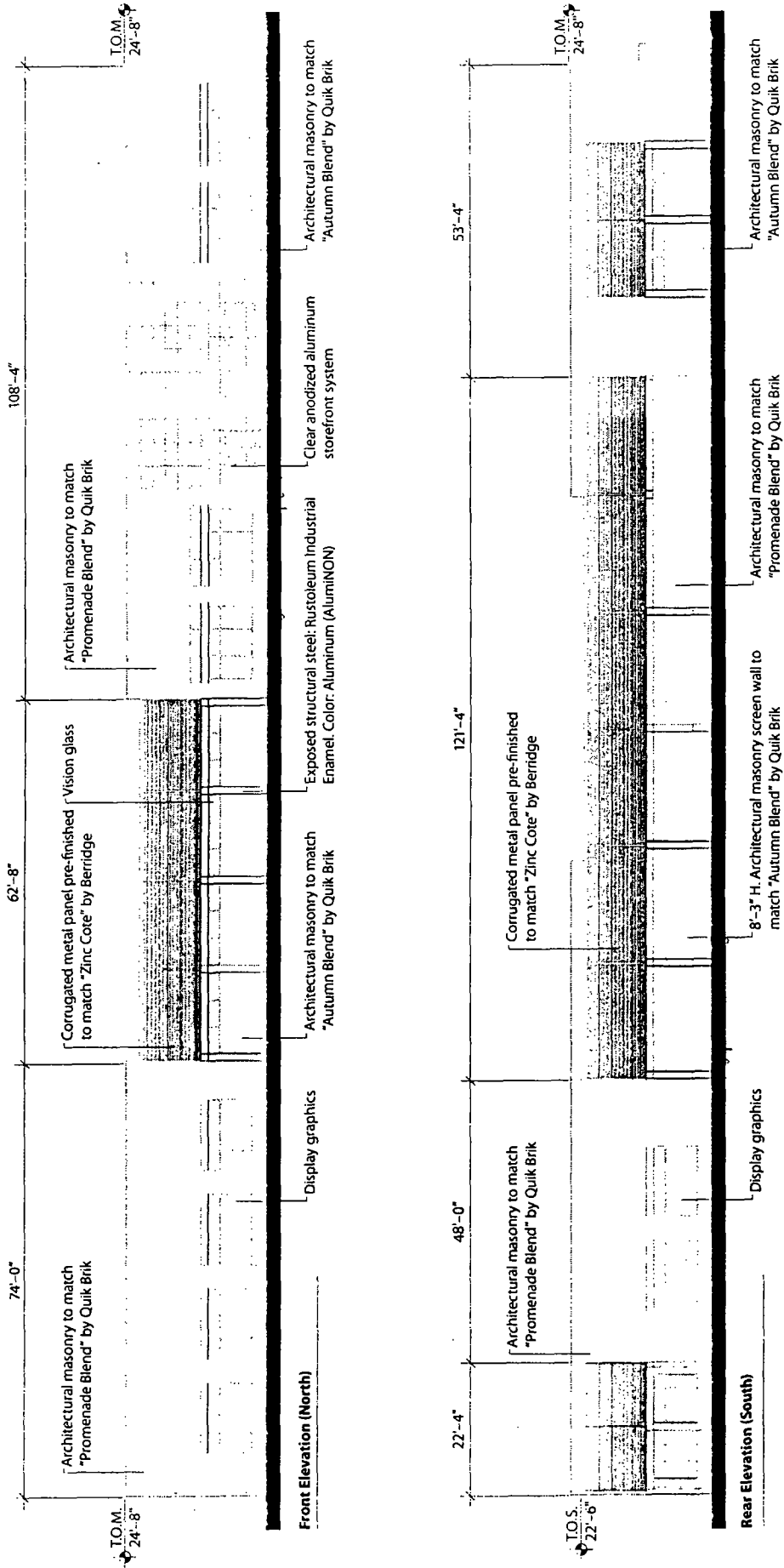
APPLICANT: GENDELL PARTNERS 75TH/ASHLAND LLC
 ADDRESS: 7501-7559 S. ASHLAND AVE., 1500-1534 W. 76TH ST. AND 7500-7558 S. LAFLIN ST.
 INTRODUCTION DATE: MARCH 14, 2012
 REVISED DATE: SEPTEMBER 20, 2012

EDI Environmental Design International Inc.
 616 S. King Environmental and Construction Inspection Services
 1316 W. WYNDHAM STREET SUITE 1000
 CHICAGO, IL 60606
 TEL: 312.265.1438 FAX: 312.265.2838
 www.ediinc.com

FINAL FOR PUBLICATION

Walmart

BIRG

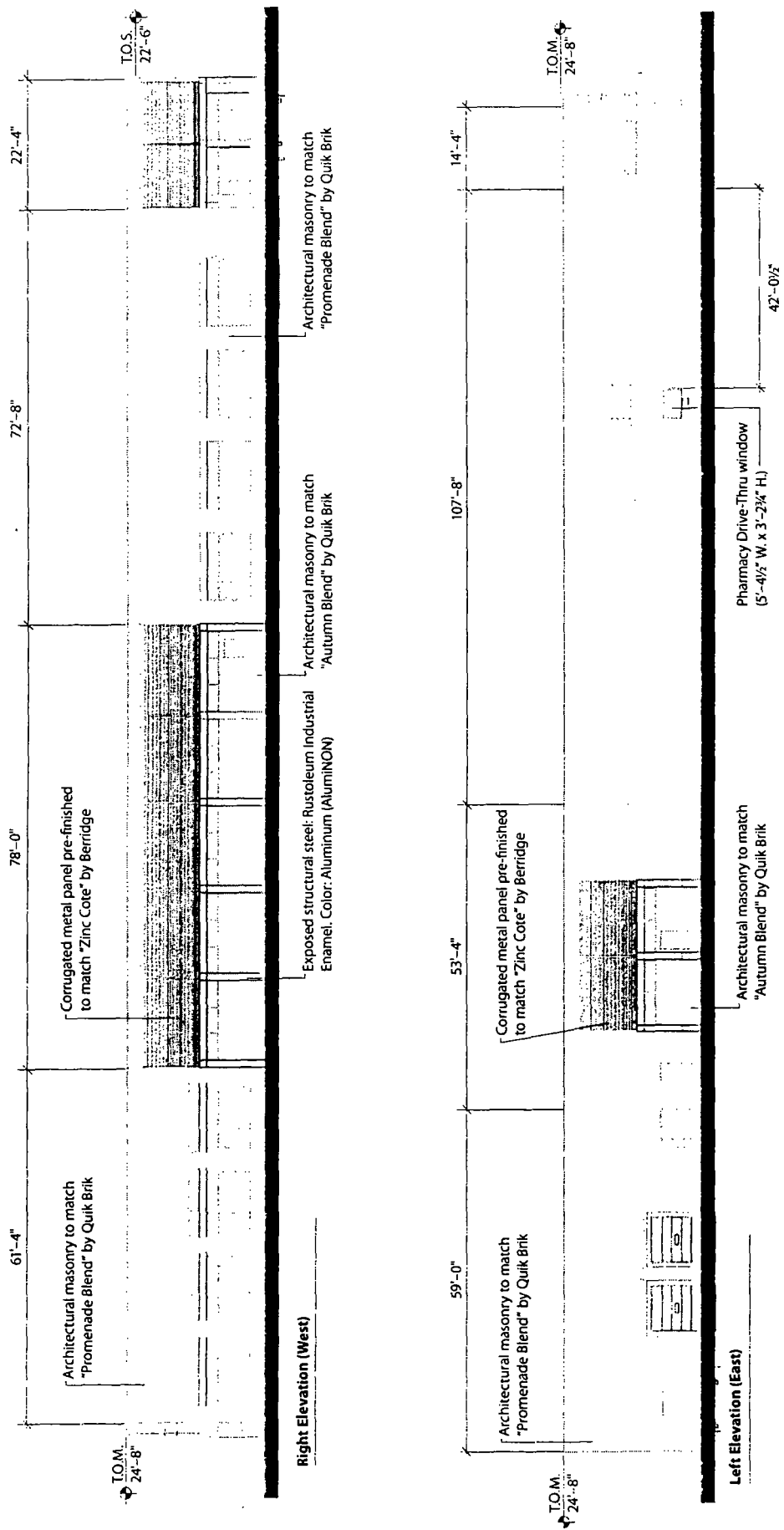


Applicant: Gendell Partners 75th/Ashland LLC
 Address: 7501-7559 S. Ashland ave.; 1500-1534 W. 76th St.; and 7500-7558 S. Lafin St.
 Introduction Date: March 14, 2012
 Revised Date: September 20, 2012

FINAL FOR PUBLICATION

Walmart

BERRIDGE



Applicant: Gendell Partners 75th/Ashland LLC
 Address: 7501-7559 S. Ashland ave.; 1500-1534 W. 76th St.; and 7500-7558 S. Laflin St.
 Introduction Date: March 14, 2012
 Revised Date: September 20, 2012