



Office of the Chicago City
Clerk



SO2012-2179

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	4/18/2012
Sponsor(s):	Mendoza, Susana A. (Clerk)
Type:	Ordinance
Title:	Zoning Reclassification App No. 16988
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

SUBSTITUTE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the PD418, Business Planned Development No. 418 symbols and indications as shown on Map No. 7-K in the area bound by:

A line 133.01 feet north of the south line of West Wellington Avenue; the Chicago and Northwestern Railroad; West Diversey Avenue; North Kilpatrick Avenue; West George Street; a line 135.82 east of and parallel to North Kilpatrick Avenue; West Wellington Avenue; and North Knox Avenue and

West Diversey Avenue; a line 145.00 feet west of the Chicago and Northwestern Railroad; a line 135.2 feet south of west Diversey Avenue; the arc of a circle with a 355.06 foot radius; a line 92.1 feet west of the Chicago and Northwestern Railroad; a line 331.3 feet south of West Diversey Avenue; the Chicago and Northwestern Railroad.

to those of B3-1, Community Shopping District symbols and a corresponding use district is hereby established.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the symbols and indications in the area described above to those of Business Planned Development No. 418, As Amended, and a corresponding use district is hereby established.

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

Commonly Known As: 4600 - 4652 West Diversey Avenue,
4601 - 4613 West Diversey Avenue,
2801 - 2859 North Kilpatrick Avenue,
4641 - 4653 West George Street,
4623 - 4639 West Wellington Avenue,
3001 - 3005 North Knox Avenue

Business Planned Development No. 418, As Amended

Plan of Development Statements

1. The area delineated herein as a Business Planned Development No. 418, As Amended (the “Planned Development”) consists of a net site area of approximately 14.99 acres, and is owned by Klairmont Family Associates, LP and Klairmont Enterprises, Inc. (collectively hereinafter referred to as “Owner”) and controlled by 4600 Schubert, LLC (the “Applicant”) for purposes of this Planned Development.
2. The Applicant shall obtain all applicable official reviews, approvals or permits which are necessary to implement this Plan of Development. Any future dedication or vacation of streets or alleys, or easements or adjustments of rights-of-way, or consolidation or resubdivision of parcels, shall require a separate submittal on behalf of the Owner, its successors, assignees or grantees and approval by City Council. All conveyance of property to the City for public right of way shall be through the City’s dedication process.
3. The requirements, obligations and conditions applicable within this Planned Development shall be binding upon the Owner, its successors and assigns. All rights granted hereunder shall inure to the benefit of the Owner, successors and assigns and, if different than the Owner, the legal title holder and any ground lessors.

Furthermore, pursuant to the requirements of Section 17-13-0600 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 modification or change thereto (administrative, legislative or otherwise) shall be made by the Owner, successors and assigns and, if different than the Owner, the legal title holder and any ground lessors. However 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, interest or obligations therein.

4. This Plan of Development consists of these thirteen (13) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; an Overall Site Plan; and a Site Plan, Landscape Plan, and Building Elevations for McDonald’s restaurant building on the south side of West Diversey Avenue; all dated February 16, 2012, and prepared by Hartshorne & Plunkard. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control.

Applicant: 4600 Schubert, LLC

Address: 4600 – 4652 West Diversey Avenue; 4601-4613 West Diversey Avenue

Date: November 18, 2009

Revised: February 16, 2012

5. The following uses shall be permitted within the area delineated herein as Business Planned Development: All uses permitted in the B3, Community Shopping District, including: General merchandise uses; retail drug stores; food stores; bakeries; department stores; limited auto repair; restaurants general and limited; Outdoor patio located at grade level; hair salons, nail salons and barbershops; residential storage warehouses; silk screen and shirt/sign printing; and service type business uses; accessory parking and related uses (Related uses as permitted in the B3, Community Shopping District). The following uses shall also be permitted; school and drive-through facility with side-by-side lanes, multiple order stations and pay and service windows. The following uses, to the extent that they are in existence at the time of passage of the Amended Planned Development, shall be legal non-conforming and may not be expanded or relocated: Vehicle storage (indoor), storage, warehousing and wholesale establishments.
6. On-premise signs shall be permitted within the area delineated herein as Business Planned Development, As Amended, subject to the review and approval of the Department of Housing and Economic Development . Temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, As Amended, subject to review and approval of the Department of Housing and Economic Development. Off-premise signs shall not be permitted within the Planned Development, As Amended.
7. Any future service drives or any other means ingress or egress, including emergency vehicle access, shall be adequately designed, constructed, and paved in accordance with the Municipal Code of Chicago and the regulations of the Chicago Department of Transportation in effect at the time of construction. There shall be no parking within such paved areas or within Fire lanes. Changes in ingress or egress shall be subject to the review and approval of the Chicago Department of Transportation and the Department of Housing and Economic Development. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. All work in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Off-street parking and off-street loading facilities shall be provided in compliance with this Plan of Development subject to review of the Department of Transportation and Housing and Economic Development. Required parking for all uses developed on the parcel located on the south side of West Diversey Avenue shall be provided as per the parking provisions of the Chicago Zoning Ordinance and shall be located on the south side of West Diversey Avenue.
8. For purposes of building height measurement and calculations, the definition in the Chicago Zoning Ordinance shall apply to all future buildings. In addition to the maximum height of any

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building or any appurtenance attached thereto the height of any improvement shall also be subject to height limitations as approved by the Federal Aviation Administration.

9. Business establishments shall be unrestricted in respect to maximum gross floor areas, subject only to aggregate maximum floor area ratio. The maximum permitted floor area ratio shall be 0.65 in accordance with the attached Bulk Regulations and Data Table. For purposes of F.A.R. calculations and floor area measurements, the definition in the Chicago Zoning Ordinance shall apply.
10. In the event a Part II Review is sought, a Part II Review Fee shall be assessed by the Department of Housing and Economic Development 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 Department of Revenue prior to the issuance of any Part II approval.
11. The Owner 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.
12. The terms, conditions and exhibits of this Planned Development, As Amended may be modified, administratively, by the Zoning Administrator, upon the written request for such modification by the Applicant and after a determination by the Zoning Administrator, that such a modification is minor, appropriate and is consistent with the nature of the improvements contemplated in this Planned Development, As Amended. Any such modification of the requirements of this Planned Development by the Zoning Administrator shall be deemed to be a minor change in the Planned Development, As Amended as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance.
13. Unless substantial construction of the expanded and remodeled drive-through restaurant in the southeast portion of the Planned Development has begun within one (1) year of the date of passage of this amended Planned Development, the approval of attached Site Plans and Elevations pertaining to such drive-through restaurant shall be considered lapsed. The one-year period may be extended for one (1) additional year if, before expiration, the Zoning Administrator determines that there is good cause for such an extension.

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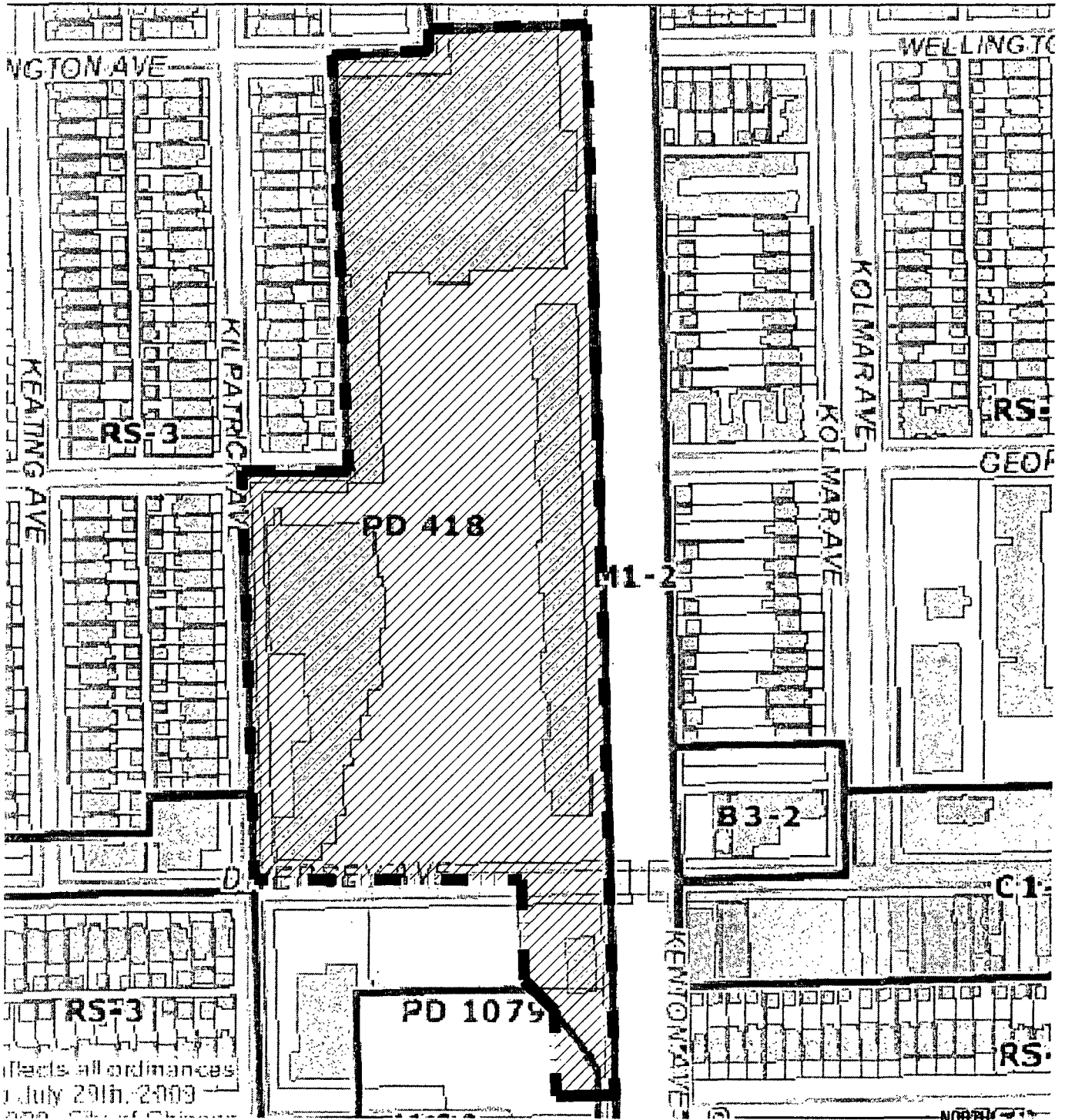
FINAL FOR PUBLICATION

BULK REGULATIONS AND DATA TABLE	
GROSS SITE AREA	707,613 S.F.
AREA REMAINING IN PUBLIC RIGHT-OF-WAY	54,751 S.F.
NET SITE AREA	652,862 S.F.
MAXIMUM FLOOR AREA RATIO	0.65
MINIMUM REQUIRED SETBACK	0
MINIMUM OFF STREET LOADING	5
MINIMUM OFF STREET PARKING	461

① EXHIBIT 1 - BULK REGULATIONS AND DATA TABLE - PD #418
N.T.S.

APPLICANT:	4600 SCHUBERT, L.L.C.	SK#
ADDRESS OF PROJECT:	4600-4652 W. DIVERSEY; 4601-4613 W. DIVERSY; 2801-2859 N. KILPATRICK; 4640-4653 W. GEORGE; 4623-4639 W. WELLINGTON; 3001-3005 N. KNOX CHICAGO, ILLINOIS	1
DATE SUBMITTED:	NOVEMBER 18, 2009 DATE REVISED: FEBRUARY 16, 2012	

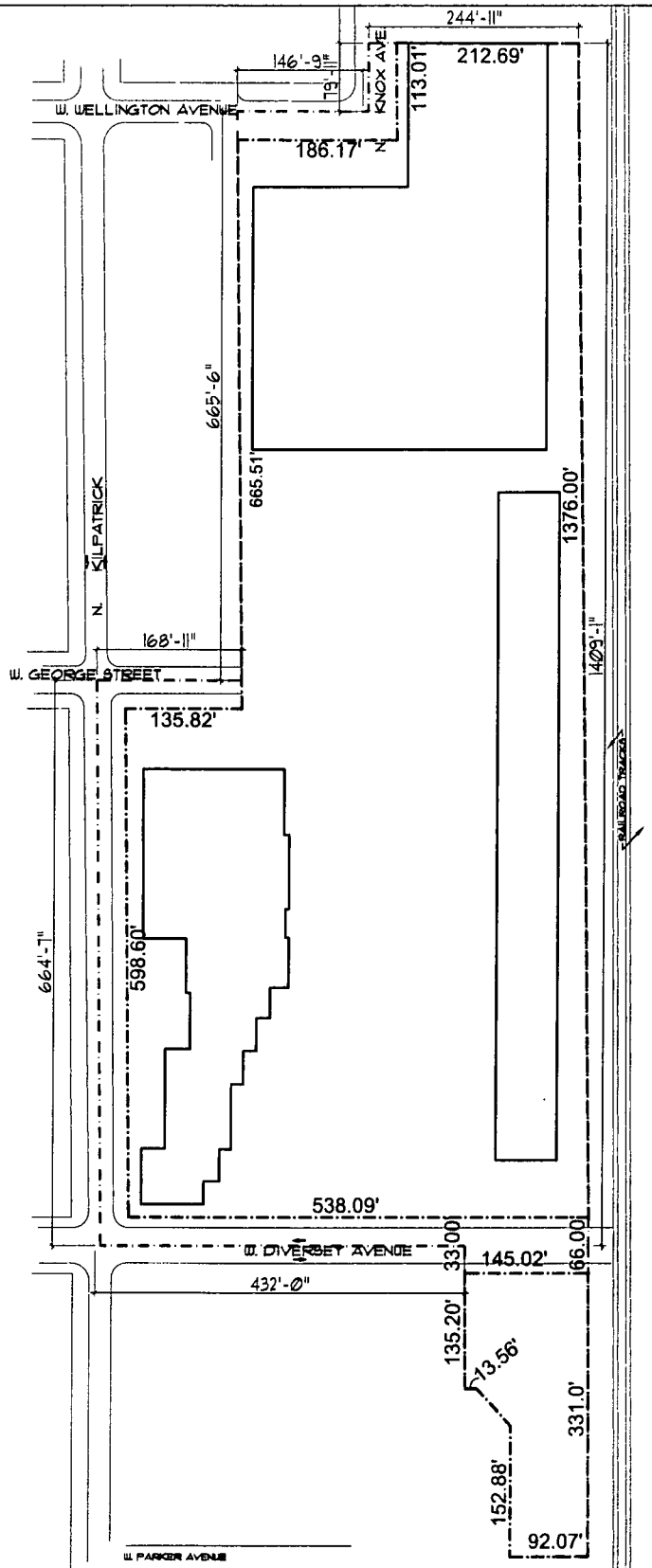
LEGEND	
	SUBJECT PREMISIS



① EXISTING ZONING MAP
NTS



APPLICANT:	4600 SCHUBERT, L.L.C.	SK# 2
ADDRESS OF PROJECT:	4600-4652 W. DIVERSEY; 4601-4613 W. DIVERSY; 2801-2859 N. KILPATRICK; 4640-4653 W. GEORGE; 4623-4639 W. WELLINGTON; 3001-3005 N. KNOX CHICAGO, ILLINOIS	
DATE SUBMITTED:	NOVEMBER 18, 2009	
DATE REVISED: FEBRUARY 16, 2012		

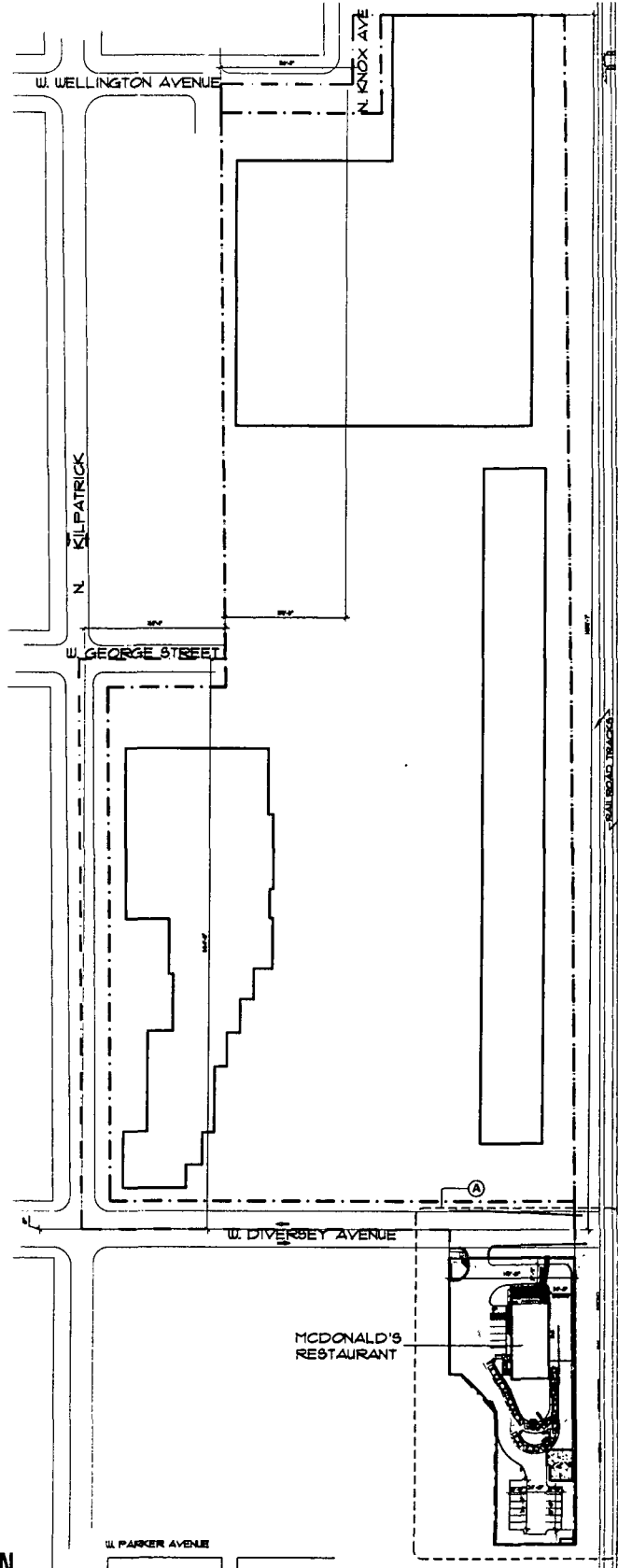


1 PLANNED DEVELOPMENT BOUNDARY & PROPERTY LINE MAP
N.T.S.



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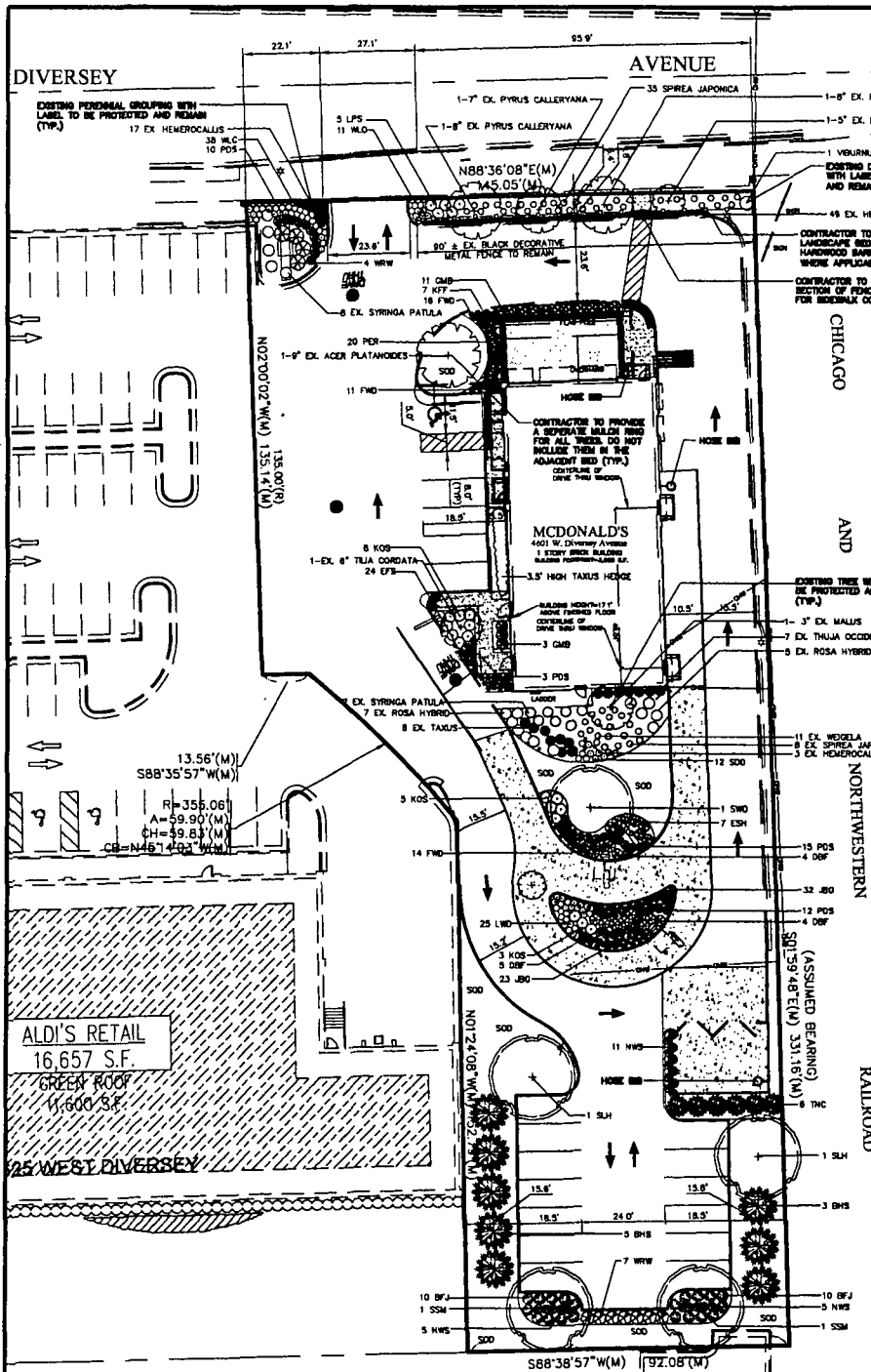


1 OVERALL SITE PLAN
1" = 200'

NORTH
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DATE SUBMITTED:	NOVEMBER 18, 2009	DATE REVISED: FEBRUARY 16, 2012

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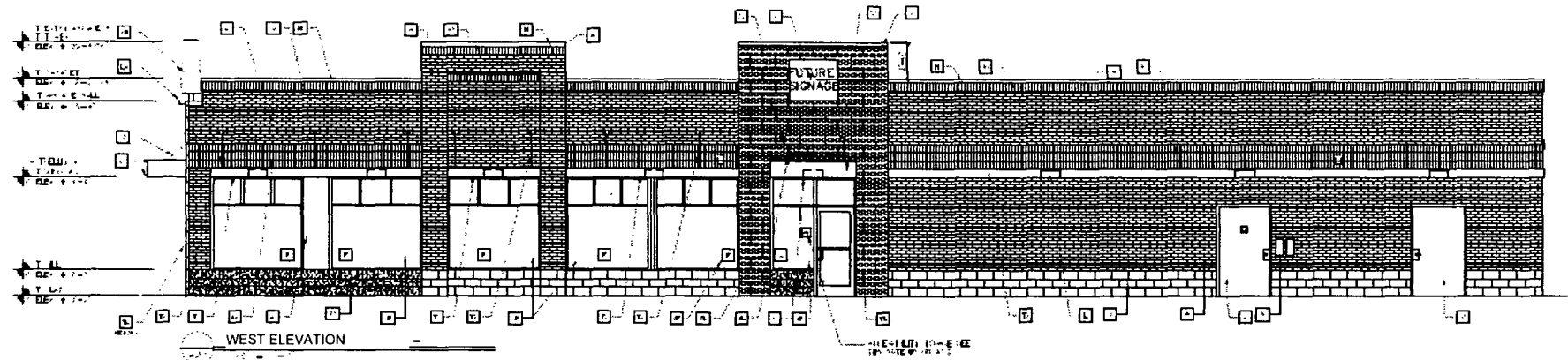
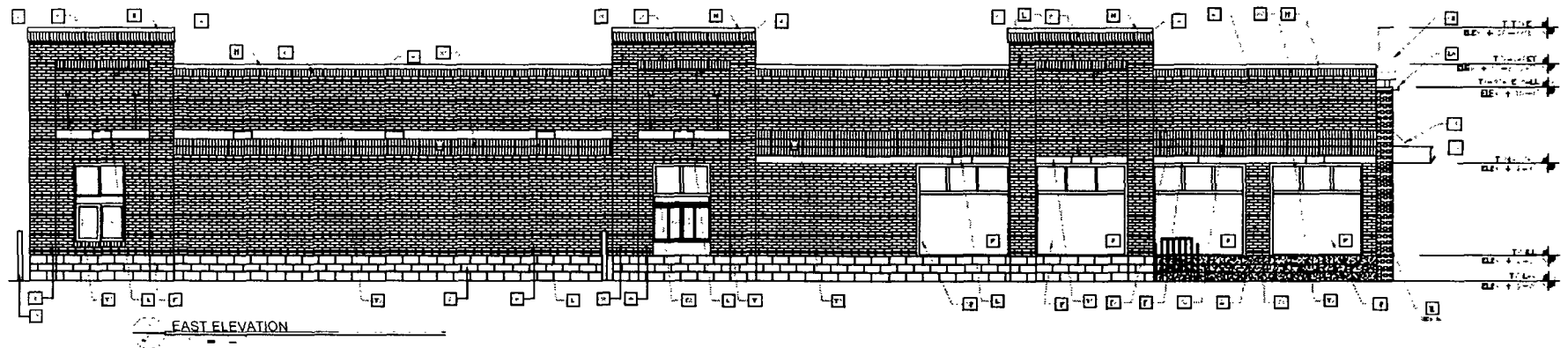


PLANT LIST			
SHADE, ORNAMENTAL AND CONIFEROUS TREES			
ABRV.	BOTANICAL NAME	COMMON NAME	SIZE
SH	QUERCUS TRACANTHER	SKYLINE HONEY LOCUST	2-3"
W	W. THERMIS "SOLINE"		
SWD	QUERCUS BICOLOR	SWAMP WHITE OAK	2-3"
SSM	ACER NYCTAG "MORTON"	STATE STREET MAYBEE MAPLE	2-3"
RHS	PICEA GLAUCO var. DENSATA	BLACK HILLS SPRUCE	N
FLOWERING AND EVERGREEN SHRUBS			
ABRV.	BOTANICAL NAME	COMMON NAME	SIZE
MR	ILICIS X "GREEN MOUNTAIN"	GREEN MOUNTAIN HOLLYWOOD	24-30"
FL	ANEMONE SARINA "BUTALD"	BUTALD ANEMONE	3-4"
ICA	THALIA OCCIDENTALIS "TECHNY"	TECHNY ARBORVITAE	1"
HRM	WEIGELA FLORIDA "ALEXANDRA"	WINE AND ROSES WEIGELA	3-4"
DBE	FOXYTHIA VIKINGMA "BONVENSIS"	SWAMP BROWN FOXYTHIA	3-4"
SH	HYDRANGEA ARBORESCENS	ENDLESS SUMMER HYDRANGEA	3-4"
	ENDLESS SUMMER		
KOS	ROSA X "XINCKOLIT"	XINCKOLIT SHIRAZ ROSE	3-4"
PS	SPRAEA JAPONICA "LITTLE PRINCESS"	LITTLE PRINCESS SPRAEA	3-4"
PERENNIALS, ORNAMENTAL GRASS AND GROUND COVER			
ABRV.	BOTANICAL NAME	COMMON NAME	SIZE
END	DIANTHUS GRACIOSOPOLITANUS "BREMWITH"	BREMWITH DIANTHUS	1-2"
ES	SALVIA MEMOROSA "OSTERES AND"	EAST FRIESLAND SALVIA	1-2"
W.C.	VERBENA X FAASSENII	WALKER'S LOW CALAMINT	1-2"
	WALKER'S LOW		
WD	HEMEROCALLIS X "LITTLE WINE CUP"	LITTLE WINE CUP DAYLILY	1-2"
SD	HEMEROCALLIS X "SODIA D'ORO"	SODIA D'ORO DAYLILY	1-2"
RC	GERANIUM "JOHNSONS BLUE"	JOHNSONS BLUE GERANIUM	1-2"
POS	SPOROBOLUS HYTEROLEPS	PAIRIE DROSEED	1-2"
KE	CALAMAGROSTIS ACUTIFLORA	CARL FOERSTER	1-2"
	KARL FOERSTER		
WMS	PANICUM VERGATUM "NORTHWIND"	NORTHWIND SWITCH GRASS	1-2"
PR	ANCA MINOR "DARTS BLUE"	DARTS BLUE PERIWINKLE	1-2"

Landscape Plan - McDonald's Restaurant

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- LEGEND:**
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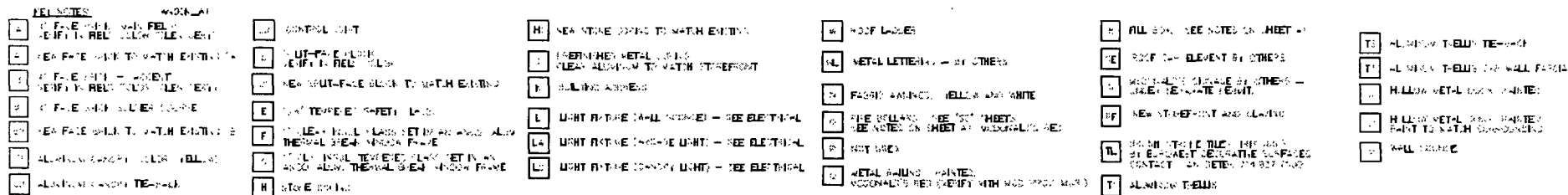
Building Elevations (East & West) McDonald's Restaurant

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DATE SUBMITTED: NOVEMBER 18, 2009 **DATE REVISED:** FEBRUARY 16, 2012

SK#

6

FINAL FOR PUBLICATION



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