

Office of the Chicago City Clerk



SO2012-2180

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. 16989

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 Business Planned Development No. 418 and the Residential Planned Development No. 1079 symbols and indications as shown on Map No. 7-K in the area bound by:

WEST DIVERSEY AVENUE; A LINE 145.0 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; WEST SCHUBERT AVENUE; A LINE 266.33 FEET WEST OF THE CHICAGO AND NORTHWESTERN RAILROAD; A LINE 136.15 FEET NORTH OF WEST SCHUBERT AVENUE; A LINE 270.0 FEET WEST OF CHICAGO AND NORTHWESTERN RAILROAD; A LINE 21.0 FEET SOUTH OF THE NORTH LINE OF WEST PARKER AVENUE; WEST KILPATRICK AVENUE.

to those of B2-2, Neighborhood Mixed-Use 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-Residential Planned Development No. 1079, 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: 4615-4651 West Diversey; 2739-2765 North Kilpatrick; 4620-4650 West Parker; 4621-4651 West Parker; 2701-2737 North Knox; 2700-2726 North Knox; 4600-4624 West Schubert

BUSINESS-RESIDENTIAL PLANNED DEVELOPMENT NO. 1079, As Amended

Plan of Development

Statements

- 1. The area delineated herein as Business-Residential Planned Development No. 1079, As Amended, (the "Planned Development") consists of a net site area of approximately 196,054 square feet which is depicted on the attached Planned Development Boundary, Property Line and Subarea Map and the Right of Way Adjust Map (the "Property"), and is owned or controlled by 4600 Schubert, LLC ("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 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 Applicant, its successors, assignees or grantees and approval by the 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 with respect to each sub-area, identified as Sub-Area A, and Sub-Area B within the Planned Development Boundary, Property Line and Sub-Area Map, contained within this Planned Development, as amended, shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal titleholders and any ground lessees. All rights granted hereunder to Applicant for each of the two (2) sub-areas shall inure to the benefit of Applicant's successors and assignees and, if different than the Applicant, the legal titleholders and any ground lessees and their respective successors and assignees.

At the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to the respective sub-areas within this Planned Development, as Amended, are made, the property within the boundaries of such sub-area shall be under single ownership or under single designated control. Single designated control for purposes of this Statement shall mean that any application to the City for any amendment to any sub-area within this Planned Development, As Amended, or any other modification or change thereto (administrative, legislative or otherwise) shall be made by the Applicant, owners or authorized ground lessees of the property within the respective sub-areas. The modifications must relate solely to the sub-area for which the amendment is sought.

Moreover, where portions of the improvements located on the Property have been submitted to the Illinois Condominium Property Act, the term "owner" shall be deemed to refer to either the owner of the sub-area, the developer if control of the association has not been turned over to the association, or the condominium association of the owners of such

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Applicant:

4600 Schubert, LLC

Address:

4613-4651 West Diversey, 2739-2765 North Kilpatrick;

4625-4650 West Parker; 4602-4626 West Schubert; Chicago, Illinois

Date: Revised Date: November 18, 2009

portions of the improvements, whichever is in effect at the time the amendment is sought, and not to the individual unit owners therein. 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 (other than an 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 liability hereunder.

- 4. This Plan of Development consists of these sixteen (16) statements; a Bulk Regulations and Data Table; an Existing Zoning; an Existing Land-Use Map; a Planned Development Boundary, Property Line and Subarea Map; a Right-of-Way Adjustment Map; Site Plans (Overall, Northwest, Northeast, and Southeast); Landscape Plans (Overall, Northwest, Northeast, Southeast and Details); a Green Roof Plan; Building Elevations (3-Flat Building at Grade - Front, Side, and Rear; 3-Flat Building above Grade - Front and Rear; 6-Flat Building above Grade - Front and Rear; 3-Flat and 6-Flat Buildings above Grade -Side; Aldi and Retail Buildings - North, South, East and West; and Bank Building - North and South, East and West; all dated February 16, 2012, prepared by Hartshorne & Plunkard, which are all incorporated herein. Full-size copies of the Site Plan, Landscape Plan, and Building Elevations are on file with the Department of Housing and Economic Development. This Plan of Development, as Amended, is in conformity with the intent and purposes of the Chicago Zoning Ordinance (Title 17 of the Municipal Code in Chicago) and all requirements thereof and satisfies the established criteria for approval of a Planned Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control.
- 5. The following uses shall be permitted within the areas delineated herein:

Sub-area A: All uses as allowed within the Commercial Use Group of the B2-2 Neighborhood Mixed-Use District, including a bank with drive-through uses, accessory parking, park and recreation uses, accessory and related uses. Non-accessory parking and Hookah Bar are not allowed.

Sub-area B: multi-family residential uses, accessory parking, park and recreation uses, accessory and related uses

6. On-premise signs shall be permitted within the 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

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4625-4650 West Parker; 4602-4626 West Schubert; Chicago, Illinois

Date: November 18, 2009 Revised Date: February 16, 2012 approval of the Department of Housing and Economic Development. Off-premise signs shall not be permitted in the Planned Development.

- 7. Any service drives or other means of 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. Ingress and 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 Housing and Economic Development.
- 8. For purposes of building height measurement and calculations, the definitions in the Chicago Zoning Ordinance shall apply.
- 9. The maximum permitted floor area ratio ("F.A.R.") shall be 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. The improvements of the Property, including all entrances and exits shall be designed, installed, and maintained in substantial conformance with the Site Plan, Landscape Plan, and Building Elevations attached hereto and made a part hereof. Landscaping shall be installed and maintained at all times in accordance with the Site Plan and Landscape Plan and with the Parkway Tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines, except as provided herein and on the attached plans.

The Applicant shall design, construct and maintain the Play Lot at the corner of North Kilpatrick Avenue and West Parker Avenue in Subarea A, as indicated on the Site and Landscape Plans. The Play Lot shall be open to the public during Chicago Park District hours. No Part II approval shall be issued for the twenty-sixth (26th) residential dwelling unit until the Play Lot has been constructed and opened for public use.

11. Pursuant to section 17-13-0611-A of the Zoning Ordinance, the terms, conditions and exhibits of this Planned Development Ordinance, 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,

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Date: Revised Date: November 18, 2009 February 16, 2012

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 contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance.

- 12. Upon Part II Review, 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.
- 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 Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner that 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.
- 15. The Applicant acknowledges that it is in the public interest to design, construct and renovate all buildings in a manner that provides healthier environments, reduces operating costs and conserves energy and resources. The Applicant shall design, construct and maintain all buildings located within this Planned Development, As Amended, in accordance with the City of Chicago Substainable Development Policy. Within Sub-Area A, the Applicant shall install and maintain a vegetative ("green") roof on 100% of the net flat roof areas of the Aldi and general retail buildings (approximately 11,600 square feet and 7,100 square feet, respectively) and on at least 50% of the net flat roof area of the bank building (approximately 2,015 square feet). And the Applicant shall construct each of three buildings in a manner so as to exceed ASHRAE 90.1-2004 standards by at least 14%. Within Sub-Area B, the Applicant shall install and maintain a vegetative ("green") roof on at least 25% of the net flat roof area of the six-unit building. Net Roof Area is defined as total roof area minus any perimeter setbacks required by the Building Code, roof top structures, and roof-mounted equipment.
- 16. Unless substantial construction of at least one (1) new building has begun within Sub-Area A of the Planned Development, as Amended, within six (6) years of the date of passage of this amended Planned Development, the zoning of the Property shall revert to B2-2 Neighborhood Mixed-Use District. The six-year period may be extended for one

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(1) additional year if, before expiration, the Zoning Administrator determines that there is good cause for such an extension.

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Date:

November 18, 2009 February 16, 2012

BUSINESS-RESIDENTIAL PLANNED DEVELOPMENT NO. 1079, AS AMENDED BULK REGULATIONS AND DATA TABLE

Gross Site Area: 268,100 Square Feet (6.15 Acres)

Less Area in existing public way: 77,574 Square Feet (1.78 Acres)

Plus, Area of public way to be vacated: 5,528 Square Feet (0.13 Acres)

Equals, Net Site Area: 196,054 Square Feet (4.50 Acres)

Sub Area A 127,334 Square Feet (2.92 Acres)

Sub Area B 68,720 Square Feet (1.58 Acres)

Allowable Uses: All uses as set forth in Statement No. 5; and accessory and

related Uses.

Maximum Floor Area Ratio: 1.05

Sub-Area A 0.25 Sub-Area B 1.83

Maximum Number of Residential Units: 51 units

Sub-Area A 0 units Sub-area B 51 units

Minimum Number of Accessory Off Street Parking Spaces:

Commercial (Sub-Area A): 143 parking spaces, plus

6 accessible parking spaces

Residential (Sub-Area B): 49 parking spaces, plus

2 accessible parking spaces

(1:1 parking ratio)

Note: In the event that fewer than 51

residential units are constructed, the number of parking spaces may be reduced so long as the 1:1

parking ratio is maintained.

Number of Off-Street Commercial

Loading Docks: (Sub-Area A) 2

Minimum Building Setbacks: As per Site Plans

Maximum Building Height: 38'-0", including all mechanicals

Applicant: 4600 Schubert, LLC

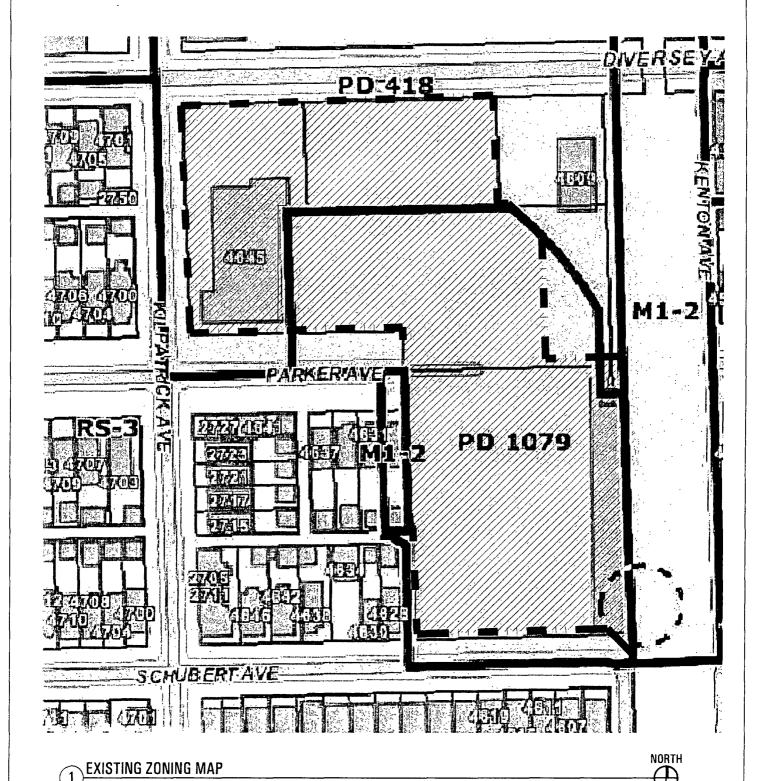
Address: 4615-4651 West Diversey; 2739-2765 North Kilpatrick; 4620-4650 West Parker;

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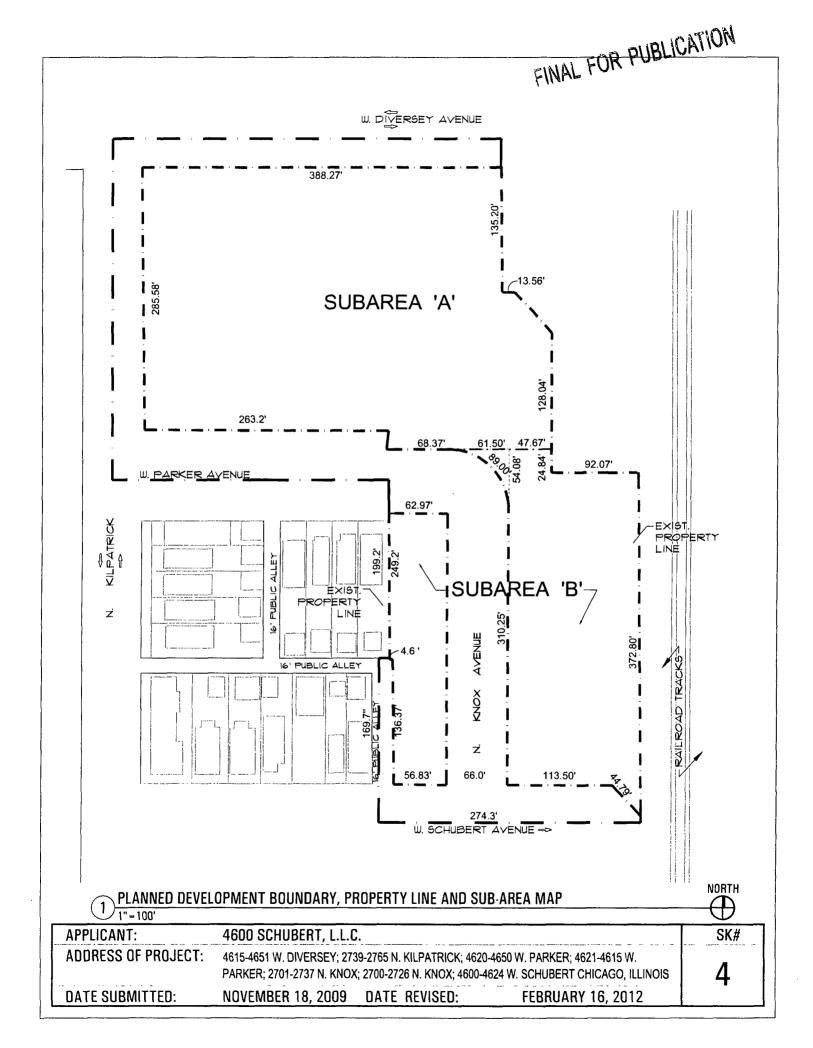
Date: November 18, 2009 Revised Date: February 16, 2012

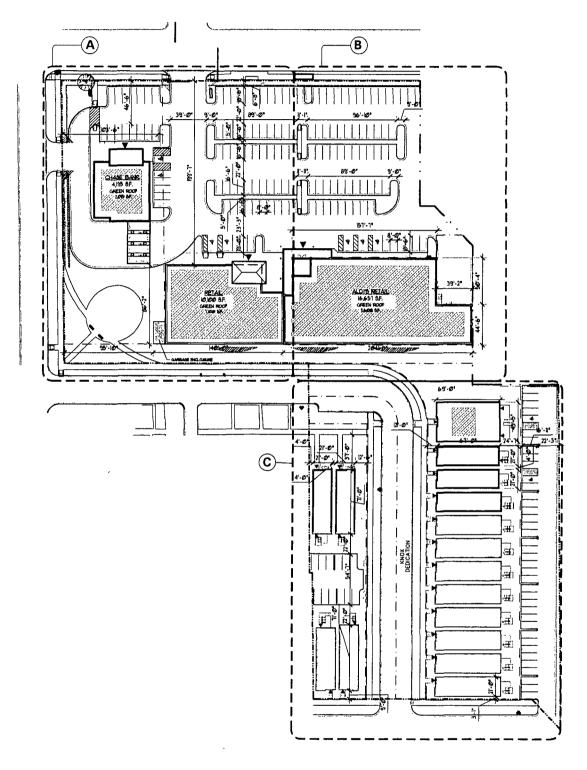




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APPLICANT:	4600 SCHUBERT, L.L.C.	SK#
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FINAL FOR PUBLICATION C BUSINESS/ COMMERCIAL COMMERCIAL TO THE NORTH RESIDENTIAL W. DIVERSEY AVENUE SUBJECT PREMISES 388.27 RESIDENTIAL TO THE WEST 263.2 92.07' W. PARKER AVENUE ALPATRICK PROPERTY LINE R ALLEY R PUBLIC EXIST ż LINĖ <u>o</u> 372.80 RAILROAD TRACKS 16' PUBLIC ALLEY R R R R R 2.5 STORY \$TORY 236.33 A. KENTON AVENUE W. SCHUBERT AVENUE -> RESIDENTIAL TO THE SOUTH NORTH EXISTING LAND USE 1 1"-100" 4600 SCHUBERT, L.L.C. **APPLICANT:** SK# **ADDRESS OF PROJECT:** 4615-4651 W. DIVERSEY; 2739-2765 N. KILPATRICK; 4620-4650 W. PARKER; 4621-4615 W. 3 PARKER; 2701-2737 N. KNOX; 2700-2726 N. KNOX; 4600-4624 W. SCHUBERT CHICAGO, ILLINOIS **DATE SUBMITTED: NOVEMBER 18, 2009** DATE REVISED: FEBRUARY 16, 2012

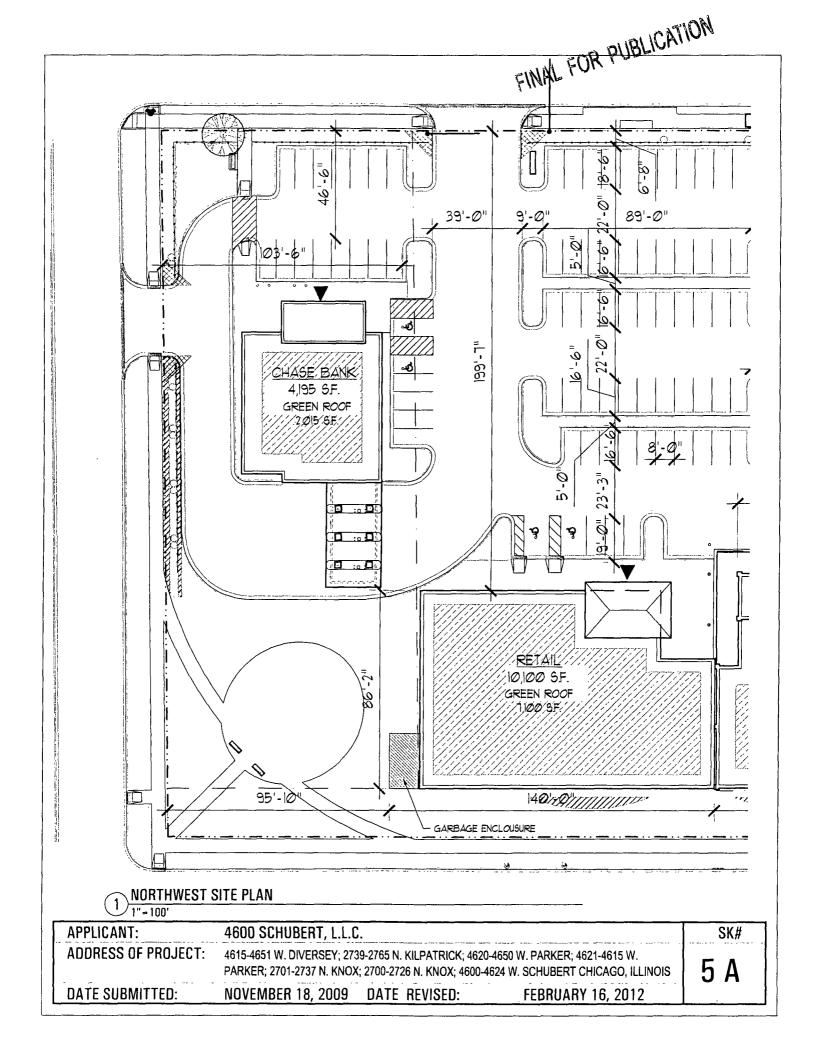


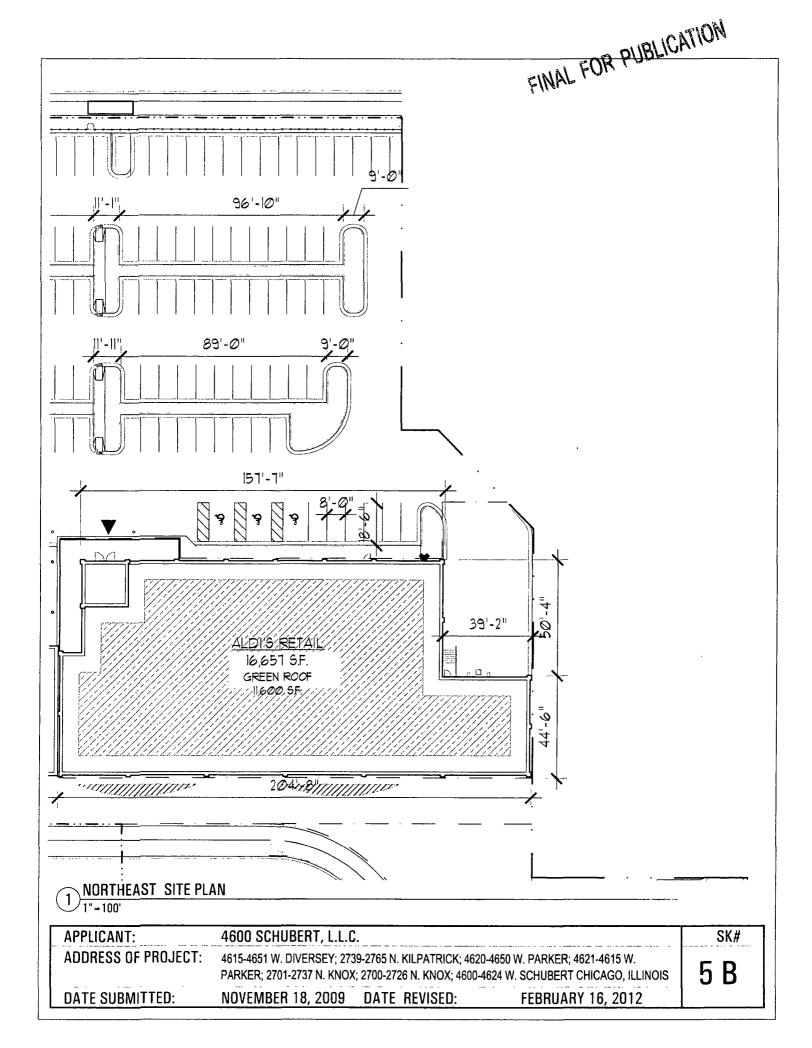


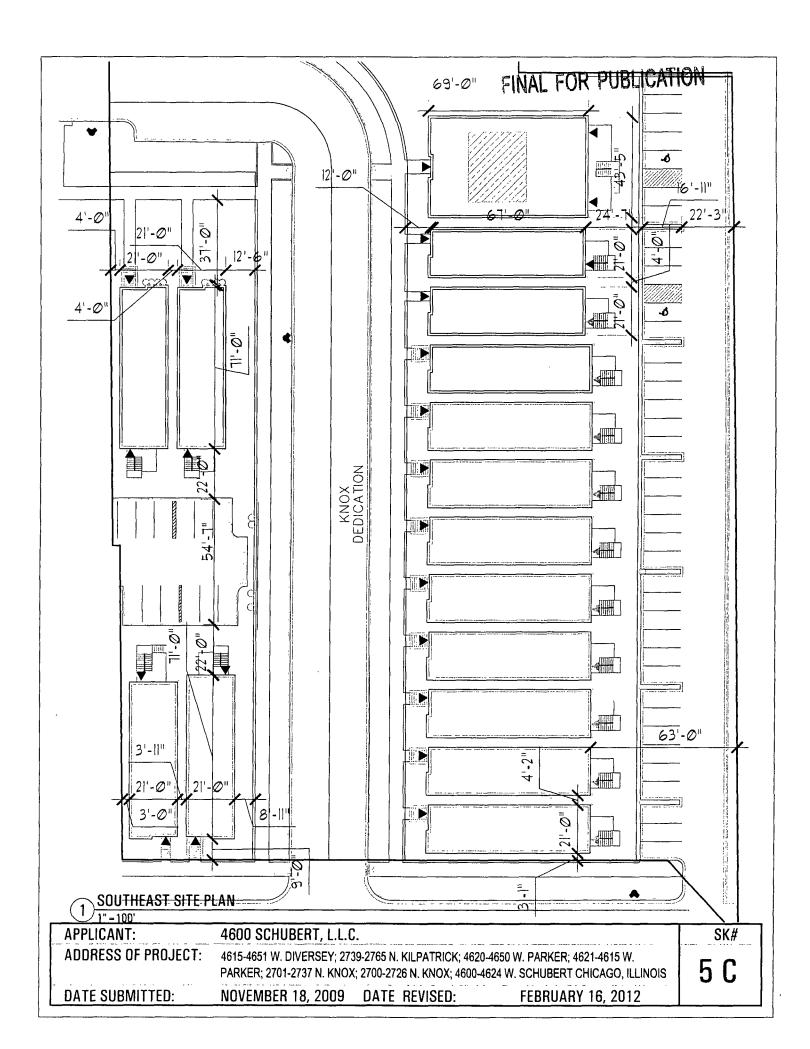
OVERALL SITE PLAN
1" - 1200'

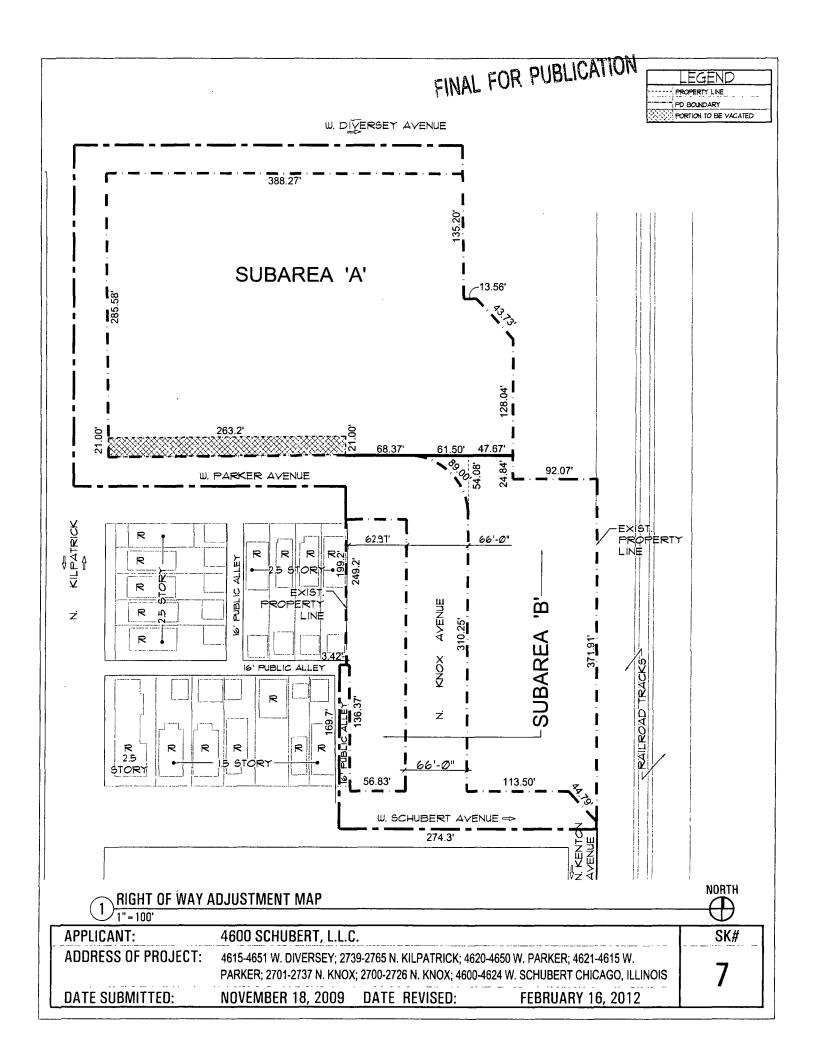
NORTH

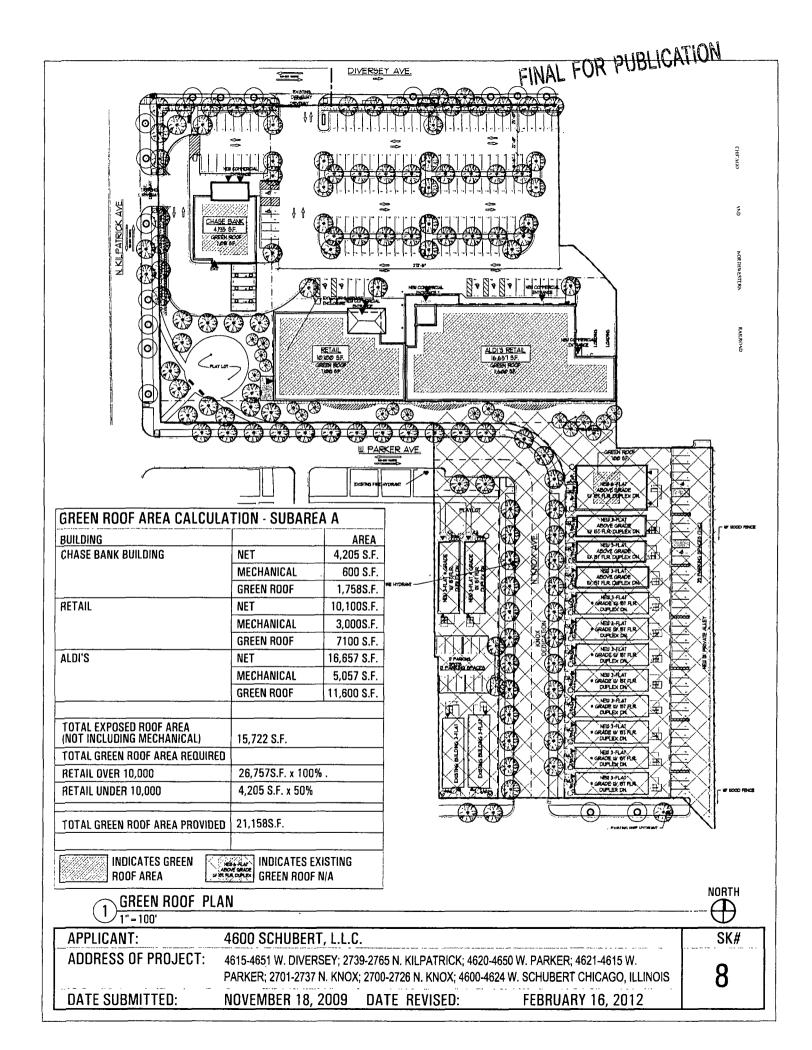
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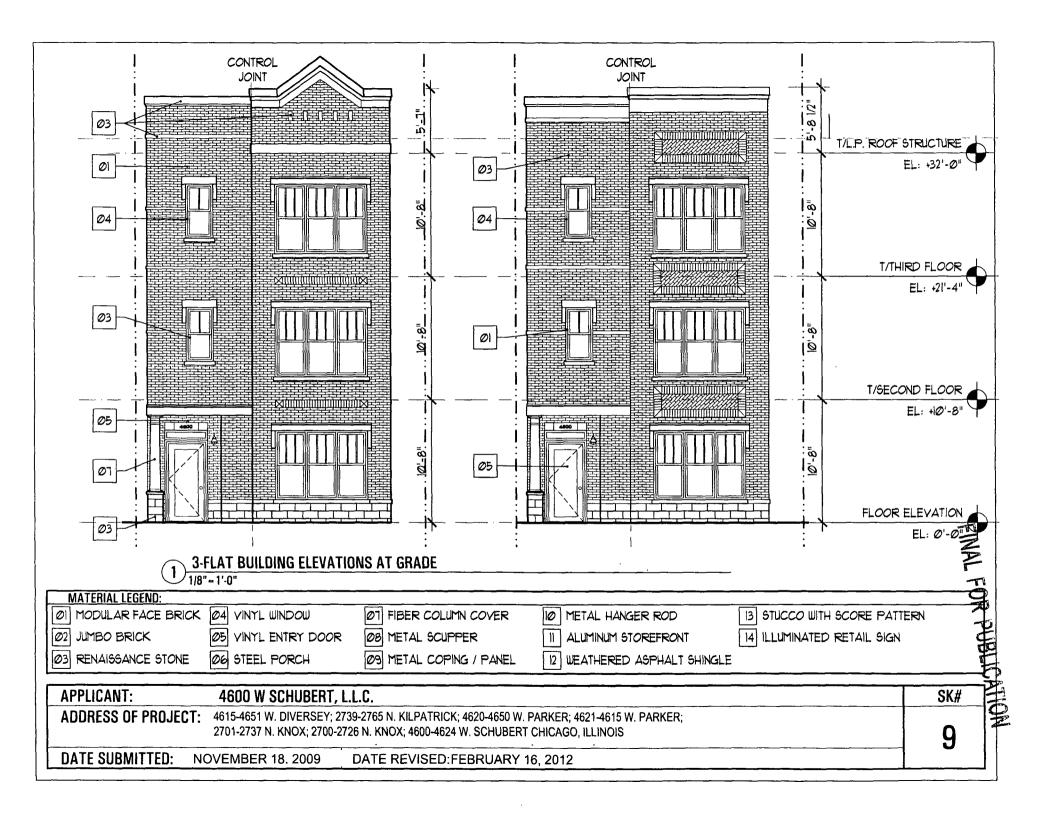


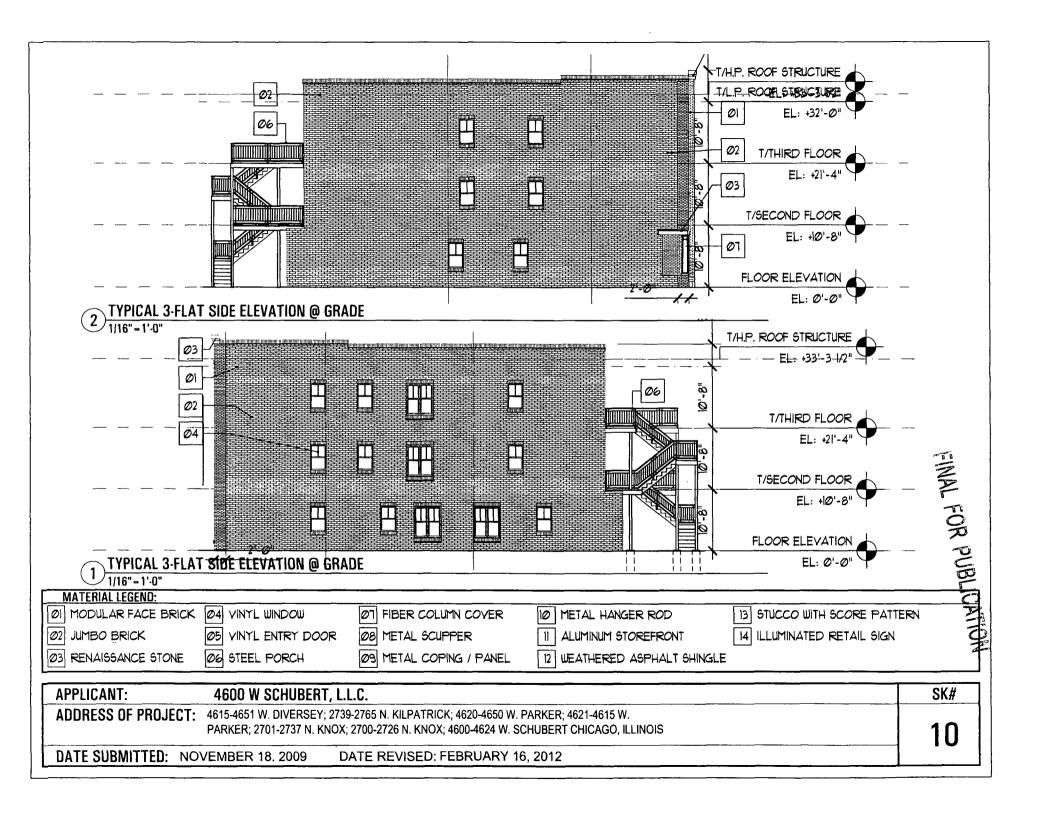


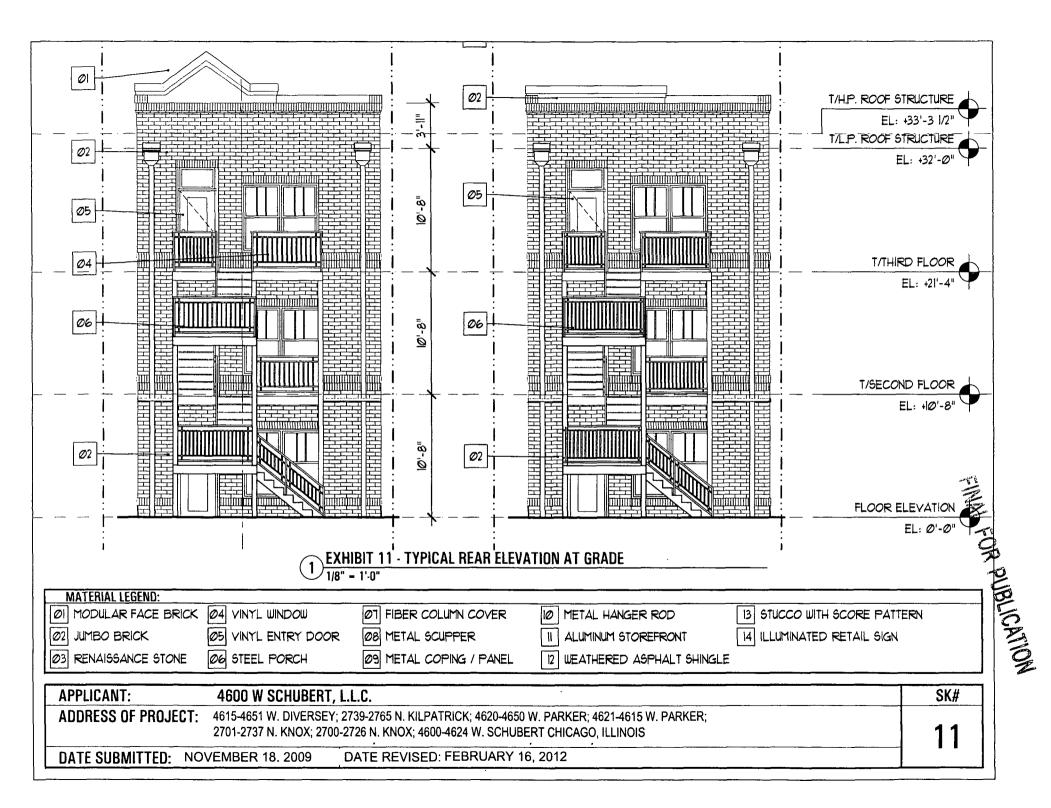


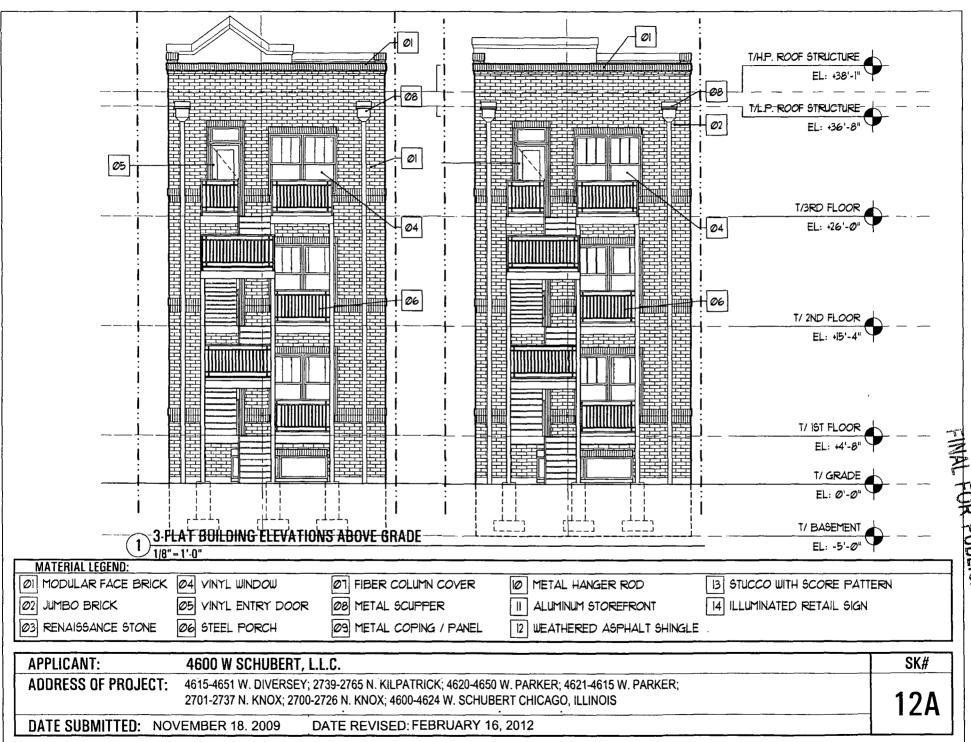


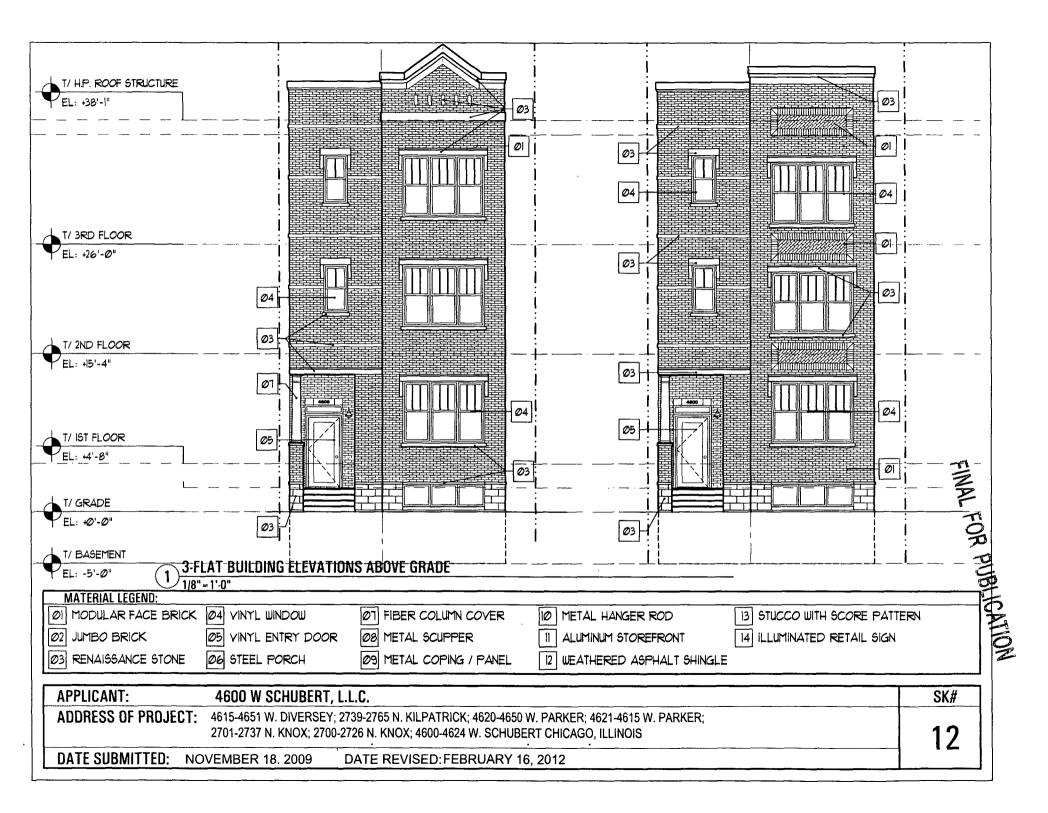


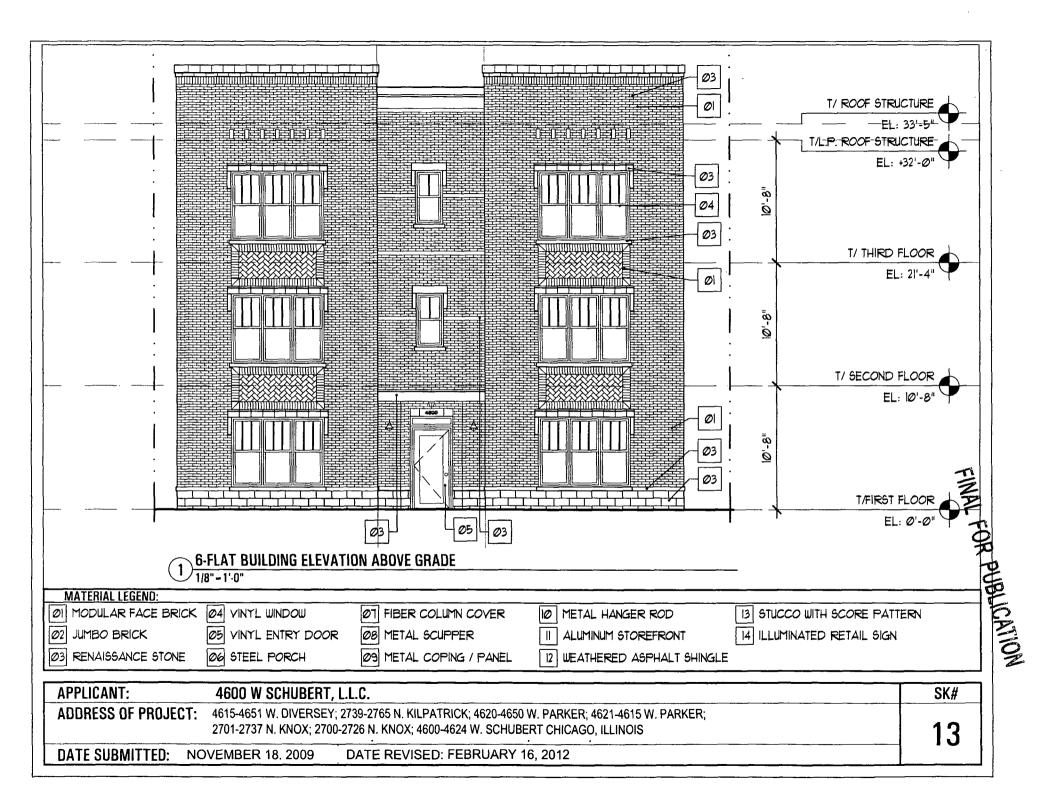


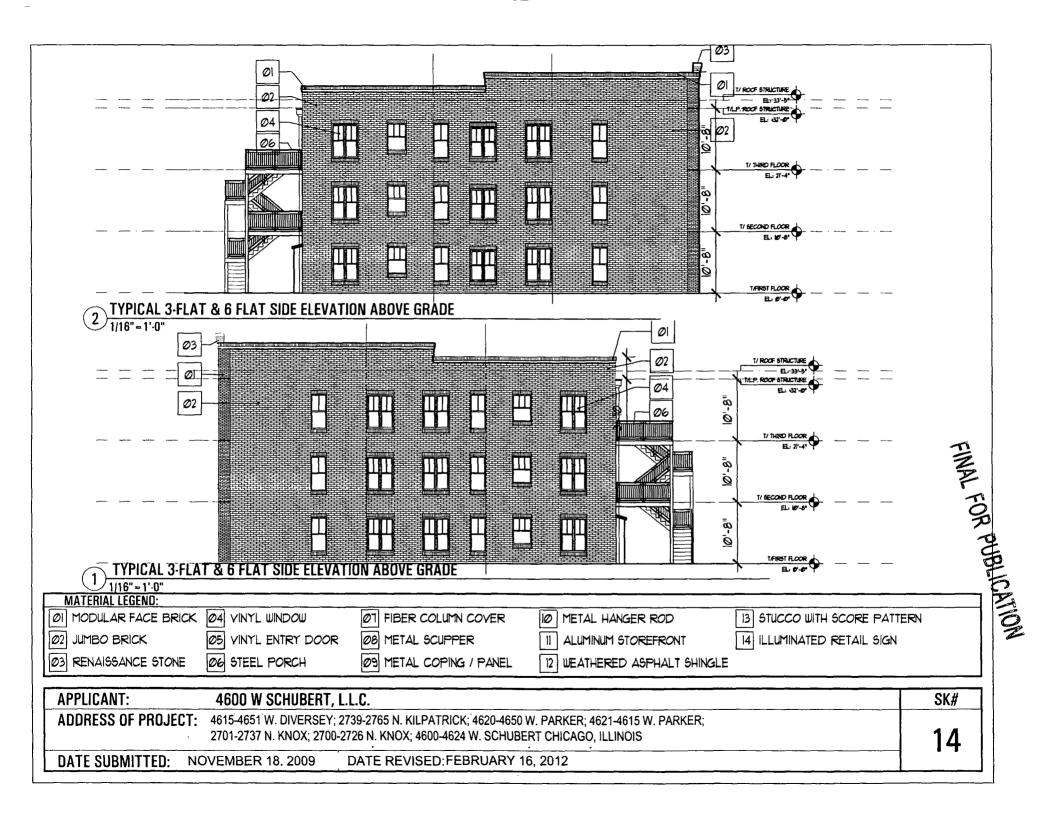


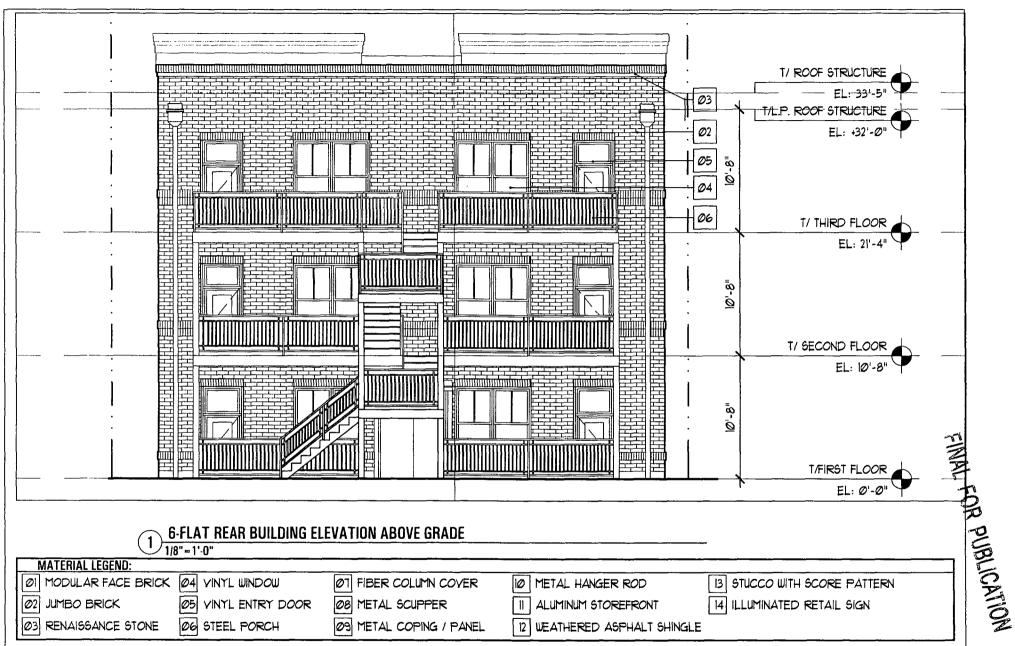








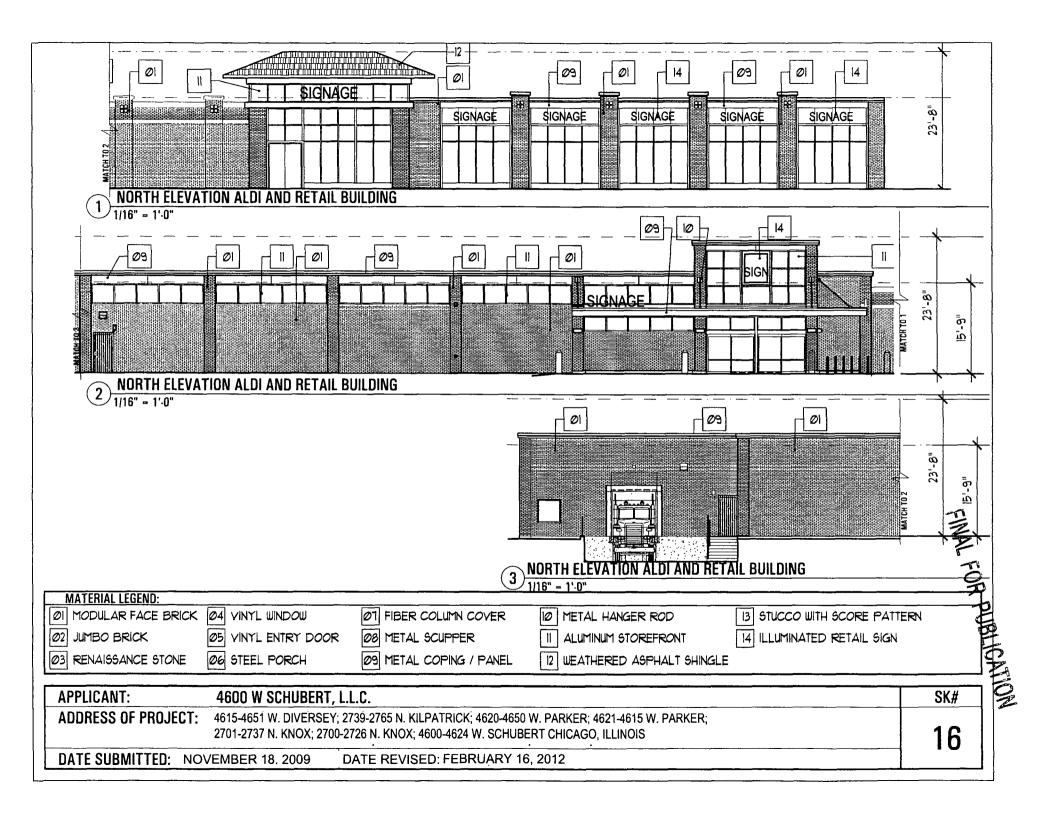


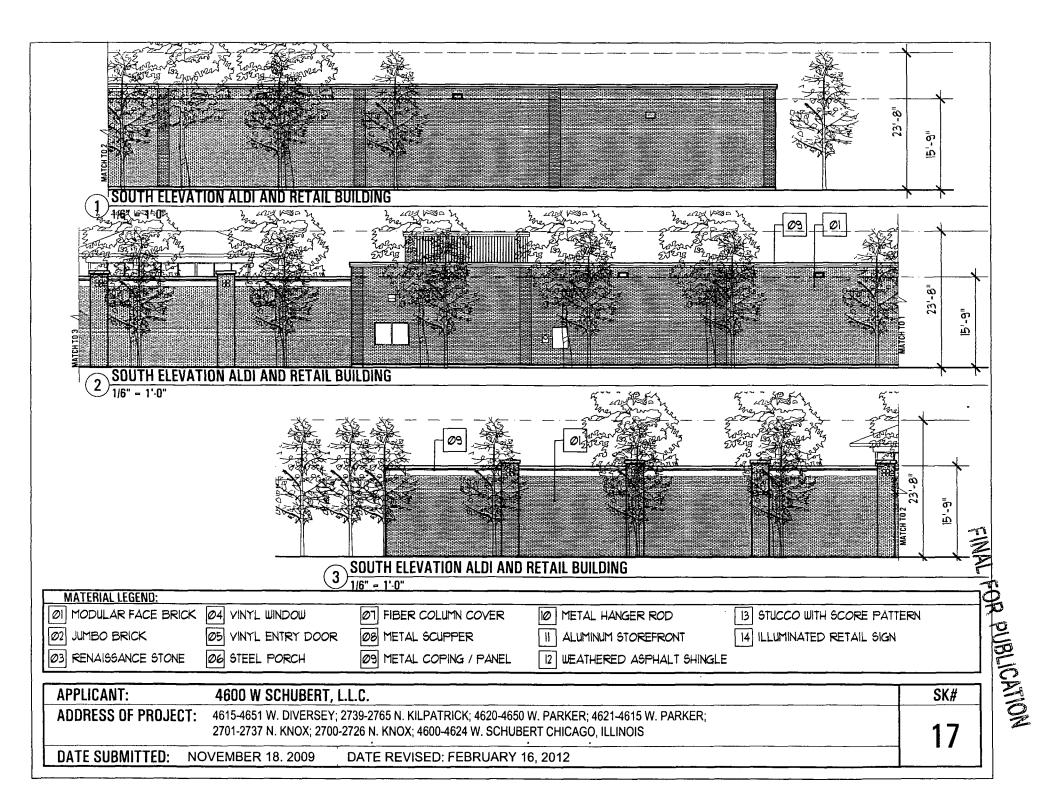


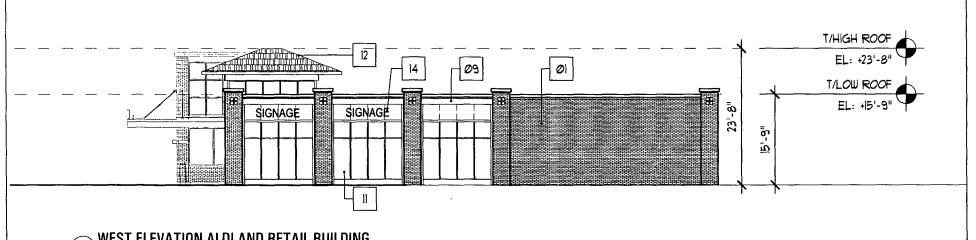
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	DATE SUBMITTED: NO	/EMBER 18, 2009 DATE REVISED: FEBRUARY 16, 2012	

12 WEATHERED ASPHALT SHINGLE

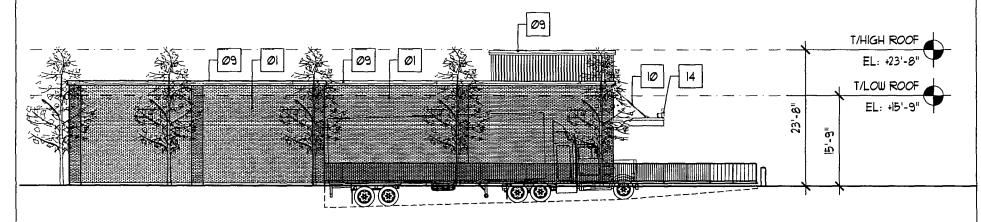
09 METAL COPING / PANEL







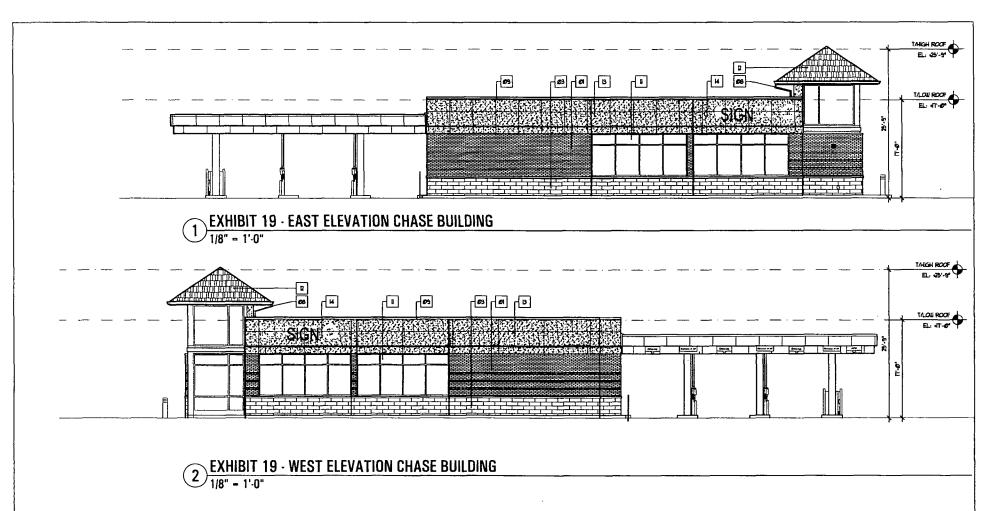
WEST ELEVATION ALDI AND RETAIL BUILDING N.T.S.



2 EAST ELEVATION ALDI AND RETAIL BUILDING N.T.S.

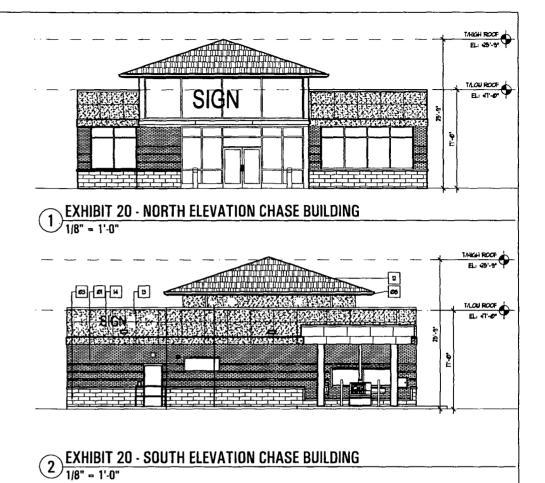
MATERIAL LEGEND:				
01 MODULAR FACE BRICK	04 VINYL WINDOW	07 FIBER COLUMN COVER	METAL HANGER ROD	13 STUCCO WITH SCORE PATTERN
02 JUMBO BRICK	05 VINYL ENTRY DOOR	08 METAL SCUPPER	II ALUMINUM STOREFRONT	4 ILLUMINATED RETAIL SIGN
@3 RENAISSANCE STONE	06 STEEL PORCH	09 METAL COPING / PANEL	12 WEATHERED ASPHALT SHINGLE	

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DATE SUBMITTED: NOV	EMBER 18. 2009 DATE REVISED: FEBRUARY 16, 2012	



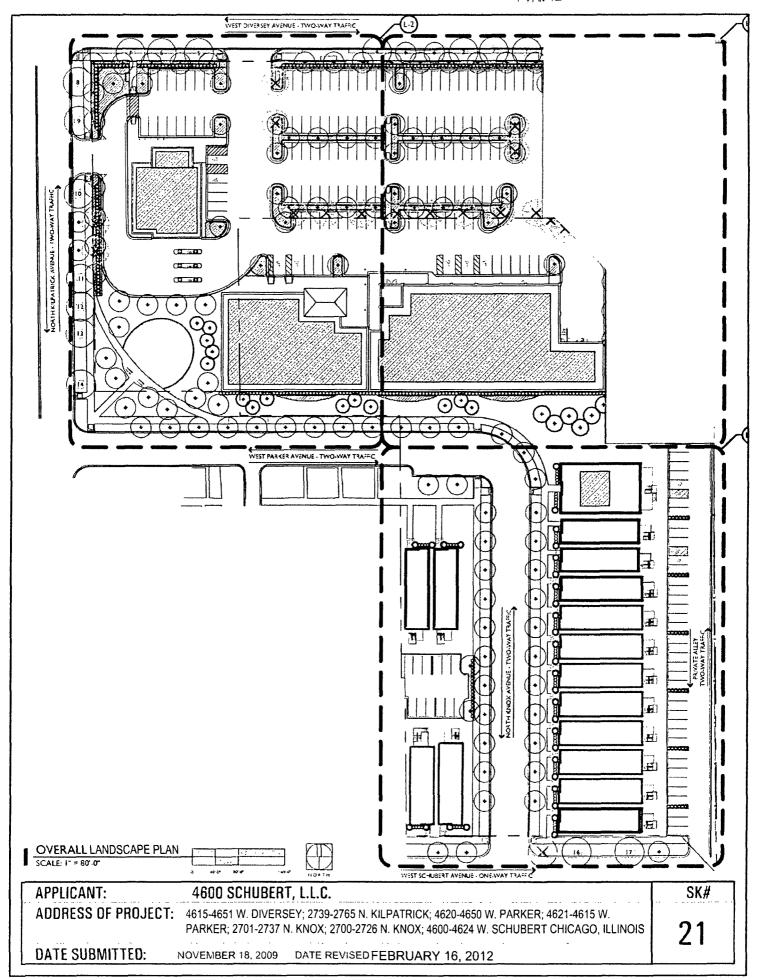
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02 JUMBO BRICK 05 VINYL ENTRY DOOR	08 METAL SCUPPER	II ALUMINUM STOREFRONT	14 ILLUMINATED RETAIL SIGN
@3 RENAISSANCE STONE @G STEEL PORCH	Ø9 METAL COPING / PANEL	12 WEATHERED ASPHALT SHIN	GLE
			

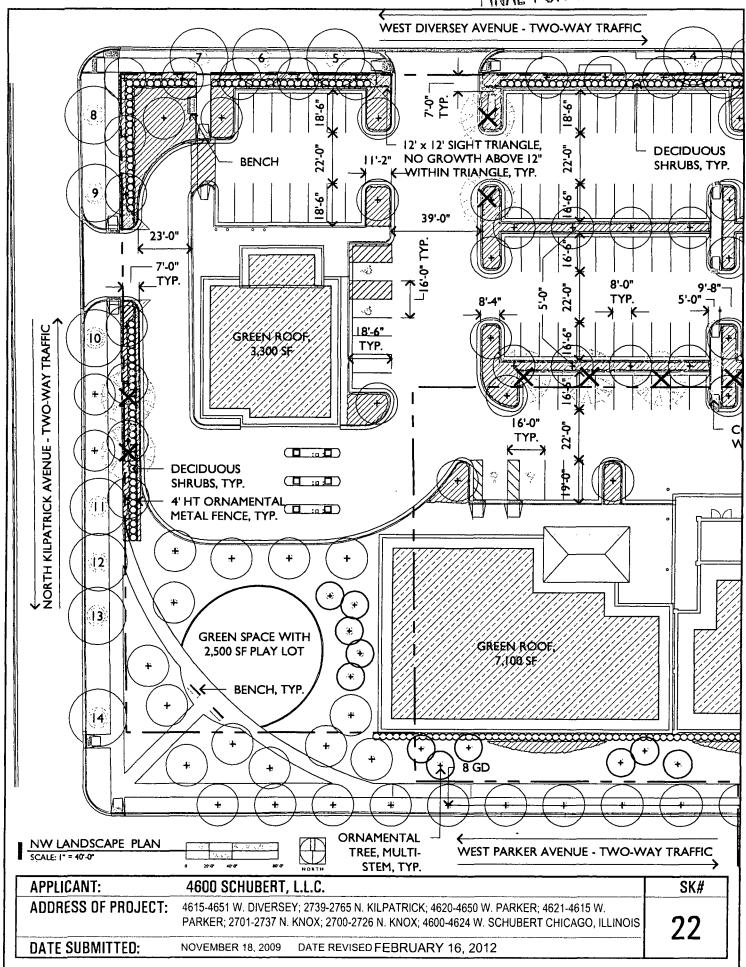
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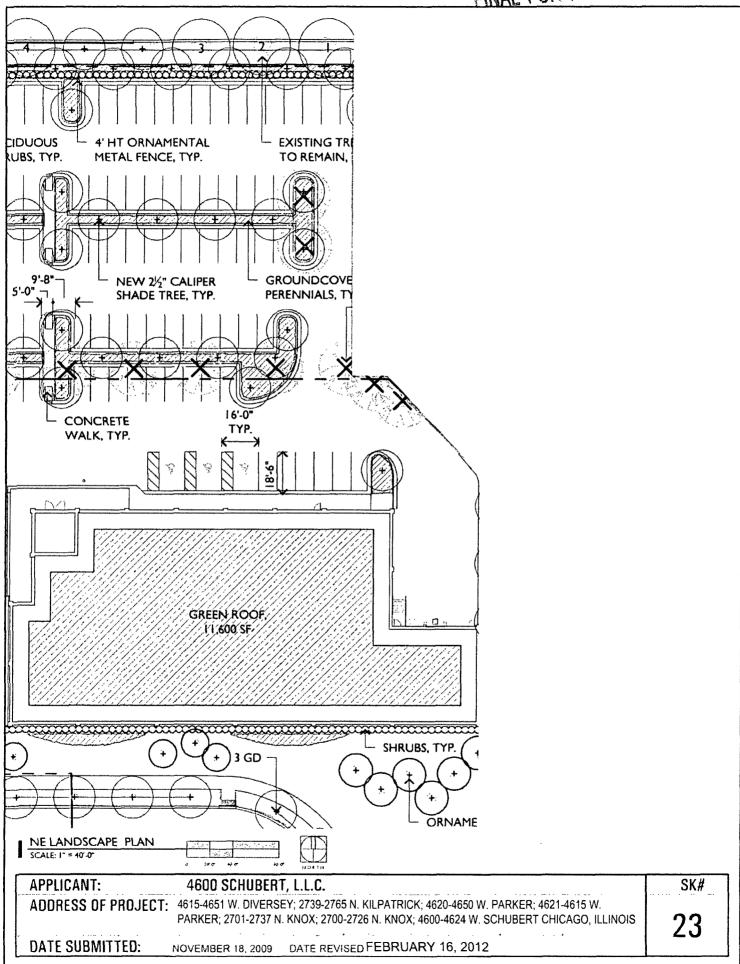


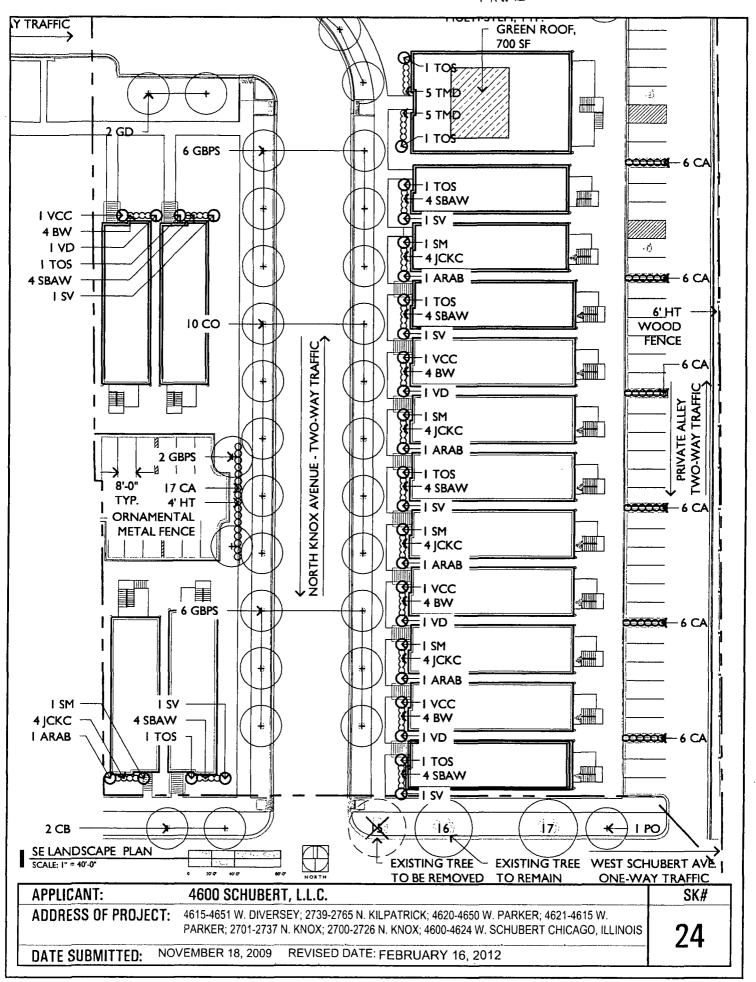
MATERIAL LEGEND:				
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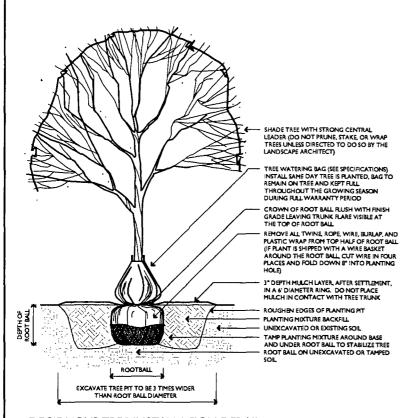
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SHRUB (DO NOT PRUNE STAKE, OR WRAP SHRUBS UNLESS DIRECTED TO DO SO BY LANDSCAPE ARCHITECT)

CROWN OF ROOT BALL FLUSH WITH INISH GRADE LEAVING TRUNKS RABE VISIBLE AT THE TOP OF THE ROOT BALL

3º DEPTH MULCH LAYER, AFTER SETTLEMENT, TO EDGE OF PLANTING BED. DO NOT PLACE MULCH IN CONTACT WITH SHRUB

FINISH GRADE

PLANTING MIXTURE BACKFILL

ROUGHEN EDGES OF PLANTING PIT

REMOVE SHRUB FROM CONTAINER WITHOUT CRACKING OR BREAKING ROOTBALL

TAMP PLANTING MIXTURE AROUND BASE AND UNDER ROOT BALL TO STABILIZE SHRUB

EXCAVATE SHRUB BED TO BE 3 TIMES WIDER THAN ROOT BALL DUMPATER

WIDER THAN ROOT BALL DUMPATER

2 SHRUB INSTALLATION DETAIL

TBD

TBD

TBD

TBD

24

48"

30"

48"

DECIDUOUS TREE INSTALLATION DETAIL NOT TO SCALE

TAXUS X MEDIA 'DENSIFORMIS'

VIBURNUM DENTATUM

THUJA OCCIDENTALIS 'SMARAGD'

VIBURNUM CARLESII 'COMPACTUM'

	CODE	BOTANICAL NAME	COMMON NAME	QTY	SIZE	REMARKS
	ARAB	ACER RUBRUM 'AUTUMN BLAZE'	AUTUMN BLAZE MAPLE	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
	СВ	CARPINUS BETULUS	EUROPEAN HORNBEAM	TBD	2 1/2*	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
	СО	CELTIS OCCIDENTALIS	COMMON HACKBERRY	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
	GBPS	GINKGO BILOBA 'PRINCETON SENTRY'	PRINCETON SENTRY GINGKO	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
	GD	GYMNOCLADUS DIOICUS	KENTUCKY COFFEETREE	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
SHADE	GTIS	GLEDITSIA TRIACANTHOS VAR. INERMIS 'SKYLINE'	SKYLINE THORNLESS HONEYLOCUST	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
132	РО	PLANTUS OCCIDENTALIS	AMERICAN PLANETREE	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
"	QB	QUERCUS BICOLOR	SWAMP WHITE OAK	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
	TAR	TILIA AMERICANA 'REDMOND'	REDMOND AMERICAN LINDEN	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
	UCMG	ULMUS CARPINIFOLIA 'MORTON GLOSSY'	TRIUMPH ELM	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
	UF	ULMUS X 'FRONTIER'	FRONTIER ELM	TBD	2 1/2"	SINGLE STRAIGHT TRUNK, SPECIMEN QUALITY
	ARAB	ACER RUBRUM 'AUTUMN BLAZE'	DWARF BURNING BUSH	TBD	30"	
	BW	BUXUS 'WINTERGREEN'	WINTERGREEN BOXWOOD	TBD	18"	
	CA	COTONEASTER ACUTIFOLIUS	PEKING COTONEASTER	TBD	30"	
	JCKC	JUNIPERUS CHINENSIS 'KALLAYS COMPACTA'	KALLAY'S COMPACT CHINESE JUNIPER	TBD	18"	
ŀ	RAE	RIBES ALPINUM 'EUROPA'	EUROPEAN ALPINE CURRANT	TBD	24"	1
1	RPKO	ROSA X 'PINK KNOCK OUT'	PINK KNOCKOUT ROSE	TBD	24"	
SHRUBS	RRKO	ROSA X 'RED KNOCK OUT'	RED KNOCKOUT ROSE	TBD	24"	
	SBAW	SPIRAEA X BUMALDA 'ANTHONY WATERER'	ANTHONY WATERER JAPANESE SPIREA	TBD	18"	
R	SM	SYRINGA MEYERI	DWARF LILAC	TBD	24"	
	SV	SYRINGA VULGARIS	COMMON LILAC	TBD	48"	

3 PLANT PALETTE

TMD

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VCC

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APPLICANT:	4600 SCHUBERT, L.L.C.	SK#
ADDRESS OF PROJECT:	4615-4651 W. DIVERSEY; 2739-2765 N. KILPATRICK; 4620-4650 W. PARKER; 4621-4615 W. PARKER; 2701-2737 N. KNOX; 2700-2726 N. KNOX; 4600-4624 W. SCHUBERT CHICAGO, ILLINOIS	25
DATE SUBMITTED: NO	OVEMBER 18. 2009 DATE REVISED: FEBRUARY 16, 2012	

DENSE SPREADING YEW

ARROWWOOD VIBURNUM

EMERALD AMERICAN ARBORVITAE

COMPACT KOREANSPICE VIBURNUM