



City of Chicago



O2020-3907

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	7/22/2020
Sponsor(s):	Curtis (18)
Type:	Ordinance
Title:	Zoning Reclassification Map No. 20-J at 3206-3348 W 87th St and 8600-8618 S Kedzie Ave
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

ORDINANCE

BE IT ORDAINED BY THE CITY OF CHICAGO:

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Business Planned Development No. 1172 District symbols and indicators as shown on Map No. 20-J in the area bounded by

A line 665 feet north of and parallel to West 87th Street; a line 621.70 feet west of and parallel to South Kedzie Avenue; a line 713 feet north of and parallel to West 87th Street; South Kedzie Avenue; a line 174.60 feet north of and parallel to West 87th Street; a line 220.85 feet west of and parallel to South Kedzie Avenue; West 87th Street; and a line 1,154.4 feet west of and parallel to South Kedzie Avenue.

to those of a Business Planned Development 1172, as amended which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in this Plan of Development, including the Bulk Regulations and Data Table set forth below. (all other here-omitted planned development statements, exhibits, and text as set forth in the Plan of Development adopted by City Council on September 8, 2010 (Pages 99492 – 99511 of the Journal of Proceedings for the City Council of the City of Chicago September 8, 2010 Meeting), and as modified administratively thereafter, are unaffected by this ordinance.)

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



Derrick G. Curtis
Alderman, 18th Ward

Business Planned Development No. 1172, as amended, Plan of Development Statements referred to in this Ordinance read as follows:

1. The area delineated herein as Business Planned Development Number 1172 (the “Planned Development”) consists of approximately 749,954 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map (“the Property”) and is owned or controlled by B33 Westport Commons, LLC (the “Property Owner”).
2. The current Property Owner or its successors, assignees or grantees shall obtain all necessary official reviews, approvals or permits. Any dedication or vacation of streets, alleys or easements or any adjustments of rights-of-way shall require a separate submittal on behalf of the Property Owner or its successors, assignees or grantees and approval by the City Council.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Property Owner, its successors, assignees or grantees and, if different than the Property Owner, the legal titleholders and any ground lessors. All rights granted hereunder to the Property Owner shall inure to the benefit of the Property Owner’s successors, assignees or grantees and, if different than the Property Owner, any legal titleholders and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property or the subarea concerned, as the case may be, 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 or the subarea concerned, as the case may be, and any ground lessors.
4. This amended plan of development consists of seventeen (17) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Subarea Map; and a Site/Landscape Plan. The existing Landscape Material Legend and Details (P. 99503, Journal of Proceedings for the City Council of the City of Chicago for September 8, 2010 Meeting); Subarea A Elevations (Pp. 99504-07, Journal of Proceedings for the City Council of the City of Chicago for September 8, 2010 Meeting); Subarea C Elevations (P. 99508-09, Journal of Proceedings for the City Council of the City of Chicago for September 8, 2010 Meeting); and Subarea D Elevations (P. 99510-11, Journal of Proceedings for the City Council of the City of Chicago for September 8, 2010 Meeting) are unaffected by this Ordinance. This 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. In any Instance where a provision of the Planned Development conflicts with the Chicago Building Code, the Building Code shall control.

5. Subject to the Bulk Regulations and Data Table, the following uses shall be permitted in Subareas A, C, D, and E of the Planned Development (there is no longer a Subarea B in the Planned Development as amended): retail uses, office uses, related and accessory uses, accessory parking and all other permitted uses in the B3 Community Shopping District, except for uses in the Residential Use Group. The following Special Uses shall also be permitted: schools; drive-through facilities; banks and financial institutions; automated teller machines; payday loan stores; and barber shops, beauty shops and other personal service establishments. The establishment of other uses requiring special use approval in the B3 Community Shopping District may be permitted if approved by the Commissioner of Zoning and Land Use Planning through the minor change procedure set forth in Statement Number 13.
6. On-premise signs shall be permitted within the Planned Development subject to the review and approval of the Department of Zoning and Land Use Planning. Temporary signs such as construction and marketing signs also shall be permitted subject to the review and approval of the Department of Zoning and Land Use Planning. Off-premise signs shall not be permitted in the Planned Development.
7. Off-street parking and loading facilities shall be provided in accordance with the provisions of this Planned Development subject to the review and approval of the Departments of Transportation and Zoning and Land Use Planning. Any service drive or other ingress or egress shall be adequately designed and paved, in accordance with the regulations of the Department of Transportation 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 emergency areas.
8. For purposes of height calculations, the definitions in the Chicago Zoning Ordinance shall apply. In addition to the maximum height of buildings and any appurtenances attached thereto prescribed in this Planned Development, the height of any improvements shall also be subject to height limitations as approved by the Federal Aviation Administration.
9. The improvements on the Property shall be designed, constructed, and maintained in substantial conformance with this Planned Development. Landscaping shall be installed in accordance with the Site/Landscape Plan and maintained in accordance with the parkway tree planting and parking lot landscape provisions of the Chicago Zoning Ordinance, subject to the provisions of Statement 10 of this Planned Development. The Property Owner shall install a sidewalk along the West 87th Street frontage of the Property at such time that Subarea E is developed. Said sidewalk shall comply in all respects with the standards of the Department of Transportation.

10. Notwithstanding any statement to the contrary, and except for existing improvements, this Planned Development shall be subject to the provisions of Chapter 17-11 of the Chicago Zoning Ordinance governing landscaping and screening. In any instance where a provision of this Planned Development conflicts with landscape and screening provisions of the Chicago Zoning Ordinance except for existing improvements, the Chicago Zoning Ordinance shall control. Nothing in this Planned Development is Intended to waive the applicability of the landscape and screening provisions of the Chicago Zoning Ordinance, except that the landscaping of existing improvements shall be subject to the terms of the approval granted in Administrative Adjustment Application Number 06-484, approved August 7, 2006.
11. For purposes of floor area ratio ("F.A.R.") calculations. the definitions in the Chicago Zoning Ordinance shall apply.
12. Prior to the issuance by the Department of Zoning and Land Use Planning of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance ("Part II Approval") for any new construction within the Planned Development other than alterations to existing buildings which do not increase their height or alter their footprint, a site plan for the new construction shall be submitted to the Commissioner of the Department of Zoning and Land Use Planning for approval. Review and approval of the site plan by the Commissioner is intended to assure that specific development proposals conform with this Planned Development. No Part II Approval for work for which a site plan must be submitted to the Commissioner shall be granted until the site plan has been approved by the Commissioner. Further, all Part II submittals shall be in compliance with the Chicago Landscape Ordinance except as indicated in Statement 10 for existing improvements. Following approval of a site plan by the Commissioner, the approved plan shall be kept on permanent file with the Department of Zoning and Land Use Planning Development and shall be deemed to be an integral part of this Planned Development. The approved site plan may be changed or modified pursuant to the minor change provisions of Section 17-13-0611 of the Chicago Zoning ordinance.

A site plan shall, at a minimum, provide the following information with respect to the proposed improvements:

- 1) the boundaries of the property;
- 2) the footprint of the improvements;
- 3) location and dimensions of all loading berths;
- 4) preliminary landscaping plan with final landscaping plan to be approved at Part II stage;
- 5) all pedestrian circulation routes;
- 6) the location of any adjacent public improvements;

- 7) preliminary elevations of the improvements; and
- 8) statistical information applicable to the Property limited to the following:
 - a) floor area and floor area ratio;
 - b) uses to be established;
 - c) building heights; and
 - d) all setbacks, required and provided.

A site plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of this Planned Development.

13. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department of Zoning and Land Use Planning upon the request of the Property Owner or its successors, assignees or grantees 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 herein and will not result in increasing the maximum floor area ratio for the total net site area or a reduction in the minimum required distance between structures or in periphery setbacks established in this Planned Development. Any such modification shall be deemed a minor change in the Planned Development as contemplated by Section 17-1 3-0611 of the Chicago Zoning Ordinance.
14. The Property Owner, as grantee and successor to the original Planned Development 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 Property Owner shall design, construct and maintain all future buildings located within the Property in conformance with the City's Sustainable Development Policy in effect at the time such building is developed.
15. Upon Part II Review, a Part II Review Fee shall be assessed by the Department of Zoning and Land Use Planning 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 Property Owner and must be paid to the Department of Revenue prior to the issuance of any Part II approval.

16. The Property Owner, as grantee and successor to the original Planned Development applicant, acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all new buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance until the Director of M.O.P.D. has approved detailed construction drawings for each building or improvement.
17. 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.

Business Planned Development No. 1172

Plan of Development

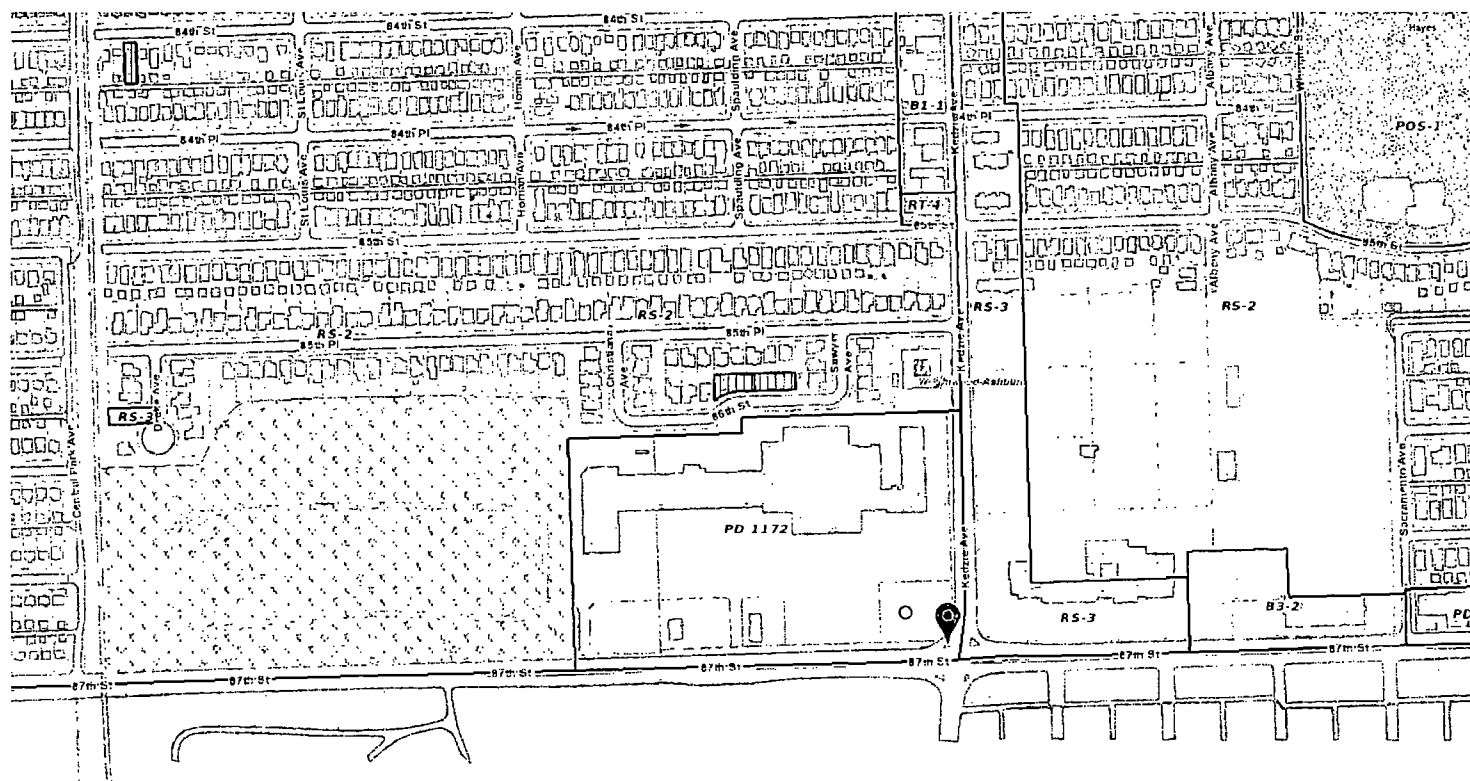
Bulk Regulations and Data Table

Gross Site Area = Net Site Area + Areas Remaining in Public Rights-of-way: 821,603.37 square feet (18.86 acres) = 749,954 square feet (17.22 acres) + 71,649.37 square feet (1.64 acres)

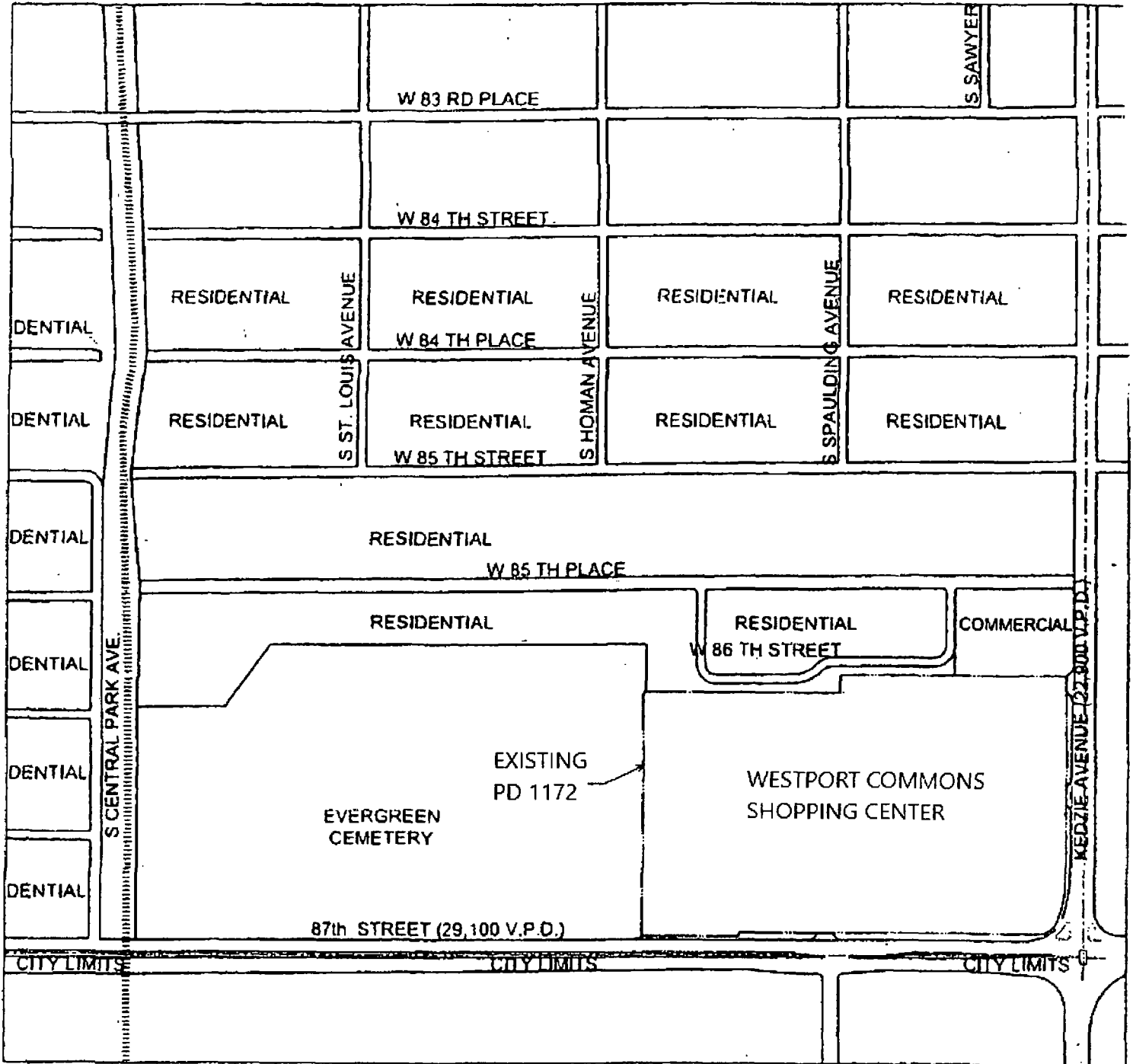
Subarea	Net Site Area	Maximum Floor Area Ratio	Minimum Number of Off-Street Parking Spaces	Minimum Number of Off-Street Loading Spaces	Permitted Uses	Setbacks
A	664,561 sq ft	0.30	750	4	See Statement Number 5	In Accordance with the Site/Landscape Plan
C	19,287 sq ft	0.25	15	0		
D	32,250 sq ft	0.25	25	0		
E	33,856 sq ft	0.25	25	0		
TOTALS	749,954 sq ft	0.29	815	4	-	

Minimum Number of Bicycle Spaces: 50

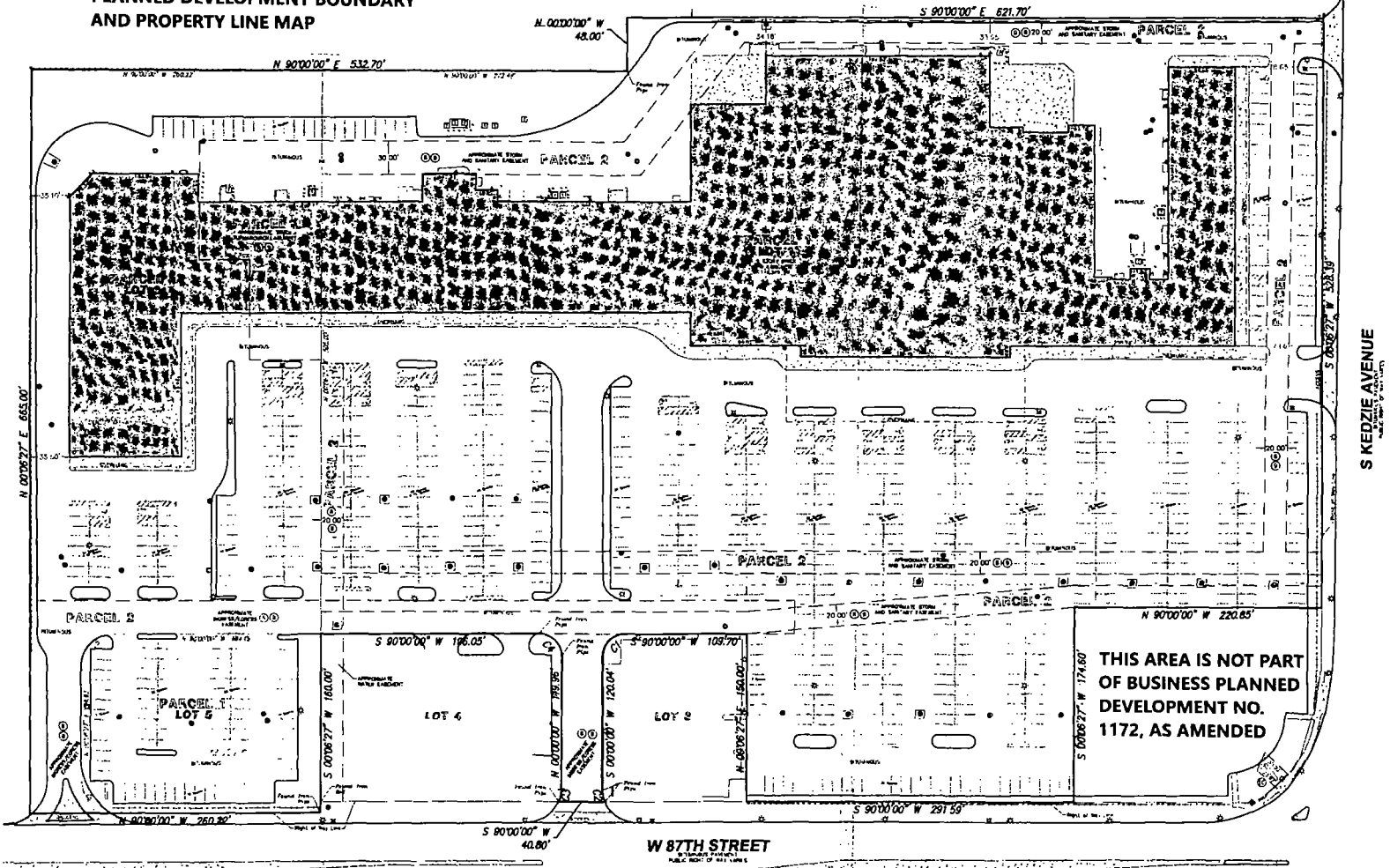
Maximum Building Height: 38 Feet



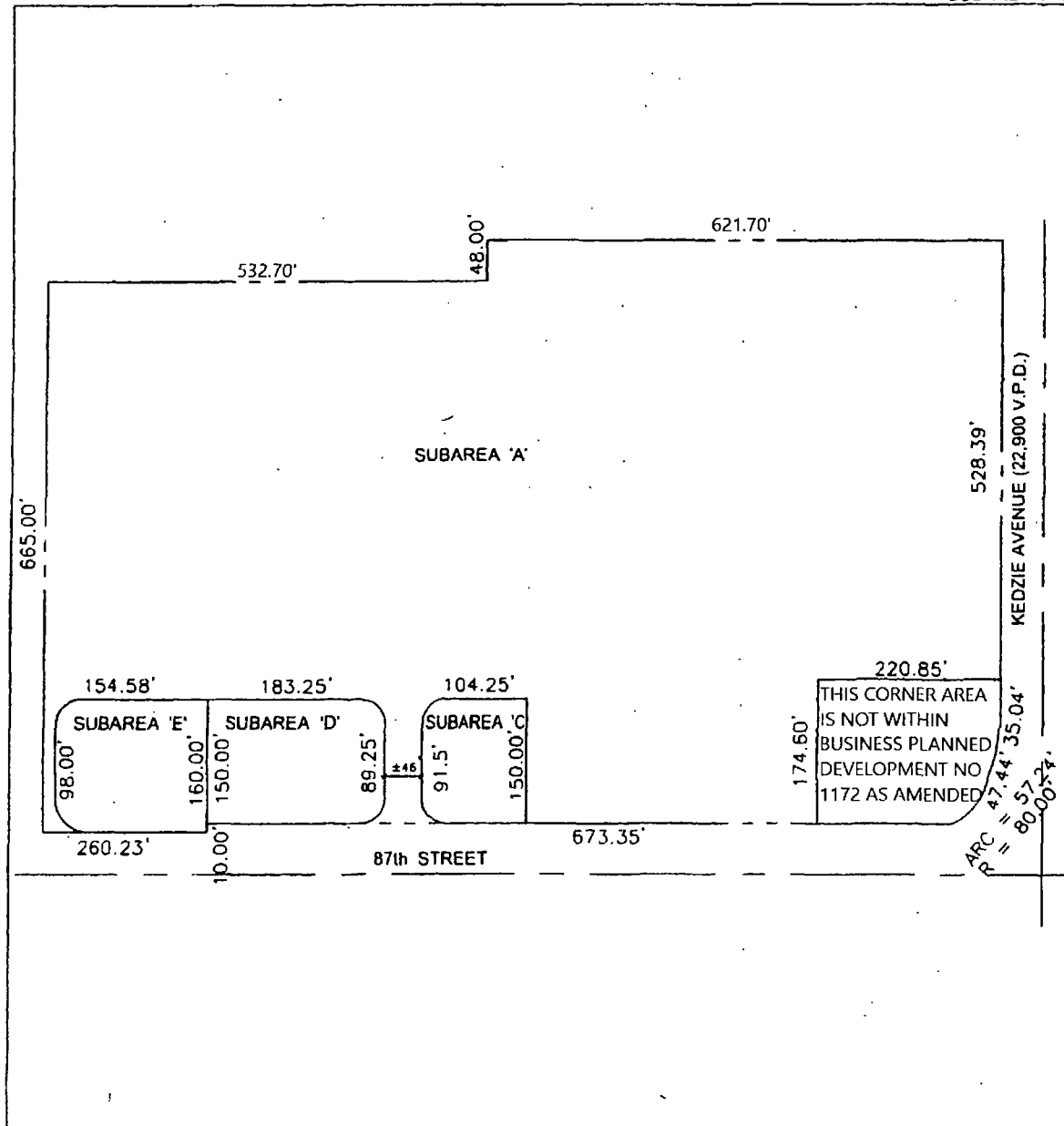
EXISTING LAND USE MAP



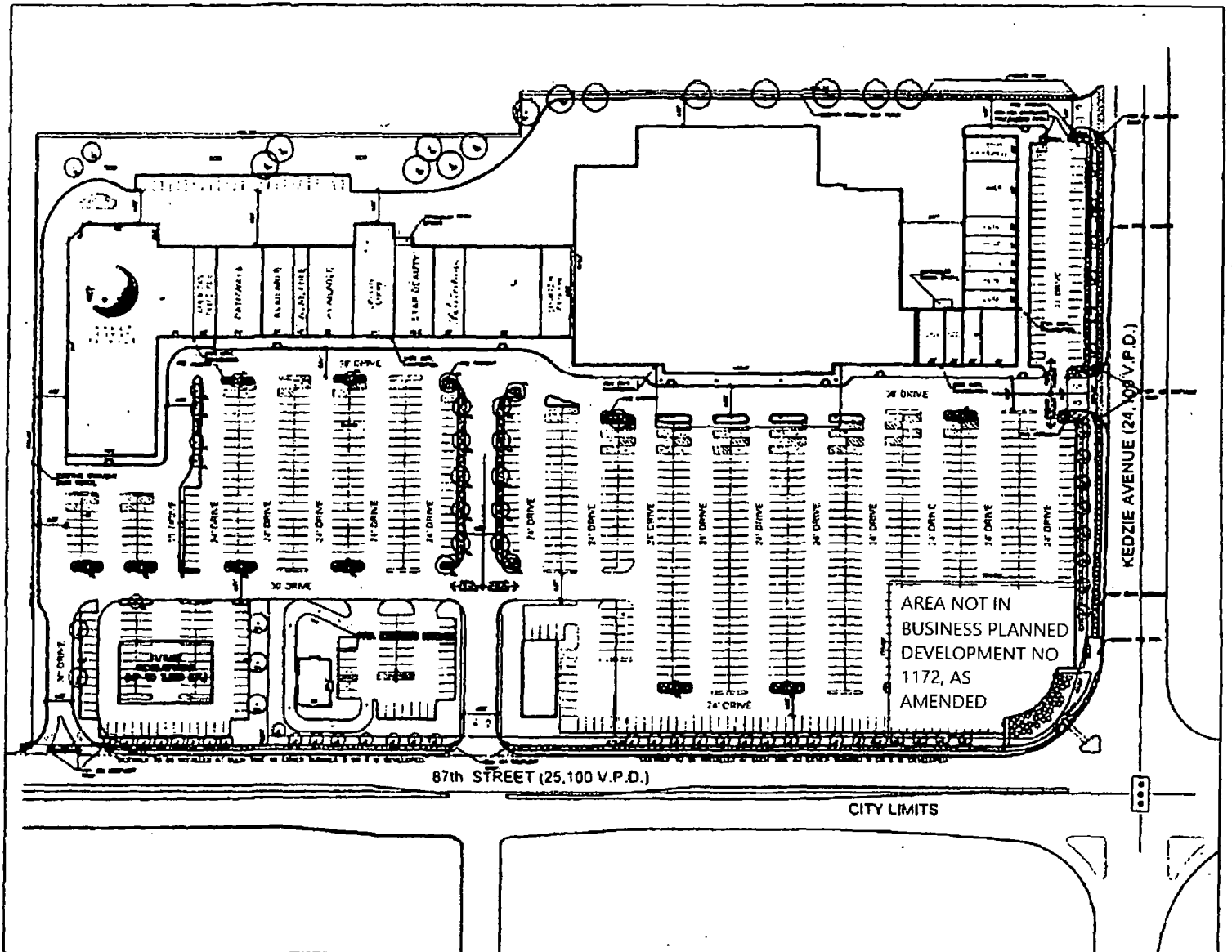
**PLANNED DEVELOPMENT BOUNDARY
AND PROPERTY LINE MAP**



SUBAREA MAP



SITE/ LANDSCAPE PLAN



"WRITTEN NOTICE"
FORM OF AFFIDAVIT
(Section 17-13-0107)

Honorable Thomas M. Tunney
Chairman – Committee on Zoning,
Landmarks, and Building Standards
121 N. LaSalle St
City Hall Room 304
Chicago, IL 60602

RE: Aldermanic Technical Zoning Amendment
Of Business Planned Development No. 1172
By Hon. Derrick G. Curtis, Alderman, 18th Ward


Dear Chairman Tunney,

The undersigned, Attorney Pericles Abbasi, being first duly sworn on oath, deposes and states the following:

The undersigned certifies that he/she has complied with the requirements of Section 17-13-0107 of the Chicago Zoning Ordinance, by sending written notice to such property owners who appear to be the owners of the property within the subject area not solely owned by the applicant, and to the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of public roads, streets, alleys and other public ways, or a total distance limited to 400 feet. Said "written notice" was sent by First Class U.S. Mail, no more than 30 days before filing the application.

The undersigned certifies that the notice contained the address of the property sought to be rezoned; a statement of the intended use of the property; the name and address of the applicant; the name and address of the owner; and a statement that the applicant intends to file the application for a change in zoning on approximately July 15, 2020.

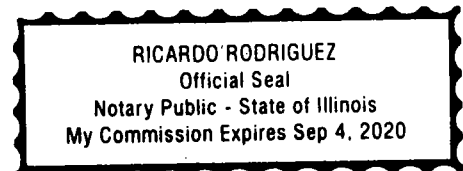
The undersigned certifies that the applicant has made a bona fide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Chicago Zoning Ordinance, and that the accompanying list of names and addresses of surrounding property owners within 250 feet of the subject site is a complete list containing the names and addresses of the people required to be served.



Subscribed and Sworn to before me this

14th day of July, 2020.



Notary Public

DERRICK CURTIS
ALDERMAN, 18TH WARD
8359 SOUTH PULASKI ROAD
CHICAGO, ILLINOIS 60652
PHONE: 773-284-5057
FAX: 773-284-5956
E-MAIL: 18THWARD@CITYOFCHICAGO.ORG



**CITY OF CHICAGO
CITY COUNCIL**

★
COUNCIL CHAMBER
CITY HALL ROOM 300
121 NORTH LASALLE STREET
CHICAGO, ILLINOIS 60602
PHONE: 312-744-6856

COMMITTEE MEMBERSHIPS

COMMITTEE ON AVIATION
(VICE-CHAIRMAN)
PUBLIC SAFETY
BUDGET AND GOVERNMENT OPERATIONS
COMMITTEES AND RULES
ECONOMIC, CAPITAL, AND
TECHNOLOGY DEVELOPMENT
ETHICS AND GOVERNMENT OVERSIGHT
FINANCE
TRANSPORTATION AND PUBLIC WAY
WORKFORCE DEVELOPMENT

July 14, 2020

Dear Property Owner,

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance, specifically Section 17-13-0107, please be informed that on or about July 15, 2020, the undersigned will file an application for an Aldermanic Technical Zoning Amendment to Business Planned Development No. 1172, for the Westport Commons Shopping Center property located at 3206-3348 West 87th Street and 8600-8618 S. Kedzie Avenue, Chicago, IL 60652.

The Aldermanic Technical Amendment will change the boundaries of Business Planned Development No. 1172 to remove a 36,597 square foot out-lot at the corner of West 87th Street and South Kedzie Avenue. The boundaries of the out-lot to be removed are South Kedzie Avenue, West 87th Street, a line 220.85 feet west of and parallel to South Kedzie Avenue; and a line 174.60 feet north of and parallel to West 87th Street.

The uses allowed, building structures, and number of parking spaces in the remaining areas within Business Planned Development No. 1172 will be unchanged.

18th Ward Alderman Derrick Curtis is the Applicant for this Aldermanic Technical Zoning Amendment. His office is located at 8359 South Pulaski Road, Chicago, IL 60652. The contact person for this application is Attorney Pericles Abbasi, whose office is at 6969 West Wabansia Avenue, Chicago, IL 60707, and whose phone number is (773) 368-5423.

Please note that the applicant is not seeking to rezone or purchase your property. The applicant is required by law to send this notice because you own property within 250 feet of the property to be rezoned.

Sincerely,

Hon. Derrick G. Curtis
Alderman, 18th Ward