



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Details (With Text)

**File #:** SO2012-8193  
**Type:** Ordinance **Status:** Passed  
**File created:** 12/12/2012 **In control:** City Council  
**Final action:** 10/16/2013  
**Title:** Zoning Reclassification Map No. 9-J at 3443-3535 W Addison St - App No. 17629  
**Sponsors:** Misc. Transmittal  
**Indexes:** Map No. 9-J  
**Attachments:** 1. O2012-8193.pdf, 2. SO2012-8193.pdf

Date	Ver.	Action By	Action	Result
10/16/2013	1	City Council	Passed as Substitute	Pass
10/10/2013	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	Pass
1/14/2013	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
12/12/2012	1	City Council	Referred	

## FINAL FOR PUBLICATION

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the Business Planned Development #534 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 the partially vacated Eddy Street right-of-way for approximately four hundred twenty-two (422) feet; the remaining south property line abuts 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

to those of Business Planned Development #534, as amended, and a corresponding use district is hereby established in the area above described.

This ordinance shall be in force and effect from and after its passage and

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***BUSINESS PLANNED DEVELOPMENT No. 534 BULK***

***REGULATIONS AND DATA TABLE***

Gross Site Area: Area in Public R.O.W.: Net Site Area:

Sub-Area A:

Sub-Area B:

Permitted Floor Area Ratio:

Permitted Uses:

Per Sub-Area A:

Per Sub-Area B:

Minimum Number of Accessory Off-Street Parking Spaces:

Per Sub-Area A:

Per Sub-Area B:

Minimum Number of Bicycle Parking Spaces:

Minimum Off-Street Loading Spaces:

Per Sub-Area A: Per Sub-Area B:

Setbacks from Property Line:

368,890 square feet (8.47 acres) 45,199 square feet (1.04 acres) 323,691 square feet (7.43 acres) 260,529  
square feet (5.98 acres) 63,162 square feet (1.45 acres)

0.38

retail and commercial uses, service uses, accessory uses and parking.

eating and drinking establishments, accessory uses and parking.

385 (Sec. 17-10-0207-M Parking Group M)

**262**

123

1 per 10 auto spaces (13 spaces)

5 spaces at 10'X25'

4 1

In substantial compliance with the Attached Site Plan

Maximum Building Height: Sub-Area A: Sub-Area B:

Setbacks from Property Lines:

22 feet 22 feet

per attached Site Plan

Applicant: Kmart Corporation  
Address: .1443-3535 West Addison Street  
City Council Intro: December 12,2012  
Plan Commission. September 19,2013

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### **BUSINESS PLANNED DEVELOPMENT #534, AS AMENDED PLANNED DEVELOPMENT STATEMENTS**

1. The area delineated herein as Planned Development Number #534, as amended, ("Planned Development") consists of approximately 323,691 square feet (7.43 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, Kmart Corporation.
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 in 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, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

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 15 Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Overall Planned Development Site Plan; Sub-Area Map; Sub-Area B Site Plan; Sub-Area B Landscape Plan; and Sub-Area B Building Elevations (North, South, East and West) prepared by Kimley-Horn and Associates and dated September 19, 2013, submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file

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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 are permitted in the sub-areas delineated herein as Business Planned Development #534, as amended:

Sub-Area A: retail and commercial uses, service uses, accessory uses and parking. Sub-Area B: eating and drinking establishments, accessory uses and parking.

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, if any, 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. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 323,691 square feet.
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. Sub Area A is improved with a Kmart commercial building and parking lot. The Sub-Area B 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.
11. 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

Applicant: Kmart Corporation  
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Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

12. The terms and conditions of development under this 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.
13. 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.
14. 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.
15. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, 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.

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City Council Intro: Plan Commission:  
Kmart Corporation  
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APPLICANT: KMART CORPORATION ADDRESS: 3443-3555 WEST ADDISON STREET SUBMITTED: 12/12/12 PLAN COMMISSION: SEPTEMBER 19, 2013

PLANNED DEVELOPMENT BOUNDARY AND PROPERTY LINE MAP

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**NmtyHom and Associates, Inc.**

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WEST ADDISON STREET

APPLICANT: KMART CORPORATION ADDRESS: 3443-3555 WEST ADDISON STREET SUBMITTED: 12/12/12 PLAN COMMISSION: SEPTEMBER 19, 2013

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**Kkntey+tom and Associates, Inc.**

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