



# Office of the City Clerk

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

## Legislation Text

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File #: SO2012-8255, Version: 1

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### **FINAL FOR PUBLICATION ^w^'**

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

#### ORDINANCE

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all the Residential - Business Planned Development No. 491 symbols and indications as shown on Map No. 5-G in the area bounded by

West Webster Avenue; North Seminary Avenue; the alley next south of West Webster Avenue; and North Racine Avenue

to those of a Residential - Business Planned Development No. 491, As Amended, and a corresponding use district is hereby established in the area above described.

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

Michele Smith Alderman, 43<sup>rd</sup> Ward

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**PLANNED DEVELOPMENT STATEMENTS**

1. The area delineated herein as Residential-Business Planned Development Number 491, As Amended, ("Planned Development") consists of approximately 60,000 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by various property owners ("Owners").
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Owners, their successors and assigns and, if different than the Owners, the legal title holders and any ground lessors. All rights granted hereunder to the Owners shall inure to the benefit of the Owners' successors and assigns and, if different than the Owners, 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. Provided however, any Owner may seek an administrative amendment to this Planned Development for such Owner's own property within this Planned Development
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.

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Ingress or egress 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 12 Statements: a Bulk Regulations Table; an

Existing Zoning Map; an Existing Land-Use Map; and a Planned Development Boundary and Property Line Map. 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

Applicant: Alderman Michele Smith, 43<sup>rd</sup> Ward  
Address: An area bounded by West Webster, North Seminary and North Racine Avenues and the alley next south of West Webster Avenue  
Introduced: December 12, 2012  
Plan Commission: March 21, 2013

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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 area delineated herein as a Residential-Business Planned Development No. 491, As Amended: residential; retail business and service uses; business and professional office and accessory uses. The following uses shall be prohibited: Day Care Centers; Liquor Stores; Schools-music, dance, trade or business; Amusement Centers, including bowling alleys, pool halls, dance halls, gymnasiums, swimming pools and skating rinks; Arcades; Motor Vehicle Repair Shops; Community Centers; Pawn Shops; Theaters and Taverns. Provided, however, all existing restaurant uses currently operating, and any new restaurant use seeking its business license to operate, within this Planned Development as of its adoption shall be allowed to operate in its present form (or in the case of a new restaurant seeking its business license as of adoption of this Planned Development, it shall be permitted to operate in its approved form). After the adoption of this Planned Development, no new or existing restaurant shall be allowed to expand its use to include a wholly or partially unenclosed area. The continued existence of restaurant uses in the Planned Development shall be governed by the provisions regulating nonconforming uses in Article 15 of Title 17 of the Chicago Municipal Code in effect on the effective date of this Planned Development.
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 60,000 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. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Environment and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

Applicant: Alderman Michele Smith, 43<sup>rd</sup> Ward  
Address: An area bounded by West Webster, North Seminary and North Racine Avenues and the alley next south of West Webster Avenue  
Introduced: December 12, 2012  
Plan Commission: March 21, 2013

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11. **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 an Owner, its successors and assigns and, if different than the Owner, the legal title holders and any ground lessors.**
12. **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 Planned Development Number 491, dated October 4, 1989.**

Applicant: Alderman Miciele Smith, 43<sup>rd</sup> Ward  
Address: An area bounded by West Webster, North Seminary and North Racine Avenues and the alley next south of West Webster Avenue  
Introduced: December 12, 2012  
Plan Commission: March 21, 2013

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. 491, AS AMENDED BULK  
REGULATION AND DATA TABLE

60,000 square feet (1.38 acres) 2.2

Minimum Lot Area:

900 square feet per dwelling unit. 600 square feet per efficiency unit.

None.

Minimum Setbacks:

As required in the RT-4 Residential  
Two-Flat, Town-House and Multi-Unit District.

As required in the B3-2 Community Shopping District.

Minimum Number of Off-Street Parking Spaces:

Residential:

Retail / Office:

As required in the RT-4 Residential  
Two-Flat, Town-House and Multi-Unit District.

As required in the B3-2 Community Shopping District.

Minimum Number of Off-Street Loading Berths:

Residential:

Retail / Office:

As required in the RT-4 Residential  
Two-Flat, Town-House and Multi-Unit District.

As required in the B3-2 Community Shopping District.

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Avenue  
Introduced: December 12, 2012  
Plan Commission: March 21, 2013

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO, 491, As Amended

Applicant: Alderman Michele Smith

Subject Property: West Webster Avenue; North Seminary Avenue; North Racine Avenue; and the alley next South of Webster Avenue. ■ Introduced: December 12, 2012 Plan Commission: March 21, 2013

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### **RESIDENTIAL - BVSIIHSSS PLANNED DEVELOPMENT**

NO. 491, as AMENDED  
Existing Land Use Map

Applicant: Alderman Michele Smith  
Subject Property: West Webster Avenue; North Seminary Avenue; North Racine Avenue; and the alley next South of West Webster Avenue. Introduced: December 12, 2012 Plan Commission: March 21, 2013

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## **FINAL FOR PUBLICATION**

**RESIDENTIAL '- BUSINESS  
PLANNED DEVELOPMENT NO. 491, as AMENDED  
PROPERTY LINE AND  
PL&SHED DEVELOPMENT**



Applicant: Alderman Michele Smith Subject Property: West Webster Avenue, North Seminary Avenue; North Racine Avenue; and the alley next South of West Webster Avenue.

Introduced: December 12, 2012 Plan Commission:  
March 21, 2013