



# 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 #: SO2013-791, Version: 1

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**FINAL FOR  
PUBLICATION**

### **SUBSTITUTE ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF 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 Number 699 District symbols and indications as shown on Map No. 3-L in the area bounded by:

West North Avenue; North Cicero Avenue; West Lemoyne Avenue; and North Laverne Avenue.

to those of a Business Planned Development Number 699, As Amended, District. SECTION 2.

This ordinance takes effect after its passage and due publication.

4821 W. North Avenue, Chicago, IL 60639

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## PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Business Planned Development Number 699, as amended, (Planned Development) consists of a Net Site Area of approximately 732,650 square feet (approx. 16.81 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map (Property) and is owned by North and Cicero Development LLC. For the purposes of this Application, the Applicant, Ralphs Grocery Company (d/b/a Food 4 Less Midwest), controls that portion of the Property that it currently leases from the Owner.
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 Sec 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 Sec 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; a Planned Development Aerial Map, an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; an Overall Site Plan; a New Fuel Center Site Plan; and Fuel Center

Applicant: Ralph's Grocery Company  
Address: 4821 West North Avenue  
Date of City Council Introduction: Feb. 13, 2013  
Date of Plan Commission Hearing: June 20, 2013

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Elevations prepared by Corporate Design + Development Group, LLC and dated June 20, 2013; a Landscape Plan prepared by Brusseau Design Group, LLC and dated June 20, 2013; Building Elevations prepared by Keystone Structures, Inc. and dated June 20, 2013; and a Chicago Builds Green form prepared by Corporate Design + Development Group, LLC and dated June 20, 2013, submitted herein. Full-sized copies of the Site Plans, Landscape Plan and Building Elevations are on file 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 area delineated herein as a Planned Development: all uses permitted in a B5-1 Restricted Service District including fuel centers, retail drug stores with drive-through, accessory parking and related uses. The following uses shall be prohibited: residential, hotels, motels, video arcades, stand alone liquor stores or adult uses.
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 of 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 732,650 square feet.
9. Upon review and determination, "Part II Review", pursuant to Sec. 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.

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10. The 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 review, 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 Facility Management and Buildings, under Sec. 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 Sec. 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 Sec. 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 Business Planned Development No. 699 dated December 2, 1998.

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## BULK TABLE

*Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows: Business Planned Development Number 699, as amended*

*Bulk Regulations And Data Table.*

Net Site Area:

Public Right-of-Way Area

Gross Site Area:  
(Net + Public Right-of-Way)

Maximum Floor Area Ratio

Minimum Number of Off-Street Parking Spaces:

Maximum Number of Off-Street Parking Spaces:

Minimum Number of Loading Docks:

Maximum Percentage of Site Coverage:

Minimum Required Building Setbacks:

Maximum Permitted Building Height:

732,650 square feet 148,564 square feet 881,214 square feet

0.3 775

823

In substantial conformance with the Overall Site Plan.

In substantial conformance with the Overall Site Plan.

In substantial conformance with the Building Elevations.

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