

PD 1201

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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

March 24, 2014

Carol D. Stubblefield
Neal & Leroy, LLC
203 North LaSalle Street
Suite 2300
Chicago, IL 60601-1243

**Re: Administrative Relief request for Business Planned Development No. 1201
NE corner of West 76th Street and South Ashland Avenue**

Dear Ms. Stubblefield:

Please be advised that your request for a minor change to Business Planned Development No. 1201 ("PD 1201"), as amended, has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 13 of PD 1201.

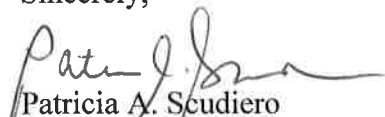
Your client and the property owner, Gendell Partners 75th/Ashland LLC, is seeking an administrative relief to:

- Modify the site plan and elevations of the proposed Walmart Food Market within Subarea A, including parking lot modifications, the addition of a front entry vestibule, and shifting of the entry and egress doors and ribbon windows. Please note that your request asked for the foundation walls to be clad in concrete masonry units (CMU) however, at our request, the CMU has been replaced with masonry. A revised Site Plan, dated February 26, 2014 and revised Elevations, dated March 17, 2014, shall be inserted into the main file. Also, while the elevations include proposed signage, that is not part of this approval. Please submit for sign permits as required.
- Eliminate the future retail sites identified as Subarea B1 and B2. A surface dry detention basin will be constructed within Subarea B1 and a landscaped berm will be constructed within Subarea B2.
- As a result of eliminating the retail sites (Subarea B1 and B2), the proposed traffic signal at the intersection of South Ashland Avenue and West 75th Place, and as identified in Statement 16, is no longer needed and has been eliminated. You have submitted a Traffic Study Addendum based on the elimination of the two retail developments and the Department of Transportation concurs that based on the reduction in land use type and density, a traffic signal is no longer needed at this intersection. However, please be advised that if in the future, the property owner wishes to reinstate retail uses within Subareas B1 and B2, the Department will require a site plan review and approval, a revised traffic study, and a traffic signal prior to a request for administrative relief to reestablish the retail out lots.

With regard to your request, the Department of Planning and Development has determined that allowing these modifications will not create an adverse impact on the Planned Development or surrounding neighborhood, will not result in an increase in the bulk or density, and will not change the character of the development, and therefore, would constitute a minor change.

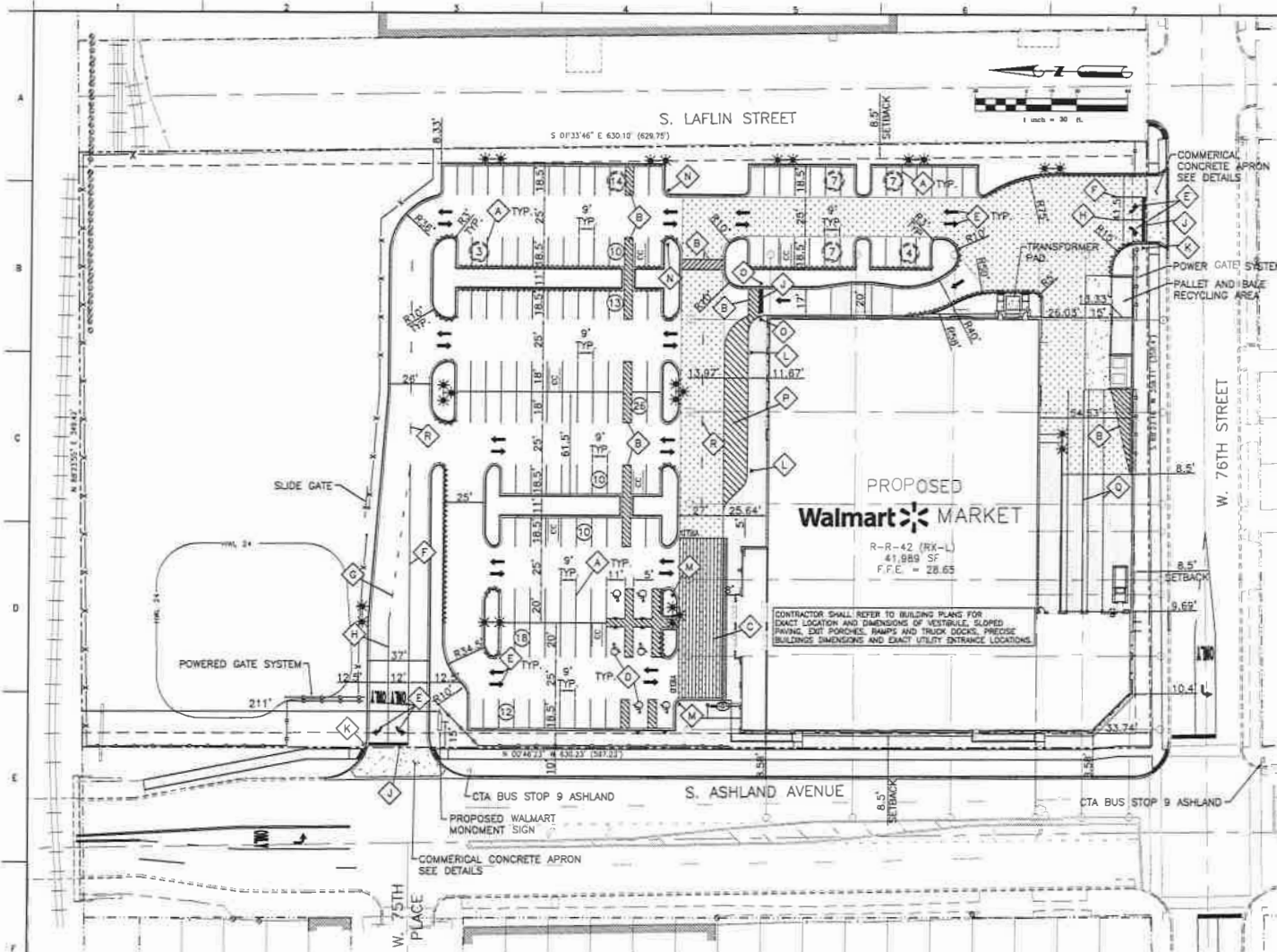
Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 1201, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,


Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm

C: Alderman Latasha Thomas, Rick Hayes, Ed Stockwell, Mike Marmo, Erik Glass, Ron Daye, Maureen West, Steve Pautsch, Main file



LEGEND

- SEE CONCRETE SPECIFICATIONS**
- 5" PC CONCRETE OVER 4" CA-8 CRUSHED STONE OR APPROVED EQUAL
- PALETT APRON
- 5" PC CONCRETE OVER 4" CA-8 CRUSHED STONE OR APPROVED EQUAL
- BUILDING CONCRETE**
- TRUCK DOCKS AND ON SITE STORE FRONT WALKS PER BUILDING PLANS.
- HEAVY DUTY PAVEMENT**
- 3" BITUMINOUS SURFACE COURSE CL1 TY.2
- 3" BITUMINOUS BINDER COURSE CL1 TY.2
- 18" AGGREGATE BASE COURSE, CA-8 CRUSHED STONE OR APPROVED EQUAL, COMPACTED GEOTECH APPROVED SUBGRADE
- LIGHT DUTY PAVEMENT**
- 1 1/2" BITUMINOUS SURFACE COURSE CL1 TY.2
- 2" BITUMINOUS BINDER COURSE CL1 TY.2
- 12" AGGREGATE BASE COURSE, CA-8 CRUSHED STONE OR APPROVED EQUAL, COMPACTED GEOTECH APPROVED SUBGRADE
- PER GEOTECH RECOMMENDATIONS SEE GEOTECHNICAL REPORT FOR ALTERNATE PAVEMENT SECTIONS.
- 88.12 CURB AND GUTTER CURB UNLESS NOTED OTHERWISE
- 88.12 CURB AND GUTTER DEPRESSION
- REVERSE PITCH GUTTER
- PROPOSED PARKING SPACES 5Y3L/4"
- ASSOCIATES PARKING SPACES 5WSL/4"
- SIGN AND STRIPING CALLOUT
- HANDICAP RAMP PER ADA REQUIREMENTS AND MUNICIPAL DETAILS
- DECORATIVE FENCE
- CHAINLINK FENCE

SITE NOTES

1. BUILDING IS PARALLEL AND PERPENDICULAR TO ASHLAND AVE. R.O.W.
2. SEE R.O.W. PLANS FOR ADDITIONAL INFORMATION.
3. BUILDINGS AND IMPROVEMENTS ADJACENT TO BUILDINGS SHOWN ON THESE PLANS ARE BASED UPON THE BUILDING PLANS PROVIDED BY OTHERS AT THE DATE OF THESE PLANS BEING PREPARED. THE CONTRACTOR SHALL USE THE FINAL APPROVED BUILDING PLANS FOR FINAL BUILDING IMPROVEMENTS, AND VERIFY THAT ALL ADJACENT IMPROVEMENTS ARE CONSISTENT WITH THE DESIGN INTENT AND REQUIREMENTS OF THE SITE PLANS. THE CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY IF CLARIFICATION IS NEEDED, OR IF CONFLICTS OR INCONSISTENCIES EXIST.
4. CONTAMINATED SOILS EXIST ON THIS SITE. SPECIAL HANDLING AND DISPOSAL REQUIREMENTS SHALL BE MET FOR THE ENVIRONMENTAL ENGINEER.
5. ALL BUILDING TIES ARE FROM PROPERTY LINE TO FACE OF PRECAST OR CAST IN PLACE FOUNDATION WALL.
6. DIMENSIONS ARE TO BACK OF CURB UNLESS NOTED OTHERWISE.
7. EXISTING CONDITIONS SHOWN BASED ON SURVEY PREPARED BY EDI DATED 03-05-2012.
8. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
9. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE WALKS, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
11. TOTAL LAND AREA IS 5.128 ACRES.
12. THE SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED THE SITE SPECIFIC SPECIFICATIONS.
13. SIGNS SHALL BE CONSTRUCTED BY OTHERS.
14. REFER TO ARCH. PLANS FOR SITE LIGHTING ELECTRICAL PLAN.
15. SEE ARCHITECTURAL PLANS FOR BOLLARD DETAILS AND LOCATIONS.
16. PAVEMENT SECTIONS PER SUBSURFACE EXPLORATION AND ENGINEERING SERVICES PREPARED BY ECS ILLINOIS, L.L.C. REPORT DATED 02-24-14. SEE GEOTECHNICAL REPORTS FOR ADDITIONAL REQUIREMENTS.

PROPOSED Walmart MARKET
 R-R-42 (RX-L)
 41,989 SF
 F.F.C. = 28.65

CONTRACTOR SHALL REFER TO BUILDING PLANS FOR EXACT LOCATION AND DIMENSIONS OF VESTIBULE, SLOPED DRIVING EXIT PORCHES, RAMPS AND TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS

SITE ANALYSIS TABLE

NEIGHBORHOOD MARKET	41,989 SF
PARKING (ASSOCIATE & CUSTOMER)	129 SPACES
ACCESSIBLE	8 SPACES
TOTAL PARKING	136 SPACES
NOTE	2.94/1000 SF
CART CORNERS	6 CORNERS/5 SPACES

*PARKING SPACES OBSTRUCTED BY CART CORNERS ARE NOT INCLUDED IN OVERALL PARKING RATIO.

- STRIPING/SIGNAGE KEY**
- A. 4" PAINTED YELLOW
 - B. 4" PAINTED WHITE DIAGONAL 45 DEGREES @ 2" O.C.
 - C. 4" PAINTED WHITE @ 2" O.C.
 - D. YELLOW PAINTED H-10 SYMBOL AND STRIPING, AND SIGN PER DETAILS
 - E. YELLOW PAINTED LETTERS AND SYMBOLS
 - F. 4" PAINTED SOLID YELLOW
 - G. 1" PAINTED WHITE (1/2" STOP/DASH)
 - H. 6" PAINTED SOLID WHITE
 - I. 2" PAINTED WHITE STOP BAR
 - K. STOP SIGN
 - L. NO PARKING FREE LANE SIGN
 - M. CROSSWALK SIGN
 - N. NO TRUCKS BEYOND THIS POINT SIGN
 - O. DO NOT ENTER SIGN
 - P. 8" WIDE FREE LANE STRIPING PAINTED TRAFFIC RED WITH "NO PARKING FREE LANE" PAINTED WITH 4" HIGH WHITE LETTERS AT 20" SPACING-SEE DETAIL SHEET.
 - Q. 4" WIDE x 130" LONG YELLOW PAINTED TRUCK ALIGNMENT STRIPES TYPICAL.
 - R. 6" LONG PAINTED YELLOW STRIPE WITH 18" GAPS - TYPICAL.

ALERT TO CONTRACTOR

ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EMTWORK, FINAL UTILITIES AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS. OUTLET AREA TO BE KEPT FREE OF JOB TRAILERS AND STORAGE AFTER THE CONTRACT MILESTONE DATE FOR THE OUTLET. WM GENERAL CONTRACTOR TO PROVIDE CLEAR ACCESS FOR OUTLET CONTRACTOR TO THE SPECIFIC PARCEL AT ALL TIMES AFTER MILESTONE DATE. PURCHASER OF OUTLET TO PROVIDE PERMITS, DOCUMENTS AND SWPPP REQUIRED BY STATE/LOCAL REQUIREMENTS FOR SPECIFIC OUTLET.

CALL DIGGER TOLL FREE
 OPERATES 24 HOURS A DAY
 365 DAYS A YEAR



CHICAGO AREA
 1 (312)744-7000
 48 HOURS
 BEFORE YOU DIG



PROJECT NAME: WALMART NEIGHBORHOOD MARKET #3110-00 CHICAGO, IL
 PROJECT NO: 13.TERR.001
 SHEET NO: C4
 EXPIRES: 11-30-2015

APPLIED
 a division of
 engineering consultants

SITE PLAN

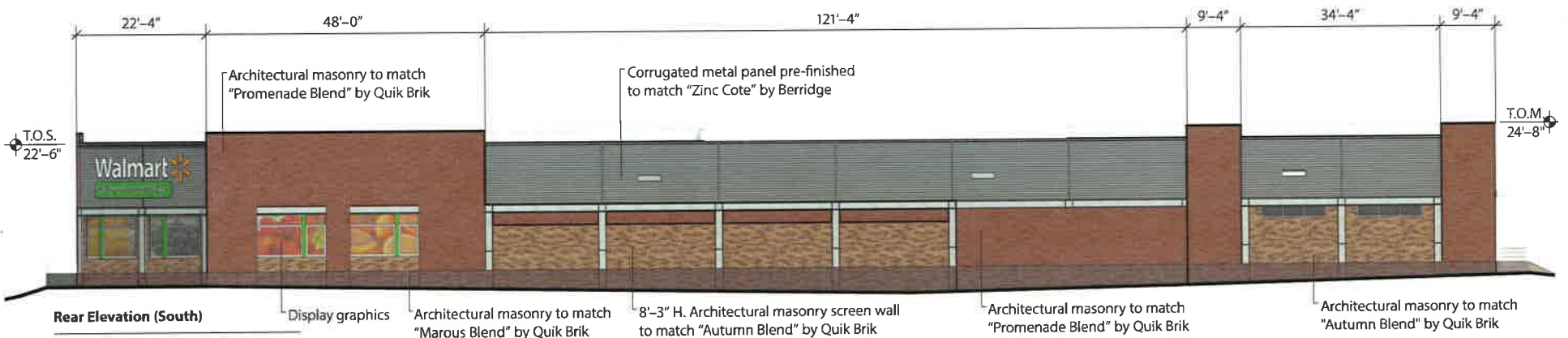
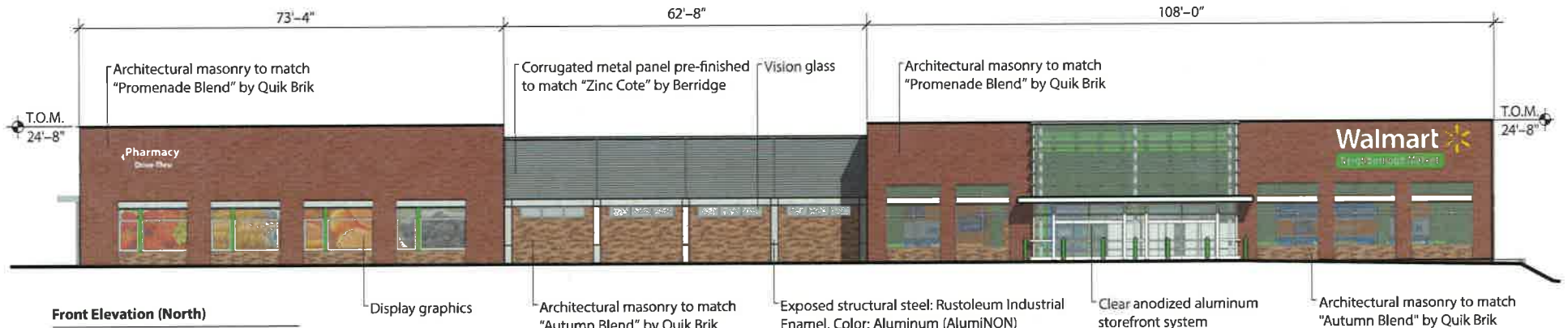
W. 75TH STREET FOR TRAFFIC

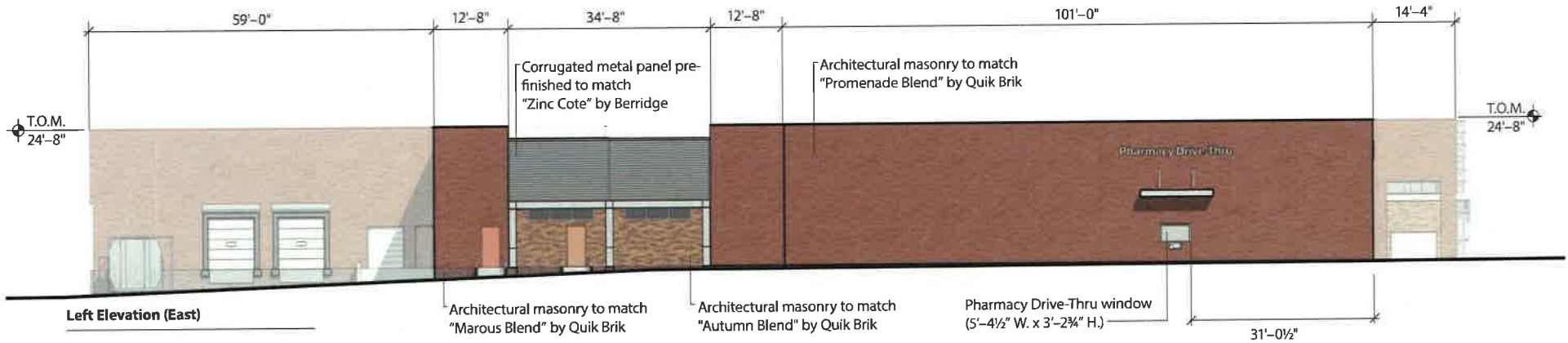
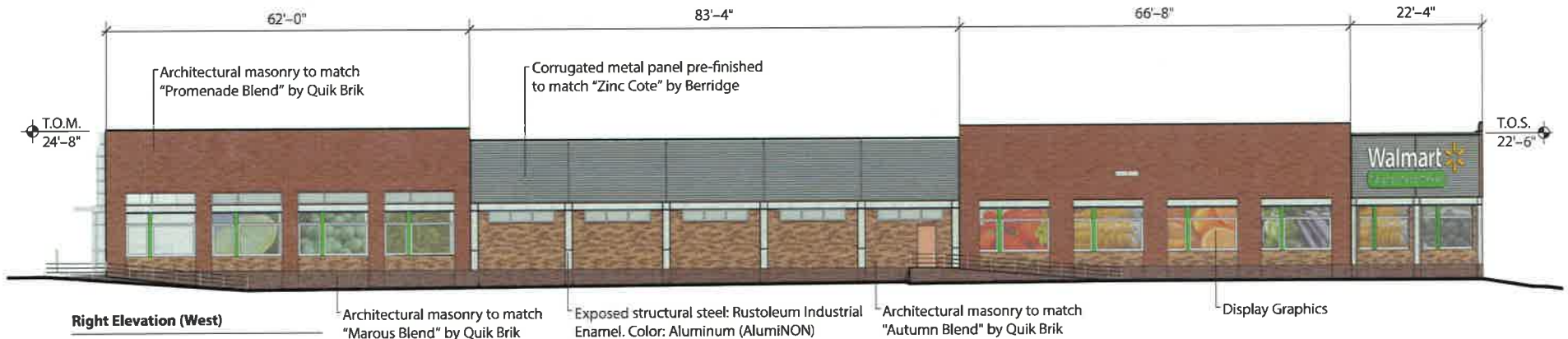
DATE: 02/27/14
 EXCUTED BY:

THE WILSON PERKINS ARCHITECTS, INC. 1000 N. LA SALLE ST. CHICAGO, IL 60610



BID SET. NOT FOR CONSTRUCTION.





SECTION 2. This ordinance takes effect after its passage and approval.

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BPD 1201

Reclassification Of Area Shown On Map No. 18-G.
(As Amended)
(Application No. 17444)
(Common Address: 7501 -- 7559 S. Ashland Ave., 1500 --
1534 W. 76th St. And 7500 -- 7558 S. Laflin St.)

[SO2012-1313]

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, be amended by changing all the M1-2 Limited Manufacturing/Business Park District symbols and indications as shown on Map Number 18-G in the area bounded by:

South Ashland Avenue; West 76th Street; South Laflin Street; and a line approximately 630.23 feet north of and parallel to West 76th Street,

to those of a B3-1 Community Shopping District and a corresponding use district is hereby established in the area above described.

SECTION 2. Title 17 of the Municipal Code, the Chicago Zoning Ordinance, be amended by changing all the B3-1 Community Shopping District symbols and indications as shown on Map Number 18-G in the area bounded by:

South Ashland Avenue; West 76th Street, South Laflin Street; and a line approximately 630.23 feet north of and parallel to West 76th Street,

to the designation of Business Planned Development Number 1201 which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development attached and made a part thereto and to no others.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

Business Planned Development No. 1201.

Plan Of Development Statements.

1. The area delineated herein as Planned Development Number 1201 ("Planned Development") consists of approximately 222,918.11 square feet (5.12 acres) of

property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property") and is controlled by the Applicant, Gendell Partners 75th/Ashland LLC (the "Applicant") for purposes of this Planned Development.

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 titleholders 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 titleholder 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, assignees or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the plans, and subject to review and approval by the Department of Business Affairs and Consumer Protection.

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 seventeen (17) statements; a Bulk Regulations Table; the following plans pertaining to the Applicant's residential and commercial retail project (the "Project") prepared by Environmental Design International, Inc. dated September 20, 2012: an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Subarea Map; Site Plan; Landscape Plan; and the following plans pertaining to the Walmart store prepared by BRR Architecture dated September 20, 2012: Building Elevations (North, South, East and West), submitted herein. Full-sized copies of the Site Plan, 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 shall be permitted on the Property: Subarea A: Retail Sales (General), Liquor Sales, Drive Through Facilities, Co-located Wireless Communication Facilities Uses; Subarea B: Uses permitted in the Commercial Use Group, Gas Stations, Drive Through Facility, Daycare, Personal Service, Financial Services, Employment Agency, Office, Personal Service, Medical Service, Auto Supply, and Co-located Wireless Communication Facilities Uses. The following are prohibited uses: residential uses, Loan Store, Pawn Shop, Undertaking, Lodging, Urban Farm, and Non-Accessory Parking, Residential Storage Warehouses, Uses in the Industrial Use Category, Freestanding Wireless Communication Towers, Sports, and Recreation (Participant).
6. On-premises 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-premises 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 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.
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. Prior to the Part II Approval (per Section 17-13-0610 of the Zoning Ordinance) in Subareas B1 and B2, the Applicant shall submit a site plan, landscape plan and building elevations for the specific subarea(s) for review and approval by the Department of Housing and Economic Development. Review and approval by the Department of Housing and Economic Development is intended to assure that specific development components substantially conform with the Planned Development and to assist the City in monitoring ongoing development. Subarea Site Plan Approval Submittals need only include that portion of the Property for which approval is being sought by the Applicant. If the Applicant is seeking approval for a portion of the Property that represents less than an entire subarea, the Applicant shall also include a site plan for that area of the Property which is bounded on all sides by either public rights-of-way or the boundary of the nearest subarea. The site plan provided shall include all dimensioned and planned street rights-of-way.

No Part II Approval for any portion of the Property shall be granted until Site Plan approval has been granted. Following approval by the Department of Housing and Economic Development, the approved Subarea Site Plan Approval Submittals, supporting data and materials shall be made part of the main file and shall be deemed to be an integral part of the Planned Development.

After approval of the Subarea Site Plan, changes or modifications may be made pursuant to the provisions of Statement 13. In the event of any inconsistency between approved plans and the terms of the Planned Development, the terms of the Planned Development shall govern. Any Subarea Site Plan Approval Submittals shall, at a minimum, provide the following information:

- fully-dimensioned site plan (including a footprint of the proposed improvements);
- fully-dimensioned building elevations;
- fully-dimensioned landscape plan(s); and
- statistical information applicable to the subject subarea, including floor area, the applicable FAR, uses to be established, building heights and setbacks.

Subarea Site Plan Approval Submittals shall include all other information necessary to illustrate substantial conformance to the Planned Development.

11. 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 Reviews, are conditional until final Part II Approval.
12. 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 Section 13-32-125 of the Municipal Code, or any other provision of that Code.
13. 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 titleholders and any ground lessors.
14. 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.

15. 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. At the time of a hearing before the Chicago Plan Commission, all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Housing and Economic Development.
16. The Applicant agrees to design and fund the installation of a traffic signal at the intersection of South Ashland Avenue and West 75th Place. This signal shall be operational prior to the issuance of the Certificate of Occupancy for the Wal-Mart store in Subarea A.
17. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Unless substantial construction of the proposed improvements as contemplated in this Planned Development has commenced within six (6) years following the adoption of this Planned Development, and is diligently pursued, then this Planned Development shall expire. If this Planned Development expires under the provision of this section, then 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.

[Existing Zoning Map; Surrounding Land-Use Map; Planned Development Boundary Line and Right-of-Way Adjustment Map; Subarea Map; Landscape Plan; and Front, Rear, Right and Left Elevations referred to in these Plan of Development Statements printed on pages 35875 through 35881 of this *Journal*.]

Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

Planned Development No. 1201.

Bulk Regulations And Data Table.

Site Area:

Gross Site Area:	289,787.68 square feet (6.65 acres)
Net Site Area:	222,918.11 square feet (5.12 acres)
Public Right-of-Way:	66,869.57 square feet (1.53 acres)

Net Site Area:

Subarea A:	162,803 square feet (3.74 acres)
Subarea B1:	28,819 square feet (0.66 acre)
Subarea B2:	31,296 square feet (0.72 acre)

Maximum Height: 25 feet

Maximum Floor Area Ratio:

Subarea A:	0.20
Subarea B1:	0.15
Subarea B2:	0.17
TOTAL FAR:	0.52

Proposed Subarea A Building Setbacks:

Front:	per site plan
Side:	8.5 feet
Rear:	8.5 feet

Subarea B Building Setbacks: per underlying zoning

Parking Spaces:

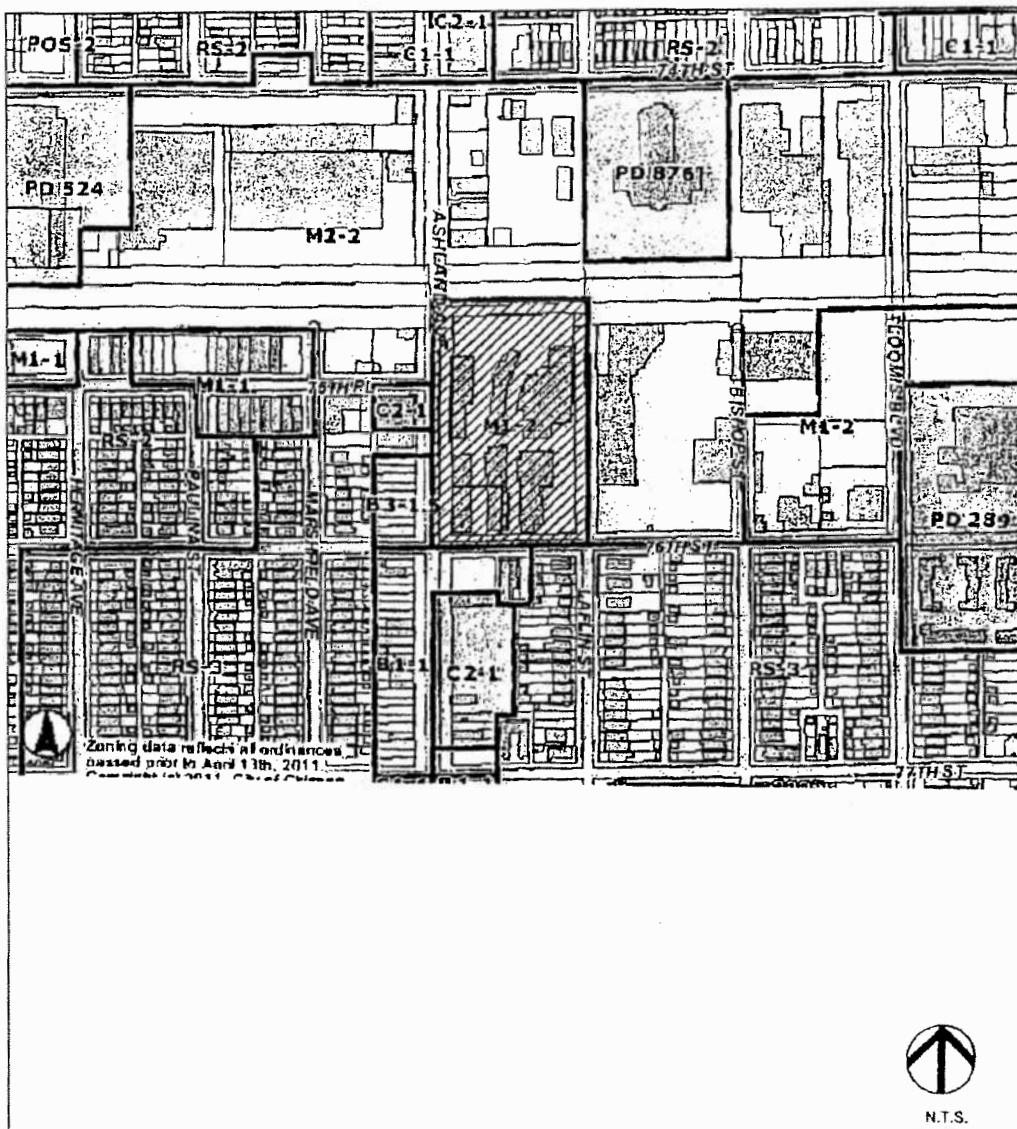
Subarea A:	130
Subarea B:	45
TOTAL:	175

Loading Spaces:

Subarea A:	2
Subarea B:	per underlying zoning

Bicycle Spaces: 30

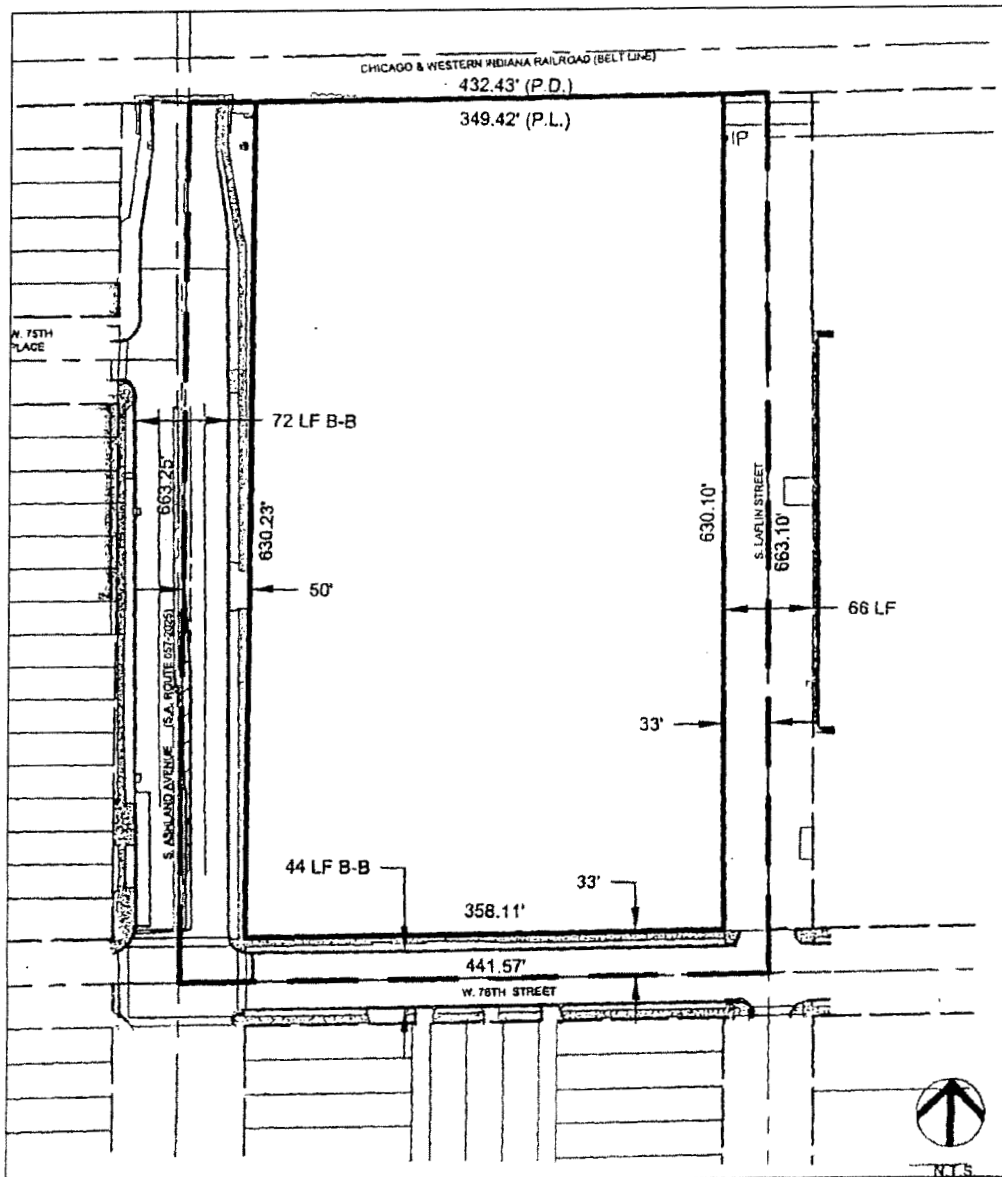
Existing Zoning Map.



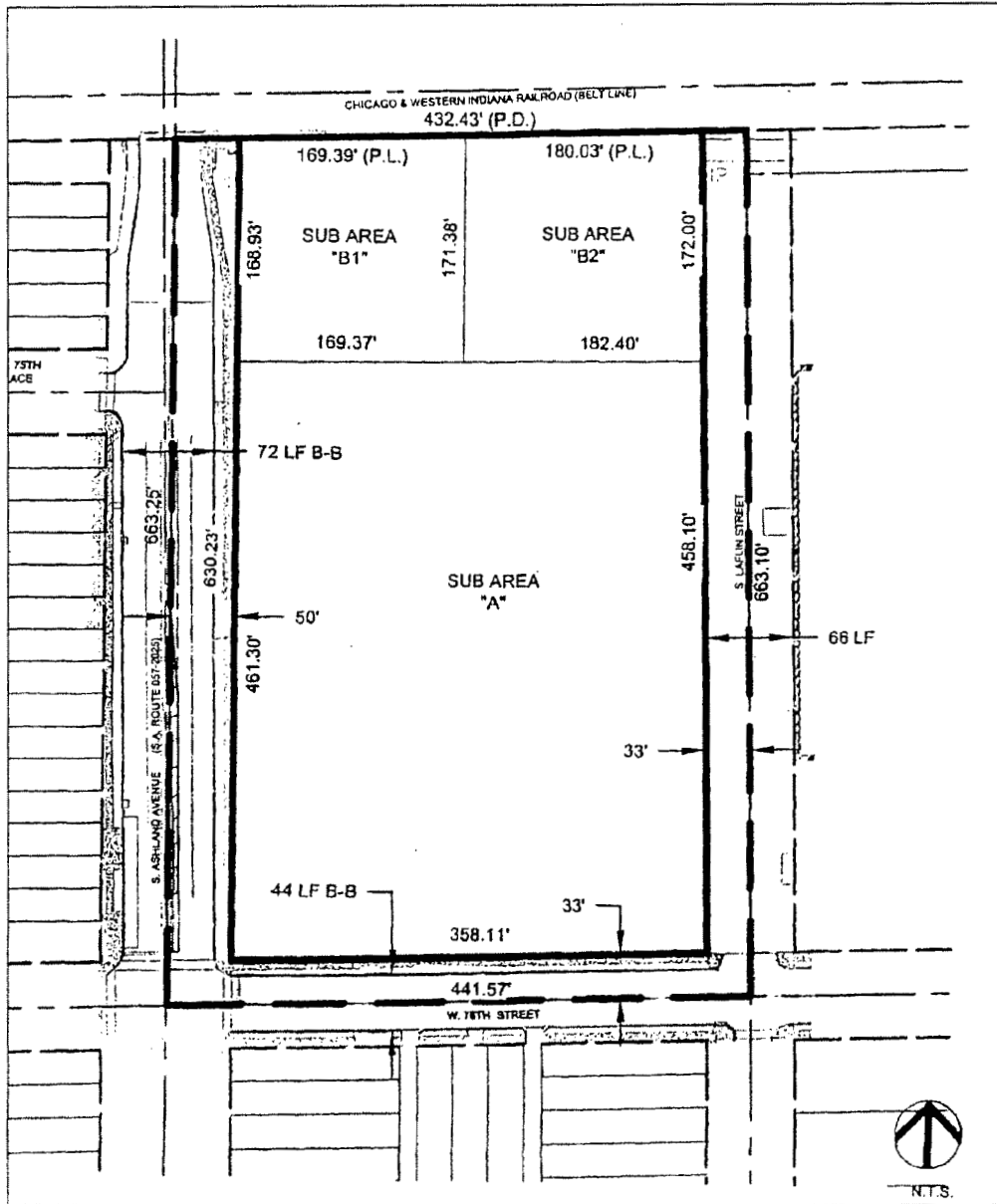
Surrounding Land-Use Map.



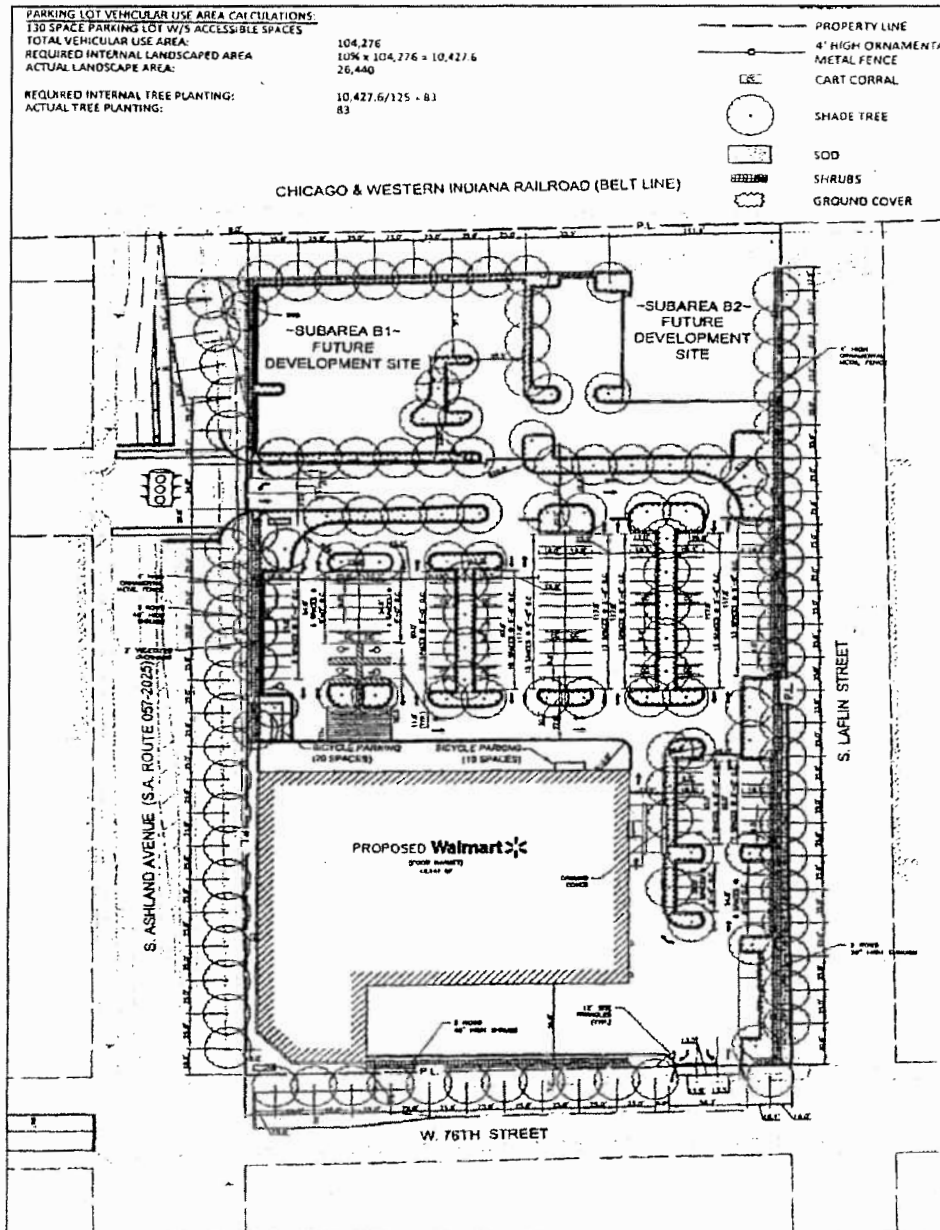
Planned Development Boundary Line
And Right-Of-Way Adjustment Map.



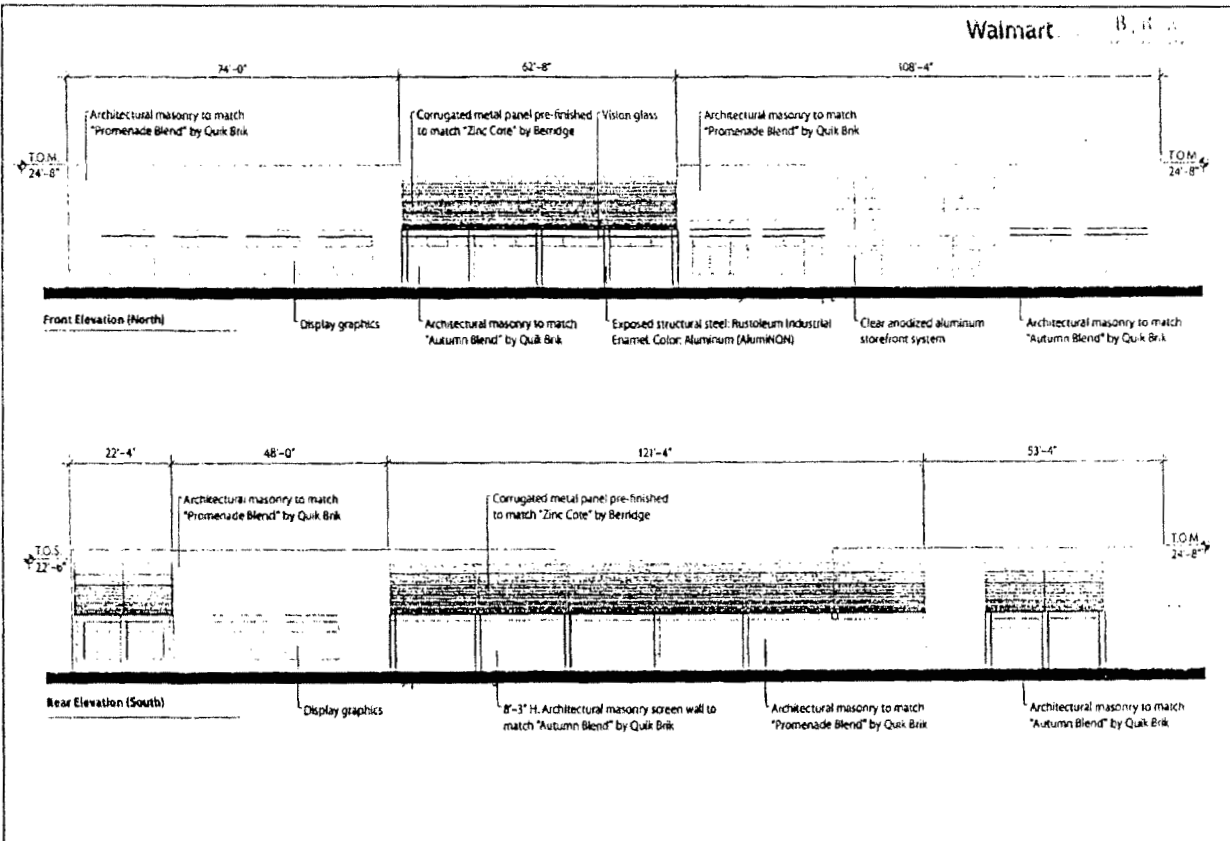
Subarea Map.



Landscape Plan.



Elevations
(Page 1 of 2)



Elevations
(Page 2 of 2)

