

On motion of Alderman Solis, the said proposed substitute ordinances transmitted with the foregoing committee report were *Passed* by yeas and nays as follows:

Yeas -- Aldermen Moreno, Hopkins, Dowell, King, Hairston, Sawyer, Mitchell, Harris, Beale, Sadiowski Garza, Thompson, Cárdenas, Quinn, Lopez, Foulkes, D. Moore, Curtis, O'Shea, Cochran, Brookins, Muñoz, Zalewski, Scott, Solis, Maldonado, Burnett, Ervin, Taliaferro, Reboyras, Santiago, Waguespack, Mell, Austin, Ramirez-Rosa, Villegas, Mitts, Sposato, Laurino, O'Connor, Napolitano, Reilly, Smith, Tunney, Arena, Cappleman, Pawar, Osterman, J. Moore, Silverstein -- 49.

Nays -- None.

Alderman Beale moved to reconsider the foregoing vote. The motion was lost.

Alderman Burke abstained from voting pursuant to Rule 14 of the City Council's Rules of Order and Procedure, disclosing that he had represented parties to these ordinances in previous and unrelated matters.

The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):

Reclassification Of Area Shown On Map No. 3-H.

(As Amended)

(Application No. 18629)

(Common Address: 1323 -- 1363 N. Paulina St., 1603 -- 1659 W. Blackhawk St.
1242 -- 1362 N. Ashland Ave. And 1259 -- 1315 N. Milwaukee Ave.)

BPD 300,009

[SO2016-98]

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 300 District symbols and indications as shown on Map Number 3-H in the area bounded by:

West Blackhawk Street; North Ashland Avenue; the public alley next northeast of and parallel to North Milwaukee Avenue; a perpendicular line to the northeast line of North Milwaukee Avenue and 493.51 feet southeast of the east line of North Paulina Street (as measured along the northeast line of North Milwaukee Avenue); North Milwaukee Avenue; and North Paulina Street,

to those of a Business Planned Development Number 300, as amended, 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 herewith attached and made a part thereof and to no others.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Business Planned Development Number 300 District symbols and indications as shown on Map Number 3-H in the area bounded by:

North Milwaukee Avenue; the southeast line of North Mautene Court; the public alley next southwest of and parallel to North Milwaukee Avenue; and the northwest line of North Mautene Court,

to those of a POS-2 Park and Open Space District.

SECTION 3. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Business Planned Development Number 300 District symbols and indications as shown on Map Number 3-H in the area bounded by:

the public alley next southwest of and parallel to North Milwaukee Avenue; a line 385 feet southeasterly of and parallel to North Paulina Street; a line 194.50 feet southwesterly of and parallel to the alley next southwesterly of and parallel to North Milwaukee Avenue; the vacated alley per Document Number 87203267 next southeast of and parallel to North Paulina Street (running in a northeasterly direction); the vacated alley per Document Number 87203267 next southwest of and parallel to North Milwaukee Avenue (running in a northwesterly direction); a line 100 feet north of and parallel to West Division Street; the public alley next east of and parallel to North Paulina Street; the public alley next southeast of and parallel to North Paulina Street (running in a northeasterly direction); a line 50 feet southwest of and parallel to the public alley next southwest of and parallel to North Milwaukee Avenue; and North Paulina Street,

to those of B3-2 Community Shopping District.

SECTION 4. 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. 300,00

Planned Development Statements.

1. The area delineated herein as Business Planned Development Number 300 consists of approximately 380,179 square feet of Net Site Area. CP West Division LLC is the applicant with authorization from the property owner for purposes of amending this planned development for the single purpose of removing a tract of land from

Subarea 13 within the boundaries of Planned Development Number 300 and adjusting the exhibits and Bulk Regulations and Data Table to reflect that removal.

2. The requirements, obligations and conditions contained within the planned development shall be binding upon the applicant, its successors and assigns and, if different than the applicant, the legal titleholders and any ground lessees. 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 lessees of the property. Any applications for amendments, modifications or changes (administrative, legislative or otherwise) to the planned development shall be made or authorized by the applicant or its successors or assigns.

Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the property so transferred, the term "applicant" shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder.

3. The plan of development consists of these sixteen (16) Statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Property Line and Boundary Map; and a Generalized Land-Use Plan dated July 21, 2016. These and no other zoning controls shall apply to the property. The 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. In case of conflict between the terms of this planned development ordinance and the Zoning Ordinance, this planned development ordinance shall control.
4. The following uses shall be permitted within the area delineated herein as Business Planned Development Number 300: general merchandise uses; retail drug stores; food stores; department stores; discount stores; catalogue stores; service type business uses; restaurants, including sale of alcoholic beverages for consumption on the premises; amusement establishments; package liquor stores; schools; clubs and meeting halls; recreational uses, including health and exercise clubs; day care centers; professional and business offices, including clinics; residential self-storage; parking and related uses. Non-enclosed outdoor storage and gas stations are prohibited.

5. All applicable official reviews, approvals or permits are required to be obtained by the applicant or its successors, assignees or grantees.
6. Any dedication or vacation of streets and alleys, or easements or adjustments of right-of-way or consolidation or resubdivision of parcels shall require a separate submittal on behalf of the applicant or its successors, assignees or grantees.
7. Off-street parking and off-street loading facilities shall be provided in compliance with this plan of development, subject to the review of the Department of Transportation and the approval of the Department of Planning and Development. Ingress and egress from such off-street facilities shall be from North Ashland Avenue and North Paulina Street.
8. Any service drives or any other ingress or egress shall be adequately designed and paved in accord with the regulations of the Department of Transportation and in compliance with the Municipal Code of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas. Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago and shall have a minimum width of eighteen (18) feet to provide ingress and egress for emergency vehicles. There shall be no parking within such paved areas. Closure of all or part of any public street or alley during demolition or construction shall be subject to review and approval of the Chicago Department of Transportation.
9. For purposes of building height measurement and calculation, the definitions of the Chicago Zoning Ordinance shall apply. In addition to the maximum height of any building or any appurtenance attached thereto, the height of any improvement shall also be subject to height limitations as approved by the Federal Aviation Administration. For purposes of floor area and floor area ratio ("FAR") calculations, the definitions of the Chicago Zoning Ordinance shall apply. Business establishments shall be unrestricted with respect to maximum gross floor areas, subject only to aggregate maximum floor area ratio.
10. Identification signs shall be permitted within the area delineated herein as Business Planned Development Number 300, subject to the review and approval of the Department of Planning and Development. Off-premises signs shall not be permitted in the planned development.
11. The information in the tables and maps attached hereto sets forth data concerning the generalized land-use plan of the area delineated herein as Business Planned Development Number 300, and stipulates the land-use and development controls applicable to the site. Notwithstanding any statement to the contrary, 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 the planned development conflicts with landscape and screening provisions of the Chicago Zoning Ordinance, 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.

12. The plan of development attached hereto shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Developments", as promulgated by the Commissioner of the Department of Planning and Development. The terms, conditions and exhibits of this planned development may be modified administratively by the Commissioner of the Department of Planning and Development upon written application and a determination by the Commissioner of the Department of Planning and Development that such modification is minor, appropriate and consistent with the nature of the improvements contemplated by the planned development and the purposes underlying the provisions hereof. Any such modification of the requirements of the planned development by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the planned development as contemplated by Section 17-13-061 1-A of the Chicago Zoning Ordinance.
13. 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. All new development and buildings located within the planned development shall be designed, constructed, and maintained in accord with the City's Sustainable Development Policy in effect at the time.
14. It is in the public interest to design, construct and maintain the project in a manner that 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 ("MOPD") 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. All further development within the planned development shall comply with the Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner 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.
16. The City of Chicago established a Part II Review fee in the amount of Zero and 25/100 Dollars (\$0.25) per square foot for the total buildable square feet (floor

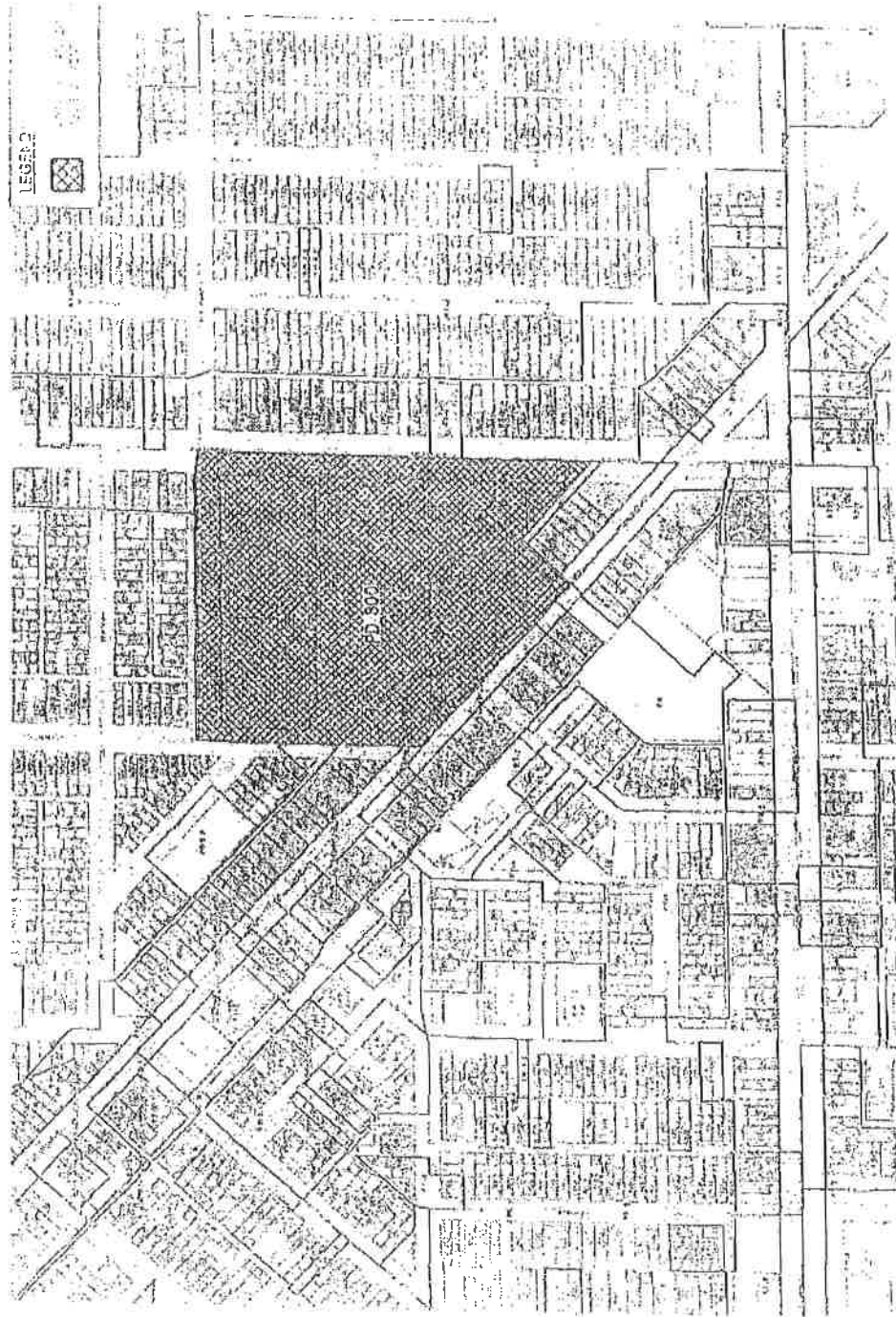
area). The Part II Review fee will be assessed by the Department of Planning and Development during the actual Part II Review. The fee as determined by the Department of Planning and Development staff at that time is final and binding on the applicant and must be paid to the Department of Planning and Development prior to the issuance of any Part II Approval.

[Existing Zoning Map; Existing Land-Use Map; and Property and Boundary Map referred to in these Plan of Development Statements printed on pages 31765 through 31767 of this *Journal*.]

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

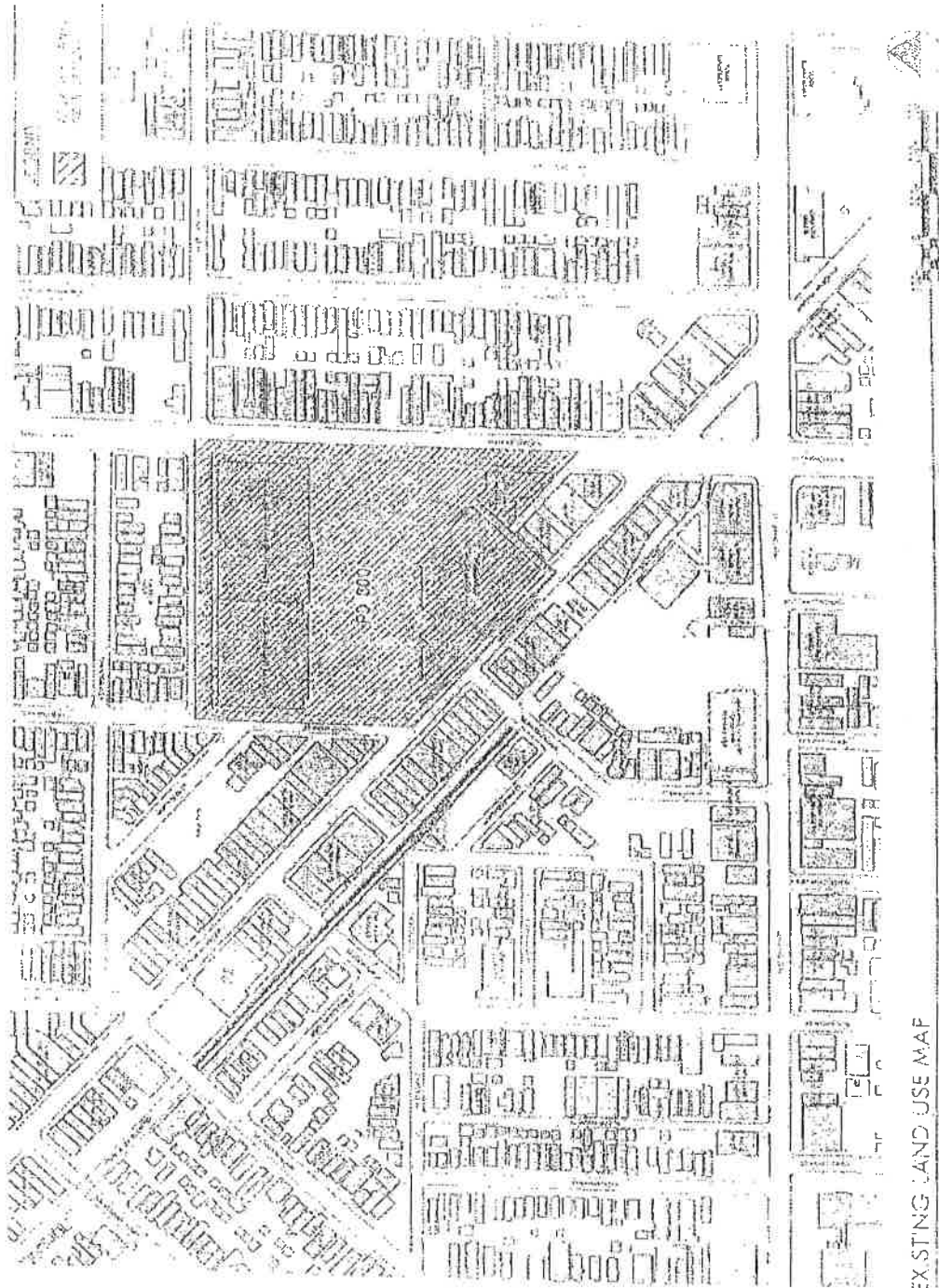
Bulk Regulations And Data Table.

Net Site Area:	380,179 square feet
Area of Public Rights-of-Way:	96,428 square feet
Gross Site Area:	476,607 square feet
Maximum Floor Area Ratio:	1.05
Minimum Number of Parking Spaces:	295
Minimum Number of Loading Berths:	6
Minimum Setbacks at Property Line:	0
Maximum Percentage of Land Coverage:	57 percent



PLANNED DEVELOPMENT EXISTING ZONING MAP

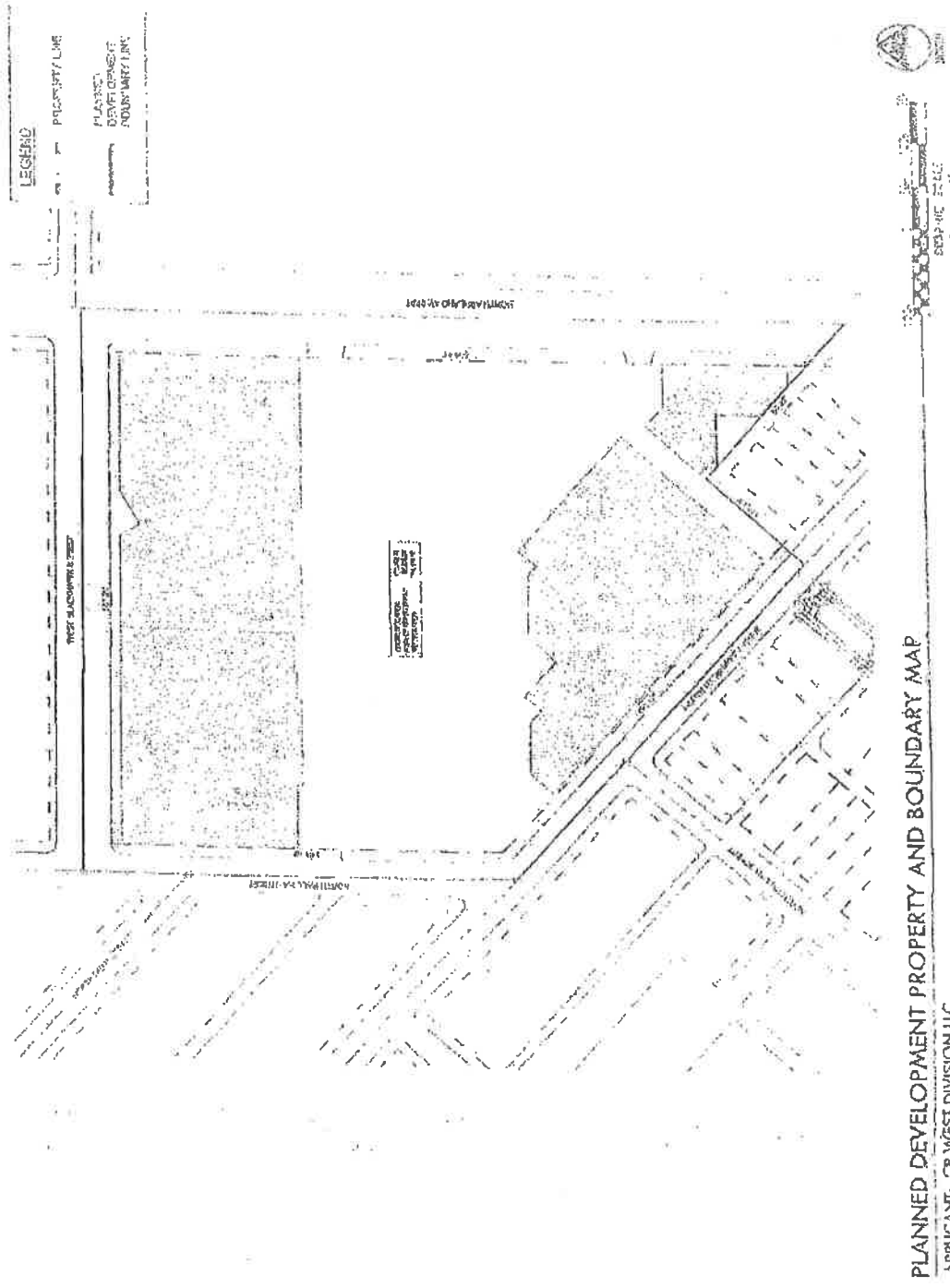
APP. CANT. CP WEST DIVISION, C
ADDRESS: 1041 N. PAULINA ST, 1265 PD 300 N. WILWAUKEE AVE. & 1260-1360 N. ASHLAND AVE, CHICAGO IL 60622
COUNCIL INTRODUCTION:
PLANNING COMMISSION:



EXISTING LAND USE MAP

APPLICANT: CP WEST DIVISION LLC
 ADDRESS: 1311 N. PAJERIA ST., 1355 - 1365 N. MILWAUKEE AVE. & 1240 - 1350 N. ASHLAND AVE. CHICAGO IL 60622
 CONSULTING ARCHITECTURE & PLANNING
 AN ARCHITECTURAL FIRM

FINAL FOR PUBLICATION



PLANNED DEVELOPMENT PROPERTY AND BOUNDARY MAP

APPLICANT: CP WEST DIVISION LLC
 ADDRESS: 1341 N. PAULINA ST. 1265-1303 N. MILWAUKEE AVE. & 1240-1360 N. ASHLAND AVE, CHICAGO IL 60622
 COUNCIL INTRODUCTION
 PLANNING COMMISSION



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

November 10, 2014

Donna J. Pugh
Foley & Lardner LLP
321 North Clark Street, Suite 2800
Chicago, IL 60654-5313


**Re: Advisory Opinion for Business Planned Development No. 300, Wicker Park Commons,
Proposed home improvement store at 1360 North Ashland Avenue**

Dear Ms. Pugh:

This letter is in response to your recent request regarding the conversion of an existing K-Mart into a home improvement store at 1360 N. Ashland Avenue, within Business Planned Development No. 300 ("PD 300"), as amended. You are seeking conformation on the following issues and our responses are italicized after each:

1. That a home improvement store and outdoor sales of merchandise are permitted. The outdoor merchandise will be organized, maintained, and monitored throughout business hours, and will be brought in at the close of business each night. The outdoor sales will include plant and garden products, seasonal items, grills, patio furniture, and other similar merchandise. *Pursuant to Statement No. 4 of PD 300, a home improvement retail store is a permitted use. The outdoor sale of merchandise on private property along the front of the building is permitted, provided that the merchandise is brought into the store at the close of business each night. Non-enclosed outdoor storage is prohibited.*
2. That mounted merchandise displays are permitted. The displays will be affixed to the building façade, and will display actual products, along with associated product information and pricing (ex: sheds). *Mounted merchandise displays affixed to the building façade are permitted.*
3. That two, outdoor, enclosed storage containers are permitted. These containers will store returned merchandise, appliances, pallets, and other construction equipment. The outdoor containers will be enclosed but accessible-to third parties, making it possible for the third party companies to access the contents of the containers without impacting the operations of the Home Improvement store. *The two existing outdoor storage containers located at the rear of the building are permitted.*
4. That outdoor, enclosed storage structures (locked and secured) may be added to the rear of the building. The storage structures will be enclosed, will have roofs, and may not utilize EIFS or CMU materials. *Additional outdoor, enclosed storage may be permitted, however, a dimensioned site plan and elevations are required before approval may be granted.*

Sincerely,


Patricia A. Scudiero
Zoning Administrator

C: Heather Gleason, Fred Deters, Vicki Lozano, Main file



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

August 8, 2014

Donna J. Pugh
Foley & Lardner LLP
321 N. Clark Street
Chicago, IL 60610-4764

**Re: Administrative Relief and Zoning Clarification for Business Planned Development
No. 300, Wicker Park Commons parking issues**

Dear Ms. Pugh:

Please be advised that your request for a minor change to Business Planned Development No. 300 ("PD # 300"), 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. 12.

Your client and the owner of all of the property within PD #300, Centrum Partners, is seeking an administrative relief to allow a reduction in required parking to no more than 558 spaces and approval to use a portion of the remote parking lot for non-accessory parking. Additionally, you are seeking zoning clarification as to how the existing parking requirements can be managed by the property owner.

Wicker Park Commons is a mixed use property with over 315,000 SF of retail and office space and 558 existing parking spaces. The parking is divided between the main lot with 393 spaces and a remote lot with 165 spaces. Typically, the main lot serves the retail uses, whereas the remote lot serves the office and other uses in the multi-story Wieboldt's building. PD #300 was passed in 1983 with a parking requirement of 617 spaces. In 2009, the PD was amended and the remote lot was reduced by approximately 14,000 square feet. This resulted in a parking reduction on the Bulk Regulations and Data Table from 617 to 576 spaces. Now that the adjacent 14,000 SF parcel has been physically separated by a fence, the actual parking available under the new parking lot configuration is 558 spaces, or 18 spaces fewer than the required 576 spaces.

You are also seeking approval to utilize a portion of the remote parking lot for non-accessory parking. According to your request letter, the remote lot is currently underutilized, with approximately 67 of the 165 spaces occupied weekdays and approximately 15 to 20 spaces utilized on weekends. Under the current Zoning Code, the minimum required parking for PD #300 is 295 spaces. The calculation of that number assumes a total FAR floor area of approximately 322,000 square feet and a base zoning for the Planned Development of B3-1 Community Shopping District. The former Wieboldt's Department Store (approximately 86,000 square feet) is a contributing building in the Milwaukee Avenue Historic District and, thus, requires no parking. The remaining approximately 236,000 square feet of retail, etc., floor area requires 590 accessory parking spaces under the B3-1 standards. Because the site lies on a Pedestrian Street within at least 1200 feet of a transit station, that requirement can be reduced by 50% to 295 spaces.

The Planned Development, as amended June 30, 2009, permits "parking" without distinction between accessory and non-accessory parking. The B3-1 district does permit non-accessory parking. Therefore, non-accessory parking is permitted within the Planned Development, so long as at least 295 spaces remain as parking accessory to the uses within the Planned Development.

The Department of Planning and Development has determined that allowing the proposed required parking reduction to 295 spaces and the use of a portion of the remote parking lot for non-accessory parking 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. 300, 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.

Finally, in regards to your zoning clarification request as to how the existing parking requirements can be managed by the property owner, the parking requirements pertain to the entire development as a whole, without any concern as to how the property owner elects to allocate, assign or restrict parking access amongst the uses within the shopping center. Any commitment in tenant leases which stipulates a number of reserved tenant parking spaces has no bearing on the zoning requirement for minimum accessory parking. So long as a total 295 accessory parking spaces are provided, the Planned Development shall remain in compliance with its zoning.

Sincerely,



Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm

C: Fred Deters, Mike Marmo, Erik Glass, Main file



MAIN FILE

**DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO**

August 8, 2014

Donna J. Pugh
Foley & Lardner LLP
321 N. Clark Street
Chicago, IL 60610-4764

**Re: Administrative Relief and Zoning Clarification for Business Planned Development
No. 300, Wicker Park Commons parking issues**

Dear Ms. Pugh:

Please be advised that your request for a minor change to Business Planned Development No. 300 ("PD # 300"), 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. 12.

Your client and the owner of all of the property within PD #300, Centrum Partners, is seeking an administrative relief to allow a reduction in required parking to no more than 558 spaces and approval to use a portion of the remote parking lot for non-accessory parking. Additionally, you are seeking zoning clarification as to how the existing parking requirements can be managed by the property owner.

Wicker Park Commons is a mixed use property with over 315,000 SF of retail and office space and 558 existing parking spaces. The parking is divided between the main lot with 393 spaces and a remote lot with 165 spaces. Typically, the main lot serves the retail uses, whereas the remote lot serves the office and other uses in the multi-story Wieboldt's building. PD #300 was passed in 1983 with a parking requirement of 617 spaces. In 2009, the PD was amended and the remote lot was reduced by approximately 14,000 square feet. This resulted in a parking reduction on the Bulk Regulations and Data Table from 617 to 576 spaces. Now that the adjacent 14,000 SF parcel has been physically separated by a fence, the actual parking available under the new parking lot configuration is 558 spaces, or 18 spaces fewer than the required 576 spaces.

You are also seeking approval to utilize a portion of the remote parking lot for non-accessory parking. According to your request letter, the remote lot is currently underutilized, with approximately 67 of the 165 spaces occupied weekdays and approximately 15 to 20 spaces utilized on weekends. Under the current Zoning Code, the minimum required parking for PD #300 is 295 spaces. The calculation of that number assumes a total FAR floor area of approximately 322,000 square feet and a base zoning for the Planned Development of B3-1 Community Shopping District. The former Wieboldt's Department Store (approximately 86,000 square feet) is a contributing building in the Milwaukee Avenue Historic District and, thus, requires no parking. The remaining approximately 236,000 square feet of retail, etc., floor area requires 590 accessory parking spaces under the B3-1 standards. Because the site lies on a Pedestrian Street within at least 1200 feet of a transit station, that requirement can be reduced by 50% to 295 spaces.

The Planned Development, as amended June 30, 2009, permits "parking" without distinction between accessory and non-accessory parking. The B3-1 district does permit non-accessory parking. Therefore, non-accessory parking is permitted within the Planned Development, so long as at least 295 spaces remain as parking accessory to the uses within the Planned Development.

The Department of Planning and Development has determined that allowing the proposed required parking reduction to 295 spaces and the use of a portion of the remote parking lot for non-accessory parking 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. 300, 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.

Finally, in regards to your zoning clarification request as to how the existing parking requirements can be managed by the property owner, the parking requirements pertain to the entire development as a whole, without any concern as to how the property owner elects to allocate, assign or restrict parking access amongst the uses within the shopping center. Any commitment in tenant leases which stipulates a number of reserved tenant parking spaces has no bearing on the zoning requirement for minimum accessory parking. So long as a total 295 accessory parking spaces are provided, the Planned Development shall remain in compliance with its zoning.

Sincerely,



Patricia A. Scudiero
Zoning Administrator

PAS:HG:tm

C: Fred Deters, Mike Marmo, Erik Glass, Main file

Reclassification Of Area Shown On Map Number 3-H.
(As Amended)

(Application Number 16790)
(Common Address: 1239 N. Mautene Ct.)

BPD 300, AA

[SO2009-4180]

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 removing a parcel of land located in Subarea B of Business Planned Development Number 300, and by changing all Business Planned Development Number 300 District symbols as shown on Map Number 3-H in the area of Subarea B generally bounded by:

a point beginning at the most northerly northeast corner of Lot 11; then southerly along an easterly line of Lot 11 for a distance of 11.30 feet to a corner of Lot 11; then southwesterly along the southeastern line of Lots 11, 14, 15, 18, 19, 22, 23, 26 and 27 for a distance of 186.50 feet; then northwesterly along a line which is parallel with the northeasterly line of Lot 11 for a distance of 72 feet; then northeasterly along a line parallel with the southeasterly line of Lots 11, 14, 15, 18, 19, 22, 23, 26 and 27 for a distance of 194.50 feet to the northeasterly line of Lot 11, for a distance of 64 feet to the place of beginning,

to those of a B3-2 Community Shopping District.

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all Business Planned Development Number 300 District symbols as shown on Map 3-H in Subarea A and the remaining area of Subarea B in Business Planned Development Number 300, to the designation of Business Planned Development Number 300, as amended, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

SECTION 3. It is the intent and purpose of this ordinance to effectuate a technical amendment to Business Planned Development Number 300 by removing a parcel of land from Subarea B and to amend its zoning classification to B3-2 Community Shopping District.

SECTION 4. This ordinance takes effect after its passage and approval.

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

Business Planned Development Number 300, As Amended.

1. The area delineated herein as Business Planned Development Number 300 consists of approximately four hundred forty-six thousand two hundred forty-six (446,246) square feet (ten and twenty-four hundredths (10.24) acres) of Net Site Area. Subarea B is

owned and controlled by JFA Management, L.L.C. and 1200 Ashland, L.L.C.. 1200 Ashland, L.L.C. is the applicant for purposes of amending this planned development for the single purpose of removing a tract of land from Subarea B within the boundaries of Planned Development Number 300 and adjusting the exhibits and Bulk Regulations and Data Table to reflect that removal.

2. The requirements, obligations and conditions contained within the planned development shall be binding upon the applicant, its successors and assigns and, if different than the applicant, the legal titleholders and any ground lessees. 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 lessees of the property. Any applications for amendments, modifications or changes (administrative, legislative or otherwise) to the planned development shall be made or authorized by the applicant or its successors or assigns.

Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the property so transferred, the term "Applicant" shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder.

3. The plan of development consists of these sixteen (16) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Property Line and Boundary Map; and a Generalized Land-Use Plan dated May 21, 2009. These and no other zoning controls shall apply to the property. The 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.
4. The following uses shall be permitted within the area delineated herein as Business Planned Development Number 300: general merchandise uses; retail drug stores; food stores; department stores; discount stores; catalogue stores; service type business uses; restaurants, including sale of alcoholic beverages for consumption on the premises; amusement establishments; package liquor stores; schools; clubs and meeting halls; recreational uses, including health and exercise clubs; day care centers; professional and business offices, including clinics; parking and related uses. Non-enclosed outdoor storage and gas stations are prohibited.
5. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees.

6. Any dedication or vacation of streets and alleys, or easements or adjustments of right-of-way or consolidation or resubdivision of parcels shall require a separate submittal on behalf of the Applicant or its successors, assignees or grantees.
7. Off-street parking and off-street loading facilities shall be provided in compliance with this plan of development, subject to the review of the Department of Transportation and the approval of the Department of Zoning and Land Use Planning. Ingress and egress from such off-street facilities shall be from North Ashland Avenue and North Paulina Street.
8. Any service drives or any other ingress or egress shall be adequately designed and paved in accord with the regulations of the Department of Transportation and in compliance with the Municipal Code of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas. Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago and shall have a minimum width of eighteen (18) feet to provide ingress and egress for emergency vehicles. There shall be no parking within such paved areas. Closure of all or part of any public street or alley during demolition or construction shall be subject to review and approval of the Chicago Department of Transportation.
9. For purposes of building height measurement and calculation, the definitions of the Chicago Zoning Ordinance shall apply. In addition to the maximum height of any building or any appurtenance attached thereto, the height of any improvement shall also be subject to height limitations as approved by the Federal Aviation Administration. For purposes of floor area and floor area ratio ("F.A.R.") calculations, the definitions of the Chicago Zoning Ordinance shall apply. Business establishments shall be unrestricted with respect to maximum gross floor areas, subject only to aggregate maximum floor area ratio.
10. Identification signs shall be permitted within the area delineated herein as Business Planned Development Number 300, 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.
11. The information in the tables and maps attached hereto sets forth data concerning the generalized land-use plan of the area delineated herein as Business Planned Development Number 300, and stipulates the land-use and development controls applicable to the site. Notwithstanding any statement to the contrary, 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 the planned development conflicts with landscape and screening provisions of the Chicago Zoning Ordinance, 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.

12. The plan of development attached hereto shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Developments", as promulgated by the Commissioner of the Department of Planning and Development. 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 written application and a determination by the Commissioner of the Department of Zoning and Land Use Planning that such modification is minor, appropriate and consistent with the nature of the improvements contemplated by the planned development and the purposes underlying the provisions hereof. Any such modification of the requirements of the planned development by the Commissioner of the Department of Zoning and Land Use Planning shall be deemed to be a minor change in the planned development as contemplated by Section 17-13-0611-A of the Chicago Zoning Ordinance.
13. 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. All new development and buildings located within the planned development shall be designed, constructed, and maintained in accord with the City's Sustainable Development Policy in effect at the time.
14. It is in the public interest to design, construct and maintain the project in a manner that 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.
15. All further development within the planned development shall comply with the Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner 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.
16. The City of Chicago established a Part II Review Fee in the amount of Zero and 25/100 Dollars (\$0.25) per square foot for the total buildable square feet (floor area). The Part II Review Fee will be assessed by the Department of Zoning and Land Use Planning during the actual Part II Review. The fee as determined by the Department of Zoning and Land Use Planning staff at that time is final and binding on the Applicant and must be paid to the Department of Zoning and Land Use Planning prior to the issuance of any Part II approval.

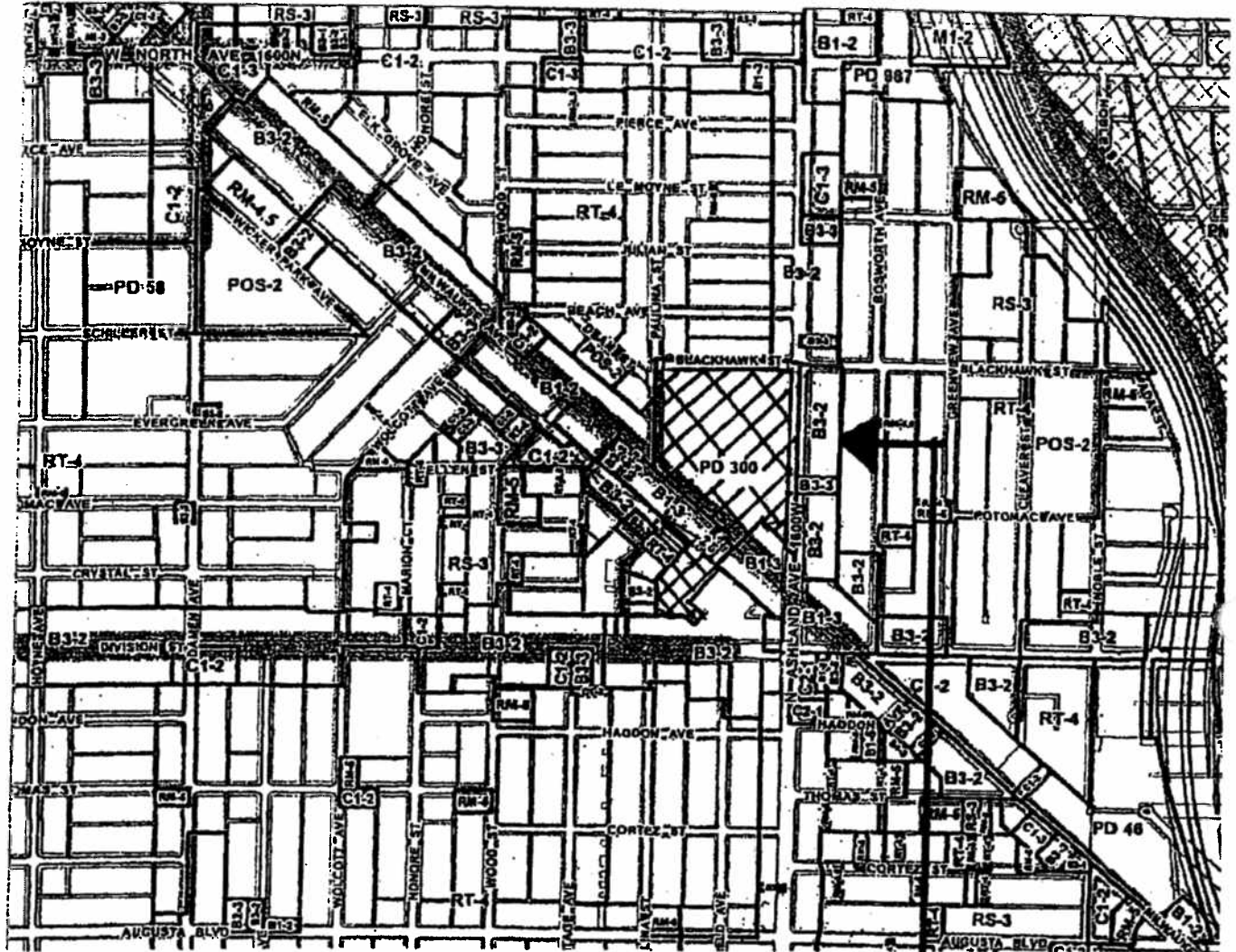
[Existing Zoning Map; Planned Development Property Line and Boundary Map;
and Generalized Land-Use Plan referred to in these Plan of
Development Statements printed on pages 66135
through 66137 of this *Journal*.]

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

Bulk Regulations And Data Table.

Net Site Area:	
Subarea A:	380,179 square feet
Subarea B:	66,067 square feet
Total Net Site Area:	446,246 square feet
Area in Public Right-of-Way:	112,393.47 square feet
Gross Site Area:	558,639.47 square feet
Maximum Floor Area Ratio:	
Subarea A:	1.05
Subarea B:	0.00
Maximum Floor Area Ratio for Total Net Site Area:	0.894
Minimum Number of Parking Spaces:	576
Minimum Number of Loading Berths:	6
Minimum Setbacks at Property Line:	0
Maximum Percentage of Land Coverage:	
Subarea A:	57%
Subarea B:	0%
Maximum Percentage of Land Coverage for Total Net Site Area:	48.5%

Existing Zoning Map.



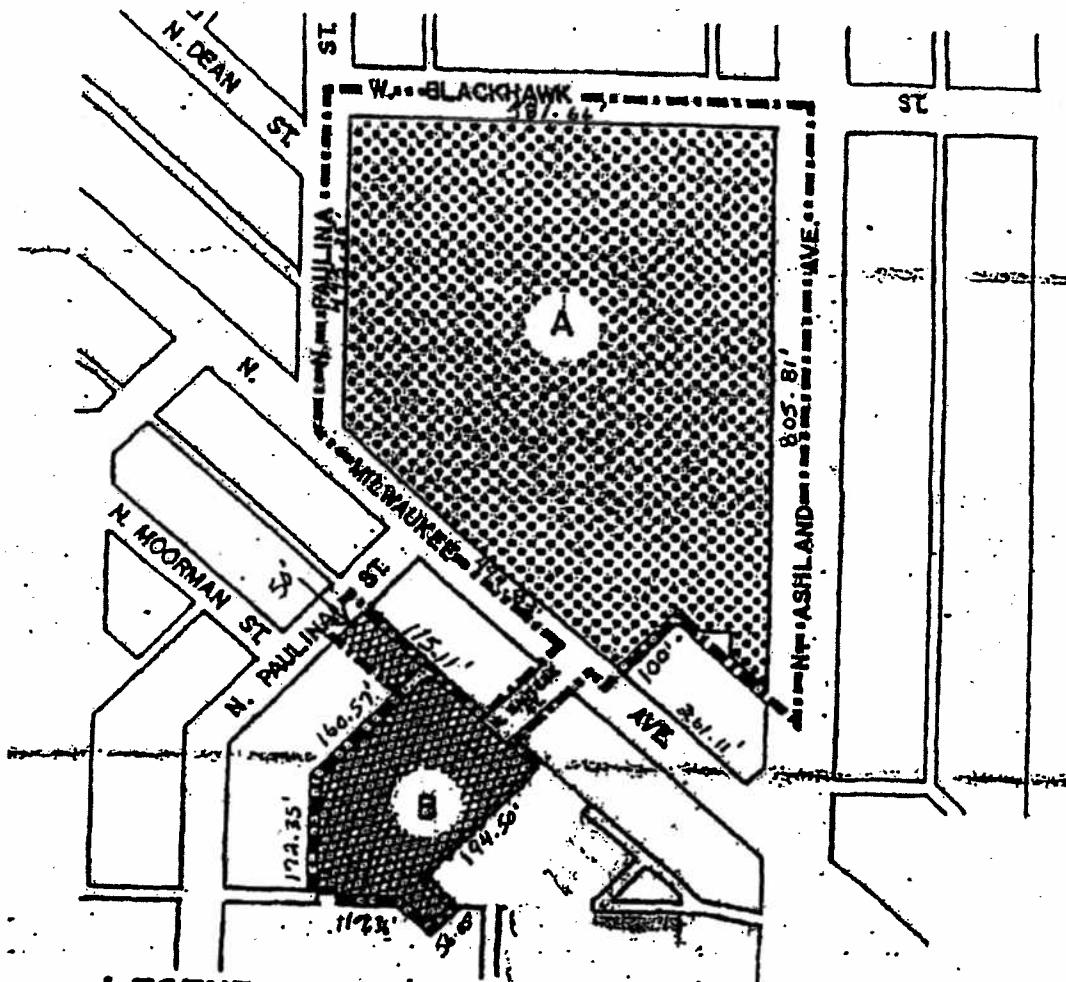
Subject Site

APPLICANT: 1200 Ashland, LLC
(Amendment to Sub-Area B Only)




DATE: December 17, 2008

REVISED: May 21, 2009

Planned Development Property Line
And Boundary Map.



LEGEND

-  PLANNED DEVELOPMENT BOUNDARY
-  GENERAL MERCHANDISE USE, RETAIL AND SERVICE TYPE USES, PROFESSIONAL OFFICES, PARKING AND RELATED USES.
-  OFF-STREET PARKING

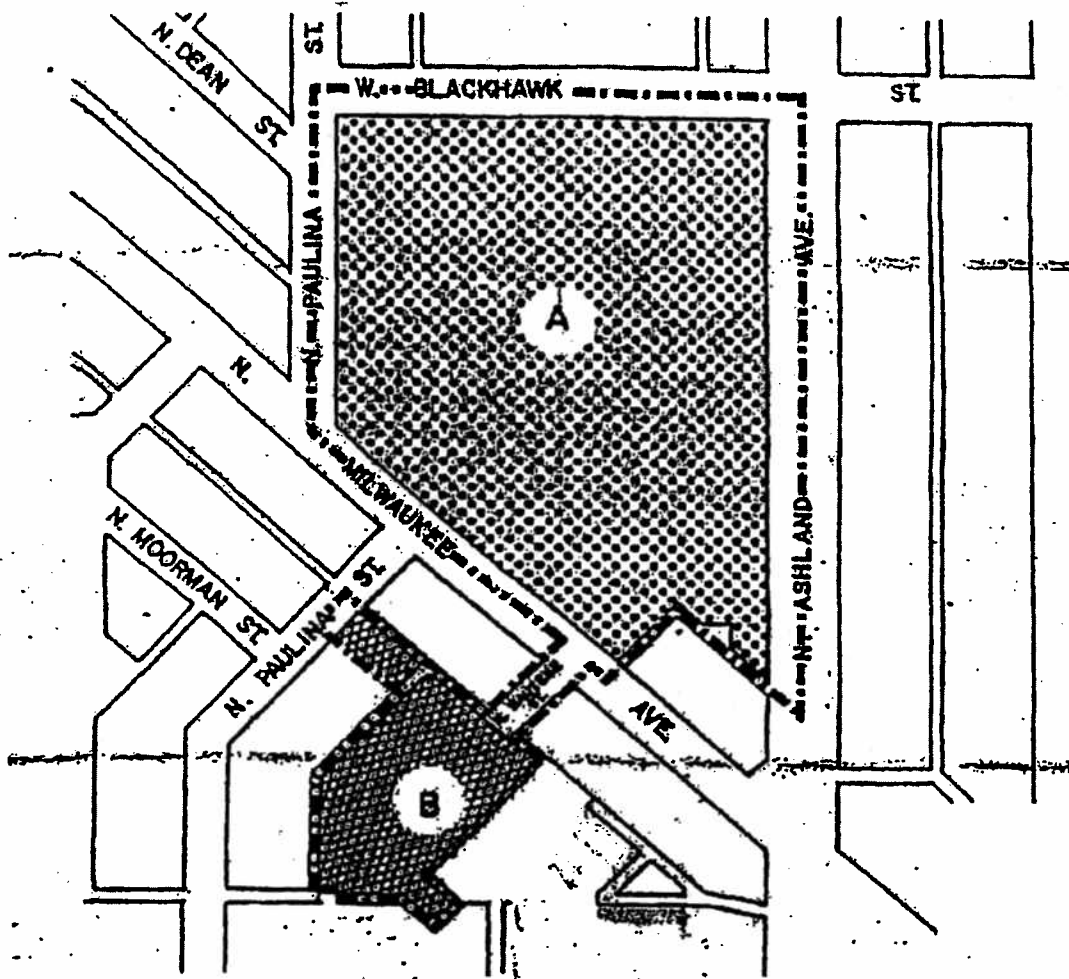


APPLICANT: 1200 Ashland, LLC
(Amendment to Sub-Area B Only)




DATE: December 17, 2008

REVISED: May 21, 2009

Planned Development Generalized
Land-Use Plan.



LEGEND

-  PLANNED DEVELOPMENT BOUNDARY
-  GENERAL MERCHANDISE USE, RETAIL AND SERVICE TYPE USES, PROFESSIONAL OFFICES, PARKING AND RELATED USES.
-  OFF-STREET PARKING



APPLICANT: 1200 Ashland, LLC
(Amendment to Sub-Area B Only)

DATE: December 17, 2008

REVISED: May 21, 2009

BUSINESS PLANNED DEVELOPMENTSTATEMENTS

1. The area delineated herein as a "Business Planned Development" is owned or controlled by both the City of Chicago (Department of Economic Development) and LaSalle National Bank, not personally but as Trustee under Trust Agreement dated August 13, 1982 and known as Trust No. 105174. The City of Chicago land will be conveyed to LaSalle National Bank Trust No. 105174 subsequent to approval of this Planned Development Amendment to the Zoning Ordinance.
2. The following uses shall be permitted within the area delineated herein as Business Planned Development: General merchandise uses, retail drug stores, food stores, department stores, discount stores, catalogue stores, service type business uses, restaurants, including sale of alcoholic beverages for consumption on the premises, amusement establishments, package liquor stores, schools, clubs and meeting halls, recreational uses, including health and exercise clubs, day care centers, professional and business offices, including clinics, parking, and related uses (exclusive of any principal activity of permanent non-enclosed outdoor storage and automobile gas station uses).
3. All applicant official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees.
4. Any dedication or vacation of streets and alleys, or easements, or adjustments of right-of-way or consolidation or resubdivision of parcels shall require a separate submittal on behalf of the Applicant or its successors, assignees or grantees.
5. Off-street parking and off-street loading facilities shall be provided in compliance with this Plan of Development, subject to the review of the Department of Streets and Sanitation and the approval of the Department of Planning. Ingress and egress from such off-street facilities shall be from North Ashland Avenue and North Paulina Street.
6. Any service drives or any other ingress or egress shall be adequately designed and paved in accord with the regulations of the Department of Streets and Sanitation and in compliance

APPLICANT: Department of Economic Development
 DATE: January 18, 1983

*Reclassification of Area Shown on Map No. 3-H.**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 R4 General Residence District, B3-3 General Retail District, B5-2 General Service District and C1-1 Restricted Commercial District symbols and indications as shown on Map No. 3-H in the area bounded by

W. Blackhawk Street; N. Ashland Avenue; the alley next northeast of and parallel to N. Milwaukee Avenue; a line perpendicular to the northeast line of N. Milwaukee Avenue and 493.51 feet southeast of N. Paulina Street as measured from the east line of N. Paulina Street as measured along the northeast line of N. Milwaukee Avenue; N. Milwaukee Avenue; the southeast right-of-way line of N. Mautene Court; the alley next southwest of and parallel to N. Milwaukee Avenue; the northwest line of the alley, or the line thereof if extended where no alley exists, next southeast of and parallel to N. Mautene Court or the line thereof if extended where no court exists; the alley next southwest of the alley next southwest of and parallel to N. Milwaukee Avenue and the alley next north of and parallel to W. Division Street; a line 155 feet east of N. Paulina Street; a line 110 feet north of W. Division Street; the alley next east of and parallel to N. Paulina Street and the alley next southeast of and parallel to N. Paulina Street; a line 162 feet southwest of N. Milwaukee Avenue; N. Paulina Street; the alley next southwest of and parallel to N. Milwaukee Avenue; the northwest right-of-way line of N. Mautene Court; N. Milwaukee Avenue; and N. Paulina Street.

to those of a B5-1 General Service District, and a corresponding use district is hereby established in the area above described.

SECTION 2. *Be It Further Ordained*, That the Chicago Zoning Ordinance be amended by changing all the B5-1 General Service District symbols and indications herein above established to the designation of a Business Planned Development 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 herewith attached and made a part hereof and to no others.

[Planned Development printed on pages 344 through 349 of this Journal.]

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

*Reclassification of Area Shown on Map No. 8-E.**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 R3 General Residence District symbols and indications as shown on Map No. 8-E in the areas bounded by

E. 32nd Street; S. Indiana Avenue; E. 33rd Street; S. Michigan Avenue; a line 149 feet south of E. 32nd Street; and the alley next east of and parallel to S. Michigan Avenue.

to the designation of a Institutional Planned Development 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 herewith attached and made a part thereof and to no others.

[Institutional Planned Development printed on pages 350 through 354 of this Journal.]

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

(Continued on page 355)

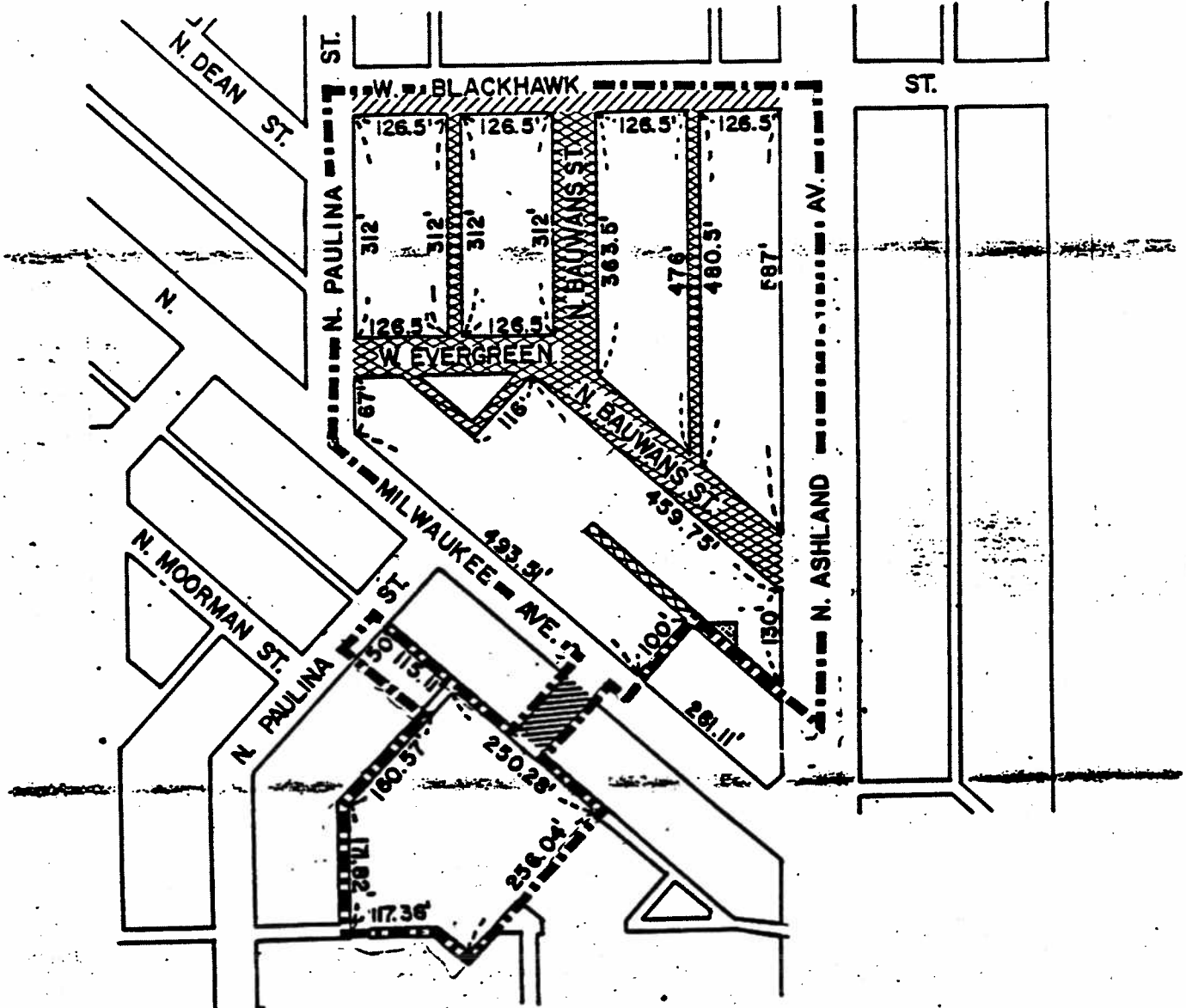
with the Municipal Code of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles; there shall be no parking within such paved areas. Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago and shall have a minimum width of 18 feet to provide ingress and egress for emergency vehicles; there shall be no parking within such paved areas.

7. Business establishments shall be unrestricted in respect to maximum gross floor areas, subject only to aggregate maximum floor area ratio.
8. Identification signs shall be permitted within the area delineated herein as Business Planned Development, subject to the review and approval of the Department of Inspectional Services and the Department of Planning.
9. The information in the tables and maps attached hereto sets forth data concerning the generalized land use plan of the area delineated herein as Business Planned Development, and stipulates the land use and development controls applicable to the site.
10. The Plan of Development hereby attached shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Developments," as promulgated by the Commissioner of the Department of Planning.






APPLICANT: DEPARTMENT OF ECONOMIC DEVELOPMENT

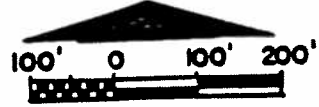
DATE: 1/18/83

BUSINESS PLANNED DEVELOPMENT PROPERTY LINE MAP AND RIGHT-OF-WAY ADJUSTMENTS



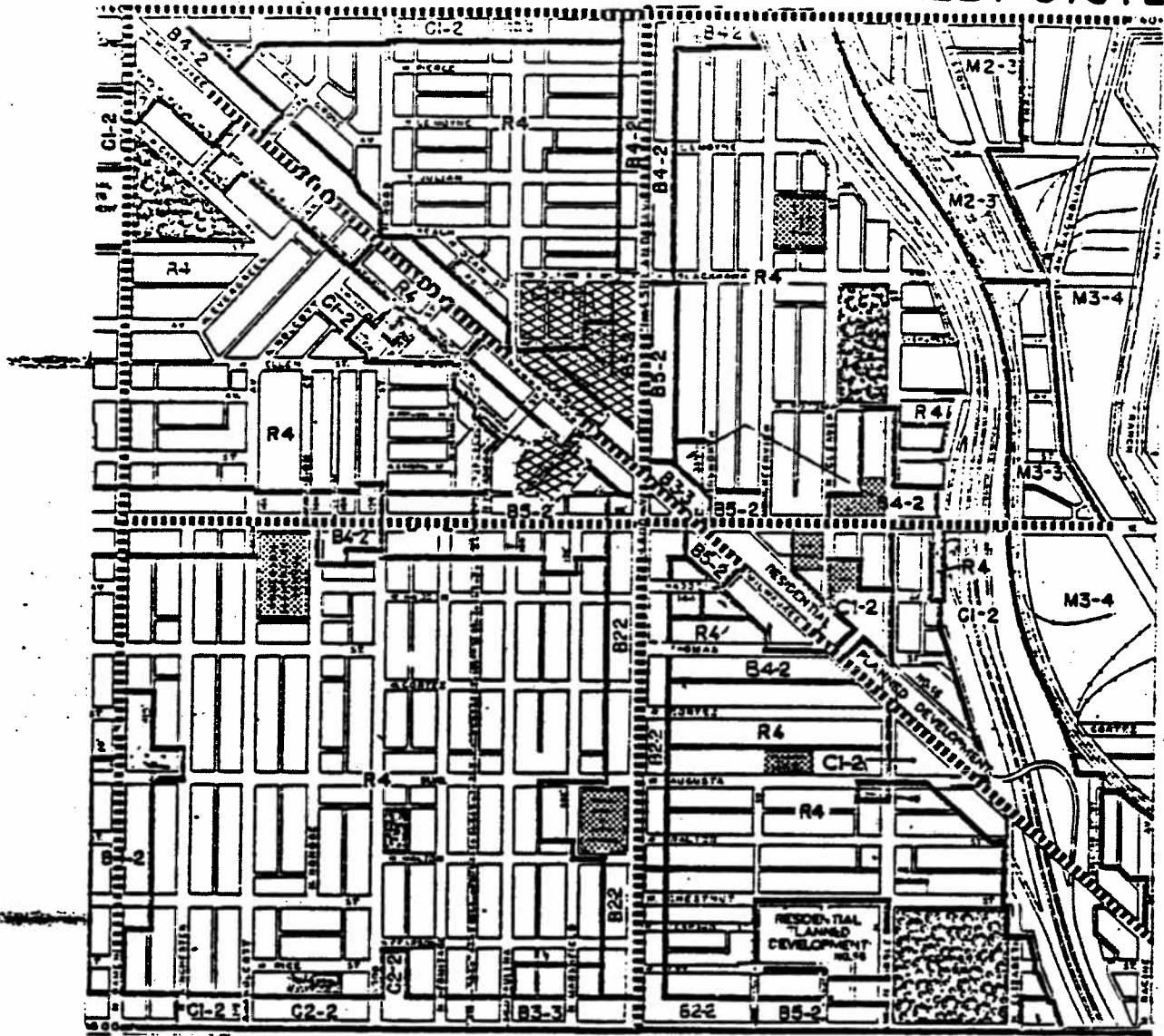
LEGEND

-  PLANNED DEVELOPMENT BOUNDARY
-  STREETS AND ALLEY TO BE VACATED
-  TO BE DEDICATED
-  STREET HERE TO FORE CLOSED TO TRAFFIC
-  STREET TO BE CLOSED TO THRU TRAFFIC







APPLICANT: DEPARTMENT OF ECONOMIC DEVELOPMENT - CITY OF CHICAGO
 DATE: JANUARY 18, 1983

BUSINESS PLANNED DEVELOPMENT EXISTING ZONING AND PREFERENTIAL STREET SYSTEM



LEGEND

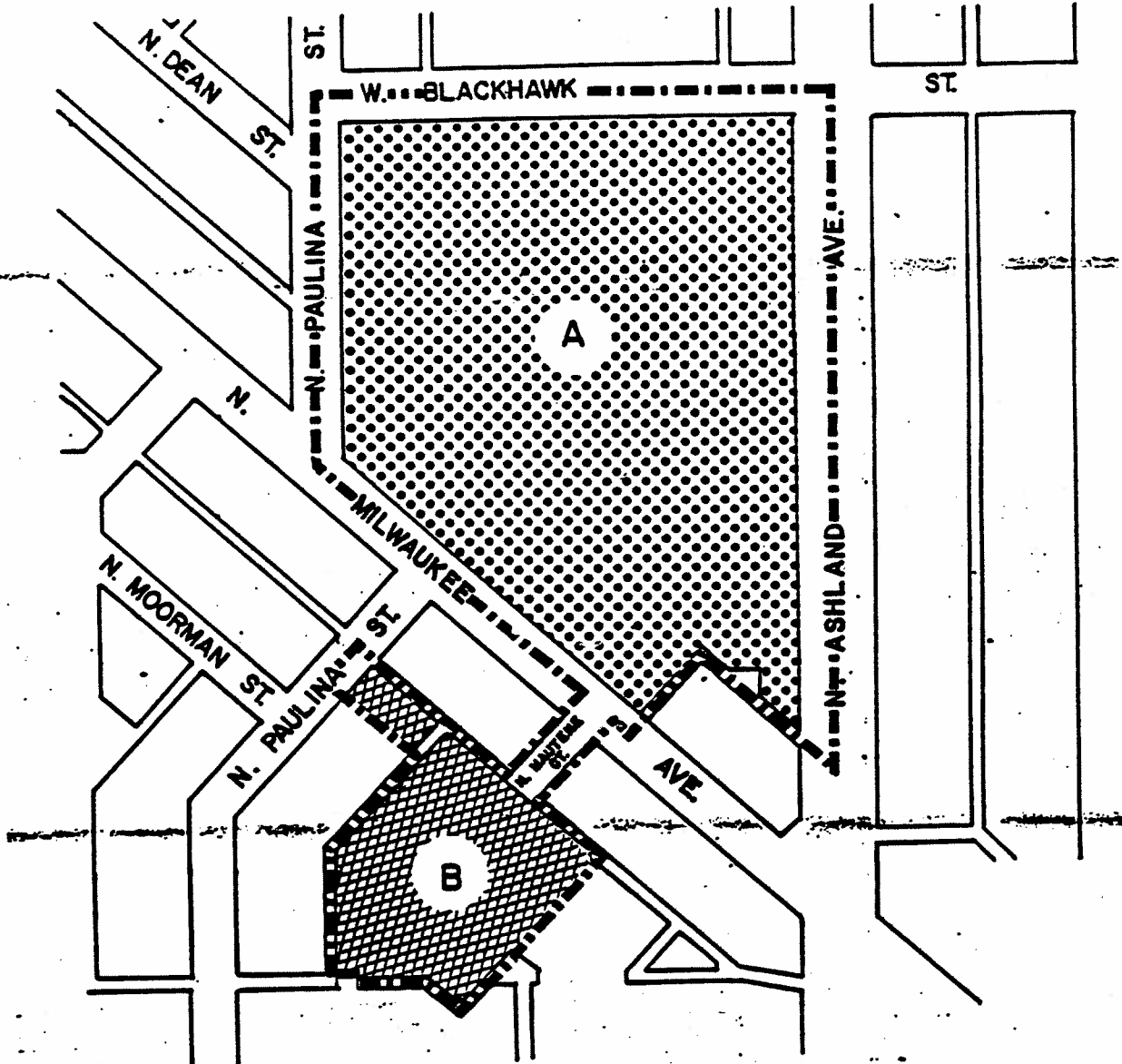
-  BUSINESS PLANNED DEVELOPMENT
-  PREFERENTIAL STREET SYSTEM
-  PUBLIC & QUASI-PUBLIC FACILITIES
-  PARKS AND PLAYGROUNDS






APPLICANT: DEPARTMENT OF ECONOMIC DEVELOPMENT
-CITY OF CHICAGO

DATE: JANUARY 18, 1983

BUSINESS PLANNED DEVELOPMENT GENERALIZED LAND USE PLAN



LEGEND

-  PLANNED DEVELOPMENT BOUNDARY
-  GENERAL MERCHANDISE USE, RETAIL AND SERVICE TYPE USES, PROFESSIONAL OFFICES, PARKING AND RELATED USES.
-  OFF-STREET PARKING

APPLICANT: DEPARTMENT OF ECONOMIC DEVELOPMENT - CITY OF CHICAGO.
 DATE: JANUARY 18, 1983

BUSINESS PLANNED DEVELOPMENT
PLANNED DEVELOPMENT USE & BULK REGULATION DATA

SUB AREA	NET SITE AREA SQ. FT.	GENERAL DESCRIPTION OF LAND USE	MAXIMUM F.A.R.	MAXIMUM % LAND COVERAGE
A	380,179	General Merchandise use, retail food and drug stores, service type business uses, related uses, offices and offstreet parking. (See statement 6.)	1.05	57%
B	80,039	Off Street Parking Uses	- 0 -	- 0 -
TOTAL	460,218		0.867	47.1%

The above noted regulations relate to the ultimate development within the planned development area. Interim stages of development may exceed these permitted standards subject to the approval of The Department of Planning.

Gross Site Area = Net Site Area: 460,218 Sq. Ft. + Area in Public Right-of-Way: 114,770.47 = 574,988.47 Sq.Ft. (13.19 acres).

Minimum number of off-street parking spaces: 617

Minimum number of off-street loading spaces: 6

Minimum Periphery setbacks at property lines: 0

Maximum permitted F.A.R. for Total Net Site Area: 0.867

Maximum permitted percentage of Cover for Total Net Site Area: 47.1

APPLICANT: DEPARTMENT OF ECONOMIC DEVELOPMENT

DATE: 1/18/83

PLAN OF DEVELOPMENT
INSTITUTIONAL PLANNED DEVELOPMENT
STATEMENTS

1. The area delineated hereon as an "Institutional Planned Development" is owned or controlled by Illinois College of Optometry.
2. Off-street parking and loading facilities will be provided in compliance with this plan of development.
3. Any dedication of streets or alleys or adjustments of the right-of-way or consolidation or resubdivision of parcels shall require a separate submittal on behalf of Illinois College of Optometry and approval by the Chicago City Council.
4. All other applicable reviews, approvals or permits are required to be obtained by Illinois College of Optometry.
5. Service drives or any other ingress or egress shall be adequately designed and paved in accord with the regulations of the Department of Streets and Sanitation and in compliance with the Municipal Code of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking permitted within such paved areas.
6. Use of land will consist of academic, including outpatient clinic as accessory to teaching curricula, student housing; off-street parking and related uses as authorized by this plan of development.
Laboratories and research facilities contained therein shall be governed by performance standard as authorized under the M1 zoning district of the Chicago Zoning Ordinance.
7. Identification and other necessary signs may be permitted subject to the review of and approval by the Department of Planning and the Department of Inspectional Services.
8. The information in the tables and maps attached hereto sets forth data concerning the generalized land use plan of the area delineated herein as Institutional Planned Development, and illustrates that development of such areas will be in general compliance with the intent and purposes of the Chicago Zoning Ordinance.
9. The Plan of Development hereby attached shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Developments" as promulgated by the Commissioner of Planning.

APPLICANT: Illinois College of Optometry

DATE: September 15, 1982