

May 25, 2021

Tim Barton
Thomas R. Raines Attorney at Law
20 N. Wacker Drive
Suite 55
Chicago, IL 60603

**Re: Minor Change to PD No. 430
9438 S. Ashland Ave.**

Dear Mr. Barton:

Please be advised that your request for a minor change to Business Planned Development No. 430 ("PD 430") has been considered by the Department of Planning and Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance.

Glazier Project LLC, the contract purchaser of the property at 9438 S. Ashland Avenue, is seeking a minor change to construct a Starbucks café on the outlot located at the southeast corner of the PD. The walk-in restaurant will not have any drive-through service and will replace an existing gas station. The property owners of the PD, David Heidner, 369 Flatbush Chicago LLC, and Jetco Properties, Inc. have provided their consent to this request. The following exhibits are attached:

- Sheet 4 – Site Plan dated May 18, 2021, prepared by McBride Engineering, Inc.
- L1.1 – Landscape Plan dated April 28, 2021, prepared by ARCON Associates.
- A3-1 – Exterior Elevations dated January 13, 2021, prepared by ARCON Associates.

Regarding your request, the Department of Planning and Development has determined that allowing the proposed Starbucks 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 PD 430, 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 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,



Steven Valenziano
Assistant Zoning Administrator

C: Mike Marmo, Erik Glass, Noah Szafraniec, Erika Sellke, Ron Daye, Main file



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Lori T. Healey
Commissioner

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190
(312) 744-2271 (FAX)
(312) 744-2578 (TTY)

<http://www.cityofchicago.org>

February 28, 2006

Tom Cervenka, P.E.
Development manager
InSite Real Estate
Development, L.L.C.
1603 West Sixteenth Street
Oak Brook, Illinois 60523-1303

Re: Request for a minor change to Business Planned
Development No. 430, (95th and Ashland), Chicago,
Illinois

Dear Mr. Cervenka:

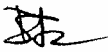
Please be advised that your request for a minor change to Residential Planned Development No.430 has been considered by the Department of Planning and Development pursuant to Section 17-13-0611-A of the Chicago Zoning Ordinance.

Specifically, you requested to include the use of a bank drive through. The final drive through design would be subject to the Department of Planning and Development approval at the time of Part II approval.

With regard to your request, the Department of Planning and Development has determined that this revision to the Planned Development would constitute a minor change pursuant to Section 17-13-061-A of the Chicago Zoning Ordinance.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance, Business Planned Development No. 430, I hereby approve the foregoing minor change as stated, but no other changes to Business Planned Development No. 430.

Very Truly Yours,

Lori T. Healey 
Commissioner

LTH;MD;CVH

cc: Mike Marmo, PD files





City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Alicia Mazur Berg
Commissioner

121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4190
(312) 744-2271 (FAX)

<http://www.cityofchicago.org>

August 7, 2001

Mr. Langdon D. Neal
Earl L. Neal & Associates, L.L.C.
111 W. Washington Street, Suite 1700
Chicago, IL 60602

Re: Administrative Relief - Business Planned
Development No. 430
(95th & Ashland)

Dear Mr. Neal:

Please be advised that your request for minor changes to Business Planned Development No. 430 have been considered by the Department of Planning and Development pursuant to Section 11.11-3(c) of the Chicago Zoning Ordinance and Statement No.8 of the Business Planned Development No. 430.

Specifically, you requested the following modifications:

1. Modify Statement No. 4 of the Planned Development which prohibits service station uses. This would allow the construction of a 135.5 square foot kiosk with fuel stations on an outlot parcel located within Business Planned Development 430. The existing parking lot will be substantially upgraded, including new paving and substantial landscape improvements in conformance with drawings 1.6A & 1.6B by A Epstein & Sons International, dated 12-07-00.

With regard to your request, the Department of Planning and Development has determined that this revision to the Planned Development would constitute a minor change pursuant to Section 11.11-3(c) of the Chicago Zoning Ordinance. Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 430, I hereby approve the foregoing minor change, but no other changes to Business Planned Development No. 430.

Very Truly Yours,

Alicia Mazur Berg
Commissioner

cc: Philip Levin, Jack Swenson, Mike Marmo, Tim Bleuher, Paul Woznicki



SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the R2 Single-Family Residence District symbols and indications as shown on Map No. 16-J in the area bounded by:

West 65th Street; a line 100.74 feet east of and parallel to South Lawndale Avenue; a line 133 feet south of and parallel to West 65th Street; South Lawndale Avenue,

to those of an R4 General Residence District 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.

Reclassification Of Area Shown On Map Number 22-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 Business Planned Development No. 430 and C2-2 General Commercial District symbols and indications as shown on Map No. 22-H in the area bounded by:

a line 144.0 feet north of and parallel with West 94th Street; South Ashland Avenue; West 95th Street; the westerly right-of-way line of the Penn Central Railroad (now vacant); the south line of West 94th Street as extended; South Beverly Avenue; the alley next north of and parallel with West 94th Street; and the alley next west of and parallel with South Ashland Avenue,

to the designation of Business Planned Development No. 430, 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. This ordinance shall be in force and effect from and after its passage and due publication.

Plan of Development attached to this ordinance reads as follows:

*Business Planned Development Number 430
(As Amended)*

Plan Of Development

Statements.

1. The area delineated herein as Business Planned Development No. 430, as amended, is owned or controlled by Jetco Properties, Incorporated, a Delaware corporation with offices at 8725 West Higgins Road, Chicago, Illinois 60631. Jetco Properties, Incorporated, is a wholly owned subsidiary of Jewel Companies, Incorporated, which is a wholly owned subsidiary of American Stores Company.
2. All applicant official reviews, approvals or permits are required to be obtained by the applicant or its successors, assignees, or grantees.
3. 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. The vacation of West 94th Street shall be permitted prior to any Part II application.
4. The following uses shall be permitted within the area delineated herein as Business Planned Development No. 430, as amended: grocery stores, retail drug stores, general merchandise uses, restaurants, retail and service type business uses, parking and related uses subject to limitations contained in the Generalized Land Use Plan (permanent outdoor storage as a principal use and service station uses shall be prohibited).
5. 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.
6. 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 Public Works and the approval of the Department of Planning. Access to the accessory structures shall be from the same location serving the general parking for the Planned Development. Except as otherwise provided herein all off-street parking shall comply with the provisions of 7.11, and off-street loading shall comply with the provisions of 8.10.
7. Any service drives or any other ingress and egress shall be adequately designed and paved in accord with the regulations of the Department of Public Works 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 to provide ingress and egress for emergency vehicles; there shall be no parking within such paved areas. The location of all curb cuts shall be subject to the approval of the Department of Planning. No truck traffic shall be permitted on Beverly Avenue and no access shall be permitted to 94th Street west of Beverly Avenue.
8. Accessory buildings or structures may be constructed in the Business Planned Development either prior to, subsequent to, or concurrently with any one or more principal buildings, subject to the approval of the Department of Planning.
 9. The applicant will design the structure as a cohesive architectural unit and will provide and maintain a six-foot perimeter stockade fence and shall provide and maintain landscaping in general conformance with the landscaping plan proposed by David McCallum and Associates, dated November 2, 1989, and on file with the Department of Planning.
 10. Business and business identification signs may be permitted within the area delineated herein as Business Planned Development, subject to the review and approval of the Department of Buildings and the Department of Planning.
 11. The height restriction of any building or any appurtenance attached hereto shall be subject to:
 - a. Height limitations as certified on Form FAA 117, or successor forms involving the same subject matter, and approved by the Federal Aviation Administration; and
 - b. Airport zoning regulations as established by the Department of Planning, Department of Aviation and Department of Law, as approved by the City Council.
 12. 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.

[Existing Zoning and Street System Map, Property Line Map
and Generalized Land Use Plan attached to this Plan
of Development printed on pages 10392
through 10394 of this Journal.]

Use and Bulk Regulations and Data attached to this Plan of Development reads as follows:

*Business Planned Development Number 430
(As Amended)*

Planned Development Use And Bulk Regulations And Data.

<u>Net Site Area</u> <u>Square Feet</u> Acres	General Description Of Land Uses	Maximum F.A.R.	Maximum Percentage of Site Coverage
<u>288,157.6</u> 6.62	Grocery stores, retail drug stores, general merchandise uses, restaurants, retail and service type business uses, parking and related uses (permanent outdoor storage as a principal use and service station uses shall be prohibited).	0.42	42%

Net Site Area includes area of West 94th Street to be vacated: 22,738 square feet.

Gross Site Area:	Net Site Area:	288,157.6 square feet	(6.62 acres)
	<u>Public R.O.W.:</u>	<u>58,015.4 square feet</u>	<u>(1.33 acres)</u>
	TOTAL:	346,173.0 square feet	(7.95 acres)

Maximum F.A.R. for Net Site Area: 0.42

Allocated as follows: (As identified on generalized land use plan):

- A. Outlet: 5,000 square feet maximum.
- B. Retail Stores: 33,000 square feet maximum.

C. Building C: balance of allowable floor area.

Off-Street Parking: Minimum: 290 spaces including 2% handicapped.

A minimum of 169 spaces will be available at all times that the existing store is open and until the new store is opened.

Off-Street Loading: 4 at 10 feet x 50 feet

Building Setbacks:	North Property Line	20 feet
	South Ashland Avenue	0 feet
	West 95th Street	50 feet
	West Property Line	0 feet

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Reclassification Of Area Shown On Map Number 26-H.

Be It Ordained by the City Council of the City of Chicago:

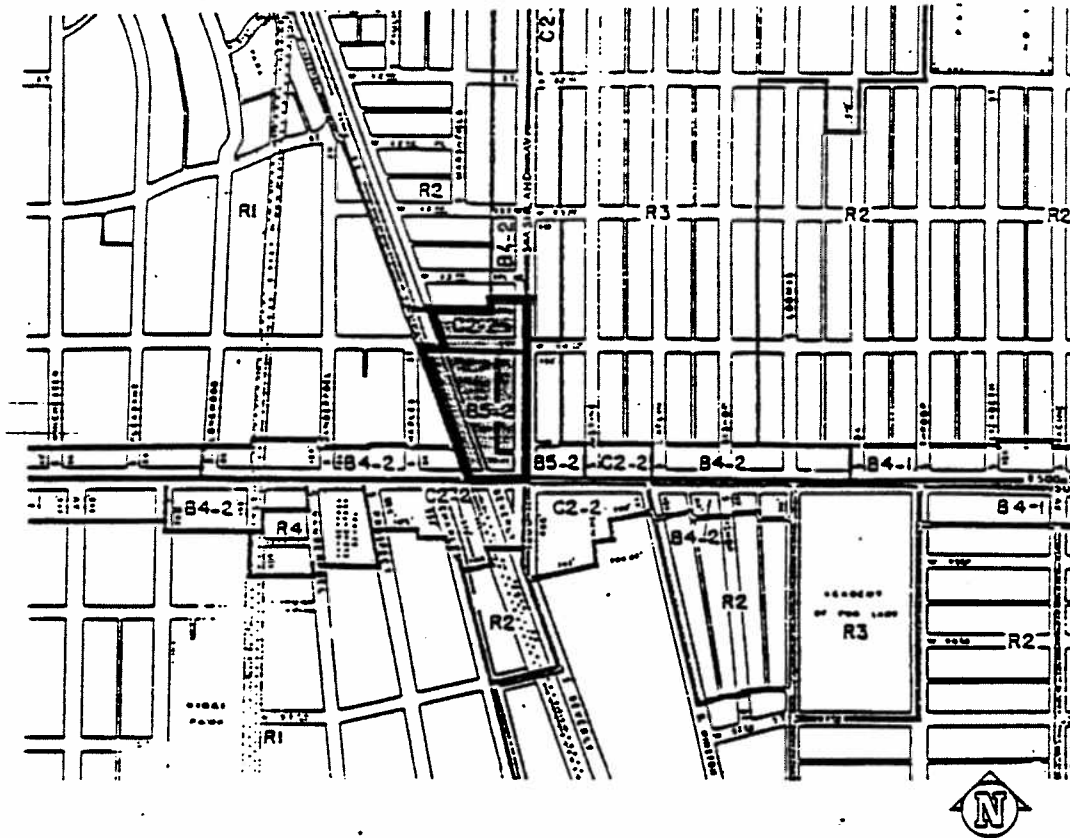
SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the B1-2 Local Retail District symbols and indications as shown on Map No. 26-H in area bounded by:

West 110th Place; a line 150 feet east of South Western Avenue; a line 150 feet south of West 110th Place; a line 146 feet east of South Western Avenue; a line 175 feet south of West 110th Place; a line 130 feet east of South Western Avenue; a line 200 feet south of West 110th Place; a line 140 feet east of South Western Avenue; a line 225 feet south of West 110th Place; and South Western Avenue,

to those of a B2-2 Restricted Retail District 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.

**BUSINESS PLANNED DEVELOPMENT NO. 430, AS AMENDED
EXISTING ZONING AND STREET SYSTEM MAP.**

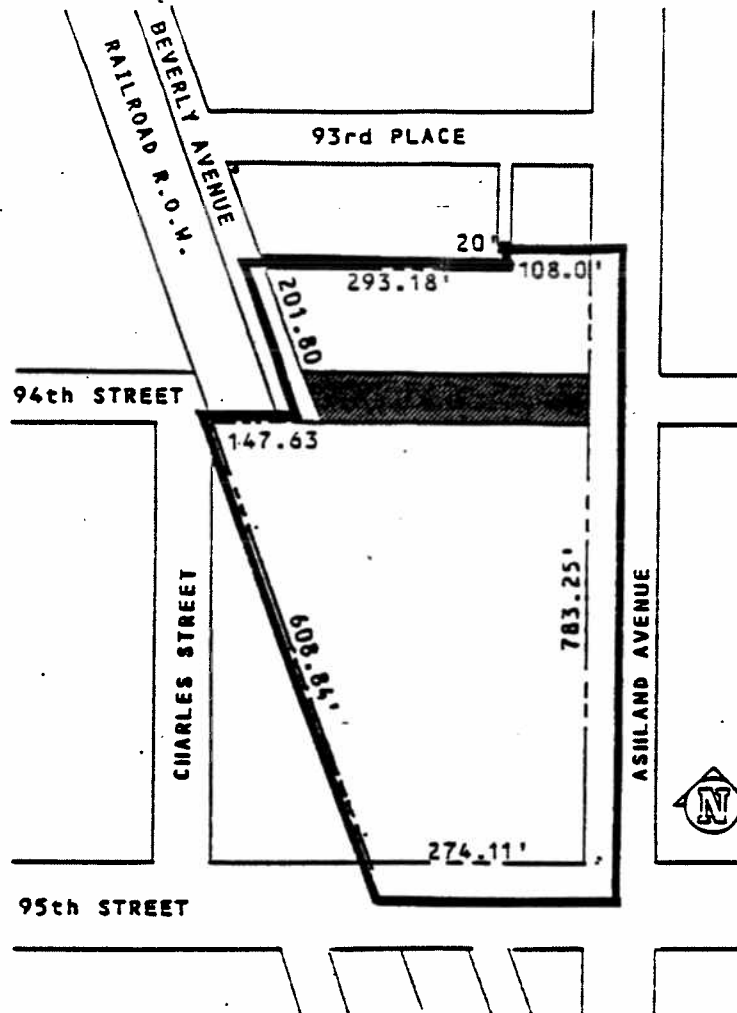


LEGEND:




-  Subject Property
-  Planned Development Boundary

APPLICANT: Jetco Properties, Inc.
ADDRESS: 9410 South Ashland Avenue
DATE: September 13, 1989

**BUSINESS PLANNED DEVELOPMENT NO 430, AS AMENDED
PROPERTY LINE MAP AND RIGHT OF WAY
ADJUSTMENTS.**

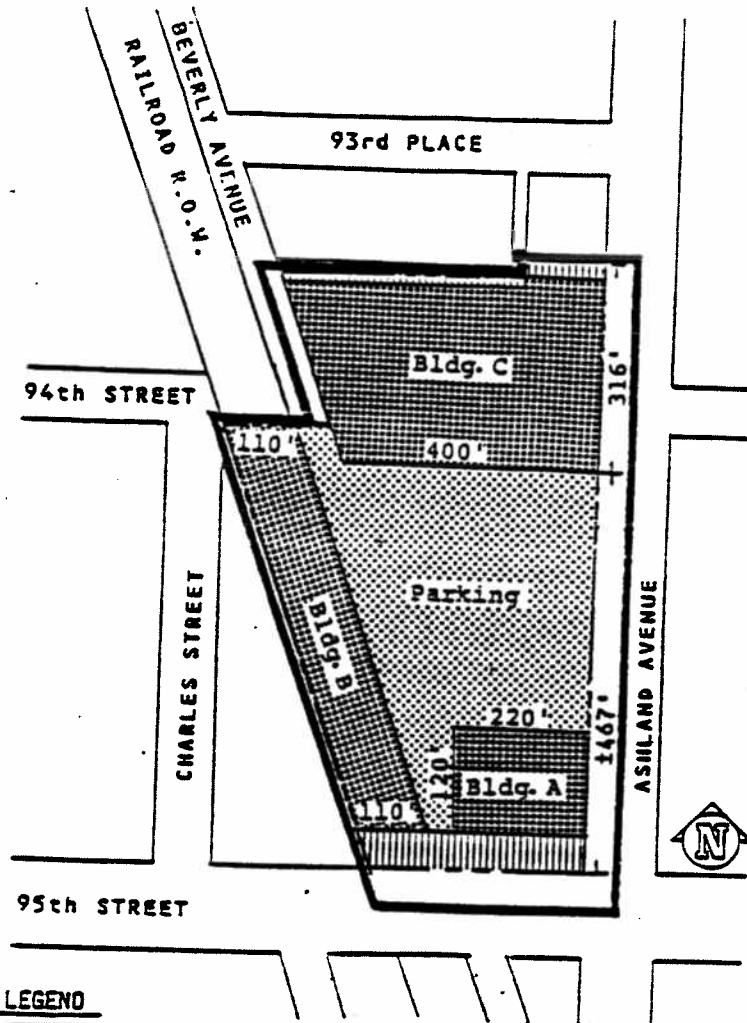


LEGEND:




-  Planned Development Boundary
-  20' Property Line
-  Street to Be Vacated

APPLICANT: Jetco Properties, Inc.
ADDRESS: 9410 South Ashland Avenue
DATE: September 13, 1989

BUSINESS PLANNED DEVELOPMENT NO. 430, AS AMENDED
GENERALIZED LAND USE PLAN.



LEGEND

-  Business and Related Uses.
-  Parking and Related Uses.
-  Open Space and Setbacks.

APPLICANT: Jetco Properties, Inc.
 ADDRESS: 9410 South Ashland Avenue
 DATE: September 13, 1989.
 REVISED: November 3, 1989

(Continued from page 4317)

~~a line 71 feet south of and parallel to West 83rd Street; the alley next east of and parallel to South Ashland Avenue; West 85th Street; and South Ashland Avenue,~~

~~to those of a B2-1 Restricted Retail District 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.~~

Reclassification Of Area Shown On Map No. 22-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 B5-2 General Service District symbols and indications as shown on Map No. 22-H in the area bounded by

West 94th Street; South Ashland Avenue; West 95th Street; and the westerly right-of-way line of the Penn Central Railroad (now vacant),

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 thereof and to no others.

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

Plan of Development attached to this ordinance reads as follows:

Business Planned Development No: 430

Statements.

1. The area delineated herein as Business Planned Development No. _____ is owned or controlled by Jetco Properties, Inc., a Delaware Corporation with offices at 5725 North East River Road, Chicago, Illinois, 60631. Jetco Properties, Inc. is a wholly owned subsidiary of Jewel Companies, Inc. which is a wholly owned subsidiary of American Stores Co.
2. All applicant official reviews, approvals or permits are required to be obtained by the applicant, or its successors, assignees or grantees.

A-2505

10150

3. 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.
4. The following uses shall be permitted within the area delineated herein as Business Planned Development: grocery stores, retail drug stores, general merchandise uses, restaurants, retail and service type business uses, parking and related uses (exclusive of any principal activity of permanent outdoor storage and service station uses).
5. Business establishments shall be unrestricted in respect to maximum gross floor areas, subject only to aggregate maximum floor area ratio. The maximum floor area ratio shall be 0.40.
6. 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.

Attached hereto and incorporated herein by reference are:

- A. Property line map and right of way adjustments;
 - B. Existing zoning and preferential street system map;
 - C. Generalized Land Use Plan; and
 - D. Planned Development Use and Bulk Regulations and Data Chart.
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 Public Works and the approval of the Department of Planning. Access to the accessory structures shall be from the same location serving the general parking for the Planned Development.
 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 Public Works 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 to provide ingress and egress for emergency vehicles; there shall be no parking within such paved areas.
 9. Accessory buildings or structures may be constructed in the Business Planned Development either prior to, subsequent to or currently with any one or more principal buildings, subject to the approval of the Department of Planning.

10. Business and business identification signs may 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.
11. The height restriction of any building or any appurtenance attached hereto shall be subject to:
 - a. height limitations as certified on Form FAA 117, or successor forms involving the same subject matter, and approved by the Federal Aviation Administration, and
 - b. airport zoning regulations as established by the Department of Planning, Department of Aviation, and Department of Law, as approved by the City Council.
12. 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.

[Bulk Regulations and Maps attached to this Plan of Development are printed on pages 4330 through 4333 of this Journal.]

MISCELLANEOUS BUSINESS.

PRESENCE OF VISITORS NOTED.

The Honorable Harold Washington, Mayor, called the Council's attention to the presence of the following visitors:

Six students--Ms. Lillian M. Rodriguez, Clemente High School; Ms. Candace Jackson, Lindbloom High School; Mr. Frank S. Williams, Oak Park and River Forest High School; Mr. Bartholomew Reed, Wells Community Academy; Ms. Allison Todd, Whitney Young High School and Mr. Steele Fors, Hinsdale South High School accompanied by the Reverend Stanley L. Davis, Jr., Executive Director of the National Conference of Christians And Jews (N.C.C.J.) Chicago office. Representatives of the National Conference of Christians and Jews Youth Conference on the United States Constitution, the group was introduced by Alderman Sawyer and invited to the Mayor's rostrum by Mayor Harold Washington. After brief remarks by Reverend Davis and Ms. Todd noting that the students represented the State of Illinois at the N.C.C.J. Youth Conference on the U.S. Constitution, Ms. Todd presented Mayor Washington with a copy of the group's Statement of Issues from the conference, a special medallion and a silver quill.

(Continued on page 4334)

BUSINESS PLANNED DEVELOPMENT
USE AND BULK REGULATIONS AND DATA

<u>NET SITE AREA</u>	<u>GENERAL DESCRIPTION OF LAND USE</u>		<u>FAR</u>	<u>% OF LAND</u>
Sq. Ft. Acres				<u>COVERAGE</u>
216,270 4.96	Grocery stores, retail drug stores, general merchandise uses, restaurants, retail and service type business uses, parking and related uses*		0.40	40
	*exclusive of any principal activity of permanent outdoor storage and service station uses.			

GROSS SITE AREA

Net site area of 4.96 acres plus Public Right-of-Way of 1.47 acres = 6.43 acres.

NUMBER OF OFF-STREET LOADING SPACES

3 @ 10 feet X 50 feet

MINIMUM NUMBER OF PARKING SPACES

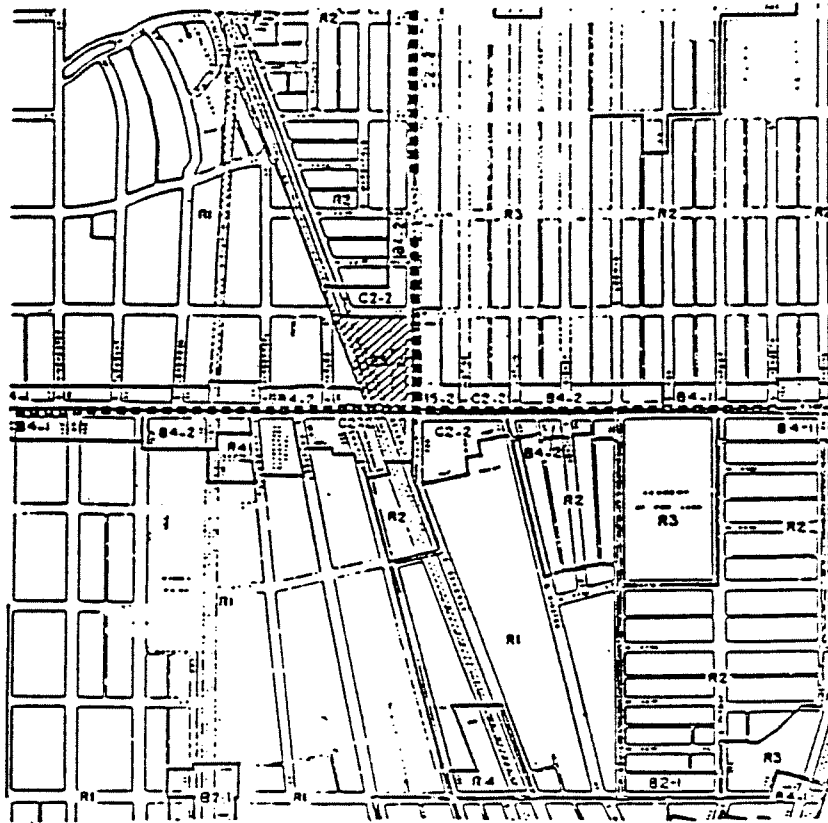
210

PERIPHERY SETBACKS AT PROPERTY LINES

North, South, and East Property Lines.....0 feet
 West Property Line.....20 feet

APPLICANT: Jetco Properties, Inc.
 ADDRESS: 1630-1645 W. 94th Street/9400-9456 S. Ashland Avenue/
 1602-1630 W. 95th Street, Chicago, Illinois, 60620
 DATE: May 29, 1987

BUSINESS PLANNED DEVELOPMENT
EXISTING ZONING AND PREFERENTIAL STREET SYSTEM.

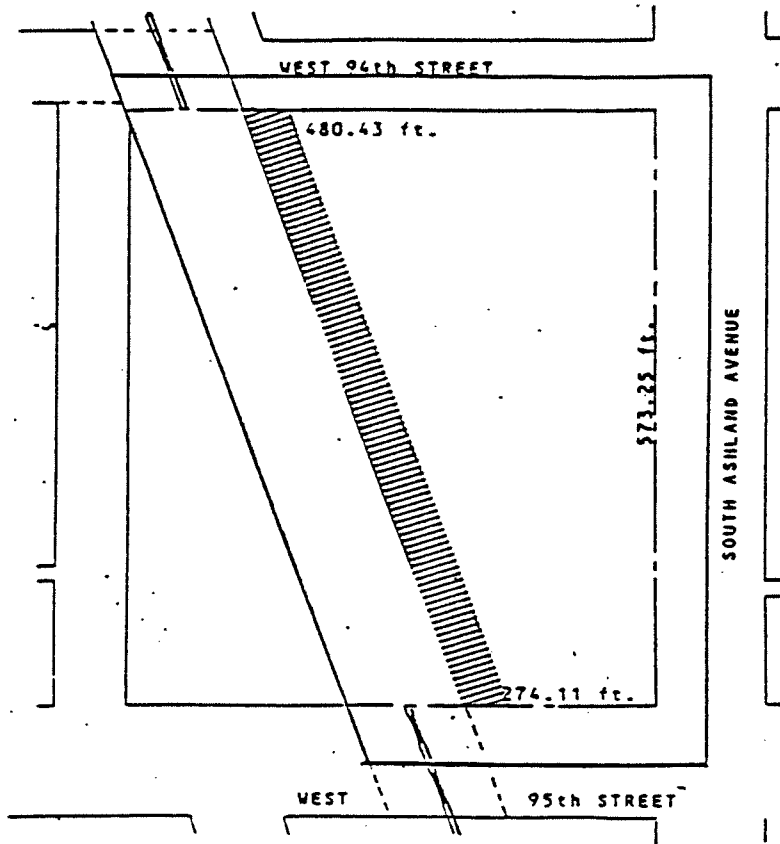


LEGEND


- PREFERENTIAL STREET
- ▨ SUBJECT PROPERTY

APPLICANT: Jetco Properties, Inc.
ADDRESS: 1630-1645 W. 94th Street/9400-9456 S. Ashland Avenue/
1602-1630 W. 95th Street, Chicago, Illinois, 60620
DATE: May 29, 1987

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



LEGEND

- Property Line
- Planned Development Boundary
-  Street to be Vacated

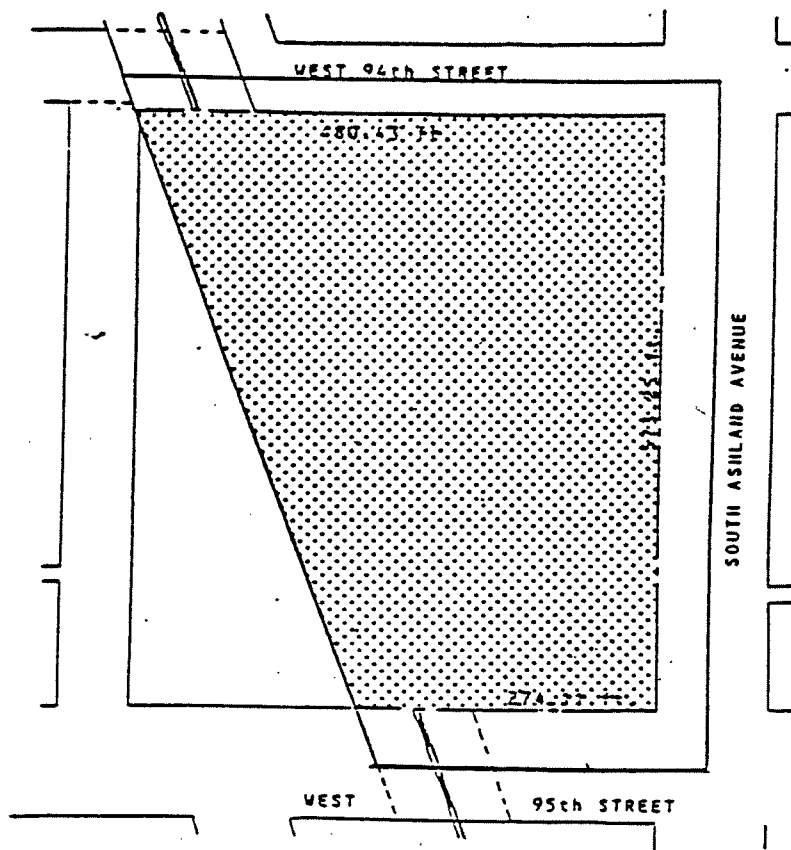
APPLICANT: Jetco Properties, Inc.
ADDRESS: 1630-1645 W. 94th Street/9400-9456 S. Ashland Avenue/
1602-1630 W. 95th Street, Chicago, Illinois, 60620
DATE: May 29, 1987

9/23/87

UNFINISHED BUSINESS

4333

BUSINESS PLANNED DEVELOPMENT GENERALIZED LAND USE PLAN



Grocery stores, retail drug stores, general merchandise uses, restaurants, retail and service type business uses, parking and related uses.

APPLICANT: Jetco Properties, Inc.
ADDRESS: 1630-1645 W. 94th Street/9400-9456 S. Ashland Avenue/
1602-1630 W. 95th Street, Chicago, Illinois, 60620
DATE: May 29, 1987