



DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

May 20, 2019

Katherine C. Jahkne Dale
DLA Piper LLP
444 W. Lake St., Suite 900
Chicago, IL 60606-0089

Re: Minor change request for PD No. 534, Sub area A, 3443 W. Addison St.

Dear Ms. Jahnke Dale:

Please be advised that your request for a minor change to Business Planned Development No. 534 ("PD 534"), 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 of PD 534.

Subarea A is improved with an existing building that previously operated as a K-Mart Store. In order to accommodate a new fitness tenant, you are seeking on behalf of your client, AGC Addison Owner, LLC, the sole owner of Sub area A of PD 534, a minor change to allow for a height increase from 22'-0" to 28'-6". The increased height is only for a small portion (approximately 30 linear feet) of the front of the existing building which will become an atrium entryway for the fitness club. The remainder of the building will maintain its current height. The following drawings are attached: Partial Floor Plan, Building Elevations, and East West Section.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed height increase 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 534, 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.

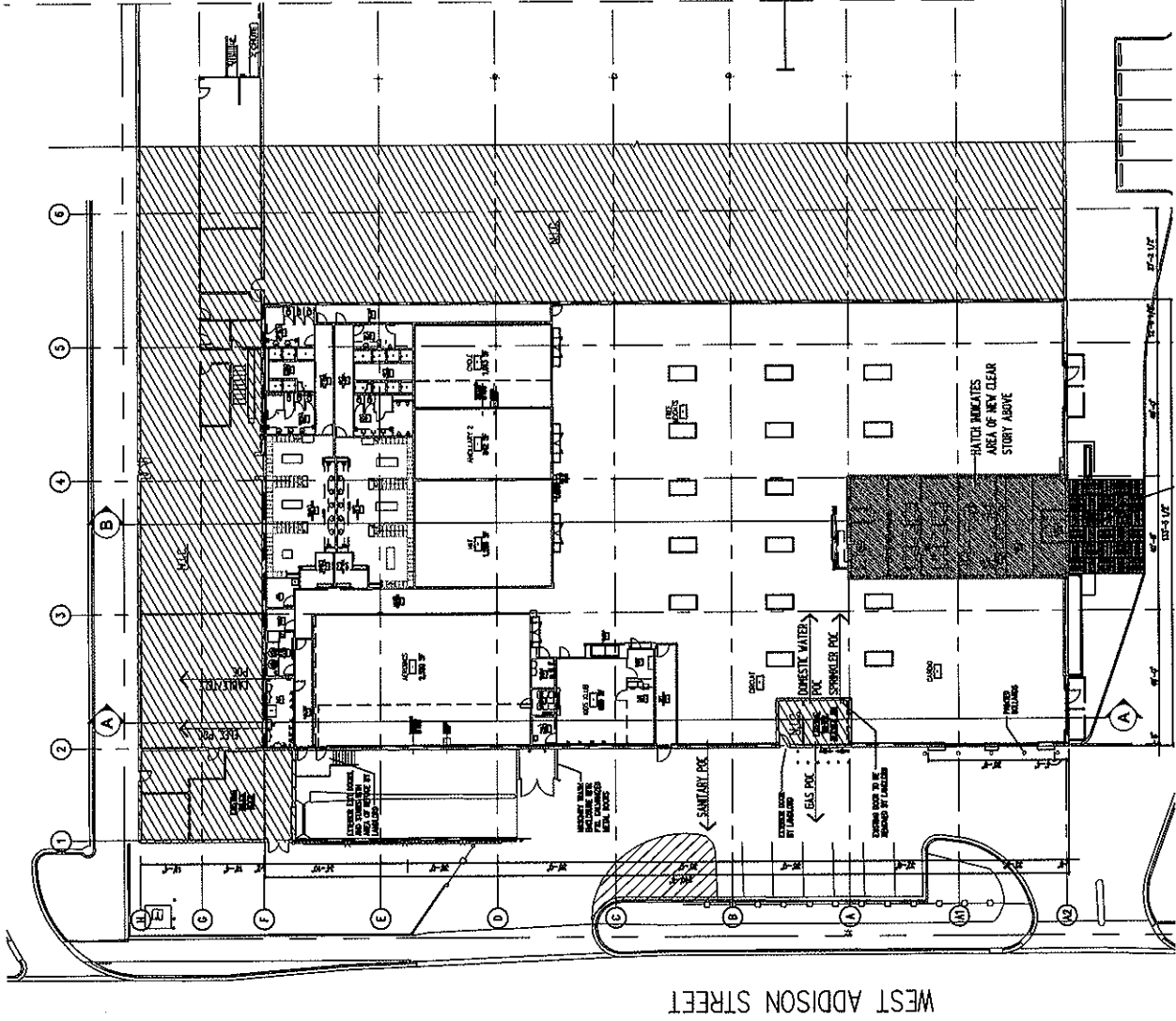
Sincerely,

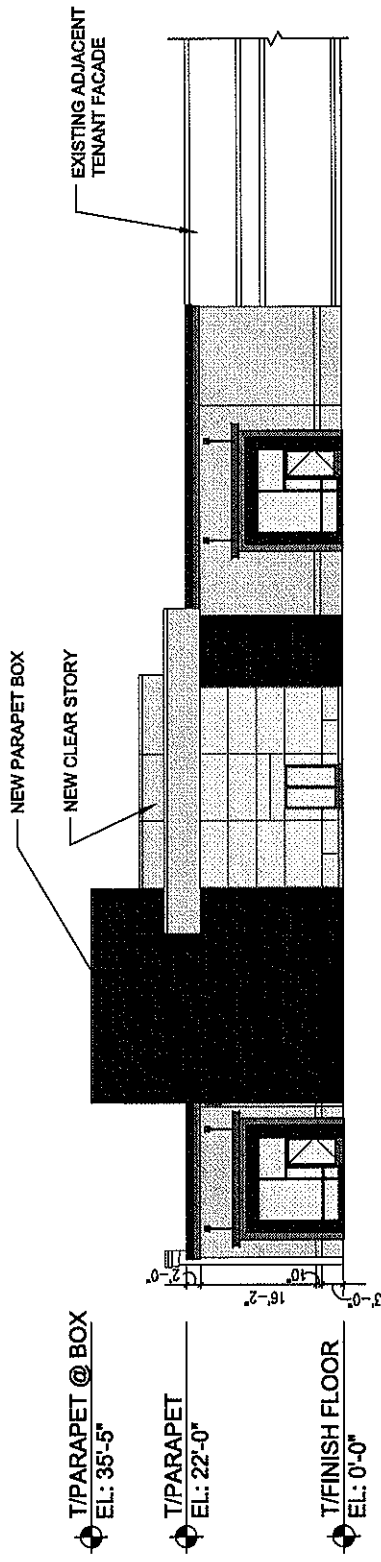


Patrick Murphey
Zoning Administrator

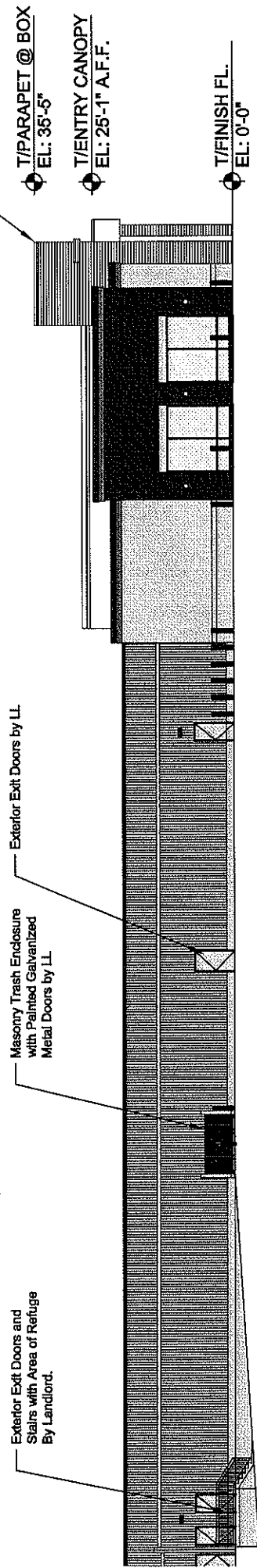
PM:tm

C: Mike Marmo. Erik Glass. Janice Hill. Main file



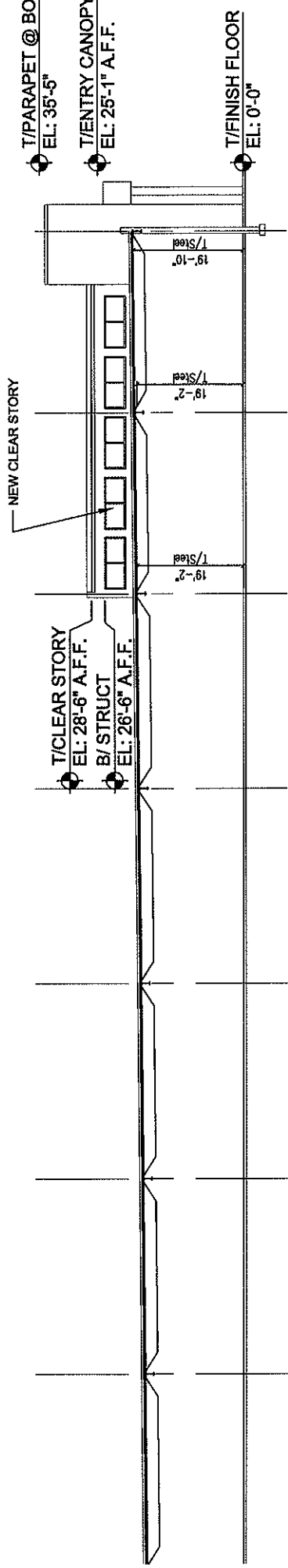
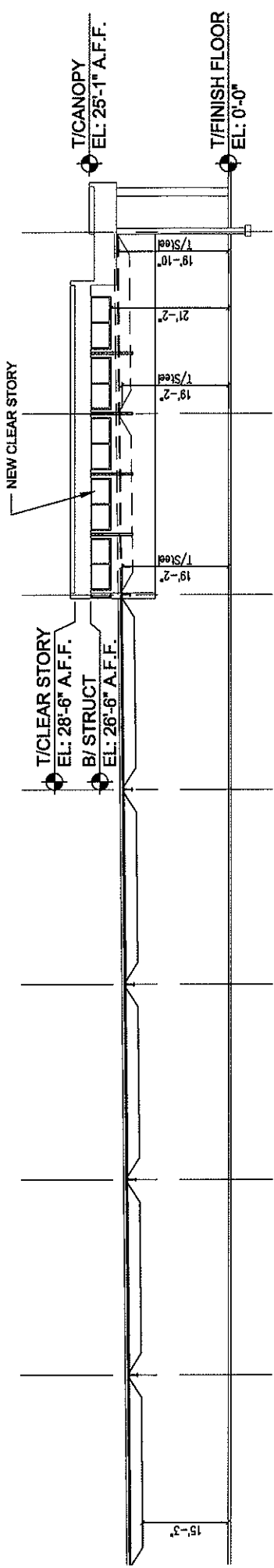


WEST ELEVATION



NORTH ELEVATION







DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

November 26, 2018

Larry Powers
AGC Addison Owner LLC
225 W. Hubbard, Suite 501
Chicago, IL 60654

Re: Minor change request for PD No. 534, Sub area A, 3443 W. Addison St.

Dear Mr. Powers:

Please be advised that your request for a minor change to Business Planned Development No. 534 ("PD 534"), 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 of PD 534.

AGC Addison Owner, LLC, the sole owner of Sub area A of PD 534, is seeking a minor change to allow for a reduction in the setback along the Sub area A Addison St. property line from 28'-7" to 14'-0" for the addition of a loading dock at the former Kmart store at 3443 W. Addison St. The building's two existing loading docks and screened masonry wall will remain, as shown on the attached, Enlarged Floor Plan.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed setback reduction 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. Additionally, a smaller setback is consistent with the surrounding structures along Addison street.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 534, 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,


Patrick Murphey
Zoning Administrator

C: Mike Marmo, Erik Glass, Janice Hill, Main file

WALL LEGEND

[Symbol]	SPOT WALL CONSTRUCTION TO REMAIN
[Symbol]	NO CONCRETE WALL OR PARTITION WALL TO REMAIN
[Symbol]	NO WALL REMOVE INTERIOR
[Symbol]	NO WALL REMOVE EXTERIOR
[Symbol]	NO WALL REMOVE INTERIOR AND EXTERIOR
[Symbol]	NO WALL REMOVE INTERIOR AND EXTERIOR WITH EXTERIOR FINISHES
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DEMOLITION GENERAL NOTES

1. CONTRACTOR SHALL VERIFY ALL DEMOLITION WORK IS IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS AND PERMITS. ALL DEMOLITION WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE DEMOLITION PLAN AND ALL APPLICABLE REGULATIONS.
2. CONTRACTOR SHALL VERIFY ALL DEMOLITION WORK IS IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS AND PERMITS. ALL DEMOLITION WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE DEMOLITION PLAN AND ALL APPLICABLE REGULATIONS.
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CERTIFICATION:

1	15.11.2011	REVISION
2	15.11.2011	REVISION
3	15.11.2011	REVISION

DESIGNED BY: [Name]
CHECKED BY: [Name]
DATE: [Date]

PROJECT NO.: [Number]
SCALE: [Scale]
DATE: [Date]

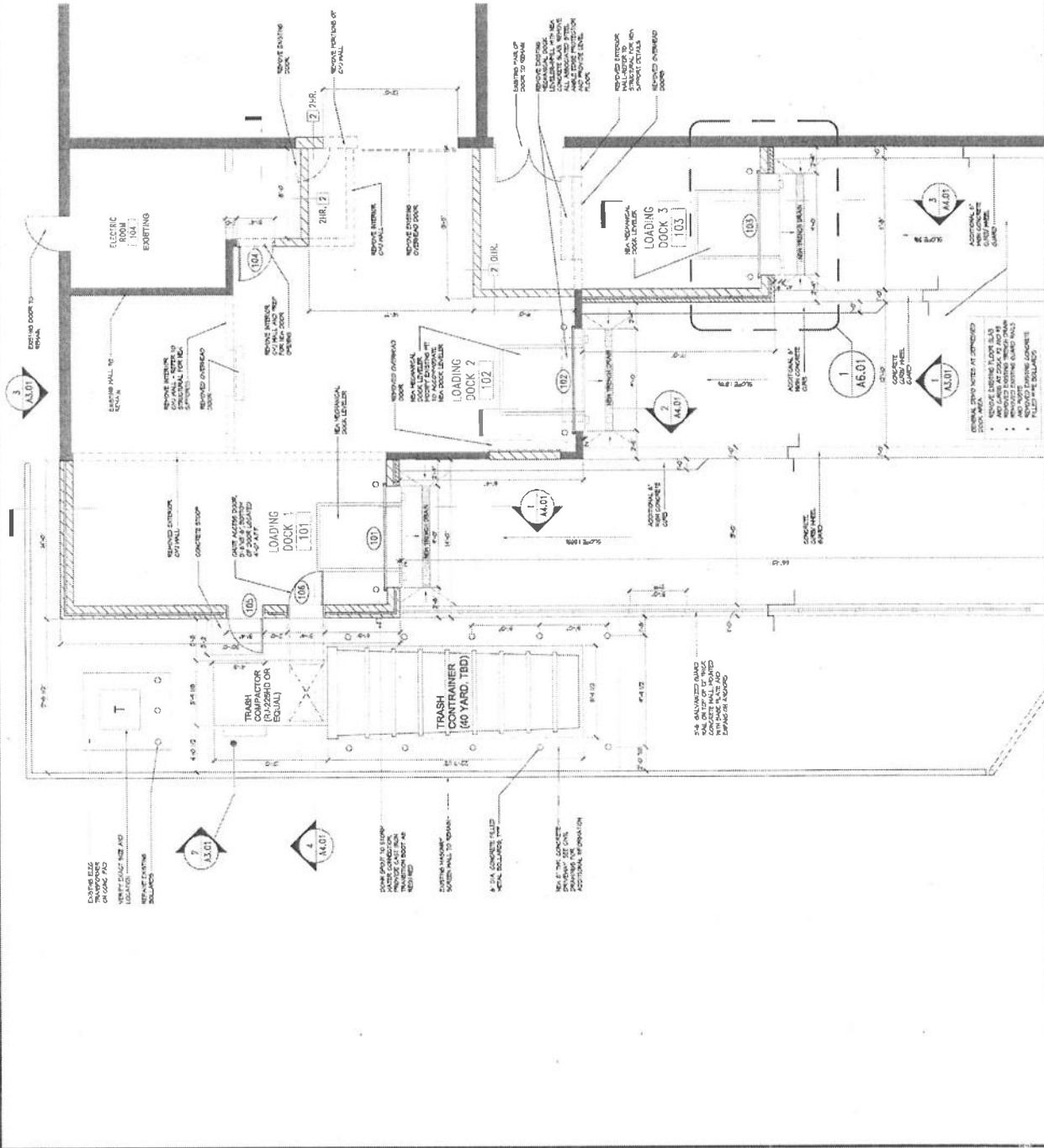
PROJECT LOCATION: [Address]
CLIENT: [Name]
PROJECT NO.: [Number]

DESIGNED BY: [Name]
CHECKED BY: [Name]
DATE: [Date]

PROJECT NO.: [Number]
SCALE: [Scale]
DATE: [Date]

PROJECT LOCATION: [Address]
CLIENT: [Name]
PROJECT NO.: [Number]

ENLARGED FLOOR PLAN
 Scale: 1/4" = 1'-0"



- REMOVE EXTERIOR FINISH AND INTERIOR FINISH
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DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF CHICAGO

November 26, 2018

Larry Powers
AGC Addison Owner LLC
225 W. Hubbard, Suite 501
Chicago, IL 60654

Re: Minor change request for PD No. 534, Sub area A, 3443 W. Addison St.

Dear Mr. Powers:

Please be advised that your request for a minor change to Business Planned Development No. 534 ("PD 534"), 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 of PD 534.

AGC Addison Owner, LLC, the sole owner of Sub area A of PD 534, is seeking a minor change to allow for a reduction in the setback along the Sub area A Addison St. property line from 28'-7" to 14'-0" for the addition of a loading dock at the former Kmart store at 3443 W. Addison St. The building's two existing loading docks and screened masonry wall will remain, as shown on the attached, Enlarged Floor Plan.

With regard to your request, the Department of Planning and Development has determined that allowing the proposed setback reduction 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. Additionally, a smaller setback is consistent with the surrounding structures along Addison street.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and PD 534, 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,


Patrick Murphey
Zoning Administrator

C: Mike Marmo, Erik Glass, Janice Hill, Main file

Reclassification Of Area Shown On Map No. 9-J
 (As Amended)
 (Application No. 17629)
 (Common Address: 3443 -- 3535 W. Addison St.)

BPD 534, 9a

[SO2012-8193]

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 Number 534 symbols and indications as shown on Map Number 9-J in the area bounded by:

a north property line located approximately thirty-three (33) feet south of the centerline of the Addison Street right-of-way; a west property line located approximately thirty-three (33) feet east of the centerline of the Central Park Avenue right-of-way; a south property line located approximately twenty-two (22) feet north of the centerline of the partially vacated Eddy Street right-of-way for approximately four hundred twenty-two (422) feet; the remaining south property line abuts the adjoining M1-1 zoned property to the south; and an east property line located approximately three hundred fifty (350) feet west of the centerline of the North Kimball Avenue right-of-way.

to those of Business Planned Development Number 534, as amended, and a corresponding use district is hereby established in the area above described.

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

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

Business Planned Development No. 534, As Amended.

Planned Development Statements.

1. The area delineated herein as Planned Development Number 534, as amended ("Planned Development") consists of approximately 323,691 square feet (7.43 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the applicant, Kmart Corporation.
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, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

Ingress or egress shall be pursuant to the plans and may be subject to the review and approval of the Departments of Housing and Economic Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II Approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of 15 statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Overall Planned Development Site Plan; Subarea Map; Subarea B Site Plan; Subarea B Landscape Plan; and Subarea B Building Elevations (North, South, East and West) prepared by Kimley-Horn and Associates and dated September 19, 2013, 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 are permitted in the subareas delineated herein as Business Planned Development Number 534, as amended:

Subarea A: retail and commercial uses, service uses, accessory uses and parking.

Subarea B: eating and drinking establishments, accessory uses and parking.

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, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 323,691 square feet.
9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Housing and Economic Development. The fee, as determined by staff at the time, is final and binding on the applicant and must be paid to the Department of Revenue prior to the issuance of any Part II Approval.
10. Subarea A is improved with a Kmart commercial building and parking lot. The Subarea B 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.
11. The applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to 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.
13. The applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

- 14. The applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources.
- 15. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Housing and Economic Development shall initiate a Zoning Map Amendment to rezone the property to B3-1 Community Shopping District.

[Existing Zoning Map; Existing Land-Use Map; Aerial Map; Boundary and Property Line Map; Subarea Map; Overall Planned Development Site Plan; Subareas B Site Plan; Subarea B Landscape Plan; Subarea B North and South Elevations; and Subarea B East and West Exterior Elevations referred to in these Plan of Development Statements printed on pages 62835 through 62844 of this *Journal*.]

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

Business Planned Development No. 534

Bulk Regulations And Data Table.

Gross Site Area:	368,890 square feet (8.47 acres)
Area in Public Right-of-Way:	45,199 square feet (1.04 acres)
Net Site Area:	323,691 square feet (7.43 acres)
Subarea A:	260,529 square feet (5.98 acres)
Subarea B:	63,162 square feet (1.45 acres)
Permitted Floor Area Ratio:	0.38

Permitted Uses:

Per Subarea A: Retail and commercial uses, service uses, accessory uses and parking.

Per Subarea B: Eating and drinking establishments, accessory uses and parking.

Minimum Number of Accessory Off-Street Parking Spaces:

385 (Section 17-10-0207-M Parking Group M)

Per Subarea A: 262

Per Subarea B: 123

Minimum Number of Bicycle Parking Spaces:

1 per 10 auto spaces (13 spaces)

Minimum Off-Street Loading Spaces:

5 spaces at 10 feet by 25 feet

Per Subarea A: 4

Per Subarea B: 1

Setbacks from Property Line:

In substantial compliance with the attached Site Plan

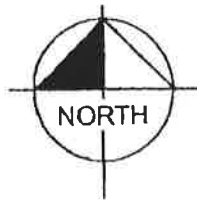
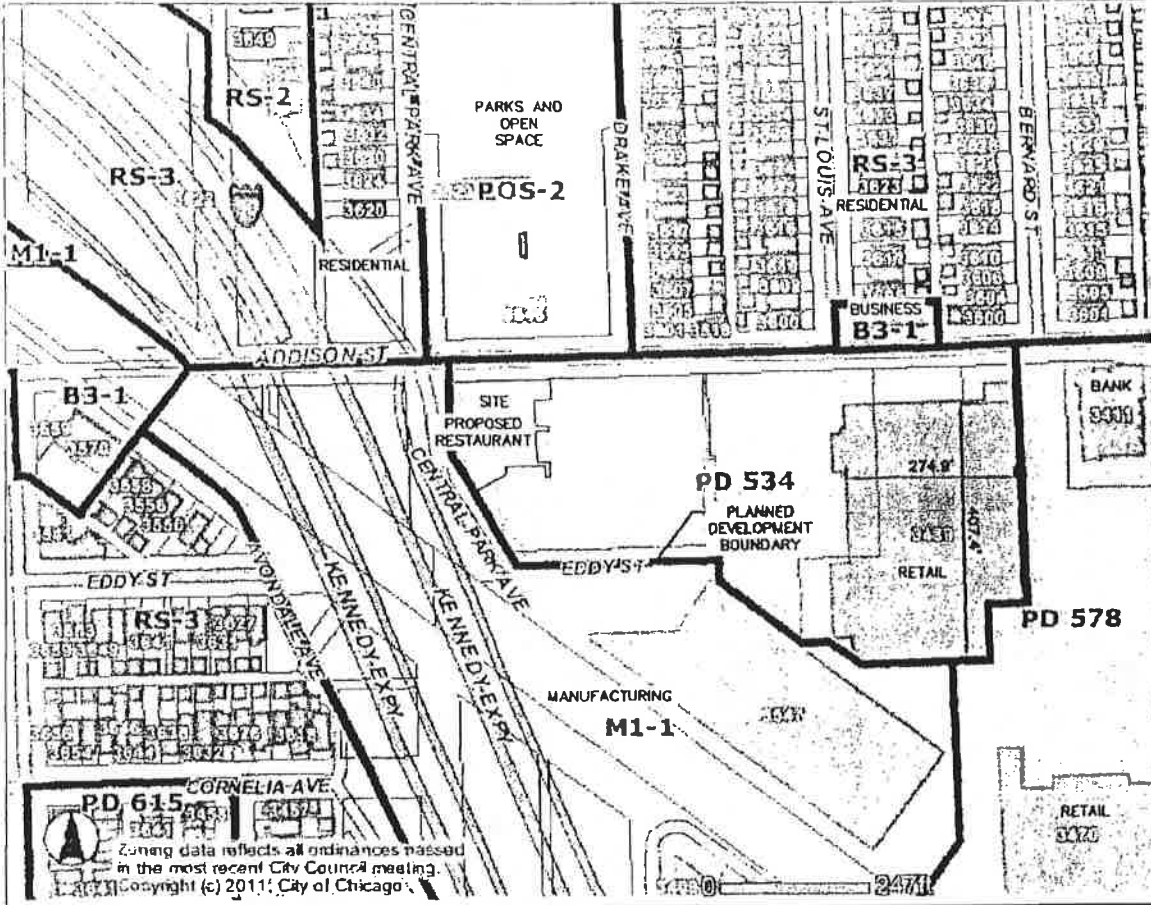
Maximum Building Height:


Subarea A: 22 feet

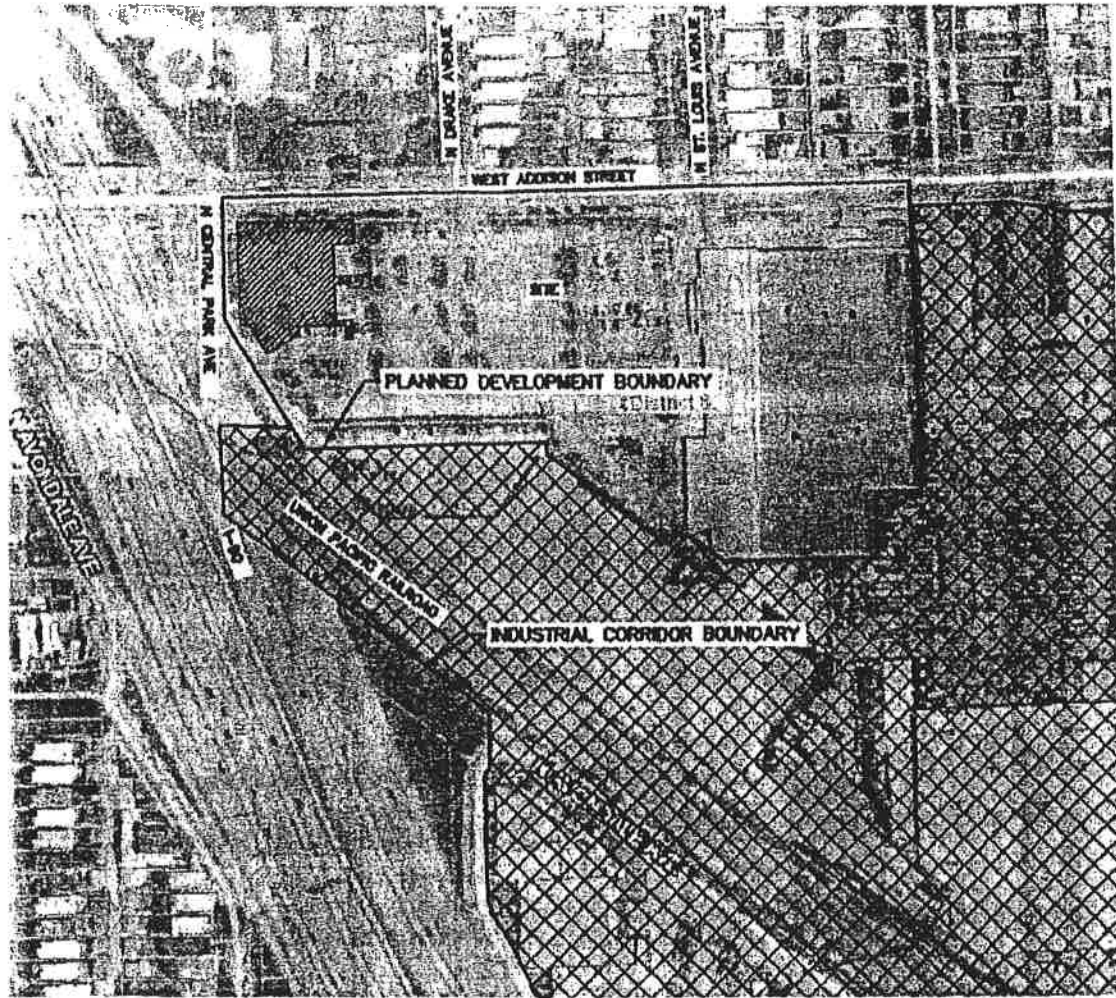
Subarea B: 22 feet

Setbacks from Property Lines:

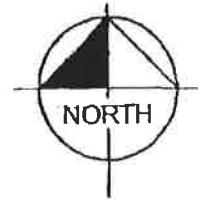
Per attached Site Plan



<p>APPLICANT: K MART CORPORATION ADDRESS: 3443-3555 WEST ADDISON STREET SUBMITTED 12/12/12 PLAN COMMISSION: SEPTEMBER 19, 2013</p>	<p>SCALE: N.T.S.</p> <p>DRAWN BY: EJT</p>	<p>EXISTING LAND-USE MAP</p>	 <p>Kimley-Horn and Associates, Inc.</p> <p><small>210 S. LaSalle Street, Suite 200 Chicago, IL 60604 Tel: 312.776.1400 Fax: 312.776.1401</small></p>
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INDUSTRIAL CORRIDOR



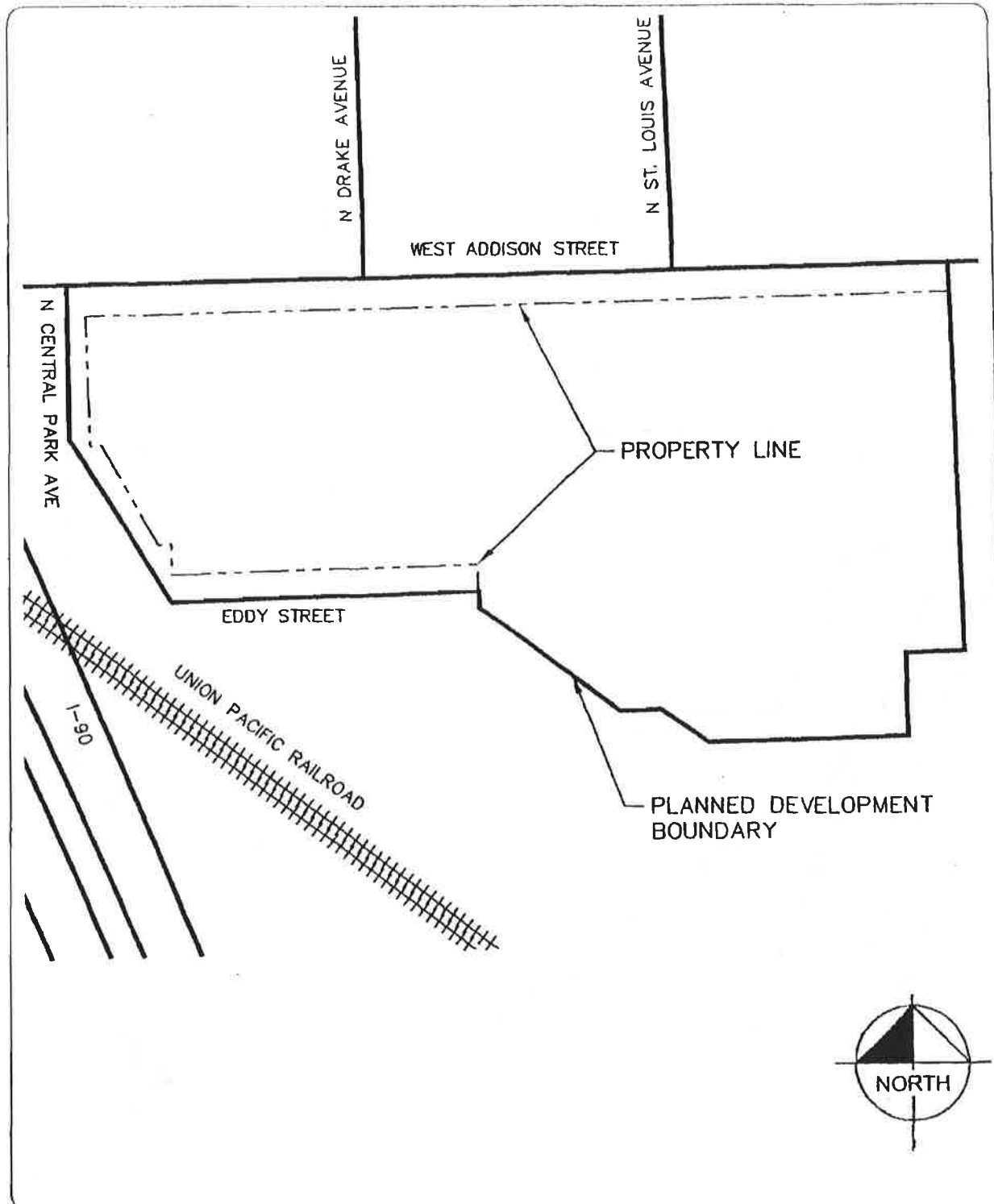
APPLICANT: K MART CORPORATION
 ADDRESS: 3443-3555 WEST ADDISON STREET
 SUBMITTED: 12/12/12
 PLAN COMMISSION: SEPTEMBER 19, 2013

SCALE:
 N.T.S.

DRAWN BY: EJT

AERIAL MAP



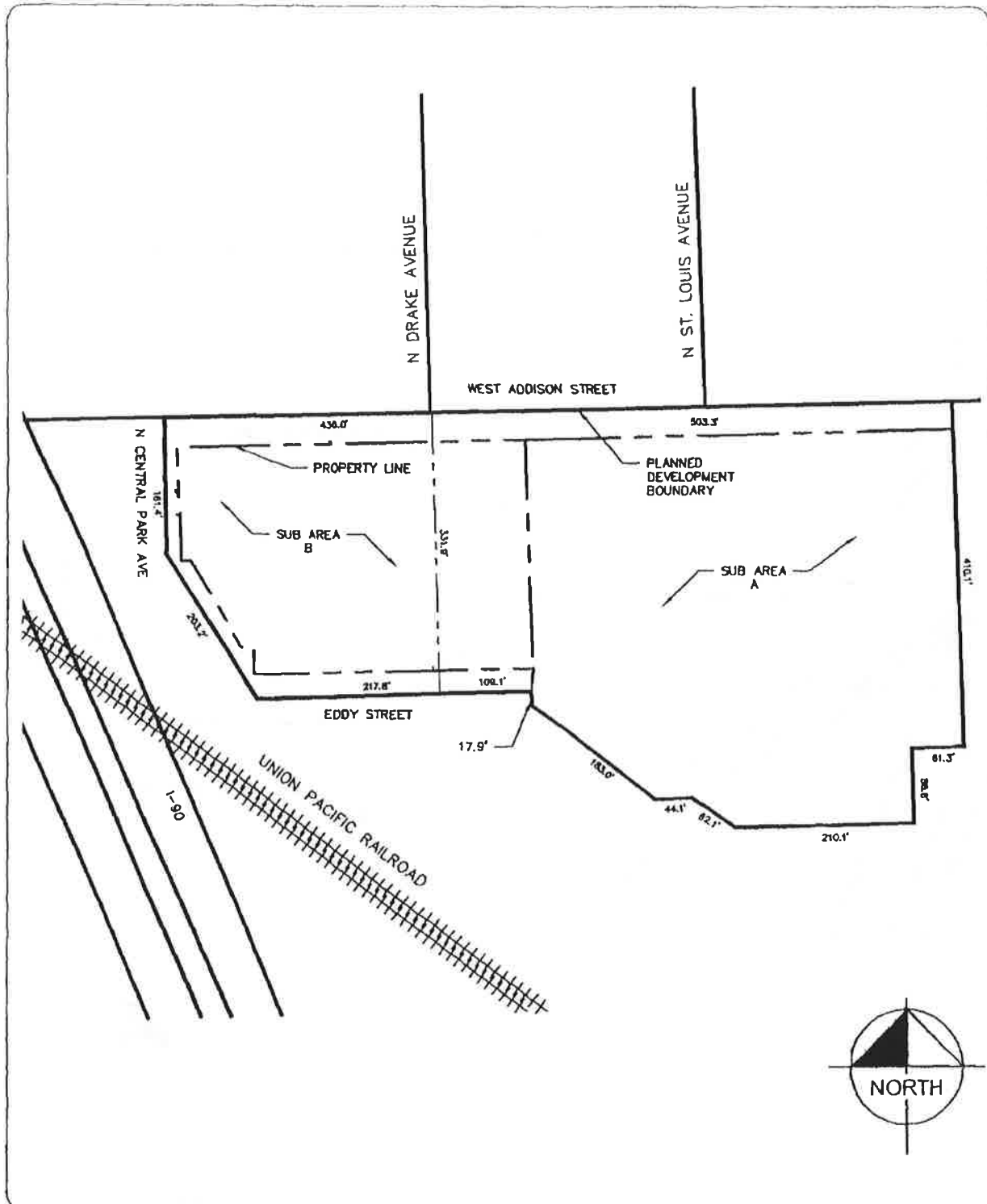


APPLICANT: KMART CORPORATION
 ADDRESS: 3443-3555 WEST ADDISON STREET
 SUBMITTED: 12/12/12
 PLAN COMMISSION: SEPTEMBER 19, 2013

SCALE: N.T.S.
 DRAWN BY: EJT

PLANNED DEVELOPMENT
 BOUNDARY AND PROPERTY
 LINE MAP

**Kimley-Horn
 and Associates, Inc.**
© 2013 Kimley-Horn & Associates, Inc.
 Scale: N.T.S.
 303 West Wacker Drive Chicago, Illinois 60601

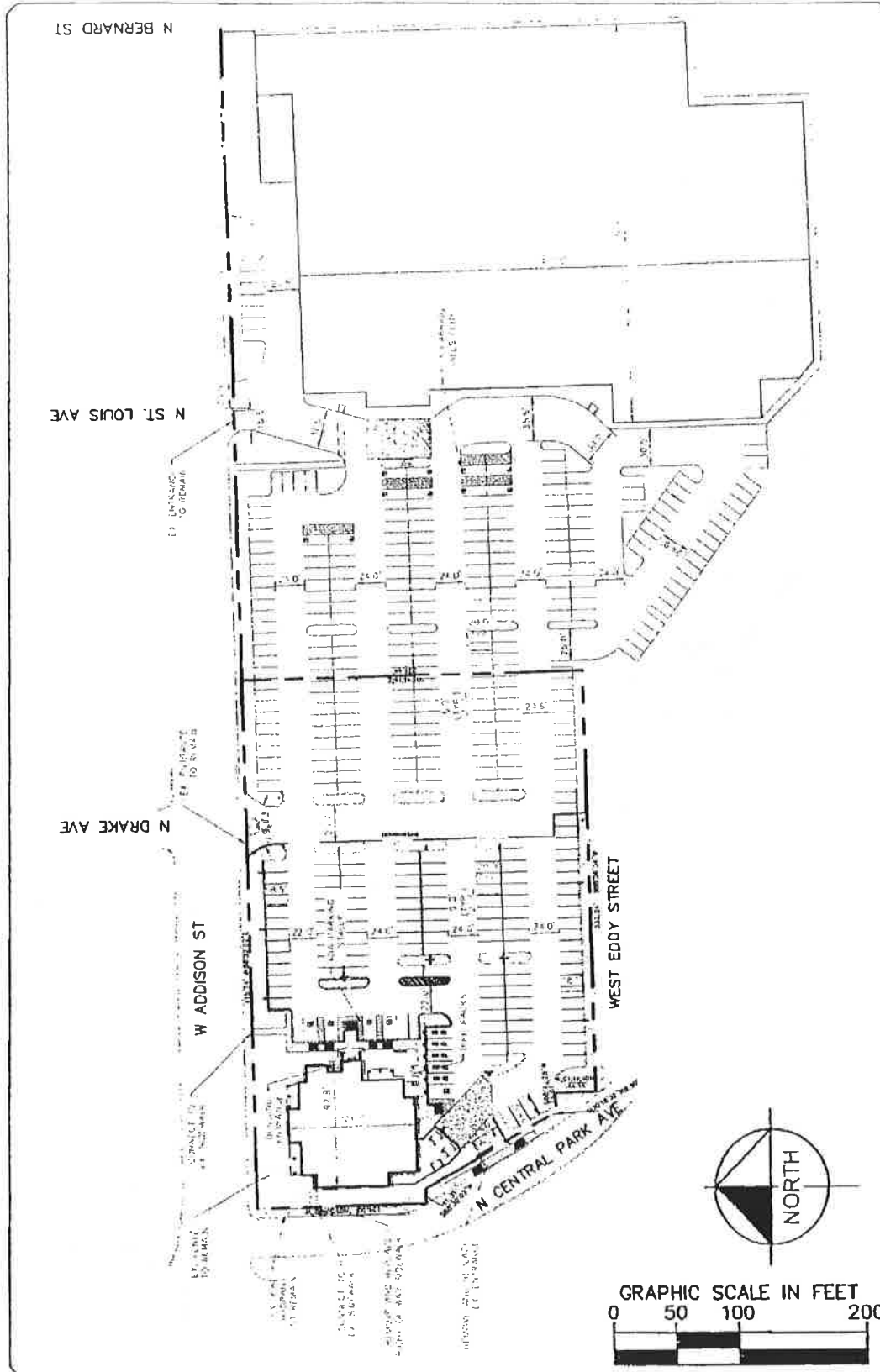


APPLICANT: K MART CORPORATION
 ADDRESS: 3443-3555 WEST ADDISON STREET
 SUBMITTED: 12/12/12
 PLAN COMMISSION: SEPTEMBER 19, 2013

SCALE: N.T.S.
 DRAWN BY: EJT

SUB-AREA MAP

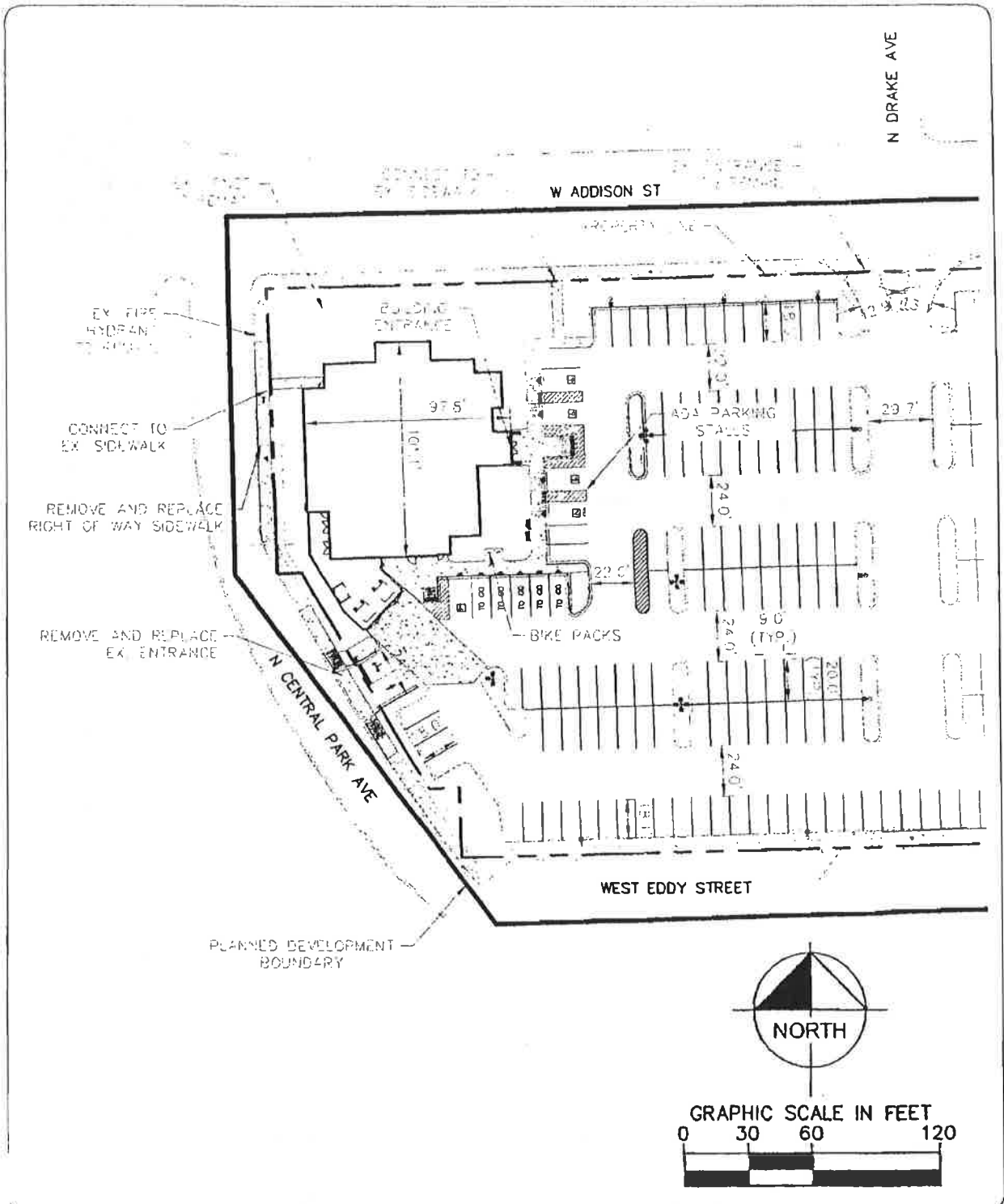
Kimley-Horn and Associates, Inc.
 2001 J. R. Moore Road & Highway 10
 Suite 2125
 242 West Weber Drive
 Council Bluffs, IA 51503
 Tel. 712.327.7700
 Fax 712.327.7701




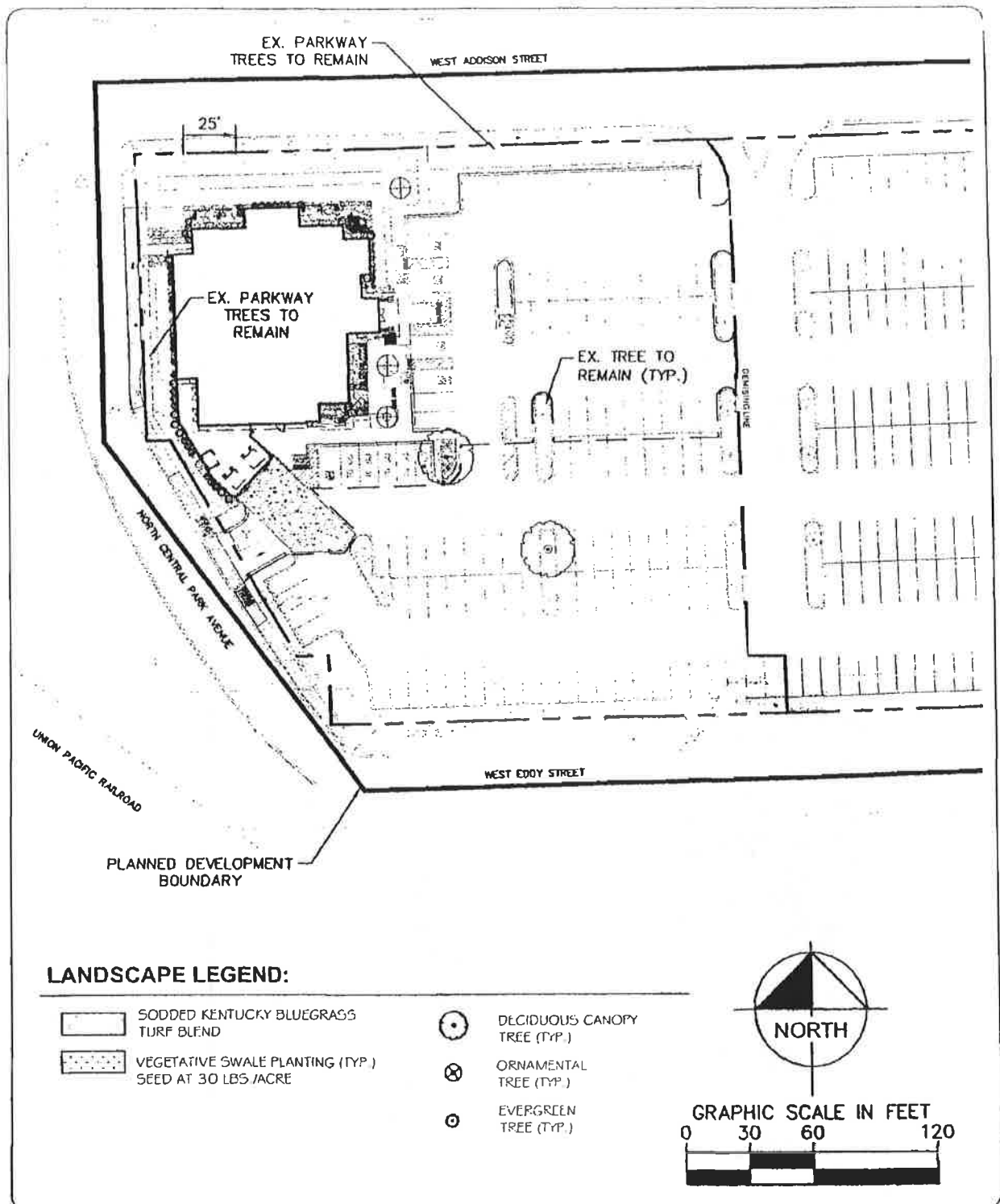
OVERALL PLANNED
DEVELOPMENT SITE PLAN

SCALE: 1"=100'
DRAWN BY: EJT






APPLICANT: K MART CORPORATION
ADDRESS: 3443-3555 WEST ADDISON STREET
SUBMITTED: 12/12/12
PLAN COMMISSION: SEPTEMBER 19, 2013

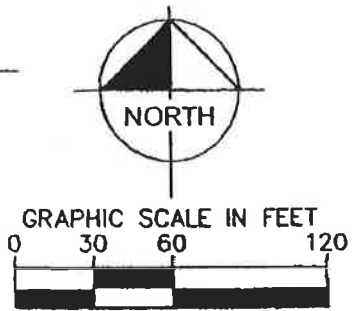



APPLICANT: KMART CORPORATION ADDRESS: 3443-3555 WEST ADDISON STREET SUBMITTED: 12/12/12 PLAN COMMISSION: SEPTEMBER 19, 2013	SCALE: 1"=60'	SUB-AREA B SITE PLAN	 <small>U. P. O. Kimley-Horn & Associates, Inc. 1000 N. 17th St. Chicago, Illinois 60640</small>
	DRAWN BY: EJT		

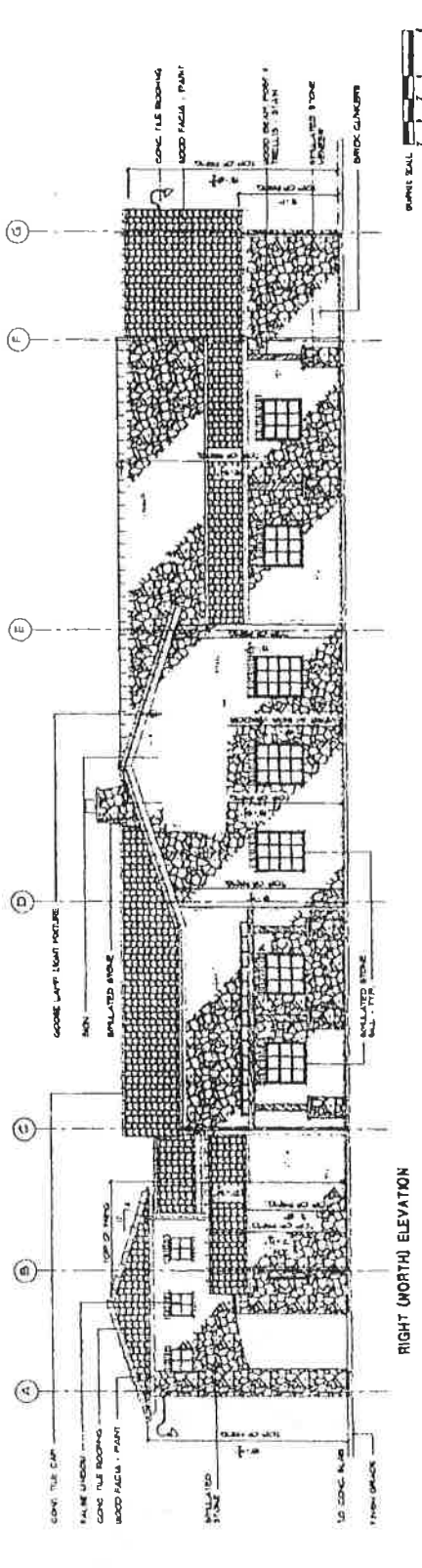


LANDSCAPE LEGEND:

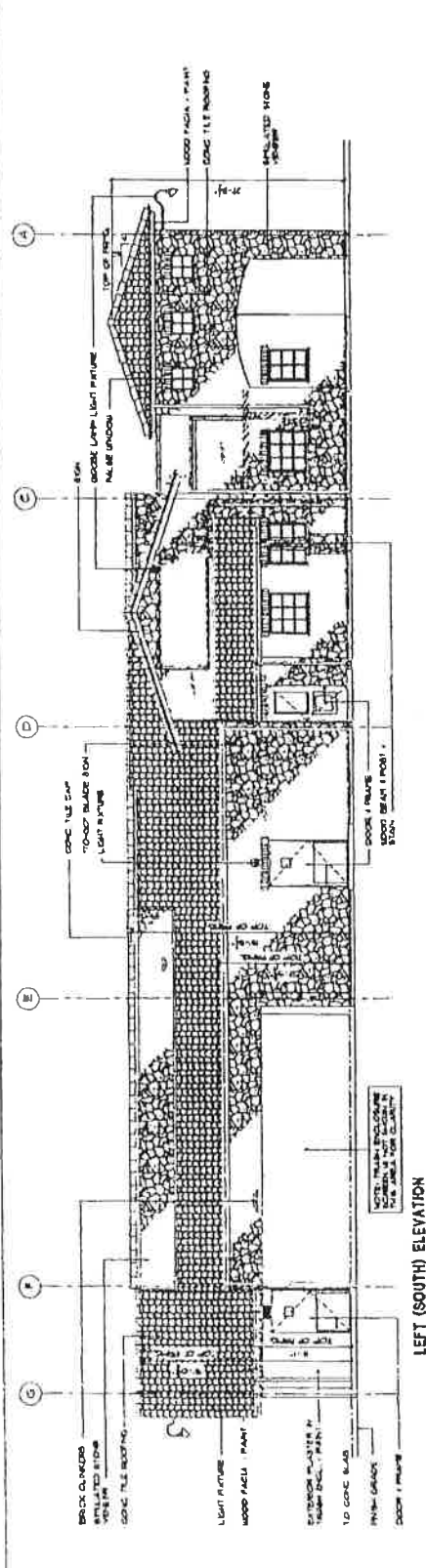
-  SODDED KENTUCKY BLUEGRASS TURF BLEND
-  VEGETATIVE SWALE PLANTING (TYP.) SEED AT 30 LBS /ACRE
-  DECIDUOUS CANOPY TREE (TYP.)
-  ORNAMENTAL TREE (TYP.)
-  EVERGREEN TREE (TYP.)




APPLICANT: KMART CORPORATION ADDRESS: 3443-3555 WEST ADDISON STREET SUBMITTED: 12/12/12 PLAN COMMISSION: SEPTEMBER 19, 2013	SCALE: 1"=60'	SUB-AREA B LANDSCAPE PLAN	 <p>Kimley-Horn and Associates, Inc.</p> <p>4701 J. R. King Hwy. & Alderbrook Dr. Suite 200 200 West Madison Street Chicago, Illinois 60608 Tel: 312.179.9447 Fax: 312.464.7028</p>
	DRAWN BY: EJT		



RIGHT (NORTH) ELEVATION



LEFT (SOUTH) ELEVATION



**Kimley-Horn
and Associates, Inc.**

1001 North Dearborn Street
Chicago, IL 60610-3901
Tel: (312) 399-4000

**SUB AREA B
NORTH & SOUTH
EXTERIOR ELEVATIONS**

SCALE: 3/4" = 1'-0"

DATE: DAE

APPLICANT: KWART CORPORATION
ADDRESS: 3443-3555 WEST ADDISON STREET
SUBMITTED: DECEMBER 12, 2012
PLAN COMMISSION: SEPTEMBER 19, 2013



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

Kevin Wilson
Real Estate Manager
Silvan Learning Centers, LLC
1001 Fleet Street
Baltimore, MD 21202

Re: Request for a minor change to Business Planned
Development No. 534. 3443-3535 West Addison Street,
Chicago, Illinois

Dear Mr. Wilson:

Please be advised that your request for a minor change to Business Planned Development No. 534 on behalf of K-Mart Corporation and Michigan Corporation has been considered by the Department of Planning and Development pursuant to Section 17-13-0611-A of the Chicago Zoning Ordinance and Statement No. 14 of the Planned Development.

Specifically, you requested to permit a new Silvan learning center within this Business Planned Development.

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 and Statement No. 14 of the Planned Development.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance, Business Planned Development No. 534, I hereby approve the foregoing minor change as stated, but no other changes to Business Planned Development No. 534.

Very Truly Yours,

Lori T. Healey
Commissioner

LTH;MD;CVH

cc: Mike Marmo, PD files



11093

~~SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the M1-2 Restricted Manufacturing District symbols and indications as shown on Map No. 8-G in the area bounded by:~~

~~West 31st Street; the alley next east of and parallel to South Benson Street; West 31st Place; and South Benson Street,~~

~~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 8-G.

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 M2-3 General Manufacturing District and M1-2 Restricted Manufacturing District symbols and indications as shown on Map No. 8-G in the area bounded by:~~

~~a line 125.0 feet south of and parallel with West 31st Place; the alley next west of and parallel with South Throop Street; a line 240.15 feet south of and parallel with West 31st Place; South Throop Street; a line 402.19 feet south of and parallel with West 31st Place; the alley next west of and parallel with South Throop Street; a line 462.23 feet south of and parallel with West 31st Place; and South Benson Street,~~

~~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 9-J.
(As Amended)*

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 M1-1 Restricted Manufacturing District symbols and indications as shown on Map No. 9-J in the area bounded by:

a north property line located approximately thirty-three (33) feet south of the center line of the Addison Street right-of-way; a west property line located approximately thirty-three (33) feet east of the center line of the Central Park Avenue right-of-way; a south property line located approximately twenty-two (22) feet north of the center line of the partially vacated Eddy Street right-of-way; and an east property line located approximately four hundred fifty-five (455) feet east of the center line of the Central Park Avenue right-of-way,

to those of a B4-1 Restricted Service District and a corresponding use district is hereby established in the area above described. The above described area shall be a part of a B4-1 Planned Development, the boundaries of which are as follows:

a north property line located approximately thirty-three (33) feet south of the center line of the Addison Street right-of-way; a west property line located approximately thirty-three (33) feet east of the center line of the Central Park Avenue right-of-way; a south property line located approximately twenty-two (22) feet north of the center line of the partially vacated Eddy Street right-of-way for approximately four hundred twenty-two (422) feet; the remaining south property line abutting the adjoining M1-1 zoned property to the south; and an east property line located approximately three hundred fifty (350) feet west of the center line of the North Kimball Avenue right-of-way.

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. 534.

Plan Of Development Statements.

1. The area delineated herein as a Business Planned Development (the "Planned Development") consists of approximately 323,691 square feet (approximately 7.4 acres) of property which is depicted on the attached Property Line and Planned Development Boundary Map (the "Property") and is owned by the Applicant, Kmart Corporation.
2. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees, or grantees.
3. 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 title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessors.

Nothing herein shall be construed to mean that any individual owner, or any ground lessors, of the Property or any portion thereof is relieved of obligations imposed hereunder or rights granted herein or is not subject to City action pursuant to this Planned Development. In addition, 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, except any 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 liabilities hereunder.

4. This Plan of Development consists of Sixteen Statements; Existing Zoning and Street System Map; a Property Line a Planned Development Boundary Map; a Generalized Land Use Map; an Existing Land Use Map; a Table of Use and Bulk Regulations a Related Controls; a Site Plan; a Landscape Plan; and Elevatic Plans, all as prepared by Arcline Associates Ltd., dated June 1993. Full size sets of the Site Plan, Landscape Plan and Elevatic Plan are on file with the Department of Planning and Development. The Planned Development is applicable to the area delineated here and 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.
5. The following uses shall be permitted within the area delineated herein as "Planned Development": retail uses, service uses, parking and related uses permitted in the B4-1 Business District except automobile service stations, crematories, mausoleums and radio towers.
6. Business and business identification signs shall be permitted within the Planned Development subject to the review and approval of the Commissioner of the Department of Planning and Development. One (1) pylon sign a maximum of thirty (30) feet in height shall be permitted within the Planned Development subject to the review and approval of the commissioner of the Department of Planning and Development. Temporary signs, such as construction and marketing signs shall be permitted, subject to the review and approval of the Commissioner of the Department of Planning and Development. The existing advertising billboard sign will be removed after an amortization period of seven (7) years. During this period, the Applicant will:
 - a. Make contributions for improvement of Athletic Field Park of the Chicago Park District, 3546 West Addison Street during calendar year 1993 in the amount of Five Thousand and no/100 Dollars (\$5,000.00) and thereafter, during each successive calendar year, an amount equal to ten percent (10%) of the net income received by Applicant from the billboard sign.
 - b. Make an annual contribution of One Thousand and no/100 Dollars (\$1,000.00) to the Chicago Public Schools, Murphy Elementary School, 3539 West Grace Street, adopt a

program and in addition, provide an annual Five Hundred Dollar (\$500.00) merchandise certificate redeemable at the Addison Street Kmart Store.

- c. Contribute Two Hundred Fifty and no/100 Dollars (\$250.00) annually to the book fund for the Independence Branch of the Chicago Public Library, 3718 West Irving Park Road.
- d. Make the billboard sign available for use by not-for-profit organizations approved by the City of Chicago for public service announcements ("P.S.A.s") for a total of seventy (70) days during the period that this billboard remains in place; there will be no additional costs to Applicant for the preparation or installation of the P.S.A.s on the billboard sign.
- e. Use its best efforts to fill positions which become available in the store at 3443 -- 3535 West Addison Street with employees who are residents of the City of Chicago with particular emphasis on those residing within three miles of the store.
- f. Incorporate into its plan for the redevelopment of the store at 3443 -- 3535 West Addison Street a requirement that contractors use their best efforts to insure significant opportunities for minority and women business enterprises and minority and women construction workforces.

Applicant will report annually on December 1 to the Department of Planning and Development concerning its compliance with the foregoing and on or before January 15, 2001, commence demolition of the billboard sign without compensation from the City of Chicago.

7. Any dedication or vacation of streets or alleys, or easements, or any adjustment of right-of-way shall require a separate submittal on behalf of the Applicant or its successors, assignees, or grantees.
8. Off-street parking and loading facilities shall be provided in compliance with this Planned Development subject to the review and approval of the Commissioner of the Department of Planning and Development and the Department of Transportation, Bureau of Traffic Engineering and Operations. A minimum of two percent of all parking spaces provided within the Planned Development shall be designated and designed for the handicapped.
9. Any service drives or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Streets and Sanitation in effect at the time of construction and in compliance with the Municipal Code of the City

of Chicago, to provide ingress and egress for motor vehicle including emergency vehicles. There shall be no parking within such paved areas. Ingress and egress shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic Engineering and Operations and of the Commissioner of the Department of Planning and Development. There shall be no on-street parking or loading. Passenger and delivery truck loading and unloading space shall be provided internally. Major loading and trash collection shall be provided for at the loading areas described on the Site Plan. Subject to review and approval of the Department of Transportation, Bureau of Traffic Engineering and Operations, the parking lot entrance/exit on Addison Street shall be moved east to better align with St. Louis Avenue and a traffic light shall be designed and installed with a left hand turnbay at this intersection, and Addison Street shall be widened to accommodate such left-hand turnbay on the south side (Applicant's side) of Addison Street, all at Applicant's expense.

10. Height restrictions of any building or any appurtenance thereon shall, in addition to the Table of Use and Bulk Regulations, be subject to:
 - a. Height limitations as certified on form FAA-117 or such other forms involved in the same subject matter and approved by the Federal Aviation Administration; and
 - b. Airport zoning regulations as established by the Department of Planning and Development, Department of Aviation, and Department of Law, and approved by the City Council.
11. For purposes of Floor Area Ratio (F.A.R.) calculations, the definitions in the Chicago Zoning Ordinance shall apply.
12. This Planned Development shall be subject to the "Rules, Regulations and Procedures Related to the Planned Developments" as promulgated by the Commissioner of the Department of Planning and Development.
13. The improvements on the Property, including all on-site exterior landscaping and all entrances and exits to and from the parking and loading areas, shall be designed, installed and maintained in general conformance with the Site Plan, Elevations Plan and Landscaping Plan.
14. The terms, conditions and exhibits of this Planned Development Ordinance may be modified administratively by the Commissioner of the Department of Planning and Development upon the request of

the Applicant and after a determination by the Commissioner that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated in this Planned Development. Any such modification shall be deemed to be a minor change in the Planned Development Ordinance as contemplated by Section 11.11-3(c) of the Chicago Zoning Ordinance.

15. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which promotes and maximizes the conservation of energy resources. The Applicant shall use reasonable efforts to design, construct and maintain all buildings located within this Planned Development in an energy efficient manner, generally consistent with most current energy efficiency standards published by the American Society of Heating, Refrigerating and Air Conditioning Engineers ("A.S.H.R.A.E.") and the Illuminating Engineering Society ("I.E.S."). Copies of these standards may be obtained from the Department of Planning and Development.
16. Unless substantial construction has commenced within three (3) years following adoption of this Planned Development, and unless completion is thereafter diligently pursued, then this Planned Development shall expire; provided, however, that if the City Council amends the Chicago Zoning Ordinance to provide for a shorter expiration period which is applicable to all Planned Developments, then this Planned Development shall expire upon the expiration of such shorter time period as provided by said Amendatory Ordinance (the first day of which as applied to this Planned Development shall be the effective date of the Amendatory Ordinance). If this Planned Development expires under the provisions of this section, then the zoning of this Planned Development shall automatically revert to the original B4-1 Restricted Service District and M1-1 Restricted Manufacturing District classifications.

[Existing Zoning and Street System Map, Property Line and Planned Development Boundary Map, Generalized Land Use Map, Existing Land Use Map, Site Plan, Landscape Plan and Elevations attached to this Plan of Development printed on pages 37215 through 37221 of this Journal.]

Table of Bulk Regulations and Related Controls attached to this Plan of Development reads as follows:

Business Planned Development No. _____.

Table Of Bulk Regulations And Related Controls.

Net Site Area	Generalized Description Of Permitted Uses	Maximum Floor Area Ratio	Maximum Percent Of Site Coverage
<u>Square Feet</u> Acres			
<u>323,691 square feet</u> 7.43 acres	See Statement Number 3	0.37	See Approved Site Plan

Gross Site Area, 368,890 square feet (8.47 acres) = Net Site Area, 323,69 square feet (7.43 acres) plus Area in Public Rights-of-Way, 45,199 square feet (1.09 acres).

Maximum Floor Area Ratio for Total Net Site Area: 0.37.

Minimum Number of Off-Street Parking Spaces: 400.

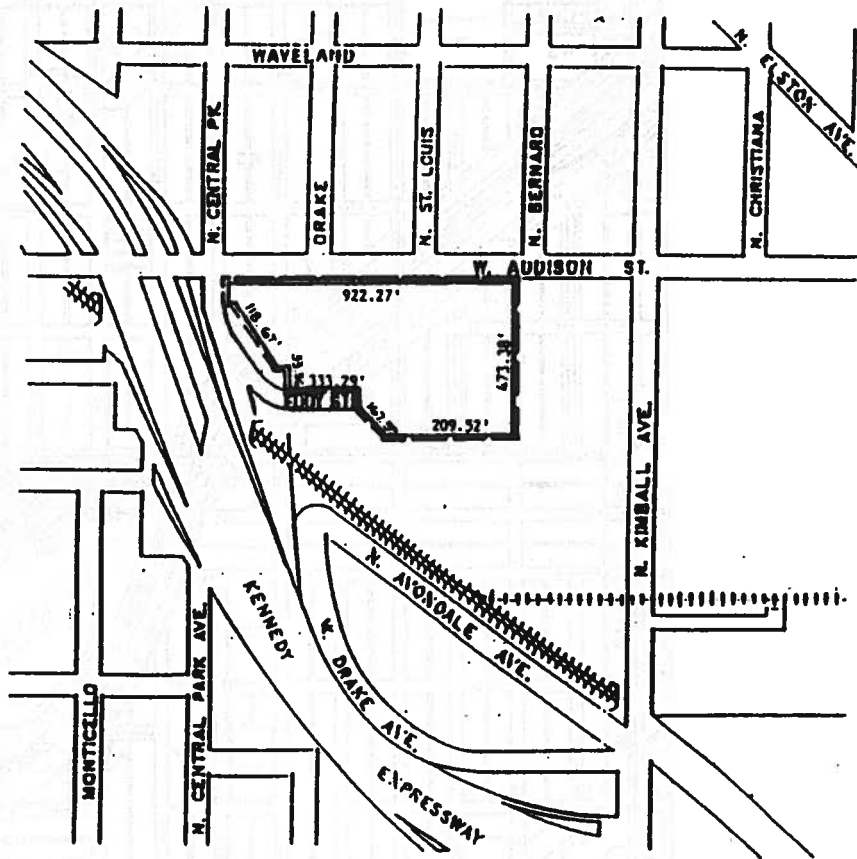
Minimum Number of Off-Street Loading Berths: 4 at 10 feet x 50 feet.

Maximum Percent of Site Coverage: In accordance with Approved Site Plan.

Minimum Required Building Setbacks: In accordance with Approved Site Plan.

Maximum Permitted Building Height: In accordance with approved Elevations Plan.

Property Line And Planned Development Boundary Map.



LEGEND

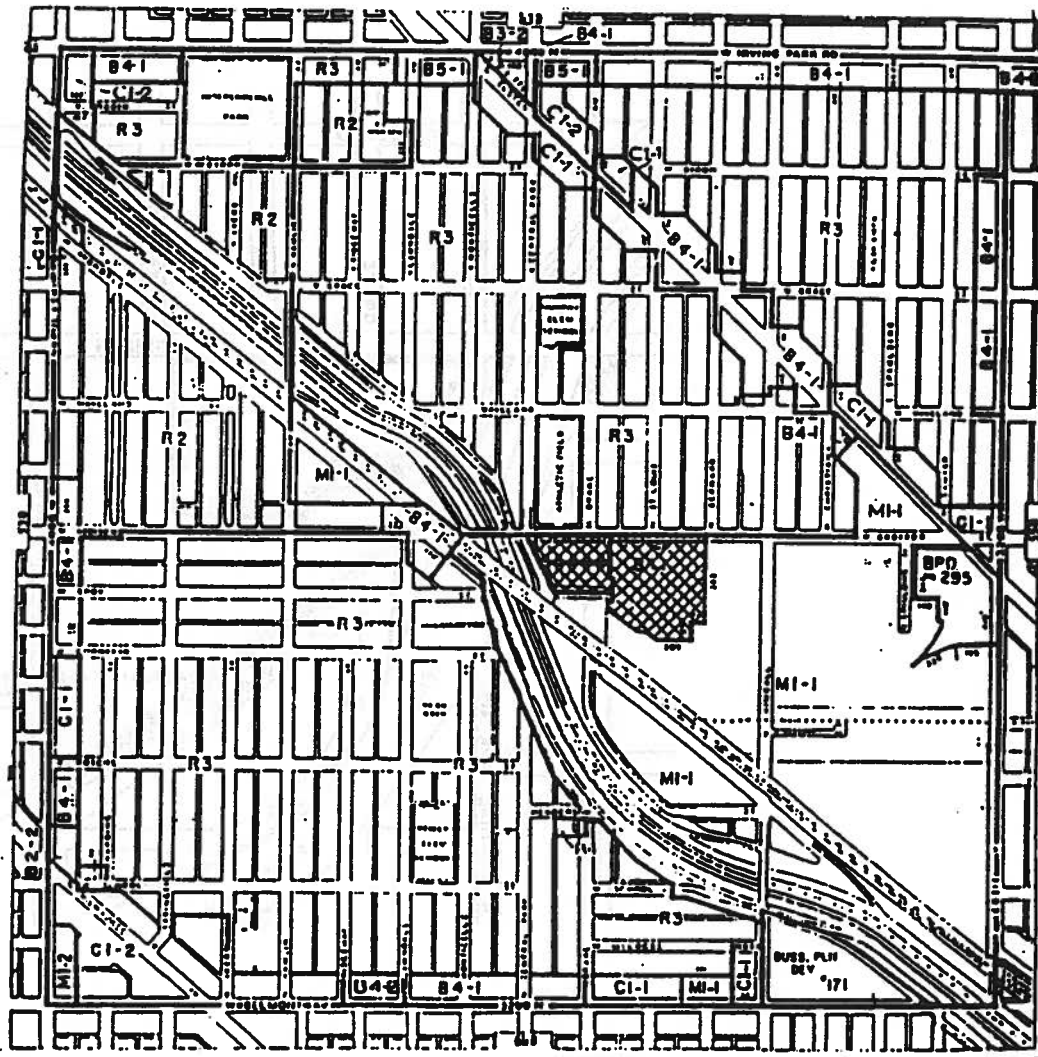
- EXISTING PROPERTY LINE
- PLANNED DEVELOPMENT BOUNDARY

Applicant: Kennel Corporation
 a Michigan Corporation

Address: 3443 - 3535 Addison Street, Chicago, Illinois

Date: June 10, 1993

Existing Zoning And Street System Map.



LEGEND



PLANNED DEVELOPMENT



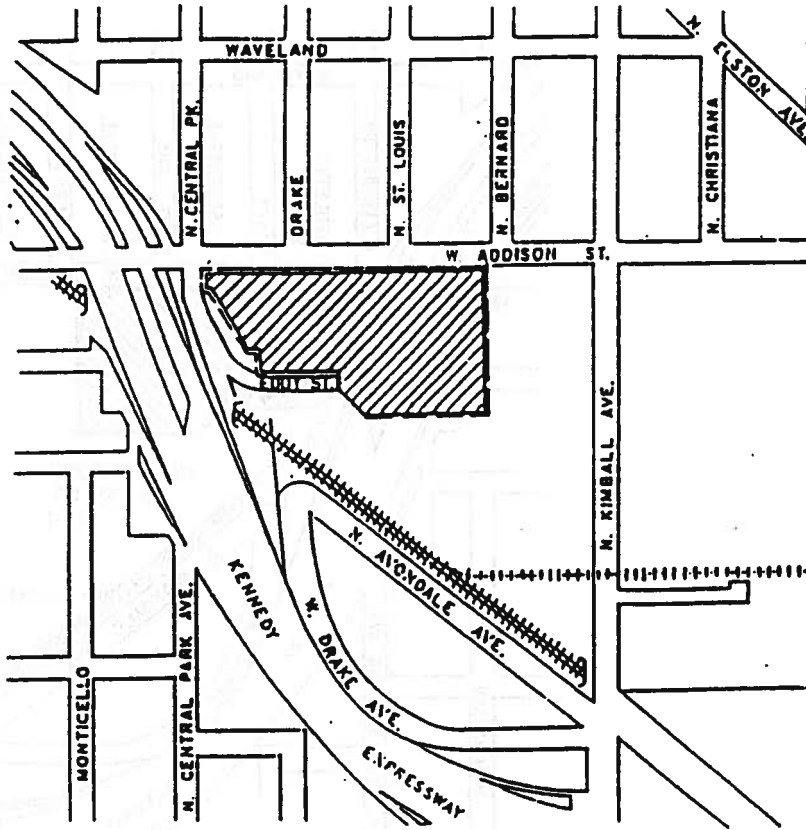
ZONING BOUNDARIES

Applicant: Kmart Corporation
a Michigan Corporation




Address: 3443-3535 Addison Street, Chicago, Illinois

Date: June 10, 1993

Generalized Land Use Map.



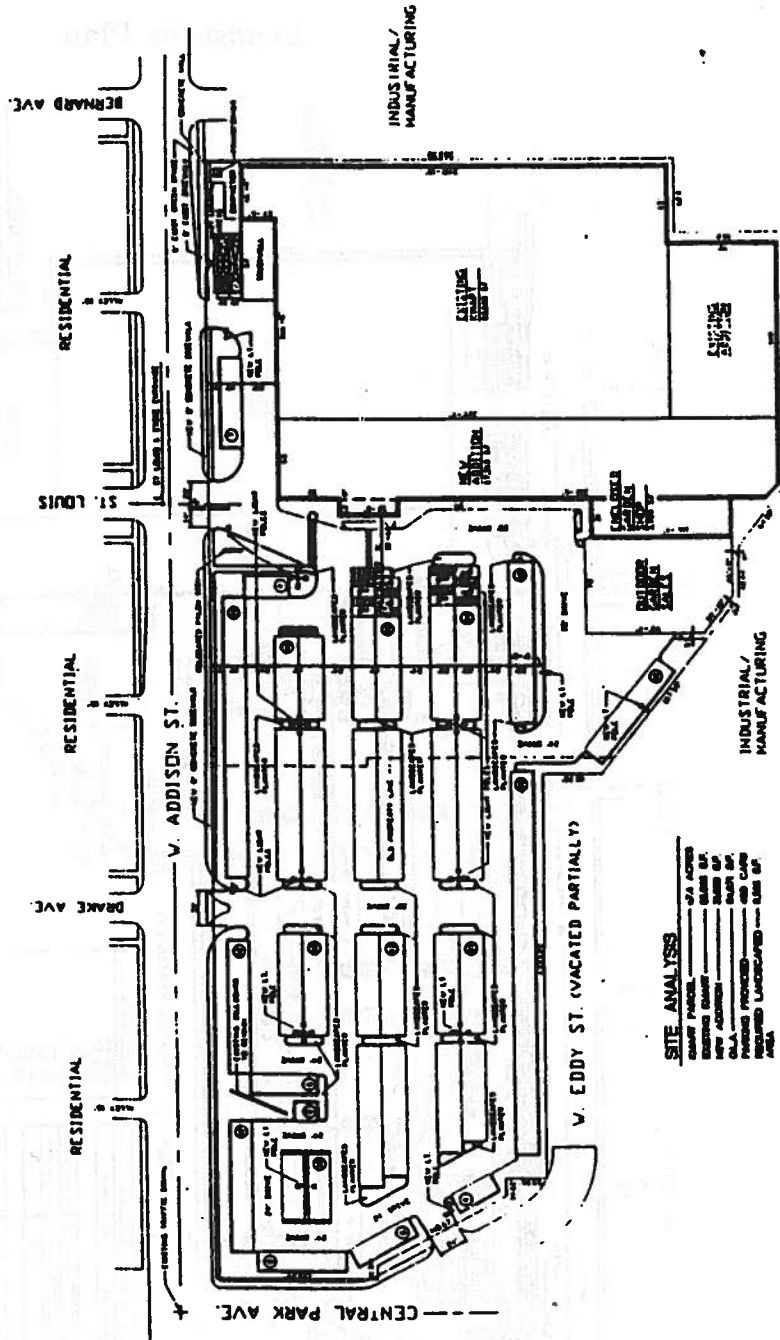
LEGEND

-  EXISTING PROPERTY LINE
-  PLANNED DEVELOPMENT BOUNDARY
-  ANY USE PERMITTED IN STATEMENT NO. 5

Applicant: Komet Corporation
 a Michigan Corporation

Address: 3443-3535 Addison Street, Chicago, Illinois

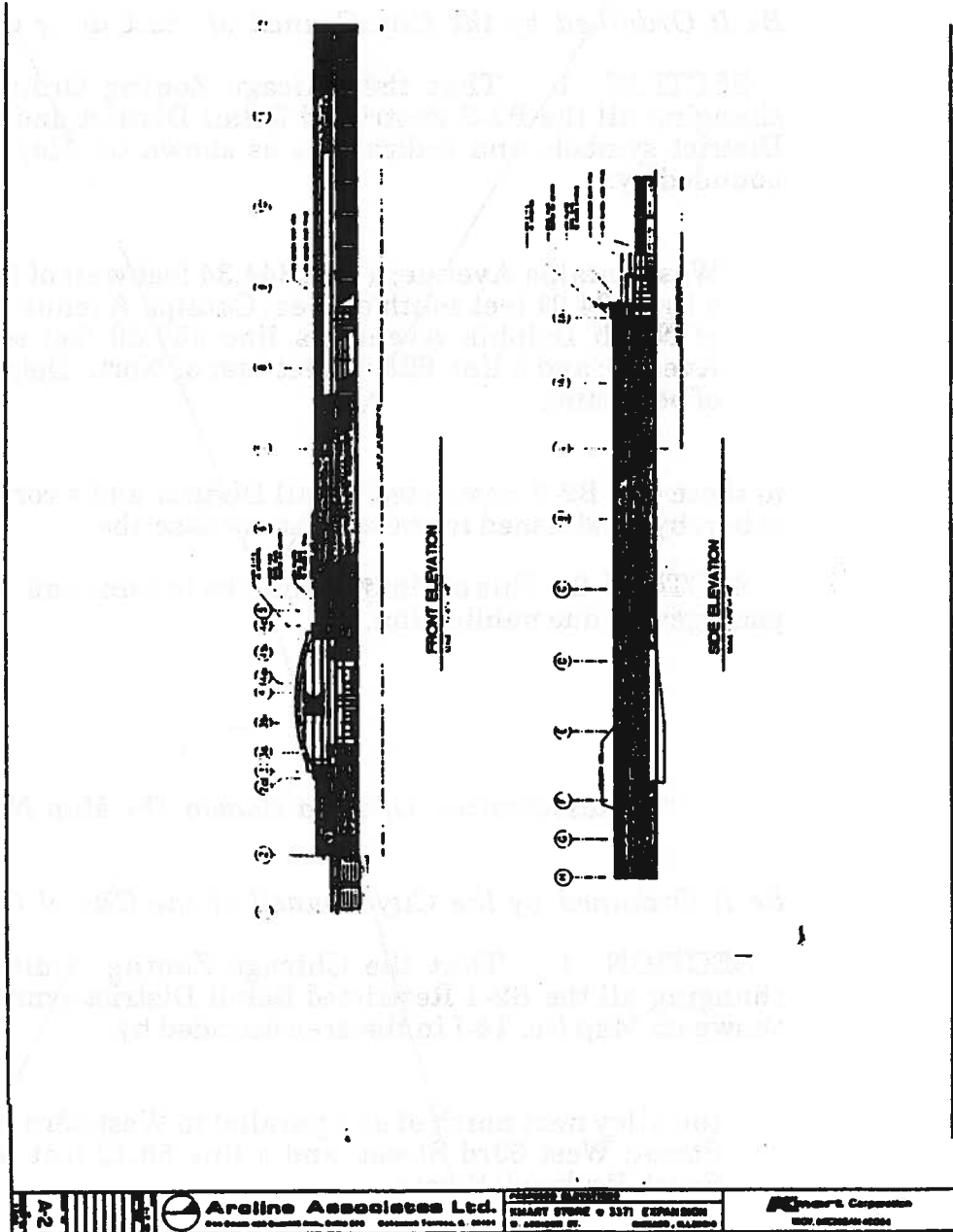
Date: June 10, 1993



SITE PLAN
SCALE 1/8" = 1'-0"

SITE ANALYSIS
 SHADY PINK — 0.75 ACRES
 SHADY BROWN — 0.50 ACRES
 SHADY GREEN — 0.25 ACRES
 SHADY BLUE — 0.10 ACRES
 SHADY RED — 0.05 ACRES
 SHADY YELLOW — 0.02 ACRES
 SHADY PURPLE — 0.01 ACRES
 SHADY GREY — 0.005 ACRES
 SHADY BLACK — 0.002 ACRES
 SHADY WHITE — 0.001 ACRES
 SHADY LIGHT BLUE — 0.0005 ACRES
 SHADY LIGHT GREEN — 0.0002 ACRES
 SHADY LIGHT RED — 0.0001 ACRES
 SHADY LIGHT YELLOW — 0.00005 ACRES
 SHADY LIGHT PURPLE — 0.00002 ACRES
 SHADY LIGHT GREY — 0.00001 ACRES
 SHADY LIGHT BLACK — 0.000005 ACRES
 SHADY LIGHT WHITE — 0.000002 ACRES

Planned Development Elevations.



Reclassification Of Area Shown On Map Number 13-P.

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 B2-2 Restricted Retail District and R4 General Residential District symbols and indications as shown on Map No. 13-P in the area bounded by:

West Catalpa Avenue; a line 344.34 feet west of North Delphia Avenue; a line 484.01 feet south of West Catalpa Avenue; a line 551.31 feet west of North Delphia Avenue; a line 387.80 feet south of West Catalpa Avenue; and a line 623.80 feet east of North Delphia Avenue, to a point of beginning,

to those of a B2-3 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 Number 14-I.

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 B2-1 Restricted Retail District symbols and indications as shown on Map No. 14-I in the area bounded by:

the alley next north of and parallel to West 63rd Street; South Rockwell Street; West 63rd Street; and a line 58.12 feet west of and parallel to South Rockwell Street,

to those of a C1-1 Restricted Commercial 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.