



of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Christopher R. Hill
Commissioner

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4471 (Voice)
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<http://www.ci.chi.il.us>

April 8, 1997

Mr. John J. George
Attorney at Law
Two First National Plaza
Suite 400
Chicago, IL 60603-1903

Re: Request for a minor change to Commercial
Manufacturing Planned Development No. 569
Location: 1204-1284 West North Avenue
(Home Depot)

Dear Mr. George:

Please be advised that your request for a minor change to Commercial/Manufacturing Planned Development No. 569 on behalf of Home Depot-U.S.A., Inc. has been considered by the Department of Planning and Development pursuant to Section 11.11-3(c) of the Chicago Zoning Ordinance and Statement No. 13 of the Planned Development and is hereby approved.

Specifically, in your letter dated April 4, 1997, you requested that an approximately 10,000 square foot portion of Subarea B within the Planned Development be fenced and used for temporary seasonal plant sales by Home Depot. You further requested that this use be permitted for a period of sixty days from the date of this letter after which the site would be returned to its present condition. Subarea B of this Planned Development only allows uses as permitted in PMD No. 2, Subdistrict 1 which do not include retail sales.

With regard to your request, the Department of Planning and Development has determined that this revision to permit temporary retail sales in Subarea B 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, I

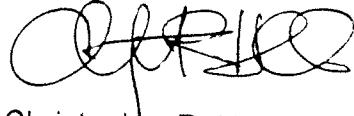


Please
Recycle!



Hereby approve the foregoing minor change, but no other changes to Planned Development No. 569. In no way does this approval for a temporary retail use within Subarea B sanction the establishment of any permanent retail use within this Subarea.

Sincerely,



Christopher R. Hill
Acting Commissioner

Originated by:



Christine K. Slattery
Deputy Commissioner

cc: Paul Woznicki
Philip Levin
Michael Marmo

CHICAGO ZONING ORDINANCE AMENDED TO RECLASSIFY
PARTICULAR AREAS.

On motion of Alderman Banks, the City Council took up for consideration the report of the Committee on Zoning, deferred and published in the Journal of the Proceedings of November 16, 1994, pages 61316 through 61424, recommending that the City Council pass the said proposed ordinances which amend the Chicago Zoning Ordinance by reclassifying particular areas.

On motion of Alderman Banks, the said proposed ordinances were *Passed* by yeas and nays as follows:

Yeas -- Aldermen Mazola, Haithcock, Tillman, Preckwinkle, Bloom, Steele, Beavers, Dixon, Shaw, Buchanan, Huels, Fary, Olivo, Burke, Jones, Coleman, Streeter, Murphy, Rugai, Troutman, Evans, Munoz, Laski, Miller, Ocasio, Watson, E. Smith, Burrell, Bialczak, Suarez, Gabinski, Mell, Austin, Wojcik, Banks, Giles, Allen, Laurino, Doherty, Natarus, Bernardini, Levar, Schulter, M. Smith, Moore, Stone -- 46.

Nays -- None.

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

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 Number 1-F.
(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 M1-5 Restricted Manufacturing District symbols and indications as shown on Map No. 1-F in the area bounded by:

the alley next north of and parallel to West Superior Street; North Franklin Street; West Superior Street; and a line 100 feet west of and parallel to North Franklin Street,

to those of a B7-5 General Central Business 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 5-G.
(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 Planned Manufacturing District No. 2 symbols and indications as shown on Map No. 5-G in the area bounded by:

a point at the westerly dock line of the North Branch of the Chicago River and 862.09 feet north of West North Avenue, as measured at the westerly dock line of the North Branch of the Chicago River; the westerly dock line of the North Branch of the Chicago River; West North Avenue; North Throop Street; a line from a point 633.10 feet north of West North Avenue and the easterly right-of-way line of North Throop Street, to a point 755.90 feet north of the north line of West North Avenue and 237.99 feet east of the east line of North Throop Street or the line extended; a line from a point 755.90 feet north of the north line of West North Avenue and 237.99 feet east of the east line of North Throop Street if extended, to a point 670.59 feet north of West North Avenue and 282.01 feet east of the east line of North Throop Street if extended; and a line from a point 670.59 feet north of West North Avenue and 282.01 feet east of the east line of North Throop Street if extended, to a point 862.09 feet north of West North Avenue and the westerly dock line of the North Branch of the Chicago River (point of beginning),

to those of a Riveredge-Manufacturing Planned Development 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 read as follows:

*Riveredge-Manufacturing
Planned Development No. 569
Plan Of Development
Statements.*

1. The area delineated herein as Riveredge-Manufacturing Planned Development consists of approximately 532,648 square feet (12.22

acres) and is owned or controlled by the Applicant, Home Depot U.S.A., Inc..

2. 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 easements, or adjustments of right-of-way, or consolidation or resubdivision or parcels, shall require a separate submittal on behalf of the Applicant or its successors, assignees, or grantees and approval by the City Council.
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 legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder or 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 liability hereunder.
4. This Plan of Development consists of these fifteen (15) statements; an Existing Zoning Map; a Planned Development Property Line, Boundary and Right-of-Way Adjustment Map; a Generalized Land-Use Plan; a Bulk Regulations and Data Table; a Site Plan;

Landscape Plan; and Building Elevation and Pylon Sign (as depicted on the Site Plan), dated November 10, 1994 prepared by Greenberg, Farrow. Full-size sets of the Site Plan, Landscape Plan and Elevation Plans are on file with the Department of Planning and Development. The Planned Development is applicable to the area delineated hereto and these and no other controls shall apply. 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 "Riveredge-Manufacturing Planned Development":
Subarea A -- all uses permitted in P.M.D. No. 2, Subdistrict 1 and building supply and improvement centers in a warehouse format with an accessory landscaping center and non-accessory parking;
Subarea B -- all uses permitted in P.M.D. No. 2, Subdistrict 1 which shall specifically be construed to include distribution facilities (excluding warehousing as a predominant use), and non-accessory parking for other uses permitted in this Plan of Development. Storage and processing of construction materials and debris shall be permitted as a temporary use during demolition and construction in Subarea A and Subarea B.
6. Identification 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 Commissioner of the Department of Planning and Development. One (1) pylon sign shall be permitted within the Planned Development in general conformance with the Building Elevation and Pylon Sign Elevation.
7. Any service drives or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation 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 vehicles, including emergency vehicles. There shall be no parking within such emergency 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. An easement providing access to Subarea B (as depicted on the Site Plan) shall be provided by the Applicant for the benefit of Subarea B prior to the issuance of the first certificate of occupancy for development within Subarea B. Prior to the occupancy of the structure contemplated in Subarea A and conditioned upon receipt of requisite permits and approvals, the Applicant shall contribute its proportionate share of the cost to provide (1) traffic signalization at the intersection of West North Avenue/North

- Throop Street, and (2) two sheltered right lanes along the property's frontage on West North Avenue.
8. Height restriction of any building of any appurtenance thereto shall, in addition to the Table of Use and Bulk Regulations, be subject to:
 - a. Height limitations as certified on form FAA-117 or successor 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.
 9. For purposes of Floor Area Ratio (F.A.R.) calculations, the definitions in the Chicago Zoning Ordinance shall apply.
 10. The improvements in the Property shall be designed, installed and maintained in general conformance with the Site Plan, Landscape Plan and Building Elevation Plan dated November 10, 1994. The landscaping (including street trees in the adjacent right-of-way) shall be designed, installed and maintained in general conformance with the Landscape Plan dated November 10, 1994 and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.
 11. The Applicant acknowledges that the Property is currently located within the Elston Avenue Planned Manufacturing District and that the retention and creation of industrial jobs is an important goal of the City within this District. Accordingly, the Applicant has agreed to market property within Subarea B for manufacturing uses that will further the City's goals and promote uses which are compatible with the remaining uses within this Riveredge-Manufacturing Planned Development. If unsuccessful in entering into a contract with an industrial purchaser within eighteen (18) months from occupancy of the building supply and improvement center, the Applicant has agreed to extend to the City the non-exclusive right to purchase the industrial site (Subarea B) for a period of eighteen (18) months at the then current market valuation for industrial property which the City shall then market to industrial users.
 12. The Applicant acknowledges the importance of the Chicago River as a resource for both commerce and recreation and also acknowledges the City's goals of improving the appearance and quality of Chicago's waterways, and, wherever possible, establishing a continuous landscaped walkway and bicycle path along Chicago's waterways. To further these goals, the Applicant agrees to set back all buildings

to a minimum of 30 feet from the existing riveredge as depicted on the Landscape Plan. The riveredge setback area shall be landscaped and improved with a pathway extending from North Avenue to the property's north property line as depicted on the Landscape Plan simultaneously with construction of the building proposed for Subarea A. The Applicant shall not be required to make the riveredge setback area adjacent open to the public, unless and until similarly improved areas are available on the adjacent property immediately to the north of the Subject Property. Notwithstanding any provision of this Planned Development, the requirement that a paved pathway and public access be provided along the riveredge shall not be construed to require the Applicant to permit the public use of such pathway or access for any purpose other than pedestrian movement along the riveredge or to restrict the Applicant's ability to close off public access from time to time to prevent the establishment of any public or constructive easements.

13. 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 application for such a modification by the Applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is a minor change that is consistent with the nature of the improvements contemplated in this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of this statement 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 11.11-3(c) of the Chicago Zoning Ordinance.
14. 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 best and 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.
15. Unless substantial construction has commenced within seven (7) 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 Amending Ordinance (the first day of which as applied to this Planned Development shall be the effective date of the Amending Ordinance). If this Planned Development expires under the provisions of this section, then the zoning of the property shall automatically revert to that of the pre-existing Planned Manufacturing District No. 2, Subdistrict 1.

[Existing Zoning Map; Planned Development Boundary, Property Line and Right-of-Way Adjustment Map; Site Plan; Landscape Plan; and Building Elevation Drawings referred to in these Plan of Development Statements printed on pages 63320 through 63325 of this Journal.]

[General Land-Use Plan referred to in these Plan of Development Statements unavailable at time of printing.]

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

Riveredge-Manufacturing Planned Development No. 569.

Bulk Regulations And Data Table.

	Net Site Area		Maximum Floor Area Ratio	Maximum Percent Of Site Coverage
	Square Feet	Acres		
Subarea A	466,100	10.70	0.40	As per Site Plan
Subarea B	63,900	1.46	3.00	
TOTAL:	530,000	12.16	0.71	

Gross Site Area, 581,791 square feet (13.34 acres) = Net Site Area, 530,000 square feet (12.16 acres) + Area in Public Rights-of-Way, 51,791 square feet (1.18 acres).

Maximum Floor Area Ratio for
Total Net Site Area:

0.71.

Minimum Number of Off-Street
Parking Spaces:

Subarea A -- 380 including 2 percent
handicapped.

Subarea B -- 64 spaces unless a lesser
amount is approved by the Com-
missioner of the Department of
Planning and Development and all
industrial users within Subarea B.
These spaces may be used to serve
Subarea A users prior to first oc-
cupancy of development in Subarea B
and at any times permitted by users of
Subarea B.

Minimum Number of Off-Street
Loading Berths:

Required for Subarea A -- building --
4 at 10 feet by 50 feet.

Required for Subarea B -- building --
per M1-3 Restricted Manufacturing
District requirements.

Maximum Percent of Site
Coverage:

In substantial conformance with the
Site Plan.

Minimum Required Building
Setbacks:

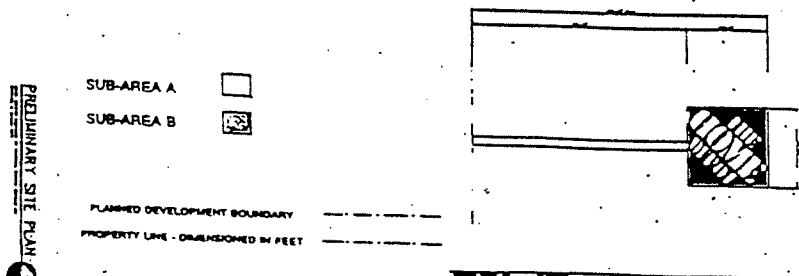
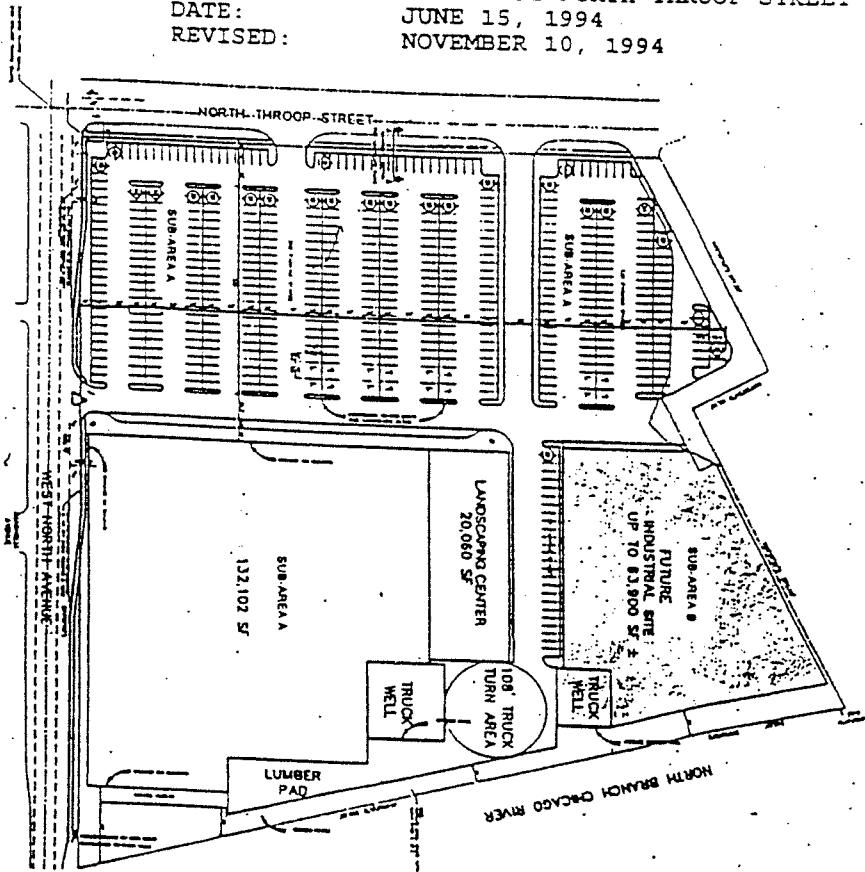
In substantial conformance with the
Site Plan.

Maximum Permitted Building
Height:

In substantial conformance with
Elevation Plans.

Site Plan.

APPLICANT: HOME DEPOT U.S.A., INC.
 ADDRESS: 1204-1284 WEST NORTH AVENUE,
 1601-1651 NORTH THROOP STREET
 DATE: JUNE 15, 1994
 REVISED: NOVEMBER 10, 1994

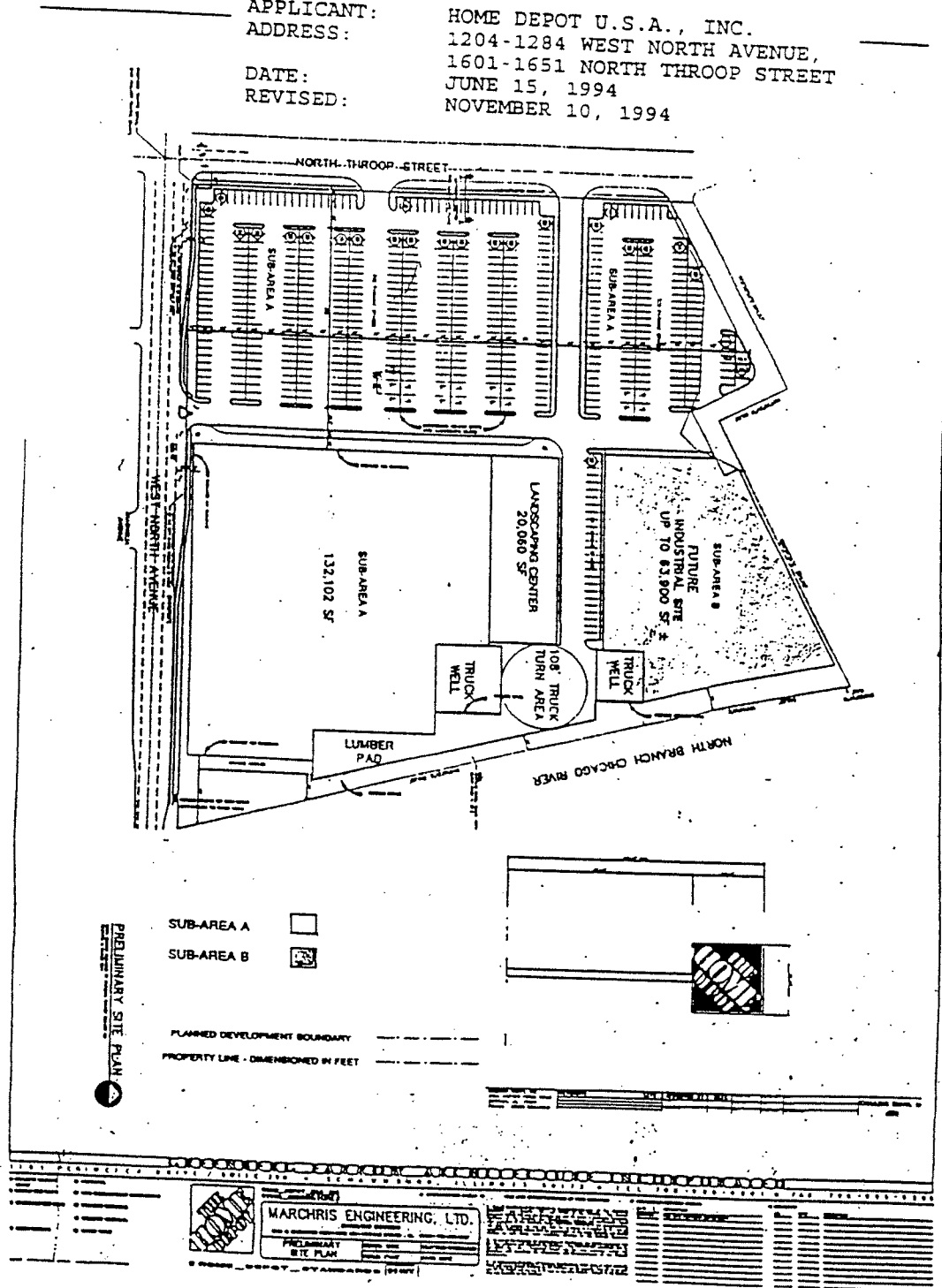


PRELIMINARY SITE PLAN
 MARCHIS ENGINEERING, LTD.
 PRELIMINARY SITE PLAN

The bottom section of the drawing contains a title block with the company name 'MARCHIS ENGINEERING, LTD.' and the project name 'PRELIMINARY SITE PLAN'. It also includes a scale bar and other technical details.

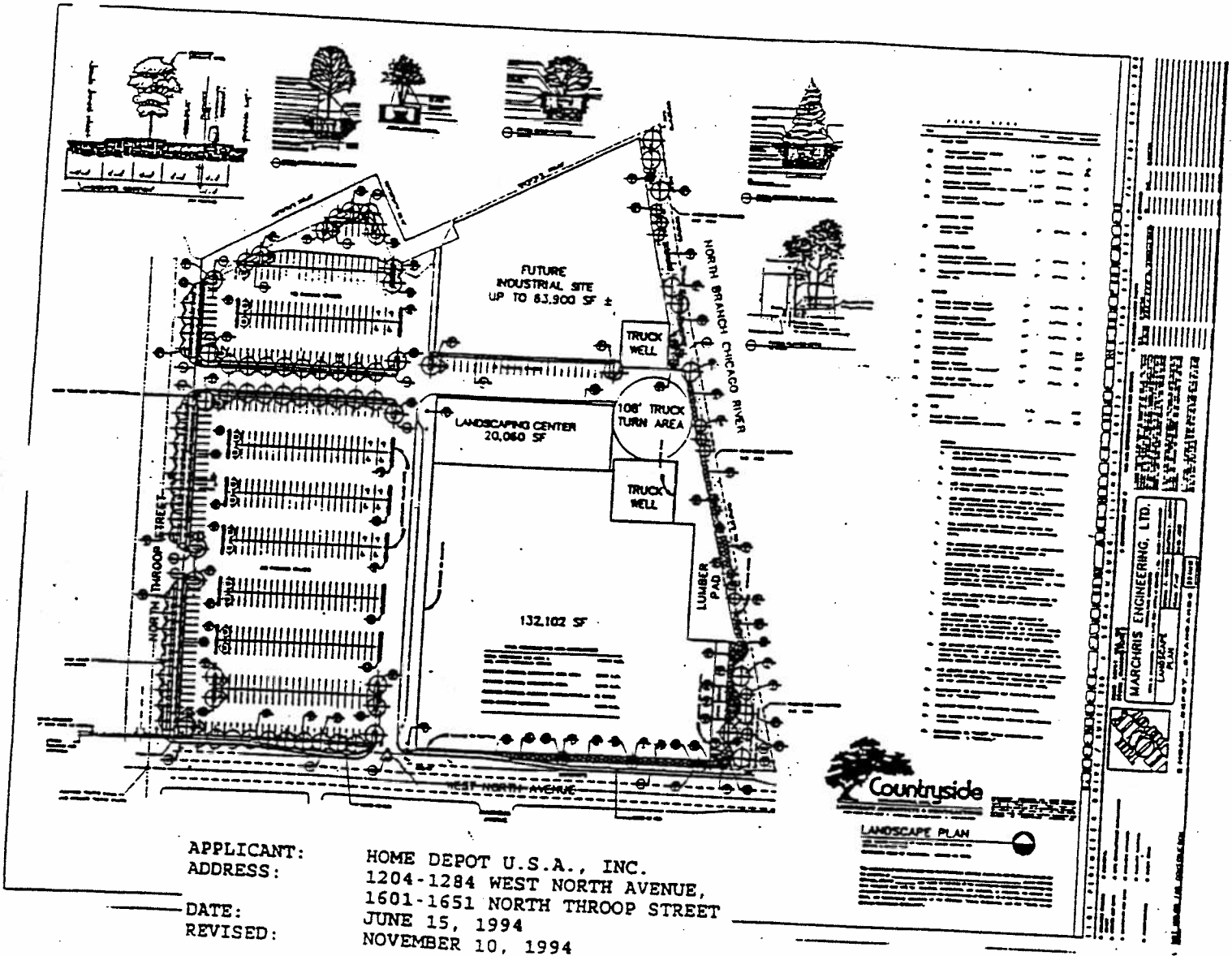
Planned Development Boundary, Property Line And Right-Of-Way Adjustment Map.

APPLICANT: HOME DEPOT U.S.A., INC.
 ADDRESS: 1204-1284 WEST NORTH AVENUE,
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MARCHIS ENGINEERING, LTD.
 PRELIMINARY SITE PLAN

Landscape Plan.



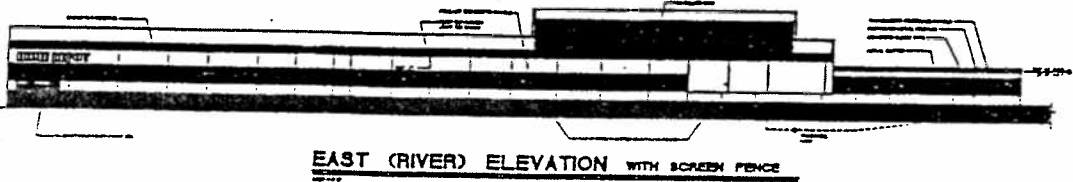
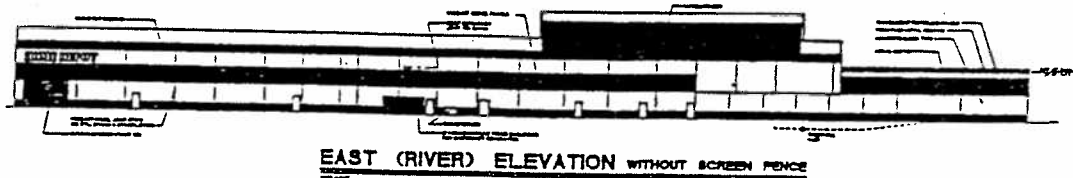
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Countryside

 LANDSCAPE PLAN

MARCHAND ENGINEERING, LTD.
 LANDSCAPE PLAN
 1100 WEST NORTH AVENUE
 CHICAGO, ILLINOIS 60610

Building Elevations.
(Page 2 of 2)



APPLICANT: HOME DEPOT U.S.A., INC.
 ADDRESS: 1204-1284 WEST NORTH AVENUE,
 1601-1651 NORTH THROOP STREET
 DATE: JUNE 15, 1994
 REVISED: NOVEMBER 10, 1994

NORTH AVENUE
 BETWEEN WEST NORTH THROOP STREET
 AND EAST NORTH THROOP STREET

A.R.A.