



DEPARTMENT OF PLANNING AND DEVELOPMENT  
CITY OF CHICAGO

June 7, 2016

Henry Zuwala  
DZA Associates, Inc.  
2625 Butterfield Rd., Suite 233N  
Oak Brook, IL 60523

**Re: Administrative Relief request for Business Planned Development No. 752, Sub area B  
2538-70 N. Elston Avenue**

Dear Mr. Zuwala:


Please be advised that your request for a minor change to Business Planned Development No.752 ("PD 752"), 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. 11 of PD 752.

Your client, Snell Toll Partners, LLC, is the sole owner of Sub area B, and is requesting administrative relief to allow EIFS on the cornice and sign band for a new building to be constructed at 2538-2570 N. Elston Ave., and as shown on the attached revised elevations.

With regard to your request, the Department of Planning and Development has determined that allowing the use of EIFS 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. It should also be noted that while signage is shown on the elevation drawings, it is not approved as part of this request. All signs require separate approval and issuance of sign permits.

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 752, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,

  
Patricia A. Soudiero  
Zoning Administrator

PAS:PM:tm

C: Mike Marmo, Erik Glass, Fernando Espinoza, Main file







DEPARTMENT OF PLANNING AND DEVELOPMENT  
CITY OF CHICAGO

April 27, 2016

Mara S. Georges  
Daley and Georges, Ltd.  
20 South Clark Street  
Suite 400  
Chicago, IL 60603-1835

**Re: Administrative Relief request for Business Planned Development No. 752  
2538-70 N. Elston Avenue**

Dear Ms. Georges:

Please be advised that your request for a minor change to Business Planned Development No. 752 ("PD 752"), 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. 11 of PD 752.

Your client, Snell Toll Partners, LLC, is managed by The Harlem Irving Companies, Inc., and is the contract purchaser of most of Subarea B of PD 752. The sole owner of PD 752 (Subarea A and Subarea B) is HD Development of Maryland, Inc. who has provided their consent to this request. On February 21, 2012, similar administrative relief was granted for site and design changes for a proposed Chick-fil-A Restaurant which was never constructed on the subject parcel.

You are now requesting administrative relief for a new building to be constructed at 2538-2570 N. Elston Ave. The approximately 6,000 square foot retail building will contain a Starbucks with a drive thru lane and a Mattress Firm store. The following modifications are requested:

- A redistribution of the maximum floor area ratio ("FAR") between Subarea A and Subarea B in order to increase the size of the Subarea B building from approximately 4,900 SF to approximately 6,000 SF. While the overall FAR will remain 0.50, the Subarea A FAR will decrease from 0.54 to 0.535 and the Subarea B FAR will increase correspondingly from 0.13 to 0.17.
- A total parking reduction from 380 to 357 spaces (Subarea A is reduced from 334 to 318 spaces and Subarea B is reduced from 46 to 39 spaces). The decrease is due to existing conditions within Subarea A and layout modifications within Subarea B.
- A reduction in the minimum number of Subarea B loading spaces from one space to zero spaces. The attached, revised Bulk Regulations and Data Table, dated April 13, 2016, includes the FAR, parking and loading changes.

- The following revised drawings, dated March 29, 2016, shall be inserted in the main file: Site Plan, Landscape Plan, Landscape Details and Specifications, East, West South and North Elevations. Please note that final landscape approval will occur at time of building permit issuance. Also, while signage is shown on the elevation drawings, it is not approved as part of this request. All signs require separate approval and issuance of sign permits.

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

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 752, I hereby approve the foregoing minor change, but no other changes to this Planned Development. This minor change is valid for twelve (12) months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.

Sincerely,



Patricia A. Scudiero  
Zoning Administrator

PAS:PM:tm

C: Mike Marmo, Erik Glass, Fernando Espinoza, Ron Daye, Main file

REVISED 4/13/2016

*Business Planned Development No. 752, As Amended.  
Plan of Development Statements*

***Bulk Regulations Data Table***

Gross Site Area = Net Site Area + Areas Remaining in Public Rights-of-way

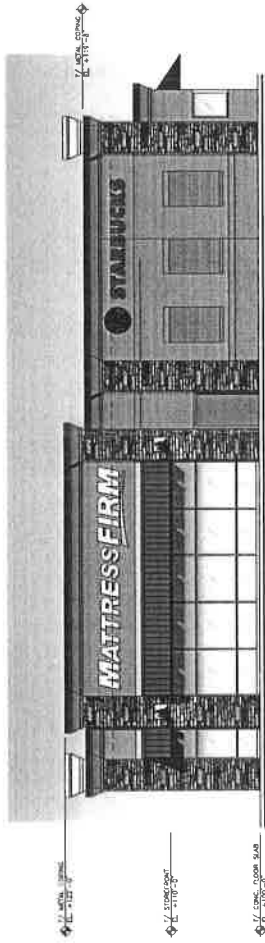
393,473 sq. ft. (9.03 acres) = 378,972 sq. ft. (8.70 acres) + 14,501 sq. ft. (0.33 acre)

	<u>Subarea A</u>	<u>Subarea B</u>	<u>Total</u>
Permitted Uses:	In accordance with Statement 5		
Net Site Area:	341,962 sq. ft./ 7.85 ac.	37,010 sq. ft./ 0.85 ac.	378,972 sq. ft./ 8.70 ac.
Maximum Floor Area Ratio:	0.535	0.17	0.50
Maximum Percentage of Site Coverage:	In accordance with the Landscape Plan		
Maximum Building Height:	In accordance with the Building Elevations		
Minimum Number of Off-street Parking Spaces:	318	39	357
Minimum Number of Off-Street Loading Spaces:	4	0	4
Building Setbacks:	In accordance with the Site Plan		



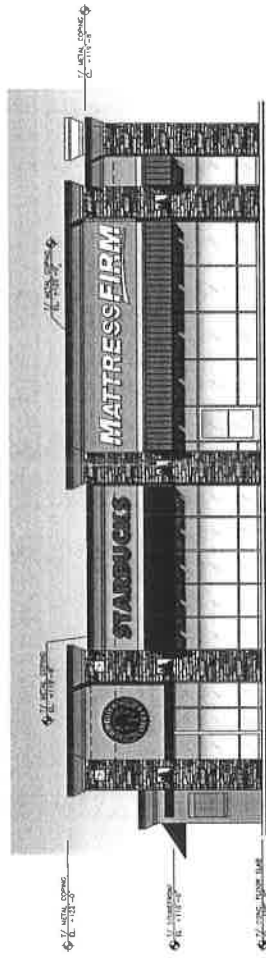






1 | EAST ELEVATION

3/16" = 1'-0"



2 | WEST ELEVATION

3/16" = 1'-0"



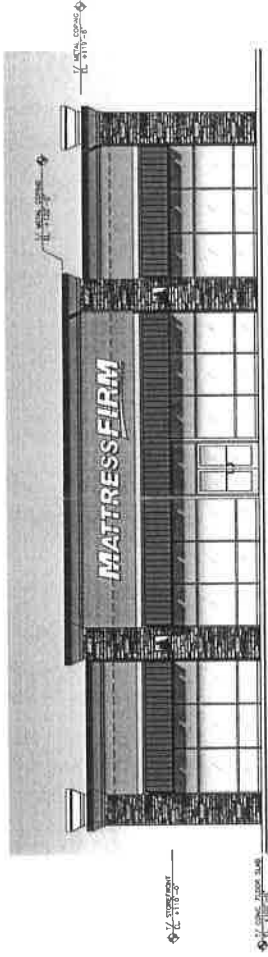
D+Z+A  
ASSOCIATES, INC.  
1000 N. LAKE ST.  
CHICAGO, IL 60610  
TEL: 312.467.1000  
WWW.DZAI.COM

**PROPOSED OUTLOT BUILDING**  
2570 N. ELSTON

CHICAGO, ILLINOIS

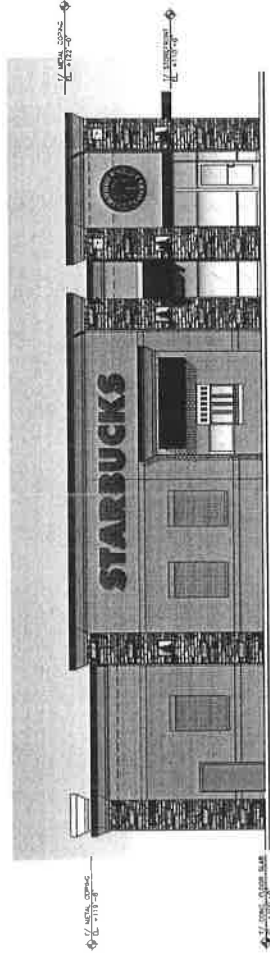


HARLEM IRVING COMPANIES  
(773) 625-3036



1 | SOUTH ELEVATION

3/16" = 1'-0"



2 | NORTH ELEVATION

3/16" = 1'-0"

**PROPOSED OUTLOT BUILDING**  
 2570 N. ELSTON  
 CHICAGO, ILLINOIS

HARLEM IRVING COMPANIES  
 (773) 625-3036



**D.Z.A.**  
 ASSOCIATES, INC.  
 200 N. LAUREL ST. SUITE 200  
 CHICAGO, IL 60610  
 (312) 467-1000



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT  
CITY OF CHICAGO

February 21, 2012

Joseph P. Gattuso  
Shelsky & Froelich  
111 E. Wacker Drive  
Suite 2800  
Chicago, IL 60601-3713

**Re: Administrative Relief request for Business Planned Development No. 752, as amended, Proposed Chick-fil-A Restaurant at 2538-70 N. Elston Avenue**

Dear Mr. Gattuso:

Please be advised that your request for a minor change to Business Planned Development No. 752, as amended, has been considered by the Department of Housing and Economic Development pursuant to Section 17-13-0611 of the Chicago Zoning Ordinance and Statement No. 11 of the Planned Development (PD).

You are requesting on behalf of the property owners, HD Development of Maryland, Inc. and Chick-fil-A, Inc., the following site and design changes for a proposed Chick-fil-A Restaurant:

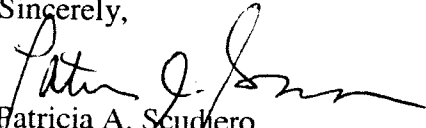
- Redistributing 1,678 square feet from Sub area B (Chick-fil-A site) to Sub area A (Home Depot site) as a result of Home Depot's decision to keep several portions of parking lot drive aisles in its Sub area. The Sub area A net site area will increase from 341,962 sq. ft. to 343,640 sq. ft. and the Sub area B net site area will decrease from 37,010 sq. ft. to 35,332 sq. ft. The overall PD maximum floor area ratio will remain 0.50 while the proposed floor area ratio combining the existing Home Depot Store with the proposed Chick-fil-A Restaurant would be approximately 0.33.
- Redistributing 14 of the total 380 parking spaces from Sub area B to Sub area A as a result of the redistributed site area above. The minimum number of parking spaces in Sub area A will increase from 334 to 348 while the number in Sub area B will decrease from 46 to 32. A revised Bulk Regulations and Data Table, dated February 7, 2012, shall be inserted into the main file.
- Modifications to the building design which include adding approximately 1,000 square feet in order to accommodate additional seating and a kiosk for the proposed second drive-through lane. Additionally, an exit drive from the southeastern-most bay of parking spaces adjacent to the proposed building has been made right-out only at our request. A revised Concept Plan, Landscape Plan, Existing Zoning Map, Existing Land Use Map, Planned Development Boundary, Property Line and Sub Area Map, Overall Site Plan, Sub area B Site Plan, Overall Landscape Plan, Sub area B Landscape Plan, Sub area B Landscape Plan Plant Schedule and Specifications, Green Roof Plan, North, South, East

and West Elevations, along with color elevations and a color perspective drawing depicting the façade in Mayo Blend color brick, all dated February 7, 2012, shall be inserted into the main file.

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

Accordingly, pursuant to the authority granted by the Chicago Zoning Ordinance and Business Planned Development No. 752, as amended, I hereby approve the foregoing minor change, but no other changes to this Planned Development. **This minor change is valid for 12 months from the date of this letter unless action to implement the minor change is commenced within such time period and thereafter diligently pursued to completion, including, if applicable, construction consistent with the minor change as authorized by a building permit. If action to implement the minor change, including construction, does not begin within the time set forth, or does not proceed with reasonable diligence, then the approval will lapse and become null and void.**

Sincerely,



Patricia A. Scudiero  
Zoning Administrator

PAS: HG: tm

C: Mike Marmo, Erik Glass, Fernando Espinoza, Main file

17150

*Reclassification Of Area Shown On Map No. 7-H.*  
 (As Amended)  
 (Application No. 17150)  
 (Common Address: 2538 -- 2570 N. Elston Ave.)

BPD 752,99

[SO2010-5175]

*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 752, as amended, symbols and indications as shown on Map Number 7-H in the area bounded by:

Parcel 1:

Lot 8 (except that part thereof falling in Elston Avenue) in Snow Estate Subdivision by the Superior Court in partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian; and the east half of the northeast quarter (except the south 20 acres thereof) of Section 25, Township 40 North, Range 13, East of the Third Principal Meridian; together with that part of the southwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, lying north and east of the north branch of the Chicago River; together with Lots 2, 3, 4, 6, 7, 9 and 11 in the Assessor's Division of that part of the southwest quarter of Section 30 aforesaid, lying between railroad and river, according to the plat of said Snow Estate Subdivision recorded January 29, 1873 in Book 3 of Plats, page 91, in Cook County, Illinois.

Parcel 2:

Lot 10 in Assessor's Subdivision of that part of the southwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, lying south and west of the north branch of the Chicago River and north and east of the right-of-way of the Chicago and Northwestern Railway; together with that part of Lot 9 in the Snow Estate Subdivision in said southwest quarter of Section 30 aforesaid, described as follows:

beginning at the southeast corner of Lot 10 in Assessor's Subdivision in said southwest quarter of fractional Section 30 aforesaid; thence southeasterly on the northeasterly line of Lot 9 aforesaid, being also the centerline of Elston Avenue, 18.99 feet; thence southwesterly on a straight line at right angles to the centerline of said Elston Avenue, 789.19 feet to the northeasterly line of the right-of-way of Chicago and Northwestern Railway Company; thence northwesterly on said right-of-way line, 11.20 feet to the southwest corner of Lot 10 in Assessor's Subdivision aforesaid; thence northeasterly on the southeasterly line of said Lot 10, 790.28 feet to the point of beginning (excepting therefrom the part of Lot 10 aforesaid and Lot 9 aforesaid described as follows:

beginning at the southwest corner of the last described tract; thence northwesterly on the northeasterly line of the right-of-way of the Chicago and Northwestern Railway

Company, 100 feet; thence southeasterly on a curve tangent to said right-of-way and convex to the southwest, with a radius of 324 feet, to its intersection with the southeasterly line of the property last above described; and thence southwesterly on the southeasterly line of said property 16.5 feet, more or less, to the point of beginning; and excepting from Lot 10 aforesaid and the aforesaid part of Lot 9 those parts thereof falling in Elston Avenue) in Cook County, Illinois.

Parcel 3:

Lot 8 in Assessor's Subdivision of part of the southwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, lying south and west of the north branch of the Chicago River; together with the part of Lot 7 in Snow Estate Subdivision by the Superior Court in partition with other property, Lots 2, 3, 4, 6, 7, 9 and 11 in Assessor's Subdivision aforesaid, described as follows:

beginning at the intersection of the southeasterly line of said Lot 7 with the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company; thence northeasterly along the southeasterly line of said Lot 7, 61.19 feet; thence westerly at an angle of 54 degrees, 36 minutes to the southeasterly line of said Lot 7, 87.11 feet, more or less, to the southwesterly line of the property conveyed to Chicago Telephone Company by deed from Virgil Brand, dated June 30, 1905 and recorded July 1, 1905 as Document 3718660; thence southeasterly along the southwesterly line of the property so conveyed to Chicago Telephone Company by Virgil Brand to the point of beginning;

part of said Lot 8 in Assessor's Subdivision and said part of Lot 7 in Snow Estate Subdivision being taken as a tract (except from said tract that part thereof falling in Elston Avenue);

also except from said tract a strip of land 18 feet wide, lying 9 feet on each side of a centerline described, as follows:

beginning at a point on the southwesterly line of North Elston Avenue, which is 150.63 feet southeasterly from the point of intersection of said southwesterly street line with the northwesterly line of said Lot 8 in Assessor's Subdivision, and running thence southwestwardly along a straight line, a distance of 10 feet to a point 150.58 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence southwestwardly along the arc of a circle having a radius of 603.31 feet and convex southeasterly, a distance of 104.38 feet to a point 141.06 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8, and 113.89 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence southwestwardly along the arc of a circle having a radius of 603.81 feet and convex northwesterly, a distance of 104.38 feet to a point 131.55 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 217.78 feet,

measured perpendicularly, southwesterly from said southwesterly street line; thence southwestwardly along a straight line, a distance of 209.54 feet to a point 130.51 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence southwestwardly along that arc of a circle having a radius of 388.42 feet and convex southeasterly, a distance of 134.90 feet to a point 106.62 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 559.57 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence southwestwardly along a straight line, a distance of 75.17 feet to a point 80.69 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence westwardly along the arc of a circle having a radius of 240.49 feet and convex southerly, a distance of 113.05 feet to a point 18.62 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 724.10 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence westwardly along the arc of a circle having a radius of 406.42 feet and convex southerly, a distance of 96.08 feet to a point on the westerly line of the above described tract, which point is 58.79 feet, measured perpendicularly, northwesterly from said northwesterly line of Lot 8 and 12.42 feet, measured perpendicularly, northeasterly from the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company; said strip of land 18 feet wide being Parcel A described in deed recorded as Document 19990220;

also except from said tract a strip of land 18 feet wide, lying 9 feet on each side of a centerline described as follows:

beginning at a point on the southeasterly line of North Elston Avenue, which is 150.63 feet southeasterly from the point of intersection of said southwesterly street line with the northwesterly line of said Lot 8 in Assessor's Subdivision and running thence southwestwardly along a straight line, a distance of 427.63 feet to a point 148.51 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence southwestwardly and westwardly along the arc of a circle having a radius of 406.42 feet and convex southerly, a distance of 428.30 feet to a point on the westerly line of the above described tract, which point is 58.79 feet, measured perpendicularly, northwesterly from said northwesterly line of Lot 8 and 12.42 feet, measured perpendicularly, northwesterly from said northwesterly line of Lot 8 and 12.42 feet, measured perpendicularly, northeasterly from the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company;

and also except from said tract that part thereof bounded and described as follows:

beginning at the intersection of the northwesterly line of said Lot 8 in Assessor's Subdivision and the southwesterly line of North Elston Avenue; thence south 46 degrees, 20 minutes, 30 seconds east along said line of North Elston Avenue, a distance of 141.63 feet to a point 9.00 feet northwesterly of the centerline of the aforesaid Parcel A described in deed recorded as Document 19990220; thence southwestwardly along a line 9.00 feet northwesterly of and parallel with the centerline

of said Parcel A, with the following course and distances; thence south 43 degrees, 28 minutes, 26 seconds west, a distance of 10.03 feet; thence southwesterly along a curve convex to the southeast, having a radius of 594.81 feet, a distance of 102.83 feet; thence southwesterly along a curve convex to the northwest, having a radius of 612.81 feet, a distance of 105.73 feet; thence south 43 degrees, 28 minutes, 29 seconds west, a distance of 209.54 feet; thence southwesterly along a curve convex to the southeast, having a radius of 379.42 feet, a distance of 131.95 feet; thence south 63 degrees, 21 minutes, 59 seconds west, a distance of 75.17 feet; thence southwesterly along a curve convex to the southeast, having a radius of 231.49 feet, a distance of 108.83 feet; thence southwesterly along a curve convex to the southeast, having a radius of 397.42 feet, a distance of 16.72 feet to a point in the northwesterly line of said Lot 8; thence north 43 degrees, 11 minutes, 15 seconds east, along the northwesterly line of said Lot 8, a distance of 728.79 feet to the point of beginning, in Cook County, Illinois.

Parcel 4:

A part of Lots 9 and 10 in Snow Estate Subdivision by Superior Court in partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian (except the south 20 acres thereof); also that part of the southwest quarter of Section 30 lying north and east of the north branch of the Chicago River; also Lots 2, 3, 4, 6, 7, 9 and 11, in Assessor's Division of that part of the southwest quarter of Section 30 lying between the railroad and the river; also part of Lot 10 in Assessor's Division of part of the southwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, which part is described as follows:

beginning at a point on the southwesterly line of North Elston Avenue which is 145.61 feet northwesterly from the point of intersection of said southwesterly street line with the northwesterly line of North Leavitt Street (formerly Snow Street) and running thence northwestwardly along said southwesterly line of North Elston Avenue a distance of 215.39 feet to a point 361 feet northwesterly from the above mentioned point of intersection of said lines of North Elston Avenue and North Leavitt Street; thence southwestwardly along the southeasterly face of the remains of a brick wall a distance of 234.50 feet; thence southeastwardly, parallel with and distant 234.50 feet southwesterly from said southwesterly line of North Elston Avenue, a distance of 214.49 feet to a point which is 149.59 feet (measured perpendicularly) northwesterly from said northwesterly line of North Leavitt Street, and which is also on a straight line drawn from the point of beginning of this description to a point which is 393.96 feet southwesterly from said point of beginning and 152.30 feet (measured perpendicularly) northwesterly from said northwesterly line of North Leavitt Street; and thence northeastwardly along the above mentioned straight line, which forms an angle (measured in the westward quadrant) of 89 degrees, 48 minutes, 20 seconds with the preceding course of this description, a distance of 234.50 feet to the point of beginning.

## Parcel 5:

That part of Lots 9 and 10 in Snow Estate Subdivision by Superior Court in the partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, with the part of the southwest quarter of Section 30 lying north and east of the north branch of the Chicago River, and Lots 2, 3, 4, 6, 7, 9 and 11 in the Assessor's Division of the part of the southwest quarter of Section 30 lying between the railroad and the river, and also of that part of Lot 10 in Assessor's Division of part of the southwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, described as follows:

commencing at a point in the westerly line of North Elston Avenue 361 feet northerly from the northerly line of Snow Street; thence westerly along the southeasterly face of a brick wall a distance of 234.50 feet; running thence southerly parallel with and 234.50 feet westerly from said westerly line of North Elston Avenue a distance of 214.49 feet; running thence westerly along a line forming a northwesterly angle of 89 degrees, 48 minutes, 20 seconds with the last described line a distance of 159.46 feet to a point; running thence on a curved line, tangent to the last described course and convex to the southwest with a radius of 385.50 feet, a distance of 476.34 feet to its intersection with the easterly line of the right-of-way of the Chicago Northwestern Railroad Company; running thence northerly along the easterly line of said right-of-way a distance of 92.01 feet to a point; running thence southerly on a curved line, tangent to said right-of-way and convex to the southwest with a radius of 324 feet, a distance of 103.26 feet to its intersection with a line, said line being described as drawn from a point which is 18.99 feet southeasterly in the center of North Elston Avenue from the northeasterly corner of Lot 9 of Snow Estate Subdivision aforesaid to a point in the easterly line of the right-of-way of the Chicago and Northwestern Railroad Company, 11.20 feet southeasterly from the northwesterly corner of said Lot 9; running thence northeasterly along the last mentioned line 740.02 feet to the westerly line of North Elston Avenue; running thence southeasterly along said westerly line of North Elston Avenue 38.41 feet to the place of beginning, in Cook County, Illinois.

## Parcel 6:

That part of Lots 9 and 10 in Snow Estate Subdivision by Superior Court in partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, and the east half of the northeast quarter (except the south 20 acres thereof) of Section 25, Township 40 North, Range 13 East of the Third Principal Meridian, and part of the southwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian bounded and described as follows:

commencing at a point on the northwesterly line of North Leavitt (formerly Snow Street) which is 325 feet southwesterly from the point of intersection of said northwesterly street line with the southwesterly line of North Elston Avenue running thence northwestwardly along a line (hereinafter referred to as "Line A"), a distance of 151.14 feet to a point on a straight line 324.97 feet southwesterly from said southwesterly line of North Elston Avenue said straight line being a line drawn from a point on said southwesterly line of North Elston Avenue 145.61 feet northwesterly from the above mentioned point of intersection of said lines of North Elston Avenue and North Leavitt Street to a point which is 393.96 feet southwesterly from said southwesterly line of North Elston Avenue and 152.30 feet (measured perpendicularly) northwesterly from said northwesterly line of North Leavitt Street and which forms an angle (measured in the westward quadrant) of 89 degrees, 48 minutes, 20 seconds with said southwesterly line of North Elston Avenue for the point of beginning; thence southwestwardly along the last above described straight line, a distance of 68.99 feet to said point which is 393.96 feet southwesterly of North Elston Avenue; thence southwestwardly and westwardly along the arc of a circle having a radius of 385.50 feet convex southerly and tangent to the above described straight line, a distance of 476.34 feet to its intersection with the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company; thence southeastwardly along said right-of-way of line a distance of 318.19 feet to a line parallel with and 100.00 feet northwesterly of, as measured at right angles to, said northwesterly line of North Leavitt Street; thence northeastwardly along said parallel line, a distance of 402.34 feet to said Line A; thence northwesterly, along said Line A, 51.16 feet to the point of beginning, in Cook County, Illinois,

to the designation of Business Planned Development Number 752, 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 Statements referred to in this ordinance read as follows:

*Business Planned Development No. 752, As Amended.*

*Plan Of Development Statements.*

1. The area delineated herein as Business Planned Development Number 752, as amended, consists of approximately three hundred seventy-eight thousand nine hundred seventy-two (378,972) square feet (eight and seven-tenths (8.70) acres) of

property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property") and is owned or controlled by the applicant, Chick-fil-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 of 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 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, then to the owners of record title to all of the Property and to any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 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 be defined by Section 17-8-0400 of the Chicago Zoning Ordinance.
4. This plan of development consists of sixteen (16) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Subarea Map, a Site Plan; a Subarea B Site Plan; a Landscape Plan; a Subarea B Landscape Plan; and Subarea B Building Elevations prepared by Chipman Adams Architects dated December 16, 2010. 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 Chicago Zoning Ordinance, and all requirements thereto and satisfies the established criteria for approval as a planned development. In case of a conflict between the terms of this planned development ordinance and the Zoning ordinance, this planned development ordinance shall control.
5. The following uses shall be permitted within the area delineated herein as "Business planned development": all uses permitted in the C3-1 Commercial, Manufacturing and Employment District, except dwelling units and lodging-rooms; hotels and motels; adult uses; automobile, battery and tire stations (unless said uses are ancillary to a primary retail use); and crematories, which shall not be permitted. Drive-through restaurant facilities shall also be permitted.
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 Zoning and Land Use Planning. Off-premises signs are prohibited within the boundary of the planned development.

7. Off-street parking and loading facilities shall be provided in accordance with the provisions of this planned development subject to the review and approval of the Departments of Transportation and Zoning and Land Use Planning. Ingress and egress shall be subject to the review and approval of the Departments of Transportation and Zoning and Land Use Planning. Closure of all or part of any public streets or alleys 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 Chicago 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 Chicago Department of Transportation.

8. For purposes of height measurement, the definitions in the Chicago Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations established by the Federal Aviation Administration.
9. The maximum permitted floor area ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations and Data Table. For purposes of floor area ratio (FAR) calculations, the definitions in the Chicago Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of 378,972 square feet.
10. The Site and Landscape plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Zoning and Land Use Planning. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
11. The terms, conditions and exhibits of this planned development ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning ordinance by the Commissioner of the Department of Zoning and Land Use Planning, upon the application for such a modification by the applicant, its successors or assigns and, if different than the applicant, the legal titleholders and any ground lessors.
12. The applicant acknowledges that it is in the public interest to design, construct and renovate all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. All developments must be in substantial compliance with the current City of Chicago Sustainable Development

Policy set forth by the Department of Zoning and Land Use Planning. The applicant shall install a vegetated ("green") roof on the new building to be constructed in Subarea B equal to 50 percent of its net roof area (1,825 square feet) and shall also exceed ASHRAE 90.1-2004 in the construction of said building.

13. Upon Part II Review of future buildings, a Part II Review Fee shall be assessed by the Department of Zoning and Land Use Planning pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance. 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.
14. The applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of the Department of Streets and Sanitation, the Commissioner of the Environment and the Commissioner of Buildings under Section 13-32-125 of the Municipal Code of Chicago or any other provisions of that Code.
15. 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 ("MOPD") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
16. Unless substantial construction of the new improvements in Subarea B has commenced within six (6) years following adoption of this planned development, and unless completion is thereafter diligently pursued, then this planned development shall expire. 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 Business Planned Development Number 752, as amended, designation, pursuant to the ordinance adopted by the City Council on December 13, 2000.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary, Property Line and Subarea Map; Overall Site Plan; Overall Landscape Plan; and Chicago Builds Green form referred to in these Plan of Development Statements printed on pages 111274 through 111281 of this *Journal*.]

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

17150

1/13/2011

REPORTS OF COMMITTEES

111273

*Business Planned Development No. 752, As Amended.  
Plan Of Development Statements.*

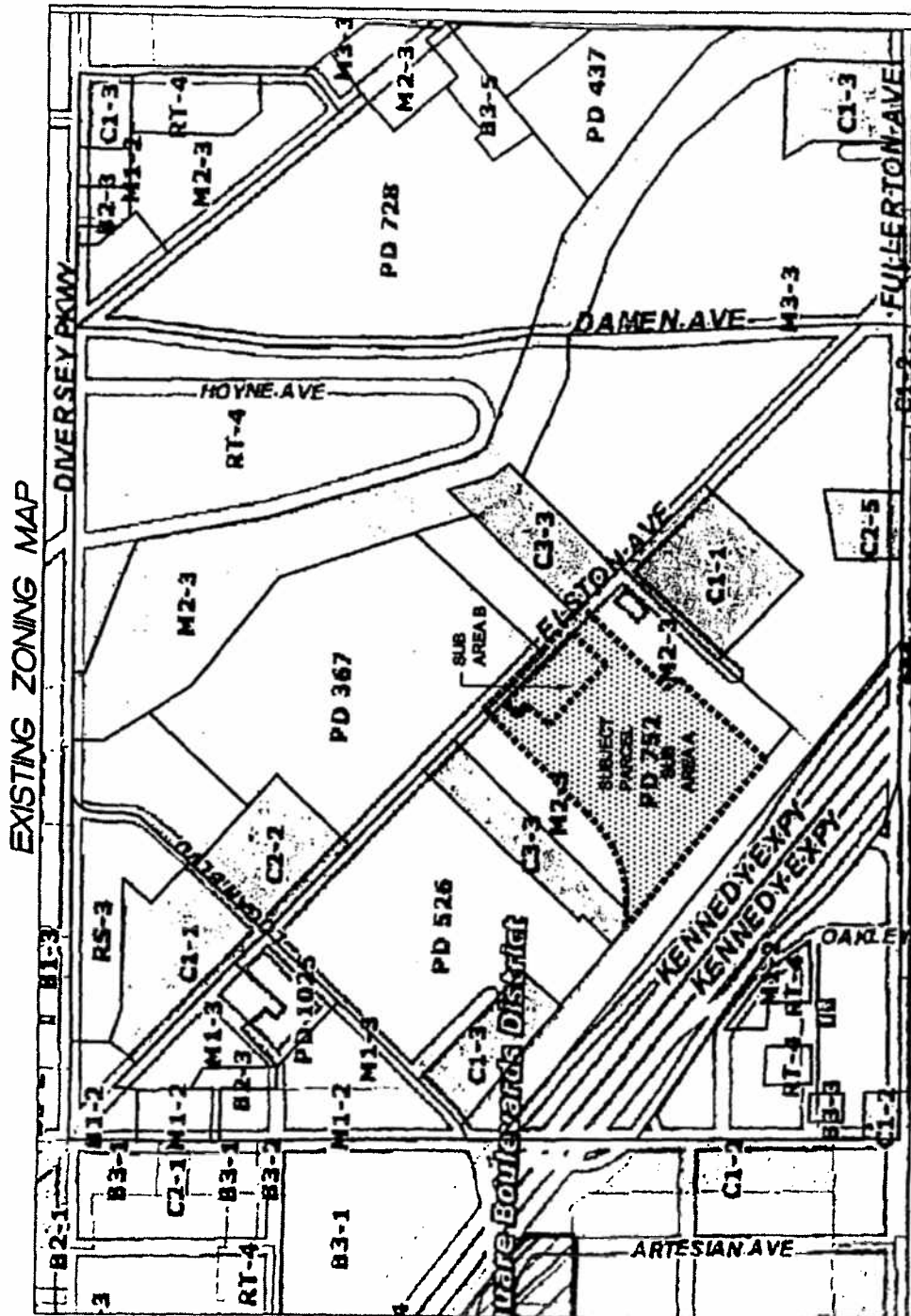
*Bulk Regulations Data Table.*

Gross Site Area = Net Site Area + Areas Remaining in Public Rights-of-way

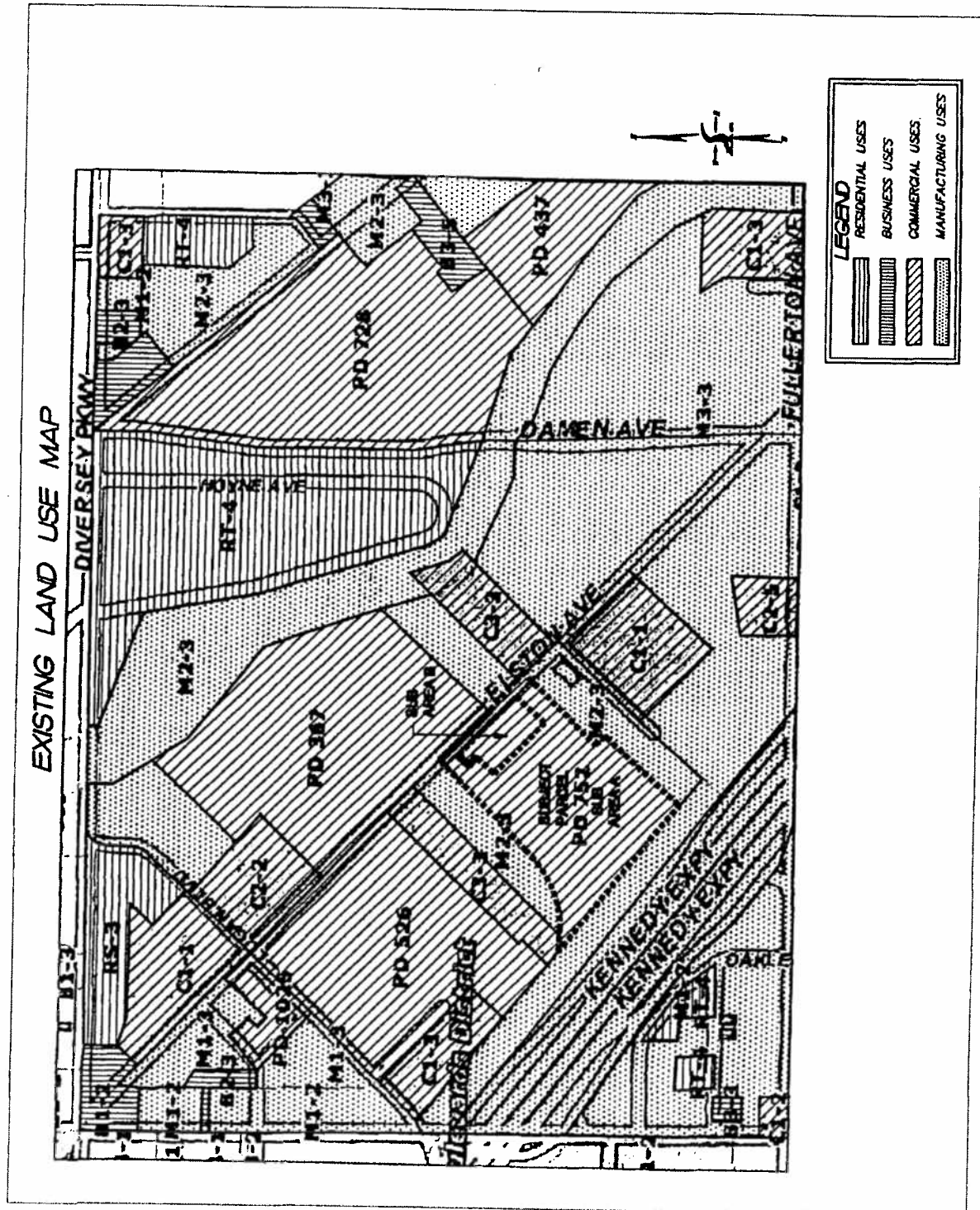
393,473 sq. ft. (9.03 acres) = 378,972 sq. ft. (8.70 acres) + 14,501 sq. ft. (0.33 acre)

	Subarea A	Subarea B	Total
Permitted Uses:	In accordance with Statement 5		
Net Site Area:	341,962 sq. ft./ 7.85 ac.	37,010 sq. ft./ 0.85 ac.	378,972 sq. ft./ 8.70 ac.
Maximum Floor Area Ratio:	0.54	0.13	0.50
Maximum Percentage of Site Coverage:	In accordance with the Landscape Plan		
Maximum Building Height:	In accordance with the Building Elevations		
Minimum Number of Off-street Parking Spaces:	334	46	380
Minimum Number Of Off-Street Loading Spaces:	4	1	5
Building Setbacks:	In accordance with the Site Plan		

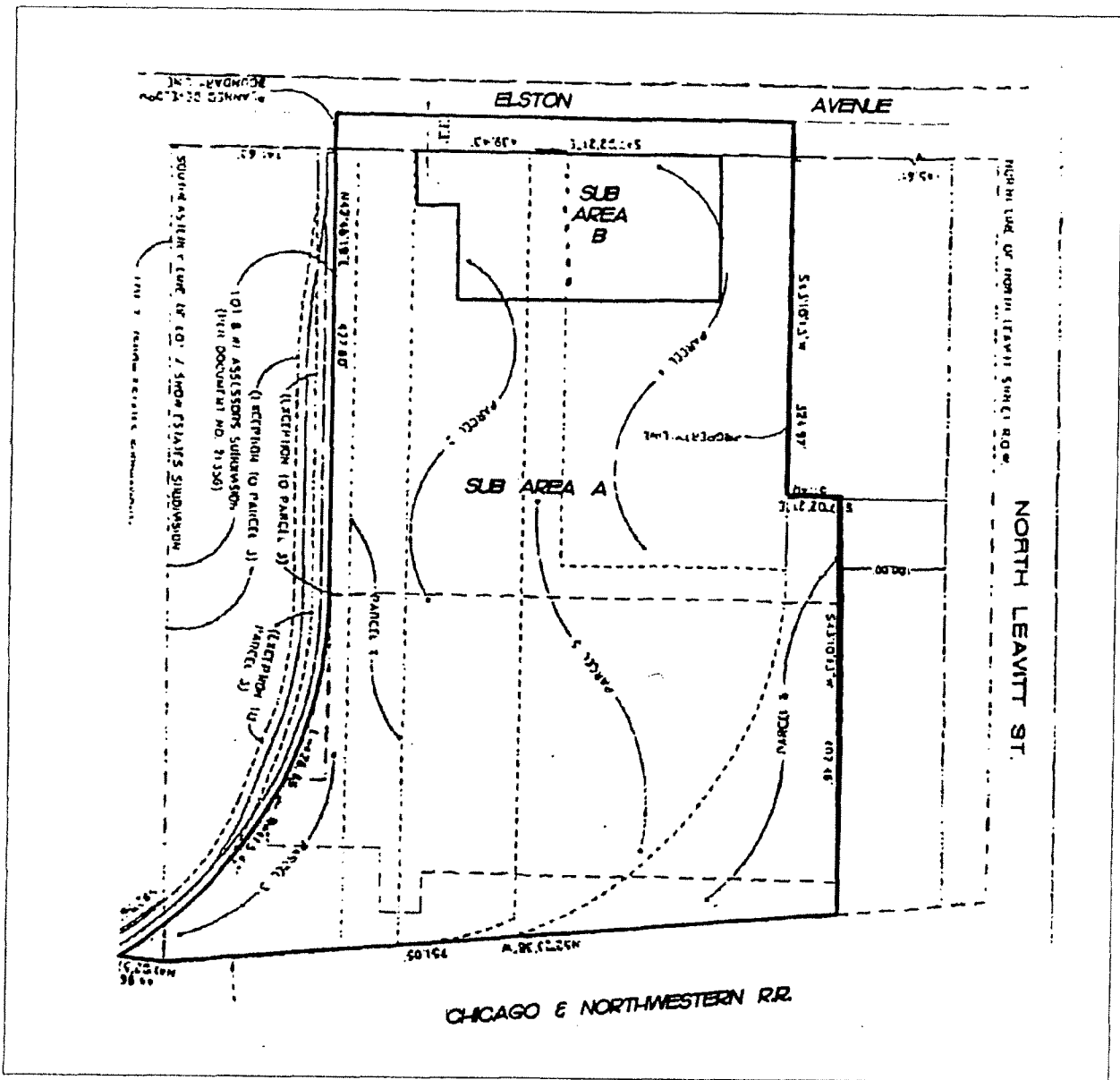
Existing Zoning Map.



Existing Land-Use Map.



Planned Development Boundary,  
Property Line And Subarea Map.







Chicago Builds Green.

(Page 1 of 3)

Project Name: Chick-fil-A/Elston Avenue

Project Location: \* Street Number (if the address only includes one street number, please fill only the cell "From"): From\* To\* Direction: Street Name: Select Street Type: 2568 N Elston Ave

Ward No: Community Area No: 1 22

Project Type: Check applicable: [X] Planned Development [ ] Redevelopment Agreement [ ] Zoning Change PD No: 752 RDA No: From: To:

[ ] Public project [ ] Landmark

Project Size: Total land area in sq.ft.: Total building(s) footprint in sq.ft.: Total vehicular use area in sq.ft.: 37,010 4,946 21,097

DPD Project Manager: Enter First Name Last Name Fernando Espinoza

BG/GR Matrix: Select project category: Com. retail > 10,000 sf

Financial Incentives: Check applicable: [ ] TIF [ ] Empowerment Zone Grant [ ] Class L [ ] GRIF [ ] ind. Dev. Revenue Bonds [ ] Class 6b [ ] SBIF [ ] Bank Participation Loan [ ] DOH [ ] Land Sale Write Down

Density Bonus: Check applicable: [ ] Public plaza & pocket park [ ] Water features in a plaza or pocket park [ ] Chicago Riverwalk improvements [ ] Setbacks above the ground floor [ ] Winter gardens [ ] Lower level planting terrace [ ] indoor through-block connection [ ] Green roof [ ] Sidewalk widening [ ] Underground parking and loading [ ] Arcades [ ] Concealed above-ground parking

Chicago Builds Green.

(Page 2 of 3)

**FINAL PLAN**  
 Required per Zoning Code or Green Roof/Building Green Matrix  
 To be Provided by the development:  
 Please fill, if applicable

**Landscaping:**

- 7 Landscape Setback
- Interior Landscape Area
- No. of Interior Trees
- No. of Parkway Trees

Square footage:	2,060	1,327
Square footage:	1,579	2,097
	13	16
	0	0

**Open Space:**

- River Setback
- Private Open Space
- Privately developed Public Open Space

Square footage:	0	0
Square footage:	0	0
Square footage:	0	1,675

**Stormwater Management (At-grade volume control):**

- Permeable paving
- Raingarden
- Filter strip
- Bioswaie
- Detention pond
- Native landscaping
- Rain-water collection cistern/barrel
- Total impervious area reduction

Square footage:	0
Check applicable:	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
Square footage:	0
Gallons:	0
Square footage:	0

**Other sustainable surface treatments:**

- Green roof
- Energy Star roof
- High-albedo pavement

Square footage:	1,778	1,825
Square footage:	0	1,731
Square footage:		0

**Transportation:**

- No. of accessory parking spaces
- Total no. of parking spaces (Accessory + Non- Acc.)
- No. of parking spaces dedicated to car sharing services (E.g.: I-Go, Zip-Car)
- No. of bicycle parking
- Within 600 ft of CTA or Metra station entrance

	0	48
		48
	0	0
	0	0
Check if applicable:		<input type="checkbox"/>

Chicago Builds Green.

(Page 3 of 3)

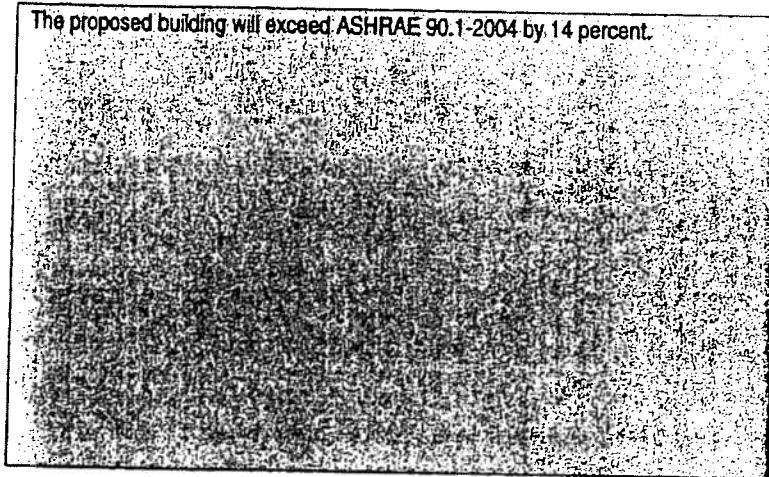
Building Certification:

Energy Star building	<input type="checkbox"/>	<input type="checkbox"/>
LEED certification	<input type="checkbox"/>	
LEED Certified		<input type="checkbox"/>
LEED Silver		<input type="checkbox"/>
LEED Gold		<input type="checkbox"/>
LEED Platinum		<input type="checkbox"/>
Chicago Green Homes	<input type="checkbox"/>	
Chicago Green Homes [one-star]		<input type="checkbox"/>
Chicago Green Homes [two-star]		<input type="checkbox"/>
Chicago Green Homes [three-star]		<input type="checkbox"/>

Energy efficiency strategies not captured above:

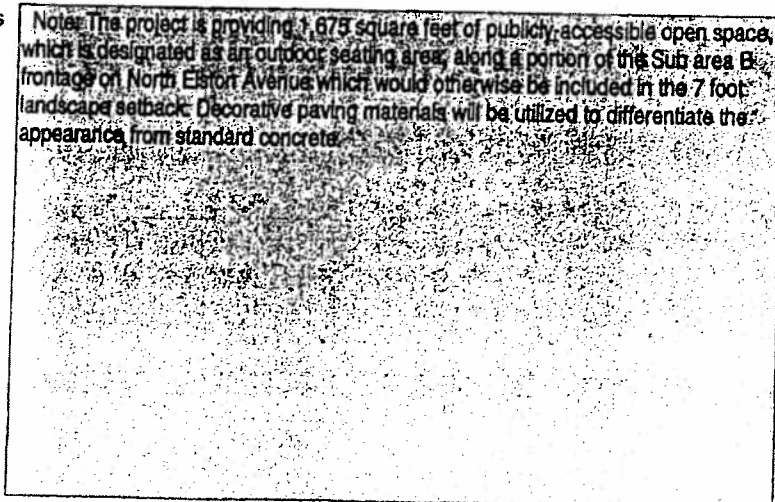
-IE: Other than Energy Star Roof - or Energy Star Building Certification-

The proposed building will exceed ASHRAE 90.1-2004 by 14 percent.



Other sustainable strategies and/or Project Notes:

Note: The project is providing 1,675 square feet of publicly-accessible open space, which is designated as an outdoor seating area, along a portion of the Sub area B frontage on North Elston Avenue which would otherwise be included in the 7 foot landscape setback. Decorative paving materials will be utilized to differentiate the appearance from standard concrete.



Gross Site Area = Net Site Area, 475,239.6 square feet (10.91 acres) + Area to be Dedicated to Kilpatrick Road, 1,089 square feet (0.025 acres) = 476,328.6 square feet (10.935 acres).

Maximum Floor Area Ratio for Total Net Site Area:

0.50.

Minimum Number of Off-Street Parking Spaces:

525 (including 2% for handicapped).

Minimum Number of Off-Street Loading Berths:

4 at 10 feet, 0 inches by 50 feet, 0 inches.

Maximum Percent of Site Coverage:

Per Landscape Plan.

Minimum Required Building Setbacks:

Per Site Plan.

Maximum Permitted Building Height:

Per Building Elevations.

Reclassification Of Area Shown On Map Number 7-H.  
(As Amended)

(Application Number 13112)

BPD 752 AA

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

(Continued on page 48511)

(Continued from page 48502)

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the Business Planned Development Number 752 and M2-3 General Manufacturing District symbols and indications as shown on Map Number 7-H in the area bounded by:

Parcel 1:

Lot 8 (except that part thereof falling in Elston Avenue) in Snow Estate Subdivision by the Superior Court in partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian; and the east half of the northeast quarter (except the south 20 acres thereof) of Section 25, Township 40 North, Range 13, East of the Third Principal Meridian; together with that part of the southwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, lying north and east of the north branch of the Chicago River; together with Lots 2, 3, 4, 6, 7, 9 and 11 in the Assessor's Division of that part of the southwest quarter of Section 30 aforesaid, lying between railroad and river, according to the plat of said Snow Estate Subdivision recorded January 29, 1873 in Book 3 of Plats, page 91, in Cook County, Illinois.

Parcel 2:

Lot 10 in Assessor's Subdivision of that part of the southwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, lying south and west of the north branch of Chicago River and north and east of the right-of-way of the Chicago and Northwestern Railway; together with that part of Lot 9 in the Snow Estate Subdivision in said southwest quarter of Section 30 aforesaid, described as follows:

beginning at the southeast corner of Lot 10 in Assessor's Subdivision in said southwest quarter of fractional Section 30 aforesaid; thence southeasterly on the northeasterly line of Lot 9 aforesaid, being also the centerline of Elston Avenue, 18.99 feet; thence southwesterly on a straight line at right angles to the centerline of said Elston Avenue, 789.19 feet to the northeasterly line of the right-of-way of Chicago and Northwestern Railway Company; thence northwesterly on said right-of-way line, 11.20 feet to the southwest corner of Lot 10 in Assessor's Subdivision aforesaid; thence northeasterly on the southeasterly line of said Lot 10, 790.28 feet to point of beginning (excepting therefrom the part of Lot 10 aforesaid and Lot 9 aforesaid described as follows:

beginning at the southwest corner of the last described tract; thence northwesterly on the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company, 100 feet; thence southeasterly on a curve tangent to said right-of-way and convex to the southwest, with a radius of 324 feet, to its intersection with the southeasterly line of the property last above described; and thence southwesterly on the southeasterly line of said property 16.5 feet, more or less, to the point of beginning; and excepting from Lot 10 aforesaid and the aforesaid part of Lot 9 those parts thereof falling in Elston Avenue) in Cook County, Illinois.

Parcel 3:

Lot 8 in Assessor's Subdivision of part of the southwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, lying south and west of the north branch of the Chicago River; together with the part of Lot 7 in Snow Estate Subdivision by the Superior Court in partition with other property, Lots 2, 3, 4, 6, 7, 9 and 11 in Assessor's Subdivision aforesaid, described as follows:

beginning at the intersection of the southeasterly line of said Lot 7 with the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company; thence northeasterly along the southeasterly line of said Lot 7, 61.19 feet; thence westerly at an angle of 54 degrees, 36 minutes to the southeasterly line of said Lot 7, 87.11 feet, more or less, to the southwesterly line of the property conveyed to Chicago Telephone Company by deed from Virgil Brand, dated June 30, 1905 and recorded July 1, 1905 as Document 3718660; thence southeasterly along the southwesterly line of the property so conveyed to Chicago Telephone Company by Virgil Brand to the point of beginning;

part of said Lot 8 in Assessor's Subdivision and said part of Lot 7 in Snow Estate Subdivision being taken as a tract (except from said tract that part thereof falling in Elston Avenue)

also except from said tract a strip of land 18 feet wide, lying 9 feet on each side of a centerline described as follows:

beginning at a point on the southwesterly line of North Elston Avenue, which is 150.63 feet southeasterly from the point of intersection of said southwesterly street line with the northwesterly line of said Lot 8 in Assessor's Subdivision, and running thence southwestwardly along a straight line, a distance of 10 feet to a point 150.58 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence southwestwardly along the arc of a circle having a radius of 603.31 feet and convex southeasterly, a distance of 104.38

feet to a point 141.06 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8, and 113.89 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence southwestwardly along the arc of a circle having a radius of 603.81 feet and convex northwesterly, a distance of 104.38 feet to a point 131.55 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 217.78 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence southwestwardly along a straight line, a distance of 209.54 feet to a point 130.51 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence southwestwardly along that arc of a circle having a radius of 388.42 feet and convex southeasterly, a distance of 134.90 feet to a point 106.62 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 559.57 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence southwestwardly along a straight line, a distance of 75.17 feet to a point 80.69 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence westwardly along the arc of a circle having a radius of 240.49 feet and convex southerly, a distance of 113.05 feet to a point 18.62 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 724.10 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence westwardly along the arc of a circle having a radius of 406.42 feet and convex southerly, a distance of 96.08 feet to a point on the westerly line of the above described tract, which point is 58.79 feet, measured perpendicularly, northwesterly from said northwesterly line of Lot 8 and 12.42 feet, measured perpendicularly, northeasterly from the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company; said strip of land 18 feet wide being Parcel "A" described in deed recorded as Document 19990220;

also except from said tract a strip of land 18 feet wide, lying 9 feet on each side of a centerline described as follows:

beginning at a point on the southeasterly line of North Elston Avenue, which is 150.63 feet southeasterly from the point of intersection of said southwesterly street line with the northwesterly line of said Lot 8 in Assessor's Subdivision and running thence southwestwardly along a straight line, a distance of 427.63 feet to a point 148.51 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence southwestwardly and westwardly along the arc of a circle having a radius of 406.42 feet and convex southerly, a distance of 428.30 feet to a point on the westerly line of the above described tract, which point is 58.79 feet, measured perpendicularly, northwesterly from said northwesterly line of Lot 8 and 12.42 feet, measured perpendicularly, northwesterly from said northwesterly line of Lot 8 and 12.42 feet, measured perpendicularly, northeasterly from the northeasterly line of the right-of-way

of the Chicago and Northwestern Railway Company;

and also except from said tract that part thereof bounded and described as follows:

beginning at the intersection of the northwesterly line of said Lot 8 in Assessor's Subdivision and the southwesterly line of North Elston Avenue; thence south 46 degrees, 20 minutes, 30 seconds east along said line of North Elston Avenue, a distance of 141.63 feet to a point 9.00 feet northwesterly of the centerline of the aforesaid Parcel "A" described in deed recorded as Document 19990220; thence southwesterly along a line 9.00 feet northwesterly of and parallel with the centerline of said Parcel "A", with the following course and distances; thence south 43 degrees, 28 minutes, 26 seconds west, a distance of 10.03 feet; thence southwesterly along a curve convex to the southeast, having a radius of 594.81 feet, a distance of 102.83 feet; thence southwesterly along a curve convex to the northwest, having a radius of 612.81 feet, a distance of 105.73 feet; thence south 43 degrees, 28 minutes, 29 seconds west, a distance of 209.54 feet; thence southwesterly along a curve convex to the southeast, having a radius of 379.42 feet, a distance of 131.95 feet; thence south 63 degrees, 21 minutes, 59 seconds west, a distance of 75.17 feet; thence southwesterly along a curve convex to the southeast, having a radius of 231.49 feet, a distance of 108.83 feet; thence southwesterly along a curve convex to the southeast, having a radius of 397.42 feet, a distance of 16.72 feet to a point in the northwesterly line of said Lot 8; thence north 43 degrees, 11 minutes, 15 seconds east, along the northwesterly line of said Lot 8, a distance of 728.79 feet to the point of beginning), in Cook County, Illinois.

Parcel 4:

A part of Lots 9 and 10 in Snow Estate Subdivision by Superior Court in partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian (except the south 20 acres thereof); also that part of the southwest quarter of Section 30 lying north and east of the north branch of the Chicago River; also Lots 2, 3, 4, 6, 7, 9 and 11, in Assessor's Division of that part of the southwest quarter of Section 30 lying between the railroad and the river; also part of Lot 10 in Assessor's Division of part of the southwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, which part is described as follows:

beginning at a point on the southwesterly line of North Elston Avenue which is 145.61 feet northwesterly from the point of intersection of said southwesterly street line with the northwesterly line of North Leavitt Street (formerly Snow Street) and running thence northwestwardly along said southwesterly line of

North Elston Avenue a distance of 215.39 feet to a point 361 feet northwesterly from the above mentioned point of intersection of said lines of North Elston Avenue and North Leavitt Street; thence southwestwardly along the southeasterly face of the remains of a brick wall a distance of 234.50 feet; thence southeastwardly, parallel with and distant 234.50 feet southwestwardly from said southwestwardly line of North Elston Avenue, a distance of 214.49 feet to a point which is 149.59 feet (measured perpendicularly) northwesterly from said northwesterly line of North Leavitt Street, and which is also on a straight line drawn from the point of beginning of this description to a point which is 393.96 feet southwestwardly from said point of beginning and 152.30 feet (measured perpendicularly) northwesterly from said northwesterly line of North Leavitt Street; and thence northeastwardly along the above mentioned straight line, which forms an angle (measured in the westward quadrant) of 89 degrees, 48 minutes, 20 seconds with the preceding course of this description, a distance of 234.50 feet to the point of beginning.

Parcel 5:

That part of Lots 9 and 10 in Snow Estate Subdivision by Superior Court in the partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, with the part of the southwest quarter of Section 30 lying north and east of the north branch of the Chicago River, and Lots 2, 3, 4, 6, 7, 9 and 11 in the Assessor's Division of the part of the southwest quarter of Section 30 lying between the railroad and the river, and also of that part of Lot 10 in Assessor's Division of part of the southwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, described as follows:

commencing at a point in the westerly line of North Elston Avenue 361 feet northerly from the northerly line of Snow Street; thence westerly along the southeasterly face of a brick wall a distance of 234.50 feet; running thence southerly parallel with and 234.50 feet westerly from said westerly line of North Elston Avenue a distance of 214.49 feet; running thence westerly along a line forming a northwesterly angle of 89 degrees, 48 minutes, 20 seconds with the last described line a distance of 159.46 feet to a point; running thence on a curved line, tangent to the last described course and convex to the southwest with a radius of 385.50 feet, a distance of 476.34 feet to its intersection with the easterly line of the right-of-way of the Chicago Northwestern Railroad Company; running thence northerly along the easterly line of said right-of-way a distance of 92.01 feet to a point; running thence southerly on a curved line, tangent to said right-of-way and convex to the southwest with a radius of 324 feet, a distance of 103.26 feet to its intersection with a line, said line being described as drawn from a point which is 18.99 feet southeasterly in the center

of North Elston Avenue from the northeasterly corner of Lot 9 of Snow Estate Subdivision aforesaid to a point in the easterly line of the right-of-way of the Chicago and Northwestern Railroad Company, 11.20 feet southeasterly from the northwesterly corner of said Lot 9; running thence northeasterly along the last mentioned line 740.02 feet to the westerly line of North Elston Avenue; running thence southeasterly along said westerly line of North Elston Avenue 38.41 feet to the place of beginning, in Cook County, Illinois.

Parcel 6:

That part of Lots 9 and 10 in Snow Estate Subdivision by Superior Court in partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, and the east half of the northeast quarter (except the south 20 acres thereof) of Section 25, Township 40 North, Range 13 East of the Third Principal Meridian, and part of the southwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian bounded and described as follows:

commencing at a point on the northwesterly line of North Leavitt (formerly Snow Street) which is 325 feet southwesterly from the point of intersection of said northwesterly street line with the southwesterly line of North Elston Avenue running thence northwestwardly along a line (hereinafter referred to as "Line A"), a distance of 151.14 feet to a point on a straight line 324.97 feet southwesterly from said southwesterly line of North Elston Avenue said straight line being a line drawn from a point on said southwesterly line of North Elston Avenue 145.61 feet northwesterly from the above mentioned point of intersection of said lines of North Elston Avenue and North Leavitt Street to a point which is 393.96 feet southwesterly from said southwesterly line of North Elston Avenue and 152.30 feet (measured perpendicularly) northwesterly from said northwesterly line of North Leavitt Street and which forms an angle (measured in the westward quadrant) of 89 degrees, 48 minutes, 20 seconds with said southwesterly line of North Elston Avenue for the point of beginning; thence southwestwardly along the last above described straight line, a distance of 68.99 feet to said point which is 393.96 feet southwesterly of North Elston Avenue; thence southwestwardly and westwardly along the arc of a circle having a radius of 385.50 feet convex southerly and tangent to the above described straight line, a distance of 476.34 feet to its intersection with the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company; thence southeastwardly along said right-of-way of line a distance of 318.19 feet to a line parallel with and 100.00 feet northwesterly of, as measured at right angles to, said northwesterly line of North Leavitt Street; thence northeastwardly along said parallel line, a distance of 402.34 feet to said Line A; thence northwesterly, along said Line A, 51.16 feet to the point of

beginning, in Cook County, Illinois,

to the designation of Business Planned Development Number 752, 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 Statements referred to in this ordinance read as follows:

*Business Planned Development Number 752, As Amended.*

*Plan Of Development Statements.*

1. The area delineated herein as Business Planned Development Number 752, as amended, consists of approximately three hundred seventy-eight thousand nine hundred seventy-two (378,972) square feet (eight and seven-tenths (8.7) 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 of 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, then to the owners of record title to all of the property and to 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. An agreement among property owners or a covenant binding property owners may designate the authorized party for any future amendment, modification or change.

4. This Plan of Development consists of fourteen (14) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Site Plan; Landscape Plan; and Building Elevations prepared by Greenberg Farrow Architects dated November 16, 2000. Full size sets of the Site Plan, Landscape Plan and Building Elevations 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 zoning controls shall apply.
5. The following uses shall be permitted within the area delineated herein as "Business Planned Development": all uses permitted in the C3-1 Commercial-Manufacturing District, except dwelling units and lodging rooms; hotels and motels; adult uses; automobile, battery and tire stations (unless said uses are ancillary to a primary retail use); and crematories, which shall not be permitted.
6. Business identification signs shall be permitted within the Planned Development subject to the review and approval 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 Department of Planning and Development.
7. Ingress and egress shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic, and the Department of Planning and Development. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. Subject to approval by the Chicago Department of Transportation, the applicant shall install at its own expense a traffic signal on Elston Avenue at the location depicted on the Site Plan.

8. In addition to the maximum height of the building and any appurtenance thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
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 substantial conformance with the Site Plan, Landscape Plan and Building Elevations and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.
11. 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 minor, appropriate and 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.
12. 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 the 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.
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 (M.O.P.D.) to ensure compliance with all applicable laws and regulations related to

access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 11.11-3(b) of the Chicago Zoning Ordinance until the Director of M.O.P.D. has approved detailed construction drawings for each building or improvement.

- 14. Unless substantial construction has commenced within six (6) years following adoption of this Planned Development, and unless completion is thereafter diligently pursued, then this Planned Development shall expire. 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 M2-3 General Manufacturing District.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; Building Elevation Drawing; Sign Drawing; and Future Entrance Alignment Drawing referred to in these Plan of Development Statements printed on pages 48522 through 48529 of this Journal.]

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

*Business Planned Development Number 752, As Amended.*

*Bulk Regulations And Data Table.*

Net Site Area	Maximum Floor Area Ratio	Maximum Percent Of Site Coverage
378,972 square feet (8.7 acres)	0.50	Per Landscape Plan

Gross Site Area = Net Site Area, 378,972 square feet (8.7 acres) + Area in Public Way, 14,501 square feet (0.33 acres) = 393,473 square feet (9.03 acres).

Maximum Floor Area Ratio  
for Total Net Site Area:

0.50.

Minimum Required Off-Street  
Parking Spaces:

501 (plus 32 spaces in north access  
easement area).

Minimum Number of Off-Street  
Loading Berths:

4 at 10 feet, 0 inches by 50 feet, 0  
inches.

Maximum Percent of Site  
Coverage:

Per Site Plan.

Minimum Required Building  
Setbacks:

Per Site Plan.

Maximum Permitted Building  
Height:

Per Building Elevations.

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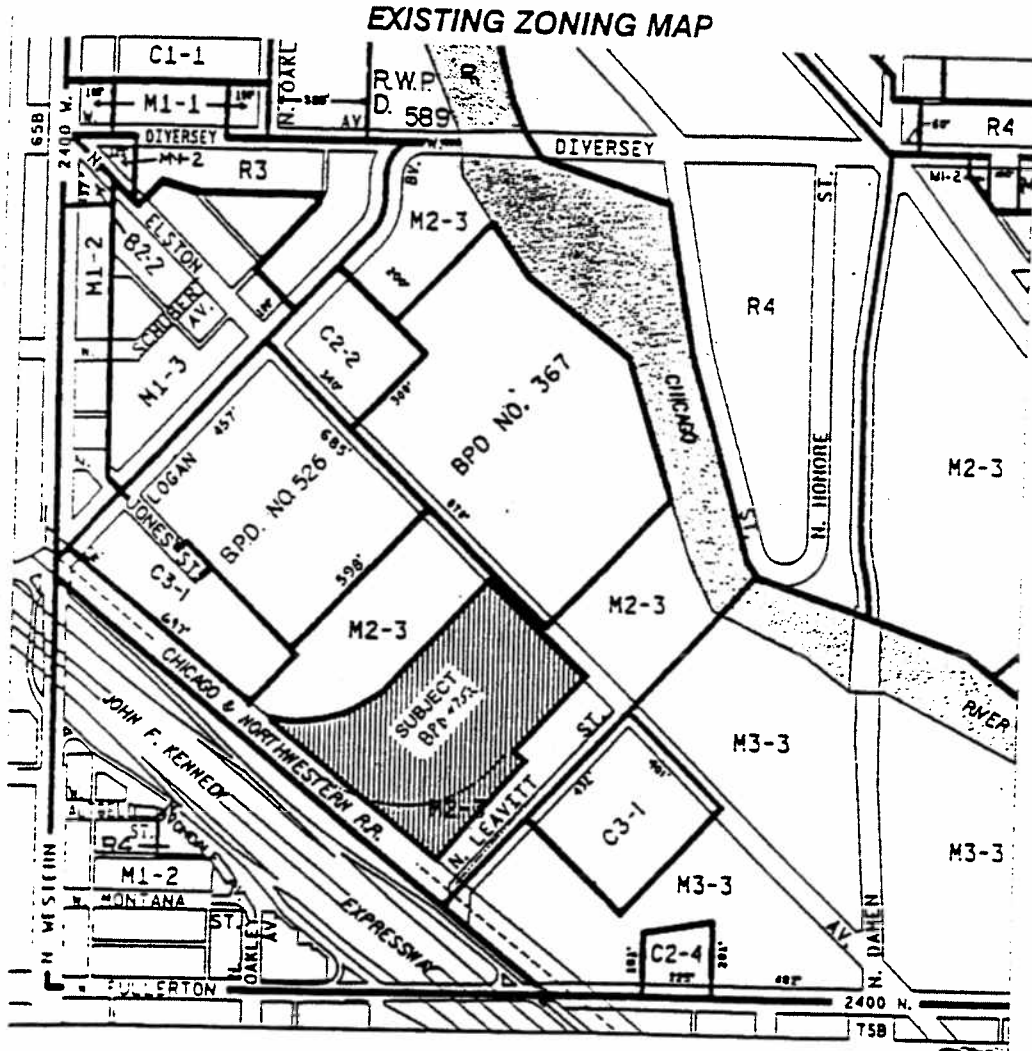
AMENDMENT OF TITLE 17 OF MUNICIPAL CODE OF  
CHICAGO (CHICAGO ZONING ORDINANCE)  
BY RECLASSIFICATION OF  
PARTICULAR AREAS.

(Committee Meeting Held November 21, 2000)

The Committee on Zoning submitted the following report:

(Continued on page 48530)

Existing Zoning Map.



**RESIDENCE DISTRICTS**  
 R1 GENERAL RESIDENCE DISTRICT  
 R2 GENERAL RESIDENCE DISTRICT

**BUSINESS DISTRICTS**  
 B1 RESTRICTED RETAIL DISTRICTS

**COMMERCIAL DISTRICTS**  
 C1-1 GENERAL COMMERCIAL DISTRICTS  
 C2-2 GENERAL COMMERCIAL DISTRICTS  
 C3-1 COMMERCIAL MANUFACTURING DISTRICTS  
 BPD NO 326 COMMERCIAL BPD

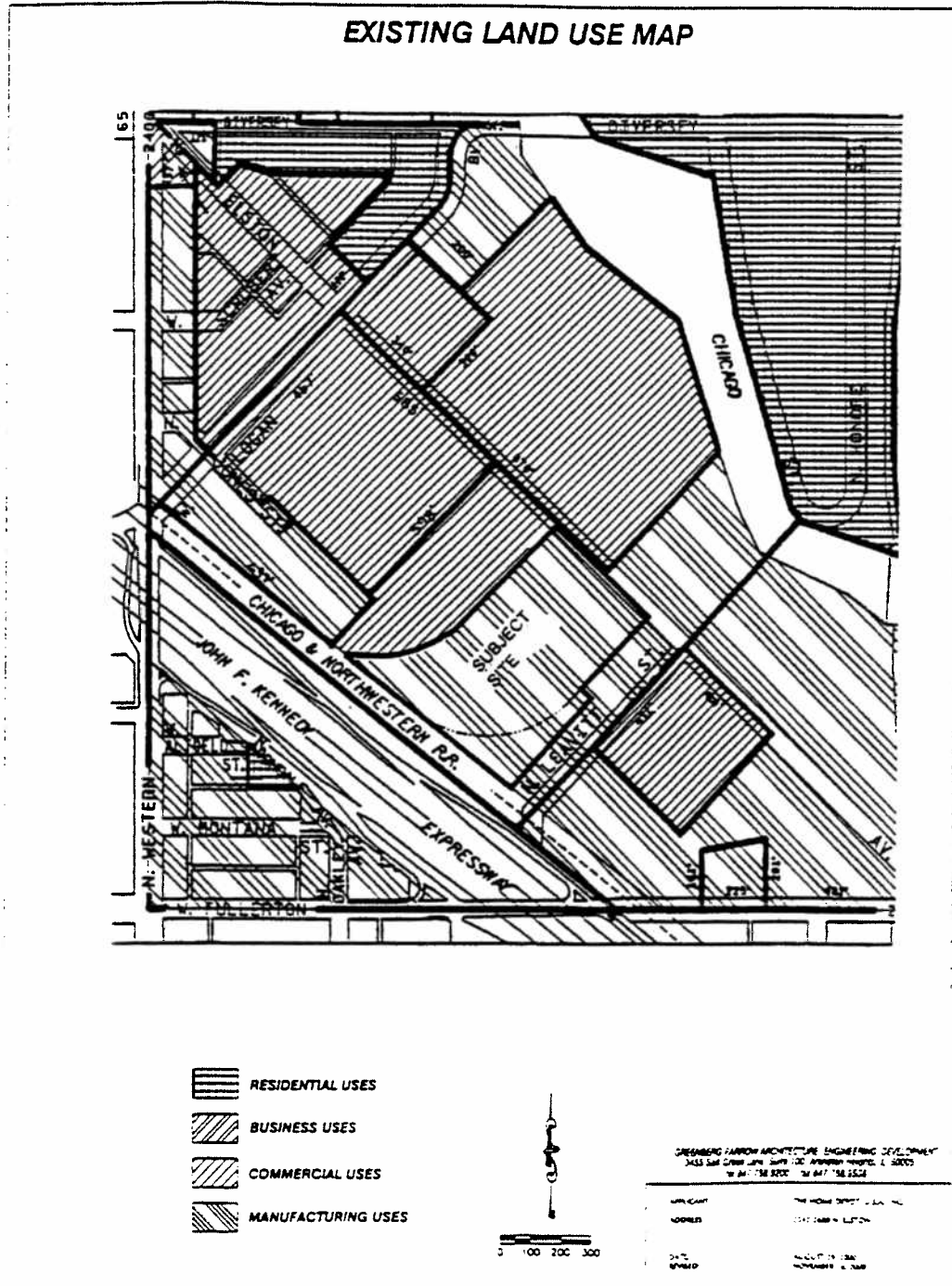
**MANUFACTURING DISTRICTS**  
 M1-2 & 3 RESTRICTED MANUFACTURING DISTRICTS  
 M2-3 GENERAL MANUFACTURING DISTRICTS  
 M3-3 HEAVY MANUFACTURING DISTRICTS  
 BPD NO 367 COMMERCIAL BPD



SPENBERG FARROW ARCHITECTURE ENGINEERING DEVELOPMENT  
 3433 AND COLUMBIA AVENUE, CHICAGO, ILLINOIS 60654  
 TEL: 773.232.0000 FAX: 773.232.0000

DATE: 12/13/2000  
 DRAWN BY: [illegible]

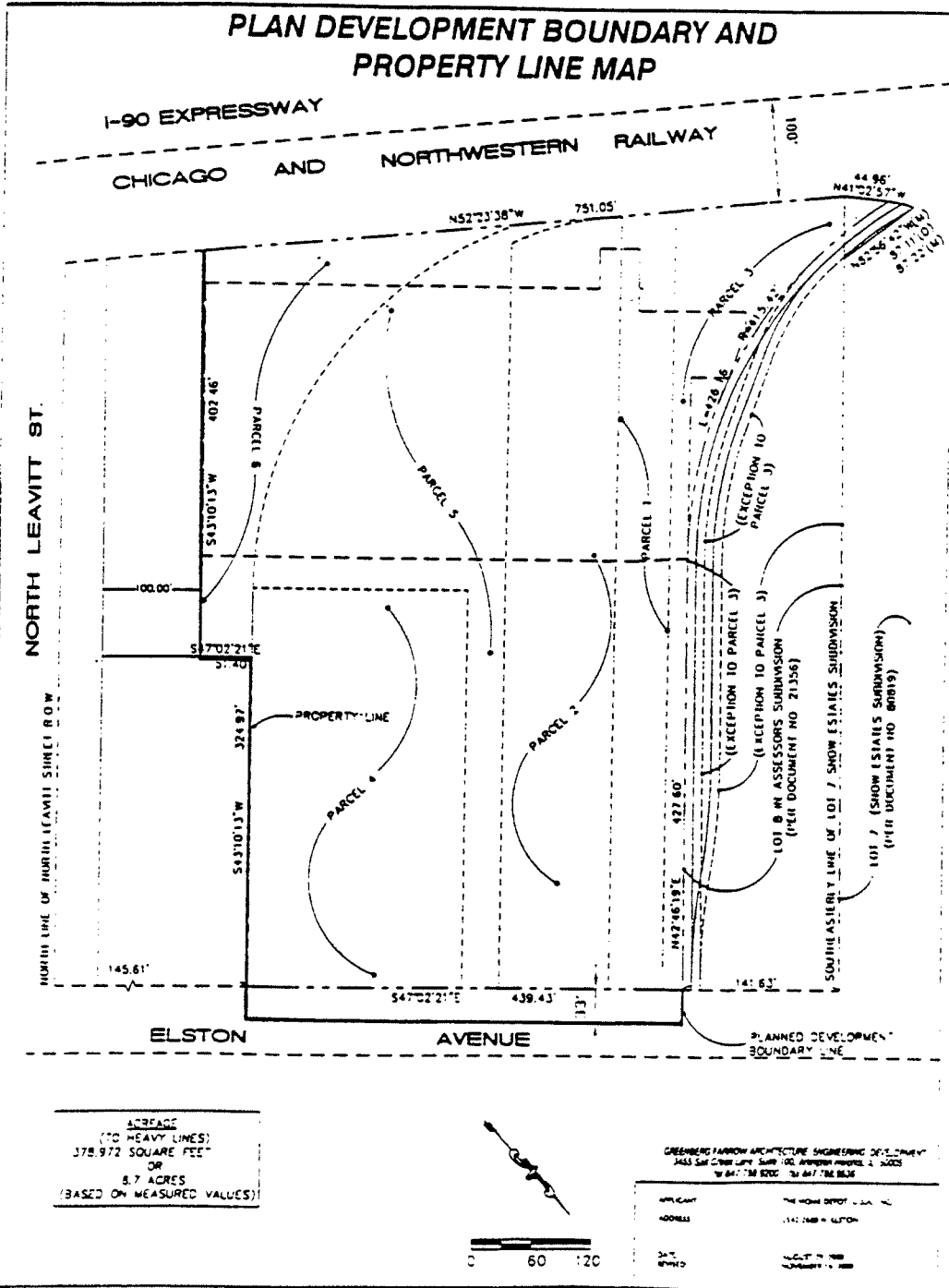
Existing Land-Use Map.



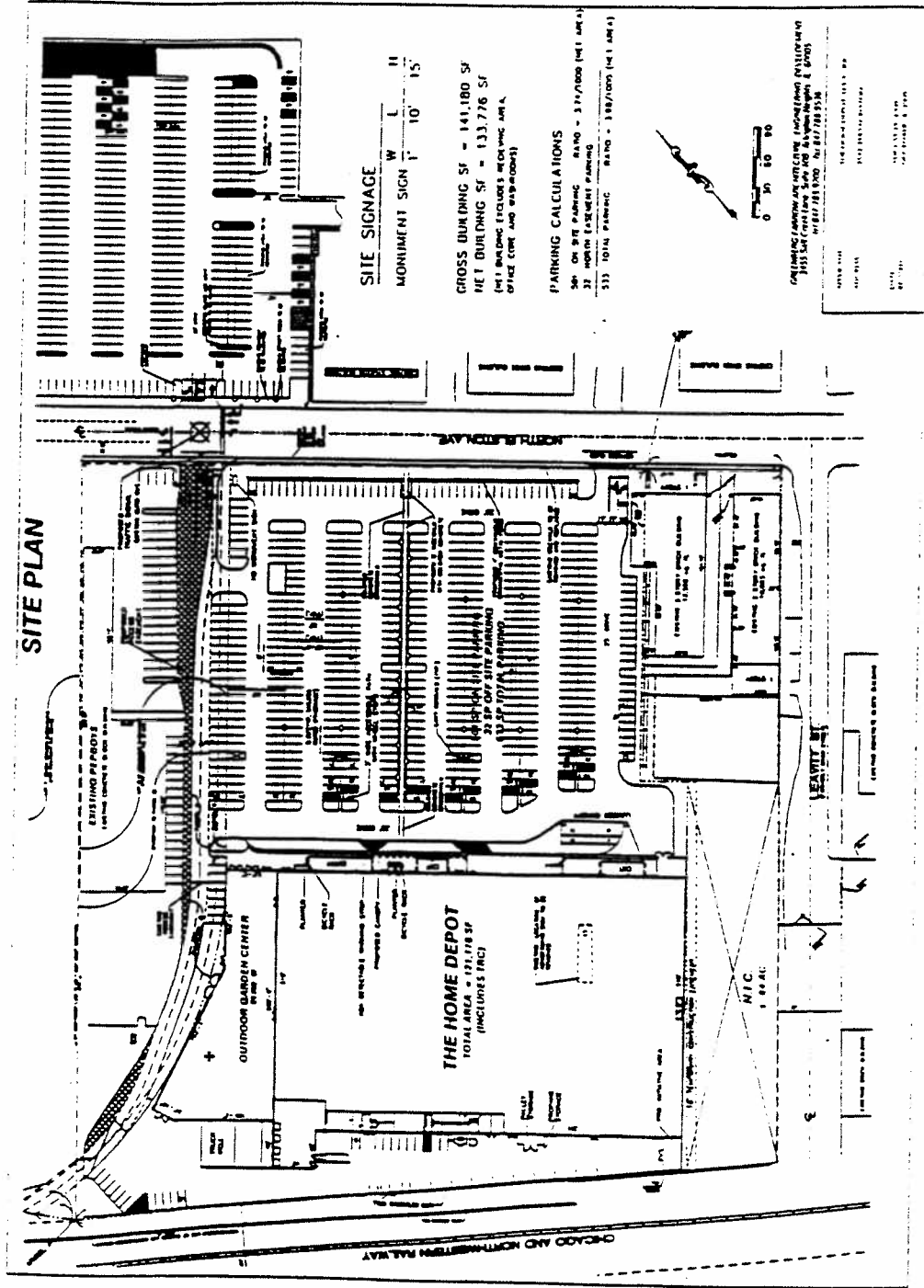
DREIBERG PARTNER ARCHITECTURE ENGINEERING DEVELOPMENT  
3455 S. CALIFORNIA SUITE 100 ANHEIM CALIF. 92805  
TEL 714 758 8200 FAX 714 758 1522

DATE: 11/13/00  
BY: [Signature]

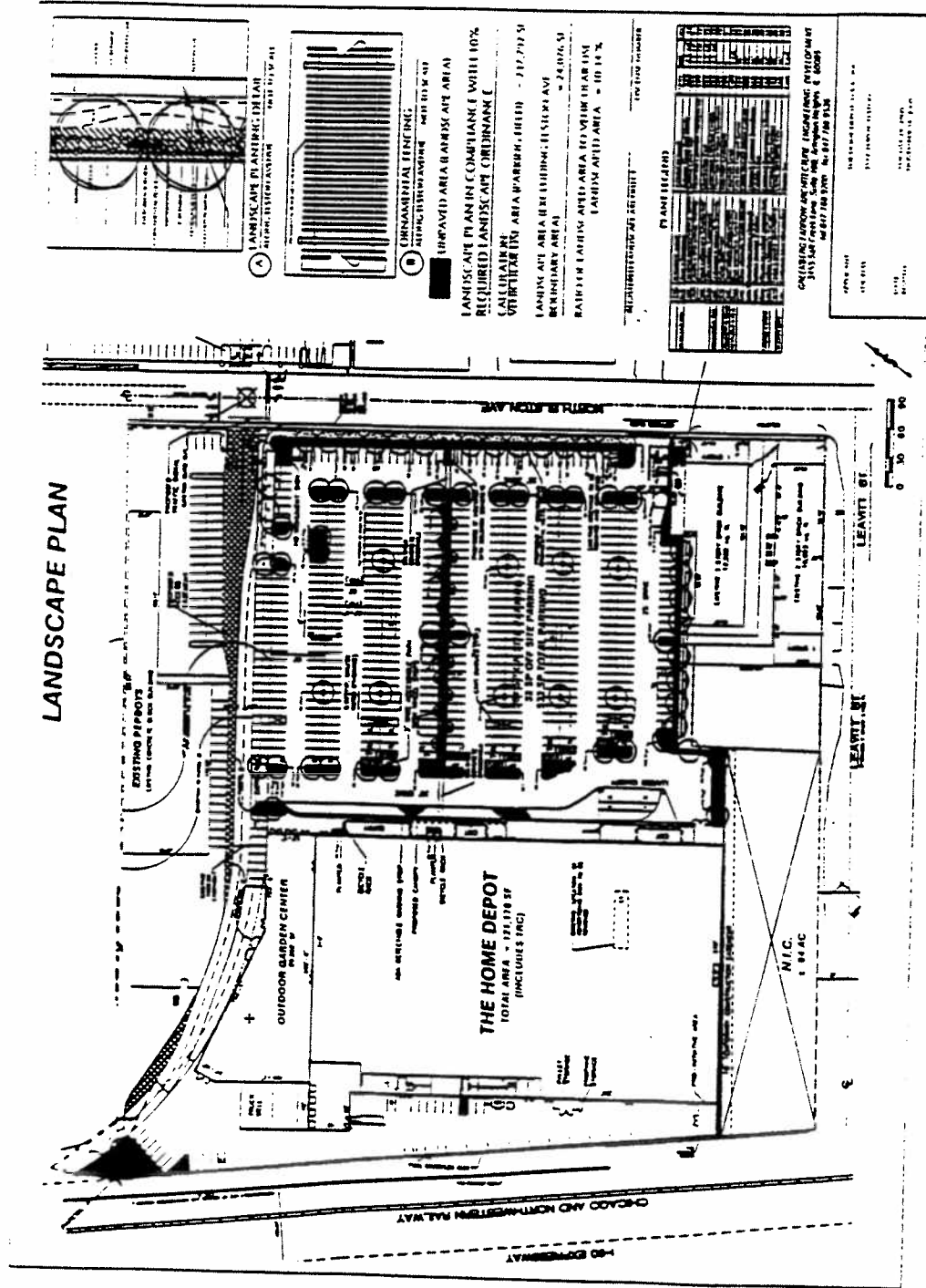
Planned Development Boundary  
And Property Line Map.



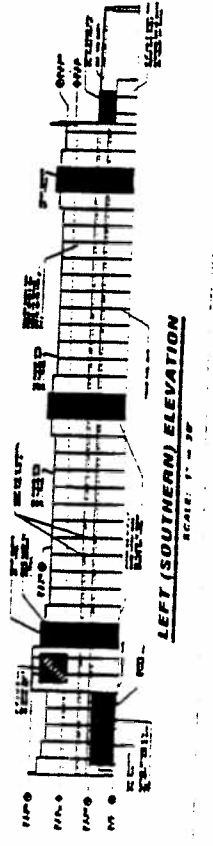
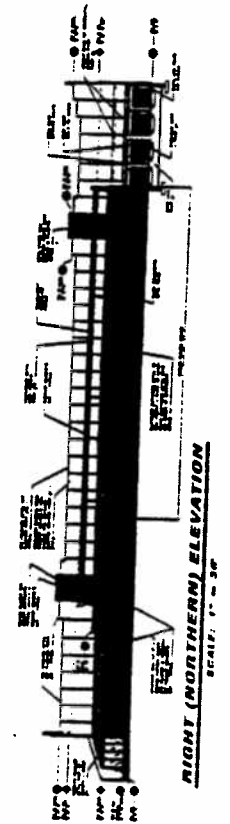
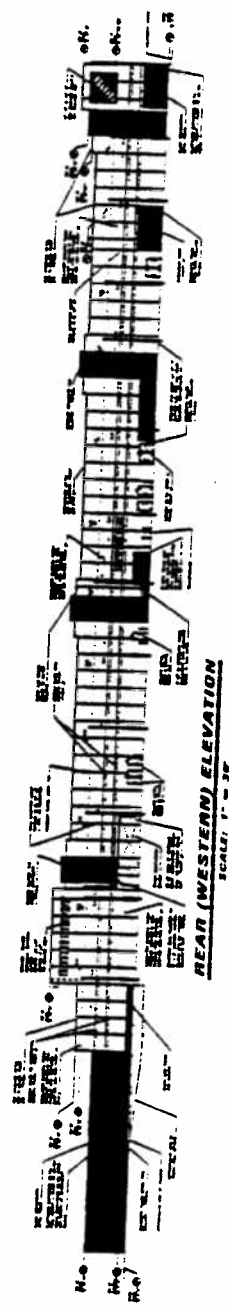
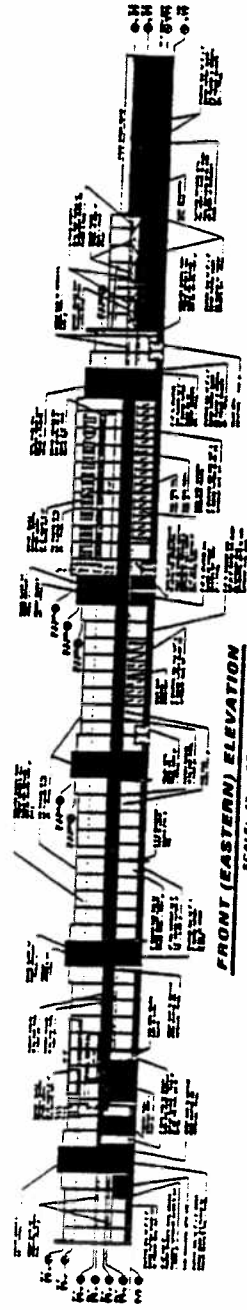
Site Plan.



Landscape Plan.



Building Elevations.



LEGEND

1	CONCRETE
2	BRICK
3	GLASS
4	WOOD
5	ROOF
6	FOUNDATION
7	MECHANICAL
8	ELECTRICAL
9	PLUMBING
10	PAINT
11	FINISH
12	LANDSCAPE
13	UTILITIES
14	STRUCTURE
15	MECHANICAL
16	ELECTRICAL
17	PLUMBING
18	PAINT
19	FINISH
20	LANDSCAPE
21	UTILITIES
22	STRUCTURE
23	MECHANICAL
24	ELECTRICAL
25	PLUMBING
26	PAINT
27	FINISH
28	LANDSCAPE
29	UTILITIES
30	STRUCTURE

OFFICE OF ARCHITECTURE (ARCHITECTURE DIVISION)  
 375 SOUTH BROADWAY, SUITE 100  
 NEW YORK, NY 10013-0001  
 TEL: 212-312-2000 FAX: 212-312-2001

DATE: 12/13/2000  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 IN CHARGE: [Name]

Sign Drawing.

PROJECT: HOME DEPOT  
Elston Ave., Chicago, IL

CUSTOMER APPROVAL:

AUTHORIZED SIGNATURE

DATE

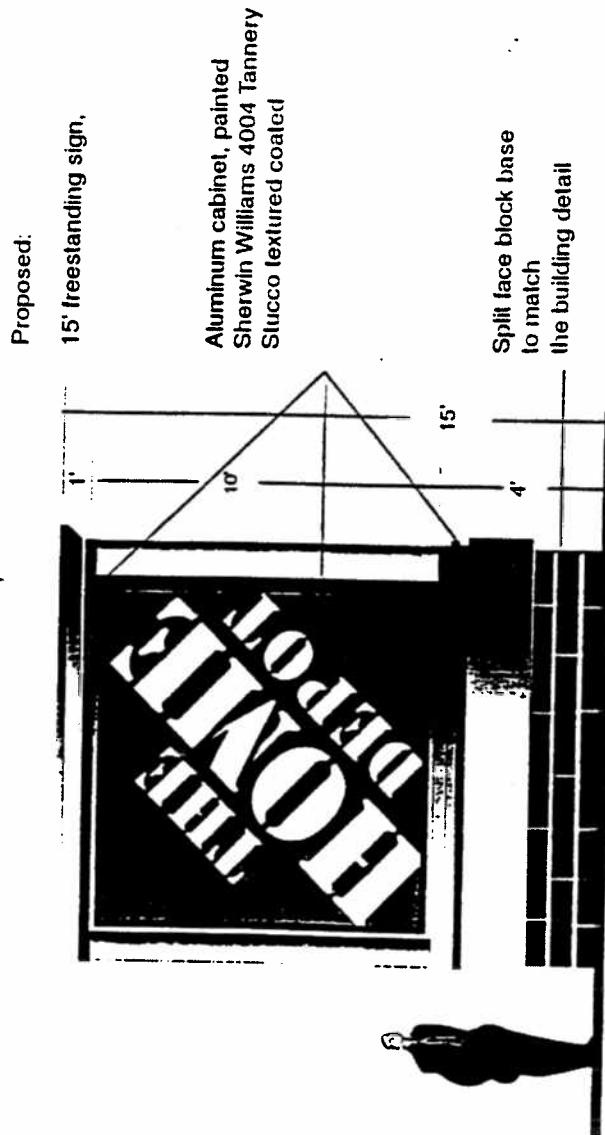
REVISIONS:  
11-3-00

REPRESENTATIVE:  
LINDA / MAC  
630-377-0070

DRAWN BY: LINDA  
DRAWING #00-9018

DATE: May 2, 2000  
Scale: 1/4" = 1'

**GRATE  
SIGNS**





AMENDMENT OF TITLE 17 OF MUNICIPAL CODE OF CHICAGO  
(CHICAGO ZONING ORDINANCE) BY RECLASSIFICATION  
OF AREA SHOWN ON MAP NUMBER 7-H.

(As Amended)  
(Application Number 12957)

BPD No 752

(Committee Meeting Held June 27, 2000)

The Committee on Zoning submitted the following report:

CHICAGO, August 30, 2000.

*To the President and Members of the City Council:*

Reporting for your Committee on Zoning, for which a meeting was held on June 27, 2000, I beg leave to recommend that Your Honorable Body *Pass* one ordinance transmitted herewith for the purpose of reclassifying a particular area. This matter is referred to as Application Number 12957 and was corrected and amended in its amended form.

Please let the record reflect that I, William J. P. Banks, abstained from voting and recused myself on Application Number 12957 under the provisions of Rule 14 of the City Council's Rules of Order and Procedure.

Again, please let the record reflect that I abstain from voting on Application Number 12957 under the provisions of Rule 14 of the City Council's Rules of Order and Procedure.

Respectfully submitted,

(Signed) WILLIAM J. P. BANKS,  
*Chairman.*

On motion of Alderman Banks, the said proposed ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

*Yeas* -- Aldermen Granato, Haithcock, Tillman, Preckwinkle, Hairston, Lyle, Beavers, Dixon, Beale, Pope, Balcer, Frias, Burke, T. Thomas, Coleman, L. Thomas, Murphy, Rugai, Troutman, DeVille, Munoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Carothers, Wojcik, Suarez, Matlak, Mell, Austin, Colom, Mitts, Allen, Laurino, O'Connor, Doherty, Natarus, Daley, Levar, Schuler, M. Smith, Moore, Stone -- 46.

*Nays* -- None.

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

Alderman Banks invoked Rule 14 of the City Council's Rules of Order and Procedure, disclosing that a consultant of the applicant was a client on a non-related, non-municipal case.

The following is said ordinance as passed:

*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 symbols and indications as shown on Map Number 7-H in the area bounded by:

Parcel 1:

Lot 8 (except that part thereof falling in North Elston Avenue) in Snow Estate Subdivision by the Superior Court in partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian; and the east half of the northeast quarter (except the south 20 acres thereof) of Section 25, Township 40 North, Range 13, East of the Third Principal Meridian; together with that part of the southwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian; lying north and east of the north branch of the Chicago River; together with Lots 2, 3, 4, 6, 7, 9 and 11 in the Assessors Division of that part of the southwest quarter of Section 30 aforesaid; lying between railroad and river according to the plat of said Snow Estate Subdivision recorded January 29, 1873 in Book 3 of plats, page 91, in Cook County, Illinois.

Parcel 2:

Lot 10 in Assessor's Subdivision of that part of the southwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian; lying south and west of the north branch of Chicago River and north and east of the right-of-way of

the Chicago and Northwestern Railway; together with that part of Lot 9 in the Snow Estate Subdivision in said southwest quarter of Section 30 aforesaid, described as follows:

beginning at the southeast corner of Lot 10 in Assessor's Subdivision in said southwest quarter of fractional Section 30 aforesaid; thence southeasterly on the northeasterly line of Lot 9 aforesaid; being also the centerline of Elston Avenue, 18.99 feet; thence southwesterly on a straight line at right angles to the centerline of said Elston Avenue, 789.19 feet to the northeasterly line of right-of-way of Chicago and Northwestern Railway Company; thence northwesterly on said right-of-way line, 11.20 feet to the southwest corner of Lot 10 in Assessor's Subdivision aforesaid; thence northeasterly on the southeasterly line of said Lot 10, 790.28 feet to point of beginning (excepting therefrom the part of Lot 10 aforesaid and Lot 9 aforesaid described as follows:

beginning at the southwest corner of the last described tract; thence northwesterly on the northeasterly line of right-of-way of the Chicago and Northwestern Railway Company, 100 feet; thence southeasterly on a curve tangent to said right-of-way and convex to southwest, with a radius of 324 feet to its intersection with the southeasterly line of the property last above described; and thence southwesterly on the southeasterly line of said property 16.5 feet more or less to point of beginning; and excepting from Lot 10 aforesaid and the aforesaid part of Lot 9 those parts thereof falling in Elston Avenue); in Cook County, Illinois.

Parcel 3:

Lot 8 in Assessor's Subdivision of part of the southwest quarter of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian; lying south and west of the north branch of the Chicago River together with the part of Lot 7 in Snow Estate Subdivision by the Superior Court in partition of with other property, Lots 2, 3, 4, 6, 7, 9 and 11 in Assessor's Subdivision aforesaid described as follows:

beginning at the intersection of the southeasterly line of said Lot 7 with the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company; thence northeasterly along the southeasterly line of said Lot 7, 61.19 feet; thence westerly at an angle of 54 degrees, 36 minutes to the southeasterly line of said Lot 7, 87.11 feet more or less, to the southwesterly line of the property conveyed to Chicago Telephone Company by deed from Virgil Brand, dated June 30, 1905 and recorded July 1, 1905 as Document 3718660; thence southeasterly along the southwesterly line of the property so conveyed to Chicago Telephone Company by Virgil Brand to the point of beginning; part of said Lot 8 in Assessor's Subdivision and said part of Lot 7 in Snow Estate Subdivision being taken as a

tract (except from said tract that part thereof falling in North Elston Avenue; also except from said tract a strip of land 18 feet wide, lying 9 feet on each side of a centerline described as follows:

beginning at a point on the southwesterly line of North Elston Avenue, which is 150.63 feet southeasterly from the point of intersection of said southwesterly street line with the northwesterly line of said Lot 8 in Assessor's Subdivision and running thence southwestwardly along a straight line, a distance of 10 feet to a point 150.58 feet, measured perpendicularly southeasterly from said northwesterly line of Lot 8; thence southwestwardly along the arc of a circle having a radius of 603.81 feet and convex southeasterly, a distance of 104.38 feet to a point 141.06 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 13.89 feet, measured perpendicularly southwesterly from said southwesterly street line; thence southwestwardly along the arc of a circle having a radius of 603.81 feet and convex northwesterly, a distance of 104.38 feet to a point 131.55 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 217.78 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence southwestwardly along a straight line, a distance of 209.54 feet to a point 130.51 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence southwestwardly along that arc of a circle having a radius of 388.42 feet and convex southeasterly a distance of 134.90 feet to a point 106.62 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 559.57 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence southwestwardly along a straight line, a distance of 75.17 feet to a point 80.69 feet measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence westwardly along the arc of a circle having a radius of 240.49 feet and convex southerly, a distance of 113.05 feet to a point 18.62 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8 and 724.10 feet, measured perpendicularly, southwesterly from said southwesterly street line; thence westwardly along the arc of a circle having a radius of 406.42 feet and convex southerly, a distance of 96.08 feet to a point on the westerly line of the above described tract, which point is 58.79 feet, measured perpendicularly, northwesterly from said northwesterly line of Lot 8 and 12.42 feet, measured perpendicularly, northeasterly from the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company; said strip of land 18 feet wide being Parcel "A" described in deed recorded as Document 19990220; also except from said tract a strip of land 18 feet wide, lying 9 feet on each side of a centerline described as follows:

beginning at a point on the southeasterly line of North Elston Avenue, which is 150.63 feet southeasterly from the point of intersection of said southwesterly street line with the northwesterly line of said Lot 8 in Assessor's Subdivision

and running thence southwestwardly along a straight line, a distance of 427.63 feet to a point 148.51 feet, measured perpendicularly, southeasterly from said northwesterly line of Lot 8; thence southwestwardly and westwardly along the arc of a circle having a radius of 406.42 feet and convex southerly, a distance of 428.30 feet to a point on the westerly line of the above described tract, which point is 58.79 feet, measured perpendicularly, northwesterly from said northwesterly line of Lot 8 and 12.42 feet, measured perpendicularly, northwesterly from said northwesterly line of Lot 8 and 12.42 feet measured perpendicularly, northeasterly from the northeasterly line of the right-of-way of the Chicago and Northwestern Railway Company; and also except from said tract that part thereof bounded and described as follows:

beginning at the intersection of the northwesterly line of said Lot 8 in Assessor's Subdivision and the southwesterly line of North Elston Avenue; thence south 46 degrees, 20 minutes, 30 seconds east along said line of North Elston Avenue, a distance of 141.63 feet to a point 9.00 feet northwesterly of the centerline of the aforesaid Parcel "A" described in deed recorded as Document 19990220; thence southwesterly along a line 9.00 feet northwesterly of and parallel with the centerline of said Parcel "A" with the following course and distances; thence south 43 degrees, 28 minutes, 26 seconds west, a distance of 10.03 feet; thence southwesterly along a curve convex to the southeast, having a radius of 594.81 feet, a distance of 102.83 feet; thence southwesterly along a curve convex to the northwest, having a radius of 612.81 feet, a distance of 105.73 feet; thence south 43 degrees, 28 minutes, 29 seconds west, a distance of 209.54 feet; thence southwesterly along a curve convex to the southeast, having a radius of 379.42 feet, a distance of 131.95 feet; thence south 63 degrees, 21 minutes, 59 seconds west, a distance of 75.17 feet; thence southwesterly along a curve convex to the southeast, having a radius of 231.49 feet, a distance of 108.83 feet; thence southwesterly along a curve convex to the southeast, having a radius of 397.42 feet, a distance of 16.72 feet to a point in the northwesterly line of said Lot 8; thence north 43 degrees, 11 minutes, 15 seconds east, along the northwesterly line of said Lot 8, a distance of 728.79 feet to the point of beginning), in Cook County, Illinois.

Parcel 4:

A part of Lots 9 and 10 in Snow Estate Subdivision by Superior Court in partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian (except the south 20 acres thereof); also that part of the southwest quarter of Section 30 lying north and east of the north branch of the Chicago River; also Lots 2, 3, 4, 6, 7, 9 and 11 in Assessor's Division of that part of the southwest quarter of Section 30 lying between the railroad and the river;

also part of Lot 10 in Assessor's Division of part of the southwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, which part is described as follows:

beginning at a point on the southwesterly line of North Elston Avenue which is 145.61 feet northwesterly from the point of intersection of said southwesterly street line with the northwesterly line of North Leavitt (formerly Snow) Street and running thence northwestwardly along said southwesterly line of North Elston Avenue a distance of 215.39 feet to a point 361 feet northwesterly from the above mentioned point of intersection of said lines of North Elston Avenue and North Leavitt Street; thence southwestwardly along the southeasterly face of the remains of a brick wall a distance of 234.50 feet; thence southeastwardly, parallel with and distant 234.50 feet southwesterly from said southwesterly line of North Elston Avenue, a distance of 214.49 feet to a point which is 149.59 feet (measured perpendicularly) northwesterly from said northwesterly line of North Leavitt Street, and which is also on a straight line drawn from the point of beginning of this description to a point which is 393.96 feet southwesterly from said point of beginning and 152.30 feet (measured perpendicularly) northwesterly from said northwesterly line of North Leavitt Street; and thence northeastwardly along the above mentioned straight line, which forms an angle (measured in the westward quadrant) of 89 degrees, 48 minutes, 20 seconds with the preceding course of this description, a distance of 234.50 feet to the point of beginning.

Parcel 5:

That part of Lots 9 and 10 in Snow Estate Subdivision by Superior Court in the partition of the east half of the northwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, with the part of the southwest quarter of Section 30 lying north and east of the north branch of the Chicago River, and Lots 2, 3, 4, 6, 7, 9 and 11 in the Assessor's Division of the part of the southwest quarter of Section 30 lying between the railroad and the river, and also of that part of Lot 10 in Assessor's Division of part of the southwest quarter of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, described as follows:

commencing at a point in the westerly line of North Elston Avenue 361 feet northerly from the northerly line of Snow Street; thence westerly along the southeasterly face of a brick wall a distance of 234.50 feet; running thence southerly parallel with and 234.50 feet westerly from said westerly line of North Elston Avenue a distance of 214.49 feet; running thence westerly along a line forming a northwesterly angle of 89 degrees, 43 minutes, 20 seconds with the last described line a distance of 159.46 feet to a point; running thence on a curved line, tangent to the last described course and convex to the southwest with a

radius of 335.50 feet, a distance of 476.34 feet to its intersection with the easterly line of the right-of-way of the Chicago Northwestern Railroad Company; running thence northerly along the easterly line of said right-of-way a distance of 92.01 feet to a point; running thence southerly on a curved line, tangent to said right-of-way and convex to the southwest with a radius of 324 feet, a distance of 103.26 feet to its intersection with a line, said line being described as drawn from a point which is 18.99 feet southeasterly in the center of North Elston Avenue from the northeasterly corner of Lot 9 of Snow Estate Subdivision aforesaid to a point in the easterly line of the right-of-way of the Chicago and Northwestern Railroad Company, 11.20 feet southeasterly from the northwesterly corner of said Lot 9; running thence northeasterly along the last mentioned line 740.02 feet to the westerly line of North Elston Avenue; running thence southeasterly along said westerly line of North Elston Avenue 38.41 feet to the place of beginning,

to those of a C3-1 Commercial Manufacturing District and a corresponding use district is hereby established in the area above described.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all the C3-1 Commercial Manufacturing District symbols and indications established in Section 1 above 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 3. This ordinance shall be in force and effect from and after its passage and due publication.

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

*Business Planned Development Number 752.*

*Plan Of Development Statements.*

1. The area delineated herein as a Business Planned Development, consists of approximately three hundred twenty-seven thousand five hundred seventy-five (327,575) square feet (seven and fifty-two hundredths (7.52) 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 of 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, then to the owners of record title to all of the Property and to 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. An agreement among property owners or a covenant binding property owners may designate the authorized party for any future amendment, modification or change.
4. This Plan of Development consists of fourteen (14) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land- Use Map; a Planned Development Boundary and Property Line Map; and a Site Plan, Landscape Plan and Building Elevations prepared by Greenberg Farrow Architects, dated June 15, 2000 and Parking Garage Elevations, prepared by Pappageorge Haymes, dated June 15, 2000. Full size sets of the Site Plan, Landscape Plan and Building Elevations 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 zoning controls shall apply.
5. The following uses shall be permitted within the area delineated herein as "Business Planned Development": all uses permitted in the C3-1 Commercial Manufacturing district, except dwelling units and lodging rooms; hotels and motels; adult uses; automobile, battery and tire stations (unless said uses are ancillary to a primary retail use); and crematories, which shall not be permitted.

6. Business identification signs shall be permitted within the Planned Development subject to the review and approval 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 Department of Planning and Development.
7. Ingress and egress shall be subject to the review and approval of the Department of Transportation Bureau of Traffic, and the Department of Planning and Development. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Chicago Department of Transportation. Subject to approval by the Chicago Department of Transportation, the applicant shall install at its own expense a traffic signal on North Elston Avenue at the location depicted on the Site Plan.
8. In addition to the maximum height of the building and any appurtenance thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
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 substantial conformance with the Site Plan, Landscape Plan and Building Elevations and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. In particular, lighting in the parking lot below the garage deck will be H.I.D. cutoff fixtures with a recessed can, all lighting will be properly shielded, focused downward and will be recessed within the overhead deck base. No prismatic lenses shall be permitted below the overhead deck base.
11. 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 minor, appropriate and 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.

12. 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 the 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.
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 (M.O.P.D.) to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted pursuant to Section 11.11-3(b) of the Chicago Zoning Ordinance until the Director of M.O.P.D. has approved detailed construction drawings for each building or improvement.
14. Unless substantial construction has commenced within six (6) years following adoption of this Planned Development, and unless completion is thereafter diligently pursued, then this Planned Development shall expire. 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 M2-3 General Manufacturing District.

[Existing Zoning Map; Existing Land-Use Map; Planned Development Boundary and Property Line Map; Site Plan; Landscape Plan; Building Elevation Drawings; and Parking Garage Elevation Drawings referred to in these Plan of Development Statements printed on pages 40091 through 40100 of this Journal.]

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

12957

40090

JOURNAL--CITY COUNCIL--CHICAGO

8/30/2000

*Business Planned Development Number 752.*

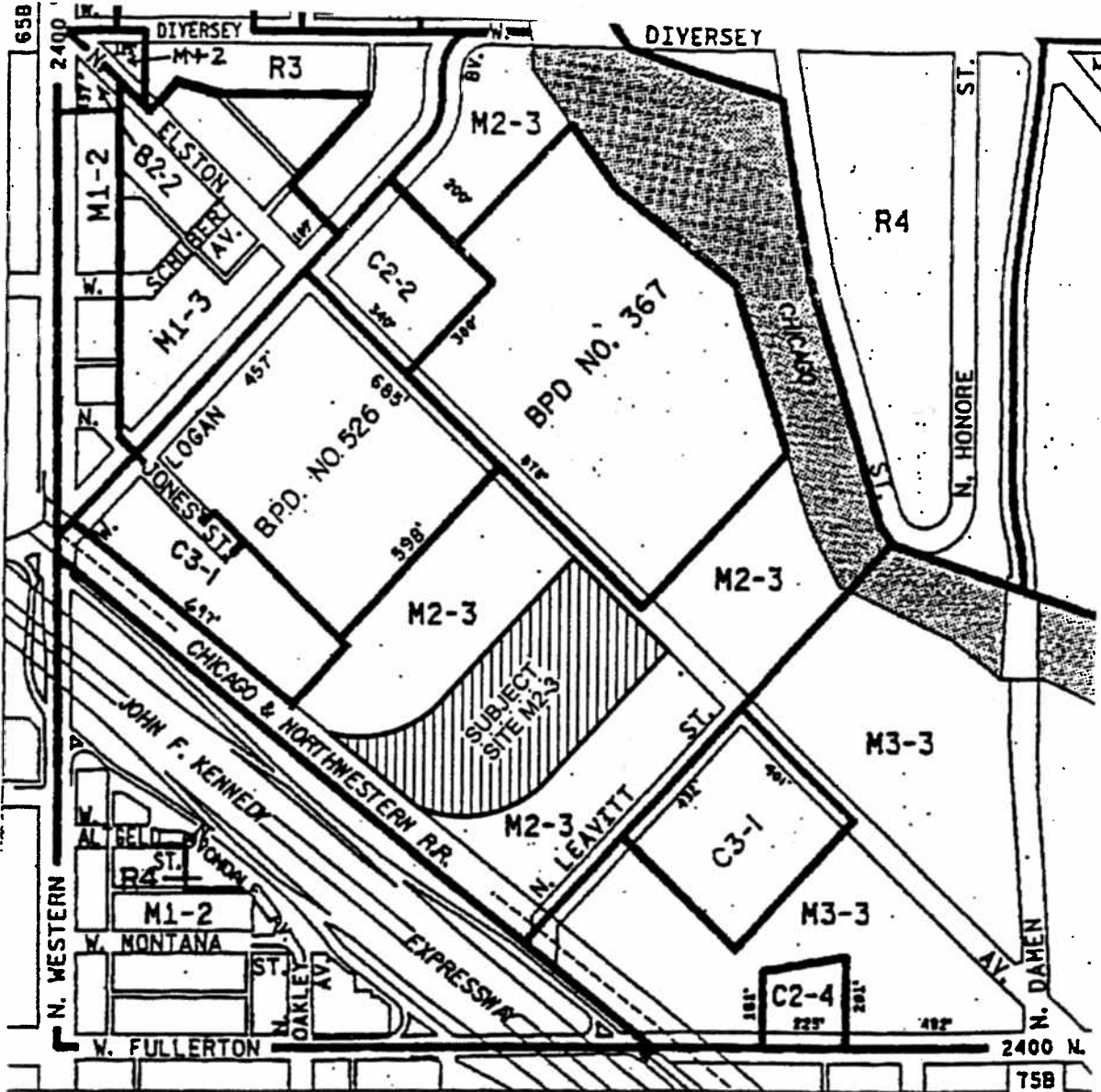
*Bulk Regulations And Data Table.*

<b>Net Site Area Square Feet (Acres)</b>	<b>Maximum Floor Area Ratio</b>	<b>Maximum Percent Of Site Coverage</b>
327,575 square feet (7.52 acres)	0.50	Per Site Plan

Gross Site Area = Net Site Area, 327,575 square feet (7.52 acres) plus Area in Public Way, 14,501 square feet (0.33 acres) = 342,076 square feet (7.85 acres):

<b>Maximum Floor Area Ratio for Total Net Site Area:</b>	0.50.
<b>Minimum Number of Off- Street Parking Spaces:</b>	440.
<b>Minimum Number of Off- Street Loading Berths:</b>	4 at 10 feet, 0 inches by 50 feet, 0 inches.
<b>Maximum Percent of Site Coverage:</b>	Per Site Plan.
<b>Minimum Required Building Setbacks:</b>	Per Site Plan.
<b>Maximum Permitted Building Height:</b>	Per Building Elevations.

Existing Zoning Map.



**RESIDENCE DISTRICTS**

R3 GENERAL RESIDENCE DISTRICT  
R4 GENERAL RESIDENCE DISTRICT

**BUSINESS DISTRICTS**

B2-2 RESTRICTED RETAIL DISTRICTS

**COMMERCIAL DISTRICTS**

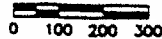
C2-2 GENERAL COMMERCIAL DISTRICTS  
C2-4 GENERAL COMMERCIAL DISTRICTS  
C3-1 COMMERCIAL - MANUFACTURING DISTRICTS  
BPD NO 526 COMMERCIAL BPD

**MANUFACTURING DISTRICTS**

M1-2 & 3 RESTRICTED MANUFACTURING DISTRICTS  
M2-3 GENERAL MANUFACTURING DISTRICTS  
M3-3 HEAVY MANUFACTURING DISTRICTS  
BPD NO 367 COMMERCIAL BPD

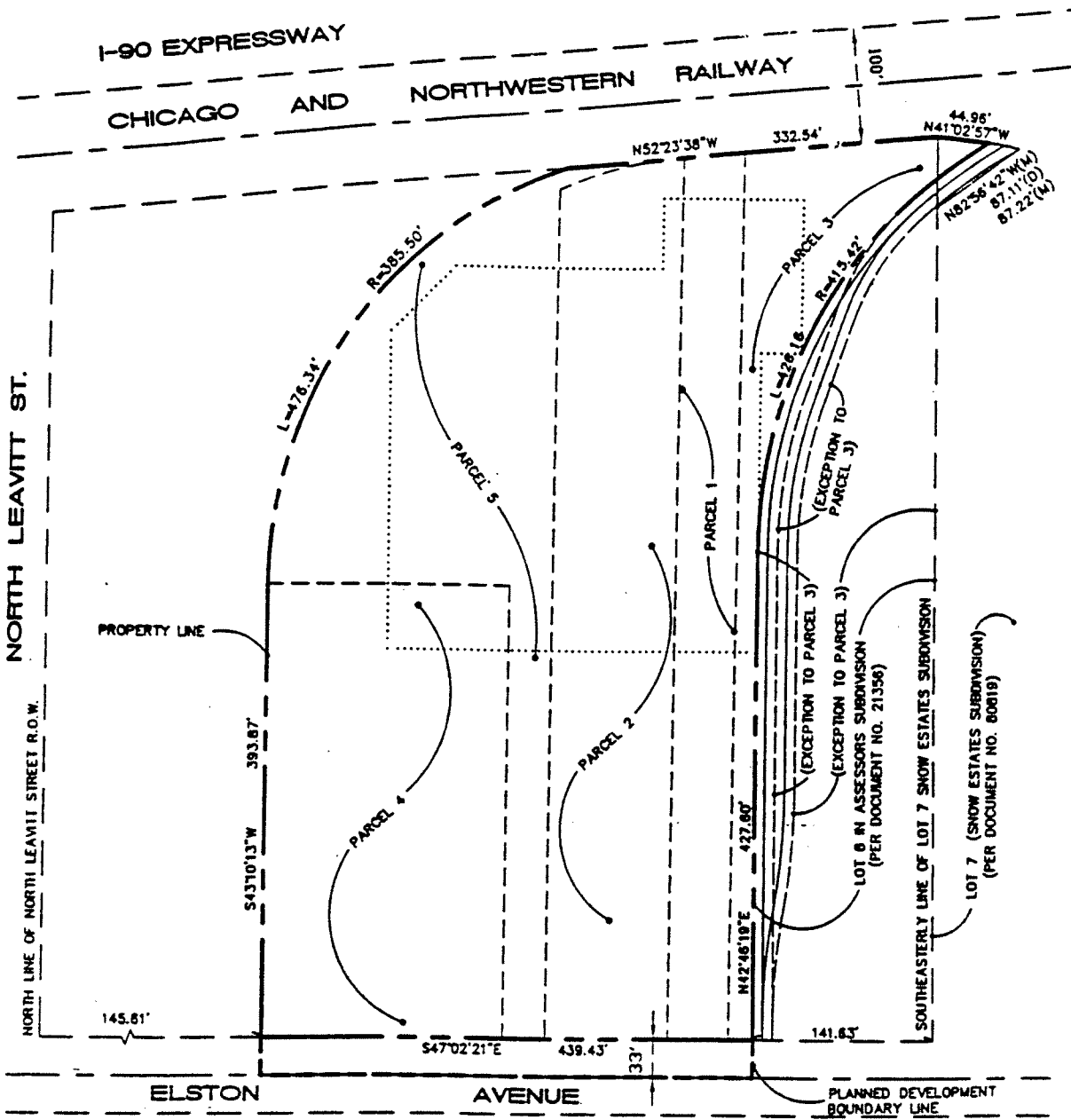
GREENBERG FARRAR ARCHITECTURE ENGINEERING DEVELOPMENT  
3455 SUIR CROSS LANE, SUITE 100, ARBONAS HEIGHTS, E. 06005  
PH 847.708.9200 FAX 847.708.9201

APPLICANT: THE HOME DEPOT, U.S.A., INC.  
ADDRESS: 2542-2680 N. ELSTON  
DATE: JUN. 15, 2000

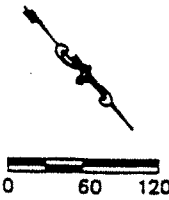




Plan Development Boundary And Property Line Map.



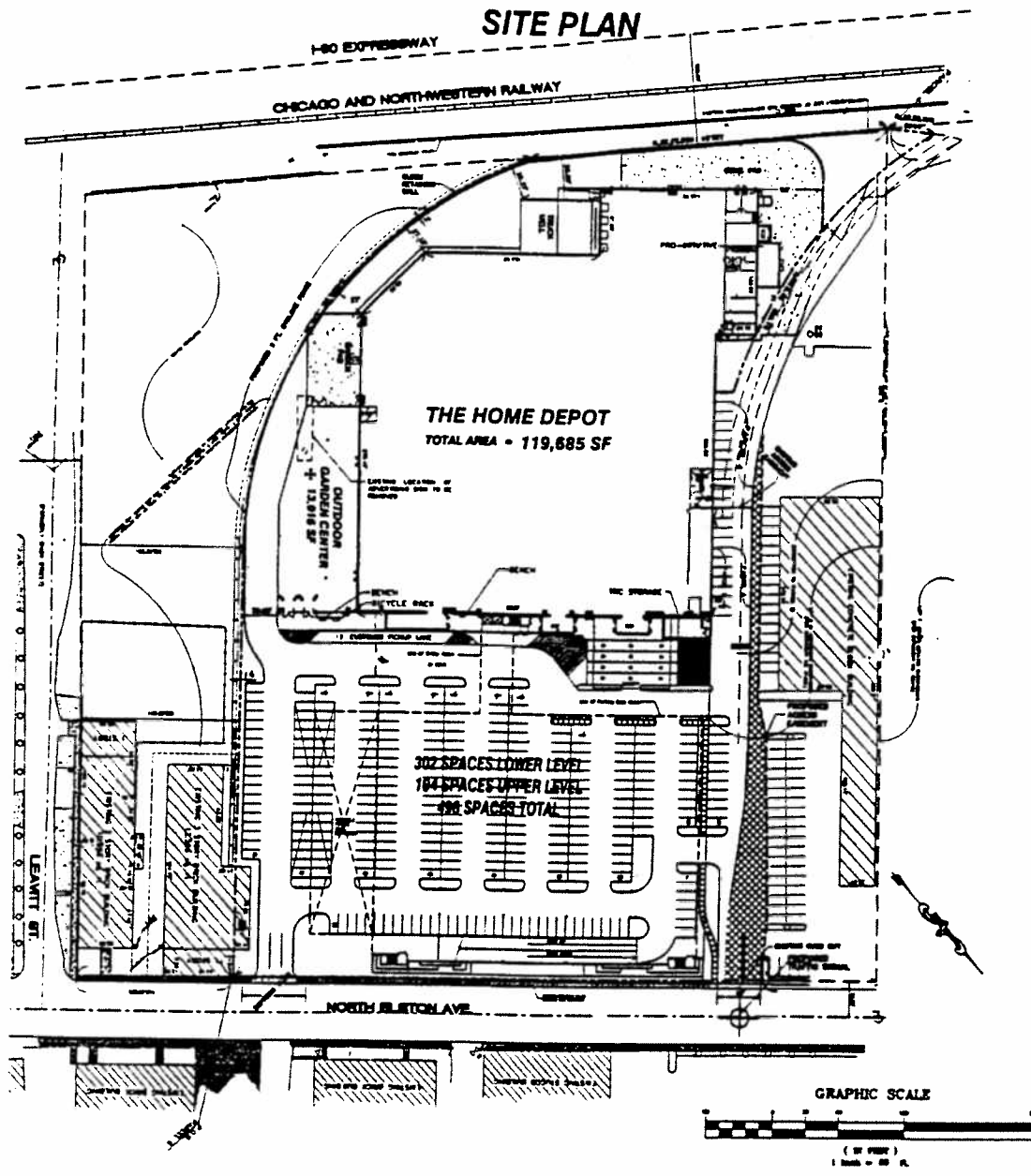
ACREAGE  
 (TO HEAVY LINES)  
 327,575.1021 SQUARE FEET  
 OR  
 7.5156 ACRES  
 (BASED ON MEASURED VALUES)



GREENBERG FARRON ARCHITECTURE ENGINEERING DEVELOPMENT  
 2453 Oak Creek Lane, Suite 140, Arlington Heights, IL 60005  
 Tel 847.798.8800 Fax 847.798.9538

APPLICANT: THE HOME DEPOT, U.S.A., INC.  
 ADDRESS: 2542-2680 N. ELSTON  
 DATE: JUNE 15, 2000

Site Plan.

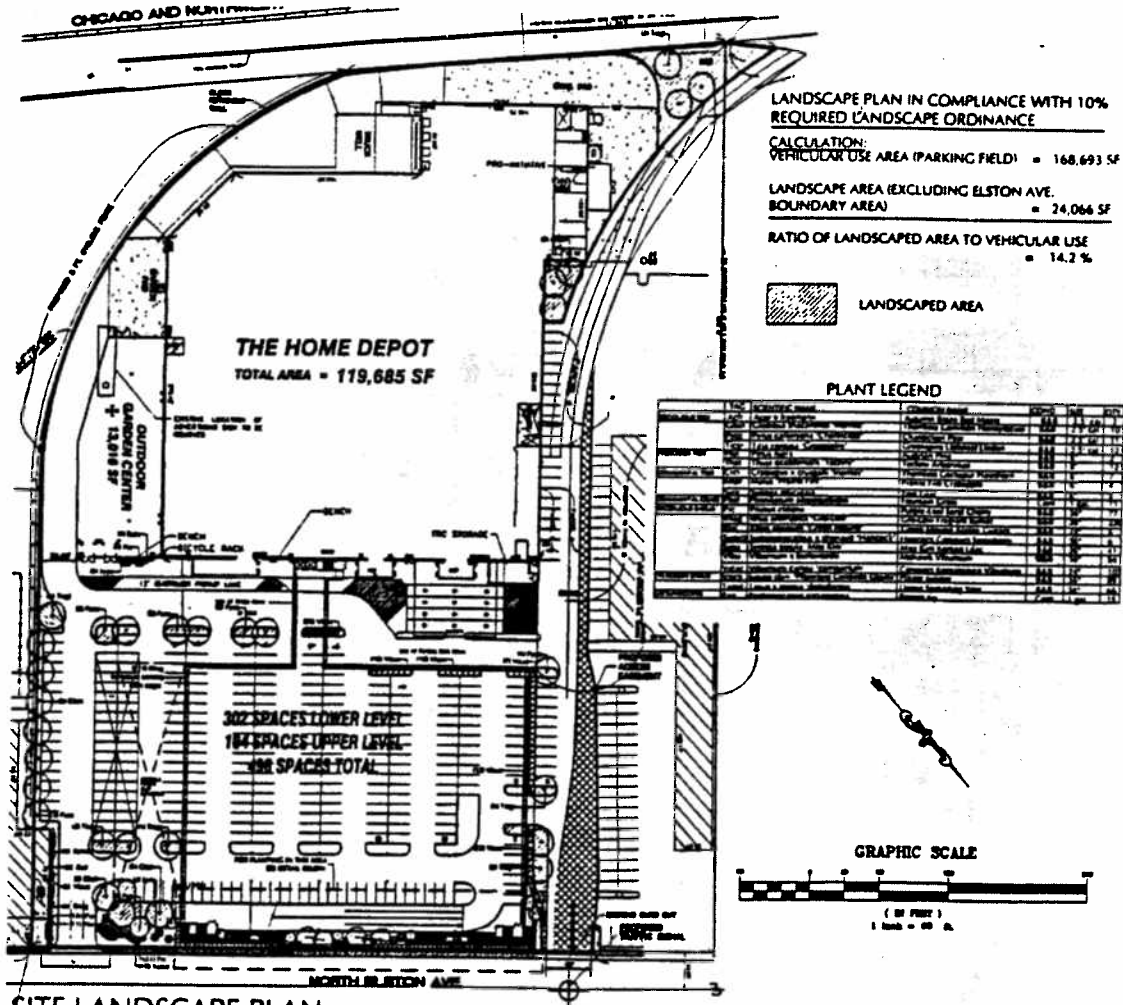


**PARKING:**  
 ON SITE = 496 SPACES  
 ON NORTH EASEMENT = 33 SPACES  
 TOTAL = 529 SPACES  
 (INCLUDES 11 HANDICAPPED SPACES)

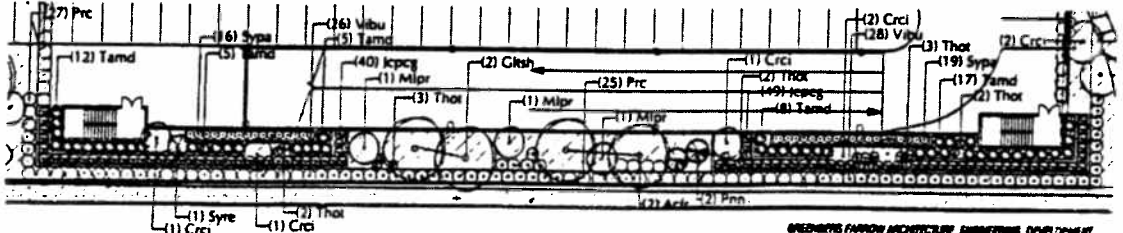
GREENBERG FARRER ARCHITECTURE ENGINEERING DEVELOPMENT  
 3455 SOUTH CHASE LANE, SUITE 100, JENNER HILLS, IL 60095  
 PH 847.788.8200 FAX 847.788.8238

**APPLICANT:** THE HOME DEPOT, U.S.A., INC.  
**ADDRESS:** 2542-2680 N. ELSTON  
**DATE:** FEBRUARY 15, 2000  
**REVISIONS:** MARCH 29, 2000  
 APRIL 25, 2000  
 MAY 8, 2000  
 MAY 24, 2000  
 JUNE 15, 2000

Landscape Plan.



**SITE LANDSCAPE PLAN**  
 SCALE: 1" = 60'-0"

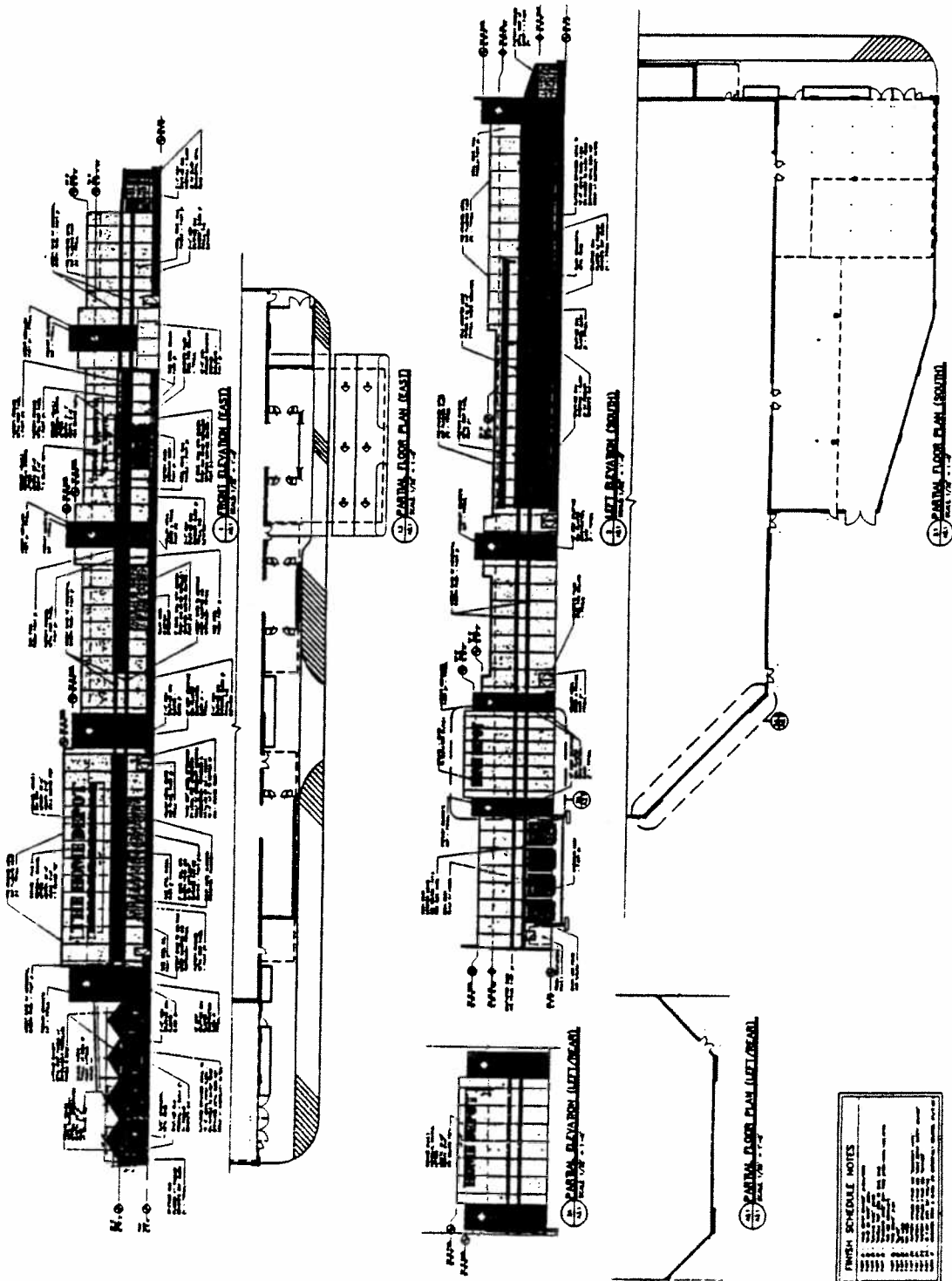


**PARKING DECK PLANTING DETAIL**  
 SCALE: 1" = 20'-0"

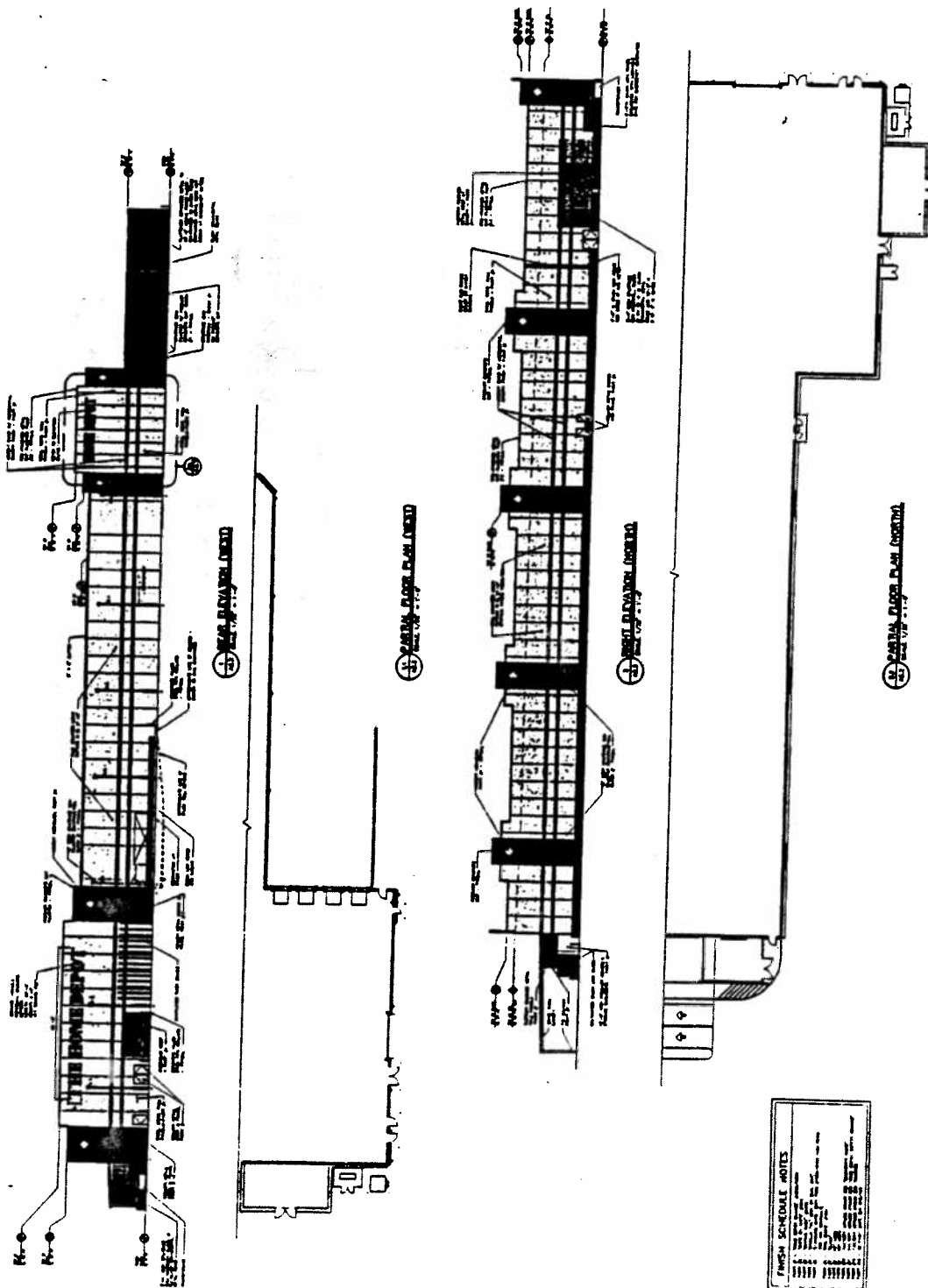
**GREENBERG FARRON ARCHITECTURE ENGINEERING DEVELOPMENT**  
 3456 Oak Creek Lane, Suite 108, Arlington Heights, IL 60005  
 Tel 847.708.8200 Fax 847.708.8236

**APPLICANT:** THE HOME DEPOT, U.S.A., INC.  
**ADDRESS:** 2542-2680 N. ELSTON  
**DATE:** FEBRUARY 15, 2000  
**REVISED:** MARCH 29, 2000  
 APRIL 25, 2000  
 MAY 8, 2000  
 MAY 24, 2000  
 JUNE 15, 2000

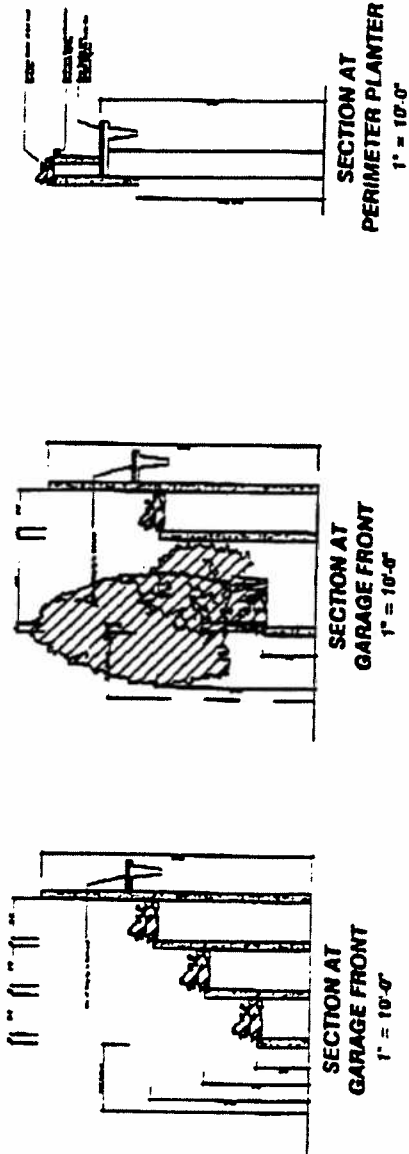
Building Elevations.  
(Page 1 of 2)



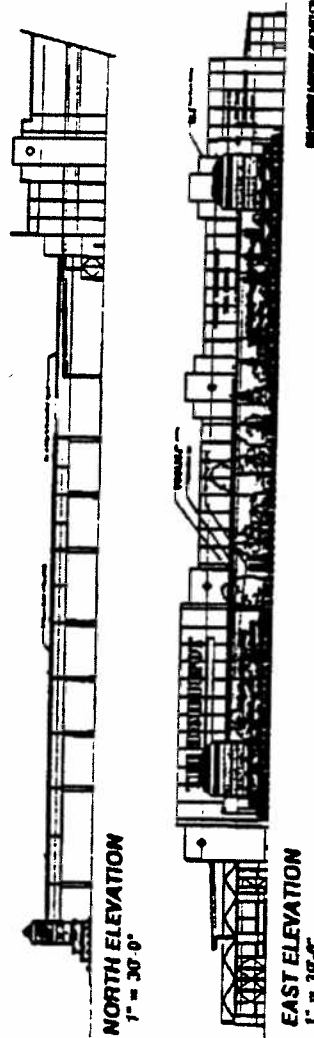
Building Elevations.  
(Page 2 of 2)



Parking Garage Elevations.  
(Parking Garage Sections)



PARKING GARAGE SECTIONS



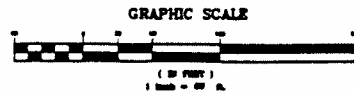
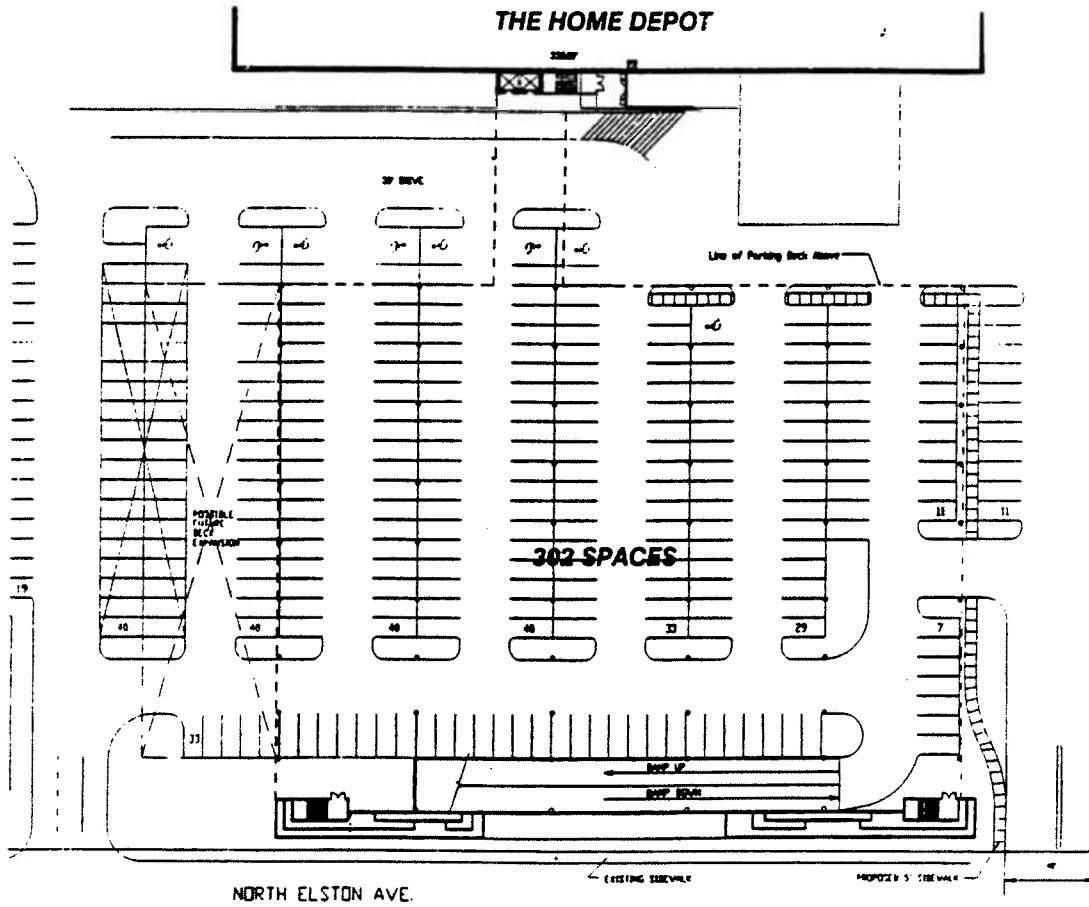
ARCHITECT: THE TORRES COMPANY, INC.  
2542 NORTH WILSON  
CHICAGO, ILL. 60640  
TEL: 312.287.2000 FAX: 312.287.2001

DATE: MAY 27, 2000  
BY: J. J. JONES

APPLICANT: THE TORRES COMPANY, INC.  
ADDRESS: 2542 NORTH WILSON  
DATE: FEBRUARY 15, 2000  
NO. 001111  
MAY 27, 2000  
MAY 27, 2000  
BY: J. J. JONES

PARKING GARAGE ELEVATIONS

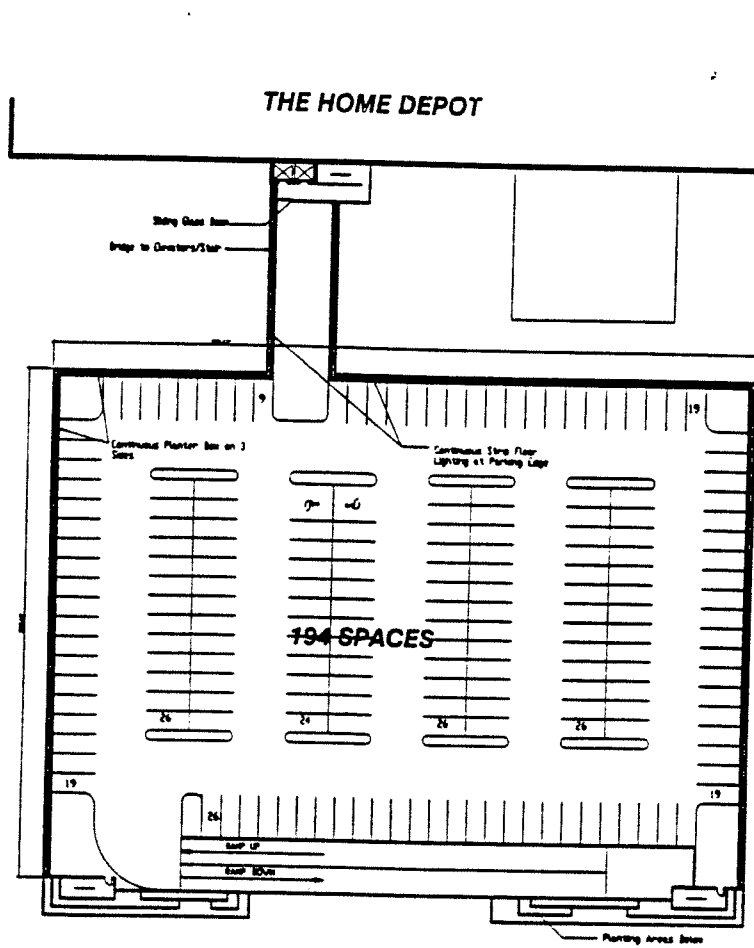
Parking Garage Elevations.  
(Lower Parking Deck Plan)



GREENBERG FARROW ARCHITECTURE ENGINEERING DEVELOPMENT  
 3455 East Canna Lane, Suite 100, Arlington Heights, IL 60005  
 Tel 847.708.8200 Fax 847.708.8636

APPLICANT:	THE HOME DEPOT, U.S.A., INC.
ADDRESS:	2542-2680 N. ELSTON
DATE:	FEBRUARY 15, 2000
REVISED:	MARCH 29, 2000
	APRIL 25, 2000
	MAY 8, 2000
	MAY 24, 2000
	JUNE 15, 2000

Parking Garage Elevations.  
(Upper Parking Deck Plan)



GREENBERG FARROW ARCHITECTURE ENGINEERING DEVELOPMENT  
 3465 Salt Creek Lane, Suite 100, Arlington Heights, IL 60005  
 Tel 847 788.9200 Fax 847 788.9526

APPLICANT:	THE HOME DEPOT, U.S.A., INC.
ADDRESS:	2542-2680 N. ELSTON
DATE:	FEBRUARY 15, 2000
REVISED:	MARCH 29, 2000
	APRIL 25, 2000
	MAY 8, 2000
	MAY 24, 2000
	JUNE 15, 2000