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Patrick Murphey, Zoning Administrator
Department of Planning and Development
City of Chicago

Re: Request for Formal Written Interpretation under MCC 17-16-0100
Property: 1111 W. Diversey Pkwy, Chicago, Illinois

Dear Administrator Murphey,

Pursuant to Section 17-16-0100 of the Chicago Municipal Code, we, the undersigned Alderman, respectfully request a Formal Letter of Written Interpretation regarding the proper zoning classification of the proposed Comed electrical substation at 1111 W. Diversey Pkwy.

As elected officials representing the immediately surrounding area, we submit this request jointly given the project's proximity to multiple ward boundaries and its anticipated impact across our resident neighborhoods.

Specifically, we call for clarification as to whether the proposed facility qualifies as a "Minor Utility" under MCC 17-17-0103-L defined as a utility use that has "few if any impacts on the surrounding properties", or whether it instead constitutes a "Major Utility" under MCC 17-17-0103-K defined as a utility use with "significant land use impacts on the surrounding areas." Based on our understanding of the elements, we believe that the proposed facility raises substantial questions under these definitions and contest the classification of "minor utility."

Key Considerations

1. Scale and Intensity of Use Beyond "Minor Utility" Impact Threshold: The proposed 138kV regional transmission hub occupies approximately 1.08 acres (47,000 square feet) in a dense, residential, and transit-served corridor. This scale stands in stark contrast to neighborhood-scale distribution substations. A facility of this industrial scale, characterized by high-voltage equipment and a largely inactive site footprint, inherently imposes substantial land-use impacts that exceed the "Minor" definition.

2. Violation of Connected Communities Design Mandates at a Transit-Oriented Location: The subject property at 1111 W. Diversey Pkwy is located approximately 735 feet from the

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Diversey CTA station, which is an accessible elevator-served station, servicing both the Brown Line and Purple Line. This places the site within the City’s transit-oriented development framework and identifies it as appropriate for high-density residential and mixed-use development.

The site is also subject to the 2022 Connected Communities Ordinance (CCO). Under the CCO, new construction in B and C districts within one-half mile of a rail station must comply with Pedestrian Street standards (MCC 17-3-0504), including requirements for transparent ground-floor facades and active street-facing entrances. These standards are intended to promote walkability, economic activity, and pedestrian safety.

An unmanned, windowless substation spanning more than 125 yards is not capable of meeting these design requirements and is inconsistent with the planning framework established for transit-served corridors, including the City’s longstanding zoning and land use policies.

3. Land Use Impacts: The project presents multiple impacts inconsistent with the “Minor Utility” definition, including but not limited to:

- The proposal is located within 30 feet of **Kensington School**, and a block from **Harriet Tubman Elementary** and **Growing Seeds Preschool**. The scale of this industrial build-out raises significant safety, environmental, and character-compatibility concerns that transcend the “Typical Use” examples provided in the Minor Utility definition.
- The proposal permanently removes a large, developable site from residential or mixed-use purposes.
- This proposal creates a non-active, industrial frontage in a pedestrian-oriented corridor
- This proposal’s visual and structural presence is inconsistent with the surrounding neighborhood character.

4. Functional Scope: Based on available information, the facility appears designed to serve broader electrical distribution needs beyond the immediate surrounding area where the service is provided, rather than functioning as a localized, neighborhood-serving utility installation. This broader function aligns more closely with the definition of a “Major Utility” as it “transcends the usual restraints of the district.”

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5. Market Demand and Feasible Alternatives: Developers have expressed interest in constructing residential housing with ground-floor retail at this site, reflecting the property’s viability for productive, neighborhood-serving use consistent with its location and zoning context.

6. Interpretation of Ordinance Language: While the ordinance includes “substation” as an example within the “Minor Utility” category, the controlling standard remains the qualitative definition requiring minimal impacts. We respectfully request clarification as to how the proposed facility satisfies this standard, given the scale, function, and impacts described above.

Conclusion & Requested Determination: Given the significance of this project and its potential long-term impact on the surrounding neighborhood, a clear and thorough interpretation is necessary to ensure proper application of the Zoning Ordinance. Accordingly, we respectfully request that the Zoning Administrator issue a written determination addressing:

1. The elements in which the proposed substation qualifies as a “Minor Utility” under MCC 17-17-0103-L, including, but not limited to, how the facility meets the requirement of having “few if any impacts on surrounding properties”
2. Additionally, whether the facility should be classified as a “Major Utility” under MCC 17-17-0103-K by virtue of its regional scale and pedestrian-design violations.

We appreciate your timely consideration of this request.

Sincerely,

Alderman Timmy Knudsen
43rd Ward, City of Chicago

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Alderman Bennett Lawson
44th Ward, City of Chicago

Alderman Scott Waguespack
32nd Ward, City of Chicago

CC:

Sara Feigneholtz
State Senator for Illinois' 6th District

Ann Williams
State Representative for Illinois' 11th District