

CHICAGO DEPARTMENT OF TRANSPORTATION  
PROJECT DEVELOPMENT DIVISION

**STREET AND ALLEY VACATION PROGRAM**  
FOR COMMERCIAL/RESIDENTIAL USE

2 North LaSalle Street, Suite 950  
Chicago, IL 60602

Revised 5/31/2024

## **STREET AND ALLEY VACATION PROGRAM - COMMERCIAL/RESIDENTIAL USE**

### **A. PROGRAM INTENT**

Under the Street and Alley Vacation Program for Commercial / Residential Use, the City can confer ownership of little-used, unimproved, underutilized, or remnant streets and alleys to the adjacent property owner. Pending review and approval by utility provides, and provided that certain criteria and obligations are met by the applicant, the vacated right-of-way may be utilized for building expansion and modernization, employee parking, improved security, truck staging, or other accessory uses that are likely to improve the operation or security of the participating company or homeowner.

### **B. ELIGIBILITY GUIDELINES**

1. The applicant must be the owner of the property that abuts the right-of-way of the proposed vacation.
2. If there are multiple property owners abutting the vacation area, or deemed to be affected by the proposal, all owners must concur and participate in the vacation process via quit claim or co-application.
3. The applicant's property must be appropriately zoned for the intended use. Note: industrial users and not for profit organizations may apply to the Commercial/Residential Use program to avoid the restrictive covenants associated with those programs.

### **C. PROGRAM REQUIREMENTS**

1. The applicant's property must be located in an area zoned for the proposed use and be adjacent to the area to be vacated.
2. The proposed vacation must not have a significant adverse effect on the security, accessibility, or operations of nearby land uses. Projects must meet basic configuration criteria; configurations that propose to dead-end an alley or street mid-block, reroute street traffic through an alley, vacate half the width of a street/alley, create an irregular right-of-way line or superlot, vacate air rights, or vacate right-of-way leading to a public amenity will not be granted. CDOT reserves the right to reject proposals that are not judged to be in the public's best interest, or that are deemed contrary to the Department's mission.
3. The applicant must pay all fees necessary to complete any utility relocations, removals, or otherwise resolve the objections as requested by the Office of Underground Coordination (OUC) [member agencies](#). This may also include

the granting of easements for access by the utility to its equipment (which will be handled by the City).

4. The applicant must pay all fees associated with application, plat creation and review, survey work, title work, land appraisals, recording, and any other associated expenses necessary to ensure the success of the land conveyance.
5. If dedication of any new right-of-way (street or alley) is necessitated by the proposed vacation configuration, the applicant will be responsible for building the new right-of-way to current [City standards](#), at their own expense. Please note that the value of the dedication will not be credited against the appraised value of the vacation. (Applicants will be advised if a dedication of new right-of-way is necessary for their project.)
6. The applicant must occupy and maintain the vacated right-of-way and the abutting property continuously. Failure to actively occupy for a period of 12 consecutive months will constitute abandonment and the City will move to retake. The lack of company property, use, and/or company signage on the site will constitute abandonment. Failure to secure the area against illegal use, and failure to develop the site per the agreed upon plan, will also serve as grounds for reversion to the City.

#### **D. APPLICATIONS AND REVIEW**

Applications will be reviewed in the order they are received. Application materials should be mailed to:

CDOT - Project Development Division  
Attn: Public Way Unit  
2 N. LaSalle St, Suite 950  
Chicago, IL 60602

Projects are completed in four phases, as outlined below.

##### **1. PHASE 1: INITIAL PROGRAM REVIEW**

Initial review of application materials will be conducted by CDOT program managers to ensure that the proposed project qualifies under the program guidelines and meets basic configuration criteria. At this time you will be assigned a CDOT manager, a CDOT file number, and will receive an invoice for the \$2,000 non-refundable application fee. Please keep a copy of your submission in your files. Note: CDOT reserves the right to reject any application not meeting the burden of documentation, program and/or configuration criteria, or not judged to be in the best interest of the City.

**2. PHASE 2: AGENCY REVIEW**

If the proposal is deemed acceptable by the CDOT manager, the project will be submitted to the Office of the Underground Coordination (OUC) for review by member entities with interest and/or facilities in the right-of-way. Once comments are received from the member entities, they will be provided to the applicant. The applicant will then have 90 days to coordinate, resolve, and submit proof of mutually satisfactory negotiations with any involved member entities. Obligations shall be summarized in a Resolution Letter that will be used in the ordinance to effectuate the vacation.

**3. PHASE 3: LEGISLATION**

In preparation for City Council review, CDOT will work with applicants to finalize the plat(s), submit their Electronic Disclosure Statement to the Law Department, and review and provide any comments on the draft ordinance. After initial introduction at City Council, an appraisal will be ordered by the Law Department (appraiser fee paid for by applicant) and applicants will be required to submit a letter consenting to pay the appraised value prior to returning to City Council for the Transportation and Public Way Committee meeting. At this time, applicants must (re)familiarize the local Alderman with the project and appear at the Transportation Committee to present the project. If passed by the Transportation Committee, the ordinance proceeds to full Council for the final vote and passage.

**4. PHASE 4: RECORDING**

30 days after the ordinance is passed by City Council, the legislation is published by the City Council Journal, making it law. Only legislation that has been published in the Journal can begin the recording process. Prior to recording the final documents, the appraised value must be paid by the applicant, as well as any additional construction or related fees. Once payments are received, the CDOT manager will provide a certified copy of the ordinance to the applicant. The applicant will record the ordinance with the Cook County Recorder's Office. The ordinance is valid for 180 days following the date of City Council passage, during which the applicant must complete any payments and record the required documents. Applicants can expect approximately 10 months from CDOT's receipt of a complete application package to final processing of the project.

**APPLICATION FORM**  
**STREET AND ALLEY VACATION PROGRAM - COMMERCIAL/RESIDENTIAL USE**

**Main Contact**

Name on Title (if a trust, list company name):

Company Contact:

Phone/Fax:

Address (City, State, Zip):

Email:

**Secondary Contact** (typically Applicant Representative or Counsel)

Name:

Company:

Phone/Fax:

Address (City, State, Zip):

Email:

**Purchaser Contact** (only required if land is being sold and buyer is leading application)

Name:

Company:

Phone/Fax:

Address (City, State, Zip):

Email:

*Note: Full contact information for two project representatives is required.*

**Project Location:**

General location with boundaries (ex: "S. Smith St between W. Riley St & W. George St" or "the north-south alley in the block bounded by S. Smith St, W. Riley St, S. Jane St, and W. George St")

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Zoning:

Ward:

**Description of Intended Use:**

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Will the vacated street/alley be 1) used a driveway or 2) built over:

Estimated cost to the applicant to develop the overall site (including the area proposed for vacation):

Proposed square footage of new construction:

**Commercial Applicants Only:**

Size of applicant's current operation in square feet:

Number of Employees: full-time                      part-time                      total

Length of time applicant has been at current address:

Signature below certifies that any zoning change or ownership change (that occurs on the applicant's property or any neighbor adjacent to the area to be vacated) will be promptly reported to the CDOT program manager prior to ordinance.

Applicant's Name:

Applicant's Signature:

Date:

Notary:

*Instructions: If an accompanying dedication will be required to complete the vacation, the text below must be reproduced on the applicant's letterhead, initialed/executed by the applicant, and notarized.*

**DUTY TO BUILD AGREEMENT**

In support of my current application with the Chicago Department of Transportation's Public Way unit for a dedication of my private property for new public way, I hereby state that I am the applicant, or the company agent for the applicant involved in the property, and that I have the authority to agree to the below terms of the dedication.

Initial

\_\_\_\_\_ I am aware that I am responsible for the construction of all public and private rights of way (streets, alleys, etc.) described on the Plat of Vacation/Dedication associated with CDOT File No (to be added by CDOT later): \_\_\_\_\_

\_\_\_\_\_ I further understand that all rights of way being dedicated must be built to standard City specifications as detailed in the most current version of CDOT's Regulation for Openings, Construction and Repair in the Public Way; with lighting in the public way designed and approved in accordance with the CDOT Electrical Design Standards, both of which are included on the [CDOT Maps and Plats website](#).

\_\_\_\_\_ Lastly, I understand that construction deposits will be required to assure that the work is done correctly. An inspection will be conducted by the City upon completion of the work. The City of Chicago reserves the right to require demolition and reinstallation of any facilities that are judged to be subpar or that do not adhere to the City's standards.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Full Address: \_\_\_\_\_

Organization Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Notary:

## **APPLICATION CHECKLIST**

### **STREET AND ALLEY VACATION PROGRAM - COMMERCIAL/RESIDENTIAL USE**

*Note: Please submit the following in a single package. Original documents are not required. If the file is opened and subsequently closed due to inactivity (i.e.: after three attempts by CDOT to complete the file), a reapplication fee will be assessed.*

#### Project Overview:

- Completed 2-Page Application Form for applicable program (2 copies)
- \$2000 non-refundable application fee will be invoiced after receipt of application  
**(no fee payment shall be submitted with initial application materials)**

#### Ownership Documentation:

- Current title policy showing PINs, legal descriptions of land, and ownership to ALL lots adjacent to the proposed vacation. Title should be no more than 1 year old. Tract searches and pro-forma titles are not acceptable. (1 copy of each document)
- If applicant doesn't have ownership to all lots adjacent to the proposed vacation, provide recorded Quit Claim Deed(s) and proof of ownership from each adjacent property owner OR file a co-application. (1 copy of each document)
- If the land is held in trust, provide current certified copies of any land trusts naming the beneficiary. (1 copy of each document)

***Note: any changes in ownership that occur during the vacation/dedication process must be reported to the CDOT Program Manager immediately or the ordinance will be nullified.***

#### Design Proposal:

- Certified copy of a plat of vacation that adheres to the [Plat Requirements](#) in three different sizes: 8.5x11 (1 copy), 11x17 (1 copy), and full-size (1 copy)
- 8.5x11 site plan depicting the intended use of the area to be vacated (1 copy)
- If the proposal is part of a Planned Development project, or an amendment to a Planned Development, it must be reviewed by the CDOT Plan Review Committee (PRC) and meet applicable [PRC guidelines](#). Note a traffic study may be required. Provide PRC approval and proof of funding (1 copy)

#### Dedications:

If the proposal requires a new dedication of public way, also include:

- Duty to Build Agreement, executed and notarized on applicant's letterhead (1 copy)
- Phase 1 Environmental Site Assessment (ESA) conducted in accordance with ASTM E1527-13 standards and dated within 180 days of application is required, but CDOT will request the ESA electronically **(no hard copies required)**